



Haverling

LONDON BOROUGH

LICENSING SUB-COMMITTEE STATION LANE EXPRESS

AGENDA

10.30 am	Thursday 27 September 2012	Council Chamber - Town Hall
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Members 3: Quorum 2

COUNCILLORS:

Peter Gardner (Chairman)
Brian Eagling
Frederick Thompson

For information about the meeting please contact:

**Grant Soderberg - 01708 433091
grant.soderberg@haverling.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)

5 REPORT OF THE LICENSING OFFICER (Pages 7 - 40)

Application for a Premises Licence for Station Lane Express, 89 Station Lane, Hornchurch RM12 6JU

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

LICENSING SUB-COMMITTEE

REPORT

27 September 2012

Subject Heading:

Procedure for the Hearing: Licensing Act 2003

Report Author and contact details:

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

Members are advised that, when considering an 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. 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 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

27 SEPTEMBER 2012

Subject Heading:

Application for a Premises Licence for
Station Lane Express, 89 Station Lane,
Hornchurch RM12 6JU

Report Author and contact details:

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

This application for a premises licence is made by Balasundram Vijayatharan under section 17 of the Licensing Act 2003. The application was received by Havering's Licensing Authority on 9th August 2012.

Geographical description of the area and description of the building

The premises are an end of terrace shop in a row of about 10 premises all of the shops are commercial on the ground floor and have flats above them

The premises are situated on the east side of Station Lane Hornchurch at the junction with Florence Close this just over half a mile from the centre of Hornchurch. In the centre of Hornchurch there are many shops and other business premises. There are more shops further south along Station Lane. All other premises in the area are residential.

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

The area has good public transport links with the rest of Havering and beyond, Hornchurch underground station is about ¾ of a mile south of the premises.

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

Details of the application

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

Seasonal variations or Non-standard timings

There are no seasonal variations or non-standard timings on 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 appeared in the Havering addition of the Yellow Advertiser on Wednesday 22 August 2012.

Summary

There were two 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

Interested parties' representations

The interested parties representations cover points relating to crime and disorder, public safety and public nuisance and both mention that the premise is within the saturation area listed in the London Borough of Havering licensing policy.

Responsible Authorities' representations

The Metropolitan Police and the Licensing Authority both outline their concerns relating to the grant of a premises licence and both mention the premises being inside a 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
The Trading Standards Service
Planning Control & Enforcement
Children & Families Service
Health Authority

11955

* required information

Section 1 of 22

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference This is the unique reference for this application generated by the system.

Your reference You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

Yes No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name

* Family name

* E-mail

Main telephone number Include country code.

Other telephone number

Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

Applying as a business or organisation, including as a sole trader

Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

Continued from previous page...

Address

* Building number or name

* Street

District

* City or town

County or administrative area

* Postcode

* Country

Agent Details

* First name

* Family name

* E-mail

Main telephone number

Other telephone number

Include country code.

Indicate here if you would prefer not to be contacted by telephone

Are you:

- An agent that is a business or organisation, including a sole trader
- A private individual acting as an agent

A sole trader is a business owned by one person without any special legal structure.

Agent Business

* Is your business registered in the UK with Companies House? Yes No

* Is your business registered outside the UK? Yes No

* Business name

* VAT number

* Legal status

* Your position in the business

Home country

If your business is registered, use its registered name.

Put "none" if you are not registered for VAT.

The country where the headquarters of your business is located.

Continued from previous page...

Agent Business Address

If you have one, this should be your official address - that is an address required of you by law for receiving communications.

* Building number or name

* Street

District

* City or town

County or administrative area

* Postcode

* Country

The information given here will be saved and will be pre-filled in future forms.

Section 2 of 22

PREMISES DETAILS

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 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.

Premises Address

Are you able to provide a postal address, OS map reference or description of the premises?

