**Public Document Pack** 



## LICENSING SUB-COMMITTEE ZARANA

## AGENDA

10.30 am

Thursday 6 September 2012 Council Chamber -Town Hall

Members 3: Quorum 2

COUNCILLORS:

Peter Gardner (Chairman) Pam Light Melvin Wallace

> For information about the meeting please contact: Grant Soderberg - 01708 433091 grant.soderberg@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.

Application for a variation to a premises licence made by Mr Syed Ahmed under section 34 of the Licensing Act 2003 – Zarana 55 High Street, Hornchurch, RM11 1TP

#### 4 **REPORT OF THE CLERK** (Pages 1 - 6)

**Procedure for the Hearing: Licensing Act 2003** 

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

Application for a variation to a premises licence made by Mr Syed Ahmed under section 34 of the Licensing Act 2003

Ian Buckmaster Committee Administration & Member Support Manager

REPORT



# LICENSING SUB-COMMITTEE

6 August 2012

Subject Heading:

Report Author and contact details:

Procedure for the Hearing: Licensing Act 2003

Grant Soderberg (01708) 433091 e-mail: grant.soderberg@havering.gov.uk

Members are advised that, when considering an application to vary 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. Representation validation 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 Subcommittee 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.

## Agenda Item 5

### Licensing Sub-Committee

- Section 1 Licensing Officers Report
- <u>Appendix 1</u> Copy of the Application
- Appendix 2 Map of local area
- Appendix 3 Representations
- <u>Appendix 4</u> Representations from Responsible Authorities

### Licensing Sub-Committee

<u>Section 1</u> - Licensing Officers Report



# LICENSING SUB-COMMITTEE

6 September 2012

Subject Heading:

Vary premises Licence Zarana, 55 High Street, Hornchurch, RM11 1TP

REPORT

**Report Author and contact details:** Paul Campbell – Licensing Officer 01708 432777

licensing@havering.gov.uk

This application for a variation to a premises licence is made by Mr Syed Ahmed under section 34 of the Licensing Act 2003. The application was received by Havering's Licensing Authority on 20<sup>th</sup> July 2012.

#### Geographical description of the area and description of the building

The premises are a single unit terrace building the shop trades on the ground floor as a restaurant and has a single floor of living accommodation above I am not sure if people live above the shop or if it is used for storage.

The premises are situated in the centre of Hornchurch on the north side of High Street at the Junction with Billet Lane. All of the premises along High Street and the surrounding area are shops or business premises on the ground floor and many of them have residential flats above. Other premises in the area are mainly residential

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 Havering and beyond

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

#### Details of the application

Current premises licence times	5	
Live Music, Recorded Music	, Provision of Facilities	s for Dancing,
Supply of Alcohol		
Day	Start	Finish
Sunday to Thursday	12:00hrs	23:30hrs
Friday and Saturday	12:00hrs	00:30hrs

Late Night Refreshment		
Day	Start	Finish
Sunday to Thursday	23:00hrs	23:30hrs
Friday and Saturday	23:00hrs	00:30hrs

Variation applied for

Live Music,		
Day	Start	Finish
Sunday to Thursday	11:00hrs	23:30hrs
Friday and Saturday	11:00hrs	00:30hrs

Recorded Music, Provision of Facilities for Dancing, Supply of Alcohol				
Day	Start	Finish		
Monday to Thursday	11:00hrs	00:30hrs		
Friday and Saturday	11:00hrs	01:30hrs		
Sunday	11:00hrs	00:00hrs		

Late Night Refreshment		
Day	Start	Finish
Monday to Thursday	23:00hrs	00:30hrs
Friday and Saturday	23:00hrs	01:30hrs
Sunday	23:00hrs	00:00hrs

The application asks to vary conditions on the licence, discussions have taken place with the applicant and the application has been amended, the following e-mail was received by the Licensing Authority.

Following discussion with Mr Ahmed of Zarana, we would like to amend the application to vary please as follows:

<u>To amend the non standard timings specified at Part 3 item 4 to remove</u> <u>"the Friday and Saturday of each Bank Holiday weekend" leaving</u> <u>Sundays to enjoy the extra hour. The other specified requested</u> <u>extensions remain part of the variation.</u>

<u>To remove the request at Part 3 item 5 entirely. This follows our</u> <u>discussion with yourself and PC Fern that persons seated for a meal</u> <u>can enjoy a drink before and after their meal. PC Fern is also of the</u> <u>view that customers can already take home a part finished bottle of</u> <u>wine under the existing Licence. On that basis this amendment is no</u> <u>longer required.</u>

<u>PC Fern is requesting a last admission time but this causes concerns</u> to us. We are going to request a meeting with PC Fern and possibly yourself to discuss this. We are e mailing PC Fern today.

