



Haverling

LONDON BOROUGH

LICENSING SUB-COMMITTEE ARONA

AGENDA

10.30 am

**Thursday
9 November 2017**

**Council Chamber -
Town Hall**

Members 3: Quorum 2

COUNCILLORS:

Linda Trew (Chairman)
Jody Ganly
Dilip Patel

**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 hearing - Licensing Act 2003

5 APPLICATION TO VARY A PREMISES LICENCE - ARONA, 89 STATION LANE, HORNCHURCH, RM12 6JU (Pages 7 - 36)

Application for a variation to a premises licence made by Mr Jacob Kattooparambil Cherian under section 34 of the Licensing Act 2003.

Andrew Beesley
Head of Democratic Services

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LICENSING SUB-COMMITTEE

REPORT

9 November 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

REPORT

9 November 2017

Subject heading:

Arona

89 Station Lane Hornchurch RM12 6JU

Premises licence variation application

Paul Jones, Licensing Officer

licensing@havering.gov.uk

01708 432777

Report author and contact details:

This application for a variation to a premises licence is made by Jacob Kattooparambil Cherian under section 34 of the Licensing Act 2003. The application was received by Havering's Licensing Authority on 12th September 2017.

Geographical description of the area and description of the building

This premises is located at the end of a parade of purpose-built commercial outlets located just outside Hornchurch town centre, directly opposite Hornchurch Police station.



Variation applied for:

The application was modified during the consultation process. There is therefore now no longer any application to vary the premises' alcohol supply hours. Instead the following modifications to the licence are sought:

With regard to Annex 3 of the current premises licence:

- 1. No more than 15% of the sales area of the premises shall be devoted to the sale or display of alcohol.*

Condition 1 above – Remove and replace it with "No more than 30% of the sales area of the premises shall be devoted to the sale or display of alcohol."

- 5. 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.*

Condition 5 above – Remove

- 6. No bottles of wine or spirits less than 75cl shall be sold off the premises.*

Condition 6 above – Remove and replace it with "No bottles of wine or spirits less than 20cl shall be sold off the premises."

The applicant also seeks to add a series of conditions to the licence as identified in section 16 of the amended application.

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 22nd September 2017 edition of the Havering edition of the Yellow Advertiser.

Summary

There was one representation against this application from a responsible authority, namely the Metropolitan Police.



Part A

Premises licence number

11955

Part 1 – Premises details

Postal address of premises

Arona
89 Station Lane Hornchurch RM12 6JU

Where the licence is time limited the dates

Not applicable

Licensable activities authorised by the licence

Supply of alcohol

The times the licence authorises the carrying out of licensable activities

Monday to Sunday – 08:00 to 21:00

The opening hours of the premises

Monday to Sunday – 06:00 to 23:00

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

Off supplies only

Part 2

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

Mr Jacob Kattooparambil Cherian
85 Raydons Road Dagenham RM9 5JL

Registered number of holder

Not applicable

1 of 6

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

Mr Jacob Kattooparambil Cherian

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

Mandatory conditions

1. **No supply of alcohol may be made under the premises licence:**
 - (a) at a time when there is no designated premises supervisor in respect of the premises licence, or
 - (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. **Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.**
3. (1) **The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.**
(2) **The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.**
(3) **The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—**
 - (a) a holographic mark, or
 - (b) an ultraviolet feature.
4. **A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.**
5. **For the purposes of the condition set out in paragraph 4 —**
 - (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
 - (b) “permitted price” is the price found by applying the formula —
$$P=D+(D \times V)$$

where —

- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

2 of 6

Mandatory conditions – contd.

- (c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence —

 - (i) the holder of the premises licence,
 - (ii) the designated premises supervisor (if any) in respect of such a licence, or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
 - (d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
 - (e) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.
6. Where the permitted price given by paragraph (b) of paragraph 5 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
7. (1) Sub-paragraph (2) applies where the permitted price given by paragraph (b) of paragraph 5 on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Annex 2 – conditions consistent with the operating schedule

- 1. The premises licence holder shall ensure that notices are prominently displayed at all exits respecting patrons to respect the needs of local residents and leave the area quietly.
- 2. The premises licence holder shall take all reasonable steps to ensure that any persons loitering outside the premises disperse quickly and do not congregate.
- 3. The premises licence holder shall ensure that there is no external disposal of refuse after 21:00 and before 08:00 daily and as far as possible to ensure that deliveries are within those hours with the exception of newspaper deliveries.
- 4. Staff shall routinely check the premises during opening hours to ensure they are clean and tidy and to ensure the frontage of the premises is swept at least once each trading day.
- 5. The premises licence holder shall ensure that reasonable and adequate staff training shall be carried out and properly documented in relation to dealing with incidents and prevention of crime and disorder and sale of alcohol (to underage, persons over 18 purchasing for underage, drunks etc) prior to being allowed to sell alcohol.

6. The premises licence holder shall ensure that all training records for existing staff shall be retained and made available to Police and local authority officers upon reasonable request.
7. The premises licence holder shall ensure that refresher training shall be satisfactorily completed every six months for all staff and documented as above.
8. The premises licence holder shall ensure that the premises shall install and maintain a comprehensive CCTV system including an appropriately placed camera covering the entrance to the property which is capable of providing an image that is regarded as 'identification standard' of all persons entering and/or leaving the premises.
9. The premises licence holder shall ensure that the CCTV system shall continually record while the premises is open for the provision of licensable activity and during all times when customers remain on the premises.
10. The premises licence holder shall ensure that all CCTV recordings shall be stored for a minimum period of 28 days with date and time stamping. Recordings shall be made available following the reasonable request of Police or an authorised officer throughout the preceding 28 day period.
11. The premises licence holder shall ensure that a staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to the public.
12. The premises licence holder shall ensure that adequate first aid equipment and fire safety materials are available on the premises.
13. The premises licence holder shall ensure that in the absence of adequate daylight suitable and sufficient artificial lighting is provided and maintained in any area to which the public have access.
14. The premises licence holder shall ensure that a hard bound incident log shall be kept at the premises and made available on request to an authorised officer of the council or the Police which shall record the following:
 - any complaints received
 - violence by any person against another
 - any other criminal incidents
 - any visit by a relevant authority or emergency service
15. The premises licence holder shall instruct all staff to co-operate and comply with all reasonable requests of Police officers investigating incidents of crime and disorder associated with the premises.
16. The premises licence holder shall operate a 'Challenge 25' or similar scheme at the premises whereby anyone who appears to be under the age of 25 shall be asked to provide proof of age that he or she is over 18 and shall adopt the Challenge 25 Retail of Alcohol Standards Group's advice for off-licences. Such accredited proof of age cards shall be for example cards carrying the 'PASS' logo (and no others), a passport or a UK driving licence bearing the photograph and date of birth of the bearer.
17. Notices shall be displayed in the premises to advise patrons and staff that a 'Challenge 25' or similar scheme operates in the premises.

Annex 2 – conditions consistent with the operating schedule – contd.

18. The premises licence holder shall ensure that any refusals of sale of age-related products are recorded in a hard bound refusals log as soon as is reasonably practicable after the sale is refused. The log should show:

- the date and time of the event**
- the product(s) sought**
- the gender and approximate age of the customer together with a description of the customer**

The log shall be perused daily or weekly by all staff and initialled to this effect. The refusals log shall be checked and signed monthly by the designated premises supervisor. The refusals log shall be made available for inspection by an authorised officer of the Licensing Authority, the Police or a Trading Standards officer.

- 19. The premises licence holder shall ensure that no alcoholic goods will ever be purchased from sellers calling to the shop.**
- 20. The premises licence holder shall ensure that staff shall immediately report to Trading Standards any instance of a caller to the shop attempting to sell alcohol.**
- 21. The premises licence holder shall ensure that spirits in re-sealed cases will not be purchased.**

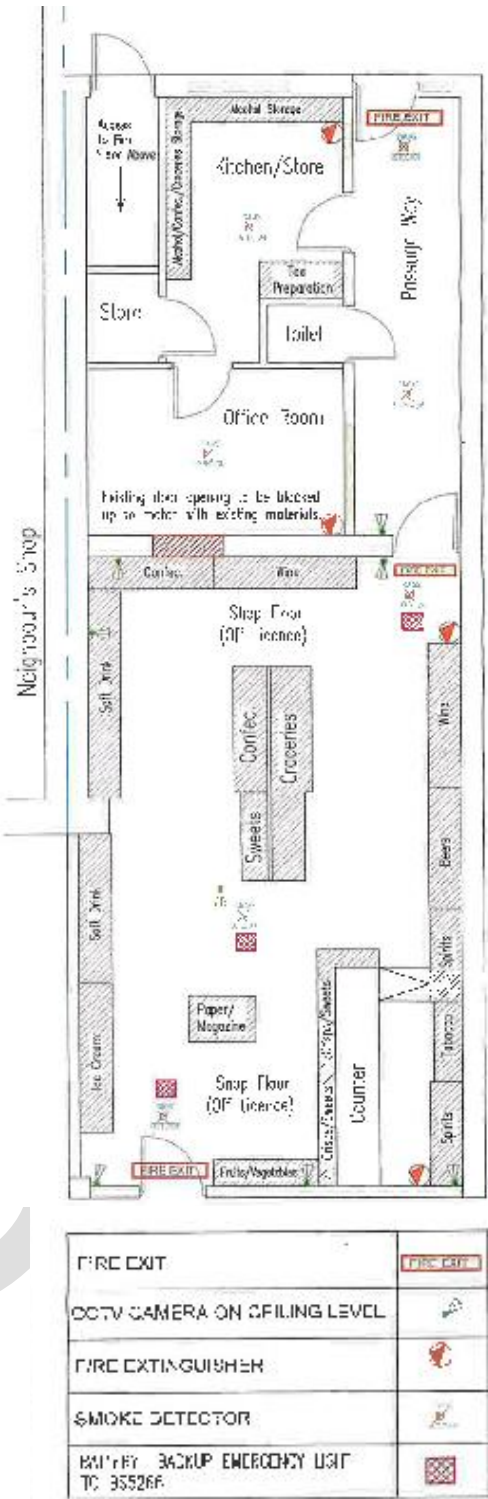
Annex 3 – conditions attached after a hearing by the Licensing Authority

- 1. No more than 15% of the sales area of the premises shall be devoted to the sale or display of alcohol.**
- 2. Prominent clear notices shall be displayed in the premises about the supply of alcohol to minors and the relevant offences involved.**
- 3. The front window of the store shall be kept clear of any promotional posters or anything similar; staff shall be required to monitor outside the premises to prevent any alcohol proxy sales. Warnings should be given to adults about the offence of buying alcohol for those under 18 if suspected.**
- 4. The premises shall not stock any beers, ciders, lagers or spirit-mixed drinks with an ABV over 5.5%.**
- 5. 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.**
- 6. No bottles of wine or spirits less than 75cl shall be sold off the premises.**

5 of 6

Annex 4 – premises plans

Original premises plans are held by the Licensing Authority of the London Borough of Havering.





Part B

Premises licence summary

Premises licence number

11955

Premises details

Postal address of premises

Arona
89 Station Lane Hornchurch RM12 6JU

Where the licence is time limited the dates

Not applicable

Licensable activities authorised by the licence

Supply of alcohol

The times the licence authorises the carrying out of licensable activities

Monday to Sunday – 08:00 to 21:00

The opening hours of the premises

Monday to Sunday – 06:00 to 23:00

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

Off supplies only

Name, (registered) address of holder of premises licence

Mr Jacob Kattooparambil Cherian
85 Raydons Road Dagenham RM9 5JL

Registered number of holder

Not applicable

Name of designated premises supervisor where the premises licence authorises for the supply of alcohol

Mr Jacob Kattooparambil Cherian

1 of 2

State whether access to the premises by children is restricted or prohibited

Not applicable

2 of 2

COPY

Classified

Articles for sale

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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 20cl 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: 8am to 11pm seven days a week and change of conditions.

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: 10/10/2017, clearing 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.

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Excluding overtime - five days per week, including weekends and varying shifts

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At Arriva, we have modern buses that are as easy to drive as a car - only bigger. If you've never driven a bus before, don't worry; we can train you to obtain your PCV licence, your Certificate of Professional Competence (CPC) and route-learning.

