

# M HARINGEY COUNCIL M

# Licensing Act 2003 Sub-Committee 13th September 2007

Report title: Application for a Premises Licence by Somerfield, 156 TOTTENHAM Lane, **Hornsey N8** Report of: The Lead Officer - Licensing Ward(s) affected 1. **Purpose** To consider an application by Somerfield to provide a licensable activity in the form of the sale of Alcohol and Late Night refreshment from shop on a petrol station forecourt. 2. Recommendations 2.1 (a) Grant the application as asked Modify the conditions of the licence, by altering or omitting or adding to them (b) Reject the whole or part of the application (c) 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 Telephone: 020 8489 5103 3. **Executive summary** For consideration by Sub Committee under Licensing Act 2003 for a Premises Licence. 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: SOMERFIELD

The Background Papers are located at Enforcement Service, Civic Centre, High Road Wood Green N22

### 5. REPORT

### **Background**

**5.1**Application by Somerfield for a Premises Licence in respect of 156 Tottenham Lane N8 under the Licensing Act 2003, for the sale of alcohol and late night refreshment.

### 5.2 Details for a new Premises Licence - APP 1

Opening Hours for Public- 24 hours per day

Sale of Alcohol – 24 hours per day

Late Night Refreshment - each day - 23.00.p.m - 05.00.a.m.

**Licensing Objectives** 

See Part P of the application form

### 5.3 Crime and Disorder

See Part P of the application form

### 5.4 Public Safety

See Part P of the application form

### 5.5 Public Nuisance

See Part P of the application form

### 5.6 Child Protection

See Part P of the application form

# 6. RELEVANT REPRESENTATIONS (CONSULTATION)

**Responsible Authorities:** 

## 6.1 Comments of Metropolitan Police

The Police have made no comments on this application.

### 6.2 Comments of Enforcement Services:

### **Noise Team**

Have made no comments

### **Food Team**

Have made no comments

### **Health and Safety**

Have no objections to this application

### **Trading Standards**

Have no objections to this application

### 6.3 Fire Officer

Have made no objections to this application.

### 6.4 Planning Officer

Have no objections to this application.

# 6.5. Comments of Child Protection Agency or Nominee

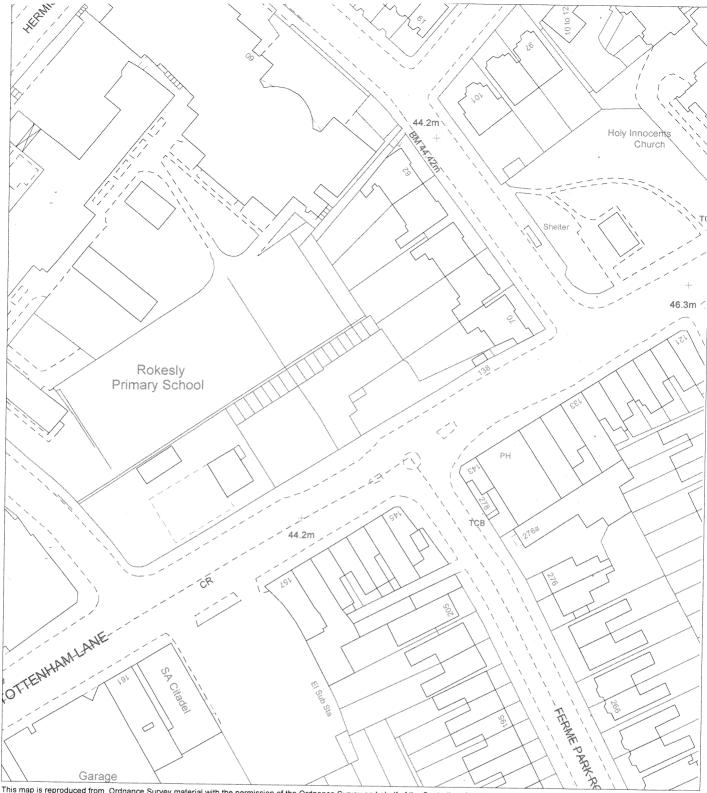
No objection to this application.

### 7.0 Interested Parties

A representation has been received from a resident.

