

**MINUTES OF A MEETING OF A LICENSING SUB-COMMITTEE
5 September 2005 (10.40am – 11.30am)**

Present:

COUNCILLORS:

Conservative Group Peter Gardner (Chairman)

Labour Group Jeff Stafford
Harry Webb

Mr Amad Uddin (the applicant), Mr Bernie Huber (Counsel for the applicant) Sgt Richard Edwards (Havering Police Licensing Officer) Graham Hopkins (Havering Licensing) Derron Jarell (Legal advisor to the Sub-Committee) and Debbie Okutubo (Clerk) were present.

In attendance were three members 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.

THE ROYAL OAK – 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 23.00pm, Sunday and Good Friday 12noon to 10.30pm, Christmas day 12noon to 3.00pm and 7.00pm to 10.30pm and New Years Eve 10.00am to 0.00hours New Years day.

The Havering Borough Police Licensing Officer stated that midnight was sufficient taking into consideration the locality of the premises. He asserted that there was a direct link between extended sale of alcohol and violent crime, even though there was not a high rate of reported crime from the premises. He further requested for clarifications on their target customers as this was not stated on the application form.

Counsel to the applicant addressed the Committee. He stated that it was a local pub, that was taking advantage of the new Licensing Act. A public House and with no plans of turning it into an entertainment place. He explained that the back part of the premises was used as an Indian restaurant and the front part as a traditional Public House. It was noted that previously the premises did not have a music licence but was now applying for one.

The Counsel to the applicant continued with his submission that quite a high percentage of the locals attended the Public House to have a meal and drink.

The Public House had a culture of policing itself and as a result had not had cause to call the police to the premises for any form of crime or disorder in the last two years. The Police confirmed that this was the case.

He suggested that the resident who made the representation no longer lived at the address, because he had relocated to another Country. He had lived at the address for the past four to five years and was aware that he was buying next to a Public House.

Counsel concluded on the note that the applicant was not applying for any extra hours but simply wanted a relaxation on the allowed hours. Also that the seasonal variation be allowed.

The representative of the resident asserted that children had been seen on the premises outside, while their parents were inside. The Solicitor disagreed with this and stated categorically that this had never been the case.

In response to a question, it was noted that the Designated Premises Supervisor [DPS] had applied for a Personal Licence but was not yet in receipt of it, he had applied to LB Tower Hamlets where he resided. LB Havering Licensing Officer confirmed that there was a national delay with Personal Licence applications.

The Sub-Committee wanted clarifications on what form of live music would take place, the Counsel to the applicant responded that the stage area was small, hence there was no space for large bands, so possibly a 2 – 3 member band.

The Licensing Officer informed the Sub-committee that Mr Uddin had recently been formally cautioned about doing an unlicensed Karaoke. He further suggested that the applicant Mr Uddin had not asked for a take-away License after 11pm. The Sub-Committee noted the information.

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

On reconvening , the Sub-Committee **RESOLVED** that the application to vary be granted in part as follows:

1. That the premises may open for the following licensable activities;

(a) Supply of alcohol:

Sunday to Thursday: 11:00 hours until 23:00 hours

Friday and Saturday: 11:00 hours until 00:00 hours

(b) Late night refreshment:

Not granted. The Sub-Committee felt that there was insufficient detail on the form.

(c) Live Music:

Not granted. The Sub-Committee felt that there was insufficient detail on the form.

(d) Recorded Music:

Not granted. The Sub-Committee felt that there was insufficient detail on the form.

That the seasonal variations for the 24th, 26th and 31st December to supply alcohol from 11am to 1am the following day be requested using the Temporary Event Notices.

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 10 working days' notice being given to the licensing authority and the Police on each occasion. The prior written consent of the Police shall be obtained and the police shall have absolute right to refuse any occasion. A register shall be kept at the premises in the manner required by the Police and the Licensing Authority and details of each occasion shall be recorded in it including the written consent of the police.

It was stated that the Licence would not take effect until Mr. Amad Uddin had a valid personal licence to sell alcohol, or employed someone who had a valid personal licence.

Chairman _____

Date _____