



LICENSING SUB-COMMITTEE

REPORT

Date 17 May 2017

Subject heading:

**Costcutter
193 Upminster Road South, Rainham,
RM13 9BB
Application to review a premises
licence**

Report author and contact details:

**ArthurHunt, Licensing Officer
5th floor Mercury House
licensing@havering.gov.uk
01708 432777**

This application for a review of a premises licence is made by Sasha Taylor, Trading Standards Specialist for the London Borough of Havering under section 51 of the Licensing Act 2003. The application was received by Havering's Licensing Authority on 28 March 2017.

Geographical description of the area and description of the building

The premise is a ground floor retail unit at the junction of Upminster Road South and Pinewood Avenue in Rainham.

A map of the area is attached.

Details of the application

The basis for the review is that the premises supplied alcohol to two underage Trading Standards volunteers on two separate occasions; 17 September 2016 and 25 February 2017. Therefore there is evidence that the premises are failing to uphold the licensing objective of protection of children from harm and therefore also the prevention of crime and disorder objective.

Requirements upon the Licensing Authority

The provisions of s.51 of the Act dictate that the Licensing Authority undertakes certain functions with regard to a premises licence review application. To this end a suitably worded public notice was placed at the premises, with their consent. (photograph below) The same notice was also installed on Havering's Town Hall notice board in

Main Road and also made available on Havering's website. A copy of the notice is attached for reference.



When determining an application for a premises licence review s.52(3) of the Act requires that the Licensing Authority must, having regard to the application and any relevant representations, take such of the steps mentioned in s.52(4) as it considers necessary for the promotion of the licensing objectives. These steps are:

- (a) to modify the conditions of the licence
- (b) to exclude a licensable activity from the scope of the licence
- (c) to remove the designated premises supervisor
- (d) to suspend the licence for a period not exceeding three months
- (e) to revoke the licence

Summary

There were no representations received from interested persons in relation to this review application.

There was one representation in support of the application from a responsible Authority (Police).



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

**LICENSING ACT 2003
APPLICATION FOR A PREMISES LICENCE REVIEW**

**Costcutter, 193 Upminster Road South,
Rainham RM13 9BB**

Notice is hereby given that an application has been made to the Licensing Authority of the London Borough of Havering by Havering's Trading Standards Service for a review of the above detailed premises licence.

GROUND'S FOR REVIEW

Under age alcohol sales have been made at the premises on two occasions in the last 6 months.

Any interested person or responsible authority wishing to make representation on this matter must do so in writing to: Licensing Authority c/o Town Hall Romford RM1 3BD between 29 March 2017 & 25 April 2017

The public register of Havering's Licensing Authority containing the grounds for this review may be inspected by appointment at the above address by telephoning 01708 432777 Monday to Friday 09:00hrs to 17:00hrs or at:-
<https://www3.havering.gov.uk/Pages/Services/Premises-licence.aspx>

It is an offence to knowingly or recklessly make a false statement in connection with an application for a review. On

summary conviction a person is liable to a fine not exceeding level 5 on the standard scale (currently £5000).



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Premises licence number

013756

Part 1 - Premises details

Postal address of premises, or if none, ordnance survey map reference or description

**Costcutter
193 Upminster Road South, Rainham, RM13 9BB.**

Where the licence is time limited the dates

N/A

Licensable activities authorised by the licence

Supply of Alcohol

The times the licence authorises the carrying out of licensable activities

Monday to Sunday – 07.00 to 23.00

The opening hours of the premises

Monday to Sunday – 07.00 to 23.00

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

Off Supply Only

Part 2

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

**Mehmet Arslan & Hacı Arslan
142 Upminster Road South, Rainham, RM13 9AX**

Registered number of holder, for example company number, charity number (where applicable)

N/A

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

Mehmet Arslan



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



Mandatory Conditions

1. No supply of alcohol may be made under the Premises Licence;
(a) at a time when there is no Designated Premises Supervisor in respect of the Premises Licence, or
(b) at a time when the Designated Premises Supervisor does not hold a Personal Licence or his Personal Licence is suspended.
2. Every supply of alcohol under the Premises Licence must be made or authorised by a person who holds a Personal Licence.
3. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
(a) A holographic mark, or
(b) An ultraviolet feature.
4. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price. 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. The premises will have comprehensive CCTV coverage both inside and outside the premises.
2. CCTV images will be retained for a minimum of 28 days and will be available to the police and authorised officers of the Licensing Authority upon reasonable request.
3. Whenever the DPS is not on the premises, another responsible person will be nominated to manage the premises in their absence.
4. The premises will maintain a challenges and refusals register. This register will details the following:- Date/time, Details of incident, Alcohol

attempted to purchase, Reasons for refusal or the ID shown, Member of staff dealing. – The register will be signed off by the DPS/Duty Manager at the end of each week.

5. The register will be made available to the police and authorised officers of the Council upon reasonable request.
6. The premises will maintain a challenge 25 policy. – whenever a person looks or appears to be under the age of 25, they will be asked for ID to prove that they are 18 years or older.

Annex 2 – Conditions consistent with the operating schedule cont'd

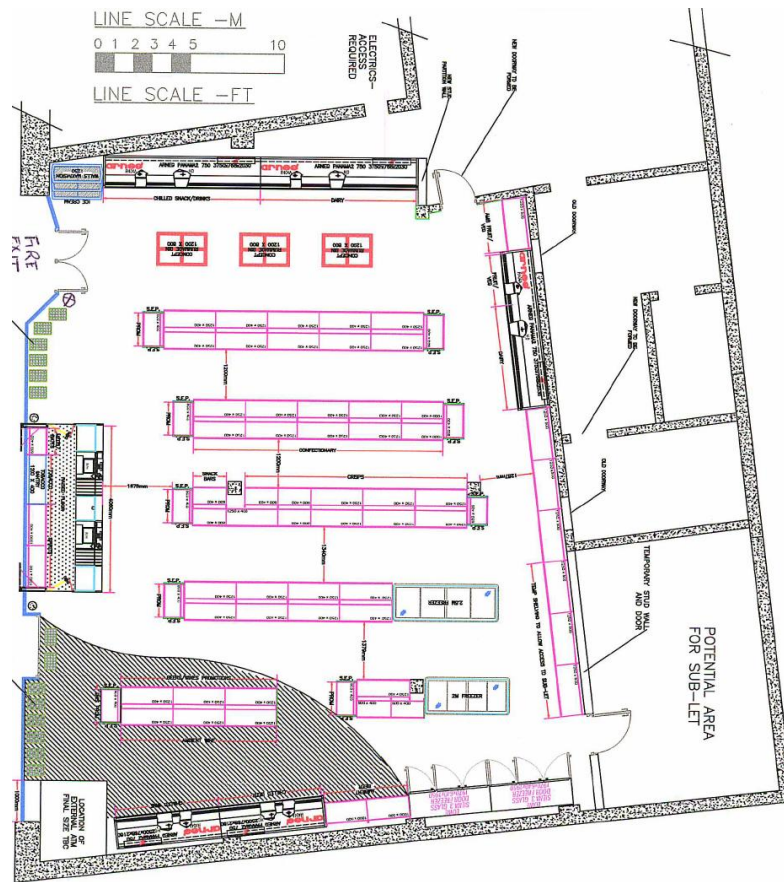
7. The only forms of ID that will be accepted will be the Government approved PASS Logo Scheme, a valid passport and a valid UK photo driving licence.
8. All staff will be trained before making sales of alcohol. – The training will include their responsibilities under the Licensing Act 2003.
9. Training will be documented and made available to the police and authorised officers of the Council upon reasonable request.

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

No hearing

Annex 4 – Plans

Full plans held by the London Borough Of Havering licensing section
Plans shown are not to scale





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Part B

Premises licence summary

Premises licence number

013756

Premises details

Postal address of premises, if any, or if none, ordnance survey map reference or description

**Costcutter
193 Upminster Road South, Rainham, RM13 9BB**

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The opening hours of the premises

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

Off Supply Only

Name, (registered) address of holder of premises licence

**Mehmet Arslan & Hacı Arslan
142 Upminster Road South, Rainham, RM13 9AX**

Registered number of holder, for example company number, charity number (where applicable)

N/A

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

Mehmet Arslan

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

N/A