

Licensing Panel AGENDA

DATE: Thursday 13 June 2013

TIME: 6.30 pm *

VENUE: Committee Room 6,
Harrow Civic Centre

* THERE WILL BE A BRIEFING FOR MEMBERS AT 6.00PM IN COMMITTEE ROOM 6.

MEMBERSHIP (Quorum 3)

Chairman: (To be appointed)

Councillors:

John Nickolay

Kairul Kareema Marikar

Husain Akhtar

Reserve Members:

Note: There are no Reserve Members currently appointed to this Panel.

Contact: Daksha Ghelani, Senior Democratic Services Officer
Tel: 020 8424 1881 E-mail: daksha.ghelani@harrow.gov.uk

AGENDA - PART I

1. APPOINTMENT OF CHAIRMAN

To appoint a Chairman for the purposes of this meeting.

2. DECLARATIONS OF INTEREST

To receive declarations of disclosable pecuniary or non pecuniary interests, arising from business to be transacted at this meeting, from:

- (a) all Members of the Panel;
- (b) all other Members present.

3. MINUTES

[Note: Licensing Panel minutes are:-

- (1) approved following each meeting by the Members serving on that particular occasion and signed as a correct record by the Chairman for that meeting;
- (2) not submitted to the next panel meeting for approval.

Reasons: The Licensing Panel is constituted from a pooled membership. Consequently, a subsequent Panel meeting is likely to comprise a different Chairman and Members who took no part in the previous meeting's proceedings. The process referred to at (1) above provides appropriate approval scrutiny].

4. PUBLIC QUESTIONS, PETITIONS AND DEPUTATIONS

To receive any questions, petitions or deputations (if any), under the provisions of Committee Procedure Rules 17, 15 and 16 (Part 4B) of the Constitution respectively.

[Note: These items are qualified by the requirements of the licensing legislation and will not be applicable to applications on the current agenda.]

5. LICENSING PROCEDURES (Pages 1 - 2)

Procedure to be followed at an oral hearing.

6. APPLICATION TO VARY A PREMISES LICENCE IN RESPECT OF 'SAINSBURY'S, 1-9 THE BROADWAY, STANMORE, MIDDLESEX, HA7 4DA' (Pages 3 - 40)

Report of the Corporate Director of Environment and Enterprise.

7. ANY OTHER URGENT BUSINESS

Which cannot otherwise be dealt with.

AGENDA - PART II - Nil

This document provides a summary of the Panel's usual procedure for the conduct of an oral hearing in public.

1. Introduction by chair of:
 - Members
 - Officers and Officers of Responsible Authorities
 - Applicants and Objectors
 - the procedure for the hearing.

2. Presentation of the report by Officers of the Relevant Authority.

3. Presentation by the applicant of their statement. Additional material may be submitted with the agreement of the Panel and the other party, subject to advice by the Council's legal advisor at the time.

4. Questioning of applicant by:
 - each of the objectors
 - the Panel

5. Presentation by the objectors, or their representative of their statements. Additional material may be submitted with the agreement of the Panel and the other party, subject to advice by the Council's legal advisor at the time.

6. Questioning of each objector by:
 - the applicant
 - the Panel

7. Concluding statement(s) by objectors.

8. Concluding statement by applicant.

9. The Panel together with their legal advisor and committee clerk withdraw to consider of the application. Should the Panel wish to clarify any point with any particular party, all sides are recalled for the questions to be asked.

10. The hearing is reconvened for the Panel to announce their decision. Should the application be refused or conditions be placed on the licence the Panel must give reasons for this action.

