



Havering
LONDON BOROUGH

Licensing Officer's Report

LICENSING SUB-COMMITTEE

23 May 2017

REPORT

Subject heading:

Report author and contact details:

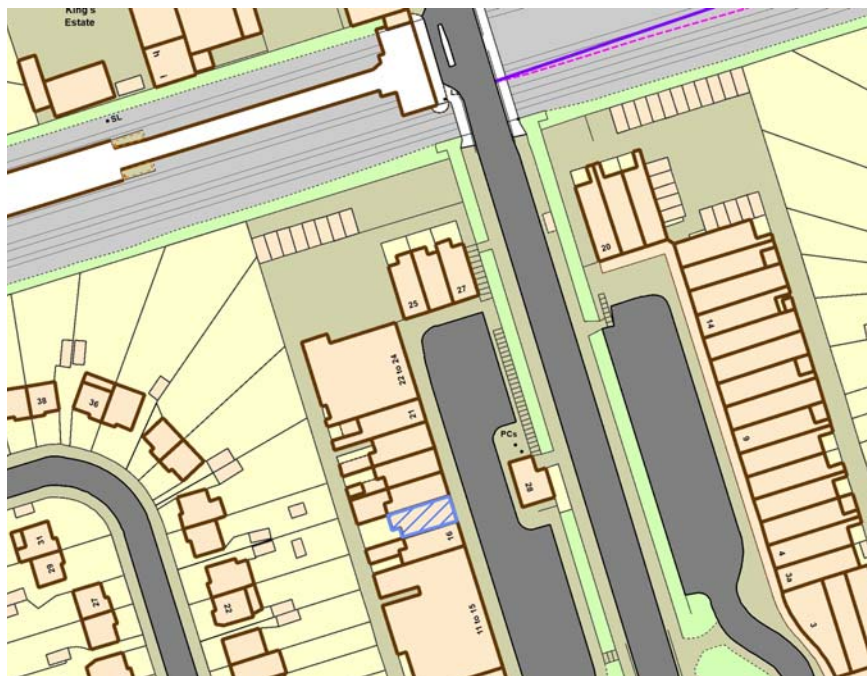
Soul 2 Soul
17 Station Parade Elm Park
Hornchurch RM12 5AB
Temporary Event Notice
Paul Jones, Licensing Officer
paul.jones@havering.gov.uk
01708 432692

This TEN was submitted by Mr Walter Ojukwu under the provisions of s.100 of the Licensing Act 2003. The TEN was received by Havering's Licensing Authority on 11th May 2017.

Geographical description of the area and description of the building

Soul 2 Soul Restaurant is located in Elm Park in a ground floor purpose built parade of commercial outlets. There is a premises licence in force at this restaurant. Residential properties occupy the floors above the commercial outlets.





Details of the TEN

This TEN provided notification that on 26th May 2017 Mr Walter Ojukwu intends to supply alcohol, provide regulated entertainment and provide late night refreshment from 23:00 to 02:00 the day following for a private birthday celebration at the Soul 2 Soul premises.

Objection notice(s)

On behalf of the Metropolitan Police PC Oisin Daly submitted an objection notice against this TEN under the authority of s.104(2) of the Act. PC Daly's objection notice expresses concerns further to the prevention of crime and disorder and the prevention of public nuisance.

Observations

The role of the licensing sub-committee with regard to an opposed TEN is governed by the Act. S.105(2)(a) requires that the licensing authority hold a hearing unless all parties agree that it is unnecessary.

The licensing sub-committee is empowered by the provisions of s.105(2) to approve the TEN as submitted or to prevent the TEN's commencement by giving the premises user a counter notice if it considers it appropriate for the promotion of a licensing objective to do so.

If the licensing sub-committee is inclined not to approve the TEN as submitted but is also not inclined to issue a counter notice under the provisions of s.105(2) it may impose one or more conditions on the TEN via the provisions of s.106A(2)(b) but only if those conditions are also imposed on a premises licence that has effect in respect of the same premises as the TEN.



