



Haverling

LONDON BOROUGH

LICENSING SUB-COMMITTEE MCDONALDS-STRAIGHT ROAD

AGENDA

10.30 am	Friday 2 September 2016	Council Chamber - Town Hall
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Members 3: Quorum 2

COUNCILLORS:

Dilip Patel (Chairman)
Wendy Brice-Thompson
Jody Ganly

**For information about the meeting please contact:
Richard Cursons - 01708 432430
richard.cursons@onesource.co.uk**

Protocol for members of the public wishing to report on meetings of the London Borough of Havering

Members of the public are entitled to report on meetings of Council, Committees and Cabinet, except in circumstances where the public have been excluded as permitted by law.

Reporting means:-

- filming, photographing or making an audio recording of the proceedings of the meeting;
- using any other means for enabling persons not present to see or hear proceedings at a meeting as it takes place or later; or
- reporting or providing commentary on proceedings at a meeting, orally or in writing, so that the report or commentary is available as the meeting takes place or later if the person is not present.

Anyone present at a meeting as it takes place is not permitted to carry out an oral commentary or report. This is to prevent the business of the meeting being disrupted.

Anyone attending a meeting is asked to advise Democratic Services staff on 01708 433076 that they wish to report on the meeting and how they wish to do so. This is to enable employees to guide anyone choosing to report on proceedings to an appropriate place from which to be able to report effectively.

Members of the public are asked to remain seated throughout the meeting as standing up and walking around could distract from the business in hand.

AGENDA ITEMS

1 APOLOGIES FOR ABSENCE AND ANNOUNCEMENT OF SUBSTITUTE MEMBERS

(if any) - receive

2 DISCLOSURE OF INTERESTS

Members are invited to disclose any interest in any of the items on the agenda at this point of the meeting.

Members may still disclose any interest in an item at any time prior to the consideration of the matter.

3 CHAIRMAN'S ANNOUNCEMENT

The Chairman will announce details of the arrangements in case of fire or other events that might require the meeting room or building's evacuation.

4 REPORT OF THE CLERK (Pages 1 - 6)

5 REPORT OF THE LICENSING OFFICER (Pages 7 - 52)

Application for a premises licence for McDonalds Straight Road, Harold Hill, Romford RM3 8XR.

**Andrew Beesley
Committee Administration Manager**

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LICENSING SUB-COMMITTEE

REPORT

2 September 2016

Subject Heading:

Procedure for the Hearing: Licensing Act 2003

Report Author and contact details:

Richard Cursons (01708) 432430
e-mail: richard.cursons@onesource.co.uk

Members are advised that, when considering application for a premises licence, the following options are available to them by virtue of the Licensing Act 2003, Part 3, section 35, paragraphs 3 and 4:

"Where relevant representations are made, the authority must

- (a) hold a hearing to consider them, unless the authority, the applicant and each person who has made such representations agree that a hearing is unnecessary, and
- (b) having regard to the representations, take such steps as it considers necessary for the promotion of the licensing objectives.

The steps are:

- a) modify the conditions of the licence
- b) 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 is added."

The Sub-Committee will also wish to note that, if none of these steps is required, the application must be granted.

Assuming that the Sub-Committee is satisfied that a hearing is required, then the following procedural steps are recommended. The Licensing Act 2003 (Hearings) Regulations 2005 will govern the arrangements for the hearing of the application now under consideration. This report accords with the requirements of that Act and the Regulations, and in particular Regulations 21-25 (procedure at the hearing).

1. Membership of the Sub-Committee:

- 1.1 The Sub-Committee comprises three members of the Licensing Committee, with a quorum of two members. **Unless there are objections, in the absence of three members, the hearing shall proceed with the quorum of two.**
- 1.2 A members of the Licensing Committee will be excluded from hearing an application where he or she:
 - 1.2.1 has considered an application in respect of the premises in the previous 12 months as a Member of the Regulatory Services Committee; or
 - 1.2.2 is a Ward Councillor for the Ward in which the premises, subject to the application, are located; or
 - 1.2.3 is a Ward Councillor for a Ward which is likely to be affected by the application or;
 - 1.2.4 has a personal interest in the application.

2. Roles of other participants:

- 2.1 The Legal Advisor is not a party to the hearing. The role of the Legal Advisor is to provide legal advice relating to the application and submissions.
- 2.2 The Clerk is not a party to the hearing. The role of the Clerk is to record the hearing and the decisions of the Sub-Committee, and ensure efficient administration

3. Chairman's Briefing meeting:

- 3.1 Prior to this hearing, the Sub-Committee Chairman will have met the Legal Advisor and/or Clerk to determine whether further clarification is required of any issues contained in the application or any representation.
- 3.2 During this preliminary meeting no decision will have been made or discussion held regarding the substantive merits of the application or representations.

4. Location and facilities:

- 4.1 All hearings will be heard at the Havering Town Hall unless otherwise directed.
- 4.2 Interpreters will be provided by the Council on request, provided notice is given at least five working days before the hearing.

5. Notification of attendance:

- 5.1 The Chairman will enquire of the parties who is in attendance and the parties will indicate their names (and, where relevant, whom they represent). A register will be circulated before the commencement of the hearing on which the applicant, his/her advisers and companions and all interested parties (and/or their representatives) will be asked to record their attendance.

6. Procedural matters:

- 6.1 Prior to the commencement of the hearing, the Chairman of the Sub-Committee will orally inform the parties whether their applications to have certain people attend the hearing (e.g. witnesses) have been granted or refused. Note this relates to people other than those attending on behalf of a party in the capacity as a representative of the party.
- 6.2 Prior to the commencement of the hearing the Chairman of the Sub-Committee will outline the procedure to be followed at the hearing. This will normally be as follows:

Introduction of the application:

The Licensing officer will outline:

- details of the application and relevant representations received from the parties;
- relevant legislation ;
- relevant Licensing Policy; and
- the time limit in which the Council must reach a determination.