### 8.0 Financial Comments

The fee which would be applicable for this application is £315.00



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# Town and Country Planning Act 1990 (As amended) Plan relating to the Enforcement Notice dated

# 156 Tottenham Lane N8

### HARINGEY COUNCIL

# Directorate of Environmental Services

Robin Payne Assistant Director Enforcement Service 639 High Road London N17 8BD Tel 020 8489 0000

Fax 020 8489 5525

	Drawn by	Haringey Council
	Scale	1:1000
	Date	03/09/2007
NORTH	Drawing	N/A

# APPENDIX 1 APPLICATION FORM

# 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.

We, Somerfield Stores Ltd apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and 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

Post code	N8 8SE	
Under constr	uction	
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		Please tick ✓ yes
		Please tick yes ises   ☑
	promi	
	Under constructions ses licence as	Under construction  ses licence as  (b) please confirm: siness which involves the use of the prem



Mr/Mrs/Miss/Miss or other Surname  I am 18 years old or over Current address if different from premises address Post Town Daytime contact number E-mail address (optional)  Second applicants details ie Area manager, Manas	
I am 18 years old or over Current address if different from premises address Post Town Daytime contact number E-mail address (optional) Second applicants details ie Area manager Manager	D D D D D D D D D D D D D D D D D D D
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E-mail address (optional)  Second applicants details ie Area manager Mana	
E-mail address (optional)  Second applicants details ie Area manager Mana	
Second applicants details ie Area manager, Mana	
OLOGNO INDIVIDUAL APPLICANT (IT applicable	ager, Assistant Manager, details in the box lle)
Mr/Mrs/Miss/Miss or other	
Surname	First Names
I am 18 years old or over	□ Yes
Current address if different from premises address	S
Post Town	Post Code
Daytime contact number	
E-mail address (optional)	
Somerfield Stores Ltd	
Address	
Somerfield House, Whitchurch Lane, Bristol, BS14 (	OTJ
Company registered number 23166	
escription of applicant (for example partnership, co	company, unincorporated association etc.)
,,	
elephone number (if any) 0117 935 9359  Email address (optional)	
elephone number (if any) 0117 935 9359 mail address (optional)	
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elephone number (if any) 0117 935 9359 mail address (optional)	Day Month Year
elephone number (if any) 0117 935 9359 mail address (optional)  ART A3 - Operating Schedule	Day Month Year As soon as possible
elephone number (if any) 0117 935 9359 mail address (optional)  ART A3 - Operating Schedule	As soon as possible  Day Month Year

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Please o	jive a genera	al descriptio	n of the premises (please read guidance not	e 1)				
Convenience Store with off licence facilities and also selling fuel with forecourt fuel pumps								
What lice	ensable activ	vities do you	intend to carry on from the premises?			***************************************		
			f the Licensing Act 2003 and Schedule 1 and	2 to the	Licensing Act	t 2003).		
Provisio	n of regula	ted enterta	<u>inment – please tick Yes</u>					
	(if ticking yes							
	if ticking yes							
c) Indoor	sporting eve	ents (if tickir	ng yes, fill in box C)					
e) live m	usic (if ticking	g entertainm g vas bill in	ent (if ticking yes, fill in box D)					
	ed music (if t							
			ng yes, full in box G)					
h) anythir	ng of a simila	ar descriptio	on to that falling within (e), (f) or (g) (if ticking	vae fill in	hov H\			
				yes, mi iri	DOX (1)			
Provisio	n of enterta	inment fac	ilities:					
i) making	music (if ticl	king yes, fill	in box I)					
	(if ticking ye							
k) enterta	inment of a	similar desc	ription to that falling within (i) or (j) (if ticking	ves. fill in	box K)			
				,,	DOKIN			
Provision	of late nig	<u>ht refreshn</u>	nent (if ticking yes, fill in box L)			<b>✓</b>		
Supply o	<b>f alcohol</b> (if	ticking yes,	fill in box M)			<b>√</b>		
In all cas	es complete	e boxes N,	O and P.			<b>L</b>		
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<b>5.</b>								
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	ad guidance		<u>place indoors or outdoors or both –</u> <u>please tick</u> (please read guidance note 2)	Outdoor	rs			
Day	Start	,	•	Both				
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Plays Standard days and timings		timings	Will the performance of a play take place indoors or outdoors or both -	Indoors		
(please	(please read guidance note 6)		please tick (please read guidance note 2)	Outdoors		
Day	Start	Finish		Both		
Mon	Start	FINISH	Please give further details here (please re	ead guidance note 3)		
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Tue						
Wed			State any seasonal variations for performing plays (please read			
Thur			guidance note 4)			
Fri			Non standard timings. Where you inten	d to use the premises for the		
Sat			performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5)			

