



Haringey Council

NOTICE OF MEETING

Special Licensing Sub Committee

TUESDAY, 8TH JULY, 2008 at 19:00 HRS – CIVIC CENTRE, HIGH ROAD, WOOD GREEN, N22 8LE.

MEMBERS: Councillors Beacham, Patel and Vanier

AGENDA

1. APPOINTMENT OF THE CHAIR

The Committee will be required to elect a Member to preside at the meeting.

2. APOLOGIES FOR ABSENCE

3. URGENT BUSINESS

Late items will be considered under the agenda item where they appear. It being a special meeting of the Sub Committee, under Part Four, Section B, Paragraph 17, of the Council's Constitution, no other business shall be considered at the meeting.

4. DECLARATIONS OF INTEREST

A member with a personal interest in a matter who attends a meeting of the authority at which the matter is considered must disclose to that meeting the existence and nature of that interest at the commencement of that consideration, or when the interest becomes apparent.

A member with a personal interest in a matter also has a prejudicial interest in that matter if the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice the member's judgement of the public interest **and** if this interest affects their financial position or the financial position of a person or body as described in paragraph 8 of the Code of Conduct **and/or** if it relates to the determining of any approval, consent, license, permission or registration in relation to them or any person or body described in paragraph 8 of the Code of Conduct.

5. SUMMARY OF PROCEDURE (PAGES 1 - 2)

The Chair will explain the procedure that the Committee will follow for the hearing considered under the Licensing Act 2003. A copy of the procedure is attached and will apply to both the exempt and unrestricted proceedings.

6. EXCLUSION OF PUBLIC AND PRESS

The following item is likely to be the subject of a motion to exclude the public and press from the meeting as it contains "exempt" information as defined in Section 100A of the Local Government Act 1972, namely that it contains information relating to any individual.

7. APPLICATION FOR A PERSONAL LICENCE (PAGES 3 - 26)

To consider an application for a Personal Licence under the Licensing Act 2003.

8. RE-INCLUSION OF PUBLIC AND PRESS

That the Committee are asked to resolve to re-admit the public and press into the proceedings to hear the unrestricted item on the agenda as stated.

9. THE SWAN PUBLIC HOUSE, 363 HIGH ROAD, LONDON N17 (PAGES 27 - 72)

To consider an application by Punch Taverns Plc to allow: Sale of Alcohol, Late Night Refreshment and Regulated Entertainment at the above premises.

Please note that under the Council's Constitution, Part 4, Section B, Paragraph 17 no other business shall be considered.

Yuniea Semambo
Head of Local Democracy and Member Services
5th Floor
River Park House
225 High Road
Wood Green
London N22 8HQ

Helen Jones
Principal Committee Coordinator
Tel: 020 8489 2615
Fax: 020 8489 2660
Email: helen.jones@haringey.gov.uk

Tuesday, 01 July 2008

LICENSING SUB-COMMITTEE HEARINGS PROCEDURE SUMMARY	
INTRODUCTION	
1.	The Chair introduces himself and invites other Members, Council officers, Police, Applicant and Objectors to do the same.
2.	The Chair invites Members to disclose any prior contacts (before the hearing) with the parties or representations received by them
3.	The Chair explains the procedure to be followed by reference to this summary which will be distributed.
NON-ATTENDANCE BY PARTY OR PARTIES	
4.	If one or both of the parties fails to attend, the Chair decides whether to:
	(i) grant an adjournment to another date, or
	(ii) proceed in the absence of the non-attending party.
	Normally, an absent party will be given one further chance to attend.
TOPIC HEADINGS	
5.	The Chair suggests the “topic headings” for the hearing. In the case of the majority of applications for variation of hours, or other terms and conditions, the main topic is:
	Whether the extensions of hours etc. applied for would conflict with the four licensing objectives i.e.
	(i) the prevention of crime and disorder,
	(ii) public safety,
	(iii) the prevention of public nuisance, and
	(iv) the protection of children from harm.
6.	The Chair invites comments from the parties on the suggested topic headings and decides whether to confirm or vary them.
WITNESSES	
7.	The Chair asks whether there are any requests by a party to call a witness and decides any such request.
8.	Only if a witness is to be called, the Chair then asks if there is a request by an opposing party to “cross-examine” the witness. The Chair then decides any such request.
DOCUMENTARY EVIDENCE	
9.	The Chair asks whether there are any requests by any party to introduce late documentary evidence.
10.	If so, the Chair will ask the other party if they object to the admission of the late documents.
11.	If the other party do object to the admission of documents which have only been produced by the first party at the hearing, then the documents shall not be admitted.

12.	If the other party object to documents produced late but before the hearing, the following criteria shall be taken into account when the Chair decides whether or not to admit the late documents:	
(i)	What is the reason for the documents being late?	
(ii)	Will the other party be unfairly taken by surprise by the late documents?	
(iii)	Will the party seeking to admit late documents be put at a major disadvantage if admission of the documents is refused?	
(iv)	Is the late evidence really important?	
(v)	Would it be better and fairer to adjourn to a later date?	
THE LICENSING OFFICER'S INTRODUCTION		
13.	The Licensing Officer introduces the report explaining, for example, the existing hours, the hours applied for and the comments of the other Council Services or outside official bodies. This should be as "neutral" as possible between the parties.	
14.	The Licensing Officer can be questioned by Members and then by the parties.	
THE HEARING		
15.	This takes the form of a discussion led by the Chair. The Chair can vary the order as appropriate but it should include:	
(i)	an introduction by the Objectors' main representative	
(ii)	an introduction by the Applicant or representative	
(iii)	questions put by Members to the Objectors	
(iv)	questions put by Members to the Applicant	
(v)	questions put by the Objectors to the Applicant	
(vi)	questions put by the Applicant to the Objectors	
CLOSING ADRESSES		
16.	The Chair asks each party how much time is needed for their closing address, if they need to make one.	
17.	Generally, the Objectors make their closing address before the Applicant who has the right to the final closing address.	
THE DECISION		
18.	Members retire with the Committee Clerk and legal representative to consider their decision including the imposition of conditions.	
19.	The decision is put in writing and read out in public by the Committee Clerk once Members have returned to the meeting.	

