



Haverling

LONDON BOROUGH

LICENSING SUB-COMMITTEE SELECT & SAVE

AGENDA

11.00 am	Monday 21 October 2019	Council Chamber - Town Hall
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Members 3: Quorum 2

COUNCILLORS:

Philippa Crowder (Chairman)
Reg Whitney
Bob Perry

**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:-

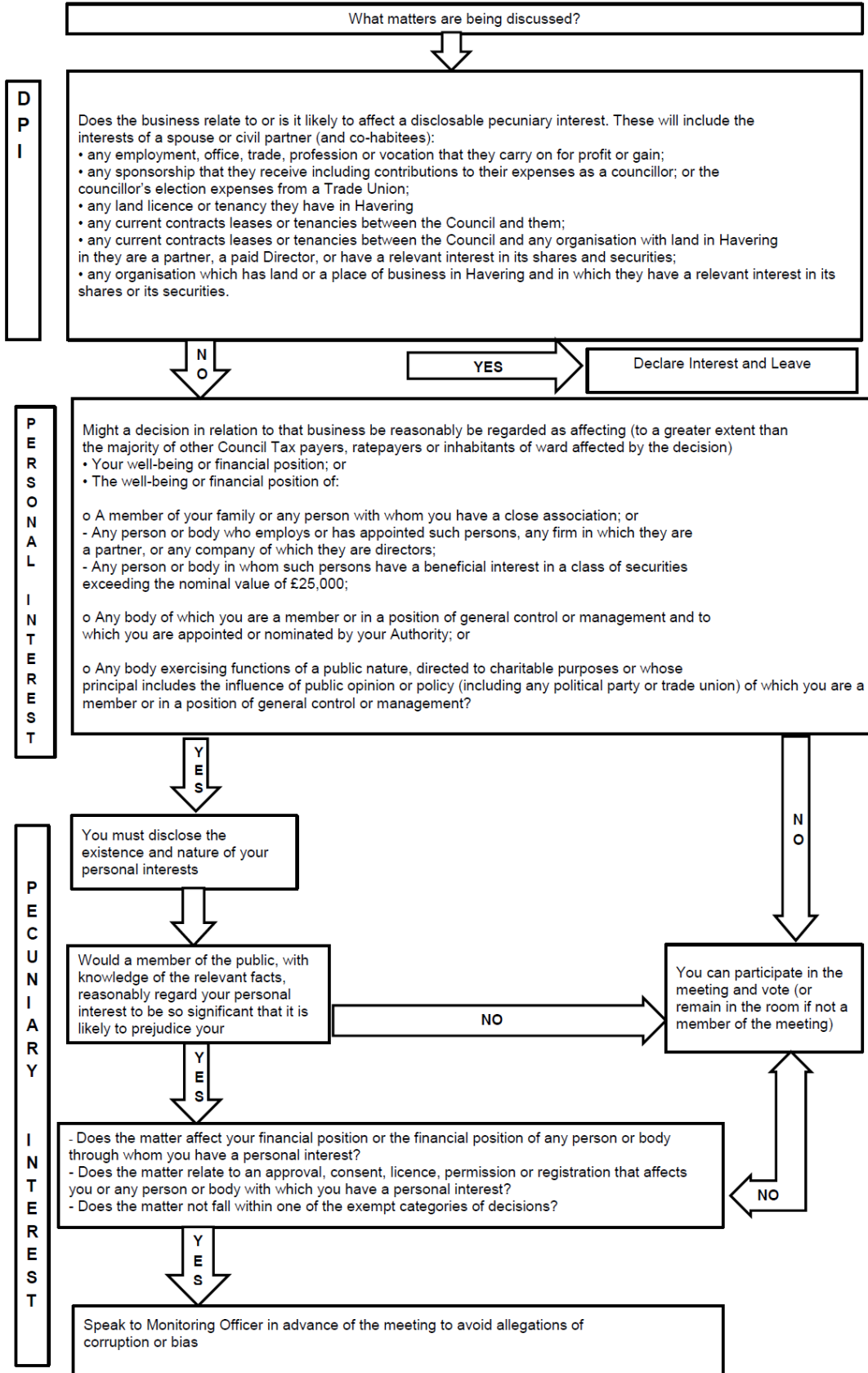
- filming, photographing or making an audio recording of the proceedings of the meeting;
- using any other means for enabling persons not present to see or hear proceedings at a meeting as it takes place or later; or
- reporting or providing commentary on proceedings at a meeting, orally or in writing,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

DECLARING INTERESTS FLOWCHART – QUESTIONS TO ASK YOURSELF



AGENDA ITEMS

1 APOLOGIES FOR ABSENCE AND ANNOUNCEMENT OF SUBSTITUTE MEMBERS

(if any) - receive

2 DISCLOSURE OF INTERESTS

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

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

3 CHAIRMAN'S ANNOUNCEMENT

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

4 REPORT OF THE CLERK (Pages 1 - 6)

Procedure for Hearing – Licensing Act 2003

5 APPLICATION TO VARY A PREMISES LICENCE - SELECT & SAVE, 151 OLDCHURCH ROAD, ROMFORD, RM7 0BD (Pages 7 - 34)

This application for a premises licence variation is made by Thangarajah Pirabakaran under section 34 of the Licensing Act 2003.

