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# Licensing (Licensing and Gambling) Sub-Committee

Thursday, 11th July, 2013 at 9.30 am PLEASE NOTE TIME OF MEETING

Conference Room 3 - Civic Centre

This meeting is open to the public **Members** 

Councillor Cunio Councillor Lewzey Councillor Thomas

## Contacts

Democratic Support Officer Sharon Pearson Tel: 023 8083 4597 Email: <u>sharon.pearson@southampton.gov.uk</u>

Head of Legal, HR and Democratic Services Richard Ivory Tel. 023 8083 2794 Email: <u>richard.ivory@southampton.gov.uk</u>

## PUBLIC INFORMATION

#### **Terms of Reference**

The Sub-Committee deals with licences for which the Council is responsible under the Licensing Act, 2003 and Gambling Act 2005, including:-

- Personal licences for the sale of liquor Licensing Act 2003;
- Premises licences, various permits, variations and reviews (Licensing Act 2003 and Gambling Act 2005);
- Club certificates, variations and reviews Licensing Act 2003;
- Registration and deregistration of designated premises supervisors Licensing Act 2003;
- Determination of police objections to temporary event notices Licensing Act 2003

#### **Relevant Representations**

Those who have made relevant representations may address the meeting about the matter in which they have an interest.

#### When dealing with Licensing Act matters the Sub-Committee can only take into account the following statutory Licensing Objectives:-

- prevention of crime and disorder
- public safety
- prevention of public nuisance
- protection of children from harm

#### Likewise, when dealing with Gambling Act matters the Sub Committee can only take into account the statutory Licensing Objectives below:-

- Preventing gambling being a source of crime
- That gambling is conducted in a fair and open way
- To protect children and other vulnerable children from harm

#### Southampton City Council's Seven Priorities

- More jobs for local people
- More local people who are well educated and skilled
- A better and safer place in which to live and invest
- Better protection for children and young people
- Support to the most vulnerable people and families
- Reducing health inequalities
- Reshaping the Council for the future

#### **Smoking policy**

The Council operates a no-smoking policy in all civic buildings.

#### Mobile Telephones -

Please turn off your mobile telephone whilst in the meeting.

#### Fire Procedure -

In the event of a fire or other emergency a continuous alarm will sound and you will be advised by Council officers what action to take.

#### Access –

Access is available for disabled people. Please contact the Democratic Support Officer who will help to make any necessary arrangements.

# Dates of Potential Meetings: Municipal Year 2012/13

2013	5 <sup>™</sup> DECEMBER
13 <sup>th</sup> JUNE	19 <sup>™</sup> DECEMBER
27 <sup>™</sup> JUNE	2014
11 <sup>™</sup> JULY	16 <sup>™</sup> JANUARY
25 <sup>™</sup> JULY	30 <sup>™</sup> JANUARY
8 <sup>™</sup> AUGUST	13 <sup>™</sup> FEBRUARY
22 <sup>ND</sup> AUGUST	27 <sup>™</sup> FEBRUARY
5 <sup>™</sup> SEPTEMBER	13 <sup>™</sup> MARCH
19 <sup>™</sup> SEPTEMBER	27 <sup>™</sup> MARCH
3 <sup>RD</sup> OCTOBER	10 <sup>™</sup> APRIL
17 <sup>™</sup> OCTOBER	24 <sup>™</sup> APRIL
7 <sup>™</sup> NOVEMBER	8 <sup>TH</sup> MAY
21 <sup>ST</sup> NOVEMBER	22 <sup>ND</sup> MAY

## CONDUCT OF MEETING

#### **Terms of Reference**

The terms of reference are contained in the Council's Constitution.

#### **Rules of Procedure**

The meeting is governed by the Council Procedure Rules as set out in Part 4 of the Constitution.

## Business to be discussed

Only those items listed on the attached agenda may be considered at this meeting.

#### Quorum 3

The minimum number of appointed Members required to be in attendance to hold the meeting is 3.

## **DISCLOSURE OF INTERESTS**

Members are required to disclose, in accordance with the Members' Code of Conduct, **both** the existence **and** nature of any "Disclosable Personal Interest" or "Other Interest" they may have in relation to matters for consideration on this Agenda.

## DISCLOSABLE PERSONAL INTERESTS

A Member must regard himself or herself as having a Disclosable Pecuniary Interest in any matter that they or their spouse, partner, a person they are living with as husband or wife, or a person with whom they are living as if they were a civil partner in relation to:

(i) Any employment, office, trade, profession or vocation carried on for profit or gain.(ii) Sponsorship:

Any payment or provision of any other financial benefit (other than from Southampton City Council) made or provided within the relevant period in respect of any expense incurred by you in carrying out duties as a member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.

(iii) Any contract which is made between you / your spouse etc (or a body in which the you / your spouse etc has a beneficial interest) and Southampton City Council under which goods or services are to be provided or works are to be executed, and which has not been fully discharged.

(iv) Any beneficial interest in land which is within the area of Southampton.

(v) Any license (held alone or jointly with others) to occupy land in the area of Southampton for a month or longer.

(vi) Any tenancy where (to your knowledge) the landlord is Southampton City Council and the tenant is a body in which you / your spouse etc has a beneficial interests.

(vii) Any beneficial interest in securities of a body where that body (to your knowledge) has a place of business or land in the area of Southampton, and either:

- a) the total nominal value fo the securities exceeds £25,000 or one hundredth of the total issued share capital of that body, or
- b) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you / your spouse etc has a beneficial interest that exceeds one hundredth of the total issued share capital of that class.

