



Haverling

LONDON BOROUGH

LICENSING SUB-COMMITTEE STATION LANE EXPRESS

AGENDA

10.30 am	Friday 8 September 2017	Council Chamber - Town Hall
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Members 3: Quorum 2

COUNCILLORS:

Linda Trew (Chairman)
Wendy Brice-Thompson
Phil Martin

**For information about the meeting please contact:
Taiwo Adeoye - 01708 433079
taiwo.adeoye@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)

Procedure for the Hearing: Licensing Act 2003

5 APPLICATION FOR VARIATION TO A PREMISES LICENCE - STATION LANE EXPRESS, 89 STATION LANE, HORNCHURCH, RM12 6JUI. (Pages 7 - 34)

Andrew Beesley
Head of Democratic Services

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LICENSING SUB-COMMITTEE

REPORT

8 September 2017

Subject Heading:

**Procedure for the Hearing:
Licensing Act 2003**

Report Author and contact details:

**Taiwo Adeoye – Democratic Services
Officer
01708 43433079
taiwo.adeoye@onesource.co.uk**

Members are advised that, when considering an application to vary 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. Location and facilities:

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

4. Notification of attendance:

- 4.1 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.

5. Procedural matters:

- 5.1 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.
- 5.2 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 5 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.**

6. Failure of parties to attend the hearing:

- 6.1 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.

7. Adjournments and extension of time:

- 7.1 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.

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

- 8.1 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.
- 8.2 The Sub-Committee will normally make its determination and announce its decision at the end of the hearing.
- 8.3 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.

9. Power to exclude people from hearing:

- 9.1 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.

10. Recording of proceedings:

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

11. Power to vary procedure:

- 11.1 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.



Havering
LONDON BOROUGH

Licensing Officer's Report



LICENSING SUB-COMMITTEE 8 September 2017

REPORT

Subject heading:

Station Lane Express
89 Station Lane, Hornchurch, RM12
6JU

Report author and contact details:

Premises Licence Variation
Kasey Conway, Licensing Officer
5th floor Mercury House
licensing@havering.gov.uk

This application for a variation to a premises licence is made by Mr Jacob Kattooparambil Cherian under section 34 of the Licensing Act 2003. The application was received by Havering's Licensing Authority on 24/07/2017.

Geographical description of the area and description of the building

This premises is a semi-detached convenience store situated within a parade of shops in Station Lane. It is situated 251 meters east of the junction with High Street. There are residential properties above, to the left of the shop and opposite.

A map of the area is attached.

Details of the application

Current premises licence hours:

Day	Start	Finish
Monday	08:00	20:00
Tuesday	08:00	20:00
Wednesday	08:00	20:00
Thursday	08:00	20:00
Friday	08:00	20:00
Saturday	08:00	20:00
Sunday	08:00	20:00

Variation applied for:

Day	Start	Finish
Monday	08:00	23:00
Tuesday	08:00	23:00
Wednesday	08:00	23:00
Thursday	08:00	23:00
Friday	08:00	23:00
Saturday	08:00	23:00
Sunday	08:00	23:00

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 4th August 2017 edition of the Yellow Advertiser.

The premise currently carries out licensable activity between the hours of 08:00 to 20:00.

Even though the shop is outside of Hornchurch Town Centre, it still falls within St Andrews ward which forms part of St Andrews Cumulative Impact Zone.

Summary

There were 0 representations against this application from interested persons.



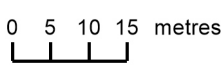
There were 1 representation against this application from responsible authorities.
Licensing Authority.



Havering
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Map of the area



<p>Station Lane Express</p>	
	<p>Scale: 1:1000</p> <p>Date: 25 July 2017</p> 



Haverling
LONDON BOROUGH

Copy of Application

* required information

Section 1 of 17

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

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

Yes No

Applicant Details

* First name

* Family name

* E-mail

Main telephone number 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

Note: completing the Applicant Business section is optional in this form.

Registration number

Business name If your business is registered, use its registered name.

