

Havering Council – Decisions taken by the Licensing Sub-Committee on Monday, 19 February 2018

Agenda Item No	Topic	Decision
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Note: this decision list is for guidance only. The text of the minutes, which may be different, is definitive.

Part A – Items considered in public

A1	APPLICATION FOR A PREMISES LICENCE - SAPPHIRE ICE & LEISURE CENTRE, ROMFORD	<p>PREMISES:</p> <p>Sapphire Ice & Leisure Centre Romford</p> <p>DETAILS OF APPLICATION</p> <p>The application for a premises licence was made by Sports and Leisure Management Ltd under section 17 of the Licensing Act 2003. The application was received by Havering's Licensing Authority on 3rd January 2018.</p> <p>APPLICANT</p> <p>1. Details of requested licensable activities</p> <p>The application is to permit the provision of the following licensable activities:</p> <table border="1" style="margin-left: auto; margin-right: auto;"> <tr> <th colspan="3">Indoor sporting events, recorded music, performance of dance</th></tr> <tr> <th>Day</th><th>Start</th><th>Finish</th></tr> <tr> <td>Monday to Sunday</td><td>05:30</td><td>23:30</td></tr> </table> <table border="1" style="margin-left: auto; margin-right: auto;"> <tr> <th colspan="3">Supply of alcohol (on premises)</th></tr> <tr> <th>Day</th><th>Start</th><th>Finish</th></tr> <tr> <td>Monday to Sunday</td><td>11:00</td><td>23:00</td></tr> </table>	Indoor sporting events, recorded music, performance of dance			Day	Start	Finish	Monday to Sunday	05:30	23:30	Supply of alcohol (on premises)			Day	Start	Finish	Monday to Sunday	11:00	23:00
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		<table border="1" data-bbox="974 481 1783 588"> <tr> <th colspan="3" data-bbox="974 481 1783 517">Hours premises open to the public</th></tr> <tr> <th data-bbox="974 517 1346 552">Day</th><th data-bbox="1346 517 1518 552">Start</th><th data-bbox="1518 517 1783 552">Finish</th></tr> <tr> <td data-bbox="974 552 1346 588">Monday to Sunday</td><td data-bbox="1346 552 1518 588">05:30</td><td data-bbox="1518 552 1783 588">23:45</td></tr> </table> <p data-bbox="840 625 2047 691">The premises is located within Romford's ring road which was subject to Havering's licensing policy 2 further to cumulative impact, which states:</p> <p data-bbox="840 726 2040 791">The Licensing Authority had adopted a special policy relating to cumulative impact in relation to:</p> <ul data-bbox="965 829 1541 895" style="list-style-type: none"> • Romford town centre within the ring road • St Andrews Ward <p data-bbox="840 933 2069 1169">The policy creates a rebuttable presumption that applications for new premises licences, club premises certificates, or variation applications that would 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.</p> <p data-bbox="840 1206 2085 1272">The application did not contain a rebuttal argument further to this policy and neither had such an argument been received.</p> <p data-bbox="840 1308 1482 1342">2. Promotion of the Licensing Objectives</p> <p data-bbox="840 1378 1984 1412">The applicant acted in accordance with regulations 25 and 26 of The Licensing Act 2003</p>	Hours premises open to the public			Day	Start	Finish	Monday to Sunday	05:30	23:45
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		<p>(Premises licences and club premises certificates) Regulations 2005 relating to the advertising of the application. The required public notice was installed in the 12th January 2018 edition of the Havering Yellow Advertiser.</p> <p>The application indicated that ‘alcohol is to be sold in the ice rink only during events only’ and additionally, that ‘alcohol shall not be sold or supplied otherwise than to persons attending pre-booked events’. Online advertising material on the premises’ website indicated that customers may ‘refuel and refresh at our two fully-licensed cafes’.</p> <p>After discussions with the Police, the applicant added the following three conditions to the operating scheduled further to the provision of CCTV:</p> <ul style="list-style-type: none"> i) A CCTV system shall be installed and maintained to the reasonable satisfaction of the Metropolitan Police Licensing Officer which shall include a plan identifying the position and number of cameras and which may only be changed with the agreement of the Metropolitan Police. ii) CCTV footage of evidential quality shall be recorded of all entrance and exit doors. Customers must remove head wear on entry to the premises unless worn as part of religious observance to allow the recording of a clear head/shoulder image. iii) The CCTV system shall be fully operational during the hours licensable activities take place and footage shall be retained for a minimum of thirty-one days. At least one trained member of staff shall be available at all times the premises is open to activate the CCTV system. Footage shall be made available for viewing by Police upon request and recordings of footage shall be provided to the Police upon request and recordings of footage shall be provided to the Police as soon as possible. The system shall comply with primary legislation and notices shall be clearly and prominently displayed stating that CCTV is in operation 24 hours a day. In the event of a technical failure the Metropolitan Police shall be notified of the fault.

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		<p>3. Details of Representations</p> <p>There was one representation against the application submitted by a concerned resident. There were no representations against the application submitted by responsible authorities.</p> <p>4. Determination of Application</p> <p>Mr Kasey Conway, Havering Licensing Officer attended the hearing, during which he presented his report.</p> <p>The Sub-Committee took in to consideration the written representation of an interested party who was not in attendance.</p> <p>The representation informed the Sub-Committee that the objector resided in the flats next to the premises and had made representations on the grounds of the prevention of crime and disorder, the prevention of public nuisance and public safety.</p> <p>Mr Tom Fletcher, Contract Manager and Mr Andy Coupe, Group Food and Beverages Manager, Everyone Active, attended and gave evidence in support of the application. They clarified that the application was not for a general licence to sell alcohol from the cafés, but only for a licence to sell alcohol at pre-paid events on the ice rink.</p> <p>In response to the potential noise, disruption and safety outside of the premises, Mr Coupe explained that prior to events, there would be extended periods of security presence outside of the premises, and during peak times, the premise boundaries would be marshalled.</p>

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		<p><u>Decision:</u></p> <p>The sub-committee considered an application by Tom Fletcher of Sport and Leisure Management Limited for a premises licence in respect of Sapphire Ice & Leisure Centre, 24 Western Road, Romford RM1 3JT.</p> <p>Written representations in respect of the application were received from a local resident, Ms Melanie Cheung, on the grounds of the prevention of crime and disorder, the prevention of public nuisance and public safety.</p> <p>Mr Tom Fletcher and Mr Andy Coupe attended and gave evidence in support of the application. They clarified that the application was not for a general licence to sell alcohol from the cafés, but only for a licence to sell alcohol at pre-paid events on the ice rink.</p> <p>The Sub-Committee must promote the licensing objectives and must have regard to the Revised Guidance issued under s.182 of the Licensing Act 2003 and the Council's own Statement of Licensing Policy.</p> <p>The premises are in a Cumulative Impact Zone (CIZ). By virtue of policy 2 of the Council's statement of licensing policy, where premises lie within a CIZ there is a rebuttable presumption that applications for a new premises licence will be refused, unless the applicant can demonstrate why the operation of the premises involved will not add to the cumulative impact and impact adversely on the promotion of the licensing objectives.</p> <p>The sub-committee took into account in particular paragraphs 14.30 to 14.36 of the Guidance and policy 2 of the Council's Policy.</p> <p>The Sub-Committee considered with care the representations made by Ms Cheung, but were</p>

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		<p>of the view that the limitations on the licensable activities sought and the conditions proposed were sufficient in this case to rebut the presumption against granting the licence.</p> <p>The applicant appears to be a responsible operator and has put in place adequate measures to manage members of the public entering and leaving the premises. The Sub-Committee noted that the application is for limited alcohol sales at specific pre-paid events only. The conditions attached to the licence would ensure that the operation of the premises would not adversely impact on the promotion of the licensing objectives.</p> <p>The Sub-Committee therefore decided to grant a new premises licence pursuant to section 18(4)(a) of the Licensing Act 2003, subject to the conditions set out in the operating schedule and the additional conditions agreed with the police.</p>