## **Other Interests**

A Member must regard himself or herself as having a, 'Other Interest' in any membership of, or occupation of a position of general control or management in:

Any body to which they have been appointed or nominated by Southampton City Council

Any public authority or body exercising functions of a public nature

Any body directed to charitable purposes

Any body whose principal purpose includes the influence of public opinion or policy

## **Principles of Decision Making**

All decisions of the Council will be made in accordance with the following principles:-

- proportionality (i.e. the action must be proportionate to the desired outcome);
- due consultation and the taking of professional advice from officers;
- respect for human rights;
- a presumption in favour of openness, accountability and transparency;
- setting out what options have been considered;
- setting out reasons for the decision; and
- clarity of aims and desired outcomes.

In exercising discretion, the decision maker must:

- understand the law that regulates the decision making power and gives effect to it. The decision-maker must direct itself properly in law;
- take into account all relevant matters (those matters which the law requires the authority as a matter of legal obligation to take into account);
- leave out of account irrelevant considerations;
- act for a proper purpose, exercising its powers for the public good;
- not reach a decision which no authority acting reasonably could reach, (also known as the "rationality" or "taking leave of your senses" principle);
- comply with the rule that local government finance is to be conducted on an annual basis. Save to the extent authorised by Parliament, 'live now, pay later' and forward funding are unlawful; and
- act with procedural propriety in accordance with the rules of fairness.

## AGENDA

Agendas and papers are available via the Council's website.

## 1 ELECTION OF CHAIR

To appoint a Chair for the purposes of this meeting.

## 2 APOLOGIES AND CHANGES IN MEMBERSHIP (IF ANY)

To note any changes in the membership of the Sub-Committee made in accordance with the Licensing Act 2003.

## 3 DISCLOSURE OF PERSONAL AND PECUNIARY INTERESTS

In accordance with the Localism Act 2011, and the Council's Code of Conduct, Members to disclose any personal or pecuniary interests in any matter included on the agenda for this meeting.

NOTE: Members are reminded that, where applicable, they must complete the appropriate form recording details of any such interests and hand it to the Democratic Support Officer.

## 4 STATEMENT FROM THE CHAIR

## 5 <u>MINUTES OF THE PREVIOUS MEETING (INCLUDING MATTERS ARISING)</u>

To approve and sign as a correct record the Minutes of the meeting held on 13<sup>th</sup> June 2013 and to deal with any matters arising, attached.

## 6 EXCLUSION OF THE PRESS AND PUBLIC

At a predetermined point during the consideration of all items the Sub-Committee may move into private session in order to receive legal advice when determining issues. The press and the public, unless otherwise excluded by the Licensing Act 2003 (Hearings) Regulations 2005, will be invited to return immediately following that private session at which time the matter will be determined and the decision of the Sub-Committee will be announced.

## 7 <u>APPLICATION FOR PREMISES LICENCE - TESCO, 1-5 THORNHILL PARK ROAD,</u> <u>SOUTHAMPTON, SO18 5TP</u>

Report of the Head of legal, HR and Democratic Services detailing an application for a premises licence in respect of Tesco, 1-5 Thornhill Park Road, Southampton, SO18 5TP, attached.

Wednesday, 3 July 2013

HEAD OF LEGAL, HR AND DEMOCRATIC SERVICES

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## SOUTHAMPTON CITY COUNCIL LICENSING (LICENSING AND GAMBLING) SUB-COMMITTEE MINUTES OF THE MEETING HELD ON 13 June 2013

Present: Councillors Cunio, Parnell and Thomas

## 1. ELECTION OF CHAIR

**RESOLVED** that Councillor Cunio be elected Chair for the purposes of this meeting.

## 2. MINUTES OF THE PREVIOUS MEETING (INCLUDING MATTERS ARISING)

**<u>RESOLVED</u>** that the minutes of the meetings held on 25<sup>th</sup> April and 9<sup>th</sup> May 2013 be signed as correct records. (Copy of the minutes circulated with the agenda and appended to the signed minutes).

## 3. EXCLUSION OF THE PRESS AND PUBLIC

**<u>RESOLVED</u>** that in accordance with the Licensing Act 2003 (Hearings) Regulations 2005 that the press and ;public be excluded at a predetermined point whilst the Sub-Committee reached its decision.

## 4. <u>APPLICATION TO VARY A PREMISES LICENCE - CO-OP, 141 SOUTH EAST</u> ROAD, SOUTHAMPTON, SO19 8JS

The Sub-Committee considered the application to vary a premises licence in respect of Co-op, 141 South East Road, Southampton, SO19 8JS. (Copy of the report circulated with the agenda and appended to the signed minutes).

Mr Arnott, Solicitor for Applicant, Mr Keating, Store Manager, Mr Butler, Mr Ross and Mr Thompson, Residents, were present and with the consent of the Chair, addressed the meeting.

The Sub-Committee considered the decision in confidential session in accordance with the Licensing Act 2003 (Hearings) Regulations 2005.

**<u>RESOLVED</u>** that the application to vary a premises licence be granted in the terms sought and subject to the agreed conditions with the police.

After private deliberation the Sub-Committee reconvened and the Chair read the following decision with reasons:

All parties will receive formal written notification of the decision and reasons.

The Sub-Committee considered carefully the application to vary a premises licence at Co-op Stores, 141 South East Road and gave due regard to the Licensing Act 2003, the Licensing Objectives, statutory guidance, the adopted statement of Licensing

Policy, Human Rights legislation and representations, both written and given orally today by the applicant's representative and the residents.

It noted that the premises licence holder had co-operated with the police and that extensive and full conditions relating to CCTV, Incident Book, Refusals Book, Challenge 25 and Staff Training had been agreed with the police

The Sub-Committee considered very carefully the evidence submitted by all parties both written and given orally today. Particular note was made of the legal restrictions placed on the Sub-Committee limiting their considerations solely to the extended hours applied for.

In consideration of all the above, the Sub-Committee has determined to grant the application in the terms sought and subject to the agreed conditions.

## **REASONS**

The Sub-Committee considered very carefully the evidence of the residents relating to the licensing objectives, but were unable to find evidence that the matters complained of could be attributed to the very limited extension applied for, which was all the Sub-Committee could consider. The Sub-Committee was therefore satisfied that the agreed conditions would be sufficient to address the four licensing objectives.