By virtue of paragraph(s) 1 of Part 1 of Schedule 12A of the Local Government Act 1972.

Document is exempt

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of the Local Government Act 1972.

Document is exempt

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Licensing Act 2003 Sub-Committee on 8th JULY 2008

Report title: Application for a new Premises Licence at THE SWAN, 363 HIGH ROAD, TOTTENHAM, LONDON N17 6QN

Report of: The Lead Officer Licensing

Ward(s) affected

1. Purpose

To consider an application by PUNCH TAVERNS PLC to allow: Sale of alcohol, Late Night refreshment and Regulated Entertainment at the above premises.

2. Recommendations

- 2.1 (a) Grant the application as asked
 (b) Modify the conditions of the licence, by altering or omitting or adding to them
 (c) Reject the whole or part of the application

The Committee is asked to note that it may not modify the conditions or reject the whole or part of the application unless it is necessary to promote the licensing objectives.

Report authorised by: Robin Payne.....


 Assistant Director Enforcement Services

Contact Officer: Ms Daliah Barrett -Williams

Telephone: 020 8489 8232

3. Executive summary

For consideration by Sub Committee under Licensing Act 2003 for a Premises licence with variation to the existing conditions

4. Access to information:

Local Government (Access to Information) Act 1985

Background Papers

The following Background Papers are used in the preparation of this Report:

File: THE SWAN

The Background Papers are located at Enforcement Service, Technopark, Ashley Road, Tottenham, London N17 9LN

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5. REPORT**Background**

5.1 An application for a new Premises Licence, by Punch Taverns Plc in respect of The Swan, 363 High Road, Tottenham, London N17 6QN under the Licensing Act 2003.

5.2 **Details of new application being sought under a new Premises Licence APP2**

Opening Hours for Public

Monday to Wednesday	10:00-00:30
Thursday to Saturday	10:00-03:30
Sunday	12:00-01:00

Non-Standard Timings:

An additional hour into the evening on Christmas Eve and the Saturday and Sunday preceding each Bank Holiday.

From the start of permitted hours on New Years Eve to the end of permitted hours on New Years Day.

Late Night Refreshment

Monday to Wednesday	23:00-00:30
Thursday to Saturday	23:00-03:30
Sunday	23:00-01:00

Non-Standard Timings:

An additional hour into the evening on Christmas Eve and the Saturday and Sunday preceding each Bank Holiday.

From the start of permitted hours on New Years Eve to the end of permitted hours on New Years Day.

Sale of Alcohol

Monday to Wednesday	10:00-00:00
Thursday to Saturday	10:00-03:00
Sunday	12:00-00:30

Non-Standard Timings:

An additional hour into the evening on Christmas Eve and the Saturday and Sunday preceding each Bank Holiday.

From the start of permitted hours on New Years Eve to the end of permitted hours on New Years Day.

Provision of Regulated Entertainment:**Films**

Monday to Wednesday	11:00-23:00
Thursday to Saturday	11:00-23:00
Sunday	11:00-23:00

Non-Standard Timings:

An additional hour into the evening on Christmas Eve and the Saturday and Sunday preceding each Bank Holiday.

From the start of permitted hours on New Years Eve to the end of permitted hours on New Years Day.

Live Music & Recorded Music

Monday to Wednesday	20:00-00:00
Thursday to Saturday	20:00-03:00
Sunday	20:00-01:00

Non-Standard Timings:

An additional hour into the evening on Christmas Eve and the Saturday and Sunday preceding each Bank Holiday.

From the start of permitted hours on New Years Eve to the end of permitted hours on New Years Day.

Provision of entertainment facilities: (Entertainment of a similar description to Making Music & Dancing)

Monday to Wednesday	20:00-00:00
Thursday to Saturday	20:00-03:00
Sunday	20:00-01:00

Non-Standard Timings:

An additional hour into the evening on Christmas Eve and the Saturday and Sunday preceding each Bank Holiday.

From the start of permitted hours on New Years Eve to the end of permitted hours on New Years Day.

General-all four licensing objectives

As per previous licence (LN00002133) save where amended by this application. Please see attached annexes.

5.3 Crime and Disorder

This licence will not be used to authorise licensable activities whilst Mr Paul Bruce and Mr Peter Whyte or anyone associated with them are still in occupation.

The Licence will not operate whilst Michael Sheridan is still nominated as Designated Premises Supervisor.

5.4 Public Safety

5.5 Public Nuisance

5.6 Child Protection

6. RELEVANT REPRESENTATIONS (CONSULTATION)

Responsible authorities:

6.1 Comments of Metropolitan Police

The Police have made comments on this application. APP 2, the police and Punch Taverns have reached agreement on the issues and the Police have withdrawn their representation.