- Address OS map reference Description

St Andrews

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Further Details

Telephone number

Non-domestic rateable value of premises (£)

Section 3 of 22**APPLICATION DETAILS**

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company
- A partnership
- An unincorporated association
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales
- Other (for example a statutory corporation)

Confirm The Following

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities
- I am making the application pursuant to a statutory function
- I am making the application pursuant to a function discharged by virtue of Her Majesty's prerogative

Section 4 of 22**INDIVIDUAL APPLICANT DETAILS****Applicant Name**

Is the name the same as (or similar to) the details given in section one?

- Yes No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

First name

Balasundram

Family name

Vijayatharan

Is the applicant 18 years of age or older?

- Yes No

Continued from previous page...

Applicant Postal Address

Is the address the same as (or similar to) the address given in section one?

Yes

No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Building number or name	<input type="text" value="79"/>
Street	<input type="text" value="Laird Avenue"/>
District	<input type="text"/>
City or town	<input type="text" value="Grays"/>
County or administrative area	<input type="text" value="Essex"/>
Postcode	<input type="text" value="RM16 2NL"/>
Country	<input type="text" value="United Kingdom"/>

Applicant Contact Details

Are the contact details the same as (or similar to) those given in section one?

Yes

No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

E-mail	<input type="text" value="thanga.aninth@hotmail.co.uk"/>
Telephone number	<input type="text" value="01708 457783"/>
Other telephone number	<input type="text"/>
<input type="button" value="Add another applicant"/>	

Section 5 of 22

OPERATING SCHEDULE

When do you want the premises licence to start? / /
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end / /
dd mm yyyy

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

Provide a general description of the premises

For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.

This is a small- sized convenience store situated on a busy road. It occupies the ground floor and offers a range of groceries

Continued from previous page...

PROVISION OF FACILITIES FOR MAKING MUSIC

Will you be providing facilities for making music?

Yes No

Section 15 of 22

PROVISION OF FACILITIES FOR DANCING

Will you be providing facilities for dancing?

Yes No

Section 16 of 22

PROVISION OF FACILITIES FOR ENTERTAINMENT OF A SIMILAR DESCRIPTION TO THOSE PROVIDED FOR MAKING MUSIC OR DANCING

Will you be providing facilities similar in nature to those provided for making music or dancing?

Yes No

Section 17 of 22

LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

Yes No

Section 18 of 22

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

Continued from previous page...

FRIDAY

Start 06:00

End 23:00

Start

End

SATURDAY

Start 06:00

End 23:00

Start

End

SUNDAY

Start 06:00

End 23:00

Start

End

Will the sale of alcohol be for consumption:

On the premises Off the premises Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

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

Name

First name

Balasundram

Family name

Vijayatharan

Continued from previous page...

Enter the contact's address

Building number or name	<input type="text" value="79"/>
Street	<input type="text" value="Laird Avenue"/>
District	<input type="text" value="Grays"/>
City or town	<input type="text"/>
County or administrative area	<input type="text" value="Essex"/>
Postcode	<input type="text" value="RM16 2NL"/>
Country	<input type="text" value="United Kingdom"/>
Personal Licence number (if known)	<input type="text"/>
Issuing licensing authority (if known)	<input type="text" value="Thurrock Council"/>

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

Section 19 of 22

ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

Give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

Section 20 of 22

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock. (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

Continued from previous page...

TUESDAY

Start	<input type="text" value="06:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

WEDNESDAY

Start	<input type="text" value="06:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="06:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="06:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="06:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="06:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Section 21 of 22

LICENSING OBJECTIVES

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e)

Continued from previous page...

List here steps you will take to promote all four licensing objectives together.

Please see attached schedule

b) The prevention of crime and disorder

Please see attached schedule

c) Public safety

Please see attached schedule

d) The prevention of public nuisance

Please see attached schedule

e) The protection of children from harm

Please see attached schedule

Section 22 of 22

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card. Premises Licence Fees are determined by the non domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/index.htm

Band A - No RV to £4300 - £100

Band B - £4301 to £33000 - £190.00

Band C - £33001 to £87000 - £315.00

Band D - £87001 to £125000 - £450.00*

Band E - £125001 and over - £635.00*

*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then you are required to pay a higher fee.