The adverts of course reflect the original application but we have

#### changed the end date for representations to 21st August.

#### Seasonal variations

.

No Seasonal Variations are applied for in this application

#### Non-standard timings

The applicant has applied for Non-Standard Timings to cover all of the licensable activities on the licence

From the start of permitted hours on New Years Eve to the end of Permitted hours on New Years Day.

An extra hour on Christmas Eve, Boxing Day, Patrons Saints Days and the Friday, Saturday and Sunday of each Bank Holiday weekend.

#### 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 1<sup>st</sup> August 2012.

#### Summary

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

There were two 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

#### **Responsible Authorities' representations**

The Responsible Authorities both outline their concerns relating to the premises being within the saturation area at Hornchurch.

There were no representations from the following responsible authorities:

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



Mr G Hopkins GT Licensing Consultants 316 Dagenham Road Romford RM7 0TB Public Protection Housing & Public Protection London Borough of Havering Mercury House, Mercury Gardens Romford RM1 3SL

 Telephone:
 01708 432777

 Fax:
 01708 432554

 email:
 licensing@havering.gov.uk

 Textphone
 9 :
 01708 433175

Date: 21<sup>st</sup> November 2011

My Reference: PJJ/010804

Dear Sir/Madam

#### Licensing Act 2003 Premises Licence Number – 010804 Zarana 55 High Street Hornchurch RM11 1TP

Attached is the premises licence for the above address in accordance with the Licensing Act 2003.

You are reminded that the premises licence or a certified copy of the licence must be kept at the premises while the licence summary, known as Part B, must be displayed on the premises in a prominent position.

Full details of the Licensing Act regulations can be found on the Department for Culture Media and Sport (DCMS) web site <a href="http://www.culture.gov.uk/alcohol\_and\_entertainment">www.culture.gov.uk/alcohol\_and\_entertainment</a>

For further information relating to your licence please contact the Licensing Authority detailed above.

Please note that the granting of a licence under this Act does not remove the need for any necessary consent under other legislation, such as the Planning Acts. The fact that a licence has been granted on certain terms does not imply that similar terms will be agreed under other legislation.

Yours faithfully

Paul Jones Licensing Officer



Premises licence number

10804

#### Part 1 – Premises details

Postal address of premises

Zarana 55 High Street Hornchurch RM11 1TP

Where the licence is time limited the dates

Not applicable

Licensable activities authorised by the licence

Live music, recorded music, provision of facilities for dancing, late night refreshment, supply of alcohol

The times the licence authorises the carrying out of licensable activities

Live music, recorded music, provision of facilities for dancing, supply of alcohol Sunday to Thursday – 12:00 to 23:30 Friday & Saturday – 12:00 to 00:30

> Late night refreshment Sunday to Thursday – 23:00 to 23:30 Friday & Saturday – 23:00 to 00:30

The opening hours of the premises

Sunday to Thursday – 12:00 to 00:00 Friday & Saturday – 12:00 to 01:00

Where the licence authorises supplies of alcohol whether these are on and/ or off supplies

On & off supplies (Off supplies limited to the premises' external terraced area)

1 of 5

Signed Paul Jones, Licensing Officer

#### Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

#### Mr Syed Jamal Ahmed 53 Whalebone Grove Chadwell Heath Romford RM6 6BT 01708 478510

Registered number of holder

#### Not applicable

Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol

#### Mr Syed Jamal Ahmed 53 Whalebone Grove Chadwell Heath Romford RM6 6BT 01708 478510

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

#### 004957 – London Borough of Barking & Dagenham

#### Mandatory conditions

- 1. No supply of alcohol may be made under the premises licence:
  - (a) at a time when there is no designated premises supervisor in respect of the premises licence, or
  - (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
- 2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
- 3. (1) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
  - (2) In this paragraph, an irresponsible promotion means any one or more of the following: activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children
    - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to
      - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
      - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);

- (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
- (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;
- (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent upon –
  - (i) the outcome of a race, competition or other event or process, or
  - (ii) the likelihood of anything occurring or not occurring;
- (e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
- 4. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
- 5. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
- 6. The responsible person shall ensure that -
  - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures-
    - (i) beer or cider: <sup>1</sup>/<sub>2</sub> pint;
    - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
    - (iii) still wine in a glass: 125 ml; and
  - (b) customers are made aware of the availability of these measures.
- 7. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

(2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

Annex 2 – Conditions consistent with the operating schedule

1. Alcohol shall only be sold as ancillary to persons taking a substantial table meal either within the restaurant or at the outside tables and chairs on the decked area.

3 of 5

Signed ..... Paul Jones, Licensing Officer Annex 2 – Conditions consistent with the operating schedule – contd.