6.2 Comments of Enforcement Services:

Noise Team

Have no comments on this application.

Food Team

Have no objections to this application.

Health and Safety

Have no comments on this application.

Trading Standards

Have no objections to this application

6.3 Fire Officer

Have made representation in relation to fire safety issues. APP 3, these have been agreed with Punch Taverns so the representation has been withdrawn.

6.4 Planning Officer

Have no objections to this application

6.5 Comments of Child Protection Agency or Nominee

No representation made

7.0 Interested Parties –APP 4

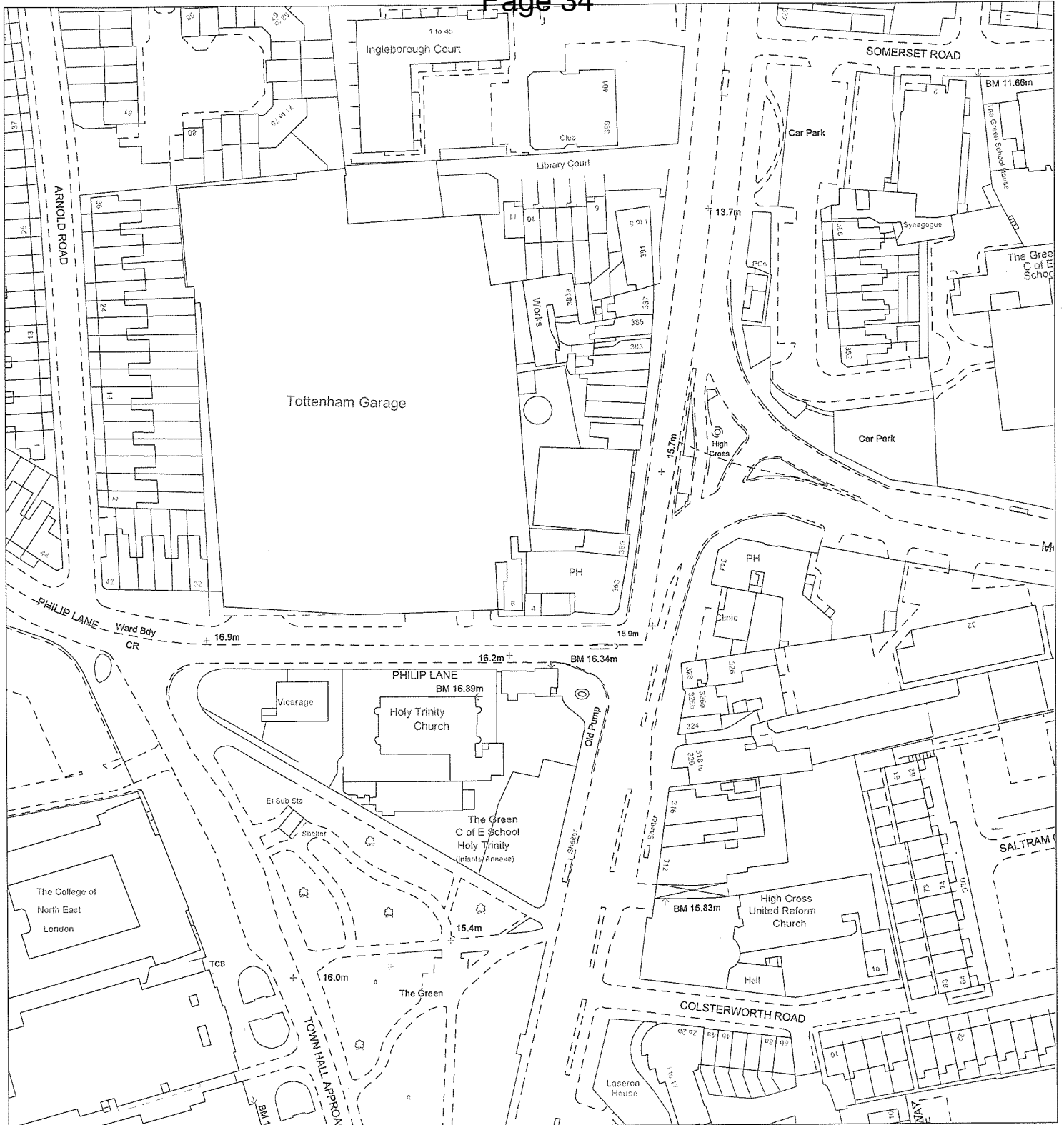
Representation has been received against this application.

8.0 Financial Comments

The fee which would be applicable for this application was **£190.00**

APPENDIX 1

APPLICATION FORM

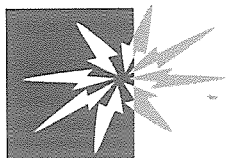


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Town and Country Planning Act 1990 (As amended)

Plan relating to the Enforcement Notice dated

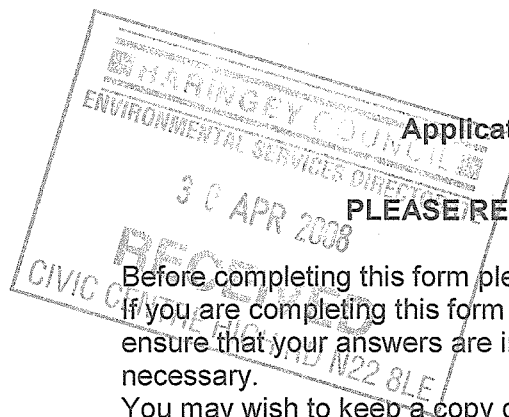
THE SWAN PUBLIC HOUSE, 363 HIGH ROAD N17



Haringey Council

Robin Payne
 Assistant Director
 Enforcement Service
 639 High Road
 Tottenham
 N17 8BD

	Drawn by	Haringey Council
	Scale	1:1500
	Date	20/11/2007
	Drawing	NA



Application for a premises licence to be granted 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/We Punch Taverns Plc

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description Swan 363 High Road Tottenham			
Post town	London	Post code	N17 6QN

Telephone number at premises (if any)	020 8808 1542
Non-domestic rateable value of premises	£5475

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as
Please tick yes

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
 - i. as a limited company please complete section (B)
 - ii. as a partnership please complete section (B)
 - iii. as an unincorporated association or please complete section (B)
 - iv. other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity please complete section (B)

- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a
 - statutory function or
 - a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over					<input type="checkbox"/> Please tick yes
Current postal address if different from premises address					
Post Town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over					<input type="checkbox"/> Please tick yes

Current postal address if different from premises address			
Post Town		Postcode	
Daytime contact telephone number			
E-mail address (optional)			

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name Punch Taverns Plc
Address Jubilee House Second Avenue Burton Upon Trent Staffordshire DE14 2WF
Registered number (where applicable) 03752645
Description of applicant (for example, partnership, company, unincorporated association etc.) Company
Telephone number (if any) 01283 501 600
E-mail address (optional) n/a

Part 3 Operating Schedule

When do you want the premises licence to start?

Day	Month	Year
2	6	05 2008

If you wish the licence to be valid only for a limited period, when do you want it to end?

Day	Month	Year

Please give a general description of the premises (please read guidance note1)
Public House

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

n/a

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment

Please tick yes

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of entertainment facilities:

- i) making music (if ticking yes, fill in box I)
- j) dancing (if ticking yes, fill in box J)
- k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K)

Provision of late night refreshment (if ticking yes, fill in box L)

Supply of alcohol (if ticking yes, fill in box M)

In all cases complete boxes N, O and P

A

Plays Standard days and timings (please read guidance note 6)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)					
Mon								
Tue								
Wed						<u>State any seasonal variations for performing plays</u> (please read guidance note 4)		
Thur								
Fri						<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat								
Sun								

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	11:00	23:00	Please give further details here (please read guidance note 3) Films shown on the premises.		
Tue	11:00	23:00			
Wed	11:00	23:00	State any seasonal variations for the exhibition of films (please read guidance note 4)		
Thur	11:00	23:00			
Fri	11:00	23:00	Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5) An additional hour into the evening on Christmas Eve and the Saturday and Sunday preceeding each Bank Holiday. From the start of permitted hours on New Years Eve to the end of permitted hours on New Years Day		
Sat	11:00	23:00			
Sun	11:00	23:00			

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3)
Day	Start	Finish	
Mon			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Tue			
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 5)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)					
Mon								
Tue								
Wed						<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4)		
Thur								
Fri						<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat								
Sun								

E

Live music Standard days and timings (please read guidance note 6)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	20:00	00:00	<u>Please give further details here</u> (please read guidance note 3) Amplified and unamplified live music.		
Tue	20:00	00:00			
Wed	20:00	00:00	<u>State any seasonal variations for the performance of live music</u> (please read guidance note 4)		
Thur	20:00	03:00			
Fri	20:00	03:00	<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 5) An additional hour into the evening on Christmas Eve and the Saturday and Sunday preceeding each Bank Holiday. From the start of permitted hours on New Years Eve to the end of permitted hours on New Years Day		
Sat	20:00	03:00			
Sun	20:00	01:00			

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3) Recorded music ancillary to the sale of alcohol.		
Mon	20:00	00:00			
Tue	20:00	00:00			
			State any seasonal variations for the playing of recorded music (please read guidance note 4)		
Wed	20:00	00:00			
Thur	20:00	03:00			
			Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Fri	20:00	03:00	An additional hour into the evening on Christmas Eve and the Saturday and Sunday preceeding each Bank Holiday. From the start of permitted hours on New Years Eve to the end of permitted hours on New Years Day		
Sat	20:00	03:00			
Sun	20:00	01:00			

G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 3)		
Tue			State any seasonal variations for the performance of dance (please read guidance note 4)		
Wed			Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 5)		
Thur					
Fri					
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			<u>Please give a description of the type of entertainment you will be providing</u>		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 3)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sun					

I

Provision of facilities for making music Standard days and timings (please read guidance note 6)			<u>Please give a description of the facilities for making music you will be providing</u>		
			<u>Will the facilities for making music be indoors or outdoors or both – please tick</u> (please read guidance note 2)		Indoors
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					
			<u>State any seasonal variations for the provision of facilities for making music</u> (please read guidance note 4)		
			<u>Non standard timings. Where you intend to use the premises for provision of facilities for making music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		

J

Provision of facilities for dancing Standard days and timings (please read guidance note 6)			Will the facilities for dancing be indoors or outdoors or both – please tick (see guidance note 2)	Indoors <input type="checkbox"/>	
				Outdoors <input type="checkbox"/>	
				Both <input type="checkbox"/>	
			<u>Please give a description of the facilities for dancing you will be providing</u>		
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue					
Wed			<u>State any seasonal variations for providing dancing facilities</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the provision of facilities for dancing entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

