

**MINUTES OF THE LICENSING SUB-COMMITTEE A
TUESDAY, 21 NOVEMBER 2006**

Councillors Demirci, Vanier and Peacock (Chair)

Apologies Councillor Patel (substituted for by Councillor Peacock)

Also Present: Councillor

MINUTE NO.	SUBJECT/DECISION	ACTION BY
LSCA01.	<p>APOLOGIES FOR ABSENCE</p> <p>Apologies were received from Councillor Patel who was substituted by Councillor Peacock who was the Chair of the sub-committee.</p>	
LSCA02.	<p>URGENT BUSINESS:</p> <p>None.</p>	
LSCA03.	<p>DECLARATIONS OF INTEREST:</p> <p>None.</p>	
LSCA04.	<p>SUMMARY OF PROCEDURE:</p>	
LSCA05.	<p>LIDL, 269-271 SEVEN SISTERS ROAD N4 (HARRINGAY WARD):</p> <p>The Lead Licensing Officer, Daliah Barrett, presented her report to the Committee by outlining that a representation made by the Fire Officer had been withdrawn because he had been satisfied that the schedule of concerns he had submitted in respect of the premises had been dealt with by the applicants. Ms Barrett also highlighted to the Committee that there had been two letters of representation against the application from interested parties.</p> <p>The Chair invited the objectors to address the Committee. Lee Hoddinott spoke on behalf of Ms I Fitzgerald by highlighting that other Lidl stores traded on a Monday to Saturday basis between 8am and 9pm, and between 8am and 5pm on Sundays. He also stated that there were other premises nearby to the applicant's that were open for 24 hours and that therefore the area for adequately catered for in terms of the around the clock trading. Mr Hoddinott also highlighted what he perceived to be a lack of address for the licensing objectives by way of a lack of SIA door staff for the prevention of crime and disorder; no reference to staff training for the prevention of harm to children; the sale of alcohol of match days in plastic containers for public safety; the provision of CCTV equipment for the prevention of crime and disorder; and the existence of heavy advertising of cheap alcohol for sale on the premises.</p>	

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The invited another objector to the application, Mr Store of Alexander Grove, to address the Committee. Mr Store highlighted the problem of street drinkers in the vicinity of the premises that caused public nuisance. He also stated that there was a problem with crime and disorder on match days and also when there are major events at Finsbury Park.

The Chair invited the applicant to address the Committee. Mr Gijs Heldstra, applicant, was represented by Ms Amanda Pillinger. Ms Pillinger began by highlighting to the Committee what the Lidl brand offered to the community and how the business was run in terms of its staff training and the company culture which would go a long way to settling local residents' concerns. Ms Pillinger tabled a copy of the planning consent granted to the premises which had granted unrestricted traded in its terms.

Ms Pillinger continued that all of Lidl's goods were own branded so that any litter on the streets would identify whether it had emanated from the premises. She also stated that Lidl worked in close partnership with the Local Authority and the Police to ensure the community is properly served in terms of upholding the four licensing objectives. Ms Pillinger stated that CCTV would be provided on the premises with extended recording facilities and on a hard disk for storing footage. In terms of staff training, Ms Pillinger continued that this included a full induction which indeed alcohol training, which was regularly updated for all staff. All staff sign a Alcohol Policy Register and are supervised by a Designated Premises Supervisor who holds a Personal License (usually a manager) at all times when the premises are open. Ms Pillinger stated that at any one time, there should be a minimum of three personal license holders on the premises. Also that at each point-of-sale, there were reminders to the public that sale of alcohol is only permitted to persons of 18 years and over. It is company policy to discipline members of staff, under gross misconduct, who sell alcohol to underage persons. Ms Pillinger highlighted that the no confectionary, sweets or cigarettes were sold on the premises and that advertisements for the goods, including for alcohol were no different to those used by rival chains. Ms Pillinger stated that notices would be placed on the premises requesting that customers leave the premises quietly.

Ms Pillinger responded directly to a number of the concerns raised by Ms Fitzgerald but stated that the motives behind her representation were commercially guided. Ms Pillinger stated that the evidence that people would travel to Lidl was weakened by the existence of other premises who trade 24/7. Further, in respect of football match days, it was stated that there had been no objections from the police and reminded the Committee and objectors that any license granted could be revisited if need be in the future.

In response to a series of questions from Committee Members, Ms Pillinger noted the applicants would be in breach of the law if there was

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found to be sale of alcohol to persons who were drunk. Also, that there would be a minimum of two members of staff at the doors to the premises on match days. Further, that CCTV cameras would be installed to the inside and outside of premises and would be willing to install more if needed. Ms Pillinger reiterated that any litter emanating from the premises would be easily identifiable due to the own brand wrapping on all of the goods sold on the premises. Ms Pillinger also stated that although the *OffWatch* Forum had not been fully established, the Lidl management would continue to maintain a good working relationship with the police.

In response to a number of questions put by the objectors to the applicant, Ms Pillinger stated that none of the staff employed by the Lidl branch was under the age of 18 and that systems were in place to deal with suspected under-age purchases of alcohol which included requests for photo ID in-line with recommendations. She also confirmed that door staff receive SIA training and accreditation. She confirmed that alcohol sold on the premises were competitively prices for the quality of product on offer. In respect of violent customers, Ms Pillinger confirmed that due to good relations with police, the SIA door staff would notify the police if this highlighted itself as a problem. In respect of street drinkers, there would be notices placed both inside and outside of the premises, but that none of these would be addressed specifically to street drinkers.

The Chair invited both the objectors and applicants to sum up their respective cases to the Committee. The objectors notes that they were against 24/7 alcohol sales because of problems with public safety and public nuisance, particularly on match days. The applicants stated that the application for a 24/7 license would allow for flexibility in trading patterns and that the concerns over the match day problems would be overcome by the clear set of conditions on offer.

RESOLVED

The Committee decided to grant the application subject to the following amendments and conditions:

- (i) That sale of alcohol be 11:00 to 23:00 Mondays to Sundays. The reasons for restrictions were because Committee Members' (all three) own personal knowledge of the area and their awareness of the area being a "hotspot" in terms of crime and disorder and public nuisance, and the close proximity of the premises to Finsbury park where there is a profound problem with street drinkers and crime emanating from this. This was supported by the evidence heard from objectors and its proximity to the Bowling Alley which attracts a young clientele until late at night.
- (ii) That opening hours to the public be as applied for, namely 24 hours, seven days a week.
- (iii) No sale of alcohol in glass bottles on match days. The reason for this decision was to promote the crime and disorder and

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	<p>public safety objectives of the Licensing Act 2003 in relation to the use of bottles as weapons.</p> <p>(iv) That there be two SIA trained door staff all day on match days.</p> <p>(v) That CCTV coverage of the premises covers the whole of the outside areas, including the corner and frontage of the premises.</p> <p>(vi) Conditions to enforce the operating schedule.</p> <p>(vii) Standard Mandatory Conditions at sections 19 and 21 of the Licensing Act 2003.</p> <p>(viii) That a robust system of photo identification is operated to detect under-age drinkers. under-age drinking, namely one of the following:</p> <ul style="list-style-type: none"> • a valid passport • a photo driving license issued in an EU country • a proof of age standard card system • a citizen card, supported by the Home Office. 	
<p>LSCA06.</p>	<p>HACI KORKOUT POLISH FOOD AND WINE, 78 HIGH ROAD N15 (SEVEN SISTERS WARD): The Lead Licensing Officer, Daliah Barrett, presented her report to the Committee.</p> <p>The Chair invited the objector, PC Coffey, to present his case to the Committee. PC Coffey read the following statement:</p> <p>“I am a Police Officer engaged on the Seven Sisters Safer Neighbourhoods Ward Policing Team. The activities of this Policing Team are mostly concerned with the ‘traditional’ style of Policing, where community interaction has been re-introduced following the response style of Policing that has become the norm which has prevailed in inner city areas of the Metropolitan Police Area, in more recent years.</p> <p>“The Ward area of Seven Sisters includes the shop premises known as ‘Polish Food and Wine’, situated at 78 High Road, Tottenham, N15. This is at the junction with Wargrave Avenue N15, a residential street which runs from the east footway of High Road N15 down as far as Grovelands Road N15, on the periphery of the borough boundary with Hackney. The proprietor of this shop is Mr Haci Korkut.</p> <p>“Since the inception of the Team, in April 2006, it has become evident that there are community concerns associated with the retail premises in High Road N15, which sell alcohol. A population of street drinkers have converged into this area. I can say that this has occurred for the following reasons: the area is disproportionately populated with young Polish males: this area falls outside of the area, which is covered with a ‘street drinking ban’ under the CJPO Act.</p> <p>“This had led to numerous complaints from residents, especially in the area of Wargrave Avenue N15. These have included a decline in the quality of life of residents who have for a lengthy period of time suffered</p>	

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from the following instances of anti social behaviour, at the hands of street drinking Eastern European males: noise, litter, fighting and arguments into the early hours of the morning, urination in gardens and alleys adjacent to residential premises. Resident complain that they have to clean up broken glass from alcohol containers in order to prevent injury to local child residents, and on a daily basis have to treat their property with disinfectant due to the stench of urine, left from the evening before. It is reported to Police that on occasions, these young men, 'Paraletic on drink', have collapsed and subsequently slept in front gardens. A fear is that challenging groups will lead to violent confrontation. Calls to the Police 999 system are not dealt with as an immediate response. This is because the nature of the activities are not considered to be emergencies. This has led to complaints about Police handling of such situations.

"It is strongly felt by community members that there are sufficient outlets in the area, which allow the purchase of large stocks of alcohol, sufficient to last groups of up to ten in number, throughout the night. This has been brought to Police attention numerous times as residents feel completely intimidated by these groups. Concerns as to the welfare and vulnerability of the people involved have come to the attention of this team. Instances of Polish males wandering in the middle of the road completely oblivious to the dangers of passing vehicles, have been dealt with by this Policing Team. In addition to this, intelligence suggests that individuals are prone to assault and robbery, being easily identifiable as intoxicated, unable to effectively communicate with the emergency services, and often carrying their cash on their person, not having sufficient community ties to have established banking facilities. Intelligence suggests that such attacks go largely unreported.

"The problems have now become so severe that we the Police have had to generate a leaflet in the Polish language about the various offences they may be committing, and how they place themselves in a position of vulnerability.

"The Policing Team's objectives are set by a Ward Panel, made up of those who live and work in the ward.

"These priorities are set following a period of public consultation. In October 2006, the main issue concerning residents of this Ward was drug and alcohol misuse. This was accordingly set as the main priority for the Ward Policing Team to tackle for the following six months.

"It is my view, based on the many documented concerns of residents of Wargrave Avenue, that allowing an application for the sale of Alcohol at 'Polish Food and Wine' 78 High Road, Tottenham, N15 would be a huge set back not only to the community but also the Policing Team who are having to spend much needed resources and time in dealing with drunkenness and anti social behaviour associated with drunkenness, by the groups of males who are responsible for street drinking in this area. Sufficient retail outlets with 24 hour licensing exist in the area, at

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	<p>present.</p> <p>“On Friday 10th November 2006 I attended the retail outlet known as ‘Polish Food and Wine’ with The local authority’s Environmental Crime Enforcement Team. This was in response to complaints from residents of Wargrave Avenue N15. These complaints specifically referred to commercial waste which had not been picked up from the shop in months. On arrival at the shop it became immediately apparent the problems the residents were talking about. The side of the shop located on Wargrave Avenue itself was completely overloaded with waste approximately 8ft high in the rear of the premises. I witnessed much of this waste, comprising paper, card and plastic, being blown into Wargrave Avenue and in turn into the busy High Road. I was approached by a member of the public who stated that this problem had attracted rats and some residents even felt that it was not safe for their own children to play out in the street. On entering the shop myself and the Environmental Crime Enforcement Team spoke with Mr Haci Korkut regarding possible offences he was committing in running his two shops. It was pointed out to Mr Korkut that the reason the waste had not been collected was due to the fact he had stopped paying his waste contract. Numerous other offences with regards to Health and Safety were pointed out to Mr Korkut including Fire hazards with the amount of waste completely covering any exits and the problems with the rats his premises were attracting. Mr Korkut was subsequently issued with a number of fixed penalties for offences. These highlighted his complete disregard for the the impact of his business on his resident community neighbours.”</p> <p>RESOLVED</p> <p>The Committee decided to reject the application in full due to the Committee Members’ personal knowledge of the area and the evidence of the police officer and letters from other interested parties. It was clear in the Committee’s mind that the premises already attracted alcohol related anti-social behaviour with evidence of people congregating outside of the premises and that to allow the supply of alcohol would cause further problems. Granting a license would not uphold the objectives of the Licensing Act 2003, especially the crime and disorder, and public nuisance clauses. There was evidence that alcohol related anti-social behaviour in the neighbouring shop which is owned by the same applicant with evidence of urination and vomiting from young males sleeping residents’ front gardens after purchasing from the shop.</p>	
<p>LSCA07.</p>	<p>COOLHURST LAWN TENNIS & SQUASH CLUB, COOLHURST ROAD N8 (CROUCH END WARD): RESOLVED</p> <p>The Committee decided to grant the application in full having gratefully accepted the conditions offered by the applicants, namely that the terrace area not be used after 23:30 for drinking at any time of the year.</p>	

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	The reason for granting the application was that the Committee had no concerns, on the weight of the evidence, that the licensing objectives would not be promoted.	
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LSCA08.	ITEMS OF URGENT BUSINESS: NONE	
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The meeting ended at 22:00

Councillor JAYANTI PATEL
Chair of Licensing Sub-Committee A 2006/7

Date: