

Havering Council – Decisions taken by the Licensing Sub-Committee on Tuesday, 26 February 2013

Agenda Item No	Topic	Decision
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Note: this decision list is for guidance only. The text of the minutes, which may be different, is definitive.

Part A – Items considered in public

<p>A1</p>	<p>APPLICATION FOR A PREMISES LICENCE - HAREFIELD MANOR HOTEL</p>	<div style="text-align: center;">  <p>Licensing Act 2003 Notice of Decision</p> </div> <p>PREMISES Harefield Manor Hotel 33 Main Road Romford Essex RM1 3DL</p> <p>DETAILS OF APPLICATION</p> <p>Application for a premises licence by Harefield Manor Hotel under section 17 of the Licensing Act 2003 (“the Act”).</p> <p>APPLICANT Harefield Manor Hotel and Restaurant Limited 33 Main Road Romford Essex</p>
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		<p>RM1 3DL</p> <ul style="list-style-type: none"> Details of the application <table border="1"> <tr> <td colspan="3">Films, live music, recorded music, performance of dance, anything similar to live music, recorded music or performances of dance and supply of alcohol</td> </tr> <tr> <td>Day</td> <td>From</td> <td>To</td> </tr> <tr> <td>Monday to Thursday</td> <td>11.00 hours</td> <td>00.00 hours</td> </tr> <tr> <td>Friday & Saturday</td> <td>11.00 hours</td> <td>01.00 hours</td> </tr> <tr> <td>Sunday</td> <td>12.00 hours</td> <td>00.00 hours</td> </tr> <tr> <td></td> <td></td> <td></td> </tr> <tr> <td colspan="3">Late night refreshment</td> </tr> <tr> <td>Sunday to Thursday</td> <td>23.00 hours</td> <td>00.00 hours</td> </tr> <tr> <td>Friday & Saturday</td> <td>23.00 hours</td> <td>01.00 hours</td> </tr> <tr> <td></td> <td></td> <td></td> </tr> <tr> <td colspan="3">Hours premises open to the public</td> </tr> <tr> <td>Monday to Sunday</td> <td>00.00 hours</td> <td>23.59 hours</td> </tr> </table> <p><u>Seasonal variations & Non-standard timings</u></p> <p>Non-standard timings</p> <p>Films</p> <p>(1) Residents and bona fide guests may view films on a 24 hour basis.</p> <p>(2) On Wednesdays and Thursdays in December the terminal hour shall be extended until 01:00 the day following.</p>	Films, live music, recorded music, performance of dance, anything similar to live music, recorded music or performances of dance and supply of alcohol			Day	From	To	Monday to Thursday	11.00 hours	00.00 hours	Friday & Saturday	11.00 hours	01.00 hours	Sunday	12.00 hours	00.00 hours				Late night refreshment			Sunday to Thursday	23.00 hours	00.00 hours	Friday & Saturday	23.00 hours	01.00 hours				Hours premises open to the public			Monday to Sunday	00.00 hours	23.59 hours
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		<p>(3) On New Year’s Eve the terminal hour shall be extended until 01:00 on New Year’s Day.</p> <p>Live music, recorded music, performances of dance, anything similar to live music, recorded music or performances of dance, late night refreshment</p> <p>(1) On Wednesdays and Thursdays in December the terminal hour shall be extended until 01:00 the day following.</p> <p>(2) On New Year’s Eve the terminal hour shall be extended until 01:00 on New Year’s Day.</p> <p>Supply of alcohol</p> <p>(1) Residents and bona fide guests may have alcohol supplied to them 24 hours a day.</p> <p>(2) On Wednesdays and Thursdays in December the terminal hour shall be extended until 01:00 the day following.</p> <p>(3) On New Year’s Eve the terminal hour shall be extended until 01:00 on New Year’s Day.</p> <p>Comments and observations on the application</p> <p>The application had been submitted to replace the lapsed version of the hotels previously held premises licence.</p> <p>The applicant acted in accordance with regulations 25 and 26 of <i>The Licensing Act 2003 (Premises licences and club premises certificates) Regulations 2005</i> relating to the advertising of the application. The required public notice was installed in the 16th January 2013 edition of the Yellow Advertiser.</p> <p>The applicant modified the operating schedule in accordance with the additional details</p>

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		<p>enclosed with the application.</p> <p>Promotion of the Licensing Objectives</p> <p>The applicant completed the operating schedule, which formed part of the application to promote the four licensing objectives.</p> <p>The applicant acted in accordance with regulations 25 and 26 of The Licensing Act 2003 (Premises licences and club premises certificates) Regulations 2005 relating to the advertising of the application. The required public notice was installed in the 16 January 2013 edition of the Yellow Advertiser.</p> <p>3. Details of Representations</p> <p>Valid representations may only address the four licensing objectives</p> <ul style="list-style-type: none"> • The prevention of crime and disorder • The prevention of public nuisance • The protection of children from harm • Public Safety. <p>There was one representation against this application from an interested person.</p> <p>There were no representations against this application from responsible authorities.</p> <p><u>Responsible Authorities</u></p>

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		<p>Metropolitan Police: None</p> <p>London Fire & Emergency Planning Authority (“LFEPA”): None.</p> <p>Planning Control & Enforcement: None.</p> <p>Children & Families Service: None</p> <p>Trading Standards Service: None</p> <p>The Magistrates Court: None</p> <p><u>Interested persons representations</u></p> <p>The representation against this application was based upon the prevention of public nuisance licensing objective. The interested person did not attend the hearing.</p> <p>4. Applicant’s response.</p> <p>Mr Andrew Murrell, speaking on behalf of the applicant, advised that the hotel had previously held a licence that had unfortunately lapsed when the hotel’s holding company had been put into voluntary liquidation in July 2012.</p> <p>The Police had requested that conditions be added to the licence and the applicant had added further conditions to those that the Police had requested.</p> <p>Mr Murrell advised that the application was a modest one and was not seeking any</p>

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		<p>additional hours. The objection to the application seemed to suggest there was to be an addition, but that was not the case.</p> <p>The sub-committee was also advised that the applicant had applied for six Temporary Event Notices, totalling 21 days which had all taken place without incident.</p> <p>4. Determination of Application</p> <p>Decision</p> <p>Following the hearing held on 26 February 2013, the Sub-Committee’s decision regarding the application for a Premises Licence for Harefield manor Hotel 33 Main Road, Romford, Essex RM1 3DL was as set out below, for the reasons shown:</p> <p>The Sub-Committee was obliged to determine this application with a view to promoting the licensing objectives, which are:</p> <ul style="list-style-type: none"> • The prevention of crime and disorder • Public safety • The prevention of public nuisance • The protection of children from harm <p>In making its decision, the Sub-Committee also had regard to the Guidance issued under Section 182 of the Licensing Act 2003 and Havering’s Licensing Policy.</p> <p>In addition, the Sub-Committee took account of its obligations under s17 of the Crime and Disorder Act 1998, and Articles 1 and 8 of the First Protocol of the Human Rights Act 1998.</p>

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		<p><u>Facts/Issues</u></p> <p>Whether the granting of the premises licence would undermine the four licensing objectives.</p> <p>The prevention of public nuisance</p> <p>The written representation made by Mr Coyne expressed concern on the issuing of a premises licence to the applicant. The relevant part of that representation related to the potential of increased noise and nuisance</p> <p>In reply the subcommittee had heard the points made by the applicant's representative on how the hotel was well run and had measures in place to deal with any possible nuisance. The Sub-Committee accepted that the objection was largely speculative, and were satisfied that the conditions suggested, along with those agreed with police, would be sufficient to confront the issues raised.</p> <p>The Sub Committee therefore determined to grant the application for a premises licence for the supply of alcohol as applied for:</p> <p>6. Right of Appeal</p> <p>Any party to the decision or anyone who has made a relevant representation [including a responsible authority or interested party] in relation to the application may appeal to the Magistrates' Court <u>within 21 days of notification of the decision</u>. On appeal, the</p>
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		<p>Magistrates' Court may:</p> <ol style="list-style-type: none"> 1. dismiss the appeal; or 2. substitute the decision for another decision which could have been made by the Sub Committee; or 3. remit the case to the Sub Committee to dispose of it in accordance with the direction of the Court; and 4. make an order for costs as it sees fit. <p>Richard Cursons Clerk to the Licensing Sub-Committee</p>