- 2. Notices shall be displayed stating that no alcohol may be removed from the premises or outside area at any time.
- 3. Staff shall monitor the outside area.
- 4. The premises shall be operated strictly as a restaurant.
- 5. There shall be no drinking permitted at the bar at any time.
- 6. A CCTV system shall be installed and kept operational at all times the premises is open to the public.
- 7. The CCTV system shall take a head and shoulders shot of all persons entering the premises.
- 8. CCTV images shall be maintained for a minimum of 31 days and shall be made available to the Police or an authorised officer on request.
- 9. A member of staff capable of downloading CCTV images shall be on duty at all times.
- 10. Notices shall be prominently displayed in the premises stating that CCTV is in operation.
- 11. All staff shall be trained for their role on induction and at regular intervals including the operation of 'Challenge 25'. Written training records shall be kept.
- 12. A fire risk assessment shall be undertaken and regularly reviewed.
- 13. An emergency plan shall be prepared.
- 14. Staff shall be trained in respect of fire safety.
- 15. Notices shall be displayed by the exit asking customers to respect residents, to leave quietly and not to loiter outside the restaurant.
- 16. No deliveries or removals of glass refuse shall take place between 23:00 and 08:00.
- 17. All doors and windows shall be kept closed during the provision of regulated entertainment except for entry and egress.
- 18. Notices shall be displayed on the terraced area asking customers to respect residents.
- 19. The shop frontage shall be kept tidy at all times.
- 20. A 'Challenge 25' proof of age policy shall be adopted and signs prominently displayed stating this is in force.
- 21. Only a photographic driving licence or a passport shall be accepted as proof of age.
- 22. A written refusals record shall be kept and made available to the Police or authorised officers on request.
- 23. No unaccompanied children shall be permitted on the premises after 21:00.

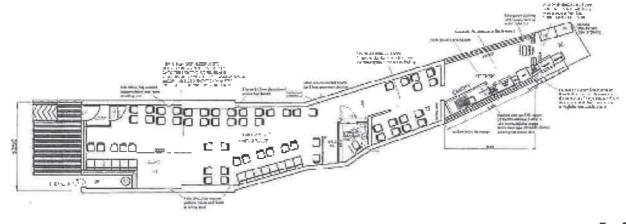
Annex 3 – Conditions attached after a hearing by the Licensing Authority

Not applicable

4 of 5

#### Annex 4 – Premises plans

Full premises plans are held by the Licensing Authority of the London Borough of Havering. The plans reproduced below are not to scale:



5 of 5



#### Part B

**Premises licence summary** 

**Premises licence number** 

10804

Premises details

Postal address of premises

Zarana 55 High Street Hornchurch RM11 1TP

Where the licence is time limited the dates

Not applicable

Licensable activities authorised by the licence

Live music, recorded music, provision of facilities for dancing, late night refreshment, supply of alcohol

The times the licence authorises the carrying out of licensable activities

<u>Live music, recorded music, provision of facilities for dancing, supply of alcohol</u> Sunday to Thursday – 12:00 to 23:30 Friday & Saturday – 12:00 to 00:30

> <u>Late night refreshment</u> Sunday to Thursday – 23:00 to 23:30 Friday & Saturday – 23:00 to 00:30

The opening hours of the premises

Sunday to Thursday – 12:00 to 00:00 Friday & Saturday – 12:00 to 01:00

Where the licence authorises supplies of alcohol whether these are on and / or off supplies

On & off supplies (Off supplies limited to the premises' external terraced area)

Name, (registered) address of holder of premises licence

Mr Syed Jamal Ahmed 53 Whalebone Grove Chadwell Heath Romford RM6 6BT

1 of 2

Signed Paul Jones, Licensing Officer

Misc. Act./010804/PJJ04496

#### Registered number of holder

#### Not applicable

Name of designated premises supervisor where the premises licence authorises for the supply of alcohol

#### Mr Syed Jamal Ahmed

State whether access to the premises by children is restricted or prohibited

Restricted

2 of 2

### Licensing Sub-Committee

<u>Appendix 1</u> - Copy of the Application

# 11919

GT Licensing Consultants, 21B McIntosh Road, Romford, Essex. RM1 4UJ Tel 07810 826778 em: gtlicensingconsultants@googlemail.com 20/7/12

The Licensing Service LB Havering Council

Dear Sir / Madam,

#### Premises Licence Variation / Zarana 55 High Street Hornchurch

Please find enclosed our clients application for a variation of the premises licence for Zarana.

Our client will arrange for payment of the £190.00 application fee to be made to the Council.

We have calculated that the consultation period will start on 23<sup>rd</sup> July 2012 assuming payment of the fee is made before the period starts and ends on 19<sup>th</sup> August.

Please contact us if you have any queries.

Yours sincerely,

Graham Hopkins MIoL MBII

#### 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 MR SYED AHMED

(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 10804

#### Part 1 – Premises Details

Postal addro ZARANA, 55 HIGH STI HORNCHUR ESSEX. RM11 1TP	CH,	ance survey n	hap reference	or description	
Post town	HORNCHURCH,		Post code	RM11 1TP	

Telephone number at premises (if any)	1	]
Non-domestic rateable value of premises	£12000	X

#### Part 2 – Applicant details

Daytime contact telephone number				7
E-mail address (optional)				
Current postal address if different from premises address		53 WHALEBONE GROVE, CHADWELL HEATH, ROMFORD, ESSEX. RM6 6BT		
Post Town ROMFORD			Postcode	RM6 6BT

1

Part 3 - Variation

Please tick yes

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

X

If not do you want the variation to take effect from

Day	Month	Year	
			-

Please describe briefly the nature of the proposed variation (Please see guidance note 1) 1) TO EXTEND THE PERMITTED HOURS FOR ALL THE LICENSABLE ACTIVITIES EXCEPT LIVE MUSIC TO 00.30 MONDAY TO THURSDAY, 01.30 THE FOLLOWING DAY FRIDAY AND SATURDAY AND 00.00 SUNDAY. TO ALLOW FOR AN 11.00 START TIME ALL WEEK FOR ALL LICENSABLE ACTIVITIES. 3) TO ALLOW A 30 MINUTE CONSUMPTION PERIOD AT THE END OF EACH TRADING SESSION. 4) TO ALLOW NON STANDARD TIMINGS AS FOLLOWS: FROM THE START OF PERMITTED HOURS ON NEW YEARS EVE TO THE END OF PERMITTED HOURS ON NEW YEARS DAY. AN EXTRA HOUR ON CHRISTMAS EVE, BOXING DAY, PATRONS SAINTS DAYS AND THE FRIDAY, SATURDAY & SUNDAY OF EACH BANK HOLIDAY WEEKEND FOR ALL LICENSABLE ACTIVITIES. 5) TO RELAX CONDITIONS 1& 2 (THE RESTAURANT CONDITIONS) SO AS TO ALLOW CUSTOMERS TO HAVE A DRINK WHILE WAITING FOR A TABLE, BEFORE A MEAL, AFTER A MEAL AND TO TAKE UNFINISHED BOTTLES OF WINE HOME..

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.

Pro	vision 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)	x /
f)	recorded music (if ticking yes, fill in box F)	Х
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)	
Pro	vision of entertainment facilities:	
i)	making music (if ticking yes, fill in box I)	
j)	dancing (if ticking yes, fill in box J)	Х
k)	entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K)	
<u>Pro</u>	vision of late night refreshment (if ticking yes, fill in box L)	Х
Sal	e by retail of alcohol (if ticking yes, fill in box M)	Х
In a	Ił cases complete boxes N, O and P	

3

/

A

Plays Standard days and timings (please read			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	
	ice note 6			Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read gu	idance note 3)	)
Tue					
Wed			State any seasonal variations for performing plays (please reguldance note 4)		ead
Thur					
Fri			Non standard timings. Where you intend to us for the performance of plays at different times the column on the left, please list (please read	to those liste	d in
Sat					,
Sun					

В

Films Standard days and timings (please read			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	
	nce note 6)			Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read gu	idance note 3)	)
Tue		н			
Wed			State any seasonal variations for the exhibition of films (pleas read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to us for the exhibition of films at different times to column on the left, please list (please read guid	those listed ir	
Sat				,	
Sun					

С

Indoor sporting events Standard days and timings (please read guidance note 6)		and read	Please give further details (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			State any seasonal variations for indoor sporting events (please read guidance note 4)
Wed			
Thur			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 5)
Fri			
Sat		-	
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)		ind read	Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors Outdoors		
Day	Start	Finish		Both		
Mon			Please give further details here (please read gu	idance note 3	)	
Tue						
Wed			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)			
Thur						
Fri			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to thos listed in the column on the left, please list (please read guidanc			
Sat			note 5)			
Sun						

Ε

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	x
			· · · · · · · · · · · · · · · · · · ·	Outdoors	
Day	Start	Finish		Both	
Mon	11.00		Please give further details here (please read gu	idance note 3	3)
		23.30	LIVE ARTISTES, DUOS, SMALL GROUPS.		
Tue	11.00				
		23.30			
Wed	11.00		State any seasonal variations for the performance of live m (please read guidance note 4)	nce of live m	usic
		23.30			
Thur	11.00				
		23.30			
Fri	11.00		Non standard timings. Where you intend to us		
		00.30	for the performance of live music at different t listed in the column on the left, please list (ple		
Sat	11.00		note 5) FROM THE START OF PERMITTED HOURS ON		s
		00.30	EVE TO THE END OF PERMITTED HOURS ON		
Sun	11.00		DAY. AN EXTRA HOUR ON CHRISTMAS EVE, BOXIN	IG DAY,	
		23.30	PATRONS SAINTS DAYS AND THE FRIDAY, S/ SUNDAY OF EACH BANK HOLIDAY WEEKEND LICENSABLE ACTIVITIES.	ATURDAY &	

