



Havering

LONDON BOROUGH

<p>LICENSING SUB-COMMITTEE (The Local Offey) AGENDA</p>
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<p>10.30 am</p>	<p>Tuesday 22 March 2011</p>	<p>Havering Town Hall Main Road, Romford</p>
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Members 3: Quorum: 2

COUNCILLORS:

Conservative Group (3)

Peter Gardner (Chairman)
Robert Benham
Lynden Thorpe

For information about the meeting please contact:
Taiwo Adeoye (01708) 433079
e-mail: taiwo.adeoye@havering.gov.uk

AGENDA ITEMS

- 1 **APOLOGIES FOR ABSENCE AND ANNOUNCEMENT OF SUBSTITUTE MEMBERS**
(if any) - receive.

- 2 **DECLARATION OF INTERESTS**

Members are invited to declare any interests in any of the items on the agenda at this point of the meeting. Members may still declare an interest in an item at any time prior to the consideration of the matter.

- 3 **CHAIRMAN'S ANNOUNCEMENTS**

The Chairman will announce details of the arrangements in case of fire or other events that might require the meeting room or building's evacuation.

APPLICATION FOR A PREMISES LICENCE – The Local Offey, 94 Petersfield Avenue, Harold Hill, RM3 9PH -documentation attached

- 4 **REPORT OF CLERK**

- 5 **REPORT OF LICENSING OFFICER**

**Philip Heady
Democratic Services Manager**



Haverling

L O N D O N B O R O U G H

MEETING	DATE	ITEM
LICENSING SUB-COMMITTEE	22 March 2011	4

REPORT OF THE CLERK

PROCEDURE FOR THE HEARING: LICENSING ACT 2003

Members are advised that, when considering application for a premises licence, the following options are available to them by virtue of the Licensing Act 2003, Part 3, section 35, paragraphs 3 and 4:

"Where relevant representations are made, the authority must

- (a) hold a hearing to consider them, unless the authority, the applicant and each person who has made such representations agree that a hearing is unnecessary, and
- (b) having regard to the representations, take such steps as it considers necessary for the promotion of the licensing objectives.

The steps are:

- a) modify the conditions of the licence
- b) reject the whole or part of the application

and for this purpose, the conditions of the licence are modified if any of them is altered or omitted or any new condition is added."

The Sub-Committee will also wish to note that, if none of these steps is required, the application must be granted.

Assuming that the Sub-Committee is satisfied that a hearing is required, then the following procedural steps are recommended. The Licensing Act 2003 (Hearings) Regulations 2005 will govern the arrangements for the hearing of the application now under consideration. This report accords with the requirements of that Act and the Regulations, and in particular Regulations 21-25 (procedure at the hearing).

1. Membership of the Sub-Committee:

The Sub-Committee comprises three members of the Licensing Committee, with a quorum of two members. **Unless there are objections, in the absence of three members, the hearing shall proceed with the quorum of two.**

A members of the Licensing Committee will be excluded from hearing an application where he or she:

- has considered an application in respect of the premises in the previous 12 months as a Member of the Regulatory Services Committee; or
- is a Ward Councillor for the Ward in which the premises, subject to the application, are located; or
- is a Ward Councillor for a Ward which is likely to be affected by the application or;
- has a personal interest in the application.

2. Roles of other participants:

- 2.1 The Legal Advisor is not a party to the hearing. The role of the Legal Advisor is to provide legal advice relating to the application and submissions.
- 2.2 The Clerk is not a party to the hearing. The role of the Clerk is to record the hearing and the decisions of the Sub-Committee, and ensure efficient administration

3. Representation validation meeting:

- 3.1 Prior to this hearing, the Sub-Committee Chairman will have met the Legal Advisor and/or Clerk to determine whether further clarification is required of any issues contained in the application or any representation.
- 3.2 During this preliminary meeting no decision will have been made or discussion held regarding the substantive merits of the application or representations.

4. Location and facilities:

- 4.1 All hearings will be heard at the Havering Town Hall unless otherwise directed.
- 4.2 Interpreters will be provided by the Council on request, provided notice is given at least five working days before the hearing.

5. Notification of attendance:

- 5.1 The Chairman will enquire of the parties who is in attendance and the parties will indicate their names (and, where relevant, whom they represent). A register will be circulated before the commencement of the hearing on which the applicant, his/her advisers and companions and all interested parties (and/or their representatives) will be asked to record their attendance.

6. Procedural matters:

- 6.1 Prior to the commencement of the hearing, the Chairman of the Sub-Committee will orally inform the parties whether their applications to have certain people attend the hearing (e.g. witnesses) have been granted or refused. Note this relates to people other than those attending on behalf of a party in the capacity as a representative of the party.
- 6.2 Prior to the commencement of the hearing the Chairman of the Sub-Committee will outline the procedure to be followed at the hearing. This will normally be as follows:

Introduction of the application:

The Licensing officer will outline:

- details of the application and relevant representations received from the parties;
- relevant legislation ;
- relevant Licensing Policy; and
- the time limit in which the Council must reach a determination.