Premises licence number

012994

Part 1 - Premises details

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

Soul 2 Soul
17 Station Parade, Elm Park, Hornchurch, RM12 5AB

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 – 09.00hrs to 23.00hrs

The opening hours of the premises

Monday to Saturday – 07.00hrs to 23.30hrs
Sunday – 09.00hrs to 23.30hrs

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

On Supply Only

Part 2

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

D Prime Cuisine Limited
8 Davenant Street, 4th Floor, London, E1 5NB
01708 607677

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

9388068

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

Mr Walter Okwudili Chukwu Ojukwu

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 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;
 - (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. Staff must be trained on licensing issues and such training will be recorded in staff files.
2. CCTV system will be installed throughout the premises, serving the restaurant, bar and takeaway, recordings will be made available to Police and officers of the Licensing Authority on request.
3. The CCTV system will retain recordings in the hard drive.

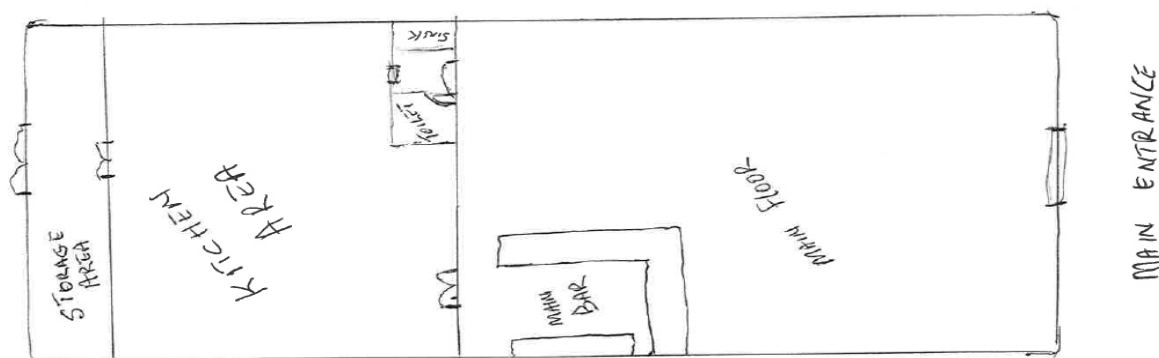
4. Any incident of the sale or misuse of drugs will be reported to the DPS as soon as possible.
5. An incident log book will be on site at all times and staff will be trained to complete it in the event of an incident and made available to Police or officers from the Licensing Authority on reasonable request.
6. First aid provision will be in place at the premises and at least one first aid trained member of staff will be at the premises during opening hours.
7. Music will be kept to low volume levels (not exceeding 50DB)
8. External doors will be kept closed except for access and egress.
9. A polite notice to be erected to the main entrance door requesting patrons to be quiet and considerate to local residents when leaving.
10. The DPS will be responsible for ensuring all staff working within the premises will be fully trained for their role on induction and receive regular refresher training.
11. Written training records will be kept for all staff and retained for 6 months after they cease employment and will be produced to Police or authorised officers on request.
12. A challenge 25 policy shall be operated. All customers that look under 25 shall be challenged to prove their identity when purchasing alcohol.
13. The premises shall be operated strictly as a Restaurant.
14. Alcohol shall be sold ancillary to table meals with all service by waiting staff.
15. Persons taking a table meal shall be permitted to purchase alcohol before, during and after the meal.
16. Alcohol shall not be supplied to persons collecting take away meals.

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





Part B

Premises licence summary

Premises licence number

012994

Premises details

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

Soul 2 Soul
17 Station Parade, Elm Park, Hornchurch, RM12 5AB

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 – 09.00hrs to 23.00hrs

The opening hours of the premises

Monday to Saturday – 07.00hrs to 23.30hrs
Sunday – 09.00hrs to 23.30hrs

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

On Supply Only

Name, (registered) address of holder of premises licence

D Prime Cuisine Limited
8 Davenant Street, 4th Floor, London, E1 5NB

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

9388068

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

Mr Walter Okwudili Chukwu Ojukwu

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

N/A



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

Copy of Application

* required information

Section 1 of 9

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 address

Main telephone number Include country code.

