

**MINUTES OF A MEETING OF THE
LICENSING SUB-COMMITTEE
Council Chamber - Town Hall
2 March 2012 (10.30 - 10.45 am)**

Present:

COUNCILLORS

Conservative Group Lynden Thorpe (Chairman) and Frederick Thompson

Residents' Group Linda Van den Hende

Labour Group

**Independent Residents
Group**

Present at the hearing were officers of the club, Mr D Fallon, Mr A Bell and Mr P Shea (applicant).

Also present were Paul Jones (Havering Licensing Officer), the Legal Advisor to the Sub-Committee and the clerk to the Licensing sub-committee.

The Chairman advised Members and the public of action to be taken in the event of emergency evacuation of the Town Hall becoming necessary.

No interest was declared.

**2 APPLICATION TO VARY A CLUB PREMISES CERTIFICATE UNDER
THE LICENSING ACT 2003 FOR IONA SOCIAL CLUB**

PREMISES

Iona Social Club
131/133 Hornchurch Road
Hornchurch
RM12 4SY

DETAILS OF APPLICATION

Application to vary a club premises certificate licence made under section 84 of the Licensing Act 2003 ("the Act").

APPLICANT

Iona Social Club
131/133 Hornchurch Road
Hornchurch
RM12 4SY

1. Details of existing licensable activities

The premises operate a Club Premises Certificate for the following licensable activities:

Live music, recorded music, provision of facilities for making music, provision of facilities for dancing and supply of alcohol.

Day	Start	Finish
Monday to Saturday	11:00hrs	23:00hrs
Sunday & Good Friday	12:00hrs	22:30hrs
Christmas Day	12:00hrs	15:00hrs
	19:00hrs	22:30hrs

2. Details of requested licensable activities

Live music, recorded music, provision of facilities for making music, provision of facilities for dancing and supply of alcohol		
Day	Start	Finish
Monday to Sunday	11:00hrs	00:00hrs

Hours club open to members and guests		
Day	Start	Finish
Monday to Sunday	11:00hrs	00:30hrs

Non Standard timings for all qualifying club activities		
St Valentine's Day	11:00hrs	01:00hrs
St Patrick's Day	11:00hrs	01:00hrs
St George's Day	11:00hrs	01:00hrs
New Year's Eve	11:00hrs	01:00hrs

Non Standard timings for hours club open to members and guests		
St Valentine's Day	11:00hrs	01:30hrs
St Patrick's Day	11:00hrs	01:30hrs
St George's Day	11:00hrs	01:30hrs
New Year's Eve	11:00hrs	01:30hrs

3. Promotion of the Licensing Objectives

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 Havering Yellow Advertiser on 18 January 2012. Due to a printing error in the notice, the newspaper subsequently corrected the notice and installed it in the following week's edition.

4. Details of Representations

Valid representations may only address the four licensing objectives.

There were two valid representations against this application from interested parties. The representations related to the prevention of public nuisance licensing objective.

The written representation by the first resident explained that they have to endure noise, screaming, shouting and fighting when members of the club leave the premises at night. That any extension will mean that they would have to endure this nuisance 7 days a week and on Bank holidays.

The second resident also raised concern in their representation that during the summer months the doors to the club are often left fully open which means that the music being played along with other related noise can be heard where they live at the far end of Northdown Road.

Responsible Authorities

Chief Officer of Metropolitan Police ("the Police"): None

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

5. Determination of Application

Decision

Consequent upon the hearing held on 2 March 2012, the Sub-Committee's decision regarding the application for a Premises Licence for the Iona Social Club 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.

Agreed Facts

Whether the granting of the premises licence would undermine the licensing objectives.

Neither of the interested parties attended the hearing.

Mr Fallon, a representative of the club, addressed the sub-committee in support of the application and in response to the objections raised:

- He stated that the applied extension was for the benefit of club members and extended family who attend the club.
- The hours requested incorporate a period of 30 minutes that the club could remain open after licensable activities cease to reduce members congregating outside the premises, for the benefit of neighbours and residents.
- The football, darts and golf teams that the Club supports will have the opportunity to enjoy a time of relaxing after they return from matches.
- The club is a family oriented club that does not want to damage its reputation. The Club has never attracted Police attention.

Mr Fallon made the following comments in response to the objections raised by interested parties:

- That doors and windows are always closed in the evening as the premises was an air-conditioned building.
- That the club had always applied for temporary events notice (“TENs”) on the dates of the non-standard timings sought, and applying for them will eliminate the club requirement for such TENs. They had not sought non-standard timings for bank holidays, as alleged.
- That despite the allegations made in the first written representation, the club had not received any notices from Environmental Health or the Police, and therefore no action had been taken by the objector.
- The second representation is from an address a long way from the club, and Mr Fallon doubted whether they could actually identify that the noise came from Iona Social Club.

Having considered the written representations and oral responses, the Sub-Committee was **satisfied** that the applicant had addressed all the issues raised by the objectors.

The Sub-Committee stated that in arriving at this decision, it took into consideration the licensing objectives as contained in the Licensing Act 2003, the Licensing Guidelines as well as Havering Council’s Licensing Policy.

The Sub-Committee **granted** the application in full.

Chairman