

**MINUTES OF A MEETING OF A LICENSING SUB-COMMITTEE  
11 September 2006 (10.30 am-11.05 am)**

**Present:**

**COUNCILLORS:**

**Conservative**

Edward Cahill (Chairman)  
Peter Gardner  
Pam Light

Paul Jones (Havering Licensing) Yagazie Nwaigwe (Legal advisor to the Sub-Committee) and Anthony Clements (Clerk) were also present. The applicant – Mr Uddin, the applicant's solicitor – Mr Hoddinott and Marc Gasson, London Borough of Havering, Environmental Health were also present.

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 CRANHAM TANDOORI, 131, AVON ROAD, CRANHAM, RM14 1RQ.**

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

**DETAILS OF APPLICATION**

**APPLICANT**

Mr Shahab Uddin  
Cranham Tandoori  
131 Avon Road  
Cranham  
RM14 1RQ

1. **Details of existing licensable activities**

The applicant had no licence currently in force allowing licensable activities under the provisions of the Licensing Act 2003.

2. **Details of Application**

An application had been made for provision of licensable activities as set out below:

(f) Recorded Music

Monday to Sunday: 10:00 hours until 01:00 hours

(l) Late Night Refreshment

Monday to Sunday: 23:00 hours until 01:00 hours

(m) Supply of Alcohol

Monday to Sunday: 10:00 hours until 01:00 hours

3. **Promotion of the Licensing Objectives**

The applicant had completed the operating schedule, which formed part of their application, that they would take the steps set out to promote the four licensing objectives.

4. **Details of Representations**

Representations Objecting to the Application

There were two valid representations.

**Chief Officer of Metropolitan Police (“the Police”) – None**

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

**Health & Safety Enforcing Authority - None**

**Planning Control & Enforcement – Yes**

The Planning and Enforcement Service made representation against this application on the grounds of prevention of public nuisance. The Planning Control Manager stated in his written representation that the premises did not have the required planning permission in order for licensable activities to occur until the hours requested by the applicant.

**Public Health – Yes**

Havering Public Health Service made representation against this licence application on the grounds of the prevention of public nuisance. The pollution officer stated in his written representation that the hours originally proposed by the applicant would have the potential to cause disturbance. The Pollution Officer had therefore proposed that the hours in which licensable activity is undertaken be changed to the following:

Sunday to Thursday:	1000-2300
Friday and Saturday:	1000-0000

The applicant's solicitor confirmed that his client was prepared to amend his licence application to the hours shown above. The representation from the Public Health Service was therefore withdrawn.

**Children & Families Service - None**

**Trading Standards Service - None**

**The Magistrates Court – None**

There were no valid representations received from members of the public.

In summary, having regard to the following objectives the representations related to the following issues:

**The Prevention of Public Nuisance**

**5. Determination of Application**

**Consequent upon the hearing held on 11 September 2006, the Sub-Committee's decision regarding the application for a premises license for Cranham Tandoori 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



**(l) Late Night Refreshment**

**Friday and Saturday: 23:00 hours until 00:00 hours**

**(m) Supply of Alcohol**

**Sunday to Thursday: 10:00 hours until 23:00 hours**

**Friday and Saturday: 10:00 hours until 00:00 hours**

The premises to be permitted to open from 10:00 hrs on New Year's Eve until the commencement of opening hours on New Year's Day. This to include the provision of late night refreshment from 23:00 hrs on New Years' Eve until 05:00 hrs on New Year's Day. There to be no variation from the standard licensing hours shown above in respect of any other bank holidays.

**2. 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 10 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.

**3. Embedded Restrictions**

None.

**Mandatory Condition**

It is a requirement of the 2003 Act that certain mandatory conditions must be included on Premises Licences where the licence authorises the sale of alcohol, authorises the exhibition of films or where there is a condition requiring the use of security staff.

**Section 19 Licensing Act 2003, Mandatory conditions: where the licence authorises the sale of alcohol**

**1 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.
- 2 Every supply of alcohol under the Premises Licence must be made or authorised by a person who holds a Personal Licence.

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Date: Chairman