Documentary evidence:

- Documentary or other information in support of applications, representations or notices should be provided to the Clerk of the Sub-Committee at least 7 clear working days before the hearing. If this information is produced at the hearing it will only be taken into account by the Sub-Committee if the Sub-Committee and all the parties consent to its submission. Permission to have this information included in the hearing should be requested at the beginning of the hearing before any oral submissions have been made.
- Statements made by people in support of a party's representation who are not present at the hearing, must be signed by the maker, dated and witnessed by another person. The statement must also contain the witness's full name and occupation.

Representations:

- The chairman will invite each of the parties at the hearing or their representative sequentially to address the Sub-Committee and call any person/s to whom permission has been granted to appear. Each party will be allowed a maximum period of 10 minutes in which to address the Sub-Committee and call persons on his/her behalf.
- This 10 minute period is where each party has the opportunity to orally address the Sub-Committee and clarify any points in which the Sub-Committee has sought clarification prior to the hearing. This 10 minute period should be uninterrupted unless a member of the Sub-Committee or Legal Advisor considers that the speaker is making submissions that are irrelevant, frivolous or vexatious.
- Members of the Sub-Committee may ask questions of any party, at any time during the proceedings. Time taken in dealing with a Member's question will not be taken into account in determining the length of time available to the party in question to make their representation.

The sequence in which each of the parties will be invited to address the Sub-Committee will normally be in the order of:

- the Chief Officer of Police;
- the Fire Authority;
- the Health and Safety at Work Enforcing Authority;
- the Local Planning Authority;
- the Local environmental Health Authority;
- the Local Weights and Measures Authority;
- the Authority Responsible for the Protection of Children from Harm;
- a navigation or other authority responsible for waterways; and
- any other party that has submitted representations in respect of the application, certificate, notice or other matter appearing before the Sub-Committee;
- the party that has submitted the application, certificate, notice or other matter appearing before the Sub-Committee.

At the discretion of the Sub-Committee the above order may be varied.

Cross-Examination:

Where witnesses have been permitted by the Sub-Committee to speak at the hearing on behalf of a party, permission must be sought from the Sub-Committee before another party can ask the witness questions. This process of questioning is normally referred to as cross-examination. The Sub-Committee will allow cross-examination only

where it is necessary to assist it in considering the representations or application.

Relevance:

Information submitted at the hearing must be relevant to the applications, representations, or notice and the promotion of the licensing objectives. The Chairman of the Sub-Committee is entitled to exclude any information it considers to be irrelevant whether presented in written or oral form. The licensing objectives are:

The prevention of crime and disorder;

Public safety;

The prevention of public nuisance; and

The protection of children from harm.

7. Failure of parties to attend the hearing:

- 7.1 If a party, who has not given prior notice of his/her intention not to attend the hearing, is absent from the hearing the Sub-Committee may either adjourn the hearing or hold the hearing in the party's absence. Where the hearing is held in the absence of a party, the Sub-Committee will still consider the application, representation or notice submitted by that party.

8. Adjournments and extension of time:

- 8.1 The Sub-Committee may adjourn a hearing to a specified date or extend a notice period except where it must make a determination within certain time limits in the following specific applications:

- Applications for conversion of existing licences where the Sub-Committee must make a determination within 2 months of the application first being received. In default of a decision being made the application will be treated as being granted;
- Applications for variation of existing licences where the Sub-Committee must make a determination within 2 months of the application first being received. In default of a decision being made the application will be treated as being rejected;
- Applications for conversion of existing club certificates where the Sub-Committee must make a determination within 2 months of the application being first received. In default of a decision being made the application will be treated as being granted;
- Applications for variation of existing club certificates where the Sub-Committee must make a determination within 2 months of the application being first received. In default of a decision being made the application will be treated as being rejected;

- Applications made by holders of justices' licences for personal licences must be determined within 3 months of the application first being received. In default of a decision not being made within this period the application will be treated as being granted;
- Review of premises licences following closure orders where the Sub-committee must make a determination within 28 days of receiving notice of the closure order.

9. Sub-Committee's determination of the hearing:

- 9.1 At the conclusion of the hearing the Sub-Committee will deliberate in private accompanied by the Clerk and the Legal Advisor who will be available to assist the Sub-Committee with any legal problems but will not participate in any decision making of the Sub-Committee.
- 9.2 The Sub-Committee will normally make its determination and announce its decision at the end of the hearing.
- 9.3 Where all parties have notified the Sub-Committee that a hearing is not required the Sub-Committee must make its determination within 10 working days of being given notice that the hearing is not required.

10. Power to exclude people from hearing:

- 10.1 The public are entitled to attend the hearing as spectators. However, the Sub-Committee may exclude any person from the hearing including any person assisting or representing a party where:
- it considers that the public interest would be best served by excluding the public or the individual person from the hearing; or
 - that person is behaving in a disruptive manner. This may include a party who is seeking to be heard at the hearing. In the case where a party is to be excluded, the party may submit to the Sub-Committee in writing any information which they would have been entitled to give orally had they not been required to leave the hearing.

