



Report of: Service Director, Public Protection

| Meeting of | Date | Agenda Item | Ward(s) |
|-------------------------|--------------|-------------|---------------|
| Licensing Sub-Committee | 8 March 2016 | | Finsbury Park |

| | | |
|-----------------------|--|------------|
| Delete as appropriate | | Non-exempt |
|-----------------------|--|------------|

Subject: REVIEW APPLICATION
B & D SUPERMARKET, 156 SEVEN SISTERS ROAD, LONDON, N7 7PL

1. Synopsis

- 1.1 This is an application by the Trading Standards Authority 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 licensing objective:
- i) Prevention of crime and disorder.

2. Relevant Representations

| | |
|---------------------|-----|
| Licensing Authority | No |
| Metropolitan Police | Yes |
| Noise | No |
| Health and Safety | No |
| Trading Standards | No |
| Public Health | No |

| | |
|-----------------------|-----|
| Safeguarding Children | No |
| London Fire Brigade | No |
| Local residents | No |
| Other bodies | No: |

3. Background

3.1 Papers are attached as follows:-

- Appendix 1: review application form with current licence;
- Appendix 2 copy of minor variation application submitted in June 2015
- Appendix 3: representation from Metropolitan Police
- Appendix 4: map of premises location.

3.2 The premises is currently licensed for the sale of alcohol for consumption off the premises from on Monday to Sunday for 24 hours a days

3.3 The previous licensing history is:

- a) The original premises licence was granted on 28 November 2005 as a conversion and a variation application to permit the premises to open 24 hours a day.
- b) The current licence holder transferred on the licence on 16 October 2007.
- b) On 2 June 2015 a minor variation application was submitted by the licence holder to add additional conditions proposed by Trading Standards and Police in leau of further enforcement action.

4. Planning Implications

4.1 The lawful use of this property appears to be retail (A1).

5 Recommendations

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

5.1 The Committee must have regard to the application and any relevant representations. The Committee must take such steps as appropriate for the promotion of the four licensing objectives.

5.2 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

Conclusion and 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.

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

25/2/16

Received by

Head of Scrutiny and Democratic Services

Date

Report author: Licensing Service

Tel: 020 75027 3031

E-mail: 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:

(B & D Supermarket)

156 Seven Sisters Road

Post town: **London**

Post code: **N7 7PL**

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

Number of premises licence or club premises certificate: **LN / 4497 - 020615**

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: | 020 7527 4028 |
| E-mail: | alonso.ercilla@islington.gov.uk |

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 prevent crime and disorder and licensing policies 26 & 10. It particularly relates to the seizure of a large amount of non-UK duty paid tobacco products and a failure to exhibit a high standard of management at the business – specifically in regard to complying with licence conditions.

The business is a small independent licensed convenience store. It is owned by Berdil Ltd., the sole director of which is Devrim Saygili. Mr Saygili has owned the business through his company since 2010 and has also been the premises licensee and designated premises supervisor since 2007.

In March and December 2011, the business was sent guidance on how to identify illicit alcohol and tobacco, with covering letters warning that a licence review may result if seizures of illicit goods were found in future. Included in the guidance were warnings against buying alcohol from unknown callers at the shop (the 'Golden Rule') and to only deal with reputable suppliers and to obtain appropriate paperwork.

The business did not receive a visit from Trading Standards to check on illicit alcohol until September 2014. When Mr Love from that team visited then, he seized 39.4 litres of spirits, 65 bottles of Italian wine and 0.55kg of shisha tobacco was identified as illegal and seized. In an interview under caution, Mr Saygili admitted that some of the spirits and some beer for which Mr Love had requested invoices be provided were purchased from a man calling at the shop in a van; other spirits had been bought without paperwork from a shop that was closing; and the wine was purchased "a long time ago" by "someone at the shop". It was noted at the interview that Mr Saygili did not have his current address on the premises licence.

Mr Saygili and a friend attended training for off licensees put on by Trading Standards in November 2014. The course has parts including a session on Licensees' Responsibilities, which covered the importance of having the licensee's correct address on the premises licence and the importance of understanding and complying with licence conditions; and one on illicit goods, which made clear the firm line that the Council took when illicit goods were found in off licences. A copy of the slides used were given to attendees for future reference at the end of the training.

As the business had not previously caused concern to Trading Standards and the training had been attended, the decision was made to offer him an alternative to a licence review. Mr Saygili agreed to vary his licence to add conditions relating to illicit alcohol, age-restricted goods procedures, CCTV and high strength alcohol and to reduce his permitted hours for selling alcohol from 24 hours. The Licensing team sent the amended licence to Mr Saygili.

In October 2015, Trading Standards received information that the shop was selling illicit tobacco products.

On 25th November, Mr Love was leading an operation to search for illicit tobacco using tobacco detection dogs. A visit was made to B & D Supermarket.

Mr Love entered the premises before the dogs and told Mr Saygili, who was behind the counter, that they were going to do an inspection for illicit goods. Mr Love asked if there was any foreign tobacco in the shop Mr Saygili said that there was not.

One of the dogs was brought in and he quickly found packs of foreign Marlboro cigarettes that were held in place on the underside of the countertop by three wires. In total, Mr Love seized 18 foreign packs of 20 Marlboro Gold cigarettes. As well as being illegal because no UK tax had been paid, none of the products had the required English language or picture health warnings.

At no stage during the visit did Mr Saygili claim that the cigarettes were for his own personal use.

Mr Love seized these cigarettes and made a written request for invoices to be provided for six types of beer that had no English language labelling. As well as being illegal under food labelling legislation, Mr Love felt that the beers may have been non-UK duty paid.

Mr Saygili was unable to provide the premises licence when Mr Love asked to see it – he said he

had never received the amended one after the variation had been made. It is a requirement in the Licensing Act to keep the premises licence on the premises.

On 4th December, Licensing Officer Dan Whitton visited B&D Supermarket to complete a comprehensive check of licence conditions. He noted that several conditions in Annex 2 were not being complied with: no notice was present to comply with condition 3 (a condition that had been on the pre-variation licence); Marios Tasos, the employee who was present said that he had not been trained in relation to the sale of alcohol (conditions 12, 13) and knew nothing of a refusals log (condition 14); and there was a great deal of high strength beer contrary to condition 16. Mr Saygili was called to the shop and appeared to have no knowledge of the licence conditions.

Mr Love wrote to the Mr Saygili, inviting him to a PACE interview on 11th December 2015, which he attended. An interpreter was also present, but Mr Saygili did not have legal representation. Mr Love asked him about the illegal tobacco and the breaches of the Licensing Act. A summary of the main points of the interview follows:

- DS said he and four other employees worked behind the counter at the shop.
- DS stated that the seized cigarettes were bought from a Bulgarian customer two days earlier for his own personal use. They were at work because he only smokes at work, not at home. He'd hidden them under the counter because he did not want his staff to see them and to smoke or sell them. He'd never thought to keep them in his van which he often used to travel to work.
- DS had not admitted to possessing the cigarettes when Mr Love asked about foreign cigarettes initially as he disregarded them as they were for personal use and, once he realised the dogs would find them, because he was afraid to.
- DS provided an invoice for two of the six types of beer that Mr Love asked about – Kasztelan and Lech Pils was purchased from Apear Ltd., a cash and carry business in Wood Green. The four other brands were taken on sale or return from a person calling at the shop. No paperwork was provided in relation to these beers and DS did not know the name or address of the seller (a mobile number was provided).
- A price of £13.99 for a case of 24 was agreed in the event that they sold. When asked why this price was so low (the similar beers from Apear Ltd, cost £20.99 and £21.99 for a case of 24), DS suggested that it may be because they were new beers with an introductory price.
- DS states he is familiar with his responsibilities as a licensee and DPS.
- He thought the amended licence (after he made the minor variation) hadn't been sent to him and he hadn't chased it as he thought it was still in process. He thought he only had to start complying with the conditions once the new licence had been received.
- Even though he stated that he was familiar with licensees' general responsibility to promote the Licensing Objectives, DS could not name them.
- DS had brought Ferhat Varol with him to help him understand the training – intending him to interpret in real time, or to explain the handouts later, but this did not work very successfully.

Once the interview was over, the interpreter went through the added conditions with DS, so that he understood fully what he had to do.

Mr Saygili has subsequently provided written confirmation of his current address and the amended licence was sent out on 11th January 2016

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

| | | |
|-----------|-----------------|---|
| 2011 | Advice | The business was twice sent letters enclosing guidance relating to illicit alcohol and tobacco. |
| Sept 2014 | Seizure | 39.4 litres of spirits, 65 bottles of wine and 0.55kg shisha tobacco, all non-UK duty paid were seized by TS. |
| Nov 2014 | Training | Mr Saygili and Ferhat Varol attended a TS Training event for off-licensees. |
| June 2015 | Minor variation | Mr Saygili submitted a minor variation to add conditions and reduce hours at the request of TS. |
| Nov 2015 | Seizure | After information was received TS found and seized 18 packs on non-duty paid cigarettes that were hidden under the counter. |
| Dec 2015 | Inspection | Licensing officers found breaches of conditions, including one that was on the 'pre-variation' licence. |

Recommendations

I believe that the premises licence should be revoked.

There have been two seizures of illicit goods from the shop in the last 18 months.

On the first occasion, Mr Saygili admitted that he had no invoices for any of the seized goods and that some of it had been supplied by a person calling at the shop. The licence could – and in hindsight, should - have been reviewed at this time, but an alternative route was taken. Mr Saygili received training and it was made clear that any repetition would result in a review application being made.

The second seizure – after information was received that illicit tobacco was being sold from the premises – shows Mr Saygili chose not to take the opportunity to run his business responsibly. The circumstances of the seizure – the obviously illegal cigarettes, the steps taken to hide them - cannot lead to any conclusion other than Mr Saygili was knowingly breaking the law. The explanation that was offered in his interview that they were for personal use and hidden from staff is not credible.

Mr Saygili admitted in interview that he had again taken beer from an unknown person calling at the shop and agreed an unrealistically low price for it. There can be little doubt that this beer was non-UK duty paid and therefore illegal to sell.

The failures to keep update his address on the licence, neglecting to do so even when reminded, and to comply with licence conditions is clear evidence of poor management. Mr Saygili may genuinely have believed that the licence was still to be sent out and even that the conditions didn't apply until it had been. This does not explain, however, why he didn't implement some of the conditions in anticipation (Mr Love had sent a copy of them for Mr Saygili to retain) or why he was failing to comply with all the conditions previously on his licence.

In its Licensing Policy, Islington Council has outlined its commitment to act if licensed premises are found to be stocking illicit alcohol or tobacco. The Policy is clear about its commitment to ensure businesses and licensees operate responsibly and of their need to demonstrate a commitment to high standards of management. As identified above, this business has fallen far short of these standards.

Section 11.27 of that guidance states that there is certain criminal activity that may arise in connection with licensed premises, which the Secretary of State considers should be treated particularly seriously. This includes *"the use of licensed premises for the sale of smuggled*

tobacco and alcohol". 11.28 of this guidance states that "it is envisaged that licensing authorities would use the review procedures effectively to deter such activities and crime. Where reviews arise and the licensing authority determines that the crime prevention objective is being undermined through the premises being used to further crimes, it is expected that revocation of the licence – even in the first instance – should be seriously considered".

This business has wasted the opportunity that they were given on the first occasion that smuggled goods were found and have shown no commitment to high standards of management.

I believe that this premises licence should be revoked.

Please tick ✓ yes

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

If yes please state the date of that application

Day Month Year

| | | | | | | | |
|--|--|--|--|--|--|--|--|
| | | | | | | | |
|--|--|--|--|--|--|--|--|

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

N/A

Please tick ✓ yes

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



I understand that if I do not comply with the above requirements my application will be rejected



IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 3 – Signatures (please read guidance note 3)

Signature of applicant or applicant's solicitor or other duly authorised agent (See read guidance note 4). If signing on behalf of the applicant please state in what capacity.

Signature

Date

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 Summary

Licensing Act 2003

| | | | |
|-------------------------|----------------|-------------------------|------------------|
| Premises licence number | LN/4497-020615 | Date of original grant* | 24 November 2005 |
|-------------------------|----------------|-------------------------|------------------|

**An annual fee associated with this licence is to be paid on the anniversary of the original grant date.*

| | | | |
|--|---------------|-----------|--------|
| Postal address of premises, or if none, ordnance survey map reference or description | | | |
| 156 SEVEN SISTERS ROAD | | | |
| Post town | LONDON | Post code | N7 7PL |
| Telephone number | 0207 281 3976 | | |

| | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|---|--------|-------|-------------------------|-------|---------|-------|----|-------|-----------|-------|----|-------|----------|-------|----|-------|--------|-------|----|-------------------------|----------|-------|----|-------------------------|--------|-------|----|-------|
| Where the licence is time limited the dates | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Not Applicable | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Licensable activities authorised by the licence | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <div>Ground Floor Only</div> <div><ul style="list-style-type: none">The sale by retail of alcohol</div> | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| The times the licence authorises the carrying out of licensable activities | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <div><ul style="list-style-type: none">The sale by retail of alcohol:<table><tr><td>Monday</td><td>07:00</td><td>to</td><td>00:00</td></tr><tr><td>Tuesday</td><td>07:00</td><td>to</td><td>00:00</td></tr><tr><td>Wednesday</td><td>07:00</td><td>to</td><td>00:00</td></tr><tr><td>Thursday</td><td>07:00</td><td>to</td><td>00:00</td></tr><tr><td>Friday</td><td>07:00</td><td>to</td><td>01:00 the following day</td></tr><tr><td>Saturday</td><td>07:00</td><td>to</td><td>01:00 the following day</td></tr><tr><td>Sunday</td><td>07:00</td><td>to</td><td>00.00</td></tr></table></div> | Monday | 07:00 | to | 00:00 | Tuesday | 07:00 | to | 00:00 | Wednesday | 07:00 | to | 00:00 | Thursday | 07:00 | to | 00:00 | Friday | 07:00 | to | 01:00 the following day | Saturday | 07:00 | to | 01:00 the following day | Sunday | 07:00 | to | 00.00 |
| Monday | 07:00 | to | 00:00 | | | | | | | | | | | | | | | | | | | | | | | | | |
| Tuesday | 07:00 | to | 00:00 | | | | | | | | | | | | | | | | | | | | | | | | | |
| Wednesday | 07:00 | to | 00:00 | | | | | | | | | | | | | | | | | | | | | | | | | |
| Thursday | 07:00 | to | 00:00 | | | | | | | | | | | | | | | | | | | | | | | | | |
| Friday | 07:00 | to | 01:00 the following day | | | | | | | | | | | | | | | | | | | | | | | | | |
| Saturday | 07:00 | to | 01:00 the following day | | | | | | | | | | | | | | | | | | | | | | | | | |
| Sunday | 07:00 | to | 00.00 | | | | | | | | | | | | | | | | | | | | | | | | | |

| | | | |
|------------------------------------|-------|----|-------|
| The opening hours of the premises: | | | |
| Monday | 00.00 | to | 24.00 |
| Tuesday | 00.00 | to | 24.00 |
| Wednesday | 00.00 | to | 24.00 |
| Thursday | 00.00 | to | 24.00 |
| Friday | 00.00 | to | 24.00 |
| Saturday | 00.00 | to | 24.00 |
| Sunday | 00.00 | to | 24.00 |

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

Name, (registered) address of holder of premises licence



**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 Devrim Saygili

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
T: 020 7527 3031
E: licensing@islington.gov.uk

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.

There are further 'Mandatory conditions' applicable to licences authorising the supply of alcohol. A full list of the current mandatory conditions is available from the licensing pages on Islington's web site, www.islington.gov.uk. This list is subject to change by order of the Secretary of State and licensees and other responsible persons are advised to ensure they are aware of the latest conditions.

