



Report of: **Service Director, Public Protection**

Meeting of	Date	Agenda Item	Ward(s)
Licensing Sub-Committee	12 <sup>th</sup> February 2015		Caledonian

Delete as appropriate		Non-exempt
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**Subject: PREMISES LICENCE NEW APPLICATION  
TESCO, 323-325 CALEDONIAN ROAD, LONDON N1 1DR**

## 1. Synopsis

- 1.1 This is an application for a new premise licence under the Licensing Act 2003.
- 1.2 The new application is to:
- Supply alcohol for consumption off of the premises from 08:00 to 23:00 on Monday to Sunday;
  - Opening hours of the premises from 08:00 to 23:00 Monday to Sunday.

## 2. Relevant Representations

Licensing Authority	Yes
Metropolitan Police	Yes
Noise	Yes
Health and Safety	No
Trading Standards	No
Public Health	No

Safeguarding Children	No
London Fire Brigade	No
Local residents	Yes: 2 local resident, 1 local business
Other bodies	Yes: 3 Ward Councillors

### 3. Background

#### 3.1 Papers are attached as follows:-

- Appendix 1: application form;
- Appendix 2: Premises licence for 323 Caledonian Road;
- Appendix 3: representations;
- Appendix 4: suggested conditions and map of premises location.

#### 3.2 History of the premises

- i. The premises is currently two separate premises. Number 323 Caledonian Road is currently licensed to sell alcohol for consumption off of the premises from 08:00 to 23:00 Monday to Saturday and 10:00 to 22:30 on Sunday. This premises licence was transferred to the applicant on 22 October 2014. Number 325 Caledonian Road is currently unlicensed.
- ii. On 18 January 2015 an application to vary the premises licence for 323 Caledonian Road so as to allow 323 and 325 Caledonian Road to be combined and the sale of alcohol to take place in 323. The variation application was rejected as the Licensing Authority deemed the application amounted to a substantial variation under section 36(6)(b) and 41A(3) (b) of the Licensing Act 2003.

### 4. Planning Implications

- 4.1 The lawful use of number 323 Caledonian Road is as a shop (A1). The lawful use of number 325 Caledonian Road is for financial/professional services (A2). Number 325 Caledonian Road has a condition restricting hours of use. 325 can only be used from 08:00 to 22:30 Monday to Saturday.

### 5 Recommendations

- 5.1 To determine the application for a new premises licence under Section 17 of the Licensing Act 2003.
- 5.2 To consider that this address is in the Kings Cross Saturation or "Cumulative Impact Policy" of Islington. This special policy creates a rebuttable presumption that applications for new premises licences, club premises certificates, or variation applications that are likely to add to the existing cumulative impact will normally be refused, unless the applicant can demonstrate why the operation of the premises involved will not add to the cumulative impact or otherwise impact adversely on the promotion of the licensing objectives.

5.3 If the Committee grants the application it should be subject to:

- i. conditions prepared by the Licensing Officer which are consistent with the Operating Schedule (see appendix 3)
- ii. any conditions deemed appropriate by the Committee to promote the four licensing objectives.(see appendix 3)

**6 Conclusion and reasons for recommendations**

6.1 The Council is required to consider this application in the light of all relevant information, and if approval is given, it may attach such conditions as appropriate to promote the licensing objectives.

**Background papers:**

The Council's Statement of Licensing Policy  
Licensing Act 2003  
Secretary of States Guidance

**Final Report Clearance**

**Signed by**

  
Service Director – Public Protection

2.2.15  
Date

**Received by**

Head of Scrutiny and Democratic Services

Date

Report author: Licensing Service

Tel: 020 75027 3031

E-mail: [licensing@islington.gov.uk](mailto:licensing@islington.gov.uk)

\* required information

## Section 1 of 19

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference

Not Currently In Use

This is the unique reference for this application generated by the system.

Your reference

Tesco - Caledonian Rd

You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

Yes  No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

## Applicant Details

\* First name

Tesco Stores Ltd

\* Family name

Tesco

\* E-mail

licensing.team@uk.tesco.com

Main telephone number

01707 634175

Include country code.

Other telephone number

Indicate here if you would prefer not to be contacted by telephone

Are you:

Applying as a business or organisation, including as a sole trader  
 Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

## Applicant Business

\* Is your business registered in the UK with Companies House?  Yes  No

\* Registration number

519500

\* Business name

Tesco Stores Ltd

If your business is registered, use its registered name.

\* VAT number

GB 220430231

Put "none" if you are not registered for VAT.

\* Legal status

Public Limited Company

OK.  
KX Cumulative  
Impact Area  
29 Sept 14

Continued from previous page...

\* Your position in the business

Home country

The country where the headquarters of your business is located.

**Registered Address**

Address registered with Companies House.

\* Building number or name

\* Street

District

\* City or town

County or administrative area

\* Postcode

\* Country

**Section 2 of 19**

**PREMISES DETAILS**

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 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.

**Premises Address**

Are you able to provide a postal address, OS map reference or description of the premises?

Address     OS map reference     Description

**Postal Address Of Premises**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Further Details**

Telephone number

Non-domestic rateable value of premises (£)

**Section 3 of 19****APPLICATION DETAILS**

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company
- A partnership
- An unincorporated association
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales
- Other (for example a statutory corporation)

**Confirm The Following**

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

**Section 4 of 19****NON INDIVIDUAL APPLICANTS**

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

**Non Individual Applicant's Name**

Name

**Details**

Registered number (where applicable)

Description of applicant (for example partnership, company, unincorporated association etc)

Continued from previous page...

**Address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Contact Details**

E-mail

Telephone number

Other telephone number

**Section 5 of 19**

**OPERATING SCHEDULE**

When do you want the premises licence to start?  /  /   
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end  /  /   
dd mm yyyy

Provide a general description of 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.

Retail Premises (supermarket) selling a range of goods and services. This includes the sale of alcohol for consumption off the premises. Sales of alcohol for consumption off the premises are made from the supermarket sales floor as shown on the enclosed plan.

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

Continued from previous page...

**Section 6 of 19**

**PROVISION OF PLAYS**

Will you be providing plays?

Yes  No

**Section 7 of 19**

**PROVISION OF FILMS**

Will you be providing films?

Yes  No

**Section 8 of 19**

**PROVISION OF INDOOR SPORTING EVENTS**

Will you be providing indoor sporting events?

Yes  No

**Section 9 of 19**

**PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS**

Will you be providing boxing or wrestling entertainments?

Yes  No

**Section 10 of 19**

**PROVISION OF LIVE MUSIC**

Will you be providing live music?

Yes  No

**Section 11 of 19**

**PROVISION OF RECORDED MUSIC**

Will you be providing recorded music?

Yes  No

**Section 12 of 19**

**PROVISION OF PERFORMANCES OF DANCE**

Will you be providing performances of dance?

Yes  No

**Section 13 of 19**

**PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE**

Will you be providing anything similar to live music, recorded music or performances of dance?

Yes  No

**Section 14 of 19**

**LATE NIGHT REFRESHMENT**

Will you be providing late night refreshment?



**Section 15 of 19****SUPPLY OF ALCOHOL**

Will you be selling or supplying alcohol?

 Yes No**Standard Days And Timings****MONDAY**Start End Start End 

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.

**TUESDAY**Start End Start End **WEDNESDAY**Start End Start End **THURSDAY**Start End Start End **FRIDAY**Start End Start End **SATURDAY**Start End Start End **SUNDAY**Start End Start End 

Will the sale of alcohol be for consumption:

 On the premises Off the premises Both

If the sale of alcohol is for consumption on  
the premises select on, if the sale of alcohol  
is for consumption away from the premises  
select off. If the sale of alcohol is for  
consumption on the premises and away  
from the premises select both.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Continued from previous page...

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

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

**Name**

First name

Family name

**Enter the contact's address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number (if known)

Issuing licensing authority (if known)

**PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT**

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

Continued from previous page...

**Section 16 of 19**

**ADULT ENTERTAINMENT**

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

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 etc gambling machines etc.

**Section 17 of 19**

**HOURS PREMISES ARE OPEN TO THE PUBLIC**

**Standard Days And Timings**

MONDAY

Start

End

Start

End

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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations

*Continued from previous page...*

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

## Section 18 of 19

### LICENSING OBJECTIVES

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

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

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.

Continued from previous page...

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.

**Section 19 of 19**

**PAYMENT DETAILS**

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Premises Licence Fees are determined by the non domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at [http://www.voa.gov.uk/business\\_rates/index.htm](http://www.voa.gov.uk/business_rates/index.htm)

Band A - No RV to £4300	£100.00
Band B - £4301 to £33000	£190.00
Band C - £33001 to £87000	£315.00
Band D - £87001 to £125000	£450.00*
Band E - £125001 and over	£635.00*

\*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then your are required to pay a higher fee

Band D - £87001 to £125000	£900.00
Band E - £125001 and over	£1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time

Capacity 5000-9999	£1,000.00
Capacity 10000 -14999	£2,000.00
Capacity 15000-19999	£4,000.00
Capacity 20000-29999	£8,000.00
Capacity 30000-39999	£16,000.00
Capacity 40000-49999	£24,000.00
Capacity 50000-59999	£32,000.00
Capacity 60000-69999	£40,000.00
Capacity 70000-79999	£48,000.00
Capacity 80000-89999	£56,000.00
Capacity 90000 and over	£64,000.00

\* Fee amount (£)

**ATTACHMENTS**

**AUTHORITY POSTAL ADDRESS**

Continued from previous page...

**Address**

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text" value="United Kingdom"/>

**DECLARATION**

\* I/we understand it is an offence, liable on conviction to a fine up to level 5 on the standard scale, under section 158 of the licensing act 2003, to make a false statement in or in connection with this application.

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name	<input type="text"/>
* Capacity	<input type="text"/>
Date (dd/mm/yyyy)	<input type="text"/>

One you're finished you need to do the following:

1. Save this form to your computer by clicking to file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/islington/apply-1> to upload this file and continue with your application

Don't forget to make sure you have all your supporting documentation to hand.

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

I,

[Insert full name of applicant] **GREG BARTLEY**  
[Date of Birth] **14/07/1976**

of

**39 Offley Road, Hitchin, Herts. SG5 2BB**  
[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  
323 - 325 Caledonian Rd  
London N1 10R**  
[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)



