



Havering

LONDON BOROUGH

LICENSING SUB-COMMITTEE CENTRE NEWS AGENDA

10.30 am

**Monday
6 August 2012**

**Council Chamber -
Town Hall**

Members 3: Quorum 2

COUNCILLORS:

Peter Gardner (Chairman)
Frederick Thompson
Melvin Wallace

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

AGENDA ITEMS

1 APOLOGIES FOR ABSENCE AND ANNOUNCEMENT OF SUBSTITUTE MEMBERS

(if any) - receive

2 DISCLOSURE OF PECUNIARY INTERESTS

Members are invited to disclose any pecuniary interest in any of the items on the agenda at this point of the meeting.

Members may still disclose any pecuniary 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)

Procedure for the Hearing

5 REPORT OF THE LICENSING OFFICER (Pages 7 - 36)

Application for a premises licence at Centre News, 169 High Street, Hornchurch.
RM11 3XS

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

LICENSING SUB-COMMITTEE

REPORT

6 August 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

06 August 2012

Subject Heading:

Premises Licence Application for
Centre News 169 High Street Hornchurch
RM11 3XS

Report Author and contact details:

Paul Campbell – Licensing Officer
01708 432777
licensing@havering.gov.uk

This application for a premises licence is made by Yagneshkumar Brahmhatt under section 17 of the Licensing Act 2003. The application was received by Havering’s Licensing Authority on 14th June 2012.

Geographical description of the area and description of the building

The premises are a single unit terrace shop on the ground floor with a flat above (I am unsure if the flat is occupied or used as offices/storage)

The premises are situated in the centre of Hornchurch on the north side of High Street at the roundabout one way system junction with Station Lane. All of the premises along High Street and Station Lane in the surrounding area are shops or business premises on the ground floor and many of them have residential flats above. The premises behind the shops are mainly residential properties.

The premises is within the area identified in the London Borough Of Havering Licensing Policy as a Saturation Area (Hornchurch)

Hornchurch has good public transport links with the rest of the borough.

A map of the area is attached to assist the committee.

Details of the application

| Supply of Alcohol (off supply only) | | |
|--|--------------|---------------|
| Day | Start | Finish |
| Monday to Sunday | 06:00hrs | 23:00hrs |

Seasonal variations & Non-standard timings

There are no seasonal variations or non-standard timings in this application.

Comments and observations on the application

The applicant acted in accordance with premises licence regulations 25 and 26 relating to the advertising of the application. The required newspaper advertisement was installed in the Yellow Advertiser on Wednesday 20th June 2012.

Summary

There were three valid representations against this application from interested parties.

There were three representations against this application from responsible authorities.

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 parties representations fall mainly under the heading of the prevention of public nuisance.

Responsible Authorities' representations

Representations are made by the Metropolitan Police, Trading Standards and the Licensing Authority all three outline their concerns relating to this application being in the saturation area.

There were no representations from the following responsible authorities:

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

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

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

PJ
11771

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 YAGNESHKUMAR BRAHMBHATT

(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 CENTER NEWS AND CONVENIENCE STORE 169 HIGH STREET HORNCHURCH | | | |
| Post town | ESSEX | Post code | RM11 3XS |
| Telephone number at premises (if any) | 07809834305 | | |
| Non-domestic rateable value of premises | £18,750 | | |

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)
- 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 <input checked="" type="checkbox"/> | Mrs <input type="checkbox"/> | Miss <input type="checkbox"/> | Ms <input type="checkbox"/> | Other Title (for example, Rev) | |
| Surname BRAHMBHATT | | | First names YAGNESHKUMAR | | |
| I am 18 years old or over | | | | <input checked="" type="checkbox"/> | Please tick yes |
| Current postal address if different from premises address | | 94 BOLEYN ROAD | | | |
| Post Town | LONDON | | | Postcode | E7 9QG |
| Daytime contact telephone number | | | 07809834305 | | |
| E-mail address (optional) | | | | | |

