

MINUTES OF A MEETING OF A LICENSING SUB-COMMITTEE
23 January 2007 (10.30am – 11.55am)

Present:

COUNCILLORS:
Conservative

Edward Cahill (Chairman)
Pam Light
Melvin Wallace

Mr & Mrs Kakkad, the applicant and Mr S Lane and Mr S Panesar, legal representative for the applicant, were present. The LB Havering Licensing Officer, the legal advisor to the Panel and the clerk to the Panel were also in attendance.

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 FOR A PREMISES LICENCE IN RESPECT OF THE BEST ONE EXPRESS, 8-9 THE BREWERY WALK, ROMFORD, RM1 1AU.

The Sub-Committee considered the application for a licence for the above premises as follows.

PREMISES

Best One Express
8-9 The Brewery Walk
Romford
RM1 1AU

DETAILS OF APPLICATION

Application for a premises licence under section 17 of the Licensing Act 2003 ("the Act") for the premises referred to in part 1 of the application.

APPLICANT

1. **Details of existing licensable activities**

There are none.

2. Details of requested variations

An amended application has been made for the provision of the following licensable activities. The application was amended by the applicant at the Hearing:

Licensable Activities:

An application has been made for the following:

Licensable Activities:

(M) Supply of alcohol

Monday to Saturday	10.00 hours to 23.00 hours
Sunday	10.00 hours to 22.30 hours

(O) Hours premises open to public

Monday to Saturday	06.00 hours to 23.00 hours
Sunday	06.00 hours to 22.30 hours

4. Promotion of the Licensing Objectives

The applicant has completed the operating schedule, which forms part of his application, that he will take the steps set out to promote the four licensing objectives:

5. Details of Representations

Representations Objecting to the Application from "Interested Parties"

Altogether there were three representations made against the application by members of the public who live in the vicinity of the premises or on a transitory route from the venue. All three parties were not present at the hearing.

The representations related to The Prevention of Public Nuisance and Crime & Disorder Licensing objective. They referred to the noise levels will be increased by drunken revellers at night times. Consumption of alcohol will also increase the level of crime & disorder.

Responsible Authorities

Metropolitan Police ("the Police"):

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The representation made by the police was considered invalid as it did not correctly address any of the four licensing objectives.

London Fire & Emergency Planning Authority (“LFEPA”): None

Health & Safety Enforcing Authority: None.

Planning Control & Enforcement: None.

Public Health: None

Children & Families Service: None

Trading Standards Service: None

The Magistrates Court: None

6. Determination of Application

Consequent upon the hearing held on 23 January 2007, the Sub-Committee’s decision regarding the application for a Premises Licence for Best One Express 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 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.

Decision

Agreed Facts Facts/Issues

Issue 1	Whether the granting of the premise licence would undermine the prevention of public nuisance objective.
Issue 2	Whether the granting of the premises licence would undermine prevention of crime & disorder objective.

Decision	
Issue 1	<p>Prevention of Public Nuisance</p> <p>The representations stated concerns with increasing noise levels. Consuming alcohol will encourage youths to loiter around the area and cause shouting & screaming, fights.</p>
Issue 2	<p>Prevention of Crime & Disorder</p> <p>The representation also stated concerns regarding the increased crime & disorder if a license is granted. There will be a potential violent crime in the streets when under the influence of alcohol.</p>

Having considered the variations sought, the representations and considering the written and oral submissions on behalf of the applicant, the Sub-Committee granted the application subject to the conditions set out below:

CD 38-42, in relation to CCTV

CD 51-53, in relation to protection of children from harm

In addition, areas surrounding the store will be fitted out with good lighting equipment which does not cause unnecessary nuisance to residents.

CD 38: At the time of installation or upgrading of any CCTV system it shall comply with the current and relevant Havering Police guidelines for Standard Minimum Closed Circuit Television Requirements (Issue 1, July 2004).

CD 39: A CCTV system shall be installed or the existing system maintained. The system will incorporate a camera covering each of the entrance doors and be capable of providing an image which is regarded as 'identification standard.'

CD 40: To obtain a clear head and shoulders image of every person entering the premises on the CCTV system, persons entering the premises should be asked to remove headwear, unless worn as part of religious observance.

CD 41: The CCTV system shall incorporate a recording facility and any recordings shall be retained and stored in a suitable and secure manner for a minimum of one calendar month. A system shall be in place to maintain the quality of the recorded image and a complete audit trail maintained. The system will comply with other essential legislation, and all signs as required will be clearly displayed. The system will be maintained and fully operational throughout the hours that the premises are open for any licensable activity. For premises using a video recording system, the cassette tape shall be used on no more than 12 occasions to maintain the quality of the recorded image.

CD 42: The position of all CCTV cameras shall be clearly shown on a set of

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plans and any alteration to the system should only be carried out after consultation with and written approval of, Havering Police and the Licensing Authority.

CD 51: All members of staff at the premises shall seek “credible photographic proof of age evidence” from any person who appears to be under the age of 18 years and who is seeking to purchase alcohol. Such credible evidence, which shall include a photograph of the customer, will include a passport, photographic driving license, or proof of age card carrying a “PASS” logo.

CD 52: All occasions when persons have been refused service shall be recorded in writing and kept at the premises for six months.

CD 53: Prominent, clear notices shall be displayed at the premises about the supply of alcohol to minors and the relevant offences involved.

Licensable Activities:

(M) Supply of alcohol

Monday to Saturday	10.00 hours to 23.00 hours
Sunday	10.00 hours to 22.30 hours

(O) Hours premises open to public

Monday to Saturday	06.00 hours to 23.00 hours
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CHAIRMAN

Date: 2007