Other telephone number

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

Are you:

☒ Applying as a business or organisation, including as a sole trader

☐ Applying as an individual

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

Applicant 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.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Section 2 of 9

APPLICATION DETAILS ([See also guidance on completing the form, general notes and note 1](#))

Have you had any previous or maiden names?

☐ Yes ☒ No

Your date of birth / /
dd mm yyyy

Applicant must be 18 years of age or older

National Insurance number

This box need not be completed if you are an individual not liable to pay UK national insurance.

Place of birth

Correspondence Address

Is the address the same as (or similar to) the address given in section one?

☐ Yes ☒ No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Continued from previous page...

Additional Contact Details

Are the contact details the same as (or similar to) those given in section one?

☒ Yes ☐ No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

E-mail

Telephone number

Other telephone number

Section 3 of 9

THE PREMISES

I, the proposed user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry out a temporary activity at the premises described below.

Give the address of the premises where you intend to carry on the licensable activities or if it has no address give a detailed description (including the Ordnance Survey references). [\(See also guidance on completing the form, note 2\)](#)

Does the premises have an address?

☒ Yes ☐ No

Address

Is the address the same as (or similar to) the address given in section one?

☒ Yes ☐ No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)?

☐ Neither ☒ Premises licence ☐ Club premises certificate

Premises licence number

Location Details

Provide further details about the location of the event

soul2soul restaurant
17 station parade elm park rm12 5ab

Continued from previous page...

If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, give a description and details below ([see also guidance on completing the form, note 3](#))

full site

Describe the nature of the premises below ([see also guidance on completing the form, note 4](#))

restaurant and takeaway

Describe the nature of the event below ([see also guidance on completing the form, note 5](#))

private birthday celebration

Section 4 of 9

LICENSABLE ACTIVITIES

State the licensable activities that you intend to carry on at the premises

([see also guidance on completing the form, note 6](#)):

- ☒ The sale by retail of alcohol
- ☐ The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club
- ☒ The provision of regulated entertainment
- ☒ The provision of late night refreshment
- ☐ The giving of a late temporary event notice

Late notices can be given no later than 5 working days but no earlier than 9 working days before the event.

([See also guidance on completing the form, note 7](#)).

Event Dates

There must be a period of at least 10 working days between the date you submit this form and the date of the earliest event when you will be using these premises for licensable activities.

State the dates on which you intend to use these premises for licensable activities

([see also guidance on completing the form, note 8](#))

Event start date

26	/	05	/	2017
dd		mm		yyyy

The maximum period for using premises for licensable activities under the authority of a temporary event notice is 168 hours or seven days.

Event end date

27	/	05	/	2017
dd		mm		yyyy

Continued from previous page...

State the times during the event period that you propose to carry on licensable activities (give times in 24 hour clock)

23:00 to 02:00

[\(see also guidance on completing the form, note 9\)](#)

State the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers

45

Note that the maximum number of people cannot exceed 499.

[\(see also guidance on completing the form, note 10\)](#)

If the licensable activities will include the supply of alcohol, state whether the supplies will be for consumption on or off the premises, or both

[\(see also guidance on completing the form, note 11\):](#)

- ☒ On the premises only
☐ Off the premises only
☐ Both

Section 5 of 9

RELEVANT ENTERTAINMENT [\(See also guidance on completing the form, note 12\)](#)

State if the licensable activities will include the provision of relevant entertainment. If so, state the times during the event period that you propose to provide relevant entertainment

yes we will have entertainment from 23:00 to 02:00

Section 6 of 9

PERSONAL LICENCE HOLDERS [\(See also guidance on completing the form, note 13\)](#)

Do you currently hold a valid personal licence?

- ☒ Yes ☐ No

Provide the details of your personal licence below.

