



Haverling

L O N D O N B O R O U G H

LICENSING SUB-COMMITTEE THE SUTTON ARMS

AGENDA

10.30 am	Thursday 17 January 2019	Council Chamber - Town Hall
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Members 3: Quorum 2

COUNCILLORS:

Philippa Crowder (Chairman)
Nisha Patel
John Tyler

**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 – Licencing Act 2003

5 APPLICATION FOR A NEW PREMISES LICENCE - THE SUTTON ARMS, 14-16 STATION LANE, HORNCHURCH, RM12 6NJ (Pages 7 - 54)

Andrew Beesley
Head of Democratic Services

LICENSING SUB-COMMITTEE

17 January 2019

REPORT

Subject Heading:

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

Report Author and contact details:

**Taiwo Adeoye (01708) 433079
e-mail:
Taiwo.adeoye@onesource.co.uk**

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

"Where relevant representations are made, the authority must

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

The steps are:

- a) modify the conditions of the licence
- b) reject the whole or part of the application

and for this purpose, the conditions of the licence are modified if any of them is altered or omitted or any new condition is added."

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

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

1. Membership of the Sub-Committee:

- 1.1 The Sub-Committee comprises three members of the Licensing Committee, with a quorum of two members. **Unless there are objections, in the absence of three members, the hearing shall proceed with the quorum of two.**
- 1.1.1 A member of the Licensing Committee will be excluded from hearing an application where he or she has considered an application in respect of the premises in the previous 12 months as a Member of the Regulatory Services Committee; or
- 1.1.2 is a Ward Councillor for the Ward in which the premises, subject to the application, are located; or
- 1.1.3 is a Ward Councillor for a Ward which is likely to be affected by the application or;
- 1.1.4 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 7 clear working days before the hearing. If this information is produced at the hearing it will only be taken into account by the Sub-Committee if the Sub-Committee and all the parties consent to its submission. Permission to have this information included in the hearing should be requested at the beginning of the hearing before any oral submissions have been made.
- Statements made by people in support of a party's representation who are not present at the hearing, must be signed by the maker, dated and witnessed by another person. The statement must also contain the witness's full name and occupation.

Representations:

- The chairman will invite each of the parties at the hearing or their representative sequentially to address the Sub-Committee and call any person/s to whom permission has been granted to appear. Each party will be allowed a maximum period of 10 minutes in which to address the Sub-Committee and call persons on his/her behalf.
- This 10 minute period is where each party has the opportunity to orally address the Sub-Committee and clarify any points in which the Sub-Committee has sought clarification prior to the hearing. This 10 minute period should be uninterrupted unless a member of the Sub-Committee or Legal Advisor considers that the speaker is making submissions that are irrelevant, frivolous or vexatious.
- Members of the Sub-Committee may ask questions of any party, at any time during the proceedings. Time taken in dealing with a Member's

question will not be taken into account in determining the length of time available to the party in question to make their representation.

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

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

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

Cross-Examination:

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

Relevance:

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

The prevention of crime and disorder;

Public safety;

The prevention of public nuisance; and

The protection of children from harm.

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

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LICENSING SUB-COMMITTEE

17 January 2019

REPORT

Subject heading:

**The Sutton Arms
14-16 Station Lane Hornchurch
RM12 6NJ**

Report author and contact details:

**Premises licence application
Paul Jones, Public Protection Officer
Town Hall Main Road Romford
licensing@haverling.gov.uk
01708 432777**

This application for a premises licence is made by Stonegate Pub Company Limited under section 17 of the Licensing Act 2003. The application was received by Havering's Licensing Authority on 8th November 2018.

Geographical description of the area and description of the building

The Sutton Arms is a double unit property located in Hornchurch's town centre. The property lies in a parade of commercial properties; however, it is understood that residential properties are located above the commercial properties at this location. The area might therefore reasonably be considered mixed-use.



Details of the application

The application seeks to permit the following licensable activities:

Films		
Day	Start	Finish
Sunday to Wednesday	07:00	23:30
Thursday	07:00	01:00
Friday & Saturday	07:00	02:00

Live music, recorded music, performances of dance, supply of alcohol (on & off)		
Day	Start	Finish
Sunday to Wednesday	09:00	23:30
Thursday	09:00	01:00
Friday & Saturday	09:00	02:00

Late night refreshment		
Day	Start	Finish
Sunday to Wednesday	23:00	23:30
Thursday	23:00	01:00
Friday & Saturday	23:00	02:00

Hours premises open to the public		
Day	Start	Finish
Sunday to Wednesday	07:00	00:00
Thursday	07:00	01:30
Friday & Saturday	07:00	02:30

Non-standard timings for all licensable activities

New Year's Eve – from the end of permitted hours to the start of permitted hours on New Year's Day.

An additional hour to the terminal hour on the day that British Summer Time commences.

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 16th November 2018 edition of the Romford Recorder.

There is already a premises licence in force at this site held by the applicant for this licence. A copy of this extant licence is provided for reference.

This premises is located in St Andrews ward which is subject to Havering's special licensing policy further to cumulative impact. Licensing Policy 2 states:

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.

Summary

There were no representations against this application from residents or businesses in the area.

There were two representations against this application from responsible authorities.

London Borough of Havering

**Application for a premises licence to be granted
under the Licensing Act 2003**

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.
If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.
You may wish to keep a copy of the completed form for your records.

We Stonegate Pub Company Limited

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description			
The Sutton Arms 14-16 Station Lane			
Post town	Hornchurch	Post code	RM12 6NJ
Telephone number at premises (if any)		01708 620410	
Non-domestic rateable value of premises		£138,000.00	

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as
Please tick yes

- | | | |
|---|-------------------------------------|-----------------------------|
| a) an individual or individuals * | <input type="checkbox"/> | please complete section (A) |
| b) a person other than an individual * | | |
| i. as a limited company | <input checked="" type="checkbox"/> | please complete section (B) |
| ii. as a partnership | <input type="checkbox"/> | please complete section (B) |
| iii. as an unincorporated association or | <input type="checkbox"/> | please complete section (B) |
| iv. other (for example a statutory corporation) | <input type="checkbox"/> | please complete section (B) |
| c) a recognised club | <input type="checkbox"/> | please complete section (B) |
| d) a charity | <input type="checkbox"/> | please complete section (B) |
| e) the proprietor of an educational establishment | <input type="checkbox"/> | please complete section (B) |
| f) a health service body | <input type="checkbox"/> | please complete section (B) |
| g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital | <input type="checkbox"/> | please complete section (B) |
| ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England | <input type="checkbox"/> | please complete section (B) |
| h) the chief officer of police of a police force in England and Wales | <input type="checkbox"/> | please complete section (B) |

* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

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

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over					<input type="checkbox"/> Please tick yes
Current residential address if different from premises address					
Post Town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over					<input type="checkbox"/> Please tick yes
Current residential address if different from premises address					
Post Town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

(B) OTHER APPLICANTS

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

Name	Stonegate Pub Company Limited
Address	Porter Tun House 500 Capability Green Luton LU1 3LS (NB: Overseas company address: Codan Trust Company (cayman) Limited, PO Box 2681, Cricket Square, Grand Cayman, Cayman Islands, KY1 1111)
Registered number (where applicable)	FC029833
Description of applicant (for example, partnership, company, unincorporated association etc.)	Private limited company
Telephone number (if any)	
E-mail address (optional)	

Part 3 Operating Schedule

When do you want the premises licence to start?