11. Recording of proceedings:

- 11.1 A written record of the hearing will be produced and kept for 6 years from the date of the determination of the hearing.

12. Power to vary procedure:

- 12.1 The Sub-committee may depart from following any of the procedures set out in this document if it considers the departure to be necessary in order to consider an application, notice or representation.

Licensing Sub-Committee

- Section 1 - Licensing Officers Report
- Appendix 1 - Copy of the Application
- Appendix 2 - Map of local area
- Appendix 3 - Representations
- Appendix 4 - Representations from Responsible Authorities

Licensing Sub-Committee

Section 1 - Licensing Officers Report



**LICENSING
SUB-COMMITTEE**

REPORT

Date 22nd March 2011

Subject Heading:

The Local Offey
94 Petersfield Avenue
Romford RM3 9PH
Premises licence application
Paul Jones, Licensing Officer
5th floor Mercury House
x 2692

Report author and contact details:

This application for a premises licence is made by Mr Gurpreet Singh Brar under section 17 of the Licensing Act 2003. The application was received by Havering's Licensing Authority on 25th January 2011.

Geographical description of the area and description of the building

This premises is located in a Harold Hill parade of purpose built shops above which residential flats are located. The premises comprises a ground floor customer area with attendant basement containing a storage area and washing facilities. A map of the area is attached.

Details of the application

The applicant has applied for the following licensable activity:

Supply of alcohol (off premises); hours premises open to the public		
Day	Start	Finish
Monday	10:00hrs	23:00hrs
Tuesday	10:00hrs	23:00hrs
Wednesday	10:00hrs	23:00hrs
Thursday	10:00hrs	23:00hrs
Friday	10:00hrs	23:00hrs
Saturday	10:00hrs	23:00hrs
Sunday	10:00hrs	22:30hrs

Comments and observations on the application

The applicant acted in accordance with regulations 25 and 26 of The Licensing Act 2003 (Premises licences and club premises certificates) Regulations 2005 relating to the advertising of the application. The required public notice was installed in the 2nd February 2011 edition of the Yellow Advertiser.

The operating schedule has been amended following correspondence and agreement with trading standards.

Summary

There was one representation against this application from an interested party.

There was one representation against this application from a responsible authority.

Details of representations

Valid representations may only address the following licensing objectives:

- The prevention of crime and disorder
- The prevention of public nuisance
- The protection of children from harm
- Public safety

Interested parties' representations

The interested party's representation against this application is based upon the prevention of public nuisance licensing objective.

Responsible authorities' representations

The Metropolitan Police feel that the applicant has not satisfactorily addressed the steps they intend to take to promote the four licensing objectives and have made recommendations of conditions they wish you to consider putting onto the premises licence.

There were no representations from the following responsible authorities:

- The Metropolitan Police
- Public Health
- The London Fire and Emergency Planning Authority
- The Health & Safety Enforcing Authority
- Planning Control & Enforcement
- Children & Families Service

Paul Jones
Licensing Officer
London Borough of Havering

Licensing Sub-Committee

Appendix 1 - Copy of the Application

7938

Insert name and address of relevant licensing authority and its reference number (optional)

Licensing Team
 5th Floor Mercury House
 Mercury Gardens
 Romford
 Essex
 RM1 3SL

Application for a premises licence to be granted under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

I/We GURPREET SINGH BRAR
 (Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 - Premises Details

Postal address of premises or, if none, ordnance survey map reference or description	
94 Petersfield Avenue Harold Hill	
Post town Romford	Post code RM3 9PH

Telephone number at premises (if any)

Non-domestic rateable value of premises £ 5,700.00

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

Please tick Yes

- a) an individual or individuals* please complete section (A)
- b) a person other than an individual*
 - i. as a limited company please complete section (B)
 - ii. as a partnership please complete section (B)
 - iii. as an unincorporated association or please complete section (B)
 - iv. other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity please complete section (B)
- e) the proprietor of an educational establishment please complete section (B)

£6,100

- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

*If you are applying as a person described in (a) or (b) please confirm:

Please tick Yes

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a
 - statutory function or
 - a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr Mrs Miss Ms Other title (for example, Rev)

Surname

BRAR

First names

GURPREET SINGH

Please tick Yes

I am 18 years old or over

Current postal address if different from premises address

2 RAVENS CRAIG ROAD

Post Town

LONDON

Postcode

N11 1AD

Daytime contact telephone number

E-mail address (optional)

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr

Mrs

Miss

Ms

Other title
(for example, Rev)

Surname

First names

Please tick **Yes**

I am 18 years old or over

Current postal address if different from premises address

Post Town

Postcode

Daytime contact telephone number

E-mail address (optional)

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned

Name
Address
Registered number (where applicable)
Description of applicant (for example partnership, company, unincorporated association etc)
Telephone number (if any)
E-mail address (optional)

Part 3 - Operating Schedule

When do you want the premises licence to start?