K

Provision of facilities for entertainment of a similar description to that falling within i or j Standard days and timings (please read guidance note 6)			<u>Please give a description of the type of entertainment facility you will be providing</u> Karaoke and other similar type entertainment		
Day	Start	Finish	<u>Will the entertainment facility be indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Mon	20:00	00:00		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue	20:00	00:00	<u>Please give further details here</u> (please read guidance note 3)		
Wed	20:00	00:00			
Thur	20:00	03:00	<u>State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within i or j</u> (please read guidance note 4)		
Fri	20:00	03:00			
Sat	20:00	03:00	<u>Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within i or j at different times to those listed in the column on the left, please list</u> (please read guidance note 5) An additional hour into the evening on Christmas Eve and the Saturday and Sunday preceeding each Bank Holiday. From the start of permitted hours on New Years Eve to the end of permitted hours on New Years Day		
Sun	20:00	01:00			

L

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3) Provision of hot food		
Mon	23:00	00:30			
Tue	23:00	00:30	State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
Wed	23:00	00:30			
Thur	23:00	03:30	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5) An additional hour into the evening on Christmas Eve and the Saturday and Sunday preceeding each Bank Holiday. From the start of permitted hours on New Years Eve to the end of permitted hours on New Years Day		
Fri	23:00	03:30			
Sat	23:00	03:30			
Sun	23:00	01:00			

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Mon	10:00	00:00			
Tue	10:00	00:00			
Wed	10:00	00:00			
Thur	10:00	03:00			
Fri	10:00	03:00			
Sat	10:00	03:00			
Sun	12:00	00:30			
			Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5) An additional hour into the evening on Christmas Eve and the Saturday and Sunday preceeding each Bank Holiday. From the start of permitted hours on New Years Eve to the end of permitted hours on New Years Day		

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name Michael Sheridan	
Address 18 Freshwater Close Luton	
Postcode	LU3 3TA
Personal Licence number (if known) 50366	
Issuing licensing authority (if known) Luton Borough Council	

N

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)

None

O

Hours premises are open to the public Standard days and timings (please read guidance note 6)			<u>State any seasonal variations</u> (please read guidance note 4)
Day	Start	Finish	<u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 5) An additional hour into the evening on Christmas Eve and the Saturday and Sunday preceeding each Bank Holiday. From the start of permitted hours on New Years Eve to the end of permitted hours on New Years Day
Mon	10:00	00:30	
Tue	10:00	00:30	
Wed	10:00	00:30	
Thur	10:00	03:30	
Fri	10:00	03:30	
Sat	10:00	03:30	
Sun	12:00	01:00	

P Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)

As per previous Licence (LN00002133) save where amended by this application. Please see attached annexes

b) The prevention of crime and disorder

This Licence will not be used to authorise licensable activities whilst Mr Paul Bruce and Mr Peter Whyte or anyone associated with them are still in occupation.

The Licence will not operate whilst Michael Sheridan is still nominated as Designated Premises Supervisor.

c) Public safety

d) The prevention of public nuisance

e) The protection of children from harm


Please tick yes

- I have made or enclosed payment of the fee
- I have enclosed the plan of the premises
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I have enclosed the consent form completed by the individual I wish to be premises supervisor, if applicable
- I understand that I must now advertise my application
- 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 4 – Signatures (please read guidance note 10)

Signature of applicant or applicant’s solicitor or other duly authorised agent (See guidance note 11). If signing on behalf of the applicant please state in what capacity.

Signature	
Date	24/4/08
Capacity	Solicitor to applicant

For joint applications signature of 2nd applicant or 2nd applicant’s solicitor or other authorised agent. (please read guidance note 12). If signing on behalf of the applicant please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)

Lindsay Howarth -
TLT Solicitors
One Redcliffe Street

Post town	Bristol	Post code	BS1 6TP
Telephone number (if any)	0117 917 8935		
If you would prefer us to correspond with you by e-mail your e-mail address (optional) lhowarth@tltsolicitors.com			

Notes for Guidance

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups, the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

Annex 1 -Mandatory Conditions

(2) Supply of alcohol: 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.

(3) The second condition is that every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

Exhibition of films:

(2) Where the film classification body is specified in the licence, unless subsection (3) (b) applies, admission of children must be restricted in accordance with any recommendation made by that body.

(3) Where-

- (a) the film classification body is not specified in the licence, or
 - (b) the relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question,
- admission of children must be restricted in accordance with any recommendation made by that licensing authority.

(4) In this section-

- "children" means persons aged under 18; and
- "film classification body" means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984.

Door supervision: At specified times one or more individuals must be at the premises to carry out a security activity and each of these individuals must be licensed by the Security Industry Authority.

Annex 2 - Conditions consistent with the Operating Schedule

THE PREVENTION OF CRIME AND DISORDER

That CCTV be installed, maintained and operated on the premises for the duration of operating hours for the prevention of crime and disorder.

CCTV system to be recording at all times when the premises are open and the recordings shall be made available to the police and council on request.

Anti-Drugs signs will be displayed on the premises.

Two door supervisors will be present between 22.00 and the closing of the premises.

PUBLIC SAFETY

Fire safety equipment will be checked regularly and any requirements made by the Fire Safety Officer will be complied with.

The maximum number of persons accommodated at any one time shall not exceed:

Restaurant: 50

Bar Area: 150

The inward opening gate to Philip Lane and the inward opening doors to the High Road shall be kept locked in the open position whilst the premises are open to the public.