Documentary evidence:

- Documentary or other information in support of applications, representations or notices should be provided to the Clerk of the Sub-Committee at least 7 clear working days before the hearing. If this information is produced at the hearing it will only be taken into account by the Sub-Committee if the Sub-Committee and all the parties consent to its submission. Permission to have this information included in the hearing should be requested at the beginning of the hearing before any oral submissions have been made.
- Statements made by people in support of a party's representation who are not present at the hearing, must be signed by the maker, dated and witnessed by another person. The statement must also contain the witness's full name and occupation.

Representations:

- The chairman will invite each of the parties at the hearing or their representative sequentially to address the Sub-Committee and call any person/s to whom permission has been granted to appear. Each party will be allowed a maximum period of 10 minutes in which to address the Sub-Committee and call persons on his/her behalf.
- This 10 minute period is where each party has the opportunity to orally address the Sub-Committee and clarify any points in which the Sub-Committee has sought clarification prior to the hearing. This 10 minute period should be uninterrupted unless a member of the Sub-Committee or Legal Advisor considers that the speaker is making submissions that are irrelevant, frivolous or vexatious.
- Members of the Sub-Committee may ask questions of any party, at any time during the proceedings. Time taken in dealing with a Member's question will not be taken into account in determining the length of time available to the party in question to make their representation.

The sequence in which each of the parties will be invited to address the Sub-Committee will normally be in the order of:

- the Chief Officer of Police;
- the Fire Authority;
- the Health and Safety at Work Enforcing Authority;
- the Local Planning Authority;
- the Local environmental Health Authority;
- the Local Weights and Measures Authority;
- the Authority Responsible for the Protection of Children from Harm;
- a navigation or other authority responsible for waterways; and
- any other party that has submitted representations in respect of the application, certificate, notice or other matter appearing before the Sub-Committee;
- the party that has submitted the application, certificate, notice or other matter appearing before the Sub-Committee.

At the discretion of the Sub-Committee the above order may be varied.

Cross-Examination:

Where witnesses have been permitted by the Sub-Committee to speak at the hearing on behalf of a party, permission must be sought from the Sub-Committee before another party can ask the witness questions. This process of questioning is normally referred to as cross-examination. The Sub-Committee will allow cross-examination only where it is necessary to assist it in considering the representations or application.

Relevance:

Information submitted at the hearing must be relevant to the applications, representations, or notice and the promotion of the licensing objectives. The Chairman of the Sub-Committee is entitled to exclude any information it considers to be irrelevant whether presented in written or oral form. The licensing objectives are:

- The prevention of crime and disorder;**
- Public safety;**
- The prevention of public nuisance; and**
- The protection of children from harm.**

7. Failure of parties to attend the hearing:

- 7.1 If a party, who has not given prior notice of his/her intention not to attend the hearing, is absent from the hearing the Sub-Committee may either adjourn the hearing or hold the hearing in the party's absence. Where the hearing is held in the absence of a party, the Sub-Committee will still consider the application, representation or notice submitted by that party.

8. Adjournments and extension of time:

- 8.1 The Sub-Committee may adjourn a hearing to a specified date or extend a notice period except where it must make a determination within certain time limits in the following specific applications:
- Review of premises licences following closure orders where the Sub-committee must make a determination within 28 days of receiving notice of the closure order.

9. Sub-Committee's determination of the hearing:

- 9.1 At the conclusion of the hearing the Sub-Committee will deliberate in private accompanied by the Clerk and the Legal Advisor who will be available to assist the Sub-Committee with any legal problems but will not participate in any decision making of the Sub-Committee.
- 9.2 The Sub-Committee will normally make its determination and announce its decision at the end of the hearing.
- 9.3 Where all parties have notified the Sub-Committee that a hearing is not required the Sub-Committee must make its determination within 10 working days of being given notice that the hearing is not required.

10. Power to exclude people from hearing:

10.1 The public are entitled to attend the hearing as spectators. However, the Sub-Committee may exclude any person from the hearing including any person assisting or representing a party where:

- it considers that the public interest would be best served by excluding the public or the individual person from the hearing; or
- that person is behaving in a disruptive manner. This may include a party who is seeking to be heard at the hearing. In the case where a party is to be excluded, the party may submit to the Sub-Committee in writing any information which they would have been entitled to give orally had they not been required to leave the hearing.

11. Recording of proceedings:

11.1 A written record of the hearing will be produced and kept for 6 years from the date of the determination of the hearing.

12. Power to vary procedure:

12.1 The Sub-committee may depart from following any of the procedures set out in this document if it considers the departure to be necessary in order to consider an application, notice or representation.

**LICENSING
SUB-COMMITTEE**

REPORT

Date 2 September 2016

Subject heading:

**McDonalds
Straight Road, Romford, RM3 8XR
Application for a premises licence
Arthur Hunt, Licensing Officer
5th floor Mercury House
licensing@havering.gov.uk
01708 433585**

Report author and contact details:

This application for a premises licence is made by Mr Fraser Simpson on behalf of GJB trading Ltd under section 17 of the Licensing Act 2003. The application was received by Havering’s Licensing Authority on 15 July 2016.

Geographical description of the area and description of the building

The premises operates as a fast food restaurant with a “drive-thru” facility. It is situated at the junction of Straight Road and Briar Road, in Harold Hill and was formerly The Bow and Arrow public house. It was converted to the current McDonalds in 1997.

The premise is otherwise surrounded by residential properties.

Straight Road is one of the main thoroughfares from Harold Hill to the Gallows Corner roundabout, with access to the main arterial roads of the A12 and A127. It is covered by numerous bus routes.

A map of the area is attached.