Day	Month	Year
A	S	A

If you wish the licence to be valid only for a limited period, when do you want it to end?

Day	Month	Year

A

Please give a general description of the premises (please read guidance note1)

The premises is a traditional public house operating over two floors. On the ground floor are customer areas and an external seating area to the rear. Customer WC facilities, kitchen and back of house are located on the first floor. The premises also benefits from a pavement licence to the front of the premises. The layout plans are included in the application, drawing numbers 2629-81 (ground floor) and 2629-82 (first floor)

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

N/A

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Please tick all that apply

- ☐
- ☒
- ☐
- ☐
- ☒
- ☒
- ☒
- ☐
- ☒
- ☒

Provision of late night refreshment (if ticking yes, fill in box I)

Supply of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors <input checked="" type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)	
Mon				
Tue				
Wed			State any seasonal variations for performing plays (please read guidance note 5)	
Thur			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 6)	
Fri				
Sat				
Sun				

B

Films Standard days and timings (please read guidance note 7)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon	07:00	23:30	Please give further details here (please read guidance note 4) Showing of pre recorded tv and films throughout the premises.		
Tue	07:00	23:30			
Wed	07:00	23:30	State any seasonal variations for the exhibition of films (please read guidance note 5)		
Thur	07:00	01:00			
Fri	07:00	02:00	Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 6) From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. An additional hour to the terminal hour on the day that British Summertime commences.		
Sat	07:00	02:00			
Sun	07:00	23:30			

C

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	
Mon			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Tue			
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 6)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)		Indoors	<input checked="" type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)			
Mon						
Tue						
Wed						
			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 5)			
Thur						
Fri						
Sat						
			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 6)			
Sun						

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4) Playing of amplified and unamplified live music.		
Mon	09:00	23:30			
Tue	09:00	23:30	State any seasonal variations for the performance of live music (please read guidance note 5)		
Wed	09:00	23:30			
Thur	09:00	01:00	Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 6)		
Fri	09:00	02:00			
Sat	09:00	02:00	From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. An additional hour to the terminal hour on the day that British Summertime commences.		
Sun	09:00	23:30			

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)		Indoors	<input checked="" type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)			
Mon	09:00	23:30	Playing of recorded music throughout the premises.			
Tue	09:00	23:30				
Wed	09:00	23:30	State any seasonal variations for the playing of recorded music (please read guidance note 5)			
Thur	09:00	01:00				
Fri	09:00	02:00	Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 6)			
Sat	09:00	02:00				
Sun	09:00	23:30	From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. An additional hour to the terminal hour on the day that British Summertime commences.			

G

Performances of dance Standard days and timings (please read guidance note 7)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 3)		Indoors	<input checked="" type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4) Performance of dance by staff and performers throughout the venue.			
Mon	09:00	23:30				
Tue	09:00	23:30	<u>State any seasonal variations for the performance of dance</u> (please read guidance note 5)			
Wed	09:00	23:30				
Thur	09:00	01:00	<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 6) From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. An additional hour to the terminal hour on the day that British Summertime commences.			
Fri	09:00	02:00				
Sat	09:00	02:00				
Sun	09:00	23:30				

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			<u>Please give a description of the type of entertainment you will be providing</u>		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 4)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 5)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sun					

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)		Indoors	<input checked="" type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4) Provision of hot food and drinks			
Mon	23:00	23:30				
Tue	23:00	23:30	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)			
Wed	23:00	23:30				
Thur	23:00	01:00	<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 6) From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. An additional hour to the terminal hour on the day that British Summertime commences.			
Fri	23:00	02:00				
Sat	23:00	02:00				
Sun	23:00	23:30				

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon	09:00	23:30			
Tue	09:00	23:30			
Wed	09:00	23:30			
Thur	09:00	01:00	Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6) From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. An additional hour to the terminal hour on the day that British Summertime commences.		
Fri	09:00	02:00			
Sat	09:00	02:00			
Sun	09:00	23:30			

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

Name Rebecca Fuller	
Date of birth [REDACTED]	
Address 14-16 Station Lane, Hornchurch, Essex	
Postcode	RM12 6NJ.
Personal Licence number (if known) London Borough of Havering	
Issuing licensing authority (if known) 011119	

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9)
None

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			<u>State any seasonal variations</u> (please read guidance note 5)
Day	Start	Finish	<u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 6) From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. An additional hour to the terminal hour on the day that British Summertime commences.
Mon	07:00	00:00	
Tue	07:00	00:00	
Wed	07:00	00:00	
Thur	07:00	01:30	
Fri	07:00	02:30	
Sat	07:00	02:30	
Sun	07:00	00:00	

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

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 10)

[The information provided in this box is solely for information only and not intended to be converted into conditions on the licence.]

The Sutton Arms has the benefit of an existing premises licence, number 001480.

Stonegate Pub Company Limited have owned and operated the premises since 2011.

The existing premises licence permits licensable activities to continue until 01:00 hours on Thursdays, Fridays and Saturdays.

This New Premises Licence Application does not propose any change to the existing start time for licensable activities or opening hours on any day of the week, nor any changes to the terminal hours for licensable activities on Sundays to Thursdays. The only changes sought are to extend the permitted hours on Fridays and Saturdays to allow licensable activities to continue until 2am, and to build in an addition 30 minutes drinking up and dispersal time on every day the premises is open. Non standard timings are sought for British Summertime and New Year's Eve only.

The purpose for seeking later hours comes from requests from our customers, who want to continue their night in a safe and comfortable environment, rather than leave and go to another premises open later. Extending the terminal hour to 2am will prevent double migration of customers leaving our premises and then another premises later on. Keeping our customers with us means that they are in a controlled and supervised environment and the later terminal hour allows for a gradual dispersal which can be managed and contained.