SECOND INDIVIDUAL APPLICANT (if applicable)

| | | | | | |
|-----------------------------|------------------------------|-------------------------------|-----------------------------|--------------------------------|-----------------|
| Mr <input type="checkbox"/> | Mrs <input type="checkbox"/> | Miss <input type="checkbox"/> | Ms <input type="checkbox"/> | Other Title (for example, Rev) | |
| Surname | | | First names | | |
| I am 18 years old or over | | | | <input type="checkbox"/> | Please tick yes |

| | | | |
|--|--|-----------------|--|
| 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 |
| <input type="text"/> | <input type="text"/> | <input type="text"/> |

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

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

Please give a general description of the premises (please read guidance note1)
NEWSAGENTS AND CONVENIENCE STORE

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

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment

Please tick yes

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

Provision of entertainment facilities:

- | | |
|---|--------------------------|
| i) making music (if ticking yes, fill in box I) | <input type="checkbox"/> |
| j) dancing (if ticking yes, fill in box J) | <input type="checkbox"/> |
| k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K) | <input type="checkbox"/> |

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 supply of alcohol be for consumption (Please tick box) (please read guidance note 7) | On the premises | <input type="checkbox"/> | | | |
| | | | | Off the premises | <input checked="" type="checkbox"/> | | | |
| | | | | Both | <input type="checkbox"/> | | | |
| Day | Start | Finish | State any seasonal variations for the supply of alcohol (please read guidance note 4) | | | | | |
| Mon | 06:00 | 23:00 | | | | | | |
| | HRS | HRS | | | | | | |
| Tue | 06:00 | 23:00 | | | | | | |
| | HRS | HRS | | | | | | |
| Wed | 06:00 | 23:00 | | | | | | |
| | HRS | HRS | | | | | | |
| Thur | 06:00 | 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) | | |
| | HRS | HRS | | | | | | |
| Fri | 06:00 | 23:00 | | | | | | |
| | HRS | HRS | | | | | | |
| Sat | 06:00 | 23:00 | | | | | | |
| | HRS | HRS | | | | | | |
| Sun | 06:00 | 23:00 | | | | | | |
| | HRS | HRS | | | | | | |

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

| | |
|--|--------|
| Name YAGNESHKUMAR BRAHMBHATT | |
| Address 94 BOLEYN ROAD LONDON | |
| Postcode | E7 9QG |
| Personal Licence number (if known) APPLIED FOR | |
| 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)

STRICT IMPLIMENTATION OF CHALLENGE 25 POLICY
SEPARATING ALCOHOL FROM CHILDRENS SECTION
ALL STAFF TO BE TRAINED IN RESPONSIBLE ALCOHOL RETAILING
CCTV IN OPERATION 24HRS. RECORDING & MONTHLY STORING SYSTEM.
JOINING RETAILWATCH SCHEMES & KEEPING IN TOUCH WITH THE POLICE

b) The prevention of crime and disorder

TRAIN ALL STAFF & DEVELOP THE RIGHT ATMOSPHERE WITH CUSTOMERS
CCTV INSTALLED INSIDE AND OUTSIDE. JOIN RETAILWATCH SCHEMES
KEEP A CLOSE WATCH ON ALL CUSTOMERS & KEEP CLEAR VIEW OF PREMISES
LIASE WITH THE LOCAL POLICE
BE CALM AND DECISIVE & DO NOT REACT TO PROVOCATION
ALL PURCHASES MADE FROM WHOLESALERS/CASH AND CARRYS ONLY

c) Public safety

INSTALLATION OF APPROPRIATE & ADEQUATE SAFETY EQUIPMENT.
INSTALLATION OF EMERGENCY LIGHTING AND EVACUATION PROCEDURES BE IN PLACE WITH WARNING SIGNS .
FIRE EVACUATION PROCEDURES. TO COMPLY WITH ALL CURRENT, FIRE AND HEALTH AND SAFETY LEGISLATION AS REQUIRED BY THE LAW
ALL PURCHASES TO BE MADE FROM WHOLESALERS/CASH AND CARRYS ONLY