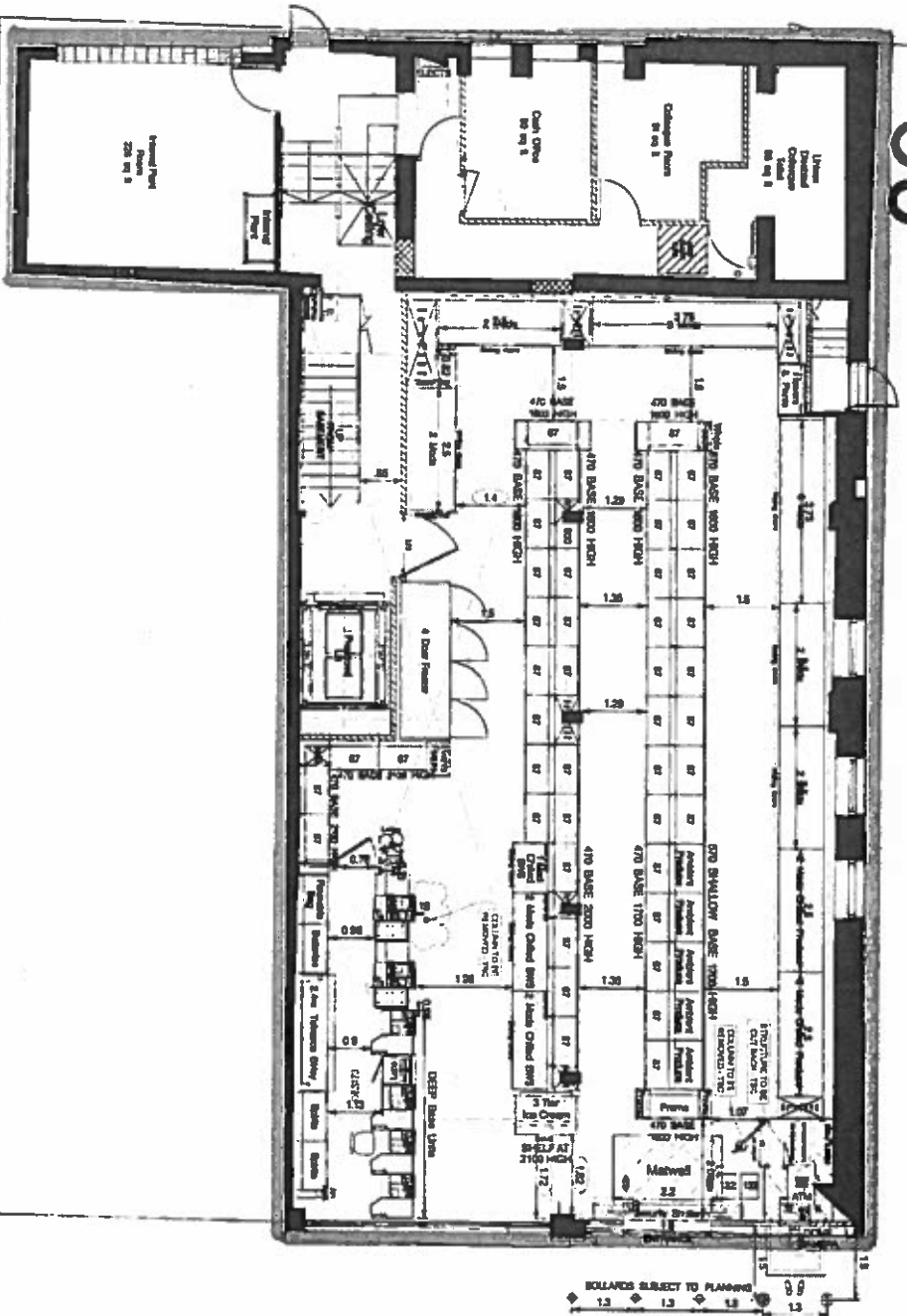
**GREG BARTLEY**

Date

**29th September 2014**

TESCO EXPRESS	
Address	M33 Market
Center	High Wycombe
Community Pct	
Net sales	1836
Gross Floor Area	3015
Total Gross	3994
Net/Total	45.9%
Total Used Count	
Approved	18
Checked	18
Flow	4
Checked BMS	4
Approved	59
Total	86
Leaders	6
No of Cms	38
Checkouts to Forecast	Ver. 5
Low or	292
YMS	6.1
Cur Parking	TBC
Approved Compromises	
EAC Approved	21.04.2013
Architect Drawing	Drawing 1
Architect	Martin Rogers
Project Manager	Factor 9 Design
	Code

# 63



KEY

Problem Column to Review

Area Of Basement

Area Of Floor Level Difference = 684 sq ft

REV.	AMENDMENTS	DATE	REV.	AMENDMENTS	DATE	REV.	AMENDMENTS
A	PRELIMINARY RETAIL LAYOUT CREATED	02.12.12					
B	RELOCATE SERVICE & COURT OFFICE LOCATIONS	02.12.12					
C	NEW SERVICE PLAN ADDED, NEW SERVICE PLAN ROOM REVISED	02.12.12					
D	RELOCATE AND RESIZE SERVICE PLAN, NEW SERVICE LOCATION	02.12.12					
E	RELOCATE AND RESIZE SERVICE PLAN TO INCREASE AND COURT	02.12.12					
F	RELOCATE AND RESIZE SERVICE PLAN TO INCREASE AND COURT	02.12.12					
G	RELOCATE AND RESIZE SERVICE PLAN TO INCREASE AND COURT	02.12.12					
H	RELOCATE AND RESIZE SERVICE PLAN TO INCREASE AND COURT	02.12.12					
I	RELOCATE AND RESIZE SERVICE PLAN TO INCREASE AND COURT	02.12.12					
J	RELOCATE AND RESIZE SERVICE PLAN TO INCREASE AND COURT	02.12.12					
K	RELOCATE AND RESIZE SERVICE PLAN TO INCREASE AND COURT	02.12.12					
L	RELOCATE AND RESIZE SERVICE PLAN TO INCREASE AND COURT	02.12.12					
M	RELOCATE AND RESIZE SERVICE PLAN TO INCREASE AND COURT	02.12.12					
N	RELOCATE AND RESIZE SERVICE PLAN TO INCREASE AND COURT	02.12.12					
O	RELOCATE AND RESIZE SERVICE PLAN TO INCREASE AND COURT	02.12.12					
P	RELOCATE AND RESIZE SERVICE PLAN TO INCREASE AND COURT	02.12.12					

DATE	02.12.12
SCALE	1:100
PHASE	1
SYSTEM ID	RETAIL
SCALE	1F
DATE	26.06.2013
SCALE	1:100 @ A3
DATE	26.06.2013
SCALE	1:100 @ A3
DATE	26.06.2013
SCALE	1:100 @ A3

PROJECT	323-325 CALEDONIAN ROAD LONDON
DESCRIPTION	PROPOSED RETAIL LAYOUT STANDALONE
PROJECT	323-325 CALEDONIAN ROAD LONDON
DESCRIPTION	PROPOSED RETAIL LAYOUT STANDALONE

TESCO STORES LIMITED
EXPRESS GROUP
P.O. BOX 400, CARRLE BUILDING, SPICE PARK
WELSH GARDEN CITY, WINDLE, MANCHESTER
M20 9RN
TEL: 0161 275 3000
FAX: 0161 275 3001
WWW.TESCO.COM





**PREMISES LICENCE  
LICENSING ACT 2003**

<b>Premises licence number</b>	LN/4114-221014	<b>Date of original grant*</b>	24 November 2005
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*\*An annual fee associated with this licence is to be paid on the anniversary of the original grant date.*

<b>Postal address of premises, or if none, ordnance survey map reference or description</b>			
<b>SALAMIS WINE 323 CALEDONIAN ROAD</b>			
<b>Post town</b>	London	<b>Post code</b>	N1 1DR
<b>Telephone number</b>	020 7607 5872		

**Where the licence is time limited the dates**  
Not Applicable

**Licensable activities authorised by the licence**  
The sale by retail of alcohol

<b>The times the licence authorises the carrying out of licensable activities</b>																															
<ul style="list-style-type: none"> <li>• The sale by retail of alcohol:</li> </ul> <table style="width: 100%; border: none;"> <tr><td style="width: 15%;">Monday</td><td style="width: 15%;">08:00</td><td style="width: 10%;">to</td><td style="width: 15%;">23:00</td></tr> <tr><td>Tuesday</td><td>08:00</td><td>to</td><td>23:00</td></tr> <tr><td>Wednesday</td><td>08:00</td><td>to</td><td>23:00</td></tr> <tr><td>Thursday</td><td>08:00</td><td>to</td><td>23:00</td></tr> <tr><td>Friday</td><td>08:00</td><td>to</td><td>23:00</td></tr> <tr><td>Saturday</td><td>08:00</td><td>to</td><td>23:00</td></tr> <tr><td>Sunday</td><td>10:00</td><td>to</td><td>22:30</td></tr> </table> <p style="margin-top: 10px;">Except on:            Good Friday: 08:00 to 22:30            Christmas Day: 12:00 to 15:00 and 19:00 to 22:30</p>				Monday	08:00	to	23:00	Tuesday	08:00	to	23:00	Wednesday	08:00	to	23:00	Thursday	08:00	to	23:00	Friday	08:00	to	23:00	Saturday	08:00	to	23:00	Sunday	10:00	to	22:30
Monday	08:00	to	23:00																												
Tuesday	08:00	to	23:00																												
Wednesday	08:00	to	23:00																												
Thursday	08:00	to	23:00																												
Friday	08:00	to	23:00																												
Saturday	08:00	to	23:00																												
Sunday	10:00	to	22:30																												

**The opening hours of the premises:**  
Not specified

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

**Name, (registered) address, telephone number and e-mail (where relevant) of holder of premises licence**

Tesco Stores Ltd  
Tesco House  
Delamere Road  
Cheshunt  
Herts  
EN8 9SL  
01707 634175  
licensing.team@uk.tesco.com

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

00519500

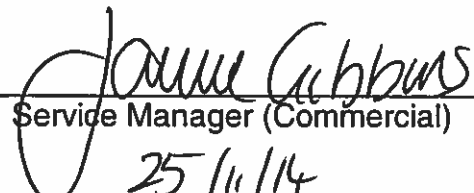
**Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol**

Mr Ozgur Ozkan  
17 Melbourne Avenue  
Palmers Green  
London  
N13 4SY

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

Enfield Council: NN/200500544

Islington Council  
Public Protection Division  
222 Upper Street  
London  
N1 1XR  
Tel: 020 7527 3031/3803  
Email: licensing@islington.gov.uk

  
Service Manager (Commercial)  
25/11/14  
Date of Issue

### **Annex 1 - Mandatory conditions**

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 of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

There are further 'Mandatory conditions' applicable to licences authorising the supply of alcohol. A full list of the current mandatory conditions is available from the licensing pages on Islington's web site, [www.islington.gov.uk](http://www.islington.gov.uk). This list is subject to change by order of the Secretary of State and licensees and other responsible persons are advised to ensure they are aware of the latest conditions.

### **Annex 2 - Conditions consistent with the Operating Schedule**

- 1) The restrictions on hours during which the sale of alcohol is authorised does not prohibit:
  - a) during the first 20 minutes after the above hours, the taking of the alcohol from the premises, unless the alcohol is supplied or taken in an open vessel;
  - b) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of alcohol so ordered;
  - c) the sale of alcohol to a trader or club for the purposes of the trade or club;
  - d) the sale of supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval military.
- 2) Alcohol shall not be sold in an open container or be consumed in the licensed premises

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

Nil

### **Annex 4 – Plans**

Reference Number: 323CR/01 dated March 2005

## Licensing Authority Representation

### Licensing Act 2003

#### Application: Tesco's 323-325 Caledonian Road

I am submitting a representation on behalf of the Licensing Authority with respect to the application to sell alcohol for consumption off the premises on Mondays to Sundays from 8am to 11pm.