Day		Month		Year			
0	4	0	3	2	0	1	1

If you wish the licence to be valid only for a limited period, when do you want it to end?

Day		Month		Year			

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

Please give a general description of the premises (please read guidance note 1)

THE APPLICANT WISHES TO OPERATE THE PREMISES AS AN OFF LICENCE

A PLAN OF THE GENERAL LAYOUT IS ATTACHED.

What licensable activities do you intend to carry on from the premises?
(Please see sections 1 and 14 of the Licensing Act 2003 and Schedule 1 and 2 to the Licensing Act 2003)

Please tick Yes

Provision of regulated entertainment

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of entertainment facilities for:

- i) making music (if ticking yes, fill in box I)
- j) dancing (if ticking yes, fill in box J)
- k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K)

Provision of late night refreshment (if ticking yes, fill in box L)

Supply of alcohol (if ticking yes, fill in box M)

In all cases complete boxes N, O and P

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the sale of alcohol be for consumption please tick ✓ (please read guidance note 7)	On the premises	
Day	Start	Finish		Off the premises	×
				Both	
Mon	10.00	23.00	State any seasonal variations for the supply of alcohol! (please read guidance note 4)		
Tue	10.00	23.00			
Wed	10.00	23.00			
Thur	10.00	23.00	Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)		
Fri	10.00	23.00			
Sat	10.00	23.00			
Sun	10.00	22.30			

State the name and details of the individual whom you wish to specify on the licence as premises supervisor	
Name	GURPREET SINGH BRAR
Address	████████████████████ ██████████
Postcode	██████████
Personal Licence number (if known)	██████████
Issuing licensing authority (if known)	██████████ ██████████

P Describe the steps you intend to take to promote the four licensing objectives:

a) General - all four licensing objectives (b, c, d, e) (please read guidance note 9)

The premises has 9 CCTV Cameras installed and operating 24 hours to protect the public and the children from any potential harm. All recordings are kept for 30 days. The shop is to be maintained at very high standards of Health and safety standards and the DPS is proposing to go on a further course in this respect
We will clearly display signs and warning of hazards and keep the floor clear. We take pride in regards to neighbours and public in general being our regular patrons for years.

b) The prevention of crime and disorder

We have installed CCTV Cameras.
We always have more than one staff in the shop.
We have alarm operated shutters.
All doors have been reinforced and cash counter is covered and spirits will be kept behind the counter.
We will keep a written record of refusal of Alcohol to underage persons.
We will clearly display crime prevention notices.

c) Public safety

We will make sure that that the premises are maintained in a clean and orderly condition so as to avoid any accidents.
All aisles will be kept clear.
Floors will be kept dry at all times.
We will keep a first aid kit in the premises.
All stock will be properly stacked and never left in the aisles whilst awaiting putting away.

d) The prevention of public nuisance

We have made a policy of no sale of Alcohol to person under the influence of intoxicants.
We will make sure that the public pavement outside the premises is clear and there is no hindrance of any nature as we have never done on curbside sales. We will not stack groceries or any business items on the public pavement.
We will ensure that business is run as far as possible with noise levels to the minimum.

e) The protection of children from harm

We will not sell alcohol to any underage persons i.e. under the age of 18 years.
We will check photo ID - Driving Licence/passport from all young persons and display all statutory signs.
We intend to display the "Challenge 25 signs" to avoid selling alcohol to the underage. All potentially harmful substances will be safely stored.
We will have list of all the Emergency numbers available next to the till at all times.
The premises will be alarmed

Please tick ✓ Yes

- I have made or enclosed payment of the fee
- I have enclosed the plan of the premises
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I have enclosed the consent form completed by the individual I wish to be premises supervisor, if applicable
- I understand that I must now advertise my application
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 4 - Signatures (please read guidance note 10)

Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 11).
If signing on behalf of the applicant please state in what capacity.

Signature Bradberrys

Date 21st January 2011

Capacity SOLICITORS FOR THE APPLICANT

For joint applications signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 12). **If signing on behalf of the applicant please state in what capacity.**

Signature

Date

Capacity

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)

BRADBERRYS
452 UXBRIDGE ROAD
HAYES
MIDDLESEX

Post town

Post code UB4 0SD

Telephone number (if any) 0208 813 6962

If you would prefer us to correspond with you by e-mail your e-mail address (optional)
mala@bradberrys.co.uk

Consent of individual to being specified as premises supervisor

(full name of prospective premises supervisor)
(home address of prospective premises supervisor)

I, Gurpreet Singh Brar
of [REDACTED]

(type of application)

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for New premises Licence

(name of applicant)
(number of existing licence, if any)

by Gurpreet Singh Brar
relating to a premises licence
for 94 Petersfield Avenue, Harold Hill
Romford, Essex, RM3 9PH.

(name and address of premises to which the application relates)

and any premises licence to be granted or varied in respect of this application made by Gurpreet Singh Brar

(name of applicant)

(name and address of premises to which application relates)

concerning the supply of alcohol at
94 Petersfield Avenue, Harold Hill
Romford, Essex, RM3 9PH.