d) The prevention of public nuisance

A MANAGEMENT POLICY IN PLACE TO TAKE INTO ACCOUNT THE EXTERNAL AREAS OF THE PREMISES AND THE CONDUCT OF THE CUSTOMERS .
NOTICE TO CUSTOMERS REGARDING CONSIDERATION FOR NEIGHBOURS.
TO MONITOR ANTI SOCIAL BEHAVIOUR BY USE OF CCTV
JOIN RETAILWATCH SCHEMES
STRICT POLICY NOT TO SERVE DRUNKEN CUSTOMERS.
CHALLENGE 25 IN FORCE ALL THE TIME

e) The protection of children from harm

STRICT IMPLEMENTATION OF CHALLENGE 25 POLICY
ALCOHOL TO BE KEPT AWAY FROM CHILDRENS CONFECTIONERY SHELVES
SIGNS TO BE PUT ON SHELVES REGARDS TO NO ID NO SALE ON ALCOHOL SHELVES
CIGARETTES & SPIRITS TO BE KEPT BEHIND THE COUNTER AWAY FROM CHILDREN.
STAFF FULLY TRAINED ON NO ID NO SALE CHALLENGE 25 POLICY
HEALTH & SAFETY MEASURES ARE IN PLACE WHERE EQUIPMENT IS OF DANGER TO YOUNG PERSONS.


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 |  MR. S. PANCHAL |
| Date | 13/06/2012 |
| Capacity | AGENT |

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)

PERSONAL LICENCE COURSES LTD
STUDIO 8
HAYES BUSINESS STUDIOS
HAYES CAMPUS
COLLEGE WAY

| | | | |
|------------------|-------|------------------|---------|
| Post town | HAYES | Post code | UB3 3BB |
|------------------|-------|------------------|---------|

| | |
|----------------------------------|---------------|
| Telephone number (if any) | 07952 990 536 |
|----------------------------------|---------------|

If you would prefer us to correspond with you by e-mail your e-mail address (optional)
wensons@aol.com

Consent of individual to being specified as premises supervisor

YAGNESHKUMAR BRAHMBHATT

I YAGNESHKUMAR BRAHMBHATT
[full name of prospective premises supervisor]

of

94 BOLEYN ROAD
LONDON
E7 9QG

94 BOLEYN ROAD
[home address of prospective premises supervisor]

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

NEW PREMISES APPLICATION

NEW PREMISES APPLICATION
[type of application]

by

YAGNESHKUMAR BRAHMBHATT

YAGNESHKUMAR BRAHMBHATT
[name of applicant]

relating to a premises licence **NEW PREMISES**
NEW PREMISES
[number of existing licence, if any]

for

**CENTER NEWS AND CONVIENIENCE STORE
169 HIGH STREET
HORNBURGH
ESSEX
RM11 3XS**

CENTER NEWS AND CONVIENIENCE STORE
[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

YAGNESHKUMAR BRAHMBHATT

[name of applicant]

concerning the supply of alcohol at

CENTER NEWS AND CONVIENIENCE STORE
169 HIGH STREET
HORNCHURCH
ESSEX
RM11 3XS

[name and address of premises to which application relates]

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.