The Sub-Committee did hold concerns in relation to the location of this premises and issues raised by residents, relating to crime and anti-social behaviour in the area. In light of the extent of the operational procedures and conditions agreed by the applicant with the police, the decision was deemed to be proportionate.

Residents can be reassured by the fact that the Licensing Act 2003 does allow for significant steps to be taken in the event that a premises does cause issues and undermines the licensing objectives in the future. Evidence showing a clear causal link to the premises shall be taken extremely seriously and both the police and local residents may initiate a review in the event that issues arise.

There is a right of appeal for all parties to the Magistrates' Court. The formal notification of the decision will set out that right.

## 5. <u>APPLICATION TO VARY A PREMISES LICENCE - CO-OP, 30-32 THORNHILL</u> <u>ROAD, SOUTHAMPTON, SO18 5TQ</u>

The Sub-Committee considered an application to vary a premises licence in respect of Co-op, 30-32 Thornhill Rod, Southampton, SO18 5TQ. (Copy of the report circulated with the agenda and appended to the signed minutes).

Mr Arnot, Solicitor for Applicant, Ms Foot, Store Manager, Mr and Mrs Haselden, Residents, were present and with the consent of the Chair, addressed the meeting.

The Sub-Committee considered the decision in confidential session in accordance with the Licensing Act 2003 (Hearings) Regulations 2005.

**RESOLVED** that the application be granted in the terms sought and subject to the agreed conditions, save that the start time for the supply of alcohol will be 06h00 Monday to Sunday.

After private deliberation the Sub-Committee reconvened and the Chair read the following decision with reasons:

All parties will receive formal written notification of the decision and reasons.

The Sub-Committee considered carefully the application to vary a premises licence in respect of Co-op Thornhill Park Road and gave due regard to the Licensing Act 2003, the Licensing Objectives, statutory guidance, the adopted statement of Licensing Policy, Human Rights legislation and representations, both written and given orally today by the applicant's representative and residents.

It noted that the premises licence holder had co-operated with the police and that extensive and full conditions relating to CCTV, Incident Book, Refusals Book, Challenge 25 and Staff Training had been agreed with the police. It was further noted that the hours sought for late night refreshment had been reduced so as to terminate at midnight.

The Sub-Committee considered very carefully the evidence submitted by all parties both written and given orally today.

In consideration of all the above, the Sub-Committee has determined to grant the application in the terms sought and subject to the agreed conditions, save that the start time for the supply of alcohol will be 06h00 Monday to Sunday.

For clarity the Sub-Committee's decision allows the supply of alcohol between 06h00 and 00h00 every day and the provision of late night refreshment from 23h00 to 00h00 every day. This is of course subject to the allowed trading hours under the applicant's planning permission.

## **REASONS**

The Sub-Committee considered very carefully the evidence of the residents relating to the licensing objectives, particularly the prevention of public nuisance. Whilst satisfied that the steps proposed by the amended operating schedule (via conditions as agreed) would be sufficient to address the remaining licensing objectives, the Sub-Committee was concerned about the noise issues raised and felt that setting a later start time for the supply of alcohol was a proportionate way of preventing public nuisance.

Residents can be reassured by the fact that the Licensing Act 2003 does allow for significant steps to be taken in the event that a premises does cause issues and undermines the licensing objectives in the future. Evidence showing a clear causal link to the premises shall be taken extremely seriously and both the police and local residents may initiate a review in the event that issues arise.

There is a right of appeal for all parties to the Magistrates' Court. The formal notification of the decision will set out that right.

## 6. <u>APPLICATION TO VARY A PREMISES LICENCE - CO-OP, 72-74 WARBURTON</u> <u>ROAD, THORNHILL, SO19 6HQ</u>

The Sub-Committee considered the application to vary a premises licence in respect of Co-op, 72-74Warburton Road, Thornhill, SO19 6HQ. (Copy of report circulated with the agenda and appended to the signed minutes).

Mr Arnot, Solicitor for Applicant and Ms Ferris, Store Manager were present and with the consent of the Chair, addressed the meeting.

The Sub-Committee considered the decision in confidential session in accordance with the Licensing Act 2003 (Hearings)Regulations 2005.

**<u>RESOLVED</u>** that the application be granted in the terms sought, subject to the operating schedule and existing conditions.

After private deliberation the Sub-Committee reconvened and the Chair read the following decision with reasons:

All parties will receive formal written notification of the decision and reasons.

The Sub-Committee considered carefully the application to vary a premises licence in respect of Co-op, Warburton Road and gave due regard to the Licensing Act 2003, the Licensing Objectives, statutory guidance, the adopted statement of Licensing Policy, Human Rights legislation and representations, both written and given orally today by the applicant's representative and the applicant.

It noted that none of the responsible authorities had any objections to the variation application. The Sub-Committee has considered very carefully the evidence submitted by all parties both written and given orally today.

In consideration of all the above, the Sub-Committee has determined to grant the application in the terms sought, subject to the operating schedule and the existing conditions.

## **REASONS**

The Sub-Committee considered very carefully the objection, but found no evidence that the premises was failing in its duty to promote the licensing objectives.

The Sub-Committee considered very carefully the potential for problems caused by the premises in this location, but were cognisant that the police were satisfied with the application.

There is a right of appeal for all parties to the Magistrates' Court. The formal notification of the decision will set out that right.

## 7. <u>APPLICATION FOR PREMISES LICENCE - MORRISONS, 133 PORTSWOOD</u> <u>ROAD, SOUTHAMPTON, SO17 2FX</u>

The Sub-Committee noted that the application for a premises licence in respect of Morrisons, 133 Portswood Road, Southampton, SO17 2FX, had been withdrawn as the applicant wished to have more time to consider the representations made.

