

MINUTES OF A MEETING OF A LICENSING SUB-COMMITTEE
15 December 2009 (10.30 am – 10.50 am)

Present:

COUNCILLORS:

Conservative Group

Georgina Galpin (Chairman)
Robert Benham
Peter Gardner

The applicant did not attend the hearing. In attendance were PC Dave Leonard on behalf of the Metropolitan Police and Havering Licensing Officer, Mr Paul Campbell. The legal advisor and the clerk to the Sub-Committee were also in attendance.

The Chairman advised those present of action to be taken in the event of emergency evacuation of the Town Hall becoming necessary.

There were no declarations of interest.

The Sub-Committee adjourned at the end of the hearing to consider its decision, and reconvened to announce it.

PREMISES

The Squirrels Public House
420 Brentwood Road
Romford
RM2 6DH

DETAILS OF APPLICATION

Applications for a Temporary Event Notices under section 100 of the Licensing Act 2003 ("the Act").

APPLICANT

Mr Surjit Singh Lalli
8 Sherrard Road
Forest Gate
E7 8DN

1. Details of the application

The applicant submitted two applications for temporary event notices on 8 December 2009 in accordance with the provisions of section 100 Licensing Act 2003.

The temporary event notices were to cover 24 December and 31 December 2009.

2. Grounds of objection

Havering Police served a notice of police objection on the Licensing Authority on 9 December 2009.

The ground for objection to the Temporary Event Notices was as follows:

Prevention of Crime and Disorder

The representation stated that the premises had a history of under age sales that had yet to be satisfactorily addressed.

The Sub-committee was informed by the Licensing Officer that in order to give Mr Lalli enough notice of the Police representation, Mr Lalli was telephoned and informed accordingly.

3. The Application.

Mr Lalli had left a telephone message the previous evening that he wished to withdraw his application. He had been advised to attend. No formal application to withdraw had been made. The applicant did not attend the hearing.

4. Details of Representations

Chief Officer of Metropolitan Police (“the Police”)

Metropolitan Police submitted a letter dated 9th December 2009 in which they contended that

- 1) There had been three under age sales following test purchases, as a result of which an application for a review had resulted in a three month suspension of the licence, currently subject to appeal.
- 2) The premises had a history of poor management and supervision.
- 3) A fourth underage sale had taken place in October 2009.
- 4) The Applications related to festive period when alcohol consumption would increase and therefore there needed to be confidence that the premises was well run, which was not the case.

In oral representations, the presenting officer stated that a random test with a drug itemiser, had detected drugs on the premises including cocaine on surfaces in the toilets.

5. Determination of Application

Consequent upon the hearing held on 15 December 2009, the Sub-Committee’s decision regarding the applications for temporary event notices for Squirrels Public House is as set out below, for the reasons shown:

The Sub-Committee was obliged to determine this application with a view to promoting the

licensing objectives, which are:

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

In making its decision, the Sub-Committee also had regard to the Guidance issued under Section 182 of the Licensing Act 2003 and Havering's Licensing Policy.

In addition the Sub Committee took account of its obligations under s17 of the Crime and Disorder Act 1998, and Articles 1 and 8 of the First Protocol of the Human Rights Act 1998.

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| Agreed Facts | |
| Facts/Issues | |
| Decision | |
| Issue 1 | <p>Crime and Disorder The Sub-Committee accepted:-</p> <ol style="list-style-type: none">1) that in September 2009, The Squirrels was subject of a premises licence review following three underage sales test purchases failures2) there had been a repeated failure of the management to address the associated issues.3) This venue has a history of poor management and supervision.4) A fourth test purchase failure occurred in October 2009. <p>The premises licence holder is currently appealing against the sub committee's decision to suspend the premises licence for three months following a review hearing. A second review is also scheduled for 22 December 2009.</p> <ol style="list-style-type: none">5) A recent itemiser test at the premises had detected drugs on the surfaces, in particular cocaine, in the toilet. |
| Response of the Applicant | The applicant was not present to respond to the representation of the Police. |

6. Decision

Having considered the oral and written submissions of the Police in relation to the temporary events notices, the Sub-Committee rejected the application and issued a counter notice on the basis that it would undermine the crime prevention objective for the following reasons:

- Repeated history of under age sales of alcohol resulting in a suspension of the licence at an earlier review that is currently being appealed and further review hearing scheduled for 22 December 2009
- Poor management and supervision at the premises
- that during a visit to the premises, a random drugs test showed presence of cocaine usage which signified poor supervision of the premises.

The Panel also passed adverse comment on the failure of the applicant to attend the hearing and the discourtesy involved.

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CHAIRMAN

Date: