

**MINUTES OF THE LICENSING SUB-COMMITTEE B
THURSDAY, 12 FEBRUARY 2009**

Councillors Dodds (Chair), Newton, Thompson and Dodds

MINUTE NO.	SUBJECT/DECISION	ACTION BY
LSCB09.	<p>APOLOGIES FOR ABSENCE</p> <p>Apologies for absence were received from Cllr Lister for whom Cllr Dodds was substituting. Cllr Lister was unable to consider item 6 as it was located within his Ward.</p>	
LSCB10.	<p>URGENT BUSINESS</p> <p>There were no items of urgent business.</p>	
LSCB11.	<p>DECLARATIONS OF INTEREST</p> <p>There were no declarations of interest.</p>	
LSCB12.	<p>MINUTES</p> <p>RESOLVED</p> <p>That the minutes of the Licensing Sub Committee B meeting held on 6 January 2009 be approved.</p>	
LSCB13.	<p>SUMMARY OF PROCEDURE</p> <p>Noted.</p>	
LSCB14.	<p>CORNER FOODS & WINE, 40 SEAFORD ROAD N15 5DY (TOTTENHAM GREEN WARD)</p> <p>The Licensing Officer, Ms Barrett, presented the report on the application to provide the supply of alcohol for consumption off the premises. Ms Barrett reported that representations had been made by Enforcement Response, Noise Team, with regard to the prevention of public nuisance. Representations were received in respect of; deliveries and collections, plant and machinery, and prevention of nuisance from light.</p> <p>Further representations had also been received from interested parties who raised major concerns in relation to a shop selling alcohol for 24 hours. Representations included; fear of anti-social behaviour, drug dealing and public safety.</p> <p>The applicant's agent addressed the Committee and advised that this application was for a new premises licence to sell alcohol between the hours of 8:00am and 11:00pm in a local shop. No representations had been received from the responsible authorities and all conditions had been implemented in the operating schedule. The shop was managed</p>	

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by trained staff at all times. The applicant would be happy to discuss further conditions that the Committee thought appropriate.

The Committee enquired of the applicant whether they had received any formal complaints from neighbours or local residents and were in response advised they had not received any complaints. The premises was a small shop selling groceries, every effort would be made to ensure the area surrounding the shop would be cleared each day. In response to a question from members in relation to the personal Licence holder the Committee were informed that the applicant was awaiting a criminal report from the police.

The Committee further enquired of the applicant whether he had any previous experience of selling alcohol and what assurance could be given that customers would not consume their purchases in the local vicinity. The applicant's agent responded that the applicant had three years experience selling alcohol although he could not control customers once they left the premises however, he did not allow drinking on the premises.

RESOLVED

The Committee has decided to grant the application as asked, subject to the following conditions:

1. The Mandatory Statutory condition under Section 19 of the Act.
2. That the licence holder complies with the provisions of the operating schedule.
3. Deliveries and collections associated with the premises are to be arranged between the hours of 8:00am and 6:30pm Monday to Saturday, and no deliveries or collections are to take place on Sundays or bank holidays.
4. All plant and machinery is correctly maintained and regularly serviced to ensure that it is operating efficiently and with minimal disturbance to neighbours arising from noise.
5. There should be no use of external units/equipment at the premises such as air conditioning units, condensers, chillers, or similar noise generating equipment due to the close proximity of dwellings to these premises unless they are placed so as not to cause disturbance to residents.
6. If external units are to be used then there should be no increase in the background noise of the area as measured in accordance with BS4142. A report of the background noise survey as well as the manufacturer's specifications for equipment to be used should be sent to Environmental Services, (noise enforcement) for their perusal.
7. Illuminated external signage, if applicable, shall be switched off when the premises are closed. Security lights, if applicable, shall be positioned to minimise light intrusion to nearby residential premises.
8. The forecourt and pavement outside the premises are to be cleared of all litter at the beginning and end of each day.

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	<p><u>INFORMATIVE</u></p> <p>The Committee would remind the applicant that the mandatory condition 19 provides that no supply of alcohol may be made under this premises licence until such time as there is a designated premises supervisor on the Licence.</p>	
<p>LSCB15.</p>	<p>DIZZY FOODS, 10 HIGH ROAD N15 6LS (SEVEN SISTERS WARD)</p> <p>The Licensing Officer, Ms Dale Barrett, presented the report and advised the Committee that the application was for a variation of an existing licence for the supply of alcohol Monday to Sunday , 24 hours. The existing licence allowed for the supply of alcohol from 8:00am – 11:00pm. The applicant had offered no further conditions however, reaffirmed he would comply with all the existing conditions on the licence.</p> <p>The Committee was also informed that representations had been received from the police however, these were withdrawn as the applicant had complied with their recommendations. Further representations had been submitted by several local residents in relation to anti-social behaviour, public nuisance and major concerns relating to alcohol being sold for 24 hours. The Committee was further informed by the Licensing Officer, that Rostrevor Avenue was part of a dispersal order area and included within a street drinking zone.</p> <p>The Committee enquired of the role of the Designed Premises Supervisor (DPS) and in response the Licensing Officer, advised that a DPS was required to be assigned to a licence however, their presence wasn't required at the premises all the time. A DPS could authorise another person to supervise the premises in their absence and should leave written authorisation. The licensing authority would encourage DPSs to leave a person to supervise who was a personal licence holder.</p> <p>The Committee requested clarification on the alcohol dispersal order and were advised that the dispersal order was in effect due to problems with street drinkers who took over road corners.</p> <p>The applicant's representative addressed the Committee and advised that the premises licence was granted in 2008. The applicant had proved he could run a successful licenced business without problems and no objections had been submitted from the responsible authorities. The licensee confirmed that he would ensure that customers did not disturb the neighbours and that the front of the shop was an alcohol free zone. All the conditions on the licence had been implemented and it was the intention to open for 24 hours as requested by their customers. The applicant's representative advised that the applicant would be acceptable to any conditions the Committee wished to impose if the licence were granted.</p> <p>RESOLVED</p>	

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	<p>The Committee considered the application by Mr T Soylemez, and decided to refuse the variation to the premises licence. The Committee did not believe that granting the licence would uphold the objective of the prevention of public nuisance. The Committee considered the written representations of the local residents and the oral evidence presented at the hearing.</p> <p>The Committee considered that there are major concerns in relation to nuisance in the vicinity, in particular Rostrevor Avenue, caused by street drinkers including rubbish, noise and urinating in the street. This was clearly evidenced by several written representations from local residents and confirmed by the fact that a dispersal order is in place that covered the High Road where the premises were located. To grant the licence would undermine the initiative taken to alleviate the nuisance to residents.</p> <p>The Committee were satisfied that extending the hours for the sale of alcohol would directly lead to an increase in nuisance and noted that the applicant conceded that he could not control where the alcohol was consumed once it was purchased and removed from the premises.</p> <p>The Committee considered that taking into account all the circumstances, conditions would not overcome nuisance such as that described by the local residents.</p>	
LSCB16.	<p>NEW ITEMS OF URGENT BUSINESS</p> <p>There were no new items of urgent business.</p> <p>The meeting concluded at 9:45pm.</p>	

**Cllr Ray Dodds
Chair**