Schedule for Station Lane Express, 89 Station Lane, Hornchurch, RM12 6JU

1. The premises licence holder shall ensure that notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and leave the area quietly.
2. The premises licence holder shall take all reasonable steps to ensure that any persons loitering outside the premises disperse quickly and do not congregate.
3. The premises licence holder shall ensure that there is no external disposal of refuse after 2100 hours and before 0800 hours daily and, as far as possible, to ensure deliveries are within those hours with the exception of newspaper deliveries.
4. Staff shall routinely check the premises during opening hours to ensure they are clean and tidy and to ensure the frontage of the premises is swept at least once each trading day.
5. The premises licence holder shall ensure that reasonable and adequate staff training shall be carried out and properly documented in relation to, dealing with incidents and prevention of crime and disorder; sale of alcohol (to underage, persons over 18 purchasing for underage, drunks etc) prior to being allowed to sell alcohol.
6. The premises licence holder shall ensure that all training records for existing staff shall be retained and made available to police and local authority officers upon reasonable request.
7. The premises licence holder shall ensure that refresher training shall be satisfactorily completed every six months for all staff and documented as above.
8. The premises licence holder shall ensure that the premises shall install and maintain a comprehensive CCTV system.
9. The premises licence holder shall ensure that the CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises.
10. The premises licence holder shall ensure that all CCTV recordings shall be stored for a minimum period of 28 days with date and time stamping. Recordings shall be made available following the reasonable request of Police or authorised officer throughout the preceding 28 day period.
11. The premises licence holder shall ensure that a staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public.
12. The premises licence holder shall ensure that adequate first aid equipment and fire safety materials are available on the premises.
13. The premises licence holder shall ensure that in the absence of adequate daylight suitable and sufficient artificial lighting is provided and maintained in any area to which the public have access.
14. The premises licence holder shall ensure that an incident log shall be kept at the premises and made available on request to an authorised officer of the council or the Police, which will record the following:- any complaints received, violence by any person against another, any other criminal incidents, any visit by a relevant authority or emergency service.
15. The premises licence holder shall instruct all staff to co-operate and comply with all reasonable requests of Police officers investigating incidents of crime and disorder associated with the premises.
16. The premises licence holder shall operate a 'Challenge 25', or similar, scheme at the premises whereby anyone who appears to be under the age of 25 shall be asked to provide proof of age that he or she is over 18 and shall adopt the Challenge 25, Retail of Alcohol Standards Group's advice for off-licences; such accredited proof of age cards for example cards carrying the 'PASS' logo (and no others), a Passport, or UK Driving Licence bearing the photograph and date of birth of the bearer.

17. Notices shall be displayed in the premises to advise patrons and staff that a 'Challenge 25', or similar, scheme operates in the premises.
18. The premises licence holder shall ensure that any refusals of sale of age-related products are recorded in a refusals log as soon as is reasonably practicable after the sale is refused. The log should show the date and time of the event; the product(s) sought; the gender and approximate age of the customer together with a description of the customer. The log is to be perused daily or weekly by all staff and initialled to this effect. The refusals log shall be checked and signed monthly by the designated premises supervisor. The refusals log shall be made available for inspection by the licensing team, police or trading standards.
19. The premises licence holder shall ensure that no alcoholic goods will ever be purchased from sellers calling to the shop.
20. The premises licence holder shall ensure that staff will immediately report to Trading Standards any instance of a caller to the shop attempting to sell alcohol.
21. The premises licence holder shall ensure that spirits in re-sealed cases will not be purchased.

Continued from previous page...

Band D - £87001 to £125000 - £900.00

Band E - £125001 and over - £1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls, or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by Central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number of attendance at any one time.