Andrew Beesley
Head of Democratic Services



LICENSING SUB-COMMITTEE

REPORT

18 October 2019

Subject Heading:

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

Report Author and contact details:

**Taiwo Adeoye – Democratic Services
Officer - 01708 433076**

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

"Where relevant representations are made, the authority must

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

The steps are:

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

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

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

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

1. Membership of the Sub-Committee:

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

2. Roles of other participants:

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

3. Location and facilities:

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

4. Notification of attendance:

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

5. Procedural matters:

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

Introduction of the application:

The Licensing officer will outline:

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

Documentary evidence:

- Documentary or other information in support of applications, representations or notices should be provided to the Clerk of the Sub-Committee at least 5 clear working days before the hearing. If this information is produced at the hearing it will only be taken into account by the Sub-Committee if the Sub-Committee and all the parties consent to its submission. Permission to have this information included in the hearing should be requested at the beginning of the hearing before any oral submissions have been made.
- Statements made by people in support of a party's representation who are not present at the hearing, must be signed by the maker, dated and witnessed by another person. The statement must also contain the witness's full name and occupation.

Representations:

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

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

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

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

Cross-Examination:

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

where it is necessary to assist it in considering the representations or application.

Relevance:

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

The prevention of crime and disorder;

Public safety;

The prevention of public nuisance; and

The protection of children from harm.

6. Failure of parties to attend the hearing:

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

7. Adjournments and extension of time:

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

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

- 8.1 At the conclusion of the hearing the Sub-Committee will deliberate in private accompanied by the Clerk and the Legal Advisor who will be available to assist the Sub-Committee with any legal problems but will not participate in any decision making of the Sub-Committee.
- 8.2 The Sub-Committee will normally make its determination and announce its decision at the end of the hearing.

8.3 Where all parties have notified the Sub-Committee that a hearing is not required the Sub-Committee must make its determination within 10 working days of being given notice that the hearing is not required.

9. Power to exclude people from hearing:

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

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

10. Recording of proceedings:

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

11. Power to vary procedure:

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



Havering
LONDON BOROUGH

Licensing Officer's Report



LICENSING SUB-COMMITTEE

REPORT

21 October 2019

Subject heading:

**Select & Save
151 Oldchurch Road, Romford, RM7
0BD**

Report author and contact details:

**Premises Licence Application
Mr Kasey Conway, Licensing Officer
5th floor Mercury House
licensing@havering.gov.uk
01708 432555**

This application for a premises licence variation is made by Thangarajah Pirabagaran under section 34 of the Licensing Act 2003. The application was received by Havering's Licensing Authority on 27/08/2019.

Geographical description of the area and description of the building

Select & Save is an Off Licence/Newsagents situated on Oldchurch Road, Romford. The property is located next to two other commercial properties, a café and an Osteopath. There are residential properties directly above Select & Save and also either side of the small parade of shops.

A map of the area is attached.

Details of the application

Current premises licence hours:

Day	Start	Finish
Monday	08:00	23:00
Tuesday	08:00	23:00
Wednesday	08:00	23:00
Thursday	08:00	23:00
Friday	08:00	23:00
Saturday	08:00	23:00
Sunday	10:00	22:30



Proposed Variation Hours

Day	Start	Finish
Monday	06:00	23:00
Tuesday	06:00	23:00
Wednesday	06:00	23:00
Thursday	06:00	23:00
Friday	06:00	23:00
Saturday	06:00	23:00
Sunday	06:00	23:00

Comments and observations on the application

The applicant acted in accordance with regulations 25 and 26 of *The Licensing Act 2003 (Premises licences and club premises certificates) Regulations 2005* relating to the advertising of the application. The required public notice was installed in the Friday 6th September 2019 edition of the Romford Recorder.

Summary

There were 0 representations against this application from interested persons.

There were 2 representations against this application from responsible authorities. These were made by the Licensing Authority and Trading Standards.



Havering
LONDON BOROUGH

Copy of Application

* required information

Section 1 of 18

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference

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

Your reference

You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

 Yes No

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

Applicant Details

* First name

* Family name

* E-mail

Main telephone number

Include country code.

Other telephone number

 Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

- Applying as a business or organisation, including as a sole trader
 Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

Is the applicant's business registered in the UK with Companies House?

 Yes No

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

Is the applicant's business registered outside the UK?

 Yes No

Business name

If the applicant's business is registered, use its registered name.

VAT number

Put "none" if the applicant is not registered for VAT.

Continued from previous page...

Legal status

Applicant's position in the business

Home country

The country where the applicant's headquarters are.

Applicant Business Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

If the applicant has one, this should be the applicant's official address - that is an address required of the applicant by law for receiving communications.

Agent Details

* First name

* Family name

* E-mail

Main telephone number

Include country code.

Other telephone number

Indicate here if you would prefer not to be contacted by telephone

Are you:

- An agent that is a business or organisation, including a sole trader
- A private individual acting as an agent

A sole trader is a business owned by one person without any special legal structure.

Agent Business

Is your business registered in the UK with Companies House? Yes No

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

Registration number

Business name

If your business is registered, use its registered name.

VAT number

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

Legal status

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Agent Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

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APPLICATION DETAILS

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

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

* Premises Licence Number

Are you able to provide a postal address, OS map reference or description of the premises?

- Address OS map reference Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Premises Contact Details

Telephone number

Continued from previous page...

Non-domestic rateable value of premises (£)

5,900

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VARIATION

Do you want the proposed variation to have effect as soon as possible?

Yes No

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

Yes No

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

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

Describe Briefly The Nature Of The Proposed Variation

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

THIS IS A LOCAL CONVENIENCE STORE ESTABLISHED FOR VERY LONG TIME, AND RUN BY THE CURRENT OWNERS AS A FAMILY BUSINESS OVER 15 YEARS. THE MANAGEMENT AND ALL STAFF UNDERWENT TRAINING ON LICENSING LAW RECENTLY AND NEW SYSTEM IN PLACE TO PROMOTE THE LICENSING OBJECTIVES. THE VARIATION IS TO FULFILL THE RECENT REQUIREMENT BY THE AUTHORITIES TO INCORPORATE SOME CONDITIONS AND TO AMEND THE HOURS AS PER CURRENT OPENING HOURS OF THE PREMISES. THE EXITING HOURS HAVE RESTRICTIONS ON GOOD FRIDAY, XAMS DAY ETC.