All Certificates required by the Council to be submitted promptly when they become due.

THE PREVENTION OF PUBLIC NUISANCE

Signs will be displayed at the exit reminding customers to leave quietly and respect the neighbours.

Staff will call Taxis/ Mini cabs for the use of customers leaving the premises when requested to do so.

No new admission to the premises after 00:00 every night.

THE PROTECTION OF CHILDREN

All staff will be trained that alcohol will only be sold to persons who can produce photographic identification where there is any doubt that they are over the age of 18.

Persons under the age of 18 will not be permitted to use Gaming machines.

No persons under the age of 18 will be admitted into the back bar when 18 certificate films are being shown.

Alcohol may only be sold to individuals over the age of 18 with valid proof of identification with one of the following:

- A valid passport
- A photo driving license issued in a European Union Country
- A proof of age standard card system
- A citizen card, supported by the Home Office

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

That the Committee grants the application in part and subject to the following conditions:

- (i) Conditions to enforce the operating schedule to ensure the Licensing objectives are met.
- (ii) Impose recommendations of the Child Protections Agency on age restrictions to meet the crime prevention objective.
- (iii) Standard mandatory conditions are enforced.
- (iv) Hours of operation are as follows
 - Sale of Alcohol is Monday to Wednesday 10:00 to 00:00; Thursday to Saturday 10:00 to 03:00; and Sunday 12:00 to 00:30.
 - Provision of Regulated Entertainment is Monday to Wednesday until 00:00; Thursday to Saturday until 03:00; and Sunday until 01:00.
 - Opening hours for public are Monday to Wednesday until 00:30; Thursday to Saturday until 03:30; and Sunday until 01:00
- (v) Days before Bank Holidays and for Christmas Eve, one extra hour beyond the usual permitted hours are granted
- X (vi) That two door supervisors be SIA approved and will be present between 22:00 and closing times.
- X (vii) No new admission to the premises after 00:00 every night.
- (viii) That CCTV be installed, maintained and operated on the premises for the duration of operating hours for the prevention of crime and disorder.
- (ix) That anti-drugs signs be displayed in the premises for the prevention of crime and disorder.
- (x) Signs for exiting customers to leave quietly for the prevention of public nuisance
- (xi) Conditions to restrict numbers in the premises to 50 in the restaurant and 150 in the bar area for the benefit of crime and disorder, public safety, and public nuisance objectives.

TLT DPS CONSENT FORM

Consent of Individual to being specified as premises supervisor

I MICHAEL SHERIDAN
[full name of prospective premises supervisor]

of 18 FRESHWATER CLOSE
LUTON
LU3 3TA.

.....
[home address of prospective premises supervisor]

herby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

An application for a Premises licence to be granted
~~To vary a premises license to specify an individual as the DPS~~

.....
[type of application]

by

Punch Taverns

.....
[name of applicant]

Relating to a premises licence

[number of existing license, if any]

for

SWAN
363 HIGH RD
LONDON
N17 6QN

.....
[name and address of premises to which the application relates]

And any premises licence to be granted or varied in respect of this application made by

~~MICHAEL SHERIDAN~~ PUNCH TACEROS PLC (MC202)

[name of applicant]

concerning the supply of alcohol at

SWAN
363 HIGH RD
LONDON
N17 6QN

[name and address of premises to which application relates]

I also confirm that I am applying for, intend to apply for or currently hold a personal licence, details of which I set out below

Personal licence Number

50366

[insert personal licence number, if any]

Personal licence issuing authority

LUTON BOROUGH COUNCIL, TOWN HALL, LUTON
LUI 2BQ

[insert name and address and telephone number of personal licence issuing authority, if any]

Signed

Name (please print)

M. SHERIDAN

Date

21-4-08

Reason to change an individual to being specified as premises supervisor – please tick the appropriate box

Manager Change TAW Change

Please tick if applicable

Emergency Change

Please forward all correspondence associated with this application to:

Licensing – DPS Change
TLT Solicitors
One Redcliff Street
Bristol, BS1 6TP
Fax No: 0117 917 7566

APPENDIX 2

REPRESENTATION FROM POLICE



Your reference:

Our reference: 115/2008

Date: 2 May, 2008

Ms D.BARRETT
ENVIRONMENTAL CONTROL SERVICES
TECHNO PARK
ASHLEY ROAD
TOTTENHAM N.17

Metropolitan Police Service

Licensing
Wood Green Police Station
347 High Road
Wood Green
N.22 4HZ

Tel: 0208 – 345 -2005

Dear Ms. Barrett

Re:- Application for a Premises Licence:-

The Swan, 363 High Road N.17

With reference to the above application Police have considered the application and wish to make the following representations.

1.This is under the Prevention of Crime & Disorder.

We request that the public house should not re open until a Designated Premises Supervisor is appointed who will be satisfy the local Police as to their ability to manage these premises.