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# Agenda Item 7



Reference: 2013/01200/01SPRN

Application for Premises Licence

Premises Name: Premises Address: Tesco 1 - 5 Thornhill Park Road Southampton SO18 5TP Application Date: Application

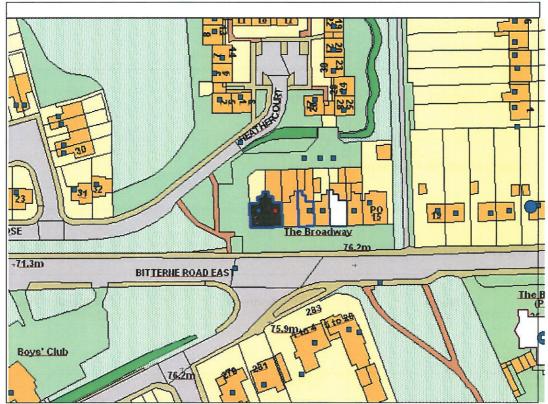
**Received Date:** 

Hearing:

21st May 2013 23rd May 2013

Application Valid Date:

23rd May 2013



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## **Representation From Responsible Authorities**

Responsible Authority	Satisfactory?	Comments
Child Protection Services - Licensing	No Response Received	

		Provide the second s
Hampshire Fire And Rescue - Licensing	Yes	
Environmental Health - Licensing	Yes	
Planning & Sustainability - Building Control - Licensing	No Response Received	
Primary Care Trust - Public Health Manager	No Response Received	
Planning & Sustainability - Development Control - Licensing	No Response Received	
Police - Licensing	Yes	
Trading Standards - Licensing	Yes	

## Other Representations

Name	Address	Contributor Type
Mr _ Mrs S Green	74 Douglas Crescent Thornhill Park Southampton SO19 5JQ	Resident

## Legal Implications

- The Licensing Act 2003 specifically restricts the grounds on which the Council, as Licensing Authority (LA), may refuse an application for a new Premises Licence, or impose conditions. Where relevant representations are made, the LA may refuse on the grounds that the licensing objectives are not met or the operating schedule is inadequate. Equally, conditions may be imposed where relevant and necessary. The LA may also refuse an application in part and thereby only permit some of the licensable activities sought.
- 2. The decision making committee, in considering an application, must have regard to

the adopted Statement of Licensing Policy and any relevant representations made by those directly affected.

- An applicant for a new Premises Licence whose application has been refused, or who is aggrieved by conditions imposed, may appeal against the decision to the Magistrates' Court.
- 4. In considering this application the committee will sit in a quasi-judicial capacity and is thus obliged to consider applications in accordance with both the Licensing Act 2003 (Hearings) Regulations 2005, and amending secondary legislation and the rules of natural justice. The practical effect of this is that the committee must makes its decision based on evidence submitted in accordance with the legislation and give adequate reasons for reaching it's decision.

The committee must also have regard to:-

5. Crime and Disorder Act 1998

Section 17 of the Crime and Disorder Act 1998 places the Council under a duty to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area.

6. Human Rights Act 1998

The Act requires UK legislation to be interpreted in a manner consistent with the European Convention on Human Rights. It is unlawful for the Council to act in a way that is incompatible (or fail to act in a way that is compatible) with the rights protected by the Act. Any action undertaken by the Council that could have an effect upon another persons Human Rights must be taken having regard to the principle of Proportionality - the need to balance the rights of the individual with the rights of the community as a whole. Any action taken by the Council which affect another's rights must be no more onerous than is necessary in a democratic society. The matter set out in this report must be considered in light of the above obligations.



Licensing Team Cirrus Building C Shire Park Welwyn Garden City Hertfordshire AL7 1ZR

Tel: 01707 634175 Fax: 01707 360876 Email: licensing.team@uk.tesco.com

21<sup>st</sup> May 2013

Licensing Team Southampton City Council PO Box 1344 Southampton SO15 1WQ

Dear Sir/Madam,

#### Application for a New Premises Licence under Licensing Act 2003

#### Tesco Stores Ltd, 1-5 Thornhill Park Road, Southampton, Hampshire SO18 5TP

We wish to make an application for a new licence for the above store to a Premises Licence under the Licensing Act 2003.

We duly enclose:

- 1. Application for a new premises licence under the Licensing Act 2003
- 2. Form of consent given by the person the applicant wishes to be the premises supervisor
- 3. A Plan of the premises drawn in accordance with the regulations
- 4. Copy of Tesco Stores Ltd's policy on the Provision of Portable Fire-Fighting Equipment.
- 5. Application fee for £315.00 to be paid by Credit Card. Please call 01707 634837.

#### **Application Form**

We have made our application in line with the legislation set out in the Licensing Act 2003 and its supporting regulations.

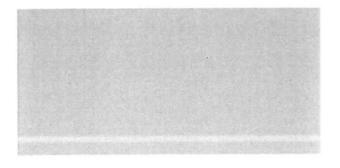
#### Plans

The area in which we propose to sell alcohol is shown on the plan.

We regret that we are not able to denote all types of safety equipment on all our store plans. We have, however, enclosed a copy of our policy on the provision of portable fire-fighting equipment within stores. This document clearly lays down the system adopted in all stores as to the placement of fire fighting equipment and safety notices.

#### **Responsible Authorities**

We confirm that a copy of this letter and the enclosed documents have today been sent to the Chief Officer of Police and all the relevant responsible authorities. If we have missed any of the Responsible Authorities off we would appreciate if you contact us immediately to allow us to rectify our mistake.



#### Advertisements

We can also confirm that notices advertising the application will be displayed at the premises from 23<sup>rd</sup> May 2013 to 20<sup>th</sup> June 2013 and in a local newspaper within the required time scale.

If you have any comments or queries regarding this application, please do not hesitate to contact us so that we can resolve any issues.