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

Legal status

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

United Kingdom

Section 2 of 17

APPLICATION DETAILS

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

I/we, as named in section 1, being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in section 2 below.

* Premises Licence Number

011955

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

89

Street

Station Lane

District

City or town

Hornchurch

County or administrative area

Essex

Postcode

RM12 6JU

Country

United Kingdom

Premises Contact Details

Telephone number

07429907048

Continued from previous page...

Non-domestic rateable
value of premises (£)

13,250

Section 3 of 17

VARIATION

Do you want the proposed
variation to have effect as
soon as possible? Yes No

Do you want the proposed variation to have effect in relation to the
introduction of the late night levy?

Yes No

You do not have to pay a fee if the only
purpose of the variation for which you are
applying is to avoid becoming liable to the
late night levy.

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

Describe Briefly The Nature Of The Proposed Variation

Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.

This is an off license and convenient store. We hope to sell bottles of wine or spirit from 35cl and above, beer in single and be able to stock beers, ciders, lagers or mixed spirit drinks with an ABV of up to 9%.

Section 4 of 17

PROVISION OF PLAYS

Will the schedule to provide plays be subject to change if this application to
vary is successful?

Yes No

Section 5 of 17

PROVISION OF FILMS

Will the schedule to provide films be subject to change if this application to
vary is successful?

Yes No

Section 6 of 17

PROVISION OF INDOOR SPORTING EVENTS

Will the schedule to provide indoor sporting events be subject to change if
this application to vary is successful?

Continued from previous page...

Yes

No

Section 7 of 17

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

Will the schedule to provide boxing or wrestling entertainments be subject to change if this application to vary is successful?

Yes

No

Section 8 of 17

PROVISION OF LIVE MUSIC

Will the schedule to provide live music be subject to change if this application to vary is successful?

Yes

No

Section 9 of 17

PROVISION OF RECORDED MUSIC

Will the schedule to provide recorded music be subject to change if this application to vary is successful?

Yes

No

Section 10 of 17

PROVISION OF PERFORMANCES OF DANCE

Will the schedule to provide performances of dance be subject to change if this application to vary is successful?

Yes

No

Section 11 of 17

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

Will the schedule to provide anything similar to live music, recorded music or performances of dance be subject to change if this application to vary is successful?

Yes

No

Section 12 of 17

PROVISION OF LATE NIGHT REFRESHMENT

Will the schedule to provide late night refreshment be subject to change if this application to vary is successful?

Yes

No

Section 13 of 17

SUPPLY OF ALCOHOL

Will the schedule to supply alcohol be subject to change if this application to vary is successful?

Yes

No

Continued from previous page...

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide 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.

None

Continued from previous page...

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

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

None

Section 14 of 17

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.

Provide 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 15 of 17

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide 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

Continued from previous page...

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.

None

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

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

None

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

1. The premises shall not stock and beers, ciders, lagers or spirit-mixed drinks with an ABV over 5.5%.
2. The premises shall not stock any cans/bottles of lager, cider, beer or spirit-based mixers unless they are in packs of four or more.
3. No bottles of wine or spirits less than 75cl shall be sold off the premises.

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

Reasons why I have failed to enclose the premises licence or relevant part of premises licence.

Section 16 of 17

LICENSING OBJECTIVES

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

Continued from previous page...

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

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

Provide effective training to all staff such that they are made aware of all 4 licensing objectives. Specific attention to the following: to not entertain drunk/ disorderly behavior by anyone on the premises, preventing the use and sale of illegal drugs on the premises, not to sell alcohol/ cigarettes to anyone under age, prevent any anti-social/ violent behavior and to make sure it is reported to the authorities and finally child safety to be made priority.