Capacity 5000 to 9999 - £1,000.00

Capacity 10000 to 14999 - £2,000.00

Capacity 15000 to 19999 - £4,000.00

Capacity 20000 to 29999 - £8,000.00

Capacity 30000 to 39999 - £16,000.00

Capacity 40000 to 49999 - £24,000.00

Capacity 50000 to 59999 - £32,000.00

Capacity 60000 to 69999 - £40,000.00

Capacity 70000 to 79999 - £48,000.00

Capacity 80000 to 89999 - £56,000.00

Capacity 90000 and over £64,000.00

* Fee amount (£)

190.00

ATTACHMENTS

Premises Plan

Consent form of premises supervisor

AUTHORITY POSTAL ADDRESS

Continued from previous page...

Address

Building number or name	Mercury House
Street	Mercury Gardens
District	Romford
City or town	Essex
County or administrative area	
Postcode	RM1 3SL
Country	uk

DECLARATION

* I/we understand 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.

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name	
* Capacity	
Date (dd/mm/yyyy)	

Elec Sue Green 15/8/11

Add another signatory

Consent of individual to being specified as premises supervisor

Balasundram Vijayatharan

[full name of prospective premises supervisor]

of

79 Laird Avenue
Grays
Essex
RM16 2NL

[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

Premises Licence

[type of application]

by

Balasundram Vijayatharan

[name of applicant]

relating to a premises licence

[number of existing licence, if any]

for

Station Lane Express
89 Station Lane
Homchurch
RM12 6JU

[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

Balasundram Vijayatharan

[name of applicant]

concerning the supply of alcohol at

Station Lane Express

89 Station Lane

Hornchurch

RM12 6JU

[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

[insert personal licence number, if any]

Personal licence issuing authority

Thurrock Council, Civic Offices, New Road, Grays, Essex, RM17 6SL

Tel: 01375 652187 or 01375 652879

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

Signed

B. Vijayatharan

Name (please print)

Balasundram Vijayatharan

Date

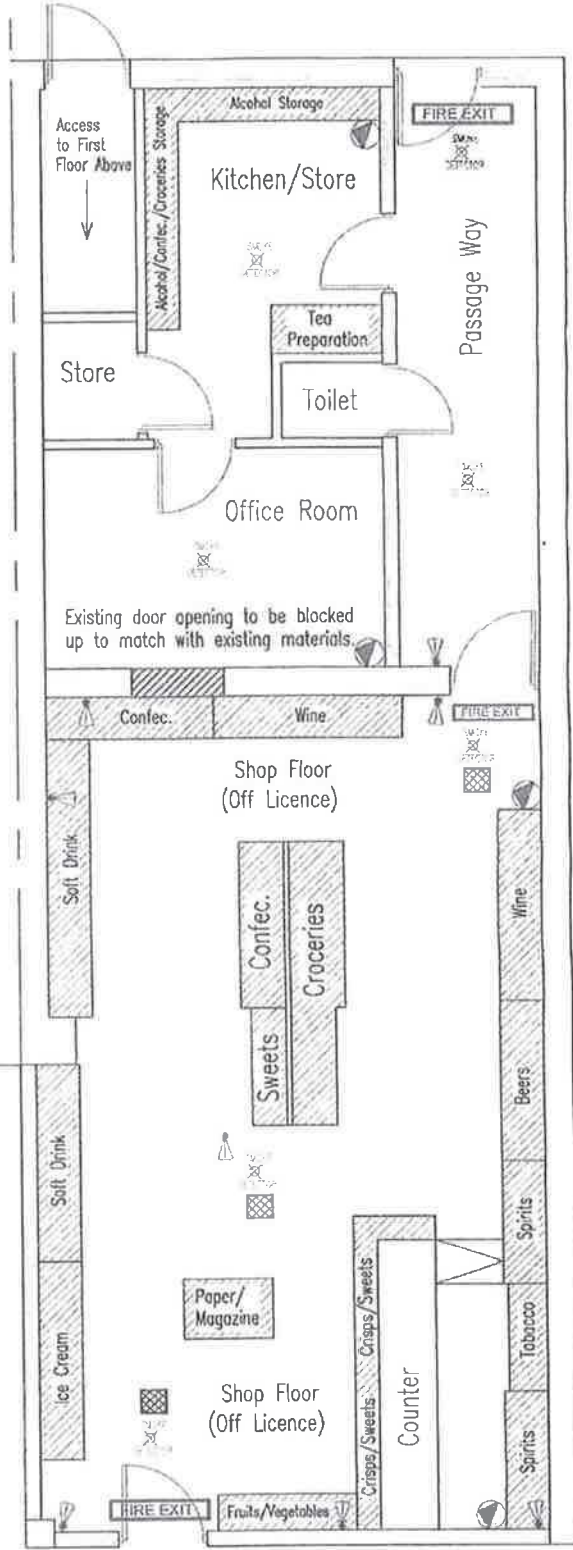
30th July 2012

FIRE EXIT	
CCTV CAMERA ON CEILING LEVEL	
FIRE EXTINGUISHER	
SMOKE DETECTOR	
BATTERY BACKUP EMERGENCY LIGHT TO BS5266	



Existing Ground Floor Plan

Neighbour's Shop

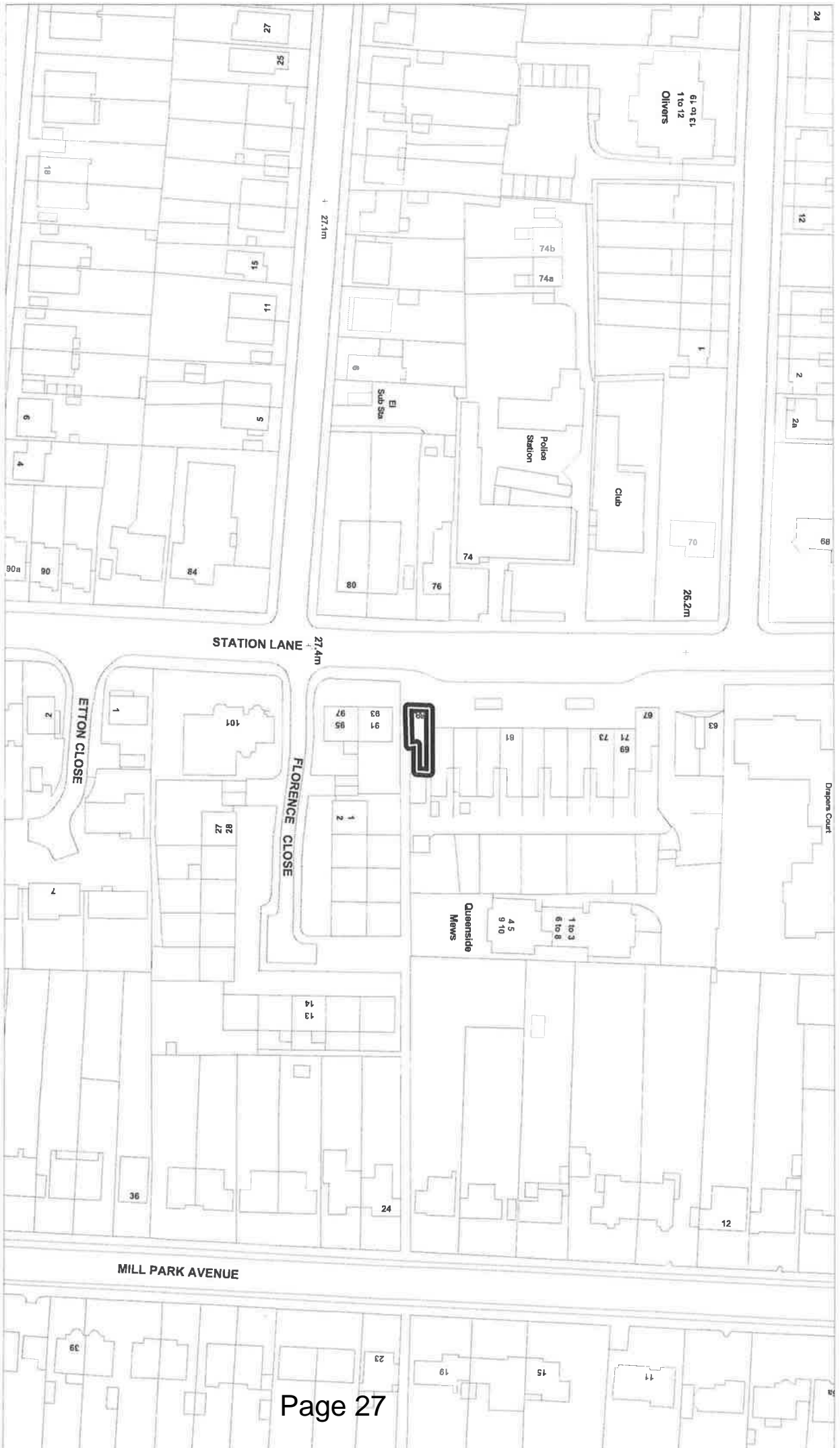


Proposed Ground Floor Plan

Drawn By: SK	Existing and Proposed Ground Floor Plans	Client:	Keeran Designs Ltd
File No: KDM/PLAN/58/12/S-121		Station Lane Express	Tel: (020) 8531 8000
Date: August 2012		89 Station Lane	Fax: (020) 8531 5444
Scale: 1:50, 1:100		Hornchurch	E-mail: Keeran@consultant.com
		Essex RM12 6JU	Web: www.keerandesigns.com

Licensing Sub-Committee

Appendix 2 - Map of local area



Station Lane Express

Map Reference: TQ5486NW
 Date: 13/08/2012

Scale @ A4
 1:1250



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



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LICENSING ACT 2003 NOTICE OF PREMISES LICENCE APPLICATION

I Balasundram Vijayathan have applied to Havering Council for a premises licence at 89 Station Lane Homchurch RM12 6JU in order that the following licensable activities can take place: The sale of intoxicating liquor for consumption OFF the premises between the hours of 0600 until 2300 daily. Havering Council's Licence Register is kept at the office of the Licensing Team, Housing & Health, Mercury House Mercury Gardens Romford RM1 3SL where details of the application may be inspected. Details may also be found on-line at www.havering.gov.uk. Any representations against this application must be made in writing and received by the Licensing Service at the above address, by no later than the 6th September 2012. Residents and businesses or bodies representing such residents and businesses, may make representations. The grounds on which representations may be made