The grounds for the representation are:

- Public nuisance
- Crime and disorder

#### Licensing Policy Considerations

*Licensing Policies 1 & 2*

*Location, cumulative impact and saturation*

*Licensing Policy 7 & 8*

*Licensing Hours*

*Licensing Policies 9, 10,*

*Operating Schedules*

#### Issues of Concerns

1. The application is in a cumulative impact which means that the onus is on the applicant to demonstrate that the application will not add to the cumulative impact.
2. The proposed measures are typical of many off licences operating in the borough. There hasn't been any attempt to acknowledge the sensitive nature of operating an off licence in a cumulative impact area where we are working hard to deal with the negative aspects of the sale of alcohol on local communities. No bespoke mitigation measures have been proposed.
3. The area already has a high number of licenced premises and the density of premises in the area is 10 times higher than the London average.
4. Alcohol related crime, alcohol related violence and ambulance call outs in the area are high and significantly higher than the London average
5. The Licensing Authority has been working with partners and the licence trade to tackle underage drinking, street drinking and preloading which affect residents living in the area. An additional off licence in the area will undermine this work and add to the cumulative impact.
6. The measures proposed in the operating schedule do not sufficiently rebut the presumption to refuse the application on the basis that the application will not add to the cumulative impact

## Summary and recommendations

An additional off licence selling alcohol will add to the cumulative impact.

The measures proposed by the applicant in the operating schedule are industry standard.

The applicant has not demonstrated that the application will not add to the cumulative impact therefore in order to promote the licensing objectives it is recommended that this application is refused.

If the Committee is minded to grant the application the Licensing Authority recommends

1. Reducing the sale of alcohol hours to 11am to 7pm
2. Prohibiting the sale of alcohol in excess of 6%abv
3. Imposing any additional bespoke conditions proposed by the applicant prior to the hearing

Janice Gibbons  
Service Manager  
Islington Council  
[Janice.gibbons@islington.gov.uk](mailto:Janice.gibbons@islington.gov.uk)  
02 7527 3212

21 October 2014

REP 2.

Your  
Our Licensing/NI  
Date: 23/10/2014



**METROPOLITAN POLICE  
SERVICE**  
Islington Police Licensing Unit  
**Islington Police Station**  
2 Tolpuddle Street  
London  
N1 0YY

Telephone: 07799133204  
Email:  
licensingpolice@islington.gov.uk

TESCO  
323-325 Caledonian Road  
London Borough of Islington  
N1 1DR

Dear Sir/Madam

**Re: Application for a New Premises Licence**

With reference to the above application, we are writing to inform you that the Metropolitan Police, as a Responsible Authority, will be objecting to this application as it is our belief that if granted the application would undermine the Licensing Objectives.

The venue is situated in the 'Kings Cross Cumulative Impact Zone', an area which traditionally suffers from high levels of crime and disorder and there are concerns that this application will cause further policing problems in an already demanding area. Islington has almost double the national average of licensed premises per resident, and this is why the Police supported the implementation of the Council's Cumulative Impact Policy. This large number of licensed premises and the issues associated with these impacts greatly on the Police and all other emergency services resource.

1552 crimes were reported to police in this area alone in the year to March 2014.

There are already 23 Licensed Premises within a 250m radius of this proposed premise in Caledonian Road alone. This is a huge contributing factor to the level of street drinkers found nearby, and this is an issue which both the council and police battle to deal with on a regular basis. Huge work has been conducted between the police and council with regard to the 'reduce the strength campaign'. Some venues have responsibly volunteered to add a condition to their licence with regard to this problem.

Two licensed premises near to this proposed venue were recently subject to review under crime and disorder, both of which were revoked at committee. Whilst we appreciate the management standards of venues vary greatly, the customer base remains the same. And therefore we would expect an appreciation of the area, the problems that area brings, and how the licensee is proposing to deal with those problems so as to relieve pressure on the cumulative impact.

If this application were accepted, this would be the third Tesco store in Caledonian road, (positioned equidistant from the others approximately 800m away). As such we would have expected a far greater appreciation and knowledge of the problems experienced in this area and an application which would reflect this. The application received fails to show any such appreciation. On reading through the application there seemed to be very little complete information and no mention of strategies to combat these issues.

Two major issues were the timings for sales of alcohol, and the CCTV only covering 21 days.

As a result of these issues I emailed the Tesco Licensing Team on the 8<sup>th</sup> of October 2014, (see attached) and expected some form of communication. To date there has been none.

It is for these reasons that we are objecting to the application, and propose that it is refused.

However if the committee is of a mind to grant the application we would recommend the following additional conditions to the variation of the license.