Under age – implement a strict "Challenge 25" information to prevent the supply of alcohol to under-age drinkers. To provide good training for staff on the Licensing Act (Training Record)

Operating Schedule providing the hours of operation and licensable activities during those hours

We have CCTV installed in the shop and roller metal window shutters to ensure that the shop is secure at all times. As a licensed premise, we know that it is necessary to carry out our functions or operate their businesses with a purpose of promoting these objectives. We promise to support these objectives through their operating schedules and other measures (including staff training and qualifications, policies, and strategic partnerships with other agencies).

b) The prevention of crime and disorder

We have installed CCTV (with a 30 day backup) to monitor both the entrance and exit and other parts of the premises. Should there be any occasion that customers are intoxicated or drunk to make sure alcohol is not sold to them. To be vigilant and prevent the use of illegal drugs/ substances are not used/sold in the retail unit area. A clear and legible notice outside the premises indicating the normal hours under the terms of the premises license during which licensable activities are permitted. Staff will be well trained in asking customers to use premises in an orderly and respectful manner and prevent drinking alcohol in the shop.

c) Public safety

Internal and external lighting fixed to promote the public safety objective. Well trained staff adherence to environmental health requirements. Training and implementation of underage ID checks. A log book or recording system shall be kept upon the premises in which shall be entered particulars of inspections made; those required to be made by statute, and information compiled to comply with any public safety condition attached to the premises licence that requires the recording of such information. The log book shall be kept available for inspection when required by persons authorised by the Licensing Act 2003 or associated legislation. All parts of the premises and all fittings and apparatus therein, door fastenings and notices, lighting, heating, electrical, sanitary accommodation and other installations, will be maintained at all times in good order and in a safe condition.

d) The prevention of public nuisance

Noise – as we are in an area in which there are residence close by make sure customers are aware to keep noise on a minimum especially after 9pm. Keeping the windows and doors closed to reduce noise but also remembering to keep the premises well ventilate and also not to block any fire exists in an event of a fire. Ensuring that equipment, e.g. kitchen extraction, refrigerators and air conditioning units are regularly maintained to make sure they are working properly and not causing noise problems. All staff will be trained not to empty the bin and glass waste late in the evening. You are encouraged to build and maintain good relationships with local people and be proactive about controlling noise from your premises.

Odour and Litter –

To minimise the possibility of nuisance, reasonable care should be taken to ensure that:

- Waster bins are sealed and are in suitable size for the business
- Waste is regularly disposed and collected.
- Kitchens are provided with grease-traps and are cleaned regularly to prevent blockages. Food waste should not be put into the drainage system

Light - Turn off lighting when it's not in use or consider using a time-switch where possible and Carefully consider where the light is located and aim the beam away from sensitive premises and transport routes.

Continued from previous page...

Maintain high level of hygiene at all times, Cut down on the use of promotional leaflets and publicity materials. Only hand flyers directly to members of the public and avoid putting leaflets on vehicle windscreens, encourage customers to dispose of their litter responsibly using posters and displays inside your premises and on bins.

e) The protection of children from harm

"Challenge 25" sign which is a retailing strategy that encourages anyone who is over 18 but looks under 25 to carry acceptable ID (a card bearing the PASS (Proof of Age Standard Scheme) hologram, a photographic driving license or a passport) if they wish to buy alcohol or tobacco. Well trained staff about requirement for persons' identification, age establishment etc. All the details provided in Training Record Book available the retail unit.

Incident book will be kept upon the premises all the time, to make sure the following are recorded whenever a sale is refused:

- Time
- Date
- Type of alcohol attempted to be purchased
- A description of the child or the individual
- Type of ID presented to you (if any provided)

Make sure the staff are training on guidance provided by Home Office to spot fake ID's.

Section 17 of 17

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.

Variation 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 - £100.00

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

If you own a large premise 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 (£)

190.00

DECLARATION

Continued from previous page...

* 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

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

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Public Notices

NOTICE OF APPLICATION TO VARY A PREMISES LICENCE UNDER SECTION 34 OF THE LICENSING ACT 2003
APPLICANT: Jacob Kattooparambil Cherian
PREMISES: 89 Station Lane, Hornchurch, RM12 6JU

The proposed licensable activity is: This is an off license and convenient store. We hope to sell bottles of wine or spirit from 35cl and above, beer in single and be able to stock beers, ciders, lagers or mixed spirit drinks with an ABV of up to 9%. The sale of alcohol from: 9am to 11pm seven days a week.