Issuing licensing authority

London Borough of Newham

Licence number

12/07744/LAPER

Date of issue

19 / 12 / 2012
dd mm yyyy

Date of expiry

18 / 12 / 2022
dd mm yyyy

Continued from previous page... Any further relevant details

Section 7 of 9

PREVIOUS TEMPORARY EVENT NOTICES [\(See also guidance on completing the form, note 14\)](#)

Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?

☐

Yes

☒

No

Have you already given a temporary event notice for the same premises in which the event period:

a) Ends 24 hours or less before; or

☐

Yes

☒

No

b) Begins 24 hours or less after the event period proposed in this notice?

Section 8 of 9

ASSOCIATES AND BUSINESS COLLEAGUES [\(See also guidance on completing the form, note 15\)](#)

Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

☐

Yes

☒

No

Has any associate of yours already given a temporary event notice for the same premises in which the event period:

a) Ends 24 hours or less before; or

☐

Yes

☒

No

b) Begins 24 hours or less after the event period proposed in this notice?

Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

☐

Yes

☒

No

Continued from previous page...

Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period:

☐ Yes ☒ No

- a) Ends 24 hours or less before; or
b) Begins 24 hours or less after the event period proposed in this notice?

Section 9 of 9

CONDITION [\(See also guidance on completing the form, note 17\)](#)

It is a condition of this temporary event notice that where the relevant licensable activities described in Sections 4 and 5 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user.

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.

This formality requires a fixed fee of £21

DECLARATION [\(See also guidance on completing the form, note 18\)](#)

- * The information contained in this form is correct to the best of my knowledge and belief
- * I understand that it is an offence:
 - * (i) to knowingly or recklessly make a false statement in connection with this temporary event notice and that a person is liable on conviction for such an offence to a fine up to level 5 on the standard scale; and
 - * (ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on conviction for any such offence to a fine not exceeding £20,000, or to imprisonment for a term not exceeding six months, or to both

☒ 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

[Add another signatory](#)

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

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

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

OFFICE USE ONLY

Applicant reference number	soul 2 soul
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	<input type="checkbox"/>



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

Representation from the Police
Responsible Authority

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

**KD - Havering Borough
KD - Romford Police Station**

Romford Police Station
19 Main Road
Romford
RM1 3BJ
Telephone: 01708-779171
Facsimile:
Email:
Oisin.Daly@met.pnn.police.uk
www.met.police.uk
Your ref:
Our ref:
12th May 2017

Dear Mr Jones,

Police have received a temporary event notice for

SOUL2SOUL, 17 station parade, Elm Park, RM12 5AB for the 26th May 2017 from 23:00hrs until 02:00hrs on the 27th May 2017.

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

1. the prevention of crime and disorder,
2. prevention of public nuisance

The applicant is a personal licence holder and should be aware of his responsibilities under the Licensing Act.

Of concern is that whilst a DPS in Waltham Forest in April the applicant was warned by local licensing officers that he was operating a venue outside his licensable hours, trading until 4am when the venue should have been closed by midnight.

This raises questions as to whether the event proposed will be managed in a fashion that will ensure that levels of intoxication are minimized and patrons will be supervised to prevent any bad behavior. The event is proposed to end at 2am, levels of intoxication at this hour would be significantly increased. No security provisions have been included in the application.

In addition the venue has a condition which states that the venue will operate strictly as a restaurant. The conditions of the existing licence have not been offered on the TEN application and subsequently the event could proceed without the restaurants conditions allowing it to trade in a format not suited to the area.

The venue is situated in Elm Park, above the restaurant are residential flats. The venue has no private smoking area, in order for patrons to smoke they would have to do so below residential flats.

The application also requests regulated entertainment, it is a concern that the flats above may be affected by noise nuisance late at night.

Police believe that the venue by its location in a residential area is not suited to operating in a manner that will not cause a nuisance to local residents.

If I can be of any further assistance please feel free to contact me.

Yours sincerely,

Oisin Daly

PC 364KD

Licensing officer

Haverling