Sun		

В

Films Standard	days and	d timinas	Will the performance of films take place indoors or outdoors or both -	Indoors		
(please read guidance note 6)			please tick (please read guidance note 2)	Outdoors		
	-	,	, ·	Both		
Day	Start	Finish	Please give further details here (please re	ead guidance note 3)		
Mon			3			
Tue						
Wed			State any seasonal variations for the exh	ihition of films		
Thur			please read guidance note 4)			
Fri			Non standard timings. Where you intend to use the premises for the			
Sat			exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5)			
Sun						

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

Boxing entertain Standard (please re	days	and	wrestling timings note 6)	Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors Outdoors Both
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Wed Thur				State any seasonal variations for boxi guidance note 4)	ng or wrestling (please read
Fri Sat				Non standard timings. Where you into boxing or wrestling entertainment at diff	end to use the premises for

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			column on the left, please list (please read	d guidance note 5)
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Recorded Standard	days and	d timings	Will the playing of recorded music take place indoors or outdoors or both – please	Indoors Outdoors	
	ad guidance	note 6)	tick (please read guidance note 2)	Both	
Day	Start	Finish	Please give further details (please read guidance note 3)		
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Tue					
Wed			State any seasonal variations for the playing of recorded music (please read guidance note 4)		
Thur			(present road galdanies hote 4)		
Fri			Non standard timings. Where you inten- playing of recorded music at different	d to use the premises for the	
Sat			column on the left, please list (please read	d guidance note 5)	
Sun					

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Standard	ances of da days an ead guidance	d timings	Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors Outdoors Both		
Day	Start		Please give further details (please read gu			
Mon			(picase read guidance note 3)			
***						

Tue	
Wed	State any seasonal variations for the performance of dance (please read guidance note 4)
Thur	read guidance note 4)
Fri	Non standard timings. Where you intend to use the premises for the
Sat	on the left, please list (please read guidance note 5)
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within (e	e), (f) or (g)	ŭ	Accession of the Control of the Cont		
Standard	days and tim	ings			
(please re	ead guidance	note 6)			
Day	Start	Finish	Will the performance of dance take place	Indoors	
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			(please read guidance note 2)	Both	
Tue			Please give further details (please read gu	idance note 3)	
Wed					
Thur			State any seasonal variations for description to that falling within (a) (6)	entertainment of	a similar
Fri			description to that falling within (e), (f) o	<u>r (g)</u> (please read gi	uidance note
Sat			Non standard timings. Where you inten	nd to use the prem	ises for the
Sun			entertainment of a similar description to at different times to those listed in the (please read guidance note 5)	that falling within (column on the left,	(e), (f) or (g) , please list

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	ead guidance n				
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			indoors or outdoors or both - please tick	Outdoors	
<b>T</b>			(please read guidance note 2)	Both	
Tue			Please give further details (please read gr	uidance note 3)	<u> </u>
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•					
Sun			listed in the column on the left, please li	st (please read guidar	nce note 5)
J					
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	days an ead guidance	d timings e note 6)		Both	
Day	Start	Finish	Please give a description of the facili	tion for densiry	
			providing	ties for dancing yo	u will be
Mon					
Tue			Please give further details (please read gu	uidance note 3)	
Wed			State any seasonal variations for provide	ding dancing facilitie	s (please
Thur			read guidance note 4)		
K		and demonstrate the second of			
Provision of facilities for entertainment of a similar			Please give a description of the type of	entertainment facility	you will
			be providing.		
within (i) or (j)		· · · · · · · · · · · · · · · · · · ·			
	Standard days and timings				
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entertain description within (i) Standard (please re	ment of a con to the or (j) days and time ad guidance	a similar at falling nings note 6)	Please give a description of the type of obe providing.  Will the entertainment facility be indoors	entertainment facility	you will

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within (i)							
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			read guidance note 2)	Both			
Tue							
			Please give further details (please read guidance note 3)				
Wed							
					P. S.		
Thur			State any seemal id				
111011			State any seasonal variations for the	<u>e provision of fac</u>	ilities for		
Fri			entertainment of a similar description t	o that falling within	1 (i) or (j)		
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Jai			Non standard timings. Where you into	end to use the pre	mises for		
Sun			provision of facilities for entertainment of	f a similar descripti	on to that		
Suli			railing within (i) or (j) at different times to	those listed in the c	olumn on		
			the left, please list (please read guidance r	ote 5)			
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Late night refreshment	Will the provision of late night refreshment	Indoors
(please read guidance note 6)	take place indoors or outdoors or both – please tick (please read guidance note 2)	Outdoors Both
	Please give further details (please read gu	uidance note 3)