NOTES

WITNESSES: *Either side may call witnesses to support their case. Witnesses should have submitted written statements before the hearing which they present and on which they may be questioned. Witnesses introduced at short notice may speak with the agreement of the Panel and the other party, subject to advice by the Council's legal advisor at the time.*

ADJOURNMENT: *The Panel may at any time adjourn to a later date for the further consideration of an application. The date and time should be agreed with all parties as far as possible*

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REPORT FOR: LICENSING PANEL

Date:	13 June 2013
Subject:	Application to vary a premises licence in respect of 'Sainsbury's, 1-9 The Broadway, Stanmore, Middlesex, HA7 4DA'
Responsible Officer:	Caroline Bruce – Corporate Director of Environment and Enterprise
Exempt:	No
Enclosures:	Application to vary a premises licence Representations Current Premises Licence Location (GIS) Map

Section 1 – Summary

The application to a vary a premises licence issued under the Licensing Act 2003 to 'Sainsbury's, 1-9 The Broadway, Stanmore, Middlesex, HA7 4DA' has attracted representations from other persons (i.e. persons other than responsible authorities). As per the Council's Licensing Policy and delegation of Licensing functions, all applications with unresolved representations are to be dealt by the Licensing Panel.

Representations received

From	Relevant Representations details
The Planning Authority	No representations received
Health & Safety	No representations received
Environmental Health Authority (Pollution and environmental enforcement)	No representations received
Trading Standards	No representations received
The Area Child Protection Service	No representations received
LFEPA	No representations received
Metropolitan Police	No representations received

Representations from other persons

From	Relevant Representations details
Other persons	Representations Received

Section 2 – Report

Current situation

- 2.1 An application has been made to vary a premises licence in respect of “Sainsbury’s, 1-9 The Broadway, Stanmore, Middlesex, HA7 4DA” (‘the Premises’).
- 2.2 The Premises currently has the benefit of a Premises Licence which was granted in 2005 under the Transitional arrangements. Briefly the current premises licence states the following opening hours and authorises the following licensable activities and timings:

Hours open to public	
Monday - Sunday	Not Specified
Sale of retail alcohol (m)	
Monday – Sunday	08:00 – 23:00

- 2.3 The application now seeks add a seasonal variation to extend the timings for the Sale of retail alcohol. The periods of the proposed seasonal variations are:

From the 1st December to 7th January inclusive each year between the hours of 06:00hrs and 24:00hrs

From the Monday prior to Good Friday to the following Sunday following Easter Monday (inclusive) each year between the hours of 06:00hrs and 24:00hrs

In addition to the above, the application proposes the times for hours open to the public as follows:

Monday – Sunday – 00:00hrs – 24:00hrs (24 hours opening)
(Please note that the proposed hours open to the public are general hours and not just for the seasonal variations noted above. In addition, the licensing panel cannot authorise Sunday trading hours beyond that which the law permits).

- 2.4 The applicant’s proposed steps to promote the licensing objectives are listed in Section M of the application. The applicant has proposed to remove all of the conditions in annex 2 of the current licence and replace them with the conditions stated in part M of the application

Representations

- 2.5 The application to vary a premises licence has attracted two representations from other persons. These representations primarily raise issues pertaining to the prevention of public nuisance, public safety and the prevention of crime and disorder which the panel should consider when determining the application. The panel cannot consider issues that do not go towards the promotion of the licensing objectives.

- 2.6 Copies of all the representations received are attached to this report.

Consultation

- 2.7 The application was advertised in accordance with the Regulations under the Licensing Act 2003.

Licensing Policy Implications

- 2.8 In relation to the Council's Licensing policy at paragraphs 8.3 and 8.8, the applicant has addressed how he intends to promote the licensing objectives.

Legal Implications

- 2.9 The Licensing Panel is required to hold a hearing to consider the variation application and any relevant representations unless all parties agree that a hearing is unnecessary. The hearing must be held in accordance with the Licensing Act 2003 (Hearings) Regulations 2005.
- 2.10 The Licensing Panel is required to give appropriate weight to the representations (including supporting information) presented by all the parties, the Guidance issued pursuant to section 182 of the Licensing Act 2003, the Council's statement of licensing policy and the steps that are appropriate to promote the four licensing objectives.
- 2.11 Having considered those relevant matters, the Licensing Panel is required to take such of following steps (if any) as it considers appropriate for the promotion of the licensing objectives –
- a. To modify the conditions of the licence
 - b. To reject the whole or part of the application
- and for this purpose the conditions of the licence are modified if any of them is altered or omitted or any new condition(s) added.
- 2.12 It should be noted with all options that –
- Clear reasons should be given for the decision.
 - Any additional or modified conditions should be practical and enforceable
 - The applicant and any person who made relevant representations would have the right of appeal to a magistrates' court on one of the grounds provided in Schedule 5 to the Licensing Act 2003
- 2.13 In addition to determining the application in accordance with the legislation, Members must have regard to –
- The common law rules of natural justice
 - The provisions of the Human Rights Act 1998
 - The considerations in section 17 of the Crime and Disorder Act 1998
- 2.14 By section 6 of the Human Rights Act 1998, the Panel is required to act in a way that is compatible with rights under the European Convention for the Protection of Human

Rights. The following provisions of the European convention seem relevant: Article 6 (right to a fair trial), Article 14 (prohibition of discrimination) and Article 1 of the First Protocol (protection of property).

Community Safety

2.15 In relation to section 17 of the Crime and Disorder Act 1998, this states:

'Without prejudice to any other obligation imposed on it, it shall be the duty of each authority to which this section applies 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.'

The Borough Commander has not made a representation against this application.

Financial Implications

2.16 There are no financial implications.

Risk Management Implications

2.17 If any party is aggrieved with the decision of the licensing panel on one of the grounds set out in Schedule 5 to the Licensing Act 2003, they can appeal to a Magistrates' Court. The Appeal period is 21 days from notification of the decision.

Section 3 - Statutory Officer Clearance

Name: Kanta Halai	<input checked="" type="checkbox"/>	on behalf of the Chief Financial Officer
Date: 31 May 2013		
Name: Paresh Mehta	<input checked="" type="checkbox"/>	on behalf of the Monitoring Officer
Date: 31 May 2013		

Section 4 - Contact Details and Background Papers

Contact: P Sivashankar, Licensing Services Manager
Tel: 020 8736 6237 (Int Ext 6237)

Background Papers: Current Licence, Licensing Act 2003, Statutory Guidance

Application to vary a premises licence 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 Sainsbury's Supermarkets Ltd

(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number

LN/000000864/2012/8

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description

Sainsbury's
1-9 The Broadway

Post town	Stanmore	Postcode	HA7 4DA
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Telephone number at premises (if any)

Non-domestic rateable value of premises £1,110,000

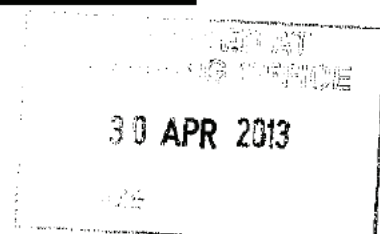
Part 2 – Applicant details

Daytime contact
telephone number

E-mail address (optional)

Current postal address if different
from premises address 33 Holborn

Post town		Postcode	
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Part 3 - Variation

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible?

Yes

No

If not, from what date do you want the variation to take effect?

DD		MM		YYYY			
┆	┆	┆	┆	┆	┆	┆	┆

Please describe briefly the nature of the proposed variation (Please see guidance note 1)

A supermarket selling a broad range of groceries, household products and alcohol.

Situated at Sainsbury's, 1-9 The Broadway, Stanmore, HA7 4DA

1. To extend the sale of alcohol to between the hours of 06.00 and 24.00 daily from and including the 1 December and up to and including the day 7 January.
2. To extend the sale of alcohol to between the hours of 06.00 and 24.00 daily from and including the Monday prior to Good Friday up to and including Sunday following Easter Monday.
3. To remove the conditions set out in Annex 2 of the premises licence.
4. To include the conditions in boxes b to e of Section M of the operating schedule

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment

Please tick all 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)

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

Sale by retail of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

A

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

B

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

C

Indoor sporting events Standard days and timings (please read guidance note 6)			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			

D

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

E

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

F

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

G

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

H

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

I

Late night refreshment Standard days and timings (please read guidance note 6)			<u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3) The provision will take place inside the premises but customers may leave the premises with items purchased.					
Mon								
Tue								
Wed						<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4)		
Thur								
Fri						<u>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</u> (please read guidance note 5)		
Sat								
Sun								