We would be grateful if could acknowledge safe receipt, either in writing to the address above, or via email to licensing.team@uk.tesco.com.

We thank you for your assistance in this matter.

Yours faithfully



Greg Bartley Licensing Manager – Tesco Stores Ltd.

#### CC:

Southampton Licensing Unit, Hampshire Constabulary, Central Police Station, Southern Road, Southampton, SO15 1AN

Hampshire Fire & Rescue Service, Protection Department, Southsea Fire Station, Somers Road, Southsea, PO5 4LU

Environmental Health Services, Southampton City Council, One Guildhall Square, Southampton, SO14 7FT

Planning & Sustainability, Southampton City Council, Ground Floor, Civic Centre, Southampton, SO14 7LS

Safeguarding Children, Southampton City Council, Floor 5, Marland House, Southampton, SO14 7PQ

Tra ding Standards Service, Southampton City Council, Civic Centre, Southampton SO14 7LY

Health and Safety Executive, Priestley House, Priestley Road, Basingstoke, Hampshre, RG24 9NW

Primary Care Trust, NHS Southampton City, Trust Headquarters, Oakley Road, Southampton, SO16 4GX

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	23		2013	
	a 1807 1.00 1.00			

#### 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 Tesco Stores Ltd .....

(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 addres <b>Tesco Stores</b> 1-5 Thornhill		rvey map reference or description	
Post town	Southampton	Postcode	SO18 5TP

Telephone number at premises (if any)	
Non-domestic rateable value of premises	Not Yet Assessed, £315.00 payment to be made by Credit Card

#### Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

Please tick as appropriate

a)	an individual or individuals *			please complete section (A)
b)	a pe	rson other than an individual *		
	i,	as a limited company	x	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 rec	cognised club		please complete section (B)
d)	a ch	arity		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 in Wales		please complete section (B)	
ga)	a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England		please complete section (B)	
h)	the chief officer of police of a police force in England and Wales		please complete section (B)	
* If yo	u are applying as a person described in (a) or (b) please c	onfirm		
Please	tick yes			
	arrying on or proposing to carry on a business which invo ble activities; or	lves the	e use of the premises for	X
I am m	aking the application pursuant to a statutory function or			
	a function discharged by virtue of Her Majesty's prerog	ative		

## (A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr 🗌 Mrs 🗌	Miss 🗌	Ms 🗌	Other Title (for example, Rev)	1
Surname		First nar	nes	
I am 18 years old or over			D Plea	se tick yes
Current postal address if different from premises address				
Post town			Postcode	
Daytime contact telephon	e number			
E-mail address (optional)				

## SECOND INDIVIDUAL APPLICANT (if applicable)

Mr 🗌 Mrs 🗌 Miss 🗌	Ms D Other Title (for example, Rev)
Surname	First names
I am 18 years old or over	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

I

 $\mathbf{x}_{\mathbf{a}}$ •

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 Tesco Stores Ltd
Address Tesco House Delamare Road Cheshunt Waltham Cross Herts EN8 9SL
Registered number (where applicable) Company Number 00519500
Description of applicant (for example, partnership, company, unincorporated association etc.) Limited Company
Telephone number (if any) 01707 634837
E-mail address (optional) licensing.team@uk.tesco.com

#### Part 3 Operating Schedule

When do you want the premises licence to start?	As soon as possible
If you wish the licence to be valid only for a limited period, when do you want it to end?	DD MM YYYY
Please give a general description of the premises (please read guidance note 1)	
Retail premises (supermarket) selling a range of goods and services. This for consumption off the premises. Sales of alcohol for consumption off the the supermarket sales floor as shown on the enclosed plan	includes the sale of alcohol premises are made from
If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.	

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)

Prov	ision of regulated entertainment	Please tick any that apply
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)	

## <u>Provision of late night refreshment</u> (if ticking yes, fill in box I)

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

In all cases complete boxes K, L and M

## A

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

 $\Box$ 

X

B

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

Standa	sporting rd days and read guide	d timings	Please give further details (please read guidance note 3)
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 on the left, please list (please read guidance note 5)
Fri			
Sat			
Sun			-

С

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

D

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	
				Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read guidance	note 3)	
Tue			State any seasonal variations for the performance of live music (pleas read guidance note 4)		
Wed					ase
Thur					
Fri				rd timings. Where you intend to use the premises for the e of live music at different times to those listed in the column please list (please read guidance pote 5)	
Sat					
Sun					

E

Recorded music Standard days and timings (please read guidance note 6)		d timings	Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	
		ance note		Outdoors	
Day	Start	Finish		Both	
Mon	Mon <u>Please give further details here</u> (please read guidance		note 3)		
Tue					
Wed					ase
Thur			-		
Fri			Non standard timings. Where you intend to use the playing of recorded music at different times to those on the left, please list (please read guidance note 5)	imings. Where you intend to use the premises for the reded music at different times to those listed in the colu se list (please read guidance note 5)	
Sat					
Sun			-		

F

Performances of dance Standard days and timings (please read guidance note		1 timings	Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	
(picase 6)				Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read guidance	note 3)	
Tue			State any seasonal variations for the performance of dance (please guidance note 4)		
Wed					ead
Thur			-		
Fri			Non standard timings. Where you intend to use the performance of dance at different times to those listed the left, please list (please read guidance note 5)	imings. Where you intend to use the premises for the f dance at different times to those listed in the column of list (please read guidance note 5)	
Sat					
Sun					

G

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descrip within Standar	ng of a sin otion to that (e), (f) or ( rd days and read guida	<b>at falling</b> (g) I timings	Please give a description of the type of entertainment yo	ou will be provid	ling	
Day	Start	Finish	Will this entertainment take place indoors or	Indoors		
Mon			outdoors or both – please tick (please read guidance note 2)	Outdoors		
				Both		
Tue			Please give further details here (please read guidance note 3)			
Wed						
Thur			State any seasonal variations for entertainment of a to that falling within (e), (f) or (g) (please read guidant	State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)		
Fri						
Sat			Non standard timings. Where you intend to use the entertainment of a similar description to that falling at different times to those listed in the column on the (please read guidance note 5)	within (e), (f) o	r (g)	
Sun						