This application has also been submitted to update the premises licence to ensure that it is suitable for the style of operation at the premises. As this is a New Premises Licence Application we have taken the opportunity to replace the existing operating schedule, which is outdated in parts, and offer an updated

bespoke operating schedule to the hours proposed.

Our clients have used their extensive experience of operating later hours to put together the proposed conditions, and have also carefully considered the existing premises licence conditions and the Council's Policy to put together a robust and appropriate set of conditions. Much of the current operating schedule is replicated and offered as new updated conditions in boxes b) to e) below. However, new conditions are also offered which bolster the operating schedule ensuring it is robust, clear, appropriate and enforceable.

We have considered the impact of the new premises licence application and in particular note that the premises fall within the London Borough of Havering's cumulative impact special policy area for St Andrew's Ward and has also noted the Council's hours policy. As detailed in this application, steps have been taken to ensure that the application and proposed operation will continue to promote the licensing objectives without adding to the cumulative impact of the area.

In particular, we have been in close contact and undertaken consultation with the Police Licensing officer, Licensing Authority officer and Environmental Health officer prior to submission of the application. Their comments have been taken into account in considering and drafting this application.

The applicant believes the hours sought, coupled with the existing and additional measures proposed in the operating schedule, are unlikely to add to the cumulative impact of the area or have a detrimental impact on the licensing objectives.

In particular, in the event later hours are granted, the applicant is proposing new conditions regarding door staff being on duty, last entry and ID scan. In addition, the measures in respect of public nuisance and protection of children from harm are also being retained and bolstered.

As mentioned above, the applicant feels the extension of the terminal hour for licensable activities and opening hours will ensure customers can stay in a well-managed premises for longer, if they wish, and that the later hours will allow a longer wind down period and a more gradual dispersal of customers from the premises reducing impact on the area and licensing objectives by a mass dispersal at any one time.

Stonegate have a proven track record of successfully operating and continuing to promote the Licensing Objectives in premises located within cumulative impact zones across the country. No less than 54 Stonegate premises within cumulative impact have been granted extended hours since December 2012 and the Applicant notes that thanks to the Company's robust internal policies and procedures and co-operative with Responsible Authorities, none of these premises have been the subject of any subsequent enforcement action to reduce the hours.

Stonegate are a well experienced licensed operator and have in place an extensive licensing manual containing policies and procedures across the whole estate, which are adapted at site level to ensure the premises operates to a high standard and promotes the Licensing Objectives. These include policies regarding social responsibility, training, underage sales and challenge policies, incident logs, queuing policy, drugs and dispersal policy, and noise management and the management of outside areas policies as well as procedures to prevent crime and disorder and public nuisance. These robust policies and procedures that already in place will continue to operate if application and extended hours are granted.

In the event that this new premises licence is granted as applied for or in an acceptable form, the intention will be to surrender the existing premises licence number 001480.

Considering the above, we believe that the New Premises Licence Application will not have an adverse impact on the licensing objectives, nor will it add to the cumulative impact of the area, and the applicant believes that the measures proposed in the bespoke operating schedule, along with the existing measures in place, and experience of the operator (including operating to the hours sought without issues of note), will ensure the premises continue to promote the licensing objectives and further conditions are not required.

b) The prevention of crime and disorder.

1. No customers carrying open bottles upon entry shall be admitted to the premises at any time the premises is open to the public, save for re-entry from any external areas.
2. The premises shall install and maintain a comprehensive digital colour CCTV system. All public areas of the licensed premises, including all public entry and exit points and the street environment, will be covered enabling facial identification of every person entering in any light condition. The CCTV cameras shall continually record whilst the premises are open to the public and recordings shall be kept available for a minimum of 31 days with date and time stamping. A staff member who is conversant with the operation of the CCTV system shall be present on the premises at all times when they are open to the public. This staff member shall be able to show the Police or the Licensing Authority recordings of the previous two days when requested.
3. Alcoholic drinks shall not be removed from the premises in open containers, save for consumption in any external area provided for that purpose.
4. The premises licence holder shall implement a written drugs policy which will be made available for inspection on request to the Police or an Authorised Officer of the Council.
5. An incident log book (which may be electronic) shall be kept on the premises and made available on request to an authorised officer of the Council or Police which will record the following:-
 - a. Any incidents of disorder
 - b. Any seizures of drugs or offensive weapons
 - c. Any ejections of patrons
6. A zero tolerance drug policy will be adopted at the premises.
7. Where Pubwatch exists covering the area of which the premises is situated then the DPS or other nominated employee shall participate in Pubwatch.
8. The need for door supervisors will be assessed by way of risk assessment and cognisance will be taken of any police advice. On Friday and Saturday nights a minimum of 3 door supervisors shall be on duty from 20:00 hours to close. All door supervisors on duty shall wear high visibility clothing.
9. A written search Policy that aims to prevent customers or staff bringing illegal drugs, weapons or other illegal items onto the premises at any time shall be in place and operate at the premises.
10. There shall be no new entry to the premises for customers after 01:00 on any day (save for re-entry for existing customers who have temporarily left the premises, e.g. to smoke).
11. The premises shall install and maintain an ID scanner at the premises. The ID scanner will be in use on evenings when door staff are on duty at the premises. At all other times the use of the ID scanner will be subject to risk assessment

c) Public safety

We understand our obligations under existing legislation and take our responsibilities seriously.

d) The prevention of public nuisance

1. Reasonable steps will be taken to recognise the rights of local residents and notices will be displayed at the premises exits requesting customers to leave quietly and reminding them that they are in a residential area.
2. No noise or vibration shall emanate from the premises so as to cause a nuisance to nearby properties.
3. The premises shall maintain a written dispersal policy which will be made available for inspection on request to the Police or an Authorised Officer of the Council.
4. The Premises Licence Holder shall implement a written queue management policy, a copy of which shall be made available to the Police Licensing Officer and Local Licensing Authority Officer upon request.
5. No speakers will be placed in external areas of the premises.

e) The protection of children from harm

1. A Challenge 25 proof of age policy shall be implemented. Any person who looks or appears to be under the age of 25 shall be asked to provide identification that they are over the age of 18. The following are the only forms of identification acceptable:
 - a. A recognised proof of age scheme accredited under the British Retail Consortium's Proof of Age Standard Scheme (PASS).
 - b. Photo Driving Licence
 - c. Passport
 - d. Official ID card issued by HM Forces or European Union bearing a photograph and date of birth of the holder.
2. A log (which may be electronic) shall be kept detailing all refused sales of alcohol. The log shall include the date and time of the refusal and the name of the member of staff who refused the sale. A copy of the log or electronic report shall be made available to an authorised police officer and licensing authority officer upon request.
3. All bar staff to receive appropriate training in relation to alcohol sales prior to commencing their duties. This will include the premise licence conditions, underage sales policy and other relevant licensing matters. Training documents (which may be in an electronic format) shall be made available to an authorised police officer and licensing authority officer upon request.
4. Persons under the age of 18 shall only be permitted on the premises until 20:00 hours daily if they are accompanied by an adult aged over 18 and taking a table meal.
5. On Friday and Saturday evenings after 20:00 hours daily, persons under 21 shall be allowed on the premises as part of a pre-booked group only.