Details of the application

Late Night Refreshment		
Day	Start	Finish
Monday to Sunday	23:00	00:00

Opening Hours		
Day	Start	Finish
Monday to Sunday	06:00	00:00

Comments and observations on the application

The applicant acted in accordance with regulations 25 and 26 of *The Licensing Act 2003 (Premises licences and club premises certificates) Regulations 2005* relating to the advertising of the application. The required public notice was installed in the Havering Yellow Advertiser on the 20 July 2016.

Summary

There were no representations against this application from interested persons.

There was one (1) representation against this application from a responsible authority:-

Planning Enforcement.

* 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

#825

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

Fraser

* Family name

Simpson

* E-mail

fraser@romfordmcdonalds.com

Main telephone number

01708345698

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

04417366

* Business name

GJB Trading Ltd

If your business is registered, use its registered name.

* VAT number

GB

795499647

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

* Legal status

Private Limited Company

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

GJB Trading Ltd

Details

Registered number (where applicable)

04417366

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

Continued from previous page...

Private Limited Company

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.

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?

Continued from previous page...

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 provision of late night refreshment take place indoors or outdoors or both?

Indoors

Outdoors

Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

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.

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 the premises will be used for the supply of late night refreshments 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 15 of 19

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

- Yes No

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'.

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.

None

Section 17 of 19

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

Continued from previous page...

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

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.

Continued from previous page...

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.

Work in partnership with the local police and safer neighbourhood team and ensure a zero tolerance policy toward any anti-social behaviour.

b) The prevention of crime and disorder

Ensure CCTV system is fully working at all times, covering inside and outside the restaurant. Keep regular contact with the local police, highlighting any problems that may occur in and around the restaurant. Keep a log on the premises of any crimes, anti-social behaviour or calls made to the police.

c) Public safety

Ensure stringent Health & Safety practices are in place, regular auditing of employee procedures and building in general to maintain a welcoming and safe environment.

d) The prevention of public nuisance

Display signs asking customers to be respectful to our neighbours when leaving the premises late in the evening. Implement a parking control policy that prevents any loitering in the car park. Ensure regular 'Trash Walks' are performed to remove any litter dropped around the restaurant and within 100m of the building.

e) The protection of children from harm

Alcohol will never be served on the premises and we will never allow any member of the public to consume alcohol in the building.

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

Band A - No RV to £4300 - £100

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 you are required to pay a higher fee.

Band D - £87001 to £125000 - £900.00

Continued from previous page...

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 of attendance at any one time.

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

* Fee amount (£)

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

* Capacity

* Date / /
dd mm yyyy

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

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/havering/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.




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

OFFICE USE ONLY

Applicant reference number	#825
Fee paid	
Payment provider reference	
ELMS Payment Reference	
Payment status	
Payment authorisation code	
Payment authorisation date	
Date and time submitted	
Approval deadline	
Error message	
Is Digitally signed	<input type="checkbox"/>

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McDonalds, Straight Road	
	Scale: 1:1250 Date: 16 August 2016 Size: A4
	London Borough of Havering Town Hall, Main Road, Romford, RM1 3BD Tel: 01708 434343 © Crown copyright and database rights 2016 Ordnance Survey 100024327

Classified

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 email: sales@yellowad.co.uk

Post: **Yellow Advertiser, Acorn House, Great Oaks, Basildon, SS14 1AH**

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or call

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for more information

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Display Recruitment

Public Notices

NOTICE OF APPLICATION FOR A PREMISES LICENCE UNDER SECTION 17 OF THE LICENSING ACT 2003

APPLICANT: GJB Trading Ltd
 PREMISES: McDonald's Restaurant, Straight Road, Harold Hill, RM3 8XR
 The proposed licensable activity is: Provision of Late Night Refreshment, Monday to Sunday, 23:00 to 00:00
 Full details of the application can be inspected at the address noted below during normal business hours.
 Any representations by an interested party or responsible authority regarding this application can be made to: Licensing Team Housing & Public Protection London Borough of Havering C/O Town Hall Main Road RM1 Website: www.havering.gov.uk

Such representation must be received in writing by: 12/08/2016, clearly stating the grounds upon which the representation is made in relation to the four objectives of the Licensing Act 2003.

It is an offence to knowingly or recklessly make a false statement in connection with an application. The maximum fine for which a person is liable on summary conviction for the offence is £5,000.00.

MARGARET MARY THERESA RUST (Deceased)

Pursuant to the Probate Act 1925 any person having a claim against or an interest in the Estate of the above named late of 79 Cooper Road, Thurham Estate RM13 9TF, who died on 22/05/2016, are required to send written particulars thereof in the underseal on or before 31/08/2016, after which date the Estate will be distributed having regard only to the claims and interests of which they have had notice.

Chorus Law as Attorney for the Personal Representative, Acorn House, Tenby's Bridge Road, Southend-upon-Avon CV37 5BE

Family Announcements



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Licensing Act 2003 Responsible Authority representation

This representation is made by a responsible Authority for the London Borough of Havering concerning a licence application for the premises as detailed below.

Premises Name and address:	"McDonalds Restaurants Ltd"; Straight Road, Romford, RM3 8XR
Your Name:	Samuel Cadman
Organisation name / name of body you represent:	Havering Council's planning department
Your Address:	5 th Floor Mercury House, Mercury Gardens, Romford, RM1 3SL
Email:	sam.cadman@havering.gov.uk
Contact telephone number:	01708 434798
Summary of representation:	To OBJECT to the proposed premises licence application on the specific licencing objective "The prevention of public nuisance".

Policy Considerations:

The representation takes into account the following licencing policies as set out in the document titled "Statement of Licencing Policy" with effect from 7th January 2016:

Licencing Policy 1

In considering applications for new licences, variations to existing licences and licence reviews the Licensing Authority will take the matters listed below into account:

- whether the premises is located in an area of cumulative impact;
- the type of premises and their cumulative impact on the area and the mix of premises in the area;
- the location of the premises and the character of the area;
- the views of the responsible authorities;
- the views of other persons;
- past compliance history of current management;
- the proposed hours of operation;
- the type and number of customers likely to attend the premises;
- whether the applicant is able to demonstrate commitment to a high standard of management, for example through active participation in the Safe and Sound meetings and pub watch.

