

**MINUTES OF A MEETING OF A LICENSING SUB-COMMITTEE
14 December 2005 (10.35am – 10.50am)**

Present:

COUNCILLORS:

Conservative Group Joe Webster (Chairman)
Barry Oddy

Mr Hussein Aziz (the applicant) Dave Leonard (Havering Police) Paul Jones (Havering Licensing), Derron Jarell (Legal advisor to the Sub-Committee) and Anthony Clements (Clerk) were present. One member of the press was also 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 Sub-Committee adjourned at the end of the hearing to consider its decision, and reconvened to announce it.

**APPLICATION TO VARY THE PREMISES LICENCE IN RESPECT OF
JUST BAGELS, GROUND FLOOR, 6, ATLANTA BOULEVARD,
ROMFFORD, RM1 1TB.**

The Sub-Committee considered a licensing application as follows.

DETAILS OF APPLICATION

Application for a premises licence under the Licensing Act 2003 ("the Act"), and application to vary the premises licence simultaneously.

APPLICANT

Mr Hussein Aziz
Ground Floor
6 Atlanta Boulevard
Romford
Essex
RM1 1TB

1. Details of existing licensable activities

The applicant currently has no licence allowing the provision of late night refreshment and consequently was required to cease the provision of late night refreshment at 23:00 hours.

Current Opening Times:

Monday to Sunday 05:00 hours to 23:00 hours

2. Details of requested variation(s)

An application had been made to vary the provision of licensable activities as set out below:

Licensable Activities:

(a) Late Night Refreshment

Monday to Thursday:	23:00 hours until 02:00 hours
Friday and Saturday:	23:00 hours until 03:30 hours
Sunday:	23:00 hours until 01:00 hours

3. Promotion of the Licensing Objectives

The applicant had completed the operating schedule, which formed part of their application, that they would take the steps set out to promote the four licensing objectives:

4. Details of Representations

Representations Objecting to the Application

No representations were received from members of the public in relation to this application.

Responsible Authorities

Chief Officer of Metropolitan Police (“the Police”)

The representation from the Police was concerned with the premises being located at the “hotspot” of crime and disorder within Havering. Although there had been no crimes reported at Just Bagels itself, there had been a large number of incidents in the immediate vicinity. Concern was also raised that the applicant had previously been prosecuted for trading in excess of his current permitted hours.

No representations were received from any of the following Responsible Authorities:

London Fire & Emergency Planning Authority (“LFEPA”)

Health & Safety Enforcing Authority

Planning Control & Enforcement

Public Health

Children & Families Service

Trading Standards Service

The Magistrates Court

In summary, having regard to the following objectives the representations relate to the following issues:

Prevention of Crime and Disorder

5. Determination of Application

The Sub-Committee's decision regarding the application to vary the Premises Licence for Just Bagels was 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 were:

- 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.

Decision

Having considered the variations sought, the representations and having considered the oral and written submissions on behalf of the applicant, the Sub-Committee granted in part the application as follows:

1. Licensable Activities:
 - (a) Late Night Refreshment

Monday to Thursday:	23:00 hours until 00:30 hours
Friday and Saturday:	23:00 hours until 02:00 hours
Sunday:	23:00 hours until 00:00 hours

In making its decisions the Sub-Committee took account of the licensing objectives and in particular the prevention of crime and disorder which it must promote in carrying out its functions. The Sub-Committee was of the view that the application has been granted to the greatest extent possible whilst promoting the prevention of crime and disorder and the licensing objectives generally. The limitation on the hours sought were the minimum intervention in the applicant's right to enjoy its property that the Sub-Committee could impose whilst carrying out its functions appropriately.

Date: Chairman