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PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

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

Yes No

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PROVISION OF FILMS

[See guidance on regulated entertainment](#)

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

Yes No

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PROVISION OF INDOOR SPORTING EVENTS

Continued from previous page...

[See guidance on regulated entertainment](#)

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

- Yes No

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PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

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

- Yes No

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PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

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

- Yes No

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PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

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

- Yes No

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PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

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

- Yes No

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

[See guidance on regulated entertainment](#)

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

- Yes No

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PROVISION OF LATE NIGHT REFRESHMENT

Continued from previous page...

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

- Yes No

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SUPPLY OF ALCOHOL

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

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Continued from previous page...

Will the sale of alcohol be for consumption?

- On the premises Off the premises Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

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

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

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ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.

Provide information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

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HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start

End

Start

End

Continued from previous page...

WEDNESDAY

Start End

Start End

THURSDAY

Start End

Start End

FRIDAY

Start End

Start End

SATURDAY

Start End

Start End

SUNDAY

Start End

Start End

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

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

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

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

I have enclosed the premises licence

Continued from previous page...

I have enclosed the relevant part of the premises licence

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

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LICENSING OBJECTIVES

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

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

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

1. A log shall be kept at the premises and record all refused sales of alcohol for reasons that the person (s) is (are) or appears to be, under 25 years of age. The log shall record the date and time of the refusal and the name of the member of staff who refused the sale. The log will be made available on request by the police or an authorised officer of the London Borough of Havering.
2. A 'Challenge 25' scheme shall operate to ensure that any person attempting to purchase alcohol who appears to be under the age of 25 shall provide documented proof that he/she is over 18 years of age. Proof of age shall only comprise a passport, a photo card driving licence, an EU/ EEA national ID card or similar document, or an industry approved proof of identity card.
3. 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 made available to a relevant responsible authority when called upon. This training shall take place every 6 months.
4. 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 able to show the police or the Licensing Authority recordings and should a request for a copy be made then this should be complied with within 24 hours.

b) The prevention of crime and disorder

AS DETAILED ABOVE

c) Public safety

AS DETAILED ABOVE

d) The prevention of public nuisance

AS DETAILED ABOVE

Continued from previous page...

e) The protection of children from harm

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NOTES ON REGULATED ENTERTAINMENT

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:
 - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - o 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.
 - o 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.
 - o 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.
 - o 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:
 - o 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.
 - o 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.
 - o 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.

Continued from previous page...

- 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:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o 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;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o 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.

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PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Variation Fees are determined by the non domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/index.htm

Band A - No RV to £4300 - £100.00

Band B - £4301 to £33000 - £190.00

Band C - £33001 to £87000 - £315.00

Band D - £87001 to £125000 - £450.00*

Band E - £125001 and over - £635.00*

*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then you are required to pay a higher fee

Band D - £87001 to £125000 - £900.00

Band E - £125001 and over - £1,905.00

If you own a large premise you are subject to additional fees based upon the number in attendance at any one time

Capacity 5000-9999 - £1,000.00

Capacity 10000 -14999 - £2,000.00

Capacity 15000-19999 - £4,000.00

Capacity 20000-29999 - £8,000.00

Capacity 30000-39999 - £16,000.00

Capacity 40000-49999 - £24,000.00

Capacity 50000-59999 - £32,000.00

Capacity 60000-69999 - £40,000.00

Capacity 70000-79999 - £48,000.00

Capacity 80000-89999 - £56,000.00

Capacity 90000 and over - £64,000.00

* Fee amount (£)

190.00

DECLARATION

I/we understand it is an offence, liable on conviction to a fine up to level 5 on the standard scale, under Section 158 of the

Continued from previous page...

* Licensing Act 2003, to make a false statement in or in connection with this application.

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name

* Capacity

* Date / /
dd mm yyyy

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

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

Don't forget to make sure you have all your supporting documentation to hand.

IT IS AN OFFENCE, 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.

OFFICE USE ONLY

Applicant reference number

Fee paid

Payment provider reference

ELMS Payment Reference

Payment status

Payment authorisation code

Payment authorisation date

Date and time submitted

Approval deadline

Error message

Is Digitally signed

[1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#) [9](#) [10](#) [11](#) [12](#) [13](#) [14](#) [15](#) [16](#) [17](#) [18](#) [Next >](#)

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 - These Conditions override any terms stipulated by You on order forms or elsewhere unless We accept those terms in writing. If we do so, these Conditions will apply except to the extent that they are inconsistent with anything so agreed by Us.
- Definitions

"We" and "Us" means, and "Our" refers to, the Company which is the publisher of the Title in which You have asked Us to publish Your Advertisement.

"Title" means any publication or Website which We publish.

"You" means, and "Your" refers to, the person placing the Order with Us and where that person is an advertising or other agency placing the Advertisement on behalf of their client that agency agrees that it has placed the Order as principal.
- Orders
 - We may insist on You submitting Your Order in writing and if We do so You will not be deemed to have placed an Order until We receive it in writing. If We do not insist that You submit Your Order in writing it is deemed to be placed when the initial Order is made, subject to the terms and conditions below. If You deliver copy instructions to Us, We may treat this as an Order unless it is clearly marked as "not constituting an Order".
 - We will notify You if We do not accept Your Order within 3 working days of receiving it. Publication of the Advertisement will mean We have accepted the Order.
 - We are not obliged to accept Your Order or to publish any Advertisement placed by You and cannot guarantee insertion, special position, the date or the classification of any such Advertisement, or the distribution of the Title. We will not be liable for any loss or damage incurred as a result of Our failure in these respects. We may reject any Order (in whole or part) prior to (any) publication by notice to You and (to the extent rejected) We will refund any pre-payment in that case but will have no further liability.
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 - If You place an Order but fail to provide copy/artwork by the publication deadline, We may repeat any previous relevant Advertisement from You for which We have copy, or use a filler, and charge You the full price of Your Order in any event.
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 - You confirm and warrant to Us that the copy You provide and the publication by Us of an Advertisement pursuant to an Order will:
 - be legal, decent, honest and truthful;
 - not result in a breach of any relevant Code of Practice, including other provisions of the Advertising Standards Code of Practice
 - not breach any legislation;
 - not be defamatory;
 - not infringe any copyright, trademarks or other legal rights of any person or company and that You have received any consent needed to refer to or portray people (expressly or impliedly) in the Advertisement.
 - when appearing on any Archant Website will not contain hyperlinks or metatags linking to the advertiser's own Website unless express prior permission has been granted by Archant.
 - You agree:
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 - not to be in breach of contract in relation to the Order/Advertisement;
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 - that We may without notice or warning destroy any box office correspondence or communication received in response to an Advertisement which We think it inappropriate to deliver;
 - that We accept no liability in respect of any loss or damage alleged to have arisen though delay in forwarding or omitting to forward replies to box numbers to the advertiser (however caused)
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 - that We may hold Your details on record for a reasonable period and contact You about future advertising opportunities which We believe may be of interest to You.
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 - that You acknowledge that We shall have no liability for any variation of up to 10% in the final published size of any advertisement.
- Cancellation
 - We are not obliged to accept a cancellation request (which We may require to be made in writing). All magazine cancellations must be made in writing a least one calendar month prior to the publication date. All other cancellations should be made within four working days of publication.
 - If We accept a cancellation for part of a series of Advertisements, We may surcharge You for any insertions in that series which are not cancelled.
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- Payment
 - Except where We state otherwise, all prices are exclusive of VAT.
 - You will pay for an Advertisement on placing an Order, unless credit terms have been agreed. You will be sent an invoice unless You have pre-paid (or a direct debit arrangement is in place), in which case You will only be sent an invoice if You request one.
 - Credit terms are that payment is due seven days from the date of invoice, unless You apply for, and We grant, a monthly account.
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- Applicable Law
 - Nothing in these conditions shall exclude or limit Our liability for death or personal injury caused by Our negligence, for Our fraud or otherwise to the extent it would be illegal to do so.
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PUBLIC NOTICES

Legal and Public Notices

PETER FREDERICK SAUNDERS (Deceased)

Pursuant to the Trustee Act 1925 any persons having a claim against or an interest in the Estate of the aforementioned deceased, late of 13 Grangewood Avenue Rainham Essex RM13 9PA, who died on 04/11/2017, are required to send particulars thereof in writing to the undersigned Solicitors on or before 15/11/2019, after which date the Estate will be distributed having regard only to claims and interests of which they have had notice.

SACKVILLES SOLICITORS
12 Broadway Rainham Essex RM13 9YL
T565473

GEORGE ERNEST BOWDEN (Deceased)

Pursuant to the Trustee Act 1925 any persons having a claim against or an interest in the Estate of the aforementioned deceased, late of B537 Park Dean Naze Marine Lane Walton on Naze Essex, CO14 8HL, also of 38 Patmoreway Romford Essex RM5 2HF, who died on 01/01/2019, are required to send particulars thereof in writing to the undersigned Solicitors on or before 15/11/2019, after which date the Estate will be distributed having regard only to claims and interests of which they have had notice.

CAPSTICK-DALE & PARTNERS
224 Main Road Gidea Park Romford Essex RM2 5HA
T565709

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

Notice is hereby given that THANGARAJAH PIRABAGARAN has applied to vary the premises licence in relation to SELECT & SAVE, 151 Oldchurch Road Romford RM7 9BD to permit the following licensable activities: 1. Retail sale of alcohol off the premises Monday to Sunday to 06.00 to 23.00 hours (amend to current opening hours, remove restricted hours on Xmas and some other days). The register of the licensing authority is kept at the address below. Full details of the application can be inspected at this address during normal business hours. A representation by any person or a responsible authority regarding this application can be made to The Licensing Authority, Town Hall Main Road Romford RM1 3BD. Email: licensing@havering.gov.uk, such representations must be received in writing by 24th Sept 2019. It is an offence to knowingly or recklessly make a false statement in connection with an application. The maximum fine for which a person is liable on summary conviction for the offence is unlimited.

Arka Licensing Consultants, on behalf of the applicant Dated: 27/08/2019 T565537

MICHAEL SYDNEY SMITH (Deceased)

Pursuant to the Trustee Act 1925 any persons having a claim against or an interest in the Estate of the aforementioned deceased, late of Flat 224 Orchard Court Wood Lane Hornchurch RM12 5NH, who died on 21/05/2019, are required to send particulars thereof in writing to the undersigned Solicitors on or before 15/11/2019, after which date the Estate will be distributed having regard only to claims and interests of which they have had notice.

MULLIS & PEAKE
8-10 Eastern Road Romford RM1 3PJ
T565496

NOTICE OF APPLICATION TO VARY A PREMISES LICENCE UNDER SECTION 34 OF THE LICENSING ACT 2003

Notice is hereby given that Champagne Chelle LTD has applied to vary the premises licence at 72 Station Road Station Lane Hornchurch London RM12 6NA as follows: Amend opening hours to 1100 to 0130 on Fridays and Saturdays. Amend hours for licensable activities as follows: Supply of alcohol 1100 to 0100 on Fridays and Saturdays, Late night refreshment 2300 to 0100 on Fridays and Saturdays, Live music 2300 to 0100 on Fridays and Saturdays, Recorded music 2300 to 0100 on Fridays and Saturdays. Performance of dance 2300 to 0100 on Fridays and Saturdays. Full details of the application can be inspected at the address noted below during normal business hours. A representation by any person or responsible authority regarding this application may be made to Licensing Authority London Borough of Havering, Town Hall Main Road Romford RM1 3BD www.havering.gov.uk. Such representation must be received in writing by 27 September 2019 clearly stating the grounds upon which the representation is made in relation to the four objectives of the Licensing Act 2003. It is an offence to knowingly or recklessly make a false statement in connection with an application. The maximum fine for which a person is liable on summary conviction for the offence is unlimited.

