

**MINUTES OF A MEETING OF A LICENSING SUB-COMMITTEE
26 July 2007 (10.30am – 11.00am)**

Present:

COUNCILLORS:

Conservative

Melvin Wallace (Chairman)
Peter Gardner
Pam Light

Michelle Morris and James Rose representing the Council (applicant), were present. Also present were the LB Havering Licensing Officer, the Legal Advisor to the Panel and the clerk to the Panel.

The Chairman advised everyone present 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.

The application was of the existing premises licence for a Premises Licence under section 17 of the Licensing Act 2003 ("the Act") and was a major variation of the existing premises licence.

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

PREMISES

Cottons Park
London Road
Romford
RM7 7AA

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.

1 Determination of Application

Decision

Consequent upon the hearing held on 26 July 2007, the Sub-Committee's decision regarding the application for a Premises Licence for Cottons Park 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

Agreed Facts	
Facts/Issues	
Issue 1	Whether the granting of the premise licence would undermine the prevention of public nuisance objective.
Issue 1	<p>Public Nuisance</p> <p>The Sub-Committee noted the representation received from a member of the public. The resident contended that the park was in a residential area and as such all properties would be disturbed from the noise from any events held and from preparation for such events. Concern was also raised about a recent event held under a temporary licence, residents were subjected to loud music all afternoon of Saturday even though the event was scheduled for Sunday.</p>
Response of the Applicant	<p>A representative of the Council addressed the Sub Committee and stated that the Council was looking to encourage and develop the parks in partnership with local friends Cottons Park. The Parks Services hoped to allay the fears of local residents by agreeing to the condition of a Dispersal Policy and erecting signs and notice requiring patrons to leave quietly.</p> <p>The second written representation was in support of the application stating that the Friends of Cottons Park were still improving the profile of the park and encouraging people to visit. During events a risk assessment was undertaken, policing was by uniformed officers from the Safer Neighbourhood scheme and the Friends personnel wearing High Visibility jackets</p>

Having considered the oral and written submissions on behalf of the applicant, objectors and the licensing officer, the Sub-Committee granted in full the Licence.

Licensable Activities

Live Music
Recorded Music
Performance of Dance

Provision for making music
Provision for Dancing

Day	Start	Finish
Monday	12:00 hours	17:00 hours
Friday	12:00 hours	17:00 hours
Saturday	12:00 hours	17:00 hours
Sunday	12:00 hours	17:00 hours

Conditions

That, for the benefit of the premises and customers, the following conditions be placed on the licence:

- 1) The equipment should not be on the premises prior to 24 hours before the event.
- 2) The testing of equipment should only be done briefly on the day of the event.
- 3) The equipment should not be fully functional (open to the public) until the time and duration stated in the licence.

2. Right of Appeal

Any party to the decision or anyone who has made a relevant representation [including a responsible authority or interested party] in relation to the application may appeal to the Magistrates Court within 21 days of notification of the decision. On appeal, the Magistrates Court may:

1. dismiss the appeal; or
2. substitute the decision for another decision which could have been made by the Sub Committee; or
3. remit the case to the Sub Committee to dispose of it in accordance with the direction of the Court; and
4. make an order for costs as it sees fit.

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CHAIRMAN

Date: 2007