Licencing Policy 6

The Licensing Authority considers that, in the interests of clarity and transparency, applicants should normally have in place the relevant planning consent for the intended use and hours of operation, or otherwise have lawful planning status, before making an application for a premises licence. However every application will be considered on its merits on a case by case basis

Licencing Policy 14

The Licensing Authority is committed to protecting the amenity of residents and businesses in the vicinity of licenced premises, particularly when late hours have been sought. Where relevant representations are received, the Licensing Authority will impose appropriate restrictions or controls on the licence to support the prevention of undue noise disturbance from licensed premises.

Representation:

An assessment by the planning services was undertaken in 2009 with relation to the drive thru lane of the McDonalds restaurant, and the impact on the amenity of the local area was considered and subsequently conditioned (see the "Other documents attached" section for more information). This was recently reviewed under newer planning applications P1351.14 and P1643.14. The use of the drive thru was subsequently conditioned so that:

"1. The drive thru facility hereby permitted shall only be open to the public between the hours of 06.30 and 23:30 on any day of the week.

Reason:-

To enable the Local Planning Authority to retain control in the interests of amenity and in order that the development accords with Development Control Policies Development Plan Document Policy DC61."

The licence application seeks to have the drive thru open past what has been approved by recent planning decisions. There have been several planning applications considered over the last year would indicate that the use of the drive thru has been seriously considered and subsequently conditioned; with no appeal made against the decisions taken the Council's planning department to regulate the use of the drive thru. Given the decisions that have been taken by the planning department (where the impact of the use of the drive thru has been conditioned to protect the amenity of the local residents), and there has not been a considerable change to the circumstances that would mean that a planning application for the hours proposed in the licence would be granted, the planning department deem that the proposed hours of operation do not accord with any approved planning permissions, nor would a planning application be granted for the times applied for in the licence application. As such the application for the licence goes directly against Licencing Policy 6. However, as the planning and licencing regimes are separate I have considered the merits of the licence application below.

The proposals in the licence application seek to have the drive thru open from 6am to midnight every day. It must be noted that there are 9 houses boarding the site to the east, and an additional 9 flats to the north of the site. The use of the drive thru outside of what has been approved previously by the planning department (6:30am to 11:30pm) would be considered unacceptable in terms of the amount of disturbance to the local residents, which was the reason for conditioning the planning applications to less than what was applied for. The use of the drive thru form 6am to midnight every day would cause an undue amount of disturbance, and will introduce a night-time use in a largely residential area. This licence application therefore demonstrates a lack of consideration for the local area, and demonstrates a lack of high standards of management which is expected under Licencing Policies 1 and 14.

Given the arguments as set out above, the licence application goes directly against licencing policy, and the planning department's concerns on the prevention of public nuisance have not been alleviated though the licence application. As this is the case, I ask that the licencing committee condition the use of the drive thru to what has been approved previously by the planning department. If the committee is not minded to do this, then the planning services would completely object to the licence application.

It must be noted that if the use exceeds what has been approved by the planning department, then formal enforcement action can be considered by the planning department, including the service of a breach of condition notice.

Complaint and Inspection History (if applicable):

No visits to the property were undertaken.

I have attached the planning decision notices in the "other documents" section, but for clarity, the relevant planning history is as such:

Application Number:	P0755.09
Description of proposal:	Proposed alteration to the appearance of the existing restaurant and minor alterations to previously approved drive thru lane - amendment to application P1392.08.
Outcome:	Approved with conditions.

Application Number:	P1642.10
Description of proposal:	Variation of planning condition 5 of permission reference P0755.09 to enable the drive thru facility to open between 0700 and 2300 on any day.
Outcome:	Approved with conditions.


Application Number:	P0781.13
Description of proposal:	The reconfiguration of the drive thru lane and car park to provide a side-by-side order point, incorporating a new island for signage and reconfigured kerb lines including associated works to the site. The relocation of one booth window and the closure of a pedestrian access point onto the site to accommodate the new drive thru layout. The installation of 2 x Customer Order Displays (COD) with associated canopies. Amendments to the existing signage.
Outcome:	Approved with conditions.

Application Number:	P0143.14
Description of proposal:	Variation of planning condition 5 of permission reference P0755.09 to enable the drive thru facility to open between 0700 and 2300 on any day.
Outcome:	Approved with conditions.

Application Number:	P1643.14
Description of proposal:	Variation of condition 5 of application P0755.09 (as amended by application P0143.14) in order to extend the drive-through opening hours from 07:00-23:00hrs 7 days a week, to 06:30-23:30hrs 7 days a week.
Outcome:	Approved with conditions.

Other documents attached:

Please see other attached documents

Signed		Dated:	8 / 8 / 16
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LONDON BOROUGH OF HAVERING

TOWN AND COUNTRY PLANNING ACT 1990

To: Mr Matthew Carpenter
Planware Ltd
The Granary 37 Walnut Tree Lane
Sudbury
Suffolk
CO10 1BD

McDonald's Restaurant Ltd
11 - 59 High Road
East Finchley
East Finchley
London
N2 8AW

APPLICATION No: **P0755.09**

In pursuance of their powers as Local Planning Authority, the Council have considered your application and have decided to **GRANT PLANNING PERMISSION** for the following development :

Proposal: Proposed alteration to the appearance of the existing restaurant and minor alterations to previously approved drive thru lane - amendment to application P1392.08.