Mon	23:00	05:00	
Tue	23:00	05:00	Supply of hot food and/or hot drink – to be consumed off the premises only such as tea/coffee, sausage rolls.
Wed	23:00	05:00	State any seasonal variations for provision of late night refreshment (please read guidance note 4)
Thur	23:00	05:00	(predate read guidance hote 4)
Fri	23:00	05:00	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times to those listed in
Sat	23:00	05:00	the column on the left, please list (please read guidance note 5)
Sun	23:00	05:00	

### M

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Supply o		سساسا	Will the supply of alcohol be for On the pre	mises
Stariuaru	Standard days and timings		consumption (please read guidance Off the pre	mises 🔽
	ad guidance	e note 6)	note 7)	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,
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Tue	00:00	00:00		
Wed	00:00	00:00		
Thur	00:00	00:00	Non standard timings. Where you intend to use supply of alcohol at different times to those lister.	the premises for the
Fri	00:00	00:00	the left, please list (please read guidance note 5)	ed in the column or
Sat	00:00	00:00	24 hours a day	
Sun	00:00	00:00		

State the name and details of the i Name	ndividual whom you wish to specify on the licence as premises supervisor Sarah Jane Wallsgrove
Address	1 Ellachie Gardens
	Gosport
Postcode	PO12 2DS
Personal Licence Number (if known)	06/00223/LAPER
Issuing licensing authority (if known)	Gosport Borough Council

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)

### 0

the publ	ic	re open to	State any seasonal variations (please read guidance note 4)
Standard		nd timings	
(please r	ead guidand	ce note 6)	
Day	Start	Finish	
Mon	00:00	00:00	
Tue	00:00	00:00	
Wed	00:00	00:00	Non standard timings. Where you intend the premises to be open at different times to those listed in the column on the left, please list
Thur	00:00	00:00	(please read guidance note 5)
Fri	00:00	00:00	24 hours a day
Sat	00:00	00:00	
Sun	00:00	00:00	

#### P

Describe the steps that you intend to take in order to promote the four licensing objectives:

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

Whilst the precise location of alcohol within the store will change from time to time, its location will always be subject to "responsible retailing"

### The prevention of crime and disorder

A digital CCTV system will be maintained which is fit for the purpose. The CCTV system will incorporate recording facilities and any recording will be retained and stored in a suitable manner for a reasonable period of time. The CCTV system will be maintained and fully operational throughout the hours that the premises are open for any licensable activities. The precise position of the cameras may be agreed with the police from time to time.

### **Public safety**

We have conduct of suitable fire risk assessment at the premises and implemented the necessary control measures including safe evacuation of disabled people. All exist doors are easily operable without the use of a key, card, code or similar means. Exist doors are regularly checked to ensure they function satisfactorily. Records of these checks are kept and can be produced on request. Notices detailing the actions to be taken in the event of fire or other emergency are prominently displayed and maintained in good condition. All fire existing and means of escape are signed in accordance with BS5499

The prevention of public nuisance

All food waste is bagged and tied. Waste collection receptacles (skips/bins) are kept locked. Collections of refuse are made at appropriate intervals.

The protection of children from harm

The applicant is a signatory to the Portman Group Code of Practice on Naming, Packaging and Promotion of alcoholic drink. Staff are trained to request evidence of age form any person seeking to buy alcohol and appearing to the member of staff to be under the age of 21. Such evidence is to be of a photographic nature such as a passport or photographic driving licence or any identification card carrying the "Pass" logo. The applicant actively supports a Proof of Age Scheme. Age prompts on the tills alert a cashier when age restricted products are scanned. Signage advising staff and customers of agents for restricted products are displayed prominently in the store.

I have made or enclosed payment of the fee Please t	
	V
I have enclosed the plan of the premises	$\checkmark$
I have sent copies of this application and the plan to responsible authorities and others when applicable	-
I have enclosed the consent form completed by the individual I wish to be premises supervisor, applicable	if 🗹
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.	$\square$

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	Rule Cerpten Tulo lycus.	
Date	2 August 2007	
Capacity	Solicitors and agents for the applicant	

For joint applicants signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> 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 address for correspondence associated with this application (please read guidance note 13)					
Blake Lapthorn Tarlo Lyons New Court, 1 Barnes Wallis Road, Segensworth 503699/000002/JOSW/LDRLIC					
Post town	Fareham	Postcode	PO15 5UA		
Telephone number (if any)			Tel: 01489 579990		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)					

### Notes for guidance

- 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 offsupplies 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 be in 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 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 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.

### Consent of individual to being specified as premises supervisor

1	Sarah Jane Wallsgrove			
	[full name of prospective premises supervisor]			
of	1 Ellachie Gardens Gosport Hampshire PO12 2DS			
	[home address of prospective premises supervisor]			
	confirm that I give my consent to be specified as the designated premises supervisor in to the application for			
	New Premises			
	[type of application]			
by	Somerfield Stores Ltd			
	[name of applicant]			
relating	to a premises licence			
	[number of existing licence, if any]			
for	Somerfield, Tottenham Lane, Hornsey, London, N8 8SE			
	[name and address of premises to which the application relates]			
and an	y premises licence to be granted or varied in respect of this application made by			
	Somerfield Ltd			
	[name of applicant]			
concer	ning the supply of alcohol atSomerfield, Tottenham Lane, Hornsey, London, N8 8SE			
	[name and address of premises to which the 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.				
Person	al licence number			
	06/00223/LAPER			
Person	al licence issuing authority Gosport Borough Council, Town Hall, High Street, Gosport , PO12			
1EB	[insert name and address and telephone number of personal licence issuing authority, if any]			
Signed				
-	5 Hallana			
	(please print) 2 8 0 1			
Date	1.0\JT			

# **APPENDIX 2**

# REPRESENTATION FROM RESIDENT

# 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		
NameCharles Sharp		
Address27 Elmfield Avenue		
Crouch End		
1		
PostcodeN8 8QG		
Licence application you wish to make a representation on		
You do not need to answer all of the questions in this section, but please give as much information as you can:		
Application NumberThere is no number on the schedules		
Name of LicenseeSomerfield		
Name of Premises (if applicable)		
Premises Address (where the Licence will take effect)		
PostcodeN8 8SE		

### Reason/s for representation

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).

Fill in reason/s for your representation in the space provided under each Licensing Objective it relates to.

#### The Prevention of Crime and Disorder

- Opposite the stated premises is a music club and bar, which has a late night licence. Previously, this venue has been the cause of substantial complaints from local residents and police investigations.
- It is to be expected that those leaving the club will cross the road to purchase further alcohol; previous experience with club-goers suggests they will consume it near the premises or in adjacent residential streets, and that any incentive to congregate after closing time, will significantly increase the potential for fights and other disturbances by intoxicated individuals.

### **Public Safety**

- The adjacent YMCA, has amongst its residents some vulnerable young people. The premises will become a late night focal point for activity and provide opportunities to lead such individuals astray.
- Gatherings outside the premises provide may prove threatening to local residents who in the past felt unsafe when the only focus was the music club.
- Late night alcohol sales from a venue which is designed to attract car drivers
  will attract those already over safe driving limits from a wide area. This will
  increase both the potential for motor accidents in general and damage to cars
  in the densely parked area surrounding in particular
- The increase in traffic 24/7 in a residential area with 3 major bus stops is potentially dangerous to individuals

### The Prevention of Public Nuisance

 The locality is predominantly residential, with houses in Elmfield Avenue and surrounding areas, and the densely populated YMCA building adjacent. Residents are already subject to late night noise nuisance from traffic and individuals departing from the town centre. Normally, this ends circa 1am. An open shop with all night off-sales of alcohol will cause nuisance and sleep disturbance to residents throughout the night.

#### The Protection of Children from Harm

- The locality is residential and home to large number of families with children of all ages. The increased noise from traffic, as well as the potential for antisocial disturbance, will disrupt children's sleep patterns and cause stress.
- The stated premises are adjacent to Rokesley Infant & Junior schools. Broken bottles, glasses, cans, vomit and other littering (which are currently an occasional occurrence) will increase, and provide hazards to young children making their way to school

I,,he submitted is true and correct.	arby declare that all information I have
Signed:	Date:

Please send completed form to: Haringey Council Licensing Team 2<sup>nd</sup> Floor Civic Centre High Road Wood Green London, N22 8LE