

**MINUTES OF A MEETING OF THE
LICENSING SUB-COMMITTEE
Committee Room 3B - Town Hall
9 July 2012 (2.30 - 2.35 pm)**

Present:

COUNCILLORS

Conservative Group Peter Gardner (Chairman) and Melvin Wallace

Labour Group Denis Breading

The applicant did not attend the meeting.

PC David Fern, representing the Metropolitan Police was in attendance.

Also present were Paul Campbell (Licensing Officer), Amy Miller (Work Experience) the Legal Adviser 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.

**1 APPLICATION FOR A TEMPORARY EVENT NOTICE FOR LAND AT
 JUNCTION OF SOUTH STREET AND MARKET PLACE, ROMFORD.**

PREMISES

South Street junction with Market Place,
Romford

DETAILS OF APPLICATION

Application for a Temporary Event Notice under section 100 the
Licensing Act 2003 ("the Act").

APPLICANT

Mr Jack Kendall,
162 Valence Wood Road,
Dagenham,
RM8 3AJ

1. Details of the application

The application is for a Temporary Event Notice (TEN) for Saturday, 14th
July 2012 to cover the hours of 09:00 to 16:00 for the provision of Regulated
entertainment for a maximum of 50 people. The application is for a stall like
gazebo 6ft x 6ft at the start of the market in South Street, Romford.

2. Details of Representations

Under the Licensing Act 2003 the police and/or environmental health have three working days to lodge an objection to a TEN on grounds relating to one or more of the four licensing objectives:

- Prevention of crime and Disorder,
- Public Safety,
- Prevention of Public Nuisance, and
- Protection of Children from Harm.

The Police representation was submitted within three working days of receipt of the application.

The police's objection relates to the failure to promote the licensing objectives, particularly the prevention of crime and public nuisance.

Since receiving the application the police have tried to contact the applicant who was away from London at the time. The representation related to the applicant's failure to confirm that he had sought permission to place the gazebo on the public highway. The application also fails to mention what type or style of music it will be or how the volume of the music will be controlled. The application also fails to show how the number of people expected to be present will be controlled or monitored and what plans there were if this number was exceeded.

3. Applicant's response.

Prior to the meeting the applicant left a voicemail message for the clerk indicating that he did not wish to proceed with the event. The Clerk attempted to contact him, leaving messages at his contact number and by e-mail, advising him that he needed to withdraw his application in writing. He failed to respond to the messages and the Sub-Committee saw fit to determine the application in his absence.

4. Determination of Application

Decision

Consequent upon the hearing held on 9 July 2012, the Sub-Committee's decision regarding the application for a Temporary Event Notice, on behalf of Jack Kendall, for an event on Saturday, 14th July, 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

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- 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.

The Sub-Committee were not prepared to grant the Temporary Event Notice because the application failed to show how the licensing objectives would be promoted and what steps would be taken if the numbers attending the event exceeded the number expected to attend.

Chairman