

**MINUTES OF A MEETING OF A LICENSING SUB-COMMITTEE  
28 March 2007 (10.30am – 11.55am)**

**Present:**

**COUNCILLORS:**

**Conservative Group**

Edward Cahill (Chairman)  
Pam Light

**Labour Group**

Tom Binding

Punch Taverns, the applicant was represented by Messers S Charlton, M Chambers and S Moss. Mr P Miller, Legal representative for the applicant, was present. Also present were PC J Williams and S Harman representing the Metropolitan Police. 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.**

There were no declarations of interest.

**APPLICATION TO VARY A PREMISES LICENCE IN RESPECT OF THE  
SQUIRRELS, 420 UPPER BRENTWOOD ROAD, ROMFORD, RM2 6JX.**

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

**PREMISES**

The Squirrels  
420 Upper Brentwood Road  
Romford  
RM2 6JX

**DETAILS OF APPLICATION**

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

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## **APPLICANT**

Punch Taverns Plc  
Jubilee House  
Second Avenue  
Burton Upon Trent  
Staffordshire  
DE14 2WF

### **1. Details of existing licensable activities**

The Squirrels currently has a Premises Licence granted under grandfather rights, a copy of the Premises Licence is attached to this report.

<b>Current permitted licensing hours are: Recorded Music and Sale of Alcohol</b>		
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	Normal opening hours to	Normal closing hours New Years Day (Government Deregulated licensing hours)

### **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:**

#### **Variation applied for:**

<b><i>Films</i></b>		
<b>Day</b>	<b>Start</b>	<b>Finish</b>
Monday	10:00 hours	23:00 hours
Tuesday	10:00 hours	23:00 hours
Wednesday	10:00 hours	23:00 hours
Thursday	10:00 hours	23:00 hours
Friday	10:00 hours	24:00 hours
Saturday	10:00 hours	24:00 hours
Sunday	10:00 hours	23:00 hours

<b><i>Live Music</i></b>		
<b>Day</b>	<b>Start</b>	<b>Finish</b>
Monday	10:00 hours	23:00 hours

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Tuesday	10:00 hours	23:00 hours
Wednesday	10:00 hours	23:00 hours
Thursday	10:00 hours	23:00 hours
Friday	10:00 hours	24:00 hours
Saturday	10:00 hours	24:00 hours
Sunday	10:00 hours	23:00 hours

<b><i>Recorded Music</i></b>		
<b>Day</b>	<b>Start</b>	<b>Finish</b>
Monday	10:00 hours	23:00 hours
Tuesday	10:00 hours	23:00 hours
Wednesday	10:00 hours	23:00 hours
Thursday	10:00 hours	23:00 hours
Friday	10:00 hours	24:00 hours
Saturday	10:00 hours	24:00 hours
Sunday	10:00 hours	23:00 hours

<b><i>Provision of facilities for entertainment of a similar description (Karaoke)</i></b>		
<b>Day</b>	<b>Start</b>	<b>Finish</b>
Monday	10:00 hours	23:00 hours
Tuesday	10:00 hours	23:00 hours
Wednesday	10:00 hours	23:00 hours
Thursday	10:00 hours	23:00 hours
Friday	10:00 hours	24:00 hours
Saturday	10:00 hours	24:00 hours
Sunday	10:00 hours	23:00 hours

***Supply of alcohol***

<b>Day</b>	<b>Start</b>	<b>Finish</b>
Monday	10:00 hours	23:00 hours
Tuesday	10:00 hours	23:00 hours
Wednesday	10:00 hours	23:00 hours
Thursday	10:00 hours	23:00 hours
Friday	10:00 hours	24:00 hours
Saturday	10:00 hours	24:00 hours
Sunday	10:00 hours	23:00 hours

<b><i>Hours premises open to public</i></b>		
<b>Day</b>	<b>Start</b>	<b>Finish</b>
Monday	10:00 hours	00:30 hours
Tuesday	10:00 hours	00:30 hours
Wednesday	10:00 hours	00:30 hours
Thursday	10:00 hours	00:30 hours
Friday	10:00 hours	00:30 hours

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Saturday	10:00 hours	00:30 hours
Sunday	10:00 hours	00:30 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”

Two written representations were received from members of the public who live in the vicinity of the premises or on a transitory route from the premises.

The written representations related to the prevention of public nuisance. Residents were concerned about noise nuisance going onto a later hour and that additional hours would lead to an increased possibility of noise nuisance and disturbance from patrons leaving the premises at an unsociable hour.

Both residents did not attend

##### Responsible Authorities

##### **Chief Officer of Metropolitan Police (“the Police”):**

A representation against the application was made by the Metropolitan Police.

The Police representation contended that the extension to hours during which licensable activities are permissible “could potentially have an adverse effect on crime and disorder and... public nuisance in this residential area”. To combat the potential for these licensing objective failures, the Police had suggested a series of conditions taken from Havering’s pool of conditions which the committee may wish to consider in their deliberations.

**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 28 March 2007, the Sub-Committee's decision regarding the application for a variation of a Premises Licence for The Squirrels 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 1

#### **Public Nuisance**

The Sub-Committee noted the representations received from both members of the public and the Police. There was however no known history of any previous complaints related to this specific premises. The Panel were mindful that the applicant had amended their application at the Hearing to address the concerns raised by the Police and local residents.

