



LICENSING SUB-COMMITTEE

REPORT

15 March 2012

Subject Heading:

Review of premises licence for Seker
Express Supermarket Quality Food
Centre 57-65 London Road Romford RM7
9QA

Report Author and contact details:

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This application for a review of the premises licence is made by Keith Bush Divisional Trading Standards Officer under section 51 of the Licensing Act 2003. The application was received by Havering's Licensing Authority on 25th January 2012.

Geographical description of the area and description of the building

The premises are a terrace double shop with the retail area on the ground floor and either offices of residential property above.

The premises are located on the south side of London Road about 175 metres west of Waterloo Road (the ring road) and 55 metres east of St Andrews Road. Nearby properties are a mixture of commercial premises and residential properties at the rear of the premises is a large residential area (St Andrews Road, Queen Street estate)

The premises are within easy walking distance of Romford Town Centre.

A map of the area is attached to assist the committee.

Details of the application

The application for review has been brought by the London Borough of Havering Trading Standards Service following alcohol being sold to under age volunteers on two separate occasions within two months in 2011. The full details of these incidents are included in the application.

History of the premises

The premises at number 65 London Road had a Justices Licence for the sale of alcohol for off sales and was grandfathered to the Licensing Act 2003. The premises at 57 to 63 was a furniture shop.

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On 6th October 2009 an application was made for a premises licence at 57 to 65. On 23rd November 2009 the Licensing Sub-Committee granted a licence with conditions (a copy of that decision notice is attached) alterations to the shop (57 to 65) were made to make it into a convenience store.

In June 2010 a licensing officer incorrectly varied the licence relating to 65 London Road to incorporate the whole of the premises 57 to 65 instead of producing a new licence.

In October 2011 I was made aware of this mistake.

I inspected the premises on 11th October 2011 and found there to be a number of conditions that were in the decision notice not being met. I pointed out the error in the licence and gave them a copy of the decision notice and a copy of what would be the licence when all of the conditions were met. (not the signed original)

In November 2011 I attended the shop and was told that the till prompt tills were being installed soon.

The test purchases took place at the end of 2011.

On 15th February 2012 the licensing authority received a change of DPS application to change from Mr Hasan Seker to Mr Haydar Has

On 22nd February 2012 I inspected the premises there were two members of staff present (one male one female) I later established that neither of these people hold a Personal Licence under the Licensing Act 2003. I introduced myself but I could not make myself understood, I asked for the documentation required under the decision notice and licence I was given various documents including the justices licence a food registration document and the licence for 65 London Road and was frequently told that the owner was at the cash and carry.

I was given a mobile phone and spoke to an agent from NARTS who translated for us.

After about 40 minutes other staff arrived and I was furnished with training records in a stapled together pack, which under the heading "Training Performed" it had the persons name not what training they had performed. There were only 5 lines completed on the form.

CD1 I questioned the point that all staff should be trained for their job and asked as the staff could not understand me how do they communicate with customers relating to age related products. No explanation was given.

CDGPG12 a refusal book was eventually produced it had the date 31/8/11 on the front cover it was a hard back book, and entries were numbered by the person making it entry 1, 2, 3, 10, 11, 19, 20 & 25 (the last entry) had no dates to them, there was no set format relating to each entry the page following entry 25 had been ripped out of the book. The explanation given was that the till now records refused sales and the page was probably used for notes/scrap.

Point 2 neither of the two staff who were present when I first attended the shop are holders of a personal licence. No explanation was given to me as to why this had happened

Point 3 there are two tills at the counter one has no till prompt the other operates when a age restricted product is scanned it prompts on the screen (in English) "is the customer over 18 YES – NO" if yes is touched the sale continues if no is touched nothing further happens. Apparently age restricted products are put through this till and the till records all of these transactions.

Point 4 a full licence has never been issued to the premises because of the mistake detailed above.

Comments and observations on the application

The application to review notice was placed with the licence holder's permission on the window of the premises it was also placed on the public notice board at the Town Hall and in the Havering web site.

Summary

There were no valid representations against or in support of this application from interested parties.

There was one representation in support of this application from responsible authorities.

Details of representations

Valid representations may only address the following licensing objectives:

The prevention of crime and disorder
The prevention of public nuisance
The protection of children from harm
Public safety

There were no representations from the following responsible authorities:

Public Health
The London Fire and Emergency Planning Authority
The Health & Safety Enforcing Authority
The Trading Standards Service
Planning Control & Enforcement
Children & Families Service