T565560

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NOTICE OF APPLICATION TO VARY A PREMISES LICENCE UNDER THE GAMBLING ACT 2005

Notice is hereby given that: Ladbrokes Betting and Gaming Limited of the following address: One Stratford Place, Montfichet Road, London, E20 1EJ is/are applying under section 187 of the Gambling Act 2005 to vary a Betting (Track) premises licence issued under that Act. The application relates to the following premises: Coral Stadium, London Road, Romford, RM7 9DU. The application is to vary the licence as follows: To allow alterations to be carried out to the Stadium. The application has been made to: Public Protection Officer, London Borough of Havering, Town Hall, Main Road, Romford, RM1 3BD. Information about the application is available from the licensing authority, including the arrangements for viewing the details of the application. Any of the following persons may make representations in writing to the licensing authority about the application: A person who lives sufficiently close to the premises to be likely to be affected by the authorised activities; A person who has business interests that might be affected by the authorised activities; A person who represents someone in any of the above two categories. Any representations must be made by the following date: 24/09/2019

It is an offence under section 342 of the Gambling Act 2005 if a person, without reasonable excuse, gives to a licensing authority for a purpose connected with that Act information which is false or misleading.

PLEASE MENTION THIS PAPER WHEN REPLYING TO THESE ADVERTISEMENTS

LONDON BOROUGH OF HAVERING

THE HAVERING (WAITING, LOADING AND STOPPING RESTRICTIONS) (MAP BASED) (AMENDMENT No. 12) ORDER 2019

THE HAVERING (PARKING PLACES) (MAP BASED) (AMENDMENT No.13) ORDER 2019

PTO1114

- NOTICE IS HEREBY GIVEN that on the 5th September 2019 the Council of the London Borough of Havering did make the above-mentioned Orders under the Road Traffic Regulation Act 1984 as amended
- The general effect of the Orders will be to:-
 - Introduce disabled persons parking bay
 - Outside No's 35 / 37 Cromer Road, Romford
- Copies of the Orders, which will come into force on 9th September 2019, other relevant Orders, and other documents giving more detailed particulars of the Orders, can be inspected during normal office hours on Mondays to Fridays inclusive, until the expiration of a period of six weeks from the date on which the Orders are made, between 9am and 4pm on Mondays to Fridays in the Public Advice and Service Centre, London Borough of Havering, Liberty Shopping Centre, Romford. Further information may be obtained by contacting Schemes at schemes@havering.gov.uk.
- If any person wishes to question the validity of either of the Orders, or of any provision contained therein on the grounds that it not within the powers conferred by the Road Traffic Regulation Act 1984 or that any requirement of the Act or of any instrument under the Act has not been complied with, that person may, within six weeks of the date on which the Orders are made, apply for the purpose to the High Court.

Dated this 6th day of September 2019

LONDON BOROUGH OF HAVERING

THE HAVERING (WAITING, LOADING AND STOPPING RESTRICTIONS) (MAP BASED) (CONSOLIDATION) ORDER 2019

THE HAVERING (PARKING PLACES) (MAP BASED) (CONSOLIDATION) ORDER 2019

NOTICE IS HEREBY GIVEN that the Council of the London Borough of Havering proposes to make amendments to the following Orders as follows under the Road Traffic Regulation Act 1984 as amended

PTO1116

- Introduce no waiting at any time restrictions
 - Outside Nos. 23 to 29 Gordon Avenue
 - Outside Nos 87 to 95 Grenfell Avenue
 - Outside Nos 57 to 63 Grenfell Avenue
 - On the junction of Edison Close and Edison Avenue
 - Around the entrance to Hammond Court and extending to opposite No 19 Grenfell Avenue
 - On the western kerb line of the turning head in Grenfell Avenue
- Introduce a loading bay Monday to Saturday 08.00am to 6.30pm, 20 minutes no return within one hour in the turning head of Grenfell Avenue
- Introduce pay and display bays Monday to Sunday 08.30am to 6.30pm in the turning head and in the lay by in Grenfell Avenue
- Introduce a permit parking scheme Monday to Friday 10.00am to 2.00pm in the following roads
 - Gordon Avenue
 - Edison Avenue
 - Wren Gardens
 - Grenfell Avenue
 - Edison Close

Further information may also be obtained via www.haveringtraffweb.co.uk or schemes@havering.gov.uk

Any objections or other representations about either of the proposed Orders should be sent in writing to the Highways Traffic and Parking Group Manager Havering Town Hall, Main Road, Romford RM1 3BB until the expiration of a period of 21 days from the date on which this Notice is published. All objections must specify the grounds on which they are made.

Dated this 6th day of September 2019

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ARCHANT

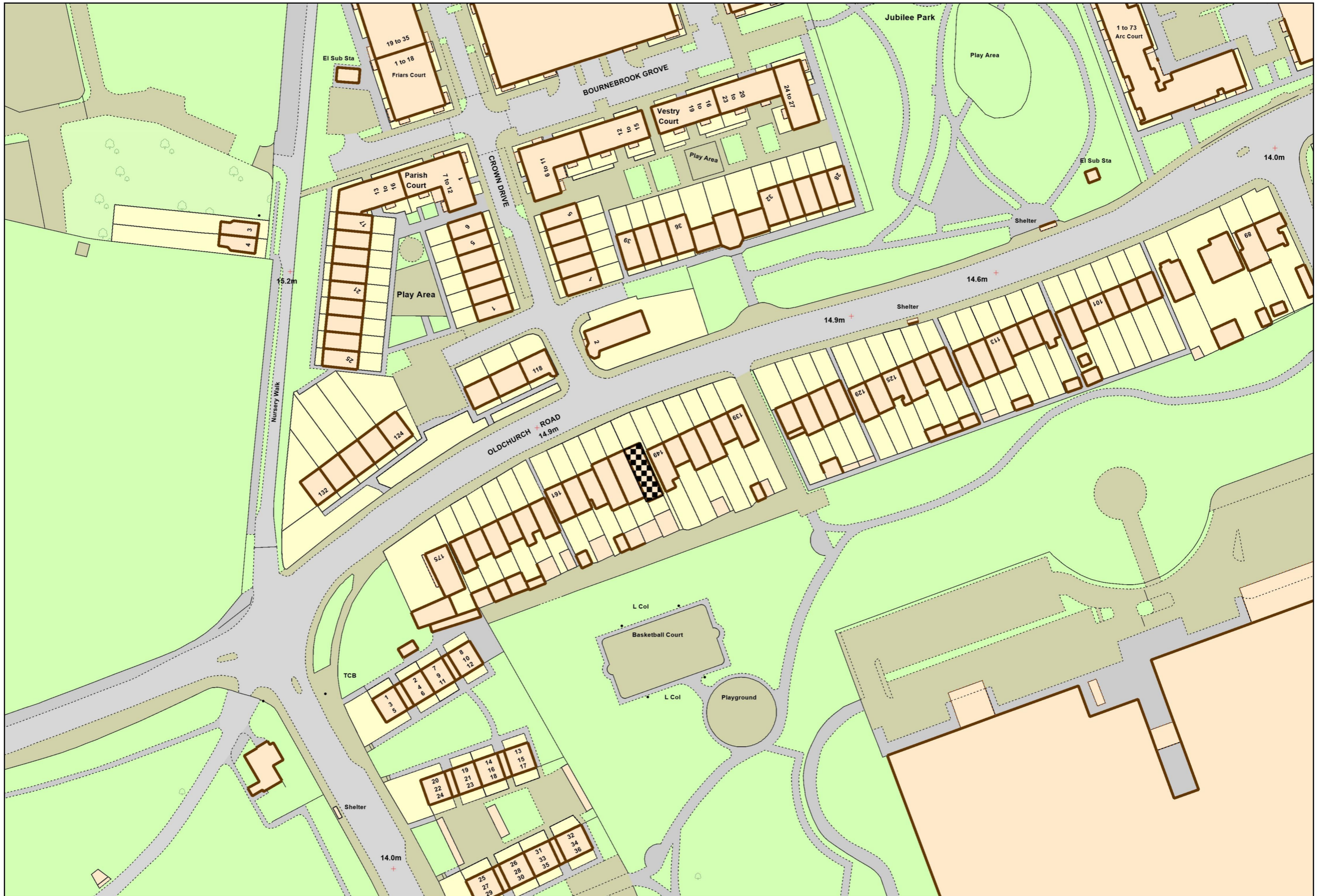
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Havering
LONDON BOROUGH

Map of the area





Representations from Responsible Authorities

Licensing Act 2003 – responsible authority representation

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

Applicant: Mr Thangarajah Pirabagaran
Premises: Select & Save 151 Oldchurch Road Romford RM7 0BD

Name: Paul Jones
Organisation: London Borough of Havering Licensing Authority
Address: c/o Town Hall Main Road Romford RM1 3BD
Email: paul.jones@haverling.gov.uk
Telephone no.: 01708 432692

Policy considerations

Licensing Policy 1

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

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

Licensing Policy 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 applicants will need to establish evidence of improvement in management standards and procedures.

Licensing Policy 10

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

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

Where the Licensing Authority receives representations from responsible authorities that the management of a premises is supporting such activities, or that there is strong evidence linking patrons with alcohol related crime, disorder or anti-social behaviour the Licensing Authority will consider reviewing the licences to impose additional restrictions and controls to prevent or minimise the impact.

Licensing Policy 19

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

Licensing Policy 20

The Licensing Authority is committed to tackling the illegal sale of alcohol to children, including proxy sales when adults buy alcohol for children. Premises within 400 metres of schools or colleges should consider licence conditions to control the products offered for sale and on display in windows. It expects licensees to implement measures to Challenge 25 standard to reduce the likelihood of underage sales from their premises and will take appropriate action, including review of licenses, where sales persist.

Representation

On 27th April 2019 as a part of a compliance exercise Havering's Trading Standards Service undertook a series of under-age alcohol test purchases in licensed premises across the borough. During this exercise a 14 year old girl was sold alcohol at Select & Save by the premises licence holder / DPS.

On 22nd July 2019 the licence holder attended a meeting with public protection officers. During this meeting an action plan to address this test purchase failure was agreed. Part of the action plan involved the licence holder submitting an application to vary the premises licence to add four conditions to the licence. These conditions were designed to aid the protection of children from harm licensing objective. This action plan agreement did not include any reference to extending the alcohol supply hours at the premises.

On 27th August 2019 an application was made to vary the premises licence to add four child protection conditions to the licence; however, in addition to the agreed conditions, the applicant also applied to *extend* the hours during which alcohol may be sold. The extended hours are largely morning hours, seeking permission to start selling alcohol at 06:00, from the current commencement hour of 08:00, seven days a week. The overall extension to alcohol supply hours would see a 15% increase from the current 102.5 hours per week to 119 hours per week. The Page 28 these additional hours will occur during the period when children are on their way to school and thus more likely to enter a premises whose doors were previously closed at this time.