are restricted to the licensing objectives of the prevention of crime and disorder, public safety, the prevention of public nuisance, and the protection of children from harm. Note: It is an offence, liable on conviction to a fine up to £5000 for an applicant to knowingly or recklessly make a false statement in connection with the application.

Alan Aylott Licensing 01303 262470;
alanaylott.licensing@sky.com T356732

Cookie Policy

From: Paul Jones
Sent: 06 September 2012 08:18
To: Paul Campbell
Subject: FW: Station Lane Hornchurch

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: 05 September 2012 17:05
To: Paul Jones
Cc: CouncillorJohn Mylod
Subject: Station Lane Hornchurch

Formal Objection to the new licence application for Station Lane Hornchurch

At present there are already two existing off licences and several other establishments within a close proximity to where this new application is being made and we do have a saturation policy in place in Hornchurch. In St Andrews Ward we already have 32 licensed premises to sell alcohol off sales, and that saturation 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 a short distance 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 Town Centre. This is potentially a very volatile situation in an area where 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 and these proposed premises are on the direct route from Hornchurch Station where a number of revellers flock to Hornchurch at nighttime from outside of Havering. 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 a residential elderly complex very close to it and we are concerned that all residents who live nearby will be adversely affected from particularly young people who will congregate to pre load with alcohol before coming into Hornchurch if this application is granted.