Please tick yes

- I have made or enclosed payment of the fee or ☒
- I have not made or enclosed payment of the fee because the application has been made in relation to the introduction of the late night levy ☐
- I have enclosed the plan of the premises ☒
- I have sent copies of this application and the plan to responsible authorities and others where applicable ☒
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable ☒
- I understand that I must now advertise my application ☒
- I understand that if I do not comply with the above requirements my application will be ☒

rejected


- **[Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships]** I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15) ☐

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant's solicitor or other duly authorised agent (See guidance note 11). If signing on behalf of the applicant please state in what capacity.

Declaration	<ul style="list-style-type: none">• [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 14)• The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)
Signature	
Date	8 November 2018
Capacity	Poppleston Allen – Solicitors for and on behalf of the applicant

For joint applications signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent. (please read guidance note 13). If signing on behalf of the applicant please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)

Helen Ward
Poppleston Allen Solicitors The Stanley Building
7 Pancras Square

Post town London

Post code N1C 4AG

Telephone number (If any) 0203 859 7751

If you would prefer us to correspond with you by e-mail your e-mail address (optional)
h.ward@popall.co.uk

Notes for Guidance

1. 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.
2. In terms of specific regulated entertainments please note that:
 - **Plays:** no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
 - **Films:** no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - **Indoor sporting events:** no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - **Boxing or Wrestling Entertainment:** no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - **Live music:** no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
 - **Recorded Music:** no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.

- any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
 - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
 4. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
 5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
 7. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
 8. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
 9. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
 10. Please list here steps you will take to promote all four licensing objectives together.
 11. The application form must be signed.
 12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
 13. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.
 14. This is the address which we shall use to correspond with you about this application.
 15. **Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:**

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this by providing with this application copies or scanned copies of the following documents (which do not need to be certified).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A current Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A current passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A current Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A full birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder's parents or adoptive parents, when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

- A current passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A current Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A current Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A current Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, less than 6 months old, issued by the Home Office under regulation 17(3) or 18A (2) of the Immigration (European Economic Area) Regulations 2006, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds;
 - or
 - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;**
- (ii) any page containing the holder's photograph;**
- (iii) any page containing the holder's signature;**
- (iv) any page containing the date of expiry; and**
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.**

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.



Part A

Premises licence number

1480

Part 1 – Premises details

Postal address of premises

Sutton Arms
14-16 Station Lane Hornchurch RM12 6NJ

Where the licence is time limited the dates

Not applicable

Licensable activities authorised by the licence

Films, Live Music, Recorded Music, Performances of Dance,
Late Night Refreshment, Supply of Alcohol

The times the licence authorises the carrying out of licensable activities

Live Music, Recorded Music, Performances of Dance, Supply of Alcohol
Sunday to Wednesday – 09:00 to 23:30
Thursday to Saturday – 09:00 to 01:00

Films
Sunday to Wednesday – 07:00 to 23:30
Thursday to Saturday – 07:00 to 01:00

Late Night Refreshment
Sunday to Wednesday – 23:00 to 23:30
Thursday to Saturday – 23:00 to 01:00

The opening hours of the premises

Sunday to Wednesday – 07:00 to 23:30
Thursday to Saturday – 07:00 to 01:00

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

On and off supplies

Part 2

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

Stonegate Pub Company Ltd
c/o Codan Trust Company (Cayman) Ltd 2681 Cricket Square Grand Cayman
Cayman Islands KY1 1111
XXXXXXXXXXXX

Registered number of holder

FC029833

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

Ms Rebecca Fuller
XXXXXXXXXXXXXXXXXXXX

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

XXXXXXXXXXXXXXXXXXXX

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 responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
 - (a) Games or other activities which require or encourage, or are designed to require or encourage, individuals to—
 - (i) Drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) Drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) Provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;

2 of 7

- (c) Provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) Selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
 - (e) Dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
 5. (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.
 6. The responsible person must ensure that—
 (a) Where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
 (i) beer or cider: ½ pint;
 (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 (iii) still wine in a glass: 125 ml;
 (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.”
 7. The admission of children, that is persons aged under 18, to the exhibition of any film shall be restricted in accordance with any recommendation made by the film classification body designated by section 4 of the Video Recordings Act 1984.
 8. If at specified times one or more individuals must be at the premises to carry out a security activity each such individual must be licensed by the Security Industry Authority.

9. 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. Full details of this Mandatory Condition can be found at:-
<http://www.legislation.gov.uk/ukdsi/2014/9780111109120>