1. *CCTV shall be installed, operated and maintained in agreement with the Police. Maintained means that the system will be regularly serviced (at least once a year) and checked every two weeks to ensure that it is storing images correctly and a log kept and signed by a Supervisor to this effect. The system will provide an identifiable full head and shoulder image of everyone entering the premises and will operate in any light conditions within the premises. The system shall record in real time, date and time stamped and will operate whilst the premises is open for licensable activities. The recordings will be kept for a minimum of 31 days and copies will be made available to an Authorised Officer or a Police Officer (subject to the Data Protection Act 1998) within 24hrs of any request. There will always be a member of staff on duty who can operate the system, to allow Officers to view recordings and if required by a Police Officer, provide a copy of images immediately.*
2. *An incident log shall be kept at the premises, and made available on request to an authorised officer or a police officer, which will record the following:*
  - i. *All crimes reported to the venue*
  - ii. *All ejections of patrons*
  - iii. *Any complaints received*
  - iv. *Any incidents of disorder*
  - v. *All seizure of drugs or offensive weapons*
  - vi. *Any faults in the CCTV system*
  - vii. *Any refusal of the sale of alcohol*
  - viii. *Any visit by a relevant authority of emergency service*
3. *No high strength beer, lager or cider of 5.5% abv or above shall be sold other than premium beer, lager or cider priced at £1.95 or above per 500ml*

Should you wish to discuss the matter further please contact us on Mobile 07799133204 or via email, [licensingpolice@islington.gov.uk](mailto:licensingpolice@islington.gov.uk)

Yours sincerely

Peter Conisbee PC575NI

Steven Harrington PC425NI  
Paul Hoppe PC208NI

Islington Police Licensing Officers



**Islington Licensing Authority  
Licensing Act 2003**

**REPRESENTATION FORM FROM RESPONSIBLE AUTHORITIES**

Responsible Authority : Environmental Protection

<b>Your Name</b>	Anne Brothers	
<b>Job Title</b>	Noise Liaison Officer	
<b>Postal and email address</b>	222 Upper Street, London n1 1XR anne.brothers@islington.gov.uk	
<b>Contact telephone number</b>	020 7527 3047	
<b>Name of the premises you are making a representation about</b>	Tesco	
<b>Address of the premises you are making a representation about</b>	323-325 Caledonian Road	
<b>Which of the four licensing Objectives does your representation relate to?</b>	Yes Or No	<b>Please detail the evidence supporting your representation. Or the reason for your representation. Please use separate sheets if necessary</b>
To prevent public nuisance	Yes	The operating schedule is deficient in that operational matters such as noise from customers in the vicinity, potential equipment noise or deliveries and collections from the premises are not considered.
<b>Suggested conditions that could be added to the licence to remedy your representation or other suggestions you would like the Licensing Sub Committee to take into account. Please use separate sheets where necessary and refer to checklist.</b>	<ul style="list-style-type: none"> <li>• Notices will be prominently displayed at exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.</li> <li>• Noise and vibration will not be allowed to emanate from the premises so as to cause a nuisance to nearby properties</li> <li>• No deliveries will take place on Sundays or Bank Holidays and between the hours of 23:00 and 07:00 hours other days of the week.</li> <li>• No rubbish will be moved, removed or placed in outside the premises on Sundays or Bank Holidays and between the hours of 23:00 and 07:00 hours other days of the week.</li> </ul>	

Signed: Anne Brothers Date: 22 October 2014

Please return this form along with any additional sheets to: Licensing Support Team, Public Protection, 222 Upper Street, London N1 1XR or email to [licensing@islington.gov.uk](mailto:licensing@islington.gov.uk)

**This form must be returned within the Statutory Period. For more details please check with the Licensing Support Team on 020 7527 3031**





Pollution Team  
222 Upper Street  
London N1 1XR

T 020 7527 3047

F 020 7527 3059

E [anne.brothers@islington.gov.uk](mailto:anne.brothers@islington.gov.uk)

W [www.islington.gov.uk](http://www.islington.gov.uk)

Our ref: abr/201462473

Your ref:

Date: 22 October 2014

Tesco Stores Limited

By e mail: [licensing.team@uk.tesco.com](mailto:licensing.team@uk.tesco.com)

This matter is being dealt with by:  
**Anne Brothers**

Dear Sir

**NEW PREMISES LICENCE APPLICATION, TESCO, 323-325 CALEDONIAN ROAD,  
LONDON N1 1D, r. LICENSING ACT 2003**

Please find attached a representation from Pollution Team in respect of the above application.  
The representation is self-explanatory.

If you have any queries or want to discuss this matter, please contact me at the above office. In addition, if you agree to the suggested conditions, we will withdraw the representation.

Yours faithfully,

**Anne Brothers**  
**Principal Technical Officer**  
cc. Katie Tomashevski, Licensing Officer  
John Williams, Licensing.

**Williams, John**

---

**From:** Paul Convery  
**Sent:** 26 October 2014 17:20  
**To:** Licensing  
**Cc:**  
**Subject:** Premises application: TESCO, 323-325 CALEDONIAN ROAD, LONDON. N1 1DR  
WK/201461729

Premises application: TESCO, 323-325 CALEDONIAN ROAD, LONDON. N1 1DR

WK/201461729

I make the following representation opposing this license application.

### **Licensing policy 1**

The application contains cursory, pro forma, standard paragraphs in relation to each of the 4 licensing objectives. It demonstrates no local knowledge of the crime and disorder circumstances of the Caledonian Road section of the Kings Cross cumulative impact area.

In particular, I am concerned about disorder in the street especially during the evening, the impact of people consuming alcohol in the street or problems with underage drinking. These are identified problems in the area. In particular the area of Lyon Street and Carnoustie Drive is a regularly observed location for on-street drinking.

In my opinion the absence of any reference in the application to these local circumstances indicates that the applicant does not have the necessary knowledge required to meet the licensing objectives.

### **Licensing policy 2**

The premises are located within what the Council's 2013-2017 licensing policy has designated as an area of cumulative impact. The licensing policy says that, in such an area, there is "a rebuttable presumption" that a license application "will normally be refused" and the applicant must demonstrate how a new license "will not add to the cumulative impact".

