



LICENSING SUB-COMMITTEE HOT & TENDER

AGENDA

10.30 am	Monday 30 April 2012	Council Chamber - Town Hall
-----------------	---------------------------------	--

Members 3: Quorum 2

COUNCILLORS:

Peter Gardner (Chairman)
Robert Benham
Frederick Thompson

**For information about the meeting please contact:
Andrew Beesley
andrew.beesley@haverling.gov.uk tel. 01708 432437**

AGENDA ITEMS

1 APOLOGIES FOR ABSENCE AND ANNOUNCEMENT OF SUBSTITUTE MEMBERS

(if any) - receive

2 DECLARATION OF INTERESTS

Members are invited to declare any interest in any of the item 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 ANNOUNCEMENT

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.

4 REPORT OF THE CLERK (Pages 1 - 6)

5 REPORT OF THE LICENSING OFFICER (Pages 7 - 50)

Application for a variation of the premises licence for Hot & Tender, 1 Billet Lane, Hornchurch. RM11 1TS

**Ian Buckmaster
Committee Administration & Member Support
Manager**

LICENSING SUB-COMMITTEE

REPORT

30 April 2012

Subject Heading:

Procedure for the Hearing: Licensing Act 2003

Report Author and contact details:

Andy Beesley (01708) 432437
e-mail: andrew.beesley@havering.gov.uk

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:

- 1.1 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.**
- 1.2 A members of the Licensing Committee will be excluded from hearing an application where he or she:
- 1.2.1 has considered an application in respect of the premises in the previous 12 months as a Member of the Regulatory Services Committee; or
 - 1.2.2 is a Ward Councillor for the Ward in which the premises, subject to the application, are located; or
 - 1.2.3 is a Ward Councillor for a Ward which is likely to be affected by the application or;
 - 1.2.4 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. Chairman's Briefing 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

REPORT

30 April 2012

Subject heading:

Hot & Tender
1 Billet Lane Hornchurch RM11 1TS
Premises licence variation
Paul Jones, Licensing Officer
5th floor Mercury House
x 2692

Report author and contact details:

This application to vary a premises licence is made by Mr Ajmair Singh Dhesi under section 34 of the Licensing Act 2003. The application was received by Havering's Licensing Authority on 21st March 2012.

Geographical description of the area and description of the building

This take-away food shop is located at the junction of Billet Lane and High Street in Hornchurch's town centre. The immediate vicinity is predominantly commercial in nature; however, there are residential properties located above many of the commercial outlets in the vicinity as well as residential properties to the rear of this shop.

Details of the application

Current premises licence hours:

Late night refreshment		
Day	Start	Finish
Monday to Thursday	23:00	23:30
Friday & Saturday	23:00	01:00

Hours premises open to the public		
Day	Start	Finish
Monday to Thursday	11:00	23:30
Friday & Saturday	11:00	01:00

Variation applied for:

Late night refreshment		
Day	Start	Finish
Monday to Thursday	23:00	23:30
Friday & Saturday	23:00	02:30

Hours premises open to the public		
Day	Start	Finish
Monday to Thursday	11:00	23:30
Friday & Saturday	11:00	02:30

Non-standard timings

Late night refreshment		
Day	Start	Finish
Bank holiday Sundays Christmas Eve, New Year's Eve	23:00	02:30

Hours premises open to the public		
Day	Start	Finish
Bank holiday Sundays Christmas Eve, New Year's Eve	11:00	02:30

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 28th March 2012 edition of the Yellow Advertiser.

Summary

There were two representations against this application from responsible authorities, namely the Metropolitan Police and Havering's Noise Specialist. There were two representations against this application from interested parties, both of whom are ward councillors.

There were six representations in support of this application submitted by interested parties.

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

Responsible authorities' representations

PC David Fern makes representation against this application on behalf of the Metropolitan Police. PC Fern's representation is based upon his concerns in relation to the licensing objectives involving the prevention of crime and disorder, the prevention of public nuisance and public safety.

Mr Marc Gasson, Havering's Noise Specialist, makes representation against this application based upon the prevention of public nuisance licensing objective.

Interested parties' representations

Two ward councillors, namely Cllr Wood and Cllr Mylod, make representation against this application. Their joint representation is based upon the prevention of crime and disorder and the prevention of public nuisance licensing objectives.

Of the six representations made by interested parties in support of this application one was made by a resident while the remaining five were made by neighbouring businesses. Four of these businesses operate during normal office hours. The fifth business is also a take-away food premises which ceases its operation at 23:00.

Paul Jones
Licensing Officer
London Borough of Havering

This page is intentionally left blank

Licensing Team
L.B. Havering,
Mercury House, Mercury Gardens
Romford, Essex RM1 3SL



21.03.12

Dear Sir

My Client: Mr A. Dhesi
Premises: Hot and Tender, 1, Billet Lane, Hornchurch Essex RM11 1TS
Application: Application for Variation of Premises Licence

As a result of a discussion with the legal department we have been requested to re-submit the application. Accordingly please find enclosed: -

- Application for Variation of Premises Licence
- Copy Public Notice
- Cheque in the sum of £190

As you hold the original licence please confirm that you are happy that this is a valid application and that time can start running from tomorrow 22nd March and will conclude at midnight on 18th April.

Given the nature of this application, ie to vary the hours it is not proposed to lodge existing plans. If granted please forward the Varied Premises Licences to this office.

Should there be any queries regarding this application please do not hesitate to contact me. We would be happy to meet you on site to discuss or clarify any particular matters.

Yours faithfully


Stephen Thomas LL.B. A.K.C

11530

Application to vary a premises licence 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 Ajmair Dhesi

(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number 004938
--

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description			
1, Billet Lane,			
Post town	Hornchurch	Post code	RM11 1TS

Telephone number at premises (if any)	017908 438787
Non-domestic rateable value of premises	£11100

Part 2 – Applicant details

Daytime contact telephone number	07868 846124		
E-mail address (optional)			
Current postal address if different from premises address			
Post Town		Postcode	

Part 3 - Variation

Please tick yes

Do you want the proposed variation to have effect as soon as possible?

If not do you want the variation to take effect from

Day	Month	Year
<input type="text"/>	<input type="text"/>	<input type="text"/>

Please describe briefly the nature of the proposed variation (Please see guidance note 1)

The application is to remain open until 02.30 on Fridays and Saturdays., Bank Holiday Sundays, Christmas Eve and New yeras Eve.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment

Please tick yes

- 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:

- 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)

Sale by retail of alcohol (if ticking yes, fill in box M)

In all cases complete boxes N, O and P

A

Plays Standard days and timings (please read guidance note 6)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue			<u>State any seasonal variations for performing plays</u> (please read guidance note 4)		
Wed					
Thur					
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sun					

L

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3) TO PERMIT THE PROVISION OF HOT FOOD AND HOT BEVERAGES		
Mon	23.00	23.30			
Tue	23.00	23.30	State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
Wed	23.00	23.30			
Thur	23.00	23.30	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5) 23.00 - 02.30 Bank Holiday Sundays, Christmas Eve and New Years Eve		
Fri	23.00	02.30			
Sat	23.00	02.30			
Sun					

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Mon					
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					
			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)		

N

<p>Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)</p> <p>NONE</p>
--

O

Hours premises are open to the public Standard days and timings (please read guidance note 6)			<u>State any seasonal variations</u> (please read guidance note 4)
Day	Start	Finish	
Mon	11.00	23.30	<p><u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 5)</p> <p>11.0 a.m. - 02.30 a.m. Bank Holiday Sundays, Christmas Eve and New Years Eve -</p>
Tue	11.00	23.30	
Wed	11.00	23.30	
Thur	11.00	23.30	
Fri	11.00	02.30	
Sat	11.00	02.30	
Sun			

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking

NONE save for the terminal hours on Friday and Saturday, Christmas Eve and New Years Eve and opening hours on Bank Holiday Sundays , Christmas Eve and New Years Eve.

Please tick yes

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes please fill in reasons for not including the licence, or part of it, below

Reasons why I have failed to enclose the premises licence or relevant part of premises licence

The licence is held by council

P Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

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

The premises do not have a history of being a source of crime and disorder or public nuisance, and temporary events notices permitting extensions of hours in December 2011 and January 2012 have not caused any problems.

The items supplied at these premises include hot food and hot beverages.

b) The prevention of crime and disorder

In view of the history of these premises no conditions are required to meet this objective - however the applicant would propose the following:

1. Installation of CCTV
2. Appointment of 1 door supervisor to monitor personnel outside the premises between 01.00 and 02.30 Fridays, Saturdays, Bank Holiday Sundays, Christmas Eve and New Year's Eve only
3. The applicant will be a member of the Hornchurch Safe and Sound Night Time Economy Network.

c) Public safety

Existing legislation applies to these premises that it is not necessary to duplicate in this licence./

d) The prevention of public nuisance

In view of the history of these premises no conditions are required to meet this objective - however the applicant would propose the following:

1. Installation of CCTV
2. Appointment of 1 door supervisor to monitor personnel outside the premises between 01.00 and 02.30 the morning after Fridays, Saturdays, Bank Holiday Sundays, Christmas Eve and New Year's Eve only
3. The applicant will be a member of the Hornchurch Safe and Sound Night Time Economy Network.

e) The protection of children from harm

There are no risks of harm to children at these premises.


Please tick yes

- I have made or enclosed payment of the fee
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I understand that I must now advertise my application
- I have enclosed the premises licence or relevant part of it or explanation
- 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 5 – Signatures (please read guidance note 10)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 11). **If signing on behalf of the applicant please state in what capacity.**

Signature	
Date	21 st March 2012
Capacity	Solicitor for Applicant

Where the premises licence is jointly held signature of 2nd applicant (the current premises licence holder) 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.**

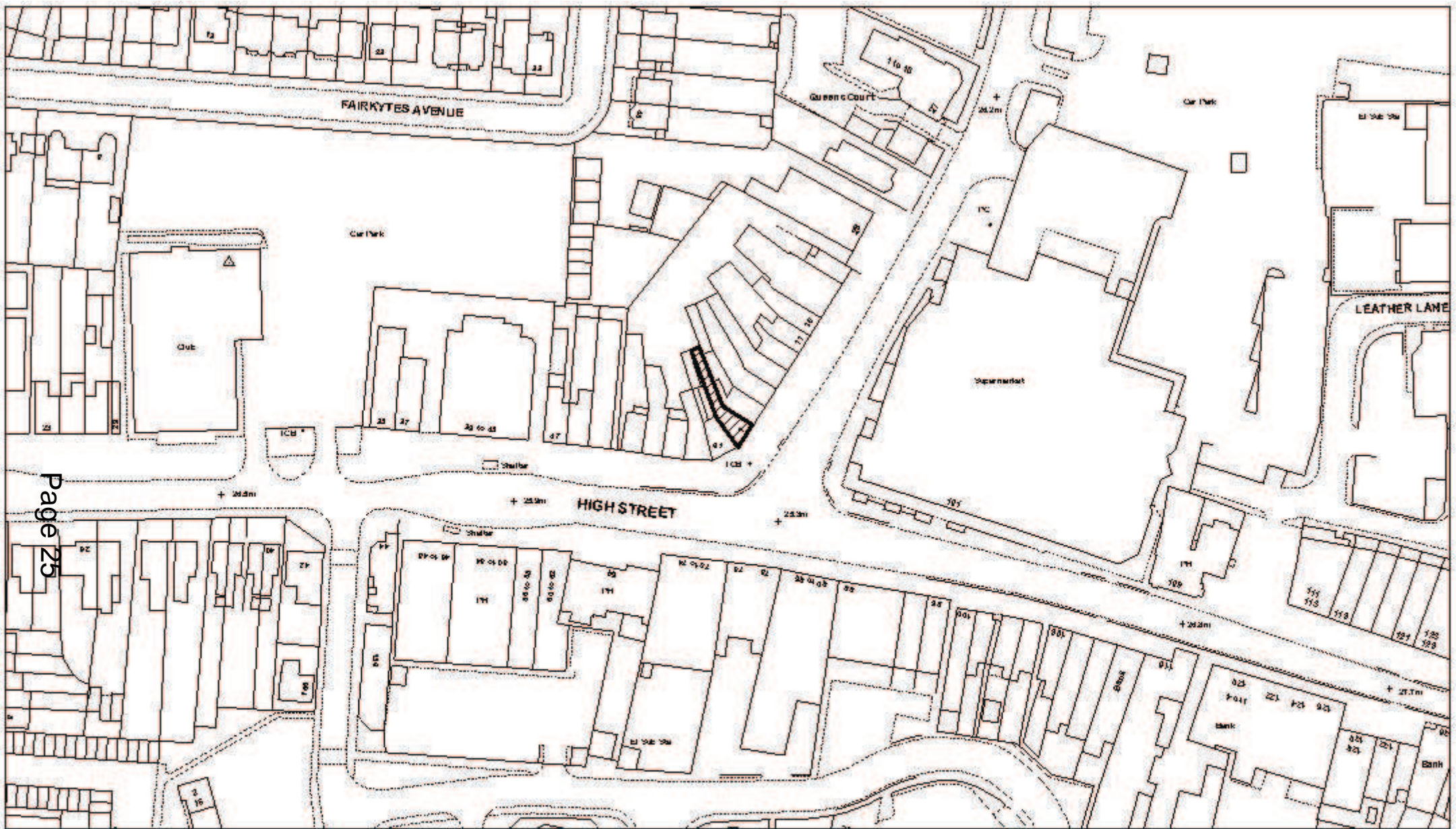
Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 13) Stephen Thomas LAW 8, Grassmere, Leybourne			
Post town	West Malling	Post code	ME19 5QP
Telephone number (if any)	01732 321114		
If you would prefer us to correspond with you by e-mail your e-mail address (optional) st@stephentomasl;aw.co.uk			

Notes for Guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence you should make a new premises licence application under section 17 of the Licensing Act 2003.

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups, the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.



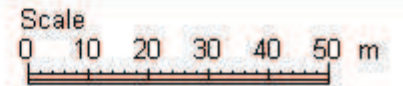
Page 25

Hot & Tender



Map Reference: TQ5387SE
Date: 19/04/2012

Scale @ A4
1:1250



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



© Crown copyright and database rights 2012 Ordnance Survey 100024327

This page is intentionally left blank

Yellow Classified

www.yellowadvertiser-today.co.uk

LICENSING ACT 2003

Application for Variation of a Premises Licence
 I, ANMARR DHEESI HEREBY GIVE NOTICE that I have made an application to the London Borough of Havering, for variation of the following licensable activities: To extend the current permitted hours on Fridays and Saturdays for the provision of late night refreshment being 23.00pm-01.00am to 02.30am and until 02.30am on the mornings after Bank Holiday Sundays, Christmas Eve and New Years Eve.

In respect of the premises situate at 1 Billiet Lane, Hornchurch, Essex RM11 1TS and known by the sign of Hot and Tender. The application can be viewed at the offices of the London Borough of Havering, Mercury House, Mercury Gardens, Romford, Essex RM1 3SL during normal office hours (website address).

Any person wishing to make representation concerning this application should do so in writing to the above local authority and within 28 consecutive days of the submission of the application, that is no later than 18th April, 2012. It is an offence knowingly or recklessly to make a false statement in connection with an application and the maximum fine for which a person is liable on summary conviction for the offence is £5,000.

Stephen Thomas LAW
 Authorised Agents for and on behalf of the applicant
 8 Grassmere, Leybourne, Kent ME19 5QP

**FOR FAST RESULTS
 YELLOW ADVERTISER**

MAMMAS + PAPAS White Savannah Cot bed with mattress VGC £80. MAMMAS + PAPAS grey Prina Pappa Highchair VGC £40. MAMMAS + PAPAS Moses basket Stand VGC £10. Punsport Travel Cot VGC £20. SPIDERMAN Readybed 3+ VGC £15. Tel: 07930 591774.

MINIATURE DOLLS HOUSE. good condition, stands 30in high, 19 x 19 on wooden base, grass verge to be fitted, some furniture, electric lighting in place plus extras. £400ono. Tel: 07507 141821.

UNDER WORKTOP FRIDGE. white, modern, very good condition, can deliver. £65. CHEST FREEZER, lift-up lid, 22in wide, white, modern, very good condition, can deliver. £55. Tel: 01708 469127.

TWO PIECE SUITE. very good condition, pink stripes and cat-meal background. £60ono. GLASS TOP KITCHEN TABLE, FOUR CHAIRS, (frozal), very good condition. £80. Tel: 01277 216869.

WEST HAM PROGRAMMES
 1981 League Cup Final, 1984-88 12 Progs & 1985 Handbook £20. HAWMER MAGAZINES 1985-97, 30 Issues & 2 Binders £20. Tel: 07753 166 710.

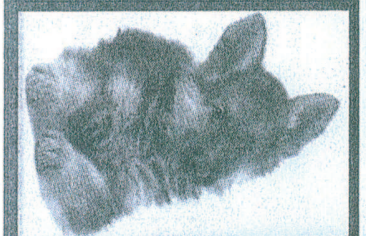
OWNERS' ASSOCIATION GREYHOUNDS HOMES URGENTLY NEEDED

These graceful animals make excellent pets and are very good with people at home, especially children and quickly return the affection and love given to them. Excessive exercise is not required. Interested? - telephone Kennels 01708 640895 Julie 07881 288 926 www.rgoa.co.uk

WANTED GOOD HOMES FOR RETIRED GREYHOUNDS
 Ring Pat on 01708 551689
 Email: Pat@greyhoundhomes.co.uk
 Web: www.greyhoundhomes.co.uk (Charity 295688)

Pet Services

ALSATIAN PUPPIES
 Black and Tan and pure black. K.C. Reg. Lovely Pedigree and good temperament. 020 8504 9182 07932 634 190



Through lozenges, chimney breasts removed Extensions etc
 Call Dave 07949 939 058 01708 784 208

Set up & Tuning service Telephone extensions fitted L.C.D. / Plasma Installations
 CCTV Installation CAL Plus Member 01708 200 667 07771 714 957

COMPLETE HOUSE MAINTENANCE
 Rendering, Painting, Roofing, Plumbing, Plastering, Decorating, Renovations, PVC Guttering
 Free Quotation
 01708 739 653 / 07900 170 187

CALL NOW FOR 10% DISCOUNT!
PART £3,900*
COMPLETE £5,750 + VAT
 CONVERSIONS INCLUDES
 *Roof window *Staircase *Suspended floor Fully insulated, electrics, heating
 www.ccsylift.com
 Phone 020 8529 1834

This page is intentionally left blank



Working together for a safer London

Licensing Authority
London borough of Havering
Mercury House, Mercury Gardens
Romford
RM1 3SL

PC 118 KD David Fern
Romford Police Station
19 Main Road
Romford,
Essex
RM1 3BJ

Telephone: 01708 432781
Email:
David-
anthony.fern@met.police.uk
Date: 21st February 2012

Police wish to make representation against the application to vary the premises licence Hot and Tender, 1 Billet Lane RM11

Police feel that granting of such a licence would have a negative impact on the licensing objectives, in particular Prevention of Crime and Disorder, Public Nuisance and Public Safety.

- The premises are located within the saturation area of St Andrews Ward, this area is high lighted as being under stress.
- The cumulative impact of being open until 0230 hours in a mixed use area will cause further crime and disorder. This will be the only premises in the area open and is likely to be magnet for crime and disorder, along with public nuisance.
- The shop would attract predominately those who have been out drinking and enjoying the night time economy, many under the influence of alcohol and drugs.
- Police have conducted drugs test in licensed establishments within the vicinity and high readings have been reported of cocaine in these premises.
- There are likely to be fights at the location which is associated with alcohol fueled customers, especially given the hours requested.

Romford town centre which operates a late night economy in comparison suffers hugely from Violence at the weekend predominately between 0100 - 0300 hours.

- There is no public transport from Hornchurch at this time of night therefore members of the public will be loitering, waiting for taxi's or people to pick them up.
- This also becomes an area that illegal mini cabs target and this will increase the risk of public safety at the location.
- There will no doubt be Disorder caused by the customers who have ordered food at the location and remain outside the premises to consume it, along with litter and urination which tend to go hand in hand with those out at this hour.

This area is at present a fairly quiet street, the accumulation of individuals emerging into the street will wake neighbours through no more than cheery good byes, shutting of car doors, loud voices and gathering of groups. This will impact on the licensing objective prevention of Public nuisance.

Police could not support this application given the overall impact on the licensing objectives.

- **If the committee were to grant a variation to the licence against this representation, Police would seek to impose further conditions. This would include CCTV, employment of SIA door staff, restrictions on loitering outside the premises and consumption of food.**

CD6 A Premises Daily Register shall be kept at the premise. This register will be maintained and kept for a minimum of 12 months. This register should record the name of the person responsible for the premise on each given day. The Premises Daily Register shall record all calls made to the premises where there is a complaint made by a resident or neighbour of noise, nuisance or anti social behaviour by persons attending or leaving the premises. This shall record the details of the caller, the time and date of the call and the time and date of the incident about which the call is made and any actions taken to deal with the call. The Premises Daily Register will be readily available for inspection by an Authorised Person throughout the trading hours of the premise. The Premises Daily Register will also record all incidents in relation to the use of any force by staff or Door Supervisors in the removal of persons from the premises. It shall record the time and date of the occurrence, name or brief description of the person removed, and details of the staff involved.

CD7 All Door Supervisors shall enter their full details in the Premises Daily Register at the commencement of work. This shall record their full name, home address and contact telephone number, the Door Supervisor's SIA registration number and the time they commenced and concluded working. If the Door Supervisor was supplied by an agency, details of that agency will also be recorded including the name of the agency, the registered business address and a contact telephone number.

- All staff engaged outside the entrance to the premises, or supervising or controlling queues, shall wear high visibility yellow jackets or vests.
- The licence holder shall ensure that any queue to enter the premises which forms outside the premises is orderly and supervised by door staff so as to ensure that there is no public nuisance or obstruction to the public highway.
- No person carrying any form of alcoholic drink, whether open or sealed, will be admitted to the premises after 2300 hours.
- Patrons will be prevented from eating and drinking outside the premises after 2300 hours. SIA staff will be employed to control this or a member of staff.
- SIA staff must be employed when licensable activity is after 0030- 0230 on all occasions. SIA staff will be provided with a written policy of the requirements by the premises; this must be approved by Havering police.

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 should be 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, FPS 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 and 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.

PNGPG4 After close of business a rubbish patrol should pick up any flyers or rubbish which has been left in the close vicinity of the premises by customers including any bottles, cans and take way waste packaging.

The police licensing officer will continue to work with the applicant and their representative in an effort to develop the business and the community.

IF I can be of any further assistance in this matter please do not hesitate to contact me in the licensing office.

Yours sincerely

David Fern
Police licensing Officer
Havering Borough.



memo

From: Marc Gasson-Noise Specialist

To: Paul Jones-Licensing Officer.

My Reference : MDG/076388

Your Reference :

Date: 5 March 2012

Licensing Act 2003-Application to Vary Premises Licence Hot & Tender, 1 Billet Lane, Hornchurch, Essex.

I refer to the above application and would object to any extension in the hours of the licensable activities being granted due to the close proximity of residential properties above the commercial properties in Billet Lane.

Any extension would give rise to an increase in public nuisance experienced by nearby residents to a later time which is unacceptable.

I trust this clarifies my position

Marc Gasson
Noise Specialist

From: Johnsigns1@aol.com [mailto:Johnsigns1@aol.com]
Sent: 18 April 2012 14:55
To: Paul Jones
Cc: CouncillorJohn Mylod
Subject: Fwd: Hot and Tender

To Paul Jones

Formal Objection to the variation to licence application for Hot and Tender.

At present Olivers pub and night club, which is almost directly opposite Hot and Tender, has a licence to stay open till 2.00am on Thursday and Sunday and 2.30am on Friday and Saturday . This has a potential of more than 500 patrons spilling out around the Hot and Tender vicinity . A significant number of them will be looking to buy take away food . Hot and Tender is a very small shop which can only possibly accommodate 6/8 people at one time. This means that any other late night revellers will not be making there way directly home which is a much safer alternative but milling around the Hot and Tender waiting to get served . This is potentially a very volatile situation in an area where in recent months there have already been a number of physical assaults specifically linked to that location and Olivers in particular. This significant number of usually young people, have indulged in consuming large amounts of alcohol until quite a late hour and poses a real threat to the local community and the surrounding shops in paticular.

There is also going to be a severe problem with the disposing of litter . These patrons of Hot and Tender will be walking around Hornchurch Town Centre whilst eating their food and once they are finished the litter will just be left around the centre for Havering Council to remove the next day including left over disgarded food. There are no toilet facilities available in the the town centre at this time in the early hours of the morning.

The related noise that will be ongoing in the area surrounding Hot and Tender will go on well past the 2.30 am licence application time and will be totally anti social and very disruptive to residents living nearby who no doubt will be kept awake or woken up by the crowds hanging around the small Hot and Tender area..

As ward councillors for St Andrews we both strongly object to any further extension being given to Hot and Tender on the above grounds and recommend that this cttee refuses this application .

The councils own Policy 012 states ' The LLA is committed to protecting the amenity of residents and businesses in the vicinity of licensed premises.

Councillor John Wood
Shadow Cabinet Member for Community Safety
Andrews Ward
Councillor for St Andrews Ward

Councillor John Mylod
Councillor for St



Telephone: +44 (0) 1708 479731
Mobile: +44 (0) 7500 554582
E-Mail: jpscrafteron@jpscrafteron.com

14 Queen's Court
27-31 Billet Lane
Hornchurch
RM11 1XP

24th February 2012

Mr Paul Jones
Licensing Officer
London Borough of Havering
Mercury House
Mercury Gardens
Romford RM1 3RX

Dear Sir,

“HOT ‘N TENDER”
1A BILLET LANE, HORNCHURCH
APPLICATION FOR LATE-NIGHT OPENING LICENCE

I am writing in support of this application to keep these premises open until 2:30am on Fridays and Saturdays, and on other special days. I live, and have lived, for nearly three years, approximately 200 yards from these premises.

For many years I practised as a solicitor dealing with local government matters, including those of environmental health. In my spare time, among other things, I run the Greater London branch of an international gastronomic society which is dedicated to the maintenance and raising of standards in food, wine and service, and in teaching: its members and its charitable work lay great store by food hygiene. In addition, I also have had some experience in dealing with environmental health matters in the criminal courts.

It is against this background that I can say that I have always found Hot ‘n Tender to be a very well-run, clean and efficient in operation. I am a customer there, from time to time, and through force of habit, I watch to see how the premises are maintained and the products are handled and served. Their attention to cleanliness extends to the outside of the premises, and I have always been impressed by the lack of litter and mess on surrounding streets and pavements. This is of benefit to the community, and would be a pity if it had to be stopped because they have to close early to prevent late night revellers from trying to gain access to their premises.

... ..

... ..

... ..

... ..

... ..

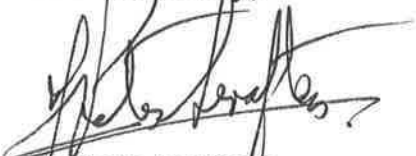
One always expects some degree of late-night noise in a built-up area, and this is no exception. The main problem is the noise which emanates from the Sainsbury premises in Billet Lane, as deliveries and unloading continue, round the clock, seven days a week, throughout the year.

Hot 'n Tender would provide a useful service by being open until half an hour after the nightclub closes. It would moderate the flow of pedestrians leaving the club at closing time; and the consumption of food and hot drinks would have a positive effect on those who have been consuming alcohol.