Annex 2 – conditions consistent with the operating schedule

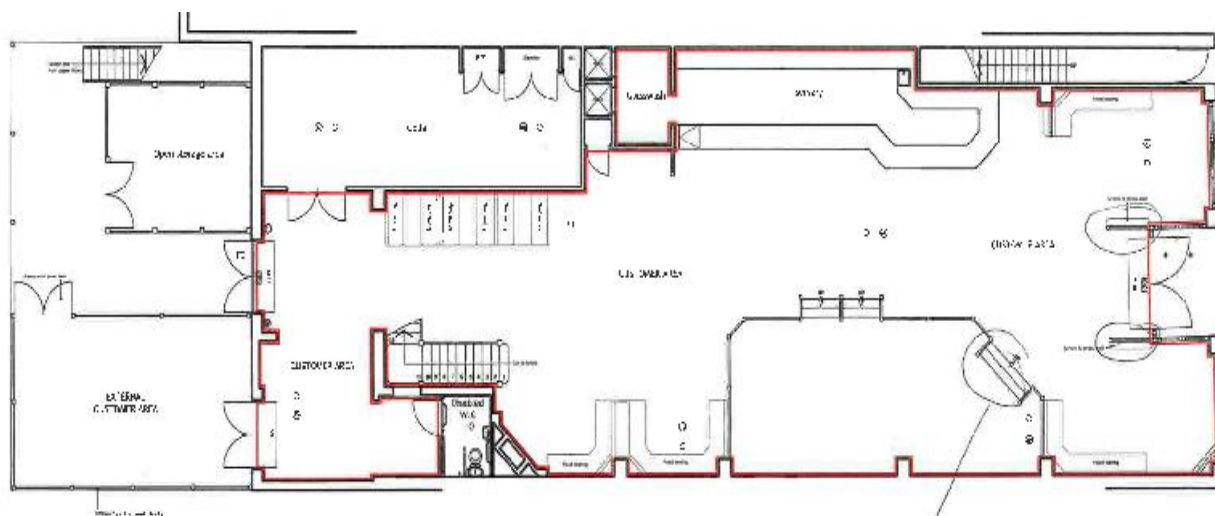
1. No customers carrying open bottles upon entry shall be admitted to the premises at any time the premises is open to the public.
2. Where CCTV is installed with recording facilities, any such recordings shall be retained for a period of 30 days and made available within a reasonable time upon request by the police.
3. Alcoholic and other drinks may not to be removed from the premises in open containers save for consumption in any external area provided for that purpose.
4. To display, where appropriate, prominent, clear and legible notices at all exits requesting the public to respect the needs of local residents and to leave the premises and area quietly.
5. No noise or vibration to emanate from the premises so as to cause a nuisance to nearby properties.
6. The premises licence holder shall implement a written drugs policy. This shall detail the strategies to minimise the use and supply of illegal drugs within the premises. The drugs policy shall include a structured training program covering the issues relevant to the misuse of drugs in relation to licensed premises which will be delivered to all staff. This policy shall be provided to the Police Licensing Officer and Licensing Officer upon completion.
7. A staff member from the premises who can operate the CCTV system shall be on the premises at all times when the premises is open to the public. This staff member shall be able to show Police recent data or footage with the absolute minimum of delay when requested.
8. The maximum number of persons (including staff and entertainers) allowed at the premises shall not exceed the safe capacity figure contained in the premises fire risk assessment.
9. The premises licence holder shall implement a written dispersal policy to move customers from the premises and the immediate vicinity in such a way as to cause minimum disturbance or nuisance to neighbours both residential and business and to make the minimum impact upon the neighbourhood in relation to potential nuisance, antisocial behaviour, crime and disorder. The policy shall be provided to the Police Licensing Officer and Local Authority Licensing Officer upon completion.
10. The premises licence holder shall implement a written queue management policy. All queuing outside the premises shall be managed in such a way that prevents noisy or rowdy behaviour and therefore minimises disturbance or nuisance to neighbours. The policy shall be provided to the Police Licensing Officer and Local Authority Licensing Officer upon completion.
11. The premises shall operate a Challenge 25 proof of age scheme.
12. Persons under 18 shall be permitted on the premises until 20:00 daily if accompanied by an adult over 18; they must be seated and taking a table meal.
13. On Friday and Saturday evenings after 20:00 persons aged under 21 shall be allowed on the premises as part of a pre-booked group only.

1. All staff shall be suitably trained for their job function for the premises. The training shall be written into a programme ongoing and under constant review and must be available to a relevant responsible authority when called upon.
2. A premises daily register shall be kept at the premises. This register shall be maintained and kept for a minimum of 12 months. This register should record the name of the person responsible for the premises on each given day. The premises daily register shall record all calls made to the premises where there is a complaint made by a resident or neighbour of noise nuisance or anti-social behaviour by persons attending or leaving the premises. This shall record the details of the caller, the time and date of the call and the time and date of the incident about which the call is made and any actions taken to deal with the call. The premises daily register shall be readily available for inspection by an authorised person throughout the trading hours of the premises. The premises daily register shall also record all incidents in relation to the use of any force by staff or door supervisors in the removal of persons from the premises. It shall record the time and date of the occurrence, name or brief description of the person removed and details of the staff involved.
3. Prominent clear notices shall be displayed at the point of entry to the premises and in a suitable location at any points of sale advising customers that they may be asked to produce evidence of their age.
4. To obtain a clear head and shoulders image of every person entering the premises on the CCTV system persons entering the premises should be asked to remove headwear unless worn as part of religious observance.
5. The CCTV system shall incorporate a recording facility and any recordings shall be retained and stored in a suitable and secure manner for a minimum of one calendar month. A system shall be in place to maintain the quality of the recorded image and a complete audit trail maintained. The system shall comply with other essential legislation and all signs as required shall be clearly displayed. The system shall be maintained and fully operational throughout the hours that the premises are open for any licensable activity. For premises using a video recording system the cassette tape shall be used on no more than 12 occasions to maintain the quality of the recorded image.
6. All occasions when persons have been refused service shall be recorded in writing and kept at the premises for six months. All door supervisors shall enter their full details in the premises daily register at the commencement of work. This shall record their full name, home address and contact telephone number, the door supervisor's SIA registration number and the time they commenced and concluded working. If the door supervisor was supplied by an agency details of that agency, the registered business address and a contact telephone number shall be provided.
7. Drinks shall be served in containers made from toughened glass (tempered glassware).

Note: weights and measures legislation requires the use of "stamped glasses" where "meter-measuring equipment" is not in use.

8. A properly specified and fully operational CCTV system shall be installed or the existing system maintained to a satisfactory standard. The system shall incorporate a camera covering each of the entrance doors and be capable of providing an image which is regarded as 'identification standard' of all persons entering and/or leaving the premises. All other areas of risk identified in the operational requirement shall have coverage appropriate to the risk.
9. The installation or upgrading of any CCTV system shall comply with current best practice. In addition the documentation listed below shall be included in a 'system file' which should be readily available for inspection by the relevant authority.
 - Site plan showing position of cameras and their field of view
 - Code of Practice
 - Performance specification e.g. storage capacity, image file size, IPS for each camera and purpose of each camera position
 - Operational requirement
 - Incident log
 - Maintenance records including weekly visual checks
10. The positions of all CCTV cameras shall be clearly shown on a set of plans which should form part of the 'system file'. Any alteration to the system should only be carried out after consultation with and written approval of Havering Police and the Licensing Authority.
11. All staff shall be trained in dealing with persons who are incapacitated through the use of drugs or the combined effect of drugs and alcohol.
12. Entertainment is to be held internally only and no music or speakers shall be provided to external areas of premises.
13. Staff shall be given adequate training to prevent them causing unnecessary noise when they leave the premises and prominent clear notices displayed at all points where staff leave the building must instruct them to respect the needs of local residents and leave the premises and the area quietly.
14. The specification and orientation of all speakers shall be agreed with the Licensing Authority/responsible authority.
15. All door supervisors working outside the premises or whilst engaged in the dispersal of patrons at the close of business shall wear 'high visibility clothing'.

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



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Part B

Premises licence summary

Premises licence number

1480

Premises details

Postal address of premises

Sutton Arms
14-16 Station Lane Hornchurch RM12 6NJ

Where the licence is time limited the dates

Not applicable

Licensable activities authorised by the licence

Films, Live Music, Recorded Music, Performances of Dance,
Late Night Refreshment, Supply of Alcohol

The times the licence authorises the carrying out of licensable activities

Live Music, Recorded Music, Performances of Dance, Supply of Alcohol
Sunday to Wednesday – 09:00 to 23:30
Thursday to Saturday – 09:00 to 01:00

Films
Sunday to Wednesday – 07:00 to 23:30
Thursday to Saturday – 07:00 to 01:00

Late Night Refreshment
Sunday to Wednesday – 23:00 to 23:30
Thursday to Saturday – 23:00 to 01:00

The opening hours of the premises

Sunday to Wednesday – 07:00 to 23:30
Thursday to Saturday – 07:00 to 01:00

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

On and off supplies

Name, (registered) address of holder of premises licence

**Stonegate Pub Company Ltd
c/o Codan Trust Company (Cayman) Ltd 2681 Cricket Square Grand Cayman
Cayman Islands KY1 1111**

Registered number of holder

FC029833

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

Ms Rebecca Fuller

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

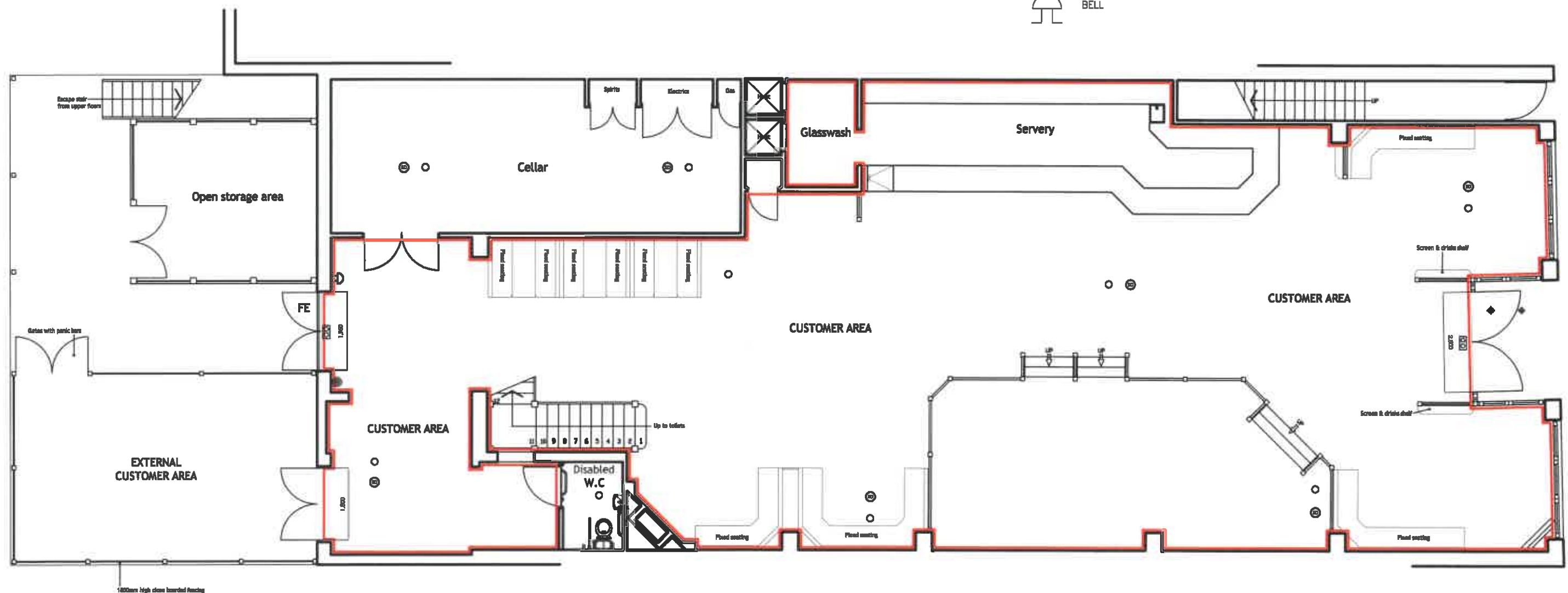
Restricted

2 of 2

COPY

THE POSITION OF FIRE SAFETY EQUIPMENT AS SHOWN
ON THE PLAN OR SUCH OTHER POSITION AS AGREED
FROM TIME TO TIME IN CONSULTATION WITH THE FIRE
AUTHORITY











- | | | | |
|--|---|--|--|
| | 9L FOAM | | DRY POWDER EXTINGUISHER |
| | 9L WATER EXTINGUISHER | | FIRE PROCEDURE NOTICE |
| | CARBON DIOXIDE | | FIRE BLANKET |
| | EMERGENCY LIGHT FITTINGS | | EXIT DOORS FITTED WITH PUSH BARS AND PANIC BOLTS |
| | SMOKE DETECTOR | | PUSH BAR TO OPEN NOTICE
ABOVE THE PUSH BAR IN 50mm HIGH WHITE LETTERING ON GREEN BACKGROUND.
PUSH BARS FITTED BETWEEN 900mm & 1100mm ABOVE FINISHED FLOOR LEVEL FASTENINGS INSTALLED TO B.S.5728 : PART 1 : 1981 |
| | FIRE ALARM SPEAKER | | FIRE DOOR KEEP LOCKED SHUT NOTICE
IN 50mm HIGH WHITE LETTERING ON BLUE BACKGROUND. |
| | HEAT DETECTOR | | FIRE DOOR KEEP SHUT NOTICE
IN 50mm HIGH WHITE LETTERING ON BLUE BACKGROUND. |
| | ILLUMINATED EMERGENCY EXIT SIGN
(MAINTAINED) | | HALF HOUR FIRE RES S/C DOOR WITH S/SEAL |
| | FIRE ALARM CALL POINT | | |
| | BELL | | |