The licence holder has lawfully submitted this full variation application. The application is open to scrutiny by the responsible authorities and anyone else. There is therefore no suggestion that any impropriety has occurred. The concern we have is that the modification to the current licence was agreed as a part of an action plan formulated further to working with the licence holder. Alternative approaches could have involved reviewing the licence or prosecuting the licence holder for selling alcohol to a child. The agreement made between the licence holder, Trading Standards and the licensing authority was to add four conditions to the licence to address the protection of children from harm. This application was prompted by the licence holder's failure to protect children from harm. The addition of an extension to hours as a part of the same application suggests that the licence holder may be looking to achieve some form of 'gain' from the situation.

The licence holder has failed to promote the licensing objective further to protecting children from harm. In addition, he has failed to comply with a number of Havering's licensing policies as indicated in the highlighted sections above. The four conditions proposed by Trading Standards will go a long way to ensuring that children are adequately protected from harm when in this premises. Until such time that we have evidence that the licence holder has successfully promoted this licensing objective, e.g. via repeat test purchase successes, the licensing authority does not feel that it would be in the interests of the promotion of the licensing objectives to allow the licence holder to commence alcohol sales during a period when there is a greater likelihood that school children will enter the premises on their way to school.

In addition and prior to these matters a licensing inspection was undertaken at this premises as part of a borough-wide licensing project designed to establish whether off-licensed premises were operating in accordance with the terms of the relevant premises licence. A visit to this premises on 9th March 2018, a little over a year before the failed under-age alcohol test purchase, found that alcohol was being displayed in the shop contrary to the terms of the licence. The premises plans identify where alcohol may be displayed and, conversely, where it may not be displayed. The use of an area for the display of alcohol, identified on the premises plans as an area designated for the display of confectionery, is a cause for concern, particularly in the light of the subsequent test purchase failure.

The licensing authority is therefore unable to support the portion of the application further to the extension to alcohol supply hours based upon our concerns further to the protection of children from harm. We are, however, quite happy to support the application further to adding conditions aimed at the increased protection of children from harm.

Complaint and inspection history (if applicable)

Routine licensing inspection undertaken 9th March 2018 which discovered unauthorised alcohol displays placed in an area of the premises, marked on the licensing premises plans as one in which 'sweets' may be displayed.

Under-age alcohol test purchase failure on 27th April 2019.

Other documents attached

Please see follow-up letter further to the 9th March 2018 licensing inspection below.

Signed *Paul Jones*

Dated 24th September 2019



Mr Thangarajah Pirabakaran



t 01708 432777

e paul.jones@havering.gov.uk

text relay 18001 01708 432563

19th March 2018

www.havering.gov.uk

My reference: PJJ/V/37291

Dear Mr Pirabakaran

Licensing Act 2003

Select & Save 151 Oldchurch Road Romford RM7 0BD

Premises licence no. 1954

As your staff member may have advised you I attended your premises on 9th March 2018 to conduct a brief licensing inspection to ensure that the individuals named on the premises licence detailed above are still in place and that the premises was laid out in accordance with the premises plans supplied to us.

Obviously you were not present at this time. Your female staff member indicated to me that you were at the cash and carry. Additionally, the premises was displaying alcohol in an unauthorised area, namely in the free standing shelf marked 'sweets' on the premises plans (please see overleaf).

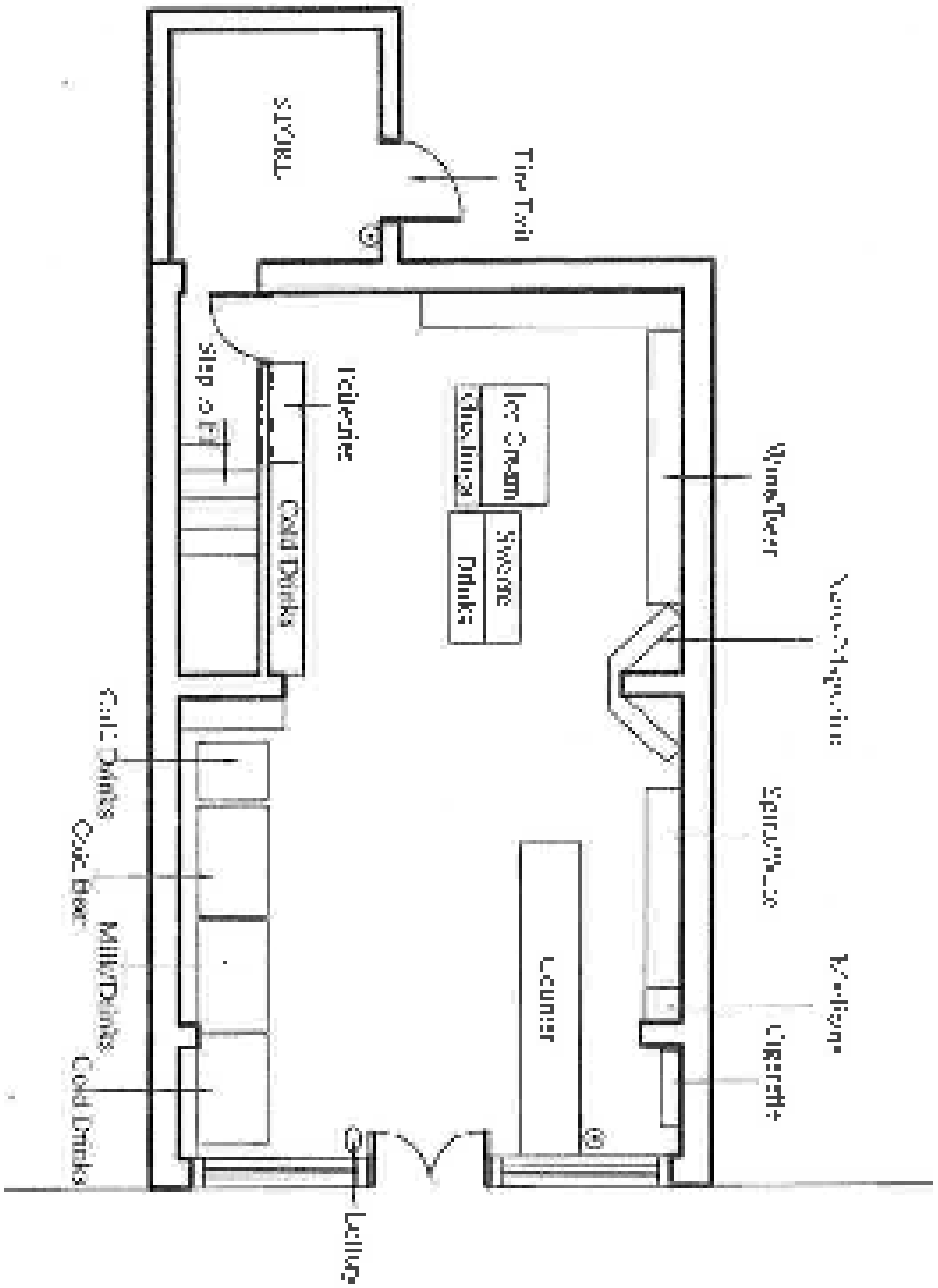
Please ensure that all alcohol is removed from this area forthwith as you are not permitted to display alcohol for retail sale in any area other than those identified in your premises plans.