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

Clr John Wood
Councillor for St Andrews Ward
London Borough of Havering
Town Hall, Main Road, Romford RM1 3BD
t: 01708 432037

From: Licensing
Sent: 05 September 2012 09:08
To: Paul Campbell
Subject: FW: Objection to Licence Application - 89 Station Lane, Hornchurch, RM12 6JU

Categories: sub committee

From: Lee Clements [mailto:lj_clements@hotmail.com]
Sent: 04 September 2012 21:31
To: Licensing
Subject: Objection to Licence Application - 89 Station Lane, Hornchurch, RM12 6JU

Dear Sir/Madam,

I am writing to object to the above licence application.

The premises concerned is located on an alleyway, where there have previously been anti-social behaviour issues and allowing alcohol to be sold here would undoubtedly lead to an increase in this problem.

Furthermore, the premises is also located on a paved area with benches and fast food establishments nearby, which would make it an attractive place for people to congregate, drink alcohol and cause trouble, to the detriment of local residents.

The sale of alcohol from this premises could additionally lead to an increase in litter and broken glass in the surrounding area. The streetcleaner often has to sweep up broken glass in this area already.

Given that Hornchurch has a saturation policy in place and far more licensed establishments than are needed, I hope you are minded to reject this application in the interests of public safety, the prevention of public nuisance and crime and disorder, and the local community generally.

Yours sincerely,

Lee Clements (Miss)
10 Florence Close
Hornchurch
RM12 6LD

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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 ☎: 01708 433175

Date: 14th August 2012

The Appropriate Licensing Officer
Licensing Authority
London Borough of Havering
Mercury House
Mercury Gardens
Romford
RM1 3SL

My Reference: PJJ/011955

Dear Sir

Licensing Act 2003
Station Lane Express 89 Station Lane Hornchurch RM12 6JU
Premises licence application

As a responsible authority within the definitions of s.13(4) of the Licensing Act 2003 (the Act) this licensing authority makes representation against the application for a premises licence at the premises detailed above.

Station Lane Express 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 impact 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 licensing policy.

Paragraph 13.19 of the guidance issued under s.182 of the Act defines 'cumulative impact' as *the potential impact on the promotion of the licensing objectives of a significant number of licensed premises in one area.*

In light of this Havering's licensing authority makes representation against this application based upon the application's potential impact upon the prevention of crime and disorder and the prevention of public nuisance. This licensing authority contends that there is a likelihood that the addition of a further licensed premises in this area would add to the cumulative impact upon the promotion of the licensing objectives.

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.

Contd.

This licensing authority suggests that this off licence premises is included in the ambit of policy 017 and therefore it is appropriate to refuse this application. Paragraphs 4.17 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.

Section 4(1) of the Act requires that *a licensing authority must carry out its functions under this Act with a view to promoting the licensing objectives.*

Section 4(2) of the Act defines the licensing objectives as:

- *The prevention of crime and disorder*
- *Public safety*
- *The prevention of public nuisance*
- *The protection of children from harm*

Section 4(3) of the Act requires that *a licensing authority must have regard to its licensing statement and any guidance issued under s.182.*

Therefore this licensing authority respectfully and reasonably requests that, in line with its duty under s.4(3) of the Act, the Licensing Sub-Committee refers to licensing policy 017 and the guidance made under s.182 during its deliberations and declines to grant this application. We would suggest that to grant this application would likely result in a failure on Havering's part to promote the licensing objectives.

If I can be of further assistance please do not hesitate to contact me.

Yours faithfully



Paul Jones
Licensing Officer

cc Mr Alan Aylott, applicant's agent

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 September 2012

Dear Sirs,

Police wish to make representation against the application for a new premises licence for Station lane Express, 89 Station Lane, Hornchurch RM12

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 three (33) such licensed premises with the capacity for off sales within the St Andrews Ward.

There are two (4) nearby off licences to this purposed store less then a five minute walk.

- Marmaris 181 High Street, Hornchurch.
- Barrels 144 Station lane Hornchurch.
- COSTCUTTER, 18A Station Lane, Hornchurch.
- Centre News 169 high Street, Hornchurch.

This is not by far the amount of stores located near the premises but simply a five minute walking radius of the purposed store.

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

The plan enclosed in the application clearly shows the volume of alcohol the shop intends to sell. This amount of floor space dedicated to alcohol sales would not help the current situation of alcohol related violence and disorder within the St Andrews ward. It would appear from the plans that alcohol sales could well be the main driver in this stores profit. This would lead to disorder and anti social behaviour within close proximately of the premises.

The current lay out of the shop.



The hours requested in this application would also impact of the crime prevention and disorder aspect along with public nuisance. This ward suffers from pre loading issues associated with off licenses; where by subjects purchase cheap alcohol and drink it often in the street, prior to entering a licensed premises bar/club. So allowing another off license would certainly add to a cumulative impact within the zone. The night time economy appears to start earlier in the evening within this ward compared to other parts of the borough.

This store is also surrounded by residential premises including directly above the store. Premises that open late for licensable activity often attract anti social behaviour directly outside. This could be from drinking alcohol, groups congregating and proxy sales, whereby adults purchase alcohol for minors without realising they are committing offences.

Protecting children from harm: Hornchurch is particularly a concern to police for under age sales from off licences along with proxy sales. There are several schools and colleges within walking distance in the area. Children create problems at many bus stops in the day time from anti social behaviour along with attempting and obtaining alcohol. Police have worked closely with Havering councils trading standards officers whereby a series of test purchases operations have been conducted and the level of failure is above national average. It is vital that stores provide adequate training and invested in selling alcohol responsibly. I would purpose any store in this area should have a personal licence holder on the premises at all times. It's also important to maintain a clear view of the alcohol to prevent theft. We have also found that shops which operate a clear window policy, which allows 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 across the ward.

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 and conduct can often offend and create public nuisance. This is not exclusive to the younger generation many people under the influence of alcohol are totally unaware of how their behaviour is perceived by others. This ward over the last few years as certainly attracted a more anti social and disorderly crowd.

Off licences tend to offer cheaper alcohol and this was highlighted in the Prime Minister alcohol strategy report. There is 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 and the surrounding area. Allowing these premises to be licensed police feel would impact on the licensing objective crime and disorder and add more problems to this area. This could be by simply allowing additional premises to be licensed slightly off the main street, creating a larger zone for disorder and fueling the intake and availability of alcohol.

Councilor Wood recently highlighted to me concerns by residents of urination in streets and a general deterioration of the public realm, I have also witnessed groups drinking and congregating in the streets with very little concern for others. This includes blocking pavements, shouting, behaving in an unruly manner and disorderly conduct. All of this can create no go areas for others and a feeling of intimidation. Police believe that a driver in this behaviour is alcohol and the availability of it.

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. They tend to be profit lead and not community lead, hence creating issues for the police, be it in the street or at home.

I have been to this shop and spoke to the applicant who appeared to have very little knowledge of the area and the associated problems, including the details of the saturation policy. The applicant did produce a refusal log although there were no entries in the log. The premise has been trading for approximately two months under its current ownership and as a convenience store.

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 mentioned in this report.

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.

A recent report shows that in London there was 156, 017 people admitted to hospital last year with drink problems compared with 146, 391 the year before. Experts warn that cheap alcohol is still to blame for people developing liver problems and drink related health problems.

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.

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 require 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 maximum floor space shall be 10 % of the store indicated on a map. No alcohol can be place or stacked any where else in the store, except in the storage area out of the public view.

The premises shall not stock an Beers, Ciders, lagers and spirt mixed drinks with an ABV over 5.2 %.

The premises shall not stock any cans/bottles of lager, cider, beer or sprint based mixers unless they are in packs of four or more.

No bottles of wine or spirits less than 75cl shall be sold on the premises.

Any till used at the premises for serving customers must operate with a prompt, requiring the server to certify the age of the customer purchasing any alcoholic product.

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.