I also confirm that I am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

(insert personal licence number, if any)

Personal licence number [REDACTED]

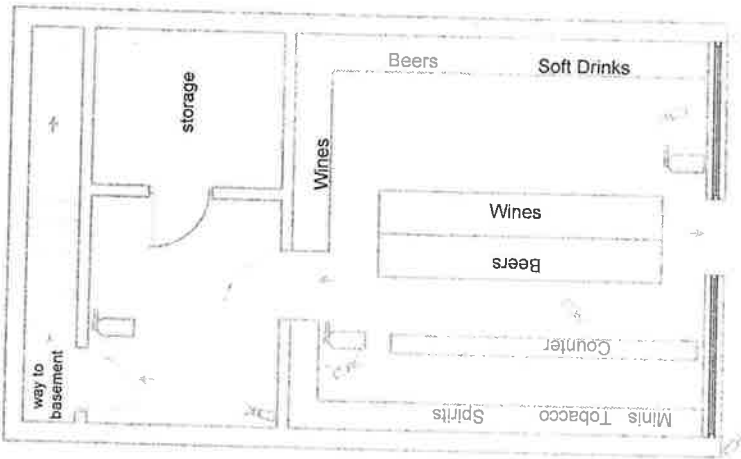
(insert name and address and telephone number of personal licence issuing authority, if any)

Personal licence issuing authority [REDACTED]

Signed [Signature]

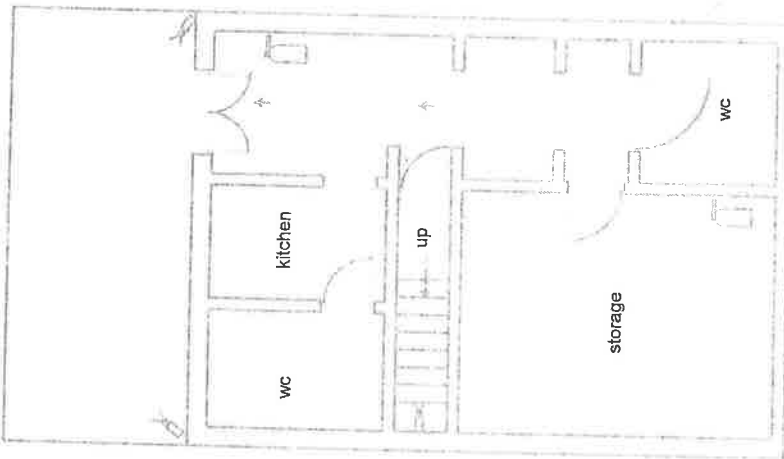
Name Gurpreet Singh Brar
(please print)

Dated 20 January 2011



Ground Floor Plan

Scale - 1:100



Basement plan

Scale - 1:100

- Fire Exit
- CCTV
- Fire Extinguisher

TITLE	PROPOSED OFFLICENCE
LOCATION :	THE LOCAL OFFEY 94 PETERSFIELD AVE ROMFORD RM3 9PH
SCALE :	1:100
	N



Havering
LONDON BOROUGH

London Borough of Havering
Licensing Team
Mercury House
Mercury Gardens
Romford
RM1 3SL

Your Ref.:

John Wade
Public Protection Manager

Housing & Public Protection
London Borough of Havering
5th Floor, Mercury House
Mercury Gardens
Romford RM1 3SL

Telephone: 01708 433425
Fax: 01708 432554
email: keith.bush@havering.gov.uk
Textphone: 01708 433175
Date: 2nd February 2011

Dear Sir/Madam,

Licensing Act 2003
94 Petersfield Avenue Harold Hill RM3 9PH
Applicant: Gurpreet Singh Brar

In relation to the application for the above mentioned premise licence this Service would make the following representations:

We feel that the issue of protecting children from harm has not been properly addressed in relation to underage sales and have concerns that the applicant may not fully understand the necessary procedures required to meet this important licensing objective.

In addition to operating a challenge 25 scheme we would recommend that all staff are fully trained before they are allowed to sell alcohol and written records of this training be kept. A refusal log should be maintained and kept available for inspection by any relevant enforcement agencies.

I trust this representation is self explanatory. If however there are further queries regarding this matter please telephone on 01708 433425.

Yours faithfully,

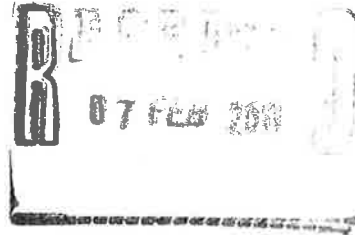
Keith Bush
Acting Divisional Manager (Operations)

bradberrys

Solicitors

Our Ref: 1/BRAR/B64.1/SH
Your ref:
Date: 4th February 2011

Licensing Team
5th Floor Mercury House
Mercury Gardens
Romford
Essex
RM1 3SL



452 Uxbridge Road
Hayes
Middlesex UB4 0SD
DX 44656 Hayes (Middlesex)

Phone: 020 8813 6962
Fax: 020 8813 5151
Email: enquiries@bradberrys.co.uk

and by e mail

Dear Sirs

RE: APPLICATION FOR A PREMISES LICENCE
94 Petersfield Avenue, Harold Hill, Romford, Essex, RM3 9PH

Further to your recent e mail we confirm the Applicant is happy to accept the contents of the third paragraph of the letter from Housing & Public Protection, London Borough of Havering of the 2nd February 2011 being a condition of the Licence.