Many thanks for your compliance.

Yours sincerely

Paul Jones

Paul Jones
Licensing Officer



Licensing Act 2003 – responsible authority representation

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

Applicant: Mr Thangarajah Pirabagaran
Premises: Select & Save, 151 Oldchurch Road, Romford RM7 0BD

Name: Adrian Winter
Organisation: London Borough of Havering Trading Standards
Address: c/o Town Hall Main Road Romford RM1 3BD
Email: adrian.winter@havering.gov.uk
Telephone no.: 01708 434610

Objection summary: The application is in response to an Action Plan agreed with Trading Standards. However, the applicant has exceeded the terms of the plan by asking to extend their alcohol hours at a time when Trading Standards has little confidence in the applicant's ability to successfully promote the licensing objectives.

Policy considerations

Licensing Policy 1

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

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

Licensing Policy 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 applicants will need to establish evidence of improvement in management standards and procedures.

Representation

On 27th April 2019 Trading Standards carried out a test purchasing exercise at the applicants business. A 14 year old volunteer was able to purchase a bottle of alcohol without being challenged. The seller was the applicant himself.

The premises had been selected because a 19 year old member of L.B. Havering Public Protection staff had previously been able to purchase age-restricted products without being challenged to prove their age.

Trading Standards gave careful consideration regarding the most appropriate way to deal with the underage sale. Mr Pirabagaran was invited to attend a meeting on 22nd July 2019 with officers from Trading Standards and Licensing.

Mr Pirabagaran attended the meeting with his wife, who is the other partner in the business. Both hold personal licences. During the meeting Mr Pirabagaran was unable to demonstrate an adequate understanding of the Licensing Act and his responsibilities as Designated Premises Supervisor.

Trading Standards wrote to Mr Pirabagaran on 29th July 2019 with an Action Plan, as an alternative to seeking a review of the premises licence. Amongst other provisions it included a requirement that all staff undertake formal refresher training as both Mr and Mrs Pirabagaran had obtained their personal licences many years ago with no subsequent refreshers and the only other employee had received no formal training at all.

The plan also required the applicant to submit a minor variation to add the following conditions to the premises licence:

1. *A log shall be kept at the premises and record all refused sales of alcohol for reasons that the person(s) is(are) or appears to be, under 25 years of age. The log shall record the date and time of the refusal and the name of the member of staff who refused the sale. The log will be made available on request by the Police or an authorised officer of the London Borough of Havering.*
2. *A 'Challenge 25' Scheme shall operate to ensure that any person attempting to purchase alcohol who appears to be under the age of 25 shall provide documented proof that he/she is over 18 years of age. Proof of age shall only comprise a passport, a photo card driving licence, an EU/EEA national ID card or similar document, or an industry approved proof of identity card.*
3. *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 made available to a relevant responsible authority when called upon. This training shall take place every 6 months.*
4. *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 and should a request for a copy be made then this should be complied with within 24 hours.

Trading Standards is pleased to see that Mr Pirabagaran has included all of these in his variation application. We therefore support this part of the application.

However, the applicant has chosen to take this opportunity to apply for an extension to their alcohol sales hours by two hours a day in the early morning, i.e. starting at 6am rather than 8am. Trading Standards can see no justification for this increase. Officers have contacted both the applicant and his licensing agent for an explanation. To date neither has been able to provide us with any satisfactory rationale.

It important to note that, since the underage sale and subsequent interview, Trading Standards has little confidence in the applicant's ability to manage his business in line with the four licensing objectives, and particularly regarding the Protection of Children from Harm objective. The applicant is in the early stages of implementing all the provisions of the Action Plan. Trading Standards considers it wholly inappropriate to seek an increase in hours until there is clear evidence that the management of these premises has reached a satisfactory standard. We therefore oppose the application to extend alcohol hours.

Conclusion

As outlined above, Trading Standards supports the application in respect of adding conditions to the premises licence. This is in line with the Action Plan of 29th July 2019.

Trading Standards opposes the application in respect of the application to increase the hours at which alcohol may be sold, for the reasons previously stated.

Complaint and inspection history (if applicable)

Sale of alcohol to a 14 year old volunteer during a Trading Standards test purchasing exercise on 27th April 2019.

Other documents attached

Not applicable

Signed Adrian Winter

24th September 2019