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:

London Borough of Havering,
Licensing Team,
Town Hall Main Road,
ROMFORD, RM1 3BD
Website: www.havering.gov.uk

Such representation must be received in writing by: 21/08/2017, clearing stating the grounds upon which the representation is made in relation to the four objectives of the Licensing Act 2003.

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JOAN DANKS (Deceased)

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Edwin Coe LLP, 2 Stone Buildings, Lincoln's Inn, London WC2A 3TH. Ref: BOS/DAN.55.1

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Havering
LONDON BOROUGH

Representation from
Responsible Authority

Licensing Act 2003 Responsible Authority representation

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

Premises Name and address: Station Lane Express, 89 Station Lane, Hornchurch, RM12 6JU

Your Name: _ Paul Campbell

Organisation name/name of body you represent: London Borough of Havering Licensing Authority

Your Address: Town Hall, Main Road, Romford, RM1 3BD

Email: licensing@havering.gov.uk

Contact telephone number: 01708 432777

Summary of Objection: In this application is to vary the Premises Licence, the applicant has asked to remove conditions placed on the premises licence by a Licensing Sub-Committee in 2012 and to extend the hours which were also imposed at that time. No reference is made in the operating schedule directly relating to the conditions asked to be removed or extended hours.

They have also failed to acknowledge that the venue is in a communitive impact area outlined in Havering's Statement of Licensing Policy and what measures will be put into place to make this application an exception to the policy.

Policy Considerations

1.7 Applicants for premises licences should be aware of the expectations of the licensing authority and the responsible authorities as to the steps for the promotion of the licensing objectives, and to demonstrate knowledge of their local area when describing the steps they propose to take to promote the licensing objectives.

4.1 The licensing objectives

The prevention of crime and disorder

Public safety

The prevention of public nuisance

The protection of children from harm

are at the heart of the licensing regime. Applicants must demonstrate in their operating schedules as part of an application how they will address each objective. The Licensing Authority will make decisions about applications, variations and reviews based on the promotion of the same objectives. Those making representations to the Licensing sub-committee must base them on the Licensing objectives.

4.3 The completion of a full and detailed operating schedule will give those reading the application greater confidence that the applicant seeks to make a positive contribution and is demonstrating a commitment to both those living in the vicinity and the licensing objectives.

Applicants are expected to:

- Demonstrate knowledge of the local area when describing the steps they propose to take to

promote the licensing objectives;

- Undertake enquiries about the area in which the premises are situated to inform the content of the application;
- Obtain sufficient information to enable them to demonstrate, when setting out the steps they propose to take to promote the licensing objectives, that they understand;
 - The layout of the local area and physical environment including crime and disorder hotspots, proximity to residential premises and proximity to areas where children congregate.
 - Any risk posed to the local area by the applicants' proposed licensable activities;
 - Any local initiatives (for example, local crime reduction initiatives or voluntary schemes including local taxi-marshalling schemes, street pastors and other schemes) which may help to mitigate potential risks.

Applicants are also expected to include positive proposals in their application as to how they will manage any potential risks.

4.4 Where specific policies apply in the area (for example, a Cumulative Impact Policy), applicants are also expected to:

- Demonstrate an understanding of how the Policy impacts on their application,
- Identify any measures they will take to mitigate the impact, and
- Confirm why they consider their application should be an exception to the Policy.

4.6 Lists of questions which should be considered in operating schedules are included in Appendix 2. A model pool of conditions which can also be of assistance is included at Appendix 4.

4.8 The failure by an applicant to clearly and fully demonstrate in the operating schedule that they have properly considered the promotion of the four licensing objectives is a legitimate concern should the application come before the Licensing sub-committee.

5.0 Location and Special Policies eg Cumulative Impact.

Licensing 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.**

Licensing Policy 2

The Licensing Authority has adopted a special Policy relating to Cumulative Impact in relation to:

- Romford town centre within the ring road**
- St Andrews Ward**

This Policy creates a rebuttable presumption that applications for new premises licences, club premises certificates, or variation applications that will 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 and not impact adversely on the promotion of the licensing objectives. The exception to this policy will be for applications for restaurants where alcohol is sold ancillary to a table meal and the terminal licensing hour is in line with the Policy.