Annex 2 - Conditions consistent with the Operating Schedule

1. Alcohol shall not be sold in an open container or be consumed in the licensed premises
2. Staff shall discourage street drinking by being vigilant on shop floor and perimeter of the premises.
3. A notice inside the premises shall be displayed asking patrons to leave in a considerate manner.
4. No alcoholic goods will ever be purchased or taken from persons calling to the shop.
5. No spirits shall be purchased in a resealed box
6. The licensee will immediately report to Trading Standards any instance of a caller to the shop attempting to sell alcohol.
7. Only alcoholic drinks which are detailed on invoices will be purchased or accepted as part of a 'free' offer. Invoices (or copies) for all alcoholic goods on the premises will be made available to officers from the council, police or HMRC upon request.
8. A Stock control system will be introduced so that the licensee can quickly identify where and when goods have been purchased
9. 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.
10. 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 as soon as possible
11. The licensee shall adopt 'Challenge 25', the Retail of Alcohol Standards Group's advice for off-licences, and promote it through the prominent display of posters.
12. 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, detailing the areas covered, and make them available for inspection upon request by the licensing team, police or trading standards.
13. The licensee shall put arrangements in place to ensure that before serving alcohol to persons they believe to be less than 25, staff ask to see accredited proof of age: that is, proof of age cards carrying the 'PASS' logo (and no others), a Passport, or UK Driving Licence bearing the photograph and date of birth of the bearer.
14. 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.
15. CCTV shall be installed, operated and maintained in agreement with the Police. Maintained means that the system will be regularly serviced (at least once a year) and checked every two weeks to ensure that it is storing images correctly and a log kept and signed by a Supervisor to this effect. The system will provide an identifiable full head and shoulder image of everyone entering the premises and will operate in any light conditions within the premises. The system shall record in real time, date and time stamped and will operate whilst the premises is open for licensable activities. The recordings will be kept for a minimum of 31 days and copies will be made available to an Authorised Officer or a Police Officer (subject to the Data Protection Act 1998) within 24hrs of any request. There will always be a member of staff on duty who can operate the system, to allow Officers to view recordings and if required by a Police Officer, provide a copy of images immediately.
16. No high strength beer, lager or cider of 6.5% abv or above shall be sold other than premium beer, lager or cider priced at £1.95 or above per 500ml.

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

Annex 4 – Plans

Reference Number: 294.05/01 Date June 2005

NT.
862
TON
2/6/15
✓



2/6/15
✓

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Once completed please send your application to the relevant licensing authority. You may wish to keep a copy of the completed form for your records.

(Insert name(s) of applicant)

Part 1 – Premises details

156 SEVEN SISTERS ROAD

Postcode

NZ 7PL

0207 281 3976

89424

OFF-LICENCE e G20C G2V

COMMERCIAL LICENSING
TRADING HS

~~B. E. D. S. P. G. L. I. N. G. T. O. N.~~
ISLINGTON COUNCIL 1955-56

02 JUN 2015

| | | | |
|------|--------|----------|-----|
| Date | 2/6/15 | Fee Paid | 89. |
|------|--------|----------|-----|

| | |
|--|--------|
| Donor Choctaw Number (please circle) | 706564 |
|--|--------|

| | |
|----------------|-------|
| Receipt Number | 48900 |
|----------------|-------|

Received By JW

PUBLIC PROTECTION DIVISION
222 UPPER ST, LONDON N1 1XP

Part 2 – Applicant Details

I am/we are the premises licence holder/club premises certificate holder. (Please delete as appropriate)

Contact phone number in working hours (if any)

02965197999

Applicant Postal address IF DIFFERENT FROM PREMISES ADDRESS

FLAT 21 472 - 480 WEST GREEN ROAD

Post town

LONDON

Postcode

N15 3DH

Please provide email address if you would prefer us to contact you by email (optional)

Part 3 – Proposed variation(s)

Do you want the proposed variation to have effect as soon as possible?

☒ Yes ☐ No

DDMMYYYY

If not, from what date do you want the variation to take effect?

Do you want the proposed variation to have effect in relation to the introduction of the late night levy?
(Please see Guidance Note 3)

☐ Yes ☒ No

Please describe the proposed variation(s) in detail in the box below and explain why you consider that they could not have an adverse effect on the promotion of any of the licensing objectives (See Guidance Note 1). This should include whether new or increased levels of licensable activities will be taking place indoors or outdoors (indoors may include a tent):

Details of proposed variation(s) (Please see Guidance Note 4)

- Addition and removal of conditions as requested by Trading Standards and the Police (see attached Schedule)
- Reduction of licensed hours

Part 4 – Operating Schedule

Please tick those parts of the Operating Schedule which would be subject to change if this application to vary was successful.

Provision of regulated entertainment

Please tick all that apply

- | | |
|---|--------------------------|
| a. plays | <input type="checkbox"/> |
| b. films | <input type="checkbox"/> |
| c. indoor sporting events | <input type="checkbox"/> |
| d. boxing or wrestling entertainment | <input type="checkbox"/> |
| e. live music | <input type="checkbox"/> |
| f. recorded music | <input type="checkbox"/> |
| g. performances of dance | <input type="checkbox"/> |
| h. anything of a similar description to that falling within (e), (f) or (g) | <input type="checkbox"/> |

Provision of late night refreshment

☒

Supply of alcohol

(Note that this can only relate to reducing licensed hours, or moving them without any overall increase between 7am and 11pm)

☒

Please tick to indicate you have enclosed the following:

I have enclosed the premises licence/club premises certificate

☒

I have enclosed the relevant part of the premises licence/
club premises certificate

☐

I have included a copy of the plan
(this is necessary if the proposed variation will affect the layout)

☐

If you have not ticked one of the previous three boxes, please explain why in the box below.

Reasons why you have not enclosed the premises licence/club premises certificate or relevant parts.

Any further information to support your application. (See Guidance Note 5)

CHECKLIST:

Please tick to indicate agreement

- I have made or enclosed payment of the fee (£89); or ☒
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy. ☐
- I have enclosed the plan, if appropriate, of the premises in scale [1mm to 100mm], unless otherwise agreed with the licensing authority. ☐
- I have enclosed the premises licence/club premises certificate or relevant part of it or provided an explanation. ☒
- I understand that if I do not comply with the above requirements my application will be rejected. ☒
- I understand that I must now advertise my application for a continuous period beginning on the first working day after the day on which the application was given to the relevant licensing authority and ending at the expiry of the ninth consecutive working day after that day. ☒

**IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING
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.**

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THE APPLICANT CERTIFIES THAT THE INFORMATION PROVIDED IN THIS APPLICATION IS TRUE AND CORRECT TO THE BEST OF HIS/HER KNOWLEDGE AND BELIEF.

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THE APPLICANT CERTIFIES THAT HE/SHE IS NOT CURRENTLY SUBJECT TO ANY DISQUALIFICATION ORDER OR OTHER LEGAL PROHIBITION FROM DRIVING A MOTOR VEHICLE.


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Part 5 – Signatures and Contact Details
(See Guidance Note 6)

Premises Licence: Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (see Guidance Note 7). If signing on behalf of the applicant, please state your name and in what capacity you are authorised to sign:

| | |
|-----------|---|
| Signature |  |
| Date | 01.06.2015 |
| Capacity | Solicitor |

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (See Guidance Note 8). If signing on behalf of the applicant, please state in what capacity.

| | |
|-----------|--|
| Signature | |
| Date | |
| Capacity | |

Where the premises are a club

I (insert full name)
and have authority to bind the club.

make this application on behalf of the club

| | |
|-----------|--|
| Signature | |
| Date | |
| Capacity | |

Contact name (where not previously given) and address for correspondence associated with this application. (See Guidance Note 9)

SALRCO SOLICITORS 191 ANGEL PLACE
FLEET STREET EDINBURGH

| | |
|--|---|
| Post town LONDON | Postcode N18 2UD |
| Telephone number (if any) 0208 807 5888 | If you would prefer us to correspond with you by email your email address (optional) mehmet@salrco.co.uk |

Schedule of proposed conditions

Please add the following conditions:

- 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.
- Only alcoholic drinks which are detailed on invoices will be purchased or accepted as part of a 'free' offer. Invoices (or copies) for all alcoholic goods on the premises will be 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 as soon as possible.
- The licensee shall adopt 'Challenge 25', the Retail of Alcohol Standards Group's advice for off-licences, and promote it through the prominent display of posters.
- The licensee shall ensure that staff are trained about age restricted products and ensure that they sign to confirm that they have understood the training. The training shall include the assessment of age; making a challenge; acceptable proof of age; and recording refusals. The licensee shall keep records of training and instructions given to staff, detailing the areas covered, and make them available for inspection upon request by the licensing team, police or trading standards.
- The licensee shall put arrangements in place to ensure that before serving alcohol to persons they believe to be less than 25, staff ask to see accredited proof of age: that is, proof of age cards carrying the 'PASS' logo (and no others), a Passport, or UK Driving Licence bearing the photograph and date of birth of the bearer.
- The licensee shall require staff to note any refusals to sell to young people in a refusals log. The refusals log shall be checked and signed monthly by the designated premises supervisor. The refusals log shall be made available for inspection upon request by the licensing team, police or trading standards.