Perhaps more importantly, it provides an unofficial refuge for unaccompanied young women, or groups of unescorted young women, while they wait for lifts home, whether from family, friends or private hire companies, not least of all when the weather is inclement.

I have no hesitation whatsoever in supporting this application, without any qualification.

Yours faithfully,



J P SCRAFTON
IRRV(Hons), FCI Arb, MRSA(Hon)
Solicitor (Non-Practising)

PAUL JONES
LICENSING OFFICER

BILLY DRY CLEANER
11 BILLET LAKE
HORWICH
RM11 1TS
27/2/12

I'M AWARE OF HOT & TENDER LATE NIGHT APPLICATION. TO KEEP THE SHOP OPEN UNTILL 02.30AM ON FRIDAY & SATURDAY NIGHTS. I SUPPORT THIS APPLICATION, AS THIS WOULD BE GOOD FOR THE CUSTOMERS, LEAVING THE NIGHT CLUB, AS EATING FOOD WOULD MAKE THEM FEEL BETTER, AS THERE IS NOWHERE ELSE TO GO. I TO GO HOT & TENDER.

MOB: 07949 158056
SHOP: 01708 472 854



29th February, 2011.

**Attn: Paul Jones,
Licensing Officer,
Housing & Public Protection,
London Borough of Havering,
Mercury House,
Mercury Gardens
Romford RM1 3SL**

Dear Sir,

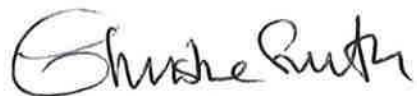
**Re: Licensing Act 2003 – Premises Licence Variation Application
Hot & Tender 1 Billet Lane Hornchurch RM11 1TS**

As a fellow shopkeeper with premises in Billet Lane, I have no objection whatsoever to the application for a premises licence for the above business.

The extended opening hours will in no way obstruct or interfere with any other business in the vicinity, will not be a public nuisance, cause any safety issues, or introduce more crime and disorder to Hornchurch.

If you wish to ask me any more questions on this matter, please do not hesitate to telephone/email.

Yours faithfully,



**Christine Smith
Director**

RECEIVED
2 MAR 2012

Designer Dental Clinic

For All Your Dental Needs

58 Billet Lane, Hornchurch, Essex RM11 1XA

Tel: 01708 441143

2 - MAR 2012

1st March 2012

Dear Sir/Madam

Re : Premises Licence Variation Application

1 Billet Lane , Hornchurch RM11 1TS

I am writing with regard to the late night licence for the Hot and Tender takeaway restaurants late night licence application, I fully support this application as it is a good and needed service for the people of the area and users of the local pubs and night clubs.

Yours Sincerely



Dr E. Marais



MR. Paul JONES
LICENSING OFFICER
LONDON BOROUGH OF HAVERING
Mercury House
Mercury Gardens
Romford RM1 3RX

Dear Sir,

"HOT 'N TENDER"
1 BILLET LANE, HORNCHURCH
APPLICATION FOR LATE-NIGHT OPENING LICENCE

I am aware of the application made for the opening hours of Hot 'N TENDER for the sale of hot food to be extended until thirty minutes after the nearby night club and public house close. I SUPPORT the application.

By operating a late night service, HOT 'N TENDER offer not only the service of serving hot food to people coming out of drinking establishments, but also a safe place for young women, singly or in groups, to wait for their transport home.

Yours faithfully,

P. Bonds
Director

Mr

Mr
Mr
Mr



A Red Pepper

57 High Street, Hornchurch, RM11, 1TP
Tel: **01708 447 887**

Dear

Re: Premises license variation application for Hot and Tender, RM11 1TS

I am writing to inform you that I support the application of "Hot and Tender" to be opened till late as I think that it would not cause any problem to the local area.

I hope you would allow Hot and tender to be opened till late

Many thanks

Mr. Uddin

Manager

A Red Pepper
Indian Take Away

57 High Street
Hornchurch, Essex RM11 1TP

Tel: **01708 447 887**

Handwritten text, likely bleed-through from the reverse side of the page. The text is illegible due to fading and blurring.