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – please tick (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<p>State any seasonal variations for the supply of alcohol (please read guidance note 4)</p> <p>The sale of alcohol from and including the day 1 December and up to and including the day 7 January inclusive each year will be between the hours of 06.00 and 24.00.</p> <p>The sale of alcohol from and including the Monday prior to Good Friday up to and including the Sunday following Easter Monday inclusive each year will be between the hours of 06.00 and 24.00.</p> <p>Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)</p>		
Mon					
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					

K

<p>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).</p> <p>The premises sell alcohol and other age restricted products.</p>

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	0000	2400	
Tue	0000	2400	
Wed	0000	2400	
Thur	0000	2400	
Fri	0000	2400	Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5) The applicant may elect not to open the store, or part(s) of the store, 24 hours every day but requires the flexibility to do so subject to statutory or operational restrictions
Sat	0000	2400	
Sun	0000	2400	

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

The conditions in Annex 2 would be removed as a consequence of the proposed variation and replaced with the conditions in boxes b to e of Section M of the operating schedule.

Please tick as appropriate

M

Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

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

b) The prevention of crime and disorder

1. The licence holder will ensure that the premises benefit from a CCTV system that operates at all times when licensable activities are taking place.
2. The system will incorporate a camera covering the car park, each of the entrance doors and the main alcohol display area and will be capable of providing an image which is regarded as identification standard. The precise positions of the cameras may be agreed, subject to compliance with Data Protection legislation, with the police from time to time.
3. The system will incorporate a recording facility and any recording will be retained and stored in a suitable and secure manner for a minimum of 31 days and will be made available, subject to compliance with Data Protection legislation, to the police for inspection on request.
4. The system must be able to export recorded images to a removable means e.g. CD/DVD and have its own software enabled to allow playback/review.
5. A member of staff trained in the use of the CCTV system must be available at the premises at all times that the premises are open to the public.
6. The system will display, on any recording, the correct time and date of the recording.

c) Public safety

The applicant will at all times maintain adequate levels of staff and security. Such staff and security levels will be disclosed, on request, to the licensing authority and police.

d) The prevention of public nuisance

Signage will be displayed at the exit of the premises requesting customers leaving the premises late at night to do so quietly and with consideration so as not to disturb nearby residents.

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

e) The protection of children from harm

The premises licence holder will ensure that an age verification policy will apply to the premises whereby all cashiers will be trained to ask any customer attempting to purchase alcohol, who appears to be under the age of 25 years (or older if the licence holder so elects) to produce, before being sold alcohol, identification being a passport or photocard driving licence bearing a holographic mark or other form of identification bearing the customer's photograph, date of birth and the Proof of Age Standards Scheme (or similarly accredited scheme) hologram.

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I understand that I must now advertise my application.
- I have enclosed the premises licence or relevant part of it or explanation.
- I understand that if I do not comply with the above requirements my application will be rejected.

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 5 – Signatures (please read guidance note 10)

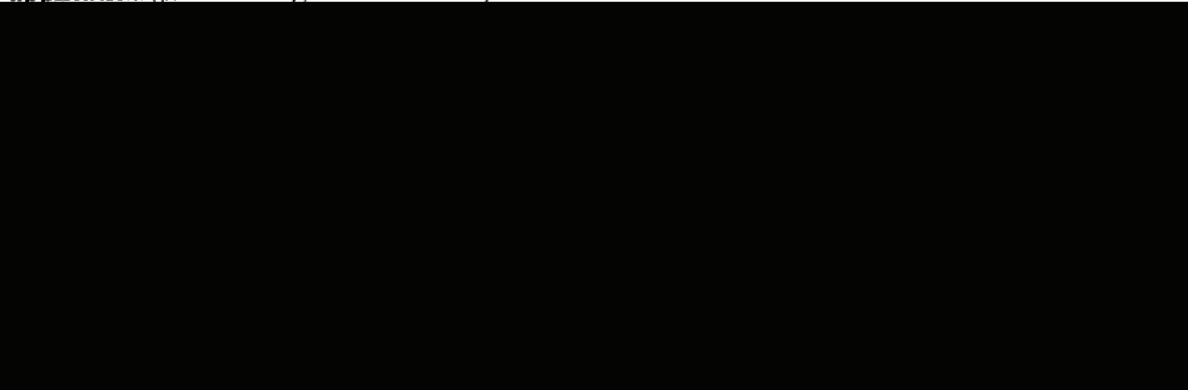
Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 11). If signing on behalf of the applicant, please state in what capacity.

Signature	[REDACTED]
Date	29 April 2013
Capacity	Solicitors duly authorised on behalf of the Applicant

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (please read guidance note 12). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	

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

A large black rectangular redaction box covers the contact name and address information. To the right of this box, there are three empty rows of a table structure, each with a small square box on the right side.

Notes for Guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
3. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or 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, each of the 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.

From: [Daryl Lutchmaya](#)
To: [license](#)
Subject: Sainsbury's - Stanmore
Date: 27 May 2013 21:20:54

Dear Sir or Madam,

I am disappointed not to have been consulted about Sainsbury's application to extend its licensing hours. I live at [REDACTED], which is less than 2 minutes walk from the shop and yet I haven't been consulted about this application when it is the residents who are most likely to suffer from the extended hours.

I object to extending the licensing hours for Sainsbury's as it will add to the binge drinking and anti-social behaviour which is commonplace in Stanmore Broadway. Responsible drinking means that people would buy their alcohol at a reasonable hour and not at 6 am in the morning or at 12am (midnight)!

Please kindly keep me informed of the progress and the outcome of this application as I would like the opportunity to escalate /appeal against any adverse decision.

Yours faithfully

Daryl Lutchmaya

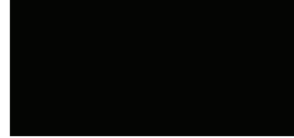
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ELM PARK RESIDENTS ASSOCIATION

Committee:

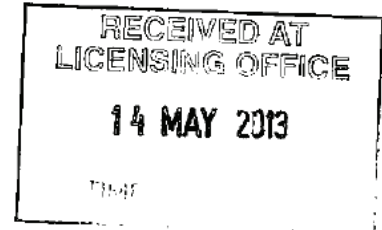
Chairman: K Asher-Halle
Vice-Chair: Mrs C Lis
Treasurer: Mrs E Franks
Mrs J Raynaud (Minutes and Planning)
Dr F Hicks, Mrs M Gordon (Licensing)
(Co-opted) J Dickinson, M Patel

Please reply to:
Mrs M Gordon



3rd May 2013

The Licensing Department,
Harrow Council,
Civic Centre,
Harrow, Middlesex.



Dear Sirs,

Re: Application to vary premises licence by Sainsbury's Supermarkets-Stanmore

In response to the above application we wish to oppose the granting of this application for the following reasons:-

1. When a previous application was made it was the court's ruling that an extension of hours was allowed on the proviso that Sainsbury's installed CCTV cameras in the area of their car park. To date and as far as we are aware, this has not been carried out. I have recently brought this to the attention of The Licensing Department who have said that they are looking into it but have not yet replied to my enquiry. It is also noted on the present application, (part 3 – variation), Sainsbury's have at point 4, stated that "to include the condition in boxes b to e of Section M of the opening schedule" and this seems to be concerning the CCTV system which should have been installed and has not been installed. I therefore do not understand how it can be included.
2. Public Safety: Section M states that "adequate levels of staff and security will be maintained at all times" At present Sainsbury's staff are always using the excuse that they are short of staff so it must be assumed that they will be employing many more staff members. This is particularly the case in the car park. There is no attendant in the evenings and the local licensed premises have been providing staff to 'man' the car park in order that the residents do not suffer from noise and traffic.
3. The CCTV system as described in M section b sounds very nice and would be a great help, if it actually existed. The Condition to install C.C.T.V. covering the car park was in the previous Variation application (granted on 22nd October 2007) and has never been complied with, despite reminders on several occasions.
4. Muggings and shoplifting and robberies take place on a very regular basis both inside and outside of Sainsbury's. People are often mugged getting into and out of their vehicles and Sainsbury's have been unable to provide film footage to the police to enable them to apprehend the culprits. Surely, if the hours of selling alcohol are extended this will become more worrying. Many people who live in Elm Park are