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- No more than 6 points on your licence
- No criminal convictions

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For more information please visit www.arrivalondon.com/careers



*Come along for an interview and driving assessment. To speed up your application and avoid delays, please remember to bring your full driving licence to the assessment day and, to meet D.V.L.A. eyesight requirements, it would be great if you had a recent eyesight test. To avoid disappointment, we would like to politely point out that we may not be able to process your application on the day if you have not made an appointment.

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Recruitment

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requires

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No skills in French needed.

If interested, please send CV and a few words about yourself to:

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89 Avenue de Villiers, 75017 Paris, France.

Level 2 or Level 3 Nursery Nurse

FULL TIME

Please telephone **01708 744566**

email

linda@creativekidsnurseriesltd.co.uk

or send c.v to 69, Main Road, Romford RM2 5EH
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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?

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

* 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.

Continued from previous page...

Your Address

Address official correspondence should be sent to.

* Building number or name	85
* Street	Raydons Road
District	
* City or town	Dagenham
County or administrative area	Essex
* Postcode	RM9 5JL
* 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	Arona
Street	89 Station Lane
District	
City or town	Hornchurch
County or administrative area	Essex
Postcode	RM12 6JU
Country	United Kingdom

Premises Contact Details

Telephone number	
Non-domestic rateable value of premises (£)	13,250

Section 3 of 17

VARIATION

Continued from previous page...

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 20cl and above and beer in single.

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?

Yes No

Continued from previous page...

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 08:00

End 23:00

Start 08:00

End 23:00

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 08:00

End 23:00

Start 08:00

End 23:00

WEDNESDAY

Start 08:00

End 23:00

Start 08:00

End 23:00

THURSDAY

Start 08:00

End 23:00

Start 08:00

End 23:00

FRIDAY

Start 08:00

End 23:00

Start 08:00

End 23:00

Continued from previous page...

SATURDAY

Start 08:00

End 23:00

Start 08:00

End 23:00

SUNDAY

Start 08:00

End 23:00

Start 08:00

End 23:00

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.

Annex 3

Condition 1 - Remove and replace it with "No more than 30% of the sales area of the premises shall be devoted to the sale or display of alcohol"

Condition 5 - Remove

Condition 6 - Remove and replace it with "No bottles of wine or spirits less than 20cl 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.

I have read the Havering Policy and i do realise my shop is in the cumulative impact area.

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).

As there are many individuals who work late, it will be beneficial for them if we are open till 8:00am to 11:00pm. Considering the town a few minutes away, this would help the people in the local area who come back home late due to any given reason as we are also selling items which meet day to day needs such as milk, bread, tea/coffee. I understand that as we are an off license shop it does come with the added responsibility to make sure that there is no alcohol abuse or fights, which is why we are extremely serious about monitoring the sale of alcohol to individual who may already be intoxicated, ID checks and also installed CCTV for additional security purposes.

This off-licence is located around 251 meters outside the Hornchurch town centre, and also opposite to the Hornchurch police station.

b) The prevention of crime and disorder

Because the Convenient store comes under St Andrews ward cumulative impact area we have taken a great deal of precaution to prevent any crime and disorder such as, 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.

All conditions will be applied to the newly proposed times, the shop will be closed at 11pm (only be 2 hours more) same as the other off-licences next to this premises, and because the closing time is 11pm we will be closed before the pubs and clubs will close for the night.

d) The prevention of public nuisance

Continued from previous page...

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 cleared 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.

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.

The main reason i have asked to be able to do licensable activities till 11pm at night as i think that will be reasonable time to close with out being a disturbance or a nuisance to my neighbours. And being open till 11pm it will give most of the 9 to 5 workers after there job and the commute will give them enough time to do their shopping without being in a hurry.

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

Continued from previous page...

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

ATTACHMENTS

AUTHORITY POSTAL ADDRESS

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

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),

* Full name

* Capacity

Continued from previous page...

Date (dd/mm/yyyy)

Remove this signatory

Add another signatory

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



Havering
LONDON BOROUGH

Representation from the Police
Responsible Authority

Mr Paul Jones
Havering Licensing Authority
Mercury House
Mercury Gardens
Romford
Essex
RM1 3SL

KD - Havering Borough
KD - Romford Police Station

Romford Police Station
19 Main Road
Romford
RM1 3BJ
Telephone: 01708-779162
Facsimile:
Email:
Oisin.Daly@met.pnn.police.uk
www.met.police.uk
Your ref: ARONA - variation
Our ref:
28TH September 2017

Dear Mr Jones,

Police Representation to the Application for a Premises Licence Variation at:

Arona (Station Lane Express) 89 Station Lane, Hornchurch, RM12 6JU

I certify that I have considered the application shown above and I wish to make **representations** that the likely effect of the grant of the application is detrimental to the Licensing Objectives for the reasons indicated below.

- 1. The prevention of crime and disorder.**
- 2. The protection of children from harm.**

The applicant has submitted a variation to the premises licence at Arona, formerly Station Lane Express, Hornchurch.

The premises is located a short distance from the main town centre in Hornchurch and as such has regular footfall being located on the route to the main railway station. It is located within a parade of shops where it is the sole off licence. It was subject to a hearing on the 08th September 2017 where the premises licence holder had sought to vary the conditions of the licence.

On the 28th September 2017 at approx 1100hrs I attended the premises with the intention of speaking to the owner, Jacob Cherian, regarding the risks involved in the sale of high strength alcohol and the issues that it can bring by way of street drinking and those at risk of alcoholism. It is well documented that high strength beers and ciders are often abused by those who are most vulnerable and there are schemes across the country in place to tackle the issue.

Upon arrival at the venue the sole worker was Mr Cherian. I identified myself to him and informed him of the purpose of my visit. He stated that his English wasn't very good and that I should speak to his son via telephone, I asked him who had written

the application to vary the licence and he stated that his son had. I asked to see a copy of his licence, the part B was on display, however, he could not produce a full copy.

Via telephone his son stated that he would come down to the shop.

From viewing the stock levels in the shop it would appear that alcohol sales are not excessive, the range was sparse and the fridges half empty, there were only a handful of spirits for sale on the top shelf.

Whilst waiting for his son I went through the conditions of the licence on a copy I had available. During the course of speaking to Mr Cherian it was clear that he did not have an understanding of any of the conditions on his licence. He did produce his personal licence which showed that it was issued in January of 2017, given its recent issue I would assume that his training was also conducted recently and the expectation would be that he would have an understanding of how conditions relate to a premises licence.

As I checked through the conditions on the licence I found several breaches.

Condition 1 states clear notices should be prominently displayed at all exits respecting residents and leave quietly. These were not in place.

Conditions 5, 6 and 7 detail staff training, refresher training and maintaining records.

Mr Cherian did not have records available and stated that his training consisted of his personal licence. He stated that he worked the majority of the time by himself and employed his son in the evenings.

Conditions 8, 9, 10 and 11 detail CCTV, quality, recording and having a staff member available at all time to operate it.

There was a CCTV system on display however Mr Cherian did not know how to operate it. As such it was impossible to verify its capability to record and playback or quality.

Condition 14 details the need for an incident log. There was none in place.

Conditions 16 and 17 detail the Challenge 25 scheme. Mr Cherian clearly did not understand the scheme and how its emphasis is on challenging persons who appear to be under 25 years of age.

Condition 18 requires that a refusals log be kept and maintained on the premises. This was not in place.

Given the obvious breaches identified during my visit police would ask that the subcommittee refuse this application in its entirety. The premises had a variation to its licence following a hearing on the 08th September 2017 granting an additional hour yet and is now requesting an increased terminal hour and supply of high strength beers. There are several conditions being breached and no understanding of Challenge 25. This venue is now a concern for police and will require additional follow up visits to ensure compliance.

Given the venues location within the cumulative impact zone and the high concentration of off-licences within the vicinity it may be the case that the venue has not given due regard to the CIZ policy and how any amendments to the licence may have an adverse impact on the town centre.

Based on findings during my visit I advised the premises licence holder that we would be objecting to the variation and we would be conducting further visits in the near future to ensure compliance.

Yours sincerely,
Oisin Daly
PC 2364EA
Licensing officer
Havering

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