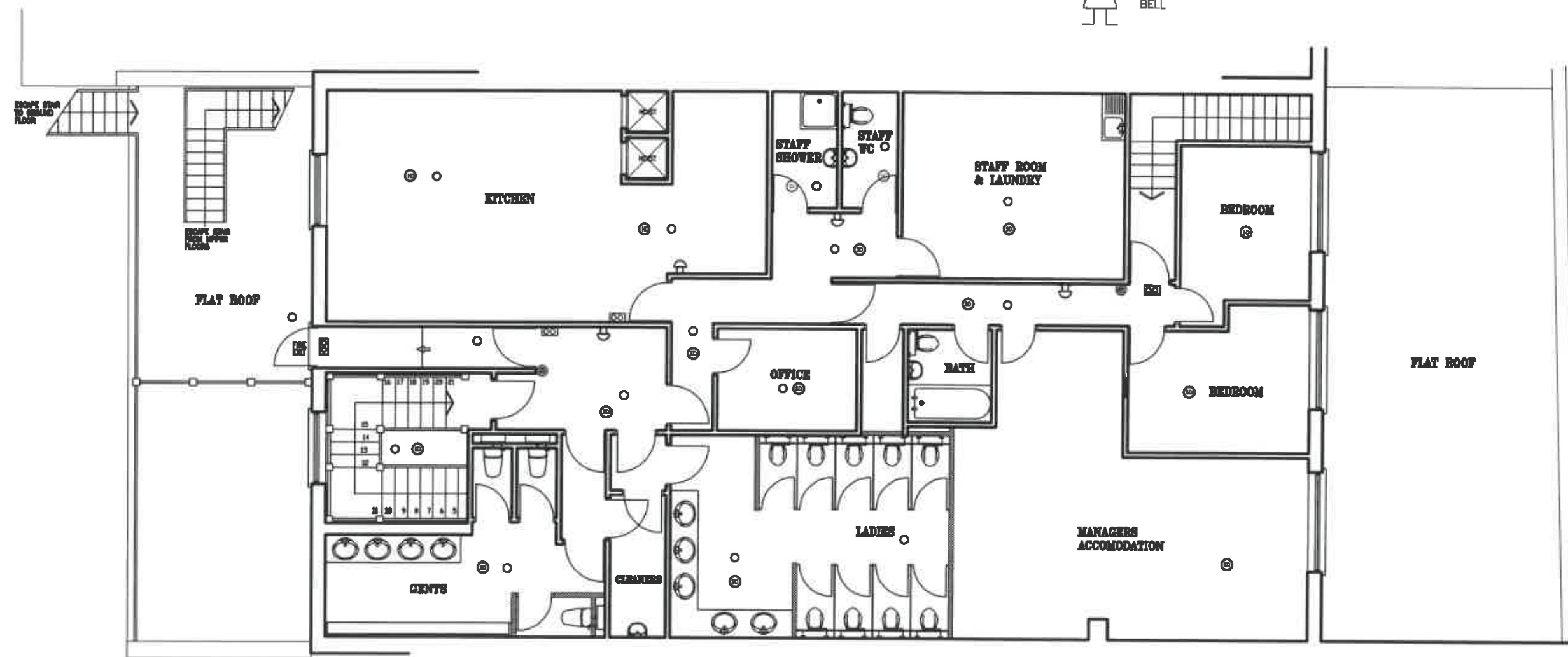
PROPOSED GROUND FLOOR PLAN

RED LINE DENOTES AREA TO BE USED
FOR LICENSABLE ACTIVITIES/CONSUMPTION

THE POSITION OF FIRE SAFETY EQUIPMENT AS SHOWN
ON THE PLAN OR SUCH OTHER POSITION AS AGREED
FROM TIME TO TIME IN CONSULTATION WITH THE FIRE
AUTHORITY

-  9L FOAM
-  9L WATER EXTINGUISHER
-  CARBON DIOXIDE
-  EM EMERGENCY LIGHT FITTINGS
-  SMOKE DETECTOR
-  FIRE ALARM SPEAKER
-  HEAT DETECTOR
-  ILLUMINATED EMERGENCY EXIT SIGN (MAINTAINED)
-  FIRE ALARM CALL POINT
-  BELL

-  DRY POWDER EXTINGUISHER
-  FIRE PROCEDURE NOTICE
-  FIRE BLANKET
-  EXIT DOORS FITTED WITH PUSH BARS AND PANIC BOLTS
-  'PUSH BAR TO OPEN' NOTICE TO BE FITTED ABOVE THE PUSH BAR IN 50mm HIGH WHITE LETTERING ON GREEN BACKGROUND. PUSH BARS FITTED BETWEEN 800mm & 1100mm ABOVE FINISHED FLOOR LEVEL FASTENINGS INSTALLED TO B.S.5725 : PART 1 : 1981
-  NOTICE 'FIRE DOOR KEEP LOCKED SHUT' IN 50mm HIGH WHITE LETTERING ON BLUE BACKGROUND.
-  NOTICE 'FIRE DOOR KEEP SHUT' IN 50mm HIGH WHITE LETTERING ON BLUE BACKGROUND.
-  FD30 HALF HOUR FIRE RES S/C DOOR WITH S/SEAL



EXISTING FIRST FLOOR PLAN (TO REMAIN UNCHANGED)

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: Sutton Arms, 14-16 Station Lane, Hornchurch, RM12 ^NJ

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@haverling.gov.uk

Contact telephone number: 01708 432777

Summary of Objection: In this application for a Premises Licence the applicant has made reference to Havering's Licensing Policy and the Cumulative Impact relating to St Andrews Ward but fails to fully address in the operating schedule what will be done to promote the four licensing objectives.

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.

4.8 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.

Communitive Impact

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.

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 14-16 Station Lane, Hornchurch, is at the moment a licensed premises with licensed times for

Supply of Alcohol, Live Music, Recorded Music, Performance of Dance and Late Night Refreshment.

Sunday to Wednesday – 09:00 to 23:30

Friday & Saturday – 09:00 to 01:00

(Late Night Refreshment starts at 23:00)

With opening hours at the premises being the same time

The premises are located in the centre of Hornchurch on the one way area at the junction of Station Lane and High Street, it is in a parade of 15 premises which are shops and commercial premises on the ground floor and have flats/living accommodation above, so are in very close proximity to residential premises.

This venue is in St Andrews Ward which is highlighted in Havering's Licensing Police as an area of Communitive Impact.

This premises being open to the additional hours applied for will move any disturbance from the venue or from leaving the premises to a later time, or prolong any disturbance on persons leaving the premises. Being a later finish time this must increase the potential for public nuisance.