We look forward to hearing from you further in due course.

Yours faithfully

BRADBERRYS

SCANNED

Partners: D M Singh
D Salhan

Paul Jones

From: Keith Bush
Sent: 17 February 2011 11:20
To: Paul Jones
Subject: RE: 94 Petersfield Ave - premises licence appn representation

Dear Mr Jones,

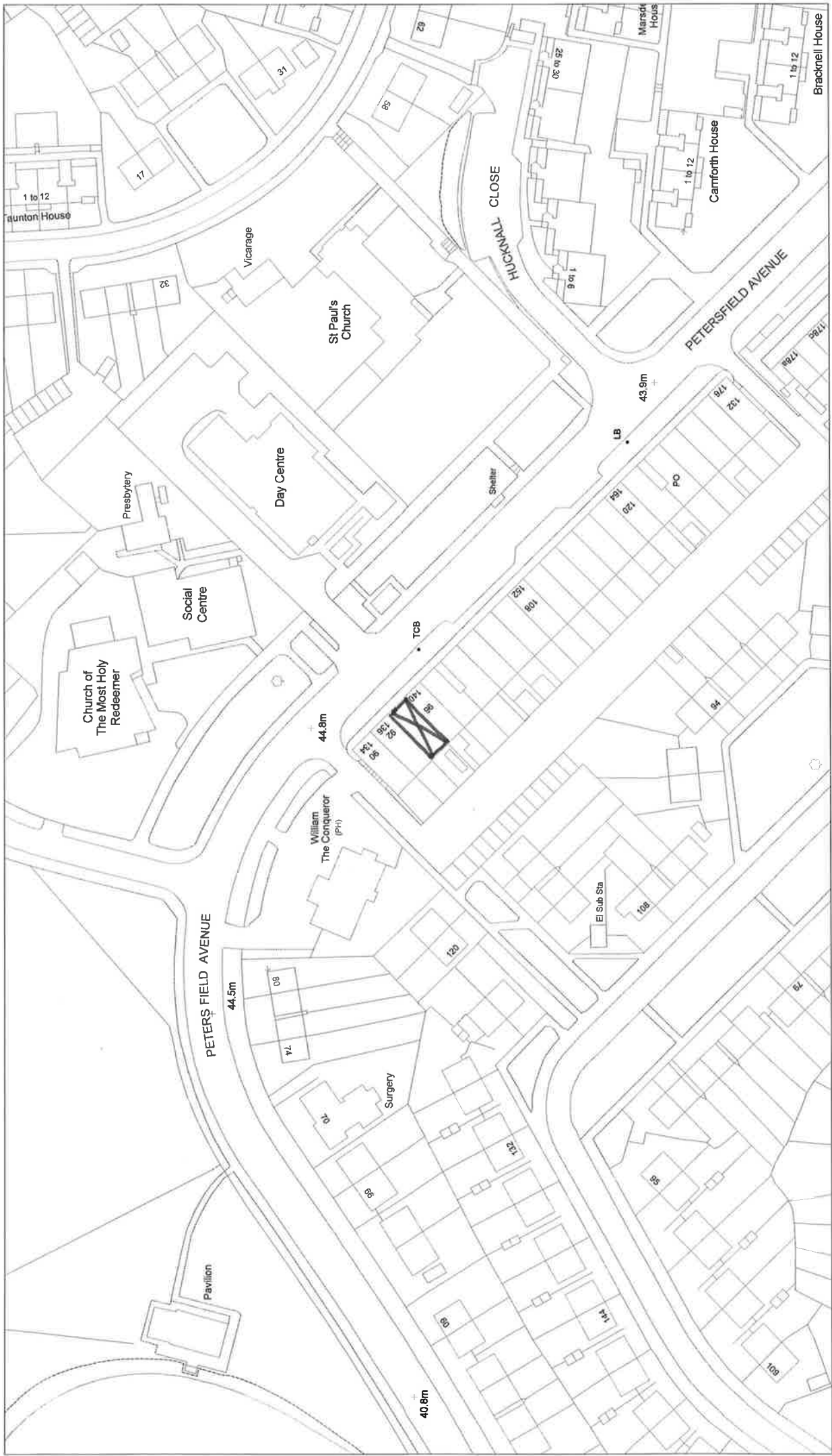
Yes I can confirm that the applicant has addressed our concerns and the Trading Standards Service is withdrawing its representation.