- CCTV shall be installed, operated and maintained in agreement with the Police. Maintained means that the system will be regularly serviced (at least once a year) and checked every two weeks to ensure that it is storing images correctly and a log kept and signed by a Supervisor to this effect. The system will provide an identifiable full head and shoulder image of everyone entering the premises and will operate in any light conditions within the premises. The system shall record in real time, date and time stamped and will operate whilst the premises is open for licensable activities. The recordings will be kept for a minimum of 31 days and copies will be made available to an Authorised Officer or a Police Officer (subject to the Data Protection Act 1998) within 24hrs of any request. There will always be a member of staff on duty who can operate the system, to allow Officers to view recordings and if required by a Police Officer, provide a copy of images immediately.
- No high strength beer, lager or cider of 6.5% abv or above shall be sold other than premium beer, lager or cider priced at £1.95 or above per 500ml.

Please remove the following conditions:

- Annex 2, condition 1 – not applicable
- Annex 2, conditions 3, 4, & 7 – replaced by added conditions

Change to permitted hours for licensable activities

I wish to reduce my permitted hours for licensable activities to:

| | |
|----------------------|------------------------------|
| 07.00 – 00.00 | Sunday to Thursday |
| 07.00 – 01.00 | Friday & Saturday |

Our Ref : MA/08790/14/SAYGILI

Your Ref :

21st May 2015

Recorded Delivery

Islington Council

Licensing Team

222 Upper Street

London N1 1XR

Dear Sirs,

Our Client: Devrim Saygili

Property: 156 Seven Sisters Road London N7 7PL

Premise Licence Number: 89424

We are instructed in the above matter by Devrim Saygili for application for a minor variation to the above premise licence.

In support our application we enclose herewith the following:

1. Application for a minor variation to a premises licence
2. Schedule of proposed conditions
3. Premise Licence Summary
4. Cheque in sum of £89 made payable to London Borough of Islington
5. Letter from Islington Council dated 21st May 2015

We hope the information provided is satisfactory to vary premise licence and please note our client only holds the original premise licence summary.

Please do not hesitate to contact us should you need any further information.

We look forward to hearing from you.

Yours faithfully,



Sal & Co Solicitors

Your License Review

Our Licensing/Nl

Date: 15/01/2016



**METROPOLITAN POLICE
SERVICE**

**Islington Police Licensing Team
Islington Police Station
2 Tolpuddle Street
London
N1 0YY
Telephone: 07799133204**

**Email:
licensingpolice@islington.gov.uk**

15th January 2016

**PREMISES LICENSE REVIEW:
B & D SUPERMARKET
156 SEVEN SISTERS RD
N7 7PL**

Dear Sir/Madam

Re: Premises License Review: B & D Supermarket, 156 Seven Sisters Rd N7 7PL

With reference to the above application, we are writing to inform you that the Metropolitan Police, as a Responsible Authority, will be supporting this application for a review of a premises license under Section 51 Licensing Act 2003.

We have read the application submitted by Mr Alonso Ercilla Trading Standards Manager Public Protection Division, 222 Upper Street N1 1XR.

We are in full agreement with his assessment of the premises. We believe that the management standards are far from reaching the high standards required and expected by all of the Responsible Authorities and the Council Licensing Policy.

The evidence put forward in Mr Ercilla's report makes it clear that there have been issues with the sale or possession of illicit alcohol and tobacco for a prolonged period of time at the venue, even after receiving written advice and then just recently training.

Islington Licensing Police take a very dim view of any person and or premises that operate outside of the law.

We do not believe that further conditions on the license will have any effect on the way the premises is run.

It is clear from the detailed report that Mr Devrim Saygili has decided that he will operate his premises the way he wants and not the way the current legislation demands. The standards of Management are far from the levels we would expect and we have no hesitation in recommending that the license for the premises is revoked.

Islington Police Licensing Team
Pc Steven Harrington 425NI
Pc Peter Conisbee 575NI

As per current licence