In relation to times Havering's Licensing Policy states

When dealing with new and variation applications the Licensing Authority will give more favourable consideration to applications with the following closing times:

Public Houses and Bars

23:00 hours-Sunday to Thursday

Midnight –Friday and Saturday

Nightclubs

01:00 hours Sunday to Thursday

02:00 hours Friday and Saturday

Restaurants and Cafes

23:00 hours Sunday to Thursday

Midnight- Friday and Saturday

Off licences

23:00 Monday to Sundays

Hot food and drink supplied by takeaways, fast food premises

Midnight- Sunday to Thursdays

01:00 Friday and Saturday

This premises is a Public House/Bar and not a night club, it is in a residential area.

In the application it states that the changes will not adversely affect the Licensing Objectives.

Having music at the premises on a Friday and Saturday for an extra hour to 2am and adding a further 30 minutes dispersal time each day will create noise to a later time and into a time where more people are asleep.

If the customers are compliant and not causing any antisocial behaviour, persons having drunk alcohol for an extra hour, their act of saying goodnight to their friends may be a louder voice because of the alcohol, it will also be later at night when there is less background noise.

At the current time the music at the venue ends at 23:30 or 01:00 then persons leave this pub either go home or take transport to a later venue and any leaving noise is over shortly after the licensed time, this takes any end of evening noise to a different possibly more suitable location.

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 fully address these points.

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 of leaving this premises at a later time, on this point alone consideration should be given to rejecting this application.

Although this is an application for a new premises licence, in the application there is reference to the current licence stating that redundant conditions have been removed or updated. I have compared the conditions offered in this application to those which are on the current licence and find that some of the conditions previously placed on the licence by a Licensing Sub-Committee are not mirrored or addressed

- Old licence page 5 of 7 condition 2 – the daily register, not all of the items listed to be recorded are proposed in the new application.
- Old licence page 5 of 7 condition 3 – evidence of age notices, this is not covered in the new application.
- Old licence page 5 of 7 condition 7 – toughened glass, this is not covered in the new application.
- Old licence page 6 of 7 condition 11- staff training on drink/drugs, it is not clear in the new application if this will be done.
- Old licence page 6 of 7 condition 13 – noise from staff leaving, this is not covered in the new application.

The Sub-Committee may consider that these are no longer relevant and are not required but I find it hard to understand why these have not been addressed by the applicant in making the premises a safe and suitable venue for later hours.

It is my opinion that there is little in this application that makes it an exemption to Havering's Licensing Policy.

Complaint and Inspection History (if applicable)

Other documents attached

- Current licence for the premises

Signed

A black rectangular box redacting the signature of Paul Campbell.

Paul Campbell

dated 4th December 2018

Licensing Act 2003 Responsible Authority representation

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

Premises Name and address:	The Suttons Arms 14-16 Station Lane, Hornchurch RM12 6NJ
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Your Name:	Planning Enforcement Team.
Organisation name / name of body you represent:	Havering Council's planning department
Your Address:	5 th Floor Mercury House, Mercury Gardens, Romford, RM1 3SL
Email:	Planning_enforcement@havering.gov.uk

Summary of representation:	<p>To OBJECT to the licence application on the specific licencing objective "The prevention of public nuisance".</p> <p>To OBJECT to the application to vary the licence on the specific licencing objective "The prevention of public nuisance".</p> <p>To SUPPORT to the application to review the licence on the specific licencing objective "The prevention of public nuisance".</p>
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<p>Policy Considerations:</p> <p>The representation takes into account the following licencing policies as set out in the document titled "Statement of Licencing Policy" with effect from 7th January 2016:</p> <p><u>Licencing Policy 1</u></p> <p>In considering applications for new licences, variations to existing licences and licence reviews the Licensing Authority will take the matters listed below into account:</p> <ul style="list-style-type: none"> • 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 6

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

Licensing Policy 8

When assessing the applicant's or licensee's ability to demonstrate a commitment to high standards of management the Licensing Authority will take into account whether the applicant or licensee:

- Can demonstrate comprehensive knowledge of best practice
- Has sought advice from the responsible authorities
- Has implemented any advice that has been given by the responsible authorities
- Is able to understand verbal and written advice and legal requirements
- Can demonstrate knowledge of the licensing objectives, relevant parts of the Licensing Policy and their responsibilities under the Licensing Act 2003
- Is able to run their business lawfully and in accordance with good business practices
- Is able to demonstrate a track record of compliance with legal requirements.

Where there is a history of non-compliance associated with the premises the Licensing Authority is unlikely to grant a new or variation application unless there is evidence of significant improvement in management standards.

Licensing Policy 14

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

Representation:

An assessment by the planning services has been previously undertaken under a planning application with reference P0692.98. Upon review of all material considerations in terms of the use of the property, it was seemed necessary and expedient to restrict the use of the

property to prevent a public nuisance. The use has subsequently been conditioned so that:

Condition 7 states:

The premises should not be open to public beyond from 11am to 11.30pm Monday to Saturday, 11am to 11pm on Sundays, including the statutory drinking-up time.

A planning application ref: P1495.09 to vary condition 7 was submitted seeking consent to vary the opening hours condition imposed on the original consent (condition 7 of P0692.98) in order to allow for longer opening. The proposal sought extension of opening hours from 09:00 to 1.30am on the following morning Thursday, Friday and Saturday, all inclusive of permitted drinking up time

Planning permission to vary this condition was refused on 22.12.2009

Reason for refusal:

The proposed extension of opening hours from 09:00 to 1.30am on the following morning Thursday, Friday and Saturday, all inclusive of permitted drinking up time would be likely to give rise to significant additional noise and general disturbance within this part of Hornchurch Town Centre and a potential increase in anti-social behaviour to the detriment of residential amenity and contrary to Policies CP17, DC23 and DC63 of the LDF Core Strategy and Development Control Policies Development Plan Document.

The licence application proposes a use that exceeds the restrictions that have been placed on the use by the planning department; and the use proposed does not have lawful planning status and the application therefore does not accord with licencing policy 6.

Given the argument as set out above, the planning department's concerns on the prevention of public nuisance have not been alleviated though the licence application. As this is the case, we ask that the licencing committee use their powers under licencing policy 1, 8 and 14 to take consideration of the views of the planning department as a responsible authority. You are therefore advised to restrict the hours of operation to what has been approved by the planning department as set out above.

Complaint and Inspection History (if applicable):

No visits to the property were undertaken.

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

Application Number:	P1495.09
Description of proposal:	Extend the permitted opening hours from 9.00 am to 11.30 pm Monday, Tuesday and Wednesday and from 9.00 am to 1.30 am on the following morning Thursday, Friday and Saturday - Variation of condition 7 of permission P0692.98
Outcome:	Permission refused

Other documents attached:

NONE

Dated: 19.11.2018**Officer:** Onkar BhogalPrincipal Planning Enforcement
and Appeals Officer

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