5.1 The effect of adopting a special Policy of this kind is to create a rebuttable presumption that where representations are received applications will normally be refused unless the applicant can demonstrate, in their operating schedule, that there will be no adverse cumulative impact on the licensing objectives

5.3 This special Policy is not absolute. The circumstances of each application within the cumulative impact area will be considered upon its own merits and the Licensing Authority shall permit licences and certificates that are unlikely to add to the cumulative impact on the licensing objectives to be granted.

5.5 Examples of applications that the Licensing Authority may consider as exceptional may include, though not are limited to:

- Small premises with a capacity of 50 persons or less only intending to operate during hours specified in Licensing Policy 7
- Premises which are not alcohol led and operate only within the hours specified in Licensing Policy 7 such as coffee shops.

5.6 Examples of factors the Licensing Authority will **not** consider as exceptional include:

- Premises will be well managed and run
- Premises will be constructed to a high standard
- Applicant operates similar premises elsewhere without complaint
- Similar premises operate in the area.

Licensing Policy 10

The Licensing Authority expects licensees to operate to the highest standards of management, and to cooperate with responsible authorities to prevent:

- The sale of alcohol to underage children;**
- Drunkenness on premises;**
- Irresponsible drinks promotions.**

Licensing Policy 19

The Licensing Authority will require consideration of measures to protect children from harm to be reflected in the operating schedule where applicants identify the need, having regard to their type of premises or licensable activities. Applicants for premises licences and club premises certificates authorising the admission of children without accompanying responsible adults will be required to submit a safeguarding children protection Policy detailing the steps to be taken to ensure that children in their charge will be protected from harm when on licensed premises or engaged in activities relating to the licence.

7.19 The Licensing Authority also recognises that children are one of the most vulnerable groups in our society and that some activities associated with the licensed premises are not appropriate for children. The Licensing Authority will be looking for management arrangements to be in place to address this. Following relevant representations, it will consider the imposition of additional controls by way of licence conditions where activities take place on the premises may present as risk of physical, moral or psychological harm to children. It will also look for strict controls in place to prevent the sale of alcohol to underage children especially in relation to off- licence premises.

Representation

I wish to make representation as a Responsible Authority against the application under the Licensing Objective Grounds of the Prevention of Crime and Disorder, Public Safety, Prevention of Public Nuisance and the Protection of Children from Harm.

The premises at 89 Station Lane is at the moment a convenience store which is permitted to sell alcohol for off supply Monday to Sunday 08:00 to 20:00. It is located in a parade of shops which has residential properties above. It is in St Andrews Ward which is highlighted in Havering's Licensing Policy as an area of communitive impact.

Varying a licensed to a premises in Hornchurch without the correct conditions on their licence and procedures in place will add to the communitive impact area in a negative way. This application requesting longer licensed hours will create additional disturbance for neighbours and additional hours where children have to be protected from harm.

This venue applied for a Premises Licence in August 2012 for the sale of alcohol Monday to Sunday 06:00 to 23:00 objections were received at that time from Police, Licensing Authority and Interested Parties. A hearing of the Licensing Sub-Committee took place on 27th September 2012 where conditions and reduced times were imposed on the licence. A copy of that decision notice is attached as part of my representation.

The premises was transferred on 7th August 2014 with a second transfer to Mr Jacob Cherian the current licence holder on 4th May 2017 and this application to vary the licence two months later on 24th July 2017.

The premises have been operating as a convenience store/off licence without issue since September 2012.

Havering's Licensing Policy 1.7

"demonstrate knowledge of their local area when describing the steps they propose to take to promote the licensing Objectives"

This application it does not make any reference to Havering's licensing policy, it does not mention St Andrews communitive impact area, no additional information has been received even though this fact was highlighted to the applicant in my email and letter when acknowledging receipt of the application on 27th July 2017.