Regards

Keith Bush | Acting Trading Standards Divisional Manager
London Borough of Havering | Trading Standards Service
5th Floor Mercury House, Mercury Gardens, Romford, RM1 3SL
t: 01708 433425 | m: 07946 738510

Licensing Sub-Committee

Appendix 2 - Map of local area



Scale @ A4
1:1250

Scale
0 10 20 30 40 50 m

Map Reference: TQ5491NE
Date: 26/01/2011

94 Petersfield Avenue Romford RM3 9PH

Based upon the Ordnance Survey Mapping with the permission of the Controller of Her Majesty's Stationery Office.
 Crown © copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.
 London Borough of Havering, 100024327 2011



London Borough of Havering
 Town Hall, Main Road
 Romford, RM1 3BD
 Tel: 01708 434343



Licensing Sub-Committee

Appendix 3 - Representations

116 COLNG DRIVE
HAROLD HILL
ROTHKORDE ESSES
RM3 9JT

REF: PJJ/009938.

1/2/2011.

RECEIVED
07 FEB 2011

TO

Mr Paul Jones

In reference to the

letter of licence application of 914
Peterstield Ave (RM3 9PH) I just wish
to point out that living round the
corner of these premises I must object
as many times there are altercations
at the weekends. Glass in front of
my premises and all around the
area. Noise is a factor as I
have children school and working age.

I must object once again
as the last time they applied
for this there has been no improve-
ment of any of the above and
health reasons too as they urinate
against the wall near my house ^{after hours}
which is private property.

Thank you Mrs P. H. Brown
P. H. Brown

Licensing Sub-Committee

Appendix 4 - Representations from Responsible Authorities



Working together for a safer London

The Licensing Authority
London Borough of Havering
Mercury House, Mercury Gardens,
Romford, Essex
RM1 3SL

Your Reference:

Our Reference:

Dave Leonard PC231KD
Romford Police Station
19 Main Road
Romford,
Essex
RM1 3BJ

Telephone: 01708 432781

Fax: 01708 432554

Email:

haveringpolice@met.police.uk

Dave.Leonard@met.police.uk

Date: 22nd February 2011

Dear Sir,

Re- Application For A New Premises Licence
The Local Offey, 94 Petersfield Avenue, Harold Hill RM3 9PH

With reference to the above, the Police **wish to make representation** against the application received on 25th January 2011 for a new premises licence registered by Mr.Gurpreet Singh Brar.

Figures released by the Home Office following a 'Know Your Limits' National Awareness Campaign showed that **7/10** A&E peak time admissions, **8/10** pedestrian road deaths on Friday and Saturday nights and **1/2** of all violent crime is alcohol related. In the recent Home Office Alcohol Misuse Enforcement Campaign, the Trading Standards Office conducted a number of test purchase exercises on off-licensed premises resulting in a **21%** failure rate.

Whilst an effort has been made, the applicant has not satisfactorily addressed the steps they intend to take to promote any of the four licensing objectives. Virtually every proposal made by the applicant to promote these objectives requires further clarification. For example, undertakings given relating to CCTV systems can be meaningless if not applied to guidelines that are capable of withstanding scrutiny and it is naively dismissive of the applicant to believe that he does not need to address public safety or potential public nuisance issues other than having clean, dry & orderly aisles and a first aid kit.

The local Gooshays Ward Safer Neighbourhood Team is frequently tasked to deal with anti-social behaviour and disorder issues caused by youths who have invariably obtained access to alcohol on their Ward. It must be pointed out that the current trends don't necessarily always point to irresponsible sales. There is just as much concern that the youths are obtaining alcohol by ulterior means, be it by theft or by proxy sales made by irresponsible adults or older looking group members. Police accept that no alcohol related disorder currently attributable to this premises.

However, it is by raising these concerns and encouraging applicants to adopt as good practice the guidelines as set out in the **Havering 'Pool of Conditions'** (below) that will go some way to ensuring they do not materialize in the future.

CCTV

The presence of a properly specified and fully operational CCTV system can make an important contribution towards public safety and the prevention of crime. It will also assist in the investigation and identification of those involved should an incident occur immediately outside or inside licensed premises. Conditions may not just require CCTV on the premises, but also specify the precise location of each camera, the requirement to maintain all equipment in working order, retain a System File and to secure recordings for an appropriate period of time.

An 'Operational Requirement' (OR) should be drawn up for each CCTV system to ensure that it is fit for purpose. Advice on how to complete an 'OR' can be found in the Home office Scientific Development Branch (HOSDB) publication 55/06 'CCTV Operational Requirements Manual'. The Havering Police Crime Prevention Office will provide individuals conducting risk assessments when preparing operating schedules with advice relevant to current standards. At the time of publication these are provided for in the HOSDB publication 09/05 'UK Police Requirements for Digital CCTV Systems'.