- elderly and even the younger residents are frightened to walk in the road after certain hours. This extension, if allowed, will make life impossible for most of the residents.
5. A further problem experienced by the residents of Elm Park is the parking of vehicles outside our homes. At present many customers of Sainsbury's frequently park outside our houses. I and other residents have constantly requested Sainsbury's to do something about this but they refuse to acknowledge the problem. During the day we cannot get on or off our own drives because of the volume of cars parking in the road. At night the problem is exacerbated by the addition of vehicles driven by customers of the local pubs and restaurants but they do, at least, supply a security guard to attempt to help. Sainsbury's do not even have anyone manning the car park after a certain time. On Summer nights it is impossible to sleep because the cars park outside our open bedroom windows. The customers return to their vehicles, shout, laugh sing and slam their car doors. This wakes us up, frightens the elderly and makes life impossible for all residents. An extension of the licence times would therefore mean that all of this would be made increasingly more unbearable. There was a time when the Sainsbury's manager asked people not to park on the south side of the barrier and promised to erect a sign which would ask customers to park within the car park but as the managers have changed on a very regular basis, so have the promises.
 6. Stanmore has always been a village and when Sainsbury's built their store there were numerous meetings and the residents were assured that the store would always be in keeping with the village and the village atmosphere. This does not, surely, include selling alcohol until midnight.
 7. Elm Park is a residential road and we are suffering from students from the college and vagrants drinking on the outskirts of Sainsbury's premises. They sit on the walls and in the car park and are never removed by staff. The litter situation is so bad from Sainsbury's that the college has supplied and are paying students to collect litter. This problem will be made much worse with extended opening hours. At present orange plastic bags litter all of our gardens.
 8. It is all very well saying that signage will be displayed at the exit of the premises requesting that customers leave quietly etc. but this is absolutely useless when a great number of the Sainsbury's customers never enter the car park, they park in the road instead.

We have also been told that the barrier was originally put across the road to stop drivers coming into this part of Elm Park not only for safety reasons but because the land was a marsh land which means that the increased traffic from Sainsbury's clientele has increased the damage being cause to the road and the soil and waste pipes beneath the road. We understand from the water companies that this has increased the amount of blocked drains in the northern part of the road since the arrival of Sainsbury's and the traffic brought into the area by them.

We must therefore ask the court to take all of these points into consideration even though they do not immediately seem to be concerned with the extended licensing hours. Sainsbury's request is that they should be allowed to open on a 24 hour basis if they deem it necessary to do so but surely this cannot be acceptable when the store has been built in such a small residential area that was initially deemed to be a village and which still houses a large number of residents over the age of retirement.

Yours faithfully,



LICENSING ACT 2003

Premises Licence

Schedule 12
Part A (Regulation 33,34)
HARROW COUNCIL, P O BOX 18, STATION ROAD, HARROW

Premises Licence Number: LN/000000864/2012/8

Part 1 – Premises details

Postal address of premises, or if none, ordnance survey map reference or description:
Sainsbury's, 1-9 The Broadway, Stanmore, Middlesex, HA7 4DA

Telephone Number:

Where the licence is time limited, the dates:
N/A

Licensable activities authorised by the licence:
Sale of retail alcohol

Signed by Finlay Flett
Head of Community Safety Services

Licensable area

Hours open to public *Not specified*

Sunday	-	-
Monday	-	-
Tuesday	-	-
Wednesday	-	-
Thursday	-	-
Friday	-	-
Saturday	-	-

The times the licence authorises the carrying out of licensable activities

Location: Licensable area

Sale of retail alcohol

Sunday	08:00 - 23:00	-
Monday	08:00 - 23:00	-
Tuesday	08:00 - 23:00	-
Wednesday	08:00 - 23:00	-
Thursday	08:00 - 23:00	-
Friday	08:00 - 23:00	-
Saturday	08:00 - 23:00	-

1. From 1st December - 7 January inclusive, the sale by retail of alcohol is permitted between the hours of 0600 - 2300

Where the licence authorises supplies of alcohol – whether these are on and/or off supplies

Sale by retail off premises

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence:

Sainsbury's Supermarket Limited
33 Holborn
London
EC1N 2HT

Telephone:

Registered number of holder, for example company number, charity number (where applicable):

03261722

Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol:

Gary Luck

Personal licence number and issuing authority of personal licence held by designated premises supervisor – where the premises licence authorises for the supply of alcohol:

EPPING LN/210000800

State whether access to the premises by children is restricted or prohibited: **N/A**

Annex 1 – Mandatory Conditions

****PLEASE NOTE: MANDATORY CONDITIONS IN GREY DO NOT APPLY****

Mandatory conditions where licence authorises supply of alcohol:

- 1 No supply of alcohol may be made under the premises licence -
 - a) at a time when there is no designated premises supervisor in respect of the premises licence, or
 - b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended
2. Every supply or sale of alcohol made under the premises licence must be made or authorised by a person who holds a personal licence.

Mandatory condition where licence requires door supervision:

Where one or more individuals are required to be at the premises to carry out a security activity, such individual(s) must be licensed by the Security Industry Authority.

Mandatory Conditions Order 2010

1.—(1) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children—

(a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—

(i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or

supply alcohol), or

(ii) drink as much alcohol as possible (whether within a time limit or otherwise);

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;

(d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on—

(i) the outcome of a race, competition or other event or process, or

(ii) the likelihood of anything occurring or not occurring;

(e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.

2. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

3. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.

4.—(1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

(2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

5. The responsible person shall ensure that—

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—

(i) beer or cider: ½ pint;

(ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and

(iii) still wine in a glass: 125 ml; and 250 ml

(b) customers are made aware of the availability of these measures.

Annex 2 - Conditions consistent with the operating Schedule

1. Signage will be displayed at the exit of the premises requesting customers leaving the premises late at night to do so quietly and with consideration so as not to disturb nearby residents.
2. All cashiers will be trained to require evidence of age from any person seeking to buy alcohol and appearing to the cashier to be under the age of 18. The evidence shall be photographic, such as a passport or a driving licence until other effective identification technology (for example thumb print or pupil recognition) is introduced. Prominent notices will be displayed at points of sale advising customers that they may be asked to provide evidence of age.
3. The applicant will at all times maintain adequate levels of staff. Such levels will be disclosed, on request, to the licensing authority and the police.

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

Condition added following a variation August 2007 Hearing 22 October 2007

1. A CCTV system will be installed, or the existing system maintained, such system to be fit for the purpose. The system will incorporate a camera covering the car park, each of the entrance doors and the areas where alcohol is displayed and will be capable of providing an image which is regarded as identification standard. The precise positions of the cameras may be agreed, subject to compliance with Data Protection legislation, with the police from time to time. The system will incorporate a recording facility and any recording shall be retained and stored in a suitable and secure manner for a minimum of 31 days and shall be made available, subject to compliance with Data Protection legislation, to the police for inspection on request. If premises are using a video recording system, the cassette tape shall be used on no more than 12 occasions. The system will display on any recording the correct time and date of the recording. A system will be in place to maintain the quality of the recorded image and a complete audit trail maintained. Notices informing customers of the operation of the system shall be prominently displayed. The system will be maintained and fully operational throughout the hours that the premises are open for any licensable activity.

Annex 4 – Plan







Date of original grant: 05/08/2005	Reason for issue: Licence Amendment
Date of issue: 24th October 2012	Issue Number: 8

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SAINSBURY



Legend

- Highlighted area
- Borough boundary
- Ward Boundaries

Scale = 1:1,000

Harrow COUNCIL
LONDON

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Map produced from Harrow HubMaps

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