

**MINUTES OF A MEETING OF THE
LICENSING SUB-COMMITTEE
Council Chamber - Town Hall
19 March 2012 (10.35 am - 11.15 am)**

Present:

COUNCILLORS

Conservative Group Peter Gardner (Chairman) and Pam Light

Labour Group Denis Breading

Present at the hearing were Mrs Laura Skackauskaite (the Applicant), PC David Fern (Metropolitan Police), and one member of the public.

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

All decisions were taken with no votes against.

The Chairman reminded Members of the action to be taken in an emergency.

1 REPORT OF THE LICENSING OFFICER

PREMISES

Stumbras
26 Victoria Road
Romford
Essex
RM1 2JH

DETAILS OF APPLICATION

Application for a premises licence under the Licensing Act 2003 ("the Act").

APPLICANT

Mrs Laura Skackauskaite
C/O 26 Victoria Road
Romford
Essex
RM1 2JH

1. Details of requested licensable activities

The application was amended by the applicant at the hearing to the following:

Supply of alcohol:		
Monday to Sunday	10:00hrs	21:00hrs

Seasonal variations & non-standard timings:

There were no seasonal variations or non-standard timings requested.

2. Promotion of the Licensing Objectives

The applicant completed the operating schedule, which formed part of the application to promote the four 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 3 February 2012 edition of the Romford Recorder.

3. Details of Representations

There were no valid representations against the application from interested parties.

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

Responsible Authorities

Chief Officer of Metropolitan Police (“the Police”): One

The Police made a representation against the application on the basis that granting the premises licence would likely generate further crime and disorder and public nuisance.

The representation explained that the premises was located within the Romford Town Centre Saturation Zone. The cumulative impact of permitting a further premises to sell alcohol would likely add to the level of disorder in the saturation zone. There was evidence to suggest that customers from off licences had contributed to crime-related incidents occurring within the town centre and a deterioration of the public realm.

This included instances of public violence, noise and nuisance, littering and fouling.

Havering had one of the highest rates within Greater London for alcohol-related violence. The representation contained data on the number of assaults within Havering. To deal with alcohol-related violence, the Police had powers to remove alcohol from individuals, whether open or sealed, if it was suspected that the alcohol was going to be consumed with the saturation zone. There had been approximately 120 persons who had alcohol confiscated within the town centre over the past 12 months.

The type of alcohol the premises was proposing to sell was readily available in nearby off licences, of which there were a number within the vicinity. As such, the application had no exceptional reasons which would override adherence to the saturation zone policy.

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

Response from the Applicant

Mrs Skackauskaite (the applicant) explained that the sale of alcohol would be ancillary to the primary purpose of the store which was to sell Lithuanian and Eastern European produce. The alcohol would be located behind the sales counter so that patrons who wished to purchase alcohol would have to request it from a sales assistant.

She explained that the alcohol would be sourced from Lithuania/Eastern Europe and would be considerably more expensive than the types of alcohol available from purchase at nearby off licences, and it would only be a few bottles of very specific beverages. She advised there would be no external advertising of the sale of alcohol at the premises.

3 members of staff would be employed at the premises, of which 2 would be sales assistants and the remaining person a delivery operative. Staff would receive adequate training in respect of the sale of alcohol and the premises would operate a Challenge 25 policy.

In response to a question by a member of the sub-committee, Mrs Skackauskaite advised that she would install additional software to the

shop's cash register so that each time alcohol is purchased, the till issues a prompt to the sales assistant to check the age of the customer purchasing alcohol.

4. Determination of Application

Decision

Consequent upon the hearing held on 19 March 2012, the Sub-Committee's decision regarding the application for a Premises Licence for Stumbras 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.

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

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 were satisfied that the application was for a specialty shop, seeking to add particular Eastern European alcohol to the range of similarly sourced products. It was to be a small percentage of expensive alcoholic products served from behind the counter within the store, and it would only be once a person was in the store that they would be aware that alcohol was available. No concerns had been raised with regard to the premises or the applicant.

On that basis, the Sub-Committee could not see that the premises was a cause for concern, or likely to add to the cumulative impact upon any of the licensing objectives, and it therefore **granted** the revised application in full subject to the following conditions:

1. The premises must operate a Challenge 25 policy.

2. Any cash register used at the premises for the sale of alcohol must operate a system whereby the sales assistant is prompted to certify that the person purchasing alcohol is over the age of 18.

There can be no external advertising on the premises for the sale of alcohol.

Chairman