H

Late night refreshment Standard days and timings (please read guidance note 6)		d timings	Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	
			(prease read guidance note 2)	Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read guidance note 3) Providing hot food and drinks		
Tue			-		
Wed			State any seasonal variations for the provision of late night refreshme (please read guidance note 4)		<u>ment</u>
Thur					
Fri			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)		<u>ie</u> I in
Sat					
Sun					

I

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Supply of alcohol Standard days and timings (please read guidance note		d timings	Will the supply of alcohol be for consumption – please tick (please read guidance note 7)	On the premises	
(picase 6)				Off the premises	x
Day	Start	Finish		Both	
Mon	0600	2300	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Tue	0600	2300			
Wed	0600	2300			
Thur	0600	2300	Non standard timings. Where you intend to use the supply of alcohol at different times to those listed in left, please list (please read guidance note 5)		
Fri	0600	2300	(real to the generation of the second s	e B	
Sat	0600	2300			
Sun	0600	2300			

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

Name Greg Bartley	
Address	
Postcode	
Personal lice	nce number (if known) Harlow/pers/0094
Issuing licens	sing authority (if known) Harlow District Council

J

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).

#### L

Hours premises are open to the public Standard days and timings (please read guidance note 6)		d timings	State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	0600	2300	
Tue	0600	2300	
Wed	0600	2300	Non standard timings. Where you intend the premises to be open to the
Thur	0600	2300	public at different times from those listed in the column on the left, please list (please read guidance note 5)
Fri	0600	2300	
Sat	0600	2300	-
Sun	0600	2300	-

K

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

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

We are a national retailer that sells alcohol as part of a broad offering of goods and services. We have held off-licences in our stores for many years and are an approved British Institute of Inn-keeping examination centre. We have written training policies and formal training programmes are in place, which ensure our people are equipped to meet all licensing objectives. All training and revision/refresher materials are reviewed regularly. All stores currently comply with our 'Think 25' policy, this is brought to customer's attention through point of sale material within the store. We take legal compliance very seriously and in addition to local training we employ a central alcohol licensing compliance manager and have a compliance committee.

#### b) The prevention of crime and disorder

The premises will have digital CCTV system that covers many areas of the shop floor, including the proposed area which will be used for beer and wine, should we be successful with our application. Images will be retained for a minimum of 21 days and made available on enforcement request. Ordinarily, a member of the Management team will be on the premises all the time the store is open. A person will have responsibility for the premises whilst the premises are open.

#### c) Public safety

A person will have responsibility for the premises whilst the premises are open. Management will be trained to support the running of the premises including looking after our customers and staff. The store will adhere to all rules and regulations relating to public safety.

#### d) The prevention of public nuisance

We intend to be an active member of the community. We welcome the opportunity to liaise with Police and enforcement authorities should the need arise.

#### e) The protection of children from harm

All staff will be trained and regularly refreshed in the corporate 'Think 25' Policy. Staff will be trained to look at the customer and 'Think 25' when selling alcohol.

A till prompt will appear on the initial sale of alcohol that will remind the seller of their responsibilities including not to sell alcohol to anyone under the age of 18.

The store will display signage around the premises informing both staff and customers of our 'Think 25' policy on alcohol.

#### Checklist:

κ.

	Please tick to indicate agree	ment
•	l have made or enclosed payment of the fee.	X
•	I have enclosed the plan of the premises.	Х
0	I have sent copies of this application and the plan to responsible authorities and others where applicable.	x
0	I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.	x
•	I understand that I must now advertise my application.	Х
0	l understand that if I do not comply with the above requirements my application will be rejected.	x

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#### IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING 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	21 <sup>st</sup> May 2013
Capacity	Greg Bartley - Licence Manager

For joint applications, signature of  $2^{nd}$  applicant or  $2^{nd}$  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	

application (p. Greg Bartley	lease read guidance partment, Tesco Sto		or correspondence as:	sociated with this
Post town	Post town Welwyn Garden City Postcode AL7 1ZR			AL7 1ZR
Telephone number (if any) 01707 634837				
	prefer us to corresp m@uk.tesco.com	ond with you by e-mail, your e-	mail address (options	al)

		RECEIVED
Consent of in	dividual to being specified as pro	emises supervisor
ſ		

[Insert full home address and postcode]

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for a new premises licence to specify an individual as designated premises supervisor under section 17 of the Licensing Act 2003 by Tesco Stores Ltd relating to a premises licence:

[Insert existing Premises Licence Number if any]

for

Tesco Stores Ltd 1-5 Thornhill Park Road Southampton Hampshire SO18 5TP

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

and any premises licence to be granted or varied in respect of the application made by Tesco Stores Ltd concerning the supply of alcohol at the above premises.

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

[Insert personal licence number, if any] HARLOW/PERS/0094

Personal Licence issuing authority

Harlow District Council

Signed

Name (Please Print)

Date

GREG BARTLEY

21<sup>st</sup> May 2013

## Provision of Portable Fire-Fighting Equipment at Tesco Stores

#### General

Portable fire extinguishers are provided as a means of first aid fire fighting equipment but should not be considered for use on a large fire or as an aid to escape. Their portability and immediate availability allows for prompt intervention by an individual at the start of a fire.

Therefore the sultability and location will dictate the types and quantity of fire fighting equipment that is required

#### Suitability

#### Imprex Foam Extinguisher

The general purpose extinguisher deployed at Tesco stores is a 6 Litre foam (Imprex) extinguisher. It can be used on solid carbonaceous fires (Class A) involving fuels such as timber, paper, plastic etc or on flammable liquid fires, such as petrol or cooking oil (Class B).

A simple formula is used to calculate the minimum number of general purpose (class A) and (class B) extinguishes that should be provided:

The gross floor area (metres) x 0.065 = Number Class A extinguishers required (rounded up) 27\*

(27 being the 'A' rating of the extinguisher)

Largest volume of spill of flammable liquid (litres) x 10 = Number of Class B extinguishers required 183\*

(183 being the 'B' rating of the extinguisher)

## Carbon Dioxide Extinguisher

These are provided by Tesco stores on fires involving live electric equipment. There is no guidance on the numbers required, however, due to widespread use of electrical equipment in Tesco stores, they are readily available in most areas

Additionally fire blankets are available in cooking areas.

#### Location

A person should not travel more than 30 metres to reach a suitable fire extinguisher from any point within the store. Additional extinguishers (above those needed to achieve an 'A' rating) may need to be provided to meet this requirement, but this is unlikely due to the layout of most Tesco stores.

Where possible, extinguishers are located adjacent to fire alarm call points (which in turn are adjacent to fire exits) forming a fire point, where the alarm can be raised and a decision made whether to attempt to tackle the fire or flee through the exit.

Allocation of Fire Fighting Equipment

AREA	GUITRE	2Kg	FIRE	9kg DRY	SAND BUCKET
AREA	AFFE	CO2	BLANKE	POWDLI	
ARCA			S. S. March	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	···· /·····
A start of the sta				- T ·	· ·
	1:	1	· 11		
akery		1	1 .		
ake-off		11	1		
oiler Rooms & Boiler	-	1			
ontainers		1			
Cash Office		.1			
CTV		1	1	1	· · ·
Neenor's Boom		As per s	ales floor cal	culations	
Soften Shon - Public Area .!		i1 .	1		1.
Coffee Shop - Preparation				<u> </u>	
Area		As per	calculations		
Destidate		1			
Customer Service Centre		1	•		
Electrical Intake		1			
FUC Doom		1			
Conorstor Room/Container	1				
Hot Chicken Installation		11.			<u>.                                    </u>
Lift Monitor Room	1	1 Ao por	calculations		·
Loading Dock Lobby	<u>  ·</u>		1 CLICE.		
	1	11			
Pharmacy Refrigeration Plant Room/		1		-	
C Is DTC	1				
Containers Refrigeration Mezzanine	-	1 :	1		
Plant Platform					
Restaurant (kitchen)		1	r calculations		
Restaurant (staff)	1	Aspe	calculations		
Restaurant (staff)			r calculations		•
Sales Area	.1	1			
Staff Reception		1			
Stairs (for roof Plant)		1			
Stairs (101100111007 Sprinkler Valve/ Pump Room	1	1			
Island		1			
Tank Room & Container		11			
Training Room		As pe	er calculations	<u> </u>	
Warehouse/Bulk store					
Petrol Filling stations		. 11	1		
Sales Area		-1-			4
Ancillary Area	1		trolleys	4	
Forecourt					
•					<u> </u>
Express Filling Stations		-1	1		
Sales Area	1				
Ancillary Area	1				

\*Calculations: 1 fire extinguisher per 400m<sup>2</sup> based on 27A rating and 183B sales floor extinguishers sited adjacent to exits and below call points as appropriate.

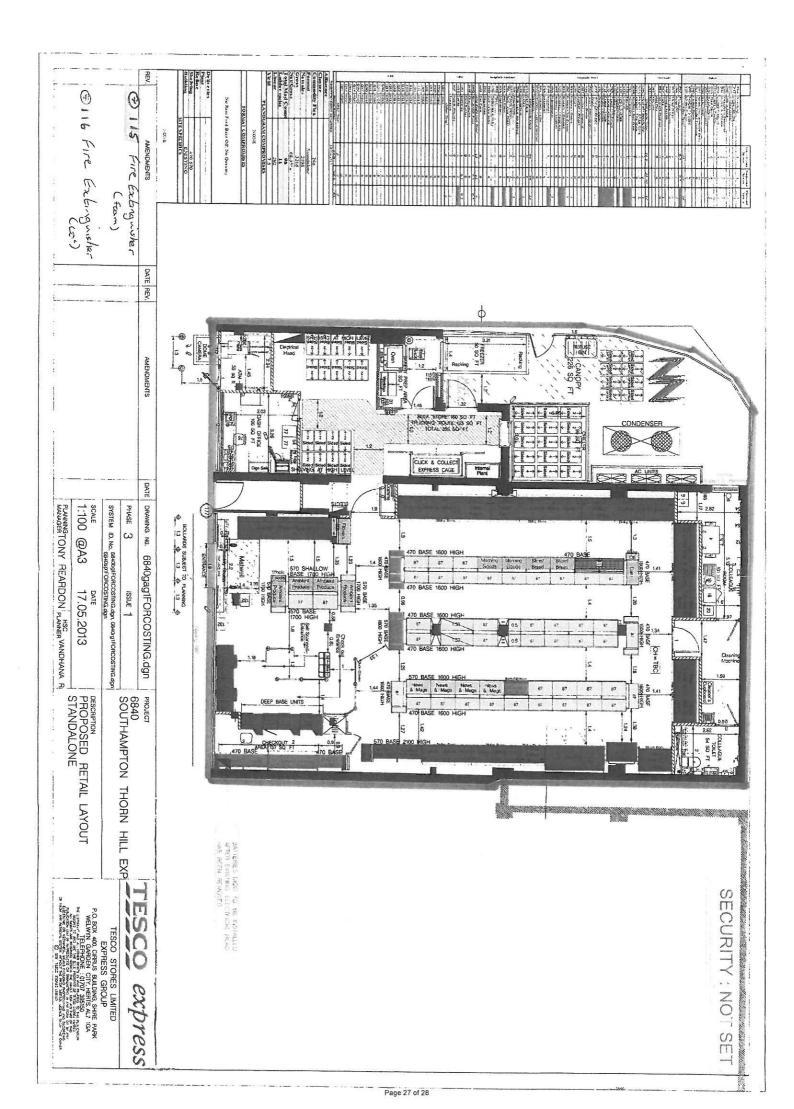
## Allocation of Safety Signs and Notices

1

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# AREA

Delener and Delen off Area	
Bakery and Bake-off Area	FIRE INSTRUCTIONS notice adjacent to break glass call point (b.g.c.p.)
Boiler Rooms & Boiler Containers	KEEP LOCKED SHUT
Clock Towers	FIRE INSTRUCTIONS notice adjacent to b.g.c.p
Coffee Shop	
	FIRE INSTRUCTIONS notice adjacent to b.g.c.p
Corridors	FIRE INSTRUCTIONS notice adjacent to b.g.c.p
	KEEP CLEAR
	doors other than held-open
Customer Service Centre	FIRE INSTRUCTIONS notice adjacent telephone
Electrical Intake	KEEP LOCKED SHUT notice on external side of
	door
Electrically Held Open Fire Doors Linked	
into Fire Alarm System Exterior	face of doors
	EMERGENCY EXIT - PUCH HARD TO OPEN
121	on rear of each gate
	FIRE EXIT sign on outside of all fire doors
Female Cloaks	NO SMOKING
Generator Room/ Container	KEEP LOCKED SHUT on external side of door
Kids Club	FIRE INSTRUCTIONS notice adjacent to b.g.c.p
at 100 " 12	FIRE EXIT - KEEP CLEAR notice on external
	side of door
Lift Monitor Room	KEEP LOCKED SHUT
Male Cloaks	NO SMOKING
Manager's Office	FIRE INSTRUCTIONS notice adjacent telephone
Plant Room/ Containers	KEEP LOCKED SHUT on external side of door
Restaurant (kitchen)	FIRE INSTRUCTIONS notice adjacent to b.g.c.p
Restaurant (Staff)	FIRE INSTRUCTIONS notice adjacent to b.g.c.p
	FIRE INSTRUCTIONS TORCE adjacent to D.g.c.p
Sales Area	FIRE EXIT sign above every fire exit
	TO FIRE EXIT sign above doors to protected
	corridors
	PUSH BAR TO OPEN above each set of push
• •	bars
Staff Reception	FIRE INSTRUCTIONS notice adjacent to b.g.c.p
	FIRE INSTRUCTIONS notice adjacent telephone
Sprinkler Valve/ Pump Room on External	SPRINKLER STOP VALVE INSIDE
Side if Door	EXTERNAL VENTILATION CONTROAL
	SWITCH INSIDE (if appropriate)
Varehouse/ Bilk Store	FIRE INSTRUCTIONS notice adjacent to b.g.c.p
	Load level notices on lines on walls
	FIRE EXIT sign above every fire exit
etrol/ Express Petrol Filling Stations	
ncillairy Area	FIRE INSTRUCTIONS notice adjacent to b.g.c.p
	KEEP LOCKED SHUT on electrical Intake
· .	FIRE EXIT above rear means of escape door
	PUSH BAR TO OPEN
precourt at tank fill points* at pumps#	Individual tank fill notices with grades
and the second	PETROLIUM SPIRIT - HIGHLY FLAMABLE- NO
	SMOKING */#
	NO MOBLIE PHONES *
i	





Licensing Team Southampton & Eastleigh Licensing Partnership PO Box 1767 Southampton SO18 9LA Mr & Mrs S Green 74 Douglas Crescent Thornhill Park Southampton SO19 5JQ

18th June 2013

#### Dear Sirs,

We write to register our objection to the application for a new premises Licence at the proposed Tesco Express store at 1-5 Thornhill Park Road SO18 5TP Application reference: 2013/01200/01SPRN for sale of alcohol between 6am and 11pm Sun-Sat

Prevention of crime and disorder: An alcohol licence will draw unwelcome attention and increased footfall at unsociable hours to a primarily residential area. Noise and anti-social behaviour, (non reportable crime including shouting, swearing, car horns, littering) would increase as a result.

There have been inebriated vagrants loitering by the bench next to the bus stop diagonally opposite the store and in the nearby Hinkler Road even rolling around in the road in recent months, as well as incidents of youths gathering and causing a disturbance at the corner of Upper Deacon Road opposite the site of the store during the day and sometimes into the evening. The unlit areas and dense trees at the Thornhill youth club opposite the store and diagonally opposite at the entrance to Thornhill park would increase the likelihood of these pockets of behaviour problems in the neighbourhood.

Public nuisance: Long opening times will draw traffic and people from a wider area at unsocial hours. Noise, light pollution and traffic noise along with deliveries and associated noise will have a negative impact. Additional traffic, to an already congested junction will have public safety implications as well as congesting the residential side roads, as these are already being used by adjacent shoppers as public car parking. Residents in the nearest section of Douglas Crescent are sometimes remaining indoors in the evenings at peak times or make alternative travel arrangements due to the constricted flow of traffic caused by non-residents. At times it would be impossible for emergency vehicles to access properties in Douglas Crescent needing urgent help.

Protection of children from harm: The licence conflicts with the amenities available to children in the area, putting them at risk from anti-social behaviour, increased littering, rodent and fox infestations, dangerous traffic movements across the pavements at the store entrance/exit, as well as exposure to the marketing and sale of alcohol and cigarettes. In December 2012 a police operation proved sale of alcohol to underage children is taking place in the neighbourhood already, with offences committed in Costcutter Thornhill Park Road & the Co-Op Hinkler. The site of the store is on the route taken by school children and sixth formers as there are bus stops both opposite and a short distance alongside the store location, as well as the Woodlands secondary school children walking past the store on a daily basis.

Thankyou for considering these points of objection. Yours faithfully,