- CD16** *A properly specified and fully operational CCTV system shall be installed or the existing system maintained to a satisfactory standard. 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' of all persons entering and/or leaving the premises. All other areas of risk identified in the Operational Requirement shall have coverage appropriate to the risk.*
- CD17** *The installation or upgrading of any CCTV system shall comply with current best practice. In addition the documentation listed below shall be included in a 'System File' which is readily available for inspection by the relevant authority;*
Site plan showing position of cameras and their field of view.
Code of Practice.
Performance specification e.g. storage capacity, image file size, IPS for each camera and purpose of each camera position
Operational requirement.
Incident log.
Maintenance records including weekly visual checks.
- CD18** *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.*
- CD19** *The CCTV system shall incorporate a recording facility and all recordings shall be securely stored 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 & fully operational throughout the hours that the premises are open for any licensable activity.*
- CD20** *The positions of all CCTV cameras shall be clearly shown on a set of plans which should form part of the 'System File'. Any alteration to the system should only be carried out after consultation with and written approval of Havering Police and the Licensing Authority.*
- CD21** *A staff member from the premises who can operate the CCTV system shall be on the premises at all times when the premises is open to the public. This staff member shall be able to show Police recent data or footage with the absolute minimum of delay when requested.*

Prevention of Public Nuisance

The potential for public nuisance arises with the concerns that those debarred from legitimately acquiring alcohol e.g young persons under the age of 18 years will approach adults to purchase alcohol on their behalf.

The police have no issue with the responsible sale of alcohol in line with the premises operating hours. However, the quality of the staff training and security at this premise needs to be of a capable standard that positively addresses the promotion of the four licensing objectives.

CD1 ALL STAFF SHALL BE SUITABLY TRAINED FOR THEIR JOB FUNCTION FOR THE PREMISE. THE TRAINING SHALL BE WRITTEN INTO A PROGRAMME, ONGOING AND UNDER CONSTANT REVIEW, AND MUST BE AVAILABLE TO A RELEVANT RESPONSIBLE AUTHORITY WHEN CALLED UPON.

Protection of Children from Harm.

Proof of Age

All operators and staff have both a duty and responsibility to ensure that only those who are of age are provided with intoxicants.

CDGPG3 Prominent clear notices shall be displayed at the point of entry to the premises and in a suitable location at any points of sale, advising customers that they may be asked to produce evidence of their age.

CDGPG11 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 licence, or Proof of Age card carrying a "PASS" logo.

CDGPG12 All occasions when persons have been refused service shall be recorded in writing and kept at the premises for six months.

CDGPG13 Prominent, clear notices shall be displayed at the premises about the supply of alcohol to minors and the relevant offences involved.

THE POLICE ARE ENCOURAGED TO SEE THAT THE APPLICANT INTENDS TO ADOPT A CHALLENGE 25 POLICY & WILL BE OPERATING A STRICT ID PROTOCOL BY ACCEPT PASSPORT & PHOTOGRAPHIC DRIVING LICENCE IDENTIFICATION. A REFUSALS REGISTER SHOULD BE KEPT AND DETAILS OF PERSONS REFUSED THE SALE OF INTOXICATING LIQUOR ENTERED IN AN INCIDENT LOG. DETAILS TO INCLUDE DATE & TIME, DESCRIPTION & APPARENT AGE OF PERSON REFUSED AND SALE REFUSED.

Observations and Recommendations

The Police cannot consider supporting this application before a **satisfactory** address of the four licensing objectives has been made. There is a large local park adjacent to the shopping parade. This automatically lends the premises to being a potential source for young people to obtain alcohol to consume in the parks. It is imperative that robust measures are taken to ensure the responsible supply of **all** age restricted products in this vicinity. Being situated in an area currently subject of a Community Safety problem-solving partnership initiative to address violent and anti-social behaviour, it is the Police contention that their attached recommended conditions should be applied in any case. In fairness, many of the operating proposals submitted by the applicant *attempt* to address the requirements from the Havering 'Pool of Conditions'. However, overall, the application is more of an advertisement than an operating schedule. Whilst the application states that *'we always have more than one staff in the shop'* there is **no** reference to **any** level of staff training or responsibility attached. Local off-licences in this area have historically suffered at the hands of anti-social and unruly youths and it is **imperative** that all staff members are able to operate in a confident and robust manner. If the Committee are minded to grant a premises licence in this instance, the police recommend that there is at least one personal licence holder present on the premises at all times it is open for licensable activity. Recent experience has shown that the submission of an extensive licensing template does not guarantee the product.

In view of the Borough-wide community issues relating to alcohol related anti-social behaviour and those currently being experienced locally we recommend that;

Alcohol products should be labelled to show details of the shop from which it was bought. This could provide evidence of unlawful sales if the products were found commonly in the possession of persons under eighteen years of age.

Having said all of this, one must return to the application and address it, as required, on its individual merits. The police accept that there is absolutely nothing wrong with healthy competition and the variety of choice that is potentially on offer to the local community.

And, perhaps, this can only be resolved by presenting the application in its entirety before a Licensing Sub-Committee.

If I can be of any further assistance in this matter please do not hesitate to contact me in the Licensing Office at Mercury House on **01708 432781**.

Yours sincerely,



**Dave Leonard
Licensing Officer
Havering Borough Police**