Location: McDonalds Restaurants Ltd
Straight Road, Romford

The above decision is based on the details in drawing(s):

09-110/#825/A.111 - 5796/P/1001A
09-110/#825/P.01 - 09-110/#825/P.02
09-110/#825/P.03
09-110/#825/P.04 revision A
09-110/#825/P.05 - 09-110/#825/P.06
09-110/#825/P.07 - 09-110/#825/P.08
09-110/#825/P.09 - 09-110/#825/P.10
09-110/#825/S.01 - 09-110/#825/s.02
09-110/#825/s.03 - 09-110/#825/A.110
5796/P/1002A - 5796/P/1003
5796/P/1004 - 5796/P/1005
5796/P/1006 - CBJ 08-434 Rev 29-7-08

subject to compliance with the following condition(s):

- 1 The development to which this permission relates must be commenced not later than three years from the date of this permission.

Reason:-

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

- 2 Before the drive thru facility hereby permitted is first operated, the area set aside for car parking shall be laid out and surfaced to the satisfaction of the Local Planning Authority and retained permanently thereafter for the accommodation of vehicles visiting the site and shall not be used for any other purpose.

Reason:-

To ensure that car parking accommodation is made permanently available to the standards adopted by the Local Planning Authority in the interest of highway safety, and that the development accords with the LDF Development Control Policies Development Plan Document Policy DC33.

- 3 All new external finishes shall be carried out in materials to match those of the existing building(s) to the satisfaction of the Local Planning Authority.

Reason:-

To safeguard the appearance of the premises and the character of the immediate area, and in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC61.

- 4 No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of hard and soft landscaping, which shall include indications of all existing trees and shrubs on the site, and details of any to be retained, together with measures for the protection in the course of development. All planting, seeding or turfing comprised within the scheme shall be carried out in the first planting season following completion of the development and any trees or plants which within a period of 5 years from completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local Planning Authority.

Reason:-

In accordance with Section 197 of the Town and Country Planning Act 1990 and to enhance the visual amenities of the development, and that the development accords with the LDF Development Control Policies Development Plan Document Policy DC61.

- 5 The drive thru facility hereby permitted shall only be open to the public between the hours of 8.00 am and 10.00 pm on any day of the week.

Reason:-

To enable the Local Planning Authority to retain control in the interests of amenity and in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

- 6 No construction works or deliveries into the site shall take place other than between the hours of 08.00 to 18.00 on Monday to Friday and 08.00 to 13.00 hours on Saturdays unless agreed in writing with the Local Planning Authority. No construction works or deliveries shall take place on Sundays, Bank or Public Holidays unless otherwise agreed in writing by the Local Planning Authority.

Reason:-

To protect residential amenity, and in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC61.

- 7 Before any works commence a scheme for any new plant, machinery and activities shall be submitted to the local planning authority to achieve the following standard. Noise levels expressed as the equivalent continuous sound level LAeq (1 hour) when calculated at the boundary with the nearest noise sensitive premises shall not exceed LA90 -5dB and maintained thereafter to the satisfaction of the Local Planning Authority.

Reason:-

To prevent noise nuisance to adjoining properties in accordance with the recommendations of Planning Policy Guidance Note 24 Planning & Noise 1994.

- 8 No development shall take place until such time as precise details of internal/external CCTV cameras, including details to control the extent of their area of vision, have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in full prior to the commencement of the development hereby approved and maintained in accordance with the agreed details.

Reason:-

In the interests of security and in order that the development accords with LDF Development Control Policies Development Plan Document Policies DC61 and DC63.

- 9 The development hereby approved shall not commence until the highway works associated with the development have been submitted to and approved in writing by the Local Authority and all necessary legal agreements, including those under Section 278 of the Highways Act, have been secured. The development shall then be carried out in strict accordance with the approved details.

Reason:-

In the interests of highway safety and in order that the development accords with LDF Development Control Policies Development Plan Document Policy DC33.

INFORMATIVES:

1. It is the duty of the applicant to maintain the extraction/ventilation system to prevent an odour nuisance. Adequate measures must be taken to prevent nuisance due to odours passing through windows, floors or walls etc into adjoining properties.
2. The applicant is advised that planning approval does not constitute approval for changes to the Highway. These works will require separate consent from the Highways Authority under Section 278 of the Highways Act. Please contact the Councils StreetCare Team on 01708 433750 for further information.
3. The Local Planning Authority fully supports the principles and practices of designing against crime for the delivery of all development in Havering. The services of the local Police Crime Prevention Design Advisor is available free of charge through Havering Development and Building Control or Romford Police, to assist architects, developers and their clients to reduce crime risks and deliver safer, stronger, sustainable communities
4. Reason for approval:

The proposed development is considered to be in accordance with the aims, objectives and provisions of Policies DC32, DC33, DC34, DC35, DC36, DC61, DC62 and DC63 of the LDF Development Control Policies Development Plan Document.

Dated: 3rd August 2009



Patrick Keyes
Head of Development and Building Control
London Borough of Havering
Mercury House, Mercury Gardens
Romford RM1 3SL

IMPORTANT - attention is drawn to the notes overleaf

**NOTES IN CONNECTION WITH APPROVAL OF APPLICATIONS SUBJECT TO CONDITIONS
OR REFUSAL OF APPLICATIONS FOR PLANNING PERMISSION**

- (1) If the applicant is aggrieved by the decision of the local planning authority to refuse permission or to grant permission or approval subject to conditions, an appeal may be made to the First Secretary of State at the Department for Communities and Local Government in accordance with Section 78 of the Town and Country Planning Act 1990 within six months of the date of this notice. (Appeals must be made on a form which is obtainable from the Planning Inspectorate, Customer Support Unit, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or from the Planning Inspectorate's web site, www.planning.inspectorate.gov.uk)
- (2) When submitting the completed appeal form to the Planning Inspectorate, a copy should be sent to Planning, London Borough of Havering, 7th Floor Mercury House, Mercury Gardens, Romford, RM1 3SL. The First Secretary of State has power to allow a longer period for the giving of a notice of appeal but will not normally be prepared to exercise these powers unless there are special circumstances which excuse the delay in giving notice of appeal. The First Secretary of State is not required to entertain an appeal if it appears that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements to the provisions of the development order, and to any directions given under the order. Where the decision of the local planning authority is based upon a direction from the First Secretary; it is not the practise to refuse to accept appeals solely because of this direction.
- (3) If permission to develop land is refused or granted subject to conditions, whether by the local planning authority or by the First Secretary of State and the owner of the land claims that the land has become incapable of reasonable beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, a purchase notice may be served on the London Borough of Havering requiring the council to purchase the land in accordance with the provision of Part VI of the Town and Country Planning Act 1990.
- (4) In certain circumstances, a claim may be made against the local planning authority for compensation where there has been an appeal or where an application has been referred to the First Secretary, and where planning permission is refused or granted subject to conditions. The circumstances in which such compensation is payable are set out in section 114 of the Town and Country Planning Act 1990.
- (5) The statutory requirements are those set out in section 79(6) of the Town and Country Planning Act 1990, namely Sections 70, 71 and 72(1) of the Act.