F

<b>Recorded music</b> Standard days and timings (please read guidance note 6)		and	Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	x
				Outdoors	
Day	Start	Finish		Both	
Mon	11.00		Please give further details here (please read gu	idance note 3	)
		00.30	BACKGROUND CD'S, CD'S ETC.		
Tue	11.00				
		00.30			
Wed	11.00		State any seasonal variations for the playing of recorded r (please read guidance note 4)	of recorded m	usic
		00.30			
Thur	11.00				
		00.30			
Fri	11.00		Non standard timings. Where you intend to us for the playing of recorded music at different t		
		01.30	listed in the column on the left, please list (ple	ase read guida	ance
Sat	11.00		note 5)		
		01.30	EVE TO THE END OF PERMITTED HOURS ON		
Sun	11.00		DAY. AN EXTRA HOUR ON CHRISTMAS EVE, BOXIN		
		00.00	PATRONS SAINTS DAYS AND THE FRIDAY, SA SUNDAY OF EACH BANK HOLIDAY WEEKEND LICENSABLE ACTIVITIES.	ATURDAY & ) FOR ALL	

G

Performances of dance Standard days and			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	
timings (please read guidance note 6)		read		Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read g	uidance note 3	5)
Tue					
Wed			State any seasonal variations for the performance of dance (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to u for the performance of dance at different time the column on the left, please list (please read	s to those list	ted in
Sat					
Sun					

Η

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)		that e), (f) or and read	Please give a description of the type of enterta be providing	ainment you w	<u>/ill</u>	
Day	Start	Finish	Will this entertainment take place indoors or	Indoors		
Mon			outdoors or both – please tick (please read guidance note 2)	Outdoors		
				Both		
Tue			Please give further details here (please read guidance note 3			
Wed						
Thur			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)			
Fri						
Sat			Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 5)			
Sun						

I

Provision of facilities for making music Standard days and timings (please read guidance note 6)		<b>sic</b> and read	Please give a description of the facilities for m will be providing	aking music y	<u>you</u>	
			Will the facilities for making music be indoors or outdoors or both – please tick	Indoors		
			(please read guidance note 2)	Outdoors		
Day	Start	Finish		Both		
Tue Wed			Please give further details here (please read guidance note 3) <u>State any seasonal variations for the provision of facilities for</u> <u>making music</u> (please read guidance note 4)			
Thur						
Fri			Non standard timings. Where you intend to use the premises for provision of facilities for making music at different times to those listed in the column on the left, please list (please read			
Sat			guidance note 5)			
Sun						

J

Provision of facilities for dancing			Will the facilities for dancing be indoors or outdoors or both – please tick (see guidance	Indoors	x
Standard days and timings (please read			note 2)	Outdoors	
	nce note 6			Both	
Please give a description of the facilities for dancing you w providing TO ALLOW FOR CUSTOMERS DANCING TO MUSIC			<u>/ill be</u>		
Day	Start	Finish			
Mon	11.00		Please give further details here (please read g	uidance note 3	3)
		00.30	1		
Tue	11.00				
		00.30	1		
Wed	11.00		State any seasonal variations for providing dancing facilitie		
		00.30	(please read guidance note 4)		
Thur	11.00				
		0030			
Fri	11.00		Non standard timings. Where you intend to u	se the premis	ses
		01.30	for the provision of facilities for dancing at di those listed in the column on the left, please	list (please rea	ad
Sat	11.00		guidance note 5) FROM THE START OF PERMITTED HOURS O	guidance note 5)	
		01.30	EVE TO THE END OF PERMITTED HOURS ON		
Sun	11.00		DAY. AN EXTRA HOUR ON CHRISTMAS EVE, BOXI	NG DAY.	
		00.00	PATRONS SAINTS DAYS AND THE FRIDAY, S SUNDAY OF EACH BANK HOLIDAY WEEKENI LICENSABLE ACTIVITIES.	ATURDAY &	Į

Κ

Provision of facilities for entertainment of a similar description to that falling within i or j Standard days and timings (please read guidance note 6)			Please give a description of the type of enterta you will be providing	<u>inment facility</u>	
Day	Start	Finish	Will the entertainment facility be indoors or	Indoors	
Mon		<u>outdoors or both – please tick</u> (please read guidance note 2)		Outdoors	
				Both	
Tue			Please give further details here (please read gu	idance note 3)	
Wed					
Thur			State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within i or j (please read guidance note 4)		
Fri					
Sat			Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within i or j at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sun					

L

Late night refreshment Standard days and timings (please read		and	Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	x
guidance note 6)			please lick (please lead guidance note 2)	Outdoors	
Day	Start	Finish	Both		
Mon	23.00		Please give further details here (please read gu	idance note 3	3)
		00.30			
Tue	23.00				
		00.30			
Wed	23.00		State any seasonal variations for the provision	n of late nigh	t
		00.30	refreshment (please read guidance note 4)		
Thur	23.00				
		00.30			
Fri	23.00		Non standard timings. Where you intend to us	se the premis	ses
		01.30	for the provision of late night refreshment at of those listed in the column on the left, please listed in the column on the left.	i <u>st</u> (please rea	<u>s, to</u> ad
Sat	23.00		guidance note 5)		S
		01.30	EVE TO THE END OF PERMITTED HOURS ON		
Sun	23.00		DAY. AN EXTRA HOUR ON CHRISTMAS EVE, BOXIN	NG DAY,	
		00.00	PATRONS SAINTS DAYS AND THE FRIDAY, SA SUNDAY OF EACH BANK HOLIDAY WEEKEND LICENSABLE ACTIVITIES.	ATURDAY &	

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	
			guidance note 7)	Off the premises	
Day	Start	Finish		Both	X
Mon	11.00		State any seasonal variations for the supply of alcohol read guidance note 4)	f alcohol (plea	(please
		00.30			
Tue	11.00				
		00.30			
Wed	11.00				
		00.30			
Thur	11.00		Non-standard timings. Where you intend to use the pr for the supply of alcohol at different times to those list column on the left, please list (please read guidance not FROM THE START OF PERMITTED HOURS ON NEW YE EVE TO THE END OF PERMITTED HOURS ON NEW YE DAY. AN EXTRA HOUR ON CHRISTMAS EVE, BOXING DAY, PATRONS SAINTS DAYS AND THE FRIDAY, SATURDA' SUNDAY OF EACH BANK HOLIDAY WEEKEND FOR AL LICENSABLE ACTIVITIES.	se the premise	es the
		00.30		lance note 5)	ote 5) YEARS EARS
Fri	11.00				
		01.30			
Sat	11.00				
		01.30			
Sun	11.00				
		00.00	1		

## Ν

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) NONE

Hours premises are open to the public Standard days and timings (please read guidance note 6)		blic and read	State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	11.00		
		01.00	
Tue	11.00		
		01.00	
Wed	11.00		
		01.00	Non standard timings. Where you intend the premises to be
Thur	11.00		open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)
		01.00	FROM THE START OF PERMITTED HOURS ON NEW YEARS
Fri	11.00		DAY.
		02.00	AN EXTRA HOUR ON CHRISTMAS EVE, BOXING DAY, PATRONS SAINTS DAYS AND THE FRIDAY, SATURDAY &
Sat	11.00		SUNDAY OF EACH BANK HOLIDAY WEEKEND FOR ALL
		02.00	LICENSABLE ACTIVITIES.
Sun	11.00		
		00.30	

Varing ?

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 TO VARY CONDITIONS 1& 2 (THE RESTAURANT CONDITIONS) SO AS TO ALLOW CUSTOMERS TO HAVE A DRINK WHILE WAITING FOR A TABLE, BEFORE A MEAL, AFTER A MEAL AND TO TAKE UNFINISHED BOTTLES OF WINE HOME...

17

0

- 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

Please tick yes

Х

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

**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)

WE WILL OPERATE OUR BUSINESS IN A RESPOSIBLE MANNER & ACTIVELY PROMOTE THE LICENSING OBJECTIVES AT ALL TIMES.

### b) The prevention of crime and disorder

ALL OTHER EXISTING POLICIES & CONDITIONS TO REMAIN IN FORCE.

### c) Public safety

ALL OTHER EXISTING POLICIES & CONDITIONS TO REMAIN IN FORCE.

### d) The prevention of public nuisance

ALL OTHER EXISTING POLICIES & CONDITIONS TO REMAIN IN FORCE.

### e) The protection of children from harm

ALL OTHER EXISTING POLICIES & CONDITIONS TO REMAIN IN FORCE.

19

#### **Please tick yes** X I have made or enclosed payment of the fee I have sent copies of this application and the plan to responsible authorities and Х others where applicable Х I understand that I must now advertise my application I have enclosed the premises licence or relevant part of it or explanation X I understand that if I do not comply with the above requirements my application will . X 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	20/7/12
Capacity	AUTHORISED LICENSING CONSULTANTS

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 note12). If signing on behalf of the applicant please state in what capacity.

Signature	
Date	
Capacity	

with this ap GT LICENSI 21B McINTC									
Post town	ROMFORD		Post code	RM1 4JU					
Telephone r	number (if any)	07810 826778							
If you would prefer us to correspond with you by e-mail your e-mail address (optional) gtlicensingconsultants@googlemail.com									

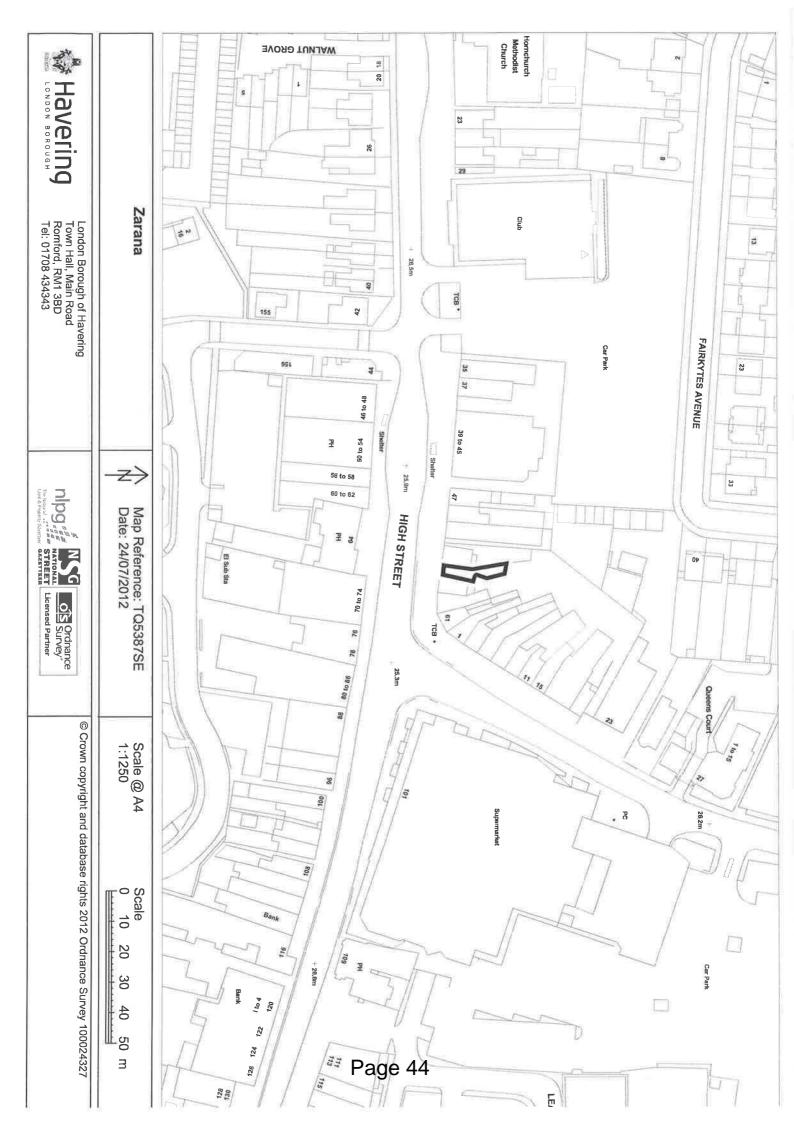
20



Page 42

# Licensing Sub-Committee

<u>Appendix 2</u> - Map of local area



# Licensing Sub-Committee

<u>Appendix 3</u> - Representations

# Licensing Sub-Committee

<u>Appendix 4</u> - 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: Davidanthony.fern@met.police.uk Date: 16th August 2012

Police wish to make representation against the application to vary the premises licence at Zarana Restaurant, 55 High St, Hornchurch, RM11.

Police have been in consultation with the applicant and their representative and have concerns with the following points within the application.

Police feel that granting of additional hours on a Friday and Saturday nights until 0130 hours with no additional conditions offered by the applicant, would impede on the licensing objectives; Prevention of crime and disorder along with public nuisance.

Police have suggested to the applicant and now to the licensing committee that there should be a last admittance time, somewhere between one hour or thirty minutes prior to the last licensable activity, patrons must be inside the restaurant and seated. This would mean that those patrons leaving the bars that are closing must do so before one (1) am, in order to use this venue. This would assist with the dispersal and impact within the zone and also prevent queuing outside the premises after the bars have closed. There area no facilities to have a drink inside the venue prior to taking a table meal. This licence does not permit waiting at the bar.

The premises falls within the saturation area and violent crime mostly by assault of another is at the peak of activity during the hours requested. It is for this reason I would purpose a condition if the committee are inclined to grant the additional hours requested.

The holidays requested for an extension: Christmas Eve, Boxing Day, New Years Eve, Police would again be against these hours without any further conditions. Granting of additional hours within an area under stress police feel needs to manage accordingly.

Police would like to suggest to the committee that if the holiday falls on a Sunday-Thursday then an additional hour could be granted if the last admittance time was adhered to, however if the committee are inclined to grant an additional hours to the Friday and Saturday nights requested above then no further extension should be given for the holidays.

New Years Eve trading through the day and night, Police would not support in any format. This area is highlighted with problems and 24 hour drinking even with food does not promote the licensing objectives in an area under stress. I would recommend that the applicant submit a temporary event notice for this occasion which can be judge at that time. Police could not support a permanent extension for New Years Eve.

Any extension for late night refreshment on a Friday and Saturday evenings must also adhere to the last admittance. It is not acceptable for patrons to be loitering outside the venue waiting for a table, or to arrive at the venue ten minutes before closing. The most recent increase in assaults has been reported opposite this venue. It is for this reason a last admittance time must be enforced if the committee consider granting the additional hours.

Police would not support the granting of any additional hours without an appropriate condition.

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.



The Appropriate Licensing Officer Licensing Authority London Borough of Havering Mercury House Mercury Gardens Romford RM1 3SL Public Protection Housing & Public Protection London Borough of Havering Mercury House, Mercury Gardens Romford RM1 3SL

 Telephone:
 01708 432692

 Fax:
 01708 432554

 email:
 paul.jones@havering.gov.uk

 Textphone
 9 :
 01708 433175

Date: 30<sup>th</sup> July 2012

My Reference: PJJ/011919

Dear Sir

### Licensing Act 2003 Zarana 55 High Street Hornchurch RM11 1TP Premises licence variation application

With regard to the application detailed above this Licensing Authority wishes to make representation against the application based upon the prevention of crime and disorder and the prevention of public nuisance. This application in its current form would appear to be in opposition to Havering's Licensing Policy 012. If the application were to be granted in its current form the likely result would be an increase in crime and disorder and public nuisance in the vicinity of the premises.

Havering's Licensing Policy was adopted in 2011. Appendix 6 provides an analysis of the crime statistics of the St Andrews ward and it is these figures which prompted Havering to introduce a saturation policy in this ward with regard to the apparent proliferation of licensed premises therein.

Policy 012 relates to the hours during which a licensed premises within the St Andrews ward should operate. Licensing Policy 012 states:

The LLA is committed to protecting the amenity of residents and businesses in the vicinity of licensed premises. Applications for hours set out below in this policy will generally be granted subject to not being contrary to other policies in the statement of licensing policy. Applications for hours outside the hours listed will be considered on their merits.

Regulated Activities will normally be permitted:

- until 11.30 pm in residential areas
- until 00.30 am in mixed use areas
- No limits in leisure areas.

Contd.

Paragraph 4.1 of Havering's Licensing Policy clarifies Policy 012 further:

4.1 This policy [Policy 012] applies to all types of premises licences and club premises certificates. It should be noted that the operating schedules must specify both the hours in which premises are open to the customers and the hours when licensable activities are taking place. The consideration of hours of operation will be in the context of the particular circumstances of each application and the licensing objectives of preventing crime and disorder and public nuisance. The hours at which noise may occur and the disturbance of resident's rest, relaxation and sleep will be of particular concern. In general, the conditions will be framed to ensure that closing hours on nights when residents have to get up for work the next morning are earlier than when it is less likely that they will have to do so.

Zarana is located in a mixed use area, i.e. residential and commercial properties, and therefore the terminal hour for regulated activities should not reasonably exceed 00:30 unless the application merits it. This application seeks to extend the normal hours during which licensable activity may be provided on a Friday and Saturday evening from its current terminal hour of 00:30 until 01:30. The premises then wishes to remain open to the public until 02:00. Additionally, a series of non-standard timings seek to add an extra hour to these extended terminal hours resulting in licensable activity being provided at the premises until 02:30 with a closing time of 03:00. A number of these non-standard timings seek to occur on patron saints days, thus resulting in mid-week terminal hours as indicated above.

Licensing Policy 012 does not forbid such an application from being granted. Instead applications for hours outside those as defined in the policy are to be considered 'on their merits'. While the applicant has applied for extended hours which potentially could see patrons leaving the restaurant as late as 03:00 on certain weekdays throughout the year the applicant did not feel that any additional steps were required to promote the licensing objectives during these extended periods, as indicated in section P of the application. One might reasonably question why an application to extend hours as indicated might not require additional steps to address the promotion of the licensing objectives during these extra hours, hours during which much of the population would most likely be asleep.

This Licensing Authority would therefore not be in a position to support the application as submitted.

Yours faithfully

Paul Jones Licensing Officer

cc Mr G Hopkins, applicant agent