Yours Sincerely

Geoffrey Parker
Licensing
Wood Green Police Station

c.c.TLT Solicitors

APPENDIX 3

REPRESENTATION FROM FIRE OFFICER

Edmonton Fire Station
99 Church Street
Edmonton, London N9 9AA

Switchboard 020 7587 2000
www.london-fire.gov.uk



LONDON FIRE & EMERGENCY PLANNING AUTHORITY

FIRE AND COMMUNITY SAFETY DIRECTORATE
Roy Bishop Deputy Commissioner

Date
13 May 2008

Our Ref.
FS/31/13687/SA

Your Ref.
DB/KB/ANN/LIC

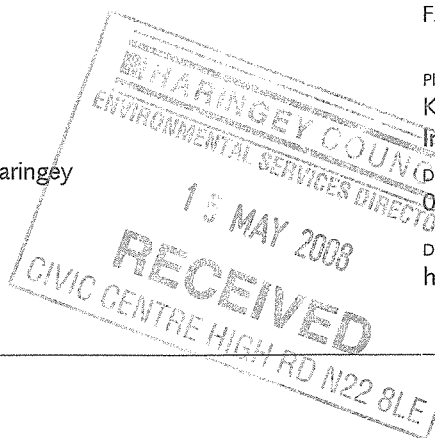
Addressee
Ms. D. Barrett
Licensing Team
London Borough of Haringey
Enforcement Service
Tecknopark
Ashley Road
Tottenham
N17 9LN

Please reply to
K.Close
Inspecting Officer

Direct Telephone
020 8803 7530

Direct Fax
020 8807 7196

Direct E-mail
haringeygroup@london-fire.gov.uk



Dear Sir or Madam,

LICENSING ACT 2003

Premises: THE SWAN – 363 HIGH ROAD, TOTTENHAM, LONDON, N17 6QN.

With reference to the application dated 21 April 2008, as shown on plan, number(s) 510406 001 Rev A, the application has been examined and **the Fire Authority wish to make a representation** to the Licensing committee that the Public Safety objective of the Licensing Act has not been adequately addressed.

The applicant has been informed that the Fire Authority will be making a representation to the Licensing Authority.

The items that are of concern to this authority are detailed on the attached schedule.

Please advise me, at your earliest convenience, of the date and time of the Licensing Committee Hearing.

Should these matters be resolved to the satisfaction of this Authority at least 2 days prior to the Licensing Committee Hearing the representation will be withdrawn.

Any queries regarding this letter should be addressed to the person named at the top of the letter. If you are dissatisfied in any way with the response given, please ask to speak to the Team Leader quoting our reference.

Yours faithfully,

for Assistant Commissioner

Data Protection Act 1998: The information you have given on this form will be processed by London Fire Emergency Planning Authority for the purpose of **fire and emergency planning and control**. We will keep your details secure and will not disclose them to other organisations or third parties (except contractors or suppliers working on our behalf) without your permission unless we are legally required to do so.

For more information about how we use your personal information, see our notification entry (Z7122455) www.informationcommissioner.gov.uk or visit: www.london-fire.gov.uk



Email

One Redcliff Street
 Bristol BS1 6TP
 TEL +44 (0)117 917 7777
 DX 7815 Bristol
 WEB www.TLTsolicitors.com

TO	Kevin Close	FROM	Jeremy Woodcraft
EMAIL	haringeygroup@london-fire.gov.uk	EMAIL	jwoodcraft@tltsolicitors.com
YOUR REF		OUR REF	30REG03/JW11/077345/000861
CC	Daliah Barrett daliah.barrett@haringey.gov.uk	DIRECT TEL	0117 917 8854
		DIRECT FAX	0117 917 7566
		DATE	16 May 2008
SUBJECT	Our Client: Punch Taverns The Swan 363 High Road Tottenham London N17 6QN		

Dear Sir

Thank you for your letter of 13 May 2008 making representation to our application.

By way of background information we confirm that we act for Punch Taverns PLC who are the freehold owners of this site.

The site is currently leased by the current occupiers who have been running the business for many years.

Punch are in the process of recovering possession of this site from the current occupier by way of forfeiture proceedings.

You may be aware that the Premises Licence was revoked owing to the way in which the premises had been run.

This application is for a new Licence. It is most certainly the case that this new Licence will not be used until such time as the current occupier has departed.

At this time we are unable to gain access to the site to carry out the works required owing to the terms of the lease.

We would however be willing to offer a condition as follows:-

"The premises will not reopen for business until such time as all the work detailed in the plan attached to the LFEPa letter of 13 May 2008 has been completed, inspected and approved by the LFEPa."

This message from TLT Solicitors is confidential and may also be privileged or otherwise protected from disclosure; if forwarded, that privilege may be lost. This message may be read, copied and used only by the intended recipient. If you have received this email in error please advise by return email and delete the original message from your server. We do not accept service of legal process by email. We may monitor any communication entering or leaving our systems for quality control or compliance purposes and use spam filters. We believe, but do not warrant, that this message and any attachments are virus free. We recommend that you carry out your own virus checks. 'TLT Solicitors', 'TLT' and Constant & Constant are trading names of TLT LLP, a limited liability partnership registered in England & Wales number OC 308658. A list of members (all of whom are solicitors or registered foreign lawyers) is on our website at www.TLTsolicitors.com and at our registered office at One Redcliff Street, Bristol BS1 6TP: +44 (0)117 917 7777. TLT LLP has offices in Bristol, London and Piraeus and is regulated by the Solicitors Regulation Authority.



In practical terms we anticipate that once we have recovered the site we will look for a new lessee and obviously prior to them reopening we will ensure that all the necessary works have been completed.

Would this satisfy your representation?

We look forward to hearing from you.

Yours sincerely
for TLT LLP

Jeremy Woodcraft
Associate

APPENDIX 4

REPRESENTATION FROM INTERESTED PARTY

LICENSING ACT 2003 - REPRESENTATION FORM

To make a representation in respect of an application for a Premises Licence or Club Premises Certificate please complete the following form. For representations to be considered relevant they must relate to one or more of the four "Licensing Objectives" (listed below).

