

**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 Charlotte Edwards

(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 in 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

Ockendon International Food Centre
30 Derry Avenue

Post town

South Ockendon

Post code (if known)

RM15 5DZ

Name of premises licence holder or club holding club premises certificate (if known)

Mr Sadik Alakirik

Number of premises licence or club premises certificate (if known)

20/00593/LAPRE

Part 2 - Applicant details

I am

Please tick ✓ yes

1) an individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A) or (B) below)

2) a responsible authority (please complete (C) below)

✓

3) 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 ✓ yes

Mr Mrs Miss Ms Other title
(for example, Rev)

Surname

First names

Please tick ✓ yes

I am 18 years old or over

**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 Charlotte Edwards Trading Standards Manager Thurrock Council Civic Offices New Road Grays Essex RM17 6SL
Telephone number (if any) 01375 652477
E-mail address (optional) chedwards@thurrock.gov.uk

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

- Please tick one or more boxes ✓
- 1) the prevention of crime and disorder
 - 2) public safety
 - 3) the prevention of public nuisance
 - 4) the protection of children from harm ✓

Please state the ground(s) for review (please read guidance note 2)

As per the information provided overleaf, the premises is believed to be failing to meet the Licencing Act objective, "protection of children from harm" by allowing a sale of a nicotine product (disposable vape) to a 16-year-old volunteer working with Trading Standards.

Such products are age restricted and like alcohol, can only be sold to persons over the age of 18. This is intended to prevent children having access to potentially harmful goods.

This review is brought about to amend and add to the existing conditions on the license in order to ensure alcohol is not sold to children.

Please provide as much information as possible to support the application (please read guidance note 3)

This department is fully aware that this sale was in relation to a nicotine inhaling (vaping) product and not alcohol. Despite this however, taking into the account the circumstances of the sale, the recent history of the premises and the same age restriction on vapes as with alcohol there is a significant concern that this business is not meeting the Licencing Act objective - "protection of children from harm". It is a firm belief that due to the actions of the seller on the day in question, it is highly likely they would have sold alcohol to the volunteer as well as the vape had the child picked up an alcoholic drink.

On 23rd August 2023, officers from Thurrock Council's Trading Standards department carried out an underage test purchasing operation. They were accompanied by a 16 year old female volunteer and a 16 year old male volunteer who were instructed to attempt to purchase a nicotine inhaling product (disposable vape) from five premises.

At 11.10am our volunteers entered Ockendon International Food Centre, 30 Derry Avenue, South Ockendon, RM15 5DZ were able to purchase an Elfbar Strawberry Ice 600 puff electronic cigarette (containing 20mg/ml nicotine). The sale was made by Fatme Yuseinova, a staff member at the premises.

There are concerns about the manner in which this sale was made as Ms [REDACTED] did not ask the volunteers for ID or to confirm their ages. The shop was well lit and another male member of staff was on the premises at the time, however the store owner and licence holder, Mr Sadik Alakirik was not present.

Out of the five premises tested that day two businesses refused the sale after asking for ID or the volunteer's age.

Mr Alakirik, the Premises Licence Holder was interviewed on 28th September 2023. He was given the opportunity to outline any age verification policies and any mitigating factors as to why this sale was made.

Key factors from the interview;

- Mr Sadik Alakirik has been the director of S777 Ltd t/a Ockendon International Food Centre for the last 3 or 4 years.
- [REDACTED] (Sadik's brother) helps manage the business when Sadik is on holiday or away, Sadik is in the process of arranging a personal licence for [REDACTED].
- Mr Alakirik doesn't have any previous experience in a related job role.
- He has received some underage sales training when he got his personal licence.
- Six staff currently work at the shop and Mr Alakirik confirmed they have all been trained in underage sales. Records provided show two members of staff were trained in October 2022 and two more were trained after the sale in August.
- The refusal books being used at the time were inadequate as there was nowhere for staff to record their name against the refusal. On the day of the test purchase the seller was unable to locate the refusal book.
- Till prompts are in use however they do not appear for all vape items, especially those on special offer.

[REDACTED] was also interviewed separately;

- [REDACTED] is a temporary member of staff and was covering for the summer holidays.
- She had only received basic verbal training from Mr Alakirik as he told her to ask for ID from customers she thought might be under 25.
- [REDACTED] said she sold the vape as she thought our volunteers looked like local, regular customers who she's previously seen ID from. Our volunteers have never been to this shop and do not live in the area.
- [REDACTED] confirmed she has received further training since this incident.

Transcripts of the interview and exhibits from the officers' statements can be made available to the Licensing Committee and Premises Licence Holder if required.

In addition to the facts of this sale, the Licensing Committee may wish to consider the following points;

- The shop failed a Challenge 25 test purchase on 21/10/22 by selling a vape to an 18 year old without asking for ID. The officer on the day returned to the store and spoke with the member of staff who had sold the vape. The seller stated that for personal reasons she wasn't fully with it that day and she wasn't sure what a Challenge 25 policy was. She was unable to show a refusal book and couldn't get through to her manager when she tried to call him.
- An officer managed to speak with Mr Alakirik on 25/10/2022 and was concerned about the lack of understanding he seemed to have about his staff needing to be trained. Further advice was provided to him during this call.
- On 22/12/2022 a joint visit with the licensing team was undertaken. The manager said two members of staff had been trained on age restricted products and any untrained staff were not allowed to serve age restricted goods. He was asked to display various signage as per his licence conditions.

In order to prevent alcohol being sold to persons under the age of 18 in the future, and to ensure compliance with the Licensing Act objective "protection of children from harm", this department would like to request that some of the current conditions are improved, and further conditions are added to the Premises Licence.

1. A refusals record shall be maintained at the premises that details all refusals to sell age restricted products. Each entry shall, as a minimum, record the date and time of the refusal and the name of the staff member refusing the sale. All entries must be made as soon as possible and in any event within 4 hours of the refusal and the record must be made immediately available to police, trading standards or licensing authority staff upon reasonable request. All staff should be trained how to use it and the DPS or his appointed deputy will inspect and sign this at least once a week. The refusals record shall be either electronic or maintained in a bound document and retained for at least 12 months from the date of the last entry.
2. A Challenge 25 policy will be adopted at the premises and all staff will be trained in its operation. Any person who appears to be under the age of 25 will be asked for ID and the sale will be refused if they are unable to provide valid identification. Signage will be prominently displayed within the premises to advertise the fact a Challenge 25 policy is in operation. The premises shall clearly display signs at each point of sale. At the point of sale, such signs shall be a minimum size of 200mm x 148mm.
3. Written training records will be kept for all staff for the duration of their employment and for at least six months after the individual may leave employment. This should include signed and dated forms from employees that state they have received and understood the training.
4. No sale of alcohol or other age restricted products will be made by any person who has not received training on age restricted products.

Please tick ✓ yes

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

If yes please state the date of that application

Day	Month	Year
<input type="text"/>	<input type="text"/>	<input type="text"/>

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

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, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

Part 3 – Signatures (please read guidance note 4)

Signature of applicant or applicant’s solicitor or other duly authorised agent (please read guidance note 5). **If signing on behalf of the applicant please state in what capacity.**

Signature C Edwards
.....

Date 16/11/23
.....

Capacity
...Trading Standards Manager.....

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)	
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

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant’s agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.