You are reminded that Building Regulations approval may also be required for these works. You must contact the Building Control Manager or Building Inspector to confirm if permission is required.

Note: Following a change in government legislation a fee is now required for the request for Submission of details pursuant to discharge of conditions in order to comply with the Town and Country Planning (Fees for Applications and Deemed Applications) (Amendment) (England) Regulations, which came into force from 06/04/2008. A fee of £85 per request (or £25 where the related permission was for extending or altering a dwellinghouse) will be required.

LONDON BOROUGH OF HAVERING**TOWN AND COUNTRY PLANNING ACT 1990**

To: Mr Mark Wilson
THE OLD GARAGE
22 WEETWOOD COURT
LEEDS
WEST YORKSHIRE
LS16 5NT

Mr Gerry Byrne
McDonald's Restaurant
Straight Road
Harold Hill
Romford
RM3 8XR

APPLICATION NO: P1642.10

In pursuance of their powers as Local Planning Authority, the Council have considered your application and have decided to **GRANT PLANNING PERMISSION** for the following development :

Proposal: Variation of planning condition 5 of permission reference P0755.09 to enable the drive thru facility to open between 0700 and 2300 on any day.

Location: McDonalds Restaurant
Straight Road
Romford

The above decision is based on the details in drawing(s):
10-116/#825/P.02

subject to compliance with the following condition(s):

- 1 This permission shall be for a limited period only expiring on 7th January 2012 on or before which date the hours of hereby permitted shall be discontinued, and the hours reverted back to those stated in condition 5 of planning permission reference P0755.09.

Reason:-

To enable the Local Planning Authority to monitor the impact of the extended opening hours in the interests of amenity, and in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC61.

- 2 The drive thru facility hereby permitted shall only be open to the public between the hours of 7.00 am and 11.00 pm on any day of the week.

Reason:-

To enable the Local Planning Authority to retain control in the interests of amenity and in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

INFORMATIVES:

Please note that this permission does not in any way alter or remove any previous conditions imposed by the Local Planning Authority on the original approved application P0755.09

Reason for approval:

The proposed development is considered to be in accordance with the aims, objectives and provisions of Policy DC61 of the LDF Development Control Policies Development Plan Document.

Dated: 7th January 2011



Patrick Keyes
Head of Development and Building Control
London Borough of Havering
Mercury House, Mercury Gardens
Romford RM1 3SL

IMPORTANT - attention is drawn to the notes overleaf

**NOTES IN CONNECTION WITH APPROVAL OF APPLICATIONS SUBJECT TO CONDITIONS
OR REFUSAL OF APPLICATIONS FOR PLANNING PERMISSION**

- (1) If the applicant is aggrieved by the decision of the local planning authority to refuse permission or to grant permission or approval subject to conditions, an appeal may be made to the First Secretary of State at the Department for Communities and Local Government in accordance with Section 78 of the Town and Country Planning Act 1990 within six months of the date of this notice. However, if an enforcement notice is subsequently served relating to the same or substantially similar land and development and you want to appeal you must do so within 28 days of the service of the enforcement notice, or within 6 months of the date of this notice, whichever period expires earlier.

Appeals must be made on a form which is obtainable from the Planning Inspectorate, Customer Support Unit, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or from the Planning Inspectorate's web site, www.planning.inspectorate.gov.uk

- (2) When submitting the completed appeal form to the Planning Inspectorate, a copy should be sent to Planning, London Borough of Havering, 7th Floor Mercury House, Mercury Gardens, Romford, RM1 3SL. The First Secretary of State has power to allow a longer period for the giving of a notice of appeal but will not normally be prepared to exercise these powers unless there are special circumstances which excuse the delay in giving notice of appeal. The First Secretary of State is not required to entertain an appeal if it appears that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements to the provisions of the development order, and to any directions given under the order. Where the decision of the local planning authority is based upon a direction from the First Secretary; it is not the practise to refuse to accept appeals solely because of this direction.
- (3) If permission to develop land is refused or granted subject to conditions, whether by the local planning authority or by the First Secretary of State and the owner of the land claims that the land has become incapable of reasonable beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, a purchase notice may be served on the London Borough of Havering requiring the council to purchase the land in accordance with the provision of Part VI of the Town and Country Planning Act 1990.
- (4) In certain circumstances, a claim may be made against the local planning authority for compensation where there has been an appeal or where an application has been referred to the First Secretary, and where planning permission is refused or granted subject to conditions. The circumstances in which such compensation is payable are set out in section 114 of the Town and Country Planning Act 1990.
- (5) The statutory requirements are those set out in section 79(6) of the Town and Country Planning Act 1990, namely Sections 70, 71 and 72(1) of the Act.

You are reminded that Building Regulations approval may also be required for these works. You must contact the Building Control Manager or Building Inspector to confirm if permission is required.

Note: Following a change in government legislation a fee is now required for the request for Submission of details pursuant to discharge of conditions in order to comply with the Town and Country Planning (Fees for Applications and Deemed Applications) (Amendment) (England) Regulations, which came into force from 06/04/2008. A fee of £85 per request (or £25 where the related permission was for extending or altering a dwellinghouse) will be required.