Please note all representations will be made available for applicants to view. If you make a representation objecting to the application it is likely that you will be called upon to attend a hearing and present your objection before a Licensing Committee.

Personal Details
Name.....S-K MAN.....
Address...365 HIGH ROAD.....
.....TOTTENHAM.....LONDON.....
Postcode..N17 6RN.....

Licence application you wish to make a representation on
<i>You do not need to answer all of the questions in this section, but please give as much information as you can:</i>
Application Number.....
Name of Licensee...PUNCH TAVERNS PLC.....
Name of Premises (if applicable)...SWAN.....
Premises Address (where the Licence will take effect).....
.....363 HIGH ROAD.....TOTTENHAM.....
Postcode..N17 6RN..... 26-5-2008.....

Reason/s for representation
<i>Under the Licensing Act 2003, for a representation to be relevant it must be one that is about the likely effect of the application on the promotion of the four licensing objectives. Any representations that are considered to be vexatious or frivolous will not be considered (please see Haringey Council's leaflet Variations, Representations and Appeals for Premises Licences and Club Premises Certificates).</i>
<i>Fill in reason/s for your representation in the space provided under each Licensing Objective it relates to.</i>

The Prevention of Crime and Disorder
Public Safety
The Prevention of Public Nuisance <i>Attached letter.</i>
The Protection of Children from Harm

I, SHING KWONG MAN....., hereby declare that all information I have submitted is true and correct.

Signed: 

Date: 10-5-2008

Please send completed form to:

Haringey Council Licensing Team
2nd Floor
Civic Centre
High Road
Wood Green
London
N22 8LE

Mr S.K Man
365 High Road
Tottenham
London
N17 6QN
Date: 11/05/2008

Haringey Council Licensing Team
2nd Floor
Civic Centre
High Road
Wood Green
London
N22 8LE

Dear Sir or Madam,

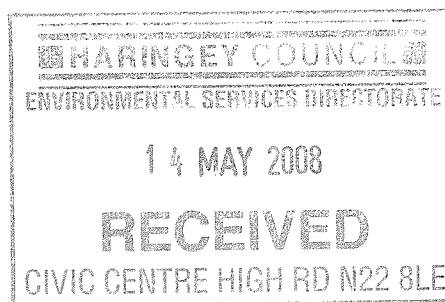
I am writing to object the proposed performance times of live music at 363 High Road, Tottenham on the basis of the public nuisance it generates. As my property is also used for residential purposes, I strongly believe it is unreasonable for performance times to last until 0300 on every Thursday to Saturday and up to 0100 on Sunday. Our properties are adjacent to each other and thus the late performance times will negatively affect the resident's sleeping pattern and daily work life.

May I also note that the extractor fan of 363 High Road is poorly positioned, with its exhaust continuously flooding our garden. This makes it impossible for me to enter the garden without enduring its strong, unpleasant smell. Furthermore, I often have to keep my door and windows shut to prevent the stink from entering my building. I strongly believe such negative externality must be rectified as it violates basic health standards and is inequitable.

Thank you for your attention,
Yours sincerely,



S.K Man



OUR REF 30REG03/JW11/077345/000861

YOUR REF

Mr S Man
365 High Road
Tottenham
LONDON
N17 6QN

Without Prejudice

DIRECT TEL 0117 917 8854

DATE 20 May 2008

DIRECT FAX 0117 917 7566

EMAIL jwoodcraft@tltsolicitors.com

Dear Mr Man

Our Client: Punch Taverns Plc
The Swan Public House 363 High Road Tottenham London N17 6QN
Application for a Premises Licence

We have received a copy of your representation dated 11 May 2008.

Having taken instruction from our Client they would be willing to restrict the hours for the performance of live music to a midnight terminal hour every day.

In relation to the extractor fan we confirm that this premises will inevitably be refurbished before reopening.

We would be happy to offer a condition that the extractor fan is either relocated or is replaced / fitted with filters to minimise odour. This would be done before the premises reopens for licensable activity.

Would these two conditions address your concerns?

We look forward to hearing from you.

Yours sincerely
for TLT LLP

Jeremy Woodcraft
Associate

cc Ms D Barrett (by email only - daliah.barrett@haringey.gov.uk)

Olson Kendra

From: Ronald Man [ronaldtman@gmail.com]
Sent: 26 May 2008 02:22
To: jwoodcraft@tltsolicitors.com
Cc: Barrett Daliah
Subject: Punch Taverns Plc. Application for a Premises Licence.

S.K Man
365 High Road
Tottenham
London
N17 6QN
Date: 26/05/08

Jeremy Woodcraft
TLT Solicitors
One Redcliff Street
Bristol
BS1 6TP

Dear Jeremy Woodcraft,

Re: The Swan Public House 363 High Road Tottenham London N17 6QN

I am writing to inform you that I firmly stand against the hours of live performance up to midnight everyday. This is based on the fact that our property is also used for residential purposes and that performance till midnight will cause significant stress on the residents. This negatively affects the residents' everyday life and work performance.

I am pleased that your client has recognised the significance of the poorly located extractor fan that unfairly emits foul odour directly onto our property. Although I welcome the amendments aimed to mitigate this problem, I reiterate that I cannot accept live performance until midnight as a condition for such corrections.

Thank you for your attention,

27/05/2008