

**MINUTES OF A MEETING OF A LICENSING SUB-COMMITTEE
11 August 2005 (10.30am – 11.45pm)**

Present:

COUNCILLORS:

Conservative Group	Peter Gardner (Chairman)
Labour Group	Harry Webb
Residents' Group	Ivor Cameron

Ms Cassandra Tuck (Manager Colley Row Inn) Mr Tom Ball (General Manager JD Wetherspoon Plc) and Clare Eames (Legal Director JD Wetherspoon Plc), PC Dave Leonard (Metropolitan Police Licensing Officer), Graham Hopkins (Havering Licensing) Derron Jarell (Legal advisor to the Sub-Committee) and Taiwo Adeoye (Clerk) were present.

There was no member of the public present.

The Chairman advised Members and the public of action to be taken in the event of emergency evacuation of the Town Hall becoming necessary.

THE COLLEY ROW INN PUBLIC HOUSE- VARIATION TO A PREMISES LICENCE

The Committee received a report outlining the application. The premises were currently permitted to open as follows:

Monday to Saturday - 10:00 hours to 23:00 hours

Sunday & Good Friday - 12:00 hours to 22.30 hours

Christmas Day 1st - 12:00 hours to 15:00 hours

Christmas Day 2nd - 19:00 hours to 22:30 hours

New Years Eve - 10:00 hours to 00:00 hours New Years Day (Government Deregulated licensing hours)

The premises has a supper hours certificate.

The Legal advisor to the Sub-Committee requested some clarification from the applicant to their application. These clarification related to playing of live and recorded music and late night refreshment. The applicant stated they want to retain their option to serve hot food. In relation to the submitted plan, the Sub-Committee enquired if there had been any alteration to the premises as the plan available was not of good quality.

There had been no representations by members of the public who live in the vicinity of the premises or on a transitory route from the venue.

There had been a representation against the variation made by the Metropolitan Police Licensing Officer.

There has been no representations from members of the public which were considered to be invalid.

The Licensing Officer presented his report to the Sub-Committee. In a letter dated 24th June 2005 the applicant's solicitors agreed to accept the ACPO terms as a condition on their Licence.

There was a valid representation against the variation made by the Metropolitan Police Licensing Officer. He made an oral submission and reiterated what was in his submission, in particular he requested clarification regarding international events and non-standard times. It was also requested that a personal licence holder be available on the premises during operating hours.

The Sub-Committee noted that the applicant had sought to remove all embedded restrictions on the Justices Licence. The applicant had however not been able to advise the Licensing Office what the embedded restrictions were.

The Sub-Committee received an oral submission from the applicant's legal representative that the Colley Row Inn had been part of JD Wetherspoon Plc for the last six years. It was a local public house with a commitment of a good neighbourhood policy and no history of complaints. The premises boast an extensive CCTV (16 cameras) coverage that also covers the back and front of the building. JD Wetherspoon Plc is looking to train and including badging of its door staff to meet SIA standards.

After consultation and agreement with the Metropolitan Police Licensing Officer, JD Wetherspoon Plc in relation to the Colley Row Inn were seeking to revise their application as follows:

Supply of alcohol:

Monday to Thursday: 09:00 hours until 00:00 hours

Friday and Saturday: 09:00 hours until 01:00 hours

Sunday: 9:00 hours until 00:00 hours

The Sub-Committee was informed that due to current technicalities it was not viable to have an additional licence holder in place by November 2005. A compromise was reached with the Police to have an additional holder in place by February 2006.

The applicant also requested the Sub-Committee to allow children freedom of movement around the premises. In relation to door supervisors, the Sub-Committee was informed a risk assessment is to be undertaken to determine if the Colley Row requires door supervisors.

At this point the Chairman adjourned the hearing to allow the Sub-Committee to make its decision.

On reconvening, the Sub-Committee **RESOLVED** that the application to vary be granted as follows:

The application to vary is granted as follows:

1. That the premises may open for the following licensable activities;

(a) Supply of alcohol:

Monday to Thursday: 09:00 hours until 00:00 hours
 Friday and Saturday: 09:00 hours until 01:00 hours
 Sunday: 9:00 hours until 00:00 hours

(b) Late night refreshment:

Monday to Thursday: 23:00 hours until 00:00 hours
 Friday and Saturday: 23:00 hours until 01:00 hours
 Sunday: 23:00 hours until 00:00 hours

2. Non-standard timings

In addition to the use of Temporary Event Notices allowed under the Licensing Act 2003, the premises may open on 12 non-standard occasions, in line with the Association of Chief Police Officers guidelines; subject to a minimum of 10 working days' notice being given to the licensing authority and the Police for each occasion. The prior written consent of the Police to be obtained and the police to have absolute right to refuse any occasion. A register to be kept at the premises available for inspection by the police or an Authorised Office of the Licensing Authority and details of each occasion to be recorded in it including the written consent of the police.

3. The Protection of Children from Harm

Children will be restricted to meal area and they will be required to vacate the Bar by 21:30 hours. Children must always be accompanied by an adult who will be required to maintain constant supervision of them.

The Sub-Committee agreed to remove the following restrictions currently imposed on the converted licence:

1. The restrictions relating to permitted hours as set out in Section 60 Licensing Act 1964 with the exception of New Years Eve.
2. The restriction on consumption of alcohol as set out in Section 63 (1) Licensing Act 1964 (i.e. drinking up time)

The Sub-Committee agreed to maintain the following restrictions currently imposed on the converted licence:

1. The restrictions and effects of Section 168, 168A and Section 171

Licensing Act 1964 so as to allow the provisions under the Licensing Act 2003 to apply in relation to children.

2. The restrictions on credit sales imposed by Section 166 Licensing Act

The Sub-Committee also requested that a clear floor plan of the premises be forwarded to the Council's Licensing Office and the Licensing Office at Romford Police Station.

Chairman

Date