LONDON BOROUGH OF HAVERING

TOWN AND COUNTRY PLANNING ACT 1990

AGENT

Mrs Sarah Carpenter
Planware Ltd
The Granary
37 Walnut Tree Lane
Sudbury
CO10 1BD

APPLICANT

McDonald's Restaurant Ltd
11 - 50 High Road
East Finchley
London
N2 8AW

APPLICATION NO: P0781.13

In pursuance of their powers as Local Planning Authority, the Council have considered your application and have decided to **GRANT PLANNING PERMISSION** for the following development :

Proposal: The reconfiguration of the drive thru lane and car park to provide a side-by-side order point, incorporating a new island for signage and reconfigured kerb lines including associated works to the site. The relocation of one booth window and the closure of a pedestrian access point onto the site to accommodate the new drive thru layout. The installation of 2 x Customer Order Displays (COD) with associated canopies. Amendments to the existing signage.

Location: McDonald's Restaurants Ltd
Straight Road
Harold Hill
Romford

The above decision is based on the details in drawing(s):

0912-0825-01 Rev. A
0912-0825-02 Rev. A
0912-0825-03 Rev. D
0912-0825-300 Rev. E
0912-0825-301 Rev. A
McDonalds/002/2008
Sign type 8

subject to compliance with the following condition(s):

- 1 The development to which this permission relates must be commenced not later than three years from the date of this permission.

Reason:-

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

- 2 The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans (as set out on page one of this decision notice).

Reason:-

The Local Planning Authority consider it essential that the whole of the development is carried out and that no departure whatsoever is made from the details approved, since the development would not necessarily be acceptable if partly carried out or carried out differently in any degree from the details submitted. Also, in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

INFORMATIVE(S)

- 1 Statement Required by Article 31 (cc) of the Town and Country Planning (Development Management) Order 2010: No significant problems were identified during the consideration of the application, and therefore it has been determined in accordance with paragraphs 186-187 of the National Planning Policy Framework 2012.
- 2 Notwithstanding the details indicated on the submitted plans it should be noted that this approval does not pertain to signage which forms part of a separate signage application.

Dated: 10th September 2013



Patrick Keyes
Head of Regulatory Services
London Borough of Havering
Mercury House, Mercury Gardens
Romford RM1 3SL



IMPORTANT - attention is drawn to the notes overleaf

**NOTES IN CONNECTION WITH APPROVAL OF APPLICATIONS SUBJECT TO CONDITIONS
OR REFUSAL OF APPLICATIONS FOR PLANNING PERMISSION**

- (1) If the applicant is aggrieved by the decision of the local planning authority to refuse permission or to grant permission or approval subject to conditions, an appeal may be made to the First Secretary of State at the Department for Communities and Local Government in accordance with Section 78 of the Town and Country Planning Act 1990 within six months of the date of this notice. However, if an enforcement notice is subsequently served relating to the same or substantially similar land and development and you want to appeal you must do so within 28 days of the service of the enforcement notice, or within 6 months of the date of this notice, whichever period expires earlier.

Appeals must be made on a form which is obtainable from the Planning Inspectorate, Customer Support Unit, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or from the Planning Inspectorate's web site, www.planning.inspectorate.gov.uk

- (2) When submitting the completed appeal form to the Planning Inspectorate, a copy should be sent to Planning, London Borough of Havering, 7th Floor Mercury House, Mercury Gardens, Romford, RM1 3SL. The First Secretary of State has power to allow a longer period for the giving of a notice of appeal but will not normally be prepared to exercise these powers unless there are special circumstances which excuse the delay in giving notice of appeal. The First Secretary of State is not required to entertain an appeal if it appears that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements to the provisions of the development order, and to any directions given under the order. Where the decision of the local planning authority is based upon a direction from the First Secretary; it is not the practise to refuse to accept appeals solely because of this direction.
- (3) If permission to develop land is refused or granted subject to conditions, whether by the local planning authority or by the First Secretary of State and the owner of the land claims that the land has become incapable of reasonable beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, a purchase notice may be served on the London Borough of Havering requiring the council to purchase the land in accordance with the provision of Part VI of the Town and Country Planning Act 1990.
- (4) In certain circumstances, a claim may be made against the local planning authority for compensation where there has been an appeal or where an application has been referred to the First Secretary, and where planning permission is refused or granted subject to conditions. The circumstances in which such compensation is payable are set out in section 114 of the Town and Country Planning Act 1990.
- (5) The statutory requirements are those set out in section 79(6) of the Town and Country Planning Act 1990, namely Sections 70, 71 and 72(1) of the Act.

You are reminded that Building Regulations approval may also be required for these works. You must contact the Building Control Manager or Building Inspector to confirm if permission is required.

Note: Following a change in government legislation a fee is now required for the request for Submission of details pursuant to discharge of conditions in order to comply with the Town and Country Planning (Fees for Applications and Deemed Applications) (Amendment) (England) Regulations, which came into force from 06/04/2008. A fee of £85 per request (or £25 where the related permission was for extending or altering a dwellinghouse) will be required.

LONDON BOROUGH OF HAVERING

TOWN AND COUNTRY PLANNING ACT 1990

AGENT

Mr Mark Wilson
DESIGN OFFICE ARCHITECTURE
22 Westwood Court
Leeds
West Yorkshire
LS16 5NT

APPLICANT

Mr Gerry Byrne
GJB Trading Ltd
McDonalds Restaurants Ltd
Straight Road
Romford
RM3 8XR

APPLICATION NO: P0143.14

In pursuance of their powers as Local Planning Authority, the Council have considered your application and have decided to **GRANT PLANNING PERMISSION** for the following development :

Proposal: Variation of condition 5 of application P0755.09 in order to extend the drive-through opening hours to coincide with the trading hours of the eat-in restaurant

Location: McDonalds Restaurants Ltd
Straight Road
Romford

The above decision is based on the details in drawing(s):

14-101/#825/P.01

14-101/#825/P.02

subject to compliance with the following condition(s):

Note to Applicants:

Please take the time to read the conditions stated below carefully. Some may require you to seek the Council's approval prior to works beginning on site. The approval process can take a further 8 weeks from the date of submission and you are advised to incorporate this into your timetable.

- 1 The drive thru facility hereby permitted shall only be open to the public between the hours of 7.00 am and 11.00 pm on any day of the week.

Reason:-

To enable the Local Planning Authority to retain control in the interests of amenity and in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

INFORMATIVE(S)

- 1 Statement Required by Article 31 (cc) of the Town and Country Planning (Development Management) Order 2010: No significant problems were identified during the consideration of the application, and therefore it has been determined in accordance with paragraphs

1 186-187 of the National Planning Policy Framework 2012.

Dated: 28th August 2014



Patrick Keyes
Head of Regulatory Services
London Borough of Havering
Mercury House, Mercury Gardens
Romford RM1 3SL



IMPORTANT - attention is drawn to the notes overleaf

**NOTES IN CONNECTION WITH APPROVAL OF APPLICATIONS SUBJECT TO CONDITIONS
OR REFUSAL OF APPLICATIONS FOR PLANNING PERMISSION**

- (1) If the applicant is aggrieved by the decision of the local planning authority to refuse permission or to grant permission or approval subject to conditions, an appeal may be made to the First Secretary of State at the Department for Communities and Local Government in accordance with Section 78 of the Town and Country Planning Act 1990 within six months of the date of this notice. However, if an enforcement notice is subsequently served relating to the same or substantially similar land and development and you want to appeal you must do so within 28 days of the service of the enforcement notice, or within 6 months of the date of this notice, whichever period expires earlier.

Appeals must be made on a form which is obtainable from the Planning Inspectorate, Customer Support Unit, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or from the Planning Inspectorate's web site, www.planning.inspectorate.gov.uk

- (2) When submitting the completed appeal form to the Planning Inspectorate, a copy should be sent to Planning, London Borough of Havering, 7th Floor Mercury House, Mercury Gardens, Romford, RM1 3SL. The First Secretary of State has power to allow a longer period for the giving of a notice of appeal but will not normally be prepared to exercise these powers unless there are special circumstances which excuse the delay in giving notice of appeal. The First Secretary of State is not required to entertain an appeal if it appears that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements to the provisions of the development order, and to any directions given under the order. Where the decision of the local planning authority is based upon a direction from the First Secretary, it is not the practise to refuse to accept appeals solely because of this direction.
- (3) If permission to develop land is refused or granted subject to conditions, whether by the local planning authority or by the First Secretary of State and the owner of the land claims that the land has become incapable of reasonable beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, a purchase notice may be served on the London Borough of Havering requiring the council to purchase the land in accordance with the provision of Part VI of the Town and Country Planning Act 1990.
- (4) In certain circumstances, a claim may be made against the local planning authority for compensation where there has been an appeal or where an application has been referred to the First Secretary, and where planning permission is refused or granted subject to conditions. The circumstances in which such compensation is payable are set out in section 114 of the Town and Country Planning Act 1990.
- (5) The statutory requirements are those set out in section 79(6) of the Town and Country Planning Act 1990, namely Sections 70, 71 and 72(1) of the Act.

You are reminded that Building Regulations approval may also be required for these works. You must contact the Building Control Manager or Building Inspector to confirm if permission is required.

Note: Following a change in government legislation a fee is now required for the request for Submission of details pursuant to discharge of conditions in order to comply with the Town and Country Planning (Fees for Applications and Deemed Applications) (Amendment) (England) Regulations, which came into force from 06/04/2008. A fee of £85 per request (or £25 where the related permission was for extending or altering a dwellinghouse) will be required.



Havering
LONDON BOROUGH

LONDON BOROUGH OF HAVERING

TOWN AND COUNTRY PLANNING ACT 1990

AGENT

Mr Mark Wilson
THE OLD GARAGE
22 Weetwood Court
LEEDS
West Yorkshire
LS16 5NT

APPLICANT

Mr Gerry Byrne
GJB Trading Ltd
McDonalds Restaurants Lt
Straight Road
Romford
RM3 8XR

APPLICATION NO: P1643.14

In pursuance of their powers as Local Planning Authority, the Council have considered your application and have decided to **GRANT PLANNING PERMISSION** for the following development :

Proposal: Variation of condition 5 of application P0755.09 (as amended by application P0143.14) in order to extend the drive-through opening hours from 07:00-23:00hrs 7 days a week, to 06:30-23:30hrs 7 days a week.

Location: McDonalds Restaurants Ltd
Straight Road
Romford

The above decision is based on the details in drawing(s):

14-113/#825/P.01

14-113/#825/P.02

Supporting Statement by Design Office Architectural Ltd

subject to compliance with the following condition(s):

Note to Applicants:

Please take the time to read the conditions stated below carefully. Some may require you to seek the Council's approval prior to works beginning on site. The approval process can take a further 8 weeks from the date of submission and you are advised to incorporate this into your timetable.

- 1 The drive thru facility hereby permitted shall only be open to the public between the hours of 06.30 and 23:30 on any day of the week.

Reason:-

To enable the Local Planning Authority to retain control in the interests of amenity and in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

INFORMATIVE(S)

- 1 Statement Required by Article 35 (2) of the Town and Country Planning (Development


P1643.14

Page 1 of 3

havpdeca

- 1 Management Procedure) (England) Order 2015: During consideration by the committee, members placed different weight on the planning merits and decided to approve planning permission.

Dated: 25th June 2015



Patrick Keyes
Head of Regulatory Services
London Borough of Havering
Mercury House, Mercury Gardens
Romford RM1 3SL

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