Personal licence number

APPLIED FOR

[insert personal licence number, if any]

Personal licence issuing authority

[insert name and address and telephone number of personal licence issuing authority, if any]

Signed



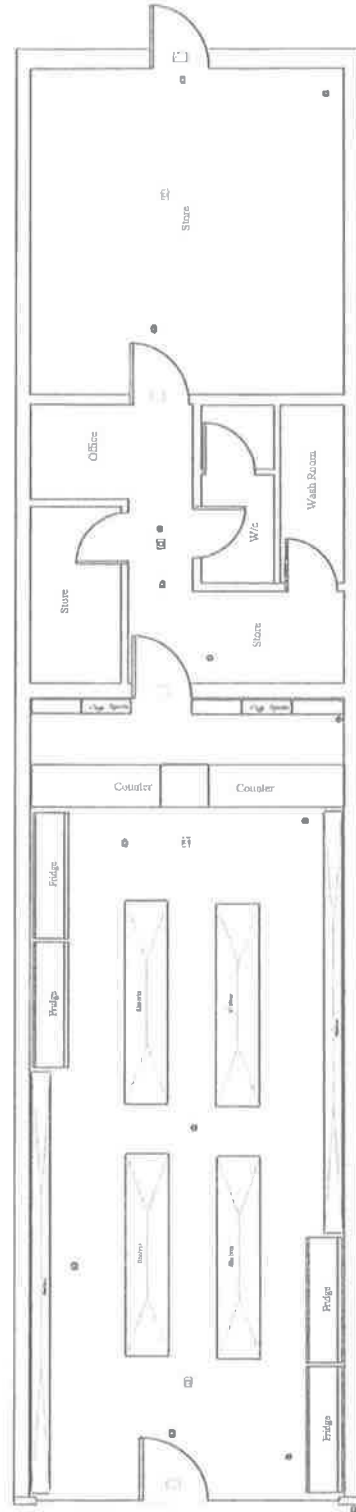
Name (please print)

YAGNESHKUMAR BRAHMBHATT

Date

13/06/2012

PROPOSED LICENSING PLAN



KEY SCALE: 1 : 100

| | |
|--|--|
| | FIRE EXTINGUISHERS |
| | FIRE EXIT SIGNS |
| | EMERGENCY LIGHTING |
| | CCTV CAMERAS |
| | CCIV RECORDING 31 DAYS |
| | SHUTTERS PROVIDED |
| | ALARM SYSTEM TO AOI SPEC OR SIMILAR FITTED |

Center News
 169 High Street
 Hornchurch
 RM11 3XS

Licensing Sub-Committee

Appendix 2 - Map of local area



Scale @ A4
1:1250

Map Reference: TQ5487SW
Date: 14/06/2012

Center News



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

Havering
LONDON BOROUGH

nlp
The National
Land & Property Gazetteer

NSG
NATIONAL
STREET
GAZETTEER

ois Ordnance
Survey
Licensed Partner

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Licensing Sub-Committee

Appendix 3 - Representations

Paul Campbell

From: Paul Jones
Sent: 12 July 2012 13:18
To: Paul Campbell
Subject: FW: 169 High St Application 11771

Categories: sub committee

Paul
FYI
Paul

Paul Jones | Licensing Officer
London Borough of Havering | Public Protection
Mercury House, Mercury Gardens, Romford, RM1 3SL
t: 01708 432692

From: CouncillorJohn Wood
Sent: 12 July 2012 12:21
To: Paul Jones
Cc: CouncillorJohn Mylod
Subject: 169 High St Application 11771

Formal Objection to the new licence application for 169 High St Hornchurch .

At present there are already two existing off licences and several other establishments within a very close proximity to where this new application is being made. As we do have a saturation policy in place in Hornchurch, where in St Andrews Ward we already have 32 licensed premises to sell alcohol off sales , and that policy does in fact state that unless there are exceptional circumstances why this application should be granted then this application should be refused. As there are already two off licences within 23/30 metres of this new application as ward councillors we strongly object to yet another licence premises in our Hornchurch Town Centre.

There have already been a number of physical assaults recorded in the town centre and linked to other licensed premises and this application will only serve to aggravate our concerns surrounding the sale of alcohol in Hornchurch . This is potentially a very volatile situation in an area where in recent months both police and residents are becoming more and more concerned. The town centre late at night encourages and attracts a significant amount of young people who do tend to buy large amounts of cheap alcohol from off licences to consume before moving onto other licenced premises that are much more expensive.. There is a high number of licensed premises that are now open to a very late hour and having consumed large amounts of alcohol it poses a real threat to the community and surrounding shops in particular.

The new application does have residential accommodation directly above it and about 20 metres away is an alleyway that leads to a large complex of retirement apartments . This alleyway is the main thoroughfare for theses residents to access the town centre and it is already used as a toilet and somewhere to be sick from late night revellers from the night before because there are no toilets nearby, Next to the alleyway there is already an existing off licence and a takeaway burger shop that attracts students from Havering 6th Form not 20 metres away from this new application and it is a serious concern that granting another licence to sell alcohol will encourage these youngsters to congregate around this area even more and be tempted to buy alcohol from these premises.

As ward councillors for St Andrews we both strongly object to any licence being granted to these premises on the above grounds and recommend that this cttee refuses this application .

Councillor John Wood

Councillor John Mylod

Councillor for ST Andrews Ward

Councillor for St Andrews Ward

Mr. Murat Guler
181 High Street
Hornchurch
RM11 3XS

5 July 2012

Dear Sir/ Madam

RE: Center News, 169 High Street, RM11 3XS

I am writing to make an objection to the application above. I would strongly urge you do not grant this new premises license application for off license alcohol. The premises located in the center of the town, directly opposite a busy bus stop where school kids are waiting to go to school in the morning also returning back in the afternoon. This will encourage students to buy alcohol from the premises. This will also encourage them to congregate in the area.

This new premises, applied to sell alcohol will fail to demonstrate the licensing objectives; prevention of crime and disorder and public nuisance.

This shop is located next to the alleyway that leads to the retirement homes at Fentiman way; therefore this can cause issues in the alleyway such as late night street drinkers to urinate around the town and the alleyway. This will make the alley unsafe and it will affect the licensing objectives.

The premise wishes to sell alcohol at late night which will increase the noise and disturbance that it will cause the locals. People will be coming out of bars and having another drink before they head home. This will encourage them to stay in the area rather than dispersing as quickly as possible and will not be able to stay quiet as they are already 'drunk'. The fact that the sale is off the premises will mean that it will be away from the control of the staff. This will give additional noise to nearby residents.

There is nothing much in the applicants operating schedule to suggest that will be able to deal with such problems.

In conclusion this application should be refused because having another premises selling alcohol will not give our town centre a good outline and definitely not enhance our town.

Yours sincerely,



Mr. Murat Guler

177A High Street
Hornchurch
Essex
RM11 3XS

Dear Sirs,

I am writing with reference to premises licence application for **169 High Street, Hornchurch, RM11 3XS** to list my objectives of this going through.

I feel we already have enough convenience late night shops on the high street open late selling the same things. Living above these shops can be noisy with young kids hanging around these shops smoking and drinking causing a nuisance and disorder. I have a young child and the noise can be quite scary for her late at night. They are also targeting for fights with people coming out of the pubs then hanging around these shops.

Early in the mornings I often find lots of broken bottles outside which is only not nice to look and it's also dangerous for elderly people passing the high street.

Having another late night store is not a good idea there is no need for it as being so close to one that is already open and selling the same sort of things and I strongly oppose it.

Many thanks

A handwritten signature in blue ink, appearing to read 'A. Row'.

Licensing Sub-Committee

Appendix 4 - Representations from Responsible Authorities



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: 5th July 2012

Dear Sirs,

Police wish to make representation against the application for a new premises licence for Centre news and Convenience store 169 High Street, Hornchurch, RM11 3XS.

The applicant has failed to state why this application is exceptional and why it should be considered within a saturation area. Police feel the applicant has not fully addressed the licensing objectives, the prevention of crime and disorder, public nuisance and protecting children from harm.

The premises falls within the saturation area of St Andrews ward, this area is highlighted as being under stress. An area under stress is caused by the cumulative effect of the concentration of licensed premises, there are now thirty two (32) such licensed premises with the capacity for off sales within the St Andrews Ward.

There are two (2) nearby off licences to this proposed store:

- Marmaris 181 High Street, Hornchurch, approximately twenty (20) meters away, three (3) shops down from the address in this application.
- COSTCUTTER, 18A Station Lane, located across the road from the store, approximate distance thirty (30) meters away.

The saturation policy is design to control the growth of licensed premises within a specified area. The full details of the policy can be obtained from the local authorities' website.

This application is far from exceptional and does not provide anything different within the ward of St Andrews.

The applicant has failed to state on the enclosed map where alcohol will be stored or what percentage of floor space will be required for the sale of alcohol. Police are against licensing the entire premises for alcohol.

Protecting children from harm: Hornchurch High Street is particularly a concern to police for under age sales from off licences along with proxy sales. Work as been carried out in

partnership with Havering councils trading standards officers and the level of failure is above national average. It is vital that stores provide adequate and refresher training to staff. It's also important to maintain a clear view of the alcohol to prevent theft; no store layout plan is enclosed in this application. Shops which operate a clear window policy allowing staff to monitor the activity of children and youths outside the store can often deter proxy sales.

Police appreciate that often children look older and judgment of age can be difficult and, for this reason the police would like to see a challenge 25 policy adopted.

The prevention of crime and disorder; disorder generally comes from under age sales and the annoyance to the community of being asked to purchase items for young children outside the premises. Adults often do not understand the offences they are committing, thus creating crime and disorder. The younger generations are often unaware of how they are perceived under the influence of alcohol and, how their disorderly behaviour can often offend and create public nuisance.

Off licences tend to be a feeder for pre loading of patrons prior to their night out. This is a term used where people buy alcohol and consume it often in the street prior to entering a licensed venue. The full effects are often not felt by the person until some time later.

Off licences tend to offer cheaper alcohol and this was highlighted in the Prime Minister alcohol strategy report. There is a strong link between price and consumption. Off licences tend to offer heavy discounts and drinks promotions, all which impact on excessive alcohol consumption. This creates further issues of crime and disorder along with public nuisance in the street.

Councilor Wood recently highlighted to me concerns by residents of urination in streets and a general deterioration of the public realm.

My experiences of retailers in off licenses are that they over promise and generally under deliver; this could coincide with the higher failure rates in this borough of under age sales.

Police could not support this application for the granting of a new licence to an area under stress. Police feel that granting such a licence would go against the licensing objectives.

The crime figures recently presented at the Safe and sound partnership scheme show an increase in violent crime in the ward of St Andrews, serious wounding was up 225% 2011 - 2012. This indicates the levels of violence police are presented with and why the policy of saturation is still valid. There was an increase in both ABH and GBH towards the end of the reporting year 2011 - 2012.

If the committee is in support of the application against the Police representation, the police would seek to impose robust conditions and request a reduction in trading hours, which could be reviewed in 12 months time.

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. Refresher training should be every 6 months on the responsible sale of alcohol.

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, It shall record the time and date of the occurrence, name or brief description of the person removed, and details of the staff involved.

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 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, 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 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.

CDGPG3 A proof of age scheme, Challenge 25, shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification card, such as a driving licence or passport.

CDGPG4 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.

CDGPG12 All occasions when persons have been refused service shall be recorded in writing and kept at the premises for 12 months.

Designated Premises supervisor, Premises licence holders and other members of their staff must keep a register detailing when alcohol and cigarettes have attempted to be purchased by someone suspected as being underage. This register should detail the person who refused the sale, the date and time and the product subject to the attempted purchase, details surrounding the attempted purchase and detail/description of the person attempting the purchase.

This register should be available to all staff selling age restricted products, for their referral prior to them starting work each day. The register should be available for inspection by a Trading Standards officer, police officer or Licensing officer.

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

- The front window of the store must be kept clear from any promotional posters or anything similar, staff are required to monitor outside the store to prevent any proximity sales. Warnings should be given to adults about the offence of buying alcohol for those under 18 if suspected.
- A personal licence holder will be on duty at times during licensable activity.
- The shop is only licensed on the attached map where the alcohol section is indicated, no alcohol can be placed or stacked anywhere else in the store, except in the storage area out of the public view.

The police licensing officer will continue to work with the applicant and any 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.

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

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 5th July 2012

MAU/11782

Dear Sir/Madam,

Licensing Act 2003

Center News and Convenience store 169 High Street Hornchurch RM11 3XS

Applicant: Yagneshkumer Brahmhatt

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

The trading standards service is concerned as to whether another off licence/convenience store premise is necessary within the Hornchurch area. The area is subject to a saturation policy and the application does not seem exceptional or offer anything new or different that isn't readily available at a large number of premises within the Hornchurch area. Hornchurch town centre is an area which has suffered from crime and anti social behaviour in the past and increasing the number of licensed premises is only likely to make this situation worse.

The failure rate for underage test purchases is higher in the St Andrews ward than the Havering average with a third of all test purchase attempts resulting in a failure. Therefore any application would need to robustly deal with issues around the protection of children from harm.

This particular venue is close to a number of bus stops at a fairly major transport hub where young persons are likely to congregate. The applicant makes no reference to this as a potential issue.

In relation to the specific objective of protecting children from harm the authority would make the following observations:

Whilst there is mention that training will be given around challenge 25 however there is no mention of how, and if, refresher training will be given and recorded. We would suggest that training is refreshed every 6 months and written training records are maintained.

There is no mention whether till prompts will be in operation at the venue and we would recommend that they are whether they are electronic or a manual reminder on the till.

There is also no mention of how refusals will be monitored and we would suggest that a refusal log should be maintained and kept available for inspection by any relevant enforcement agencies.

In our opinion the applicant has failed to address all of the licensing objectives adequately and that this cannot be considered an exceptional application. In light of the above comments we are unable to support the application.

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

Yours faithfully,



Mr K Bush
Specialist Trading Standards Officer (Operations)



Public Protection

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

The Appropriate Licensing Officer
Havering Licensing Authority
Mercury House
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RM1 3SL

Telephone: 01708 432692
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email: paul.jones@havering.gov.uk
Textphone ☎: 01708 433175

Date: 14th June 2012

My Reference: PJJ/011771

Dear Sir

Licensing Act 2003

Center News 169 High Street Hornchurch RM11 3XS Premises licence application

As a responsible authority within the definitions of the Licensing Act 2003 (the Act) this licensing authority makes representation against the application for a premises licence at the premises detailed above.

Center News is located in Havering's St Andrews ward. St Andrews is subject to a saturation policy with regard to the concentration of licensed premises in the ward. This area has been identified as being under stress due to the cumulative effect of the concentration of licensed premises which has led to serious problems of disorder and/or public nuisance affecting residents, visitors and other businesses. The evidence for this is set out in Appendix 6 of Havering's 2011 Licensing Policy. In light of this evidence Havering's licensing authority makes representation against this application based upon the prevention of crime and disorder and the prevention of public nuisance.

Havering's licensing policy 017 states:

It is the LLA's policy to refuse applications in the St Andrews ward area for pubs and bars; late night refreshment premises offering hot food and drink to take away; off licences; and premises offering facilities for music and dancing other than applications to vary hours with regard to Licensing policy 012.

This licensing authority would therefore suggest that it is not appropriate to grant this application. Paragraphs 4.16 to 4.20 of Havering's Licensing Policy address the considerations to be given to such an application and seek to clarify what may be considered an exception to the policy. This licensing authority contends that this application is not exceptional in line with these paragraphs.

Contd.