Havering's Licensing Policy 4.3

This lays out expectations on an applicant so that any person reading the application will understand how this application will make a positive commitment to persons living in the vicinity and the licensing objectives.

This application does not do this and the items listed in the policy are not addressed in the document.

Havering's Licensing Policy 4.4

This lays out three points relating to a communitive impact area

- Demonstrate an understanding of how the Policy impacts on their application,
- Identify any measures they will take to mitigate the impact, and
- Confirm why they consider their application should be an exception to the Policy.

This application does not address these points

Havering's Licensing Policy 4.6

This is a list of questions which should be considered by all applicants in their operating schedule – These questions are in the policy to assist applicants in making a full and meaningful application – This application asks for conditions to be removed and additional times but does not address these conditions in the operating schedule or the measures that will be in place relating to these conditions to promote the four licensing objectives.

Havering's Licensing Policy 4.8

The failure by an applicant to clearly and fully demonstrate in the operating schedule that they have properly considered the promotion of the four licensing objectives is a legitimate concern should the application come before the Licensing sub-committee.

Havering's Licensing Policy 5.1

Creates a rebuttable presumption that when representations are received applications will normally be refused unless the applicant can demonstrate, in their operating schedule, that there will be no adverse cumulative impact on the licensing objectives. –

It is my opinion that the operating schedule in this application does not address the communitive impact in any way, on this point alone consideration should be given to rejecting this application.

Havering's Licensing Policy 5.3

Reminds us that the policy is not absolute and each application should be dealt with on its own merits –

This application should be judged on its own merits it is my opinion that this application does not address the items it is asking to vary.

Havering's Licensing Policy 5.5 & 5.6

Help an applicant to include things that may be considered as exceptional – none of these are included in the application

This application is inadequate for a premises licence located in an area of communitive impact (St Andrews Ward).

I urge the Licensing Sub-Committee to follow Havering's Licensing Policy (5.0 Location and Special Policies e.g. Cumulative Impact) and refuse this application.

If refused and if the applicant wishes they can then make a fresh application with complete and full information the operating schedule will be complete to a standard that will limit any negative impact on the vicinity. Appropriate conditions can be offered in the application so that problems do not arise in the future if the licence is transferred to another person/body.

Complaint and Inspection History (if applicable)

Other documents attached

Email sent 27th July 2017 to agent.
Acknowledgment letter attached to the above email.

Signed



dated

02/08/2017

Taiwo Adeoye

From: Paul Campbell
Sent: 25 July 2017 10:50
To: 'keviljacob@yahoo.co.uk'
Subject: Vary Premises Licence Application
Attachments: PPC06051.doc

Licensing Act 2003 – Vary Premises Licence Application

Station Lane Express, 89 Station Lane, Hornchurch, RM12 6JU

Please find attached the acknowledgment letter for the application to vary the premises licence at the above venue
Please note the comments in the letter regarding the communitive impact area

Paul Campbell – Licensing Specialist

London Borough of Havering – Public Protection
Town Hall, Main Road, Romford, RM1 3BB

t 01708 432766

e licensing@havering.gov.uk paul.campbell@havering.gov.uk

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For Attention of
89 Station Lane
Hornchurch
RM12 6JU

Telephone: 01708 432766
Fax: 01708 432554
email: paul.campbell@havering.gov.uk
Text Relay for the deaf, speech impaired or
hard of hearing: 18001 01708 432777

Date: 25 July 2017

Your Reference:
My Reference: PPC/019335

Dear Sir/Madam

Licensing Act 2003
Station Lane Express, 89 Station Lane, Hornchurch, RM12 6JU

I acknowledge receipt of your application to vary the premises licence and confirm that your application was received by this Authority on 24th July 2017. The Licensing Authority will start to process your application from this date.

Should you require any further information, please contact the officer named below by any of the methods mentioned above.

The location of the premises in this application is in St Andrews Ward which is outlined in the London Borough of Havering's Licensing Policy as a Communitive Impact Area. This does not appear to have been addressed in the application. You may wish to amend your application to address this point.

Yours faithfully

Paul Campbell

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