#### **Response of the Applicant**

The representative for the licensee addressed the Sub Committee and stated that to allay the fears of local resident they were happy to the condition on provision of a Dispersal Policy and would also provide signage and notices for patrons to leave quietly.

The Sub-Committee was also informed that the premises had recently completed a refurbishment of its CCTV system. The Police however stated that Havering Police Crime Prevention Officer was yet to visit the premises to certify that it met their requirement.

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

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amended application as follows:

**Licensable Activities:**

**Variation applied for:**

<b><i>Films</i></b>		
<b>Day</b>	<b>Start</b>	<b>Finish</b>
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Friday	10:00 hours	24:00 hours
Saturday	10:00 hours	24:00 hours
Sunday	10:00 hours	23:00 hours

<b><i>Recorded Music</i></b>		
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**Supply of alcohol**

<b>Day</b>	<b>Start</b>	<b>Finish</b>
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Saturday	10:00 hours	24:00 hours
Sunday	10:00 hours	23:00 hours

**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 (this includes an annual charity fund-raising event to be held on a non-specific date in August), 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 shall be obtained and the police shall have absolute right to refuse any occasion.

**7. Conditions**

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

- M1 No supply of alcohol may be made under the Premises Licence;
- (a) at a time when there is no Designated Premises Supervisor in respect of the Premises Licence, or
- (b) at a time when the Designated Premises Supervisor does not hold a Personal Licence or his Personal Licence is suspended.
- M2 Every supply of alcohol under the Premises Licence must be made or authorised by a person who holds a Personal Licence.
- CD13 A Premises Daily Register shall be kept at the premise. This register will be maintained and kept for a minimum of 12 months. This register should record the name of the person responsible for the premise on each given day. The Premises Daily Register shall record all calls made to the premises where there is a complaint made by a resident or neighbour of noise, nuisance or anti social behaviour by persons attending or leaving the premises. This shall record the details of the caller, the time and date of the call and the time and date of the incident about which the call is made and any actions taken to deal with the call. The Premises Daily Register will be readily available for inspection by an Authorised Person throughout the trading hours of the premise. The Premises Daily Register will also record all incidents in

relation to the use of any force by staff or Door Supervisors in the removal of persons from the premises. It shall record the time and date of the occurrence, name or brief description of the person removed, and details of the staff involved.

CD14 All Door Supervisors shall enter their full details in the Premises Daily Register at the commencement of work. This shall record their full name, home address and contact telephone number, the Door Supervisor's SIA registration number and the time they commenced and concluded working. If the Door Supervisor was supplied by an agency, details of that agency will also be recorded including the name of the agency, the registered business address and a contact telephone number.

CD19 On the (x) number of occasions that you make use of additional hours on your licence to cover special occasions, Havering Police shall be given no less than ten working days written notification of the special occasion or event. This shall give details of;

- The name of the premises and the name of the Designated Premises Supervisor for the duration of the event.
- The nature of the event and brief details of how the event will be run.
- The date, the commencement and conclusion time of the event.
- Expected numbers attending.

#### **Bottle and glasses**

Glass bottles may be used as weapons inflicting more serious harm during incidents of disorder. Subject to a risk assessment a condition may be imposed to prevent sales of drinks in glass bottles for consumption on the premises.

Glasses containing drinks may be used as weapons during incidents of disorder and in un-toughened form, can cause very serious injuries. Therefore, in appropriate cases consideration will be given to conditions requiring either the use of plastic containers or toughened glass, which inflict less severe injuries. Location and style of the venue and the activities carried on there will be particularly important in assessing whether the imposition of such a condition is necessary. For example, the use of glass containers on the terraces of some outdoor sports grounds may obviously be of concern, and similar concerns may apply to indoor sports events such as boxing matches. Similarly, the use of such plastic containers or toughened glass during the televising of live sporting events, such as international football matches, when high states of excitement and emotion fuelled by alcohol might arise, may be a necessary condition.

CD38 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).



CD39 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.'

CD40 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.

CD41 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.

The positions of all CCTV cameras shall be clearly shown on a set of 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. CD42 The positions of all CCTV cameras shall be clearly shown on a set of 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.

### **Misuse of drugs**

London Borough of Havering is committed to addressing the problem of the misuse of drugs at music and dance venues and supports the "Safer Clubbing" strategy which can be viewed at <http://www.drugs.gov.uk>.

The role of club owners, managers and event promoters is to ensure that all aspects of their venue are designed and run in ways which maximise the safety of customers, performers and staff.

CD43 The Licence Holder shall implement a written Drugs Policy. This shall detail the strategies to minimise the use and supply of illegal drugs within the premises. The Drugs Policy shall include a structured training programme covering the issues relevant to the misuse of drugs in relation to licensed premises, which will be delivered to all staff. This Policy shall be approved in writing by Havering Police.

PN28 The Licence Holder shall implement a written dispersal policy, to move customers from the premises and the immediate vicinity in such a way as to cause minimum disturbance or nuisance to neighbours, both residential and business, and to make the minimum impact upon the neighbourhood in relation to potential nuisance, antisocial behaviour,

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crime and disorder. The policy shall be approved in writing by the Licensing Authority.

In making its decisions the Sub-Committee took account of the licensing objectives and in particular the prevention of public nuisance 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 public nuisance and the licensing objectives generally. The Sub-Committee were aware that it does not have powers to set hours that the premises is open to the public an as such did not consider the additional half hour requested after the finish time to supply of alcohol.

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Chairman  
Date: