

MINUTES OF A MEETING OF A LICENSING SUB-COMMITTEE
Havering Town Hall, Romford
2 September 2005 (10.30am – 11.20am)

Present:

COUNCILLORS:

Conservative Group	Barry Oddy (Chairman)
Residents Group	Ivor Cameron
Labour Group	Harry Webb

Sgt Richard Edwards (Havering Police Licensing Officer), Paul Campbell (Havering Licensing), Derron Jarell (Legal advisor to the Sub-Committee) and Philip Heady (Clerk) were present.

Also in attendance was one member of the public.

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

1 MEMBERSHIP

It was noted that the Sub-Committee had changed its membership since the agenda had first been issued. All three Members of the Sub-Committee as now constituted were present and it was noted that the applicant and the objector had been informed in advance of the change of personnel.

2 REQUEST FOR ADJOURNMENT

The Sub-Committee considered a request to adjourn the meeting which had been made over the telephone by the applicant on the morning of the hearing. The Sub-Committee considered that the applicant had had sufficient time to arrange for representation and agreed to turn down the request.

**3 THE CRUMPLED HORN, 33 CORBETS TEY ROAD, UPMINSTER-
Application to vary a premises licence.**

The Committee received a report outlining the application.

The premises were currently permitted to open Monday to Saturday 10.00am to 11.00pm, Sunday and Good Friday 12noon to 11.00pm, Christmas Day 12noon to 3.00pm and 7.00pm to 10.30pm and New Years Eve 10.00am to 0.00 hours New Years day. The premises had a Supper Hours certificate.

The Licensing Officer introduced his report set out on pages 10 to 14 of the agenda. There were no questions.

Sergeant Richards introduced the Police objection as set out on pages 45 to 47 of the agenda. During this the Council's legal representative reported that by fax dated 2 September the applicant had withdrawn the application for permission for the premises to open for licensable activities to show the broadcast of televised sporting events of national or international interest outside normal operating hours as identified in box M of the application form.

Further, the fax had indicated that the applicant was content to accept the recommendations of the Police (as set out on p46 of the agenda), ie

- No more than 12 extensions per year (excluding TENS) should be allowed with an absolute veto for police in respect of these occasions.
- A clarification of 'sporting events of national or international interest'.

Sergeant Richards reported that the Police objected to there being an unspecified amount of occasions when the premises can operate outside their normal permitted hours as this could have an adverse effect on Crime and Disorder and public nuisance in this residential area. The Police also objected to this application because if granted as drafted there would be no control on the opening hours as the events were not clearly specified. The effect would be to enable the premises to open virtually when they wanted to which could potentially undermine the Crime and Disorder and Public Nuisance aspect of the licensing objectives. He indicated, however, that opening until midnight at weekends would be acceptable to the Police with the other hours remaining unchanged.

Arising from questions from the Chairman, Sergeant Richards.

- Confirmed that the Police would wish there to be restrictions on the use of Temporary Event Notices, limiting them to 12 non-standard occasions per annum with ten days notice with the Police having an absolute veto.
- Confirmed that, should any variation to standard opening hours be agreed they would wish CCTV to be installed as indicated by the applicants in section Q(b) ("additional steps that you intend to take in order to promote the four licensing objectives if the proposed variation is agreed: the prevention of crime and disorder") of the application form.

- Indicated that he was unaware whether the premises had any door supervisors, but that the Police would not insist upon their provision.

At this point (10.55am) the Chairman adjourned the hearing to allow the Sub-Committee to make its decision.

On reconvening, the Sub-Committee **RESOLVED** that

- 1 the application for conversion be approved and that the application to vary be granted in part as follows:

That the premises may open for the following licensable activities;

(a) Supply of alcohol:

Sunday to Thursday: 10:00 hours until 23:00 hours
Friday and Saturday: 10:00 hours until midnight

(b) Late night refreshment:

Friday and Saturday: 23:00 hours until midnight

(c) Recorded Music:

Sunday to Thursday: 10:00 hours until 23:00 hours
Friday and Saturday: 10:00 hours until midnight

2. Films

Application denied as the Sub-Committee had insufficient meaningful detail on which to base any decision.

3. Indoor sporting events

Application denied as the Sub-Committee was mindful that only competitive indoor sport events were licensable, but had insufficient meaningful detail on which to base any decision, as to whether or not the applicant was seeking to have competition or just the playing of indoor sport.

4. Live music

Application denied as the Sub-Committee had insufficient meaningful detail on which to base any decision.

5. Performance of dance

Application denied as the Sub-Committee had insufficient meaningful detail on which to base any decision.

6. Facilities for making music and facilities for dancing

Application denied as the Sub-Committee had insufficient meaningful detail on which to base any decision.

7. On Section P of the application, the request was denied because the form failed to set out what restrictions the applicant was seeking to be removed, and therefore it had sufficient meaningful detail on which to base any decision.

8. 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 ten 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 Officer of the Licensing Authority and details of each occasion to be recorded in it including the written consent of the Police.

9. Condition

In accordance with the application's representation, set out in section Q(a) of the application form, the applicant is required to complete a risk assessment. Such risk assessment to be made jointly with the Metropolitan Police, and to be evidenced in writing.

The Sub-Committee wished it to be recorded that they were disappointed that the applicant had not been able to be represented at the meeting, particularly as this might have been helpful in dealing with some aspects of the application.

Chairman _____

Date _____