The Tesco application makes no mention of the area of cumulative impact nor how they might ensure such a new license does not worsen the existing level of excess alcohol retail. It does not even mention the cumulative impact area.

## **Licensing policy 6**

Licensing policy 6 states that Islington "expects applicants to ensure that they have planning consent for the intended use and hours of operation ... before making an application for a premises licence" and "will only grant licences for premises without planning consent in exceptional circumstances."

The applicant does not have a planning consent for use of the premises in 3 respects:

(1) Number 325 Caledonian Road was last used as a solicitors office (use class A2) but the applicant is not entitled to change this to retail (A1) by virtue of permitted development rights because the premises at 325 have never featured a display window at ground level. The applicants does not therefore have any permission for change of use from A2 to A1 for number 325 Caledonian Road.

(2) The hours sought for the license are 08.00 to 23.00 but there is no extant permission for this use. The trading hours of the previous premises were standard office hours, typically 09.00 to 17.00 or thereabouts. The applicant does not therefore have permission to operate from the 325 Caledonian Road premises until 11pm at night.

(3) Islington has a policy to oppose the amalgamation of conventional shop units (in the size range of around 80 sq metres) into larger units. This is reinforced by the recently adopted "Cally Plan" SPD which adds special local weight to this policy insofar as it seeks to maintain and increase traditional shop fronts. The plan attached to the license application shows a wholly amalgamated single shop formed from the two existing standalone premises and the plan furthermore indicates a unifying frontage to the two premises which would also be contrary to planning policy.

For these reasons, the licensing authority should not grant this application.

---

**Paul Convery**

Labour Councillor for Caledonian Ward, LB Islington

Executive Member for Community Safety

(Policing, crime, licensing and public protection)

Town Hall, Upper Street, London N1 2UD, 020-7527-3051 (PA)

**Williams, John**

---

**From:** IAN PERRY  
**Sent:** 26 October 2014 17:37  
**To:** Licensing  
**Cc:**  
**Subject:** Tesco's 323-325 Caledonian Road

I wish to object to the granting of a license to Tesco's at 323-325 Caledonian Rd for the sale of alcohol between 8am and 23.00pm. The hours requested are in excess of the Coop a short distance away. I am particularly concerned about sales of alcohol early in the morning, and would prefer that no premises in Caledonian Rd sell alcohol until after 11.30am. I do not believe that the previous off license which operated at 325 Caledonian Road sold alcohol early in the morning and in any case it has ceased operating for some time now.

At minimum, the hours granted to Tesco should be no more than exists for the Coop.

Cllr Rupert Perry

**Williams, John**

---

**From:** una ohalloran  
**Sent:** 26 October 2014 18:13  
**To:** Licensing  
**Cc:**  
**Subject:** RE: Tesco's 323-325 Caledonian Road

I wish to object to the granting of a licence to Tesco's at 323-325 Caledonian Rd for the sale of alcohol between 8am and 11pm.

I am particularly concerned about sales of alcohol early in the morning, and would prefer that no premises in Caledonian Rd sell alcohol until after 11.30am.

The trading hours of the previous premises were standard office hours, typically 9am to 5pm or thereabouts. The applicant does not therefore have permission to operate from the 325 Caledonian Road premises until 11pm at night without a change of usage application?

What I am really concerned about is the possible disorder in the street especially during the evening, the impact of people drinking alcohol in the street and possible problems with underage drinking. These are identified problems in this area and something we are trying to combat. The area of Lyon Street and Carnoustie Drive is a known location for on-street drinking and in close proximity to 325 Caledonian road.

As such I would have to object to this application.

Councillor Una O'Halloran  
[Una.O'Halloran@Islington.gov.uk](mailto:Una.O'Halloran@Islington.gov.uk)  
Caledonian Ward  
Islington Town Hall  
Upper Street  
London N1 2UD

**Williams, John**

---

**From:**  
**Sent:** 27 October 2014 08:29  
**To:** Licensing  
**Subject:** 323-325 Caledonian Road

Dear Sirs

As long-standing residents, we wish to oppose the granting of yet another alcohol licence for premises in Caledonian Road. The area is saturated with them already, as the council's licensing policy recognises, and the applicant already has two licensed premises nearby (one of them in the same "cumulative impact area"). Though one of the properties proposed was formerly an off-licence, there remain too many off-licences in the area to serve legitimate purposes, and the aim should be to decrease the number, not maintain or increase it.

Illegitimate purposes, such as underage sales, are already widespread in the area. In other places the applicant has a reputation for not preventing underage sales. It would be detrimental to the area to accept this application.

Empty cans and bottles from off-licences already litter parts of Caledonian Road and adjoining streets nearby. The extension of this public nuisance is something that the council can ill afford: yet more effort would need to be spent on street cleansing, at a time when budgets are being cut.

Yours sincerely

**Williams, John**

---

**From:**  
**Sent:** 27 October 2014 17:12  
**To:** Licensing  
**Subject:** Re: Tesco/John Williams

Sent from my iPad

> On 27 Oct 2014, at 11:55, "Licensing" <[Licensing@islington.gov.uk](mailto:Licensing@islington.gov.uk)> wrote:

>

> Please forward your full postal address so that I can accept your email as a representation against this application.

>

> Regards

>

> John Williams

> Licensing Support Officer

> Public Protection

> 222 Upper Street

> London

> N1 1XR

> Tel: 020 7527 3803

> Fax: 020 7527 3430

> Email: [john.williams@islington.gov.uk](mailto:john.williams@islington.gov.uk)

> Website: [www.islington.gov.uk](http://www.islington.gov.uk)

>

>

>

> -----Original Message-----

> From

> Sent: 27 October 2014 08:58

> To: Licensing

> Subject: Tesco/John Williams

>

> I oppose the granting of any permissions that would allow tesco to open premises at 325 -327 Caledonian road. The idea of an 8 am liquor license would attract those for whom alcohol at that time of the morning was important. This could lead to increased larceny from other shops, fouling and violence.

> While this is no legal grounds for objection it is still my feeling: tesco would wipe out the small stores who have managed to live alongside the co-op.

>

>

>

> Sent from my iPad

> This e-mail is intended for the addressee only. If you have received it in error, please contact the sender and delete the material from your computer. Please be aware that information in this email may be confidential, legally privileged and/or copyright protected.

**Williams, John**

---

**From:**  
**Sent:** 27 October 2014 17:24  
**To:** Licensing  
**Subject:** Fwd: Objection to application for a licence to sell alcohol at 323-325 Caledonian Road

To whom it may concern.

We object to licence to sell alcohol at 323-325 Caledonian road due to bad experience we had in the past. We had been victim crime due to assaults by drunk people and anti social behavior by drunk people tipped by cheap alcohol sold locally. Checking local police records will give you better idea on effects of selling cheap alcohol in the area. If you licence 323-325 to sell alcohol, you will be responsible for any assaults and anti social behavior caused by drunk people who buys cheap alcohol from this premises.

Kind regards



**Suggested conditions of approval consistent with the operating schedule**

1. The licensee shall ensure that staff are trained about age restricted products and ensure that they sign to confirm that they have understood the training. The licensee shall keep records of training and instruction given to staff.
2. The licensee shall ensure that staff are trained about the laws relating to selling alcohol and the company challenge 25 scheme. Training shall be completed at least every 6 months and records kept. Training shall be provided to Police or other responsible authorities on request.
3. The licensee shall adopt the Challenge 25 and the BII National Standards Proof of Age Scheme.
4. CCTV shall be installed, operated and maintained in agreement with the Police.
  - i. Maintained means that the system will be regularly serviced (at least once a year) and checked every two weeks to ensure that it is storing images correctly.
  - ii. The system will provide an identifiable full head and shoulder image of everyone entering the premises and will operate in any light conditions within the premises
  - iii. The system shall record in real time, date and time stamped and will operate whilst the premises is open for licensable activities.
  - iv. The recordings will be kept for a minimum of 31 days and copies will be made available to an Authorised Officer or a Police Officer (subject to the Data Protection Act 1998) within 24hrs of any request.
  - v. There will always be a member of staff on duty who can operate the system, to allow Officers to view recordings and if required by a Police Officer, provide a copy of images immediately
5. A member of the management team shall be on the premises. A designated person shall have responsibility for the premises whilst it is open to the public.
6. The management of the premises shall be trained by the licensee to support the running of the premises including looking after customers and staff.
7. The licensee shall ensure that the premises adhere to all rules and regulations relating to public safety.
8. The licensee shall put arrangements in place to ensure that before serving alcohol to young persons, staff ask to see accredited proof of age cards e.g. Citizencard, a Passport, or UK Driving Licence bearing the photograph and date of birth of the bearer.
9. Only ID which carries a photograph such as Driving licence, Passport, National ID or a ID card carrying the PASS hologram be acceptable ID.
10. Posters should be displayed within the premises promoting the Challenge 25 scheme
11. No customers carrying open or sealed bottles shall be allowed to enter the premises at any time that the premises are open to the public.
12. Prominent, clear and legible notices must be displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
13. The Premises shall not stock any beer, cider, larger with an abv above 5.5%, without the prior consent from the Police

**Please note: There has been a duplication in the Operating Schedule and the suggested conditions from the Police. Numbers 13 and 15 conflict.**

**Conditions proposed by the Police**

14. An incident log shall be kept at the premises, and made available on request to an authorised officer or a police officer, which will record the following:
  - i. All crimes reported to the venue
  - ii. All ejections of patrons
  - iii. Any complaints received
  - iv. Any incidents of disorder

- v. All seizures of drugs or offensive weapons
  - vi. Any faults in the CCTV system
  - vii. Any refusal of the sale of alcohol
  - viii. Any visit by a relevant authority of emergency service
15. No high strength beer, lager or cider of 5.5% abv or above shall be sold other than premium beer, lager or cider priced at £1.95 or above per 500ml.
  16. There shall be no sale of single cans of beer, lager or cider from the premises and no single bottles of beer, lager or cider in vessels of less than 500ml or more than 1500ml
  17. No advertising of alcohol products in the windows
  18. All cashiers to be trained to record refusals of sales of alcohol in a refusals register, the register will contain; Details of the time and date the refusal was made, the name of the staff member refusing the sale and details of the type of alcohol the person attempted to purchase.
  19. Sales tills to prompt the cashier making a sale of alcohol to verify that the customer is aged 18 or over.

**Condition proposed by the Noise Team**

- i. Notices shall be prominently displayed at exits requesting the public to respect the needs of local residents and to leave the premises quietly.
- ii. Noise and vibration will not be allowed to emanate from the premises so as to cause a nuisance to nearby properties
- iii. No deliveries shall take place on Sundays or Bank Holidays and between the hours of 23:00 and 07:00 hours other days of the week.
- iv. No rubbish shall be moved, removed or placed outside the premises on Sundays or Bank Holidays and between the hours of 23:00 and 07:00 hours other days of the week.



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**Title : 323-325**  
**Caledonian Road**  
 Islington Borough  
 Boundary

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 RO RO  
**Printed at :**  
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