



LICENSING SUB-COMMITTEE HOT & TASTY CHICKEN

AGENDA

10.30 am	Monday 1 July 2013	Council Chamber - Town Hall
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Members 3: Quorum 2

COUNCILLORS:

Peter Gardner (Chairman)
Brian Eagling
Melvin Wallace

For information about the meeting please contact:

**Richard Cursons - 01708 432430
richard.cursons@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)

Procedure for the hearing – Licensing Act 2003 – Report attached

5 **REPORT OF THE LICENSING OFFICER** (Pages 7 - 64)

Application to vary a premises licence at Hot & Tasty Chicken, 140 South Street, Romford, RM1 1TE made by Mr Hyadulla Turkmani under section 34 of the Licensing Act 2003. – Report attached



LICENSING SUB-COMMITTEE

1 July 2013

REPORT

Subject Heading:

Procedure for the Hearing: Licensing Act 2003

Report Author and contact details:

**Richard Cursons (01708) 432430
e-mail: richard.cursons@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 5 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.



Havering
LONDON BOROUGH

Licensing Officer's Report



LICENSING SUB-COMMITTEE

REPORT

Date 1st July 2013

Subject heading:

Hot & Tasty Chicken
140 South Street Romford RM1 1TE
Premises licence variation
Paul Jones, Licensing Officer
5th floor Mercury House
x 2692

Report author and contact details:

This application to vary a premises licence is made by Mr Hyadulla Turkmani under section 34 of the Licensing Act 2003. The application was received by Havering's Licensing Authority on 15th May 2013.

Geographical description of the area and description of the building

Hot & Tasty Chicken is a single-storey take-away food shop located in a parade of shops immediately adjacent to Romford Station. The area is predominantly commercial at this location although there are a number of residential flats above the shops in Victoria Road. The area immediately to the front of the premises is occupied by a filtered bus lane with attendant public shelters. Adjacent to the premises is a minicab office. The area therefore is a public transport hub and as such is occupied by large numbers of individuals waiting for public transport throughout the day. This is particularly evident late at night when individuals who have spent the evening consuming alcohol prefer not to drive. A map of the area is attached for reference.

Details of the application

The premises licence currently permits the following licensable activities:

Late night refreshment		
Day	Start	Finish
Monday to Saturday	23:00	02:00
Sunday	23:00	00:00

Recorded music, premises' opening hours		
Day	Start	Finish
Monday to Saturday	11:00	02:00
Sunday	11:00	00:00

Variation applied for:

Late night refreshment		
Day	Start	Finish
Monday to Wednesday	23:00	03:00
Thursday to Saturday	23:00	05:00
Sunday	23:00	02:00

Premises' opening hours		
Day	Start	Finish
Monday to Wednesday	11:00	03:00
Thursday to Saturday	11:00	05:00
Sunday	11:00	02:00

Comments and observations on the application

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 24th May 2013 edition of the Romford Recorder.

This application has not addressed the provision of recorded music and thus it is assumed that the provision of recorded music will cease at the premises at its current terminal hour should the extended hours be granted.

The application does not seek to remove any existing conditions and has identified further conditions in section P which it intends to adopt to address the promotion of the licensing objectives. The suitability of these voluntary conditions will be for the sub-committee to determine.

Summary

There was one representation made against this application from an interested person.

There were three representations made against this application from responsible authorities, namely the Planning Control Service, the Licensing Authority and the Metropolitan Police.

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 person's representation

Councillor Frederick Thompson makes representation against this application based upon his concerns in relation to the prevention of public nuisance. Cllr Thompson identifies a number of public nuisance issues.

Responsible authorities' representations

Mr Simon Thelwell, Planning Projects and Regulation Manager, makes representation against this application on behalf of Havering's Planning Control Service. Mr Thelwell has based his representation upon his concerns in relation to public safety, the prevention of crime and disorder and the prevention of public nuisance. Mr Thelwell further indicates that granting the application to the hours requested would be in opposition to the premises' current Planning permissions.

Mr Arthur Hunt, Licensing Officer, makes representation against this application on behalf of Havering's Licensing Authority. Mr Hunt's representation is based upon his concerns in relation to the prevention of crime and disorder and the prevention of public nuisance. Mr Hunt's representation draws attention to the perceived deficiencies in the application at section M, the requirements of Havering's licensing policies 12 and 18, the Act's s.182 guidance and the premises' past compliance history with regard to licensing policy 15.

PC Jason Rose, Havering Borough Police Licensing Officer, makes representation against this application on behalf of the Metropolitan Police. PC Rose's representation is based upon the prevention of crime and disorder and public safety. PC Rose identifies a series of crimes and anti-social behaviour incidents which have occurred at the premises over the preceding year. PC Rose's representation also indicates that a series of premises licence breaches have occurred at the venue in relation to staff providing licensable activity after the appropriate terminal hours. PC Rose also raises concern in relation to the apparent lack of availability of CCTV images to aid the Police investigation of the crime and disorder incidents which have occurred at the premises.

Paul Jones
Licensing Officer
London Borough of Havering



Havering
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Details of
Current Licence



Premises licence number

002199

Part 1 - Premises details

Postal address of premises, or if none, ordnance survey map reference or description

**Hot & Tasty Chicken
140 South Street, Romford, RM1 1TE**

Where the licence is time limited the dates

N/A

Licensable activities authorised by the licence

Recorded Music, Late Night Refreshment

The times the licence authorises the carrying out of licensable activities

**Recorded Music
Monday to Saturday – 11.00 to 02.00
Sunday – 11.00 to 00.00**

**Late Night Refreshment
Monday to Saturday – 23.00 to 02.00
Sunday – 23.00 to 00.00**

The opening hours of the premises

**Monday to Saturday – 11.00 to 02.00
Sunday – 11.00 to 00.00**

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

N/A

Part 2

1 of 3

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

Mr Hyadulla Turkmani
140 South Street, Romford, Essex RM1 1TE
07832 389086

Registered number of holder, for example company number, charity number (where applicable)

N/A

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

N/A

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

N/A

Mandatory Conditions

Door Supervision

If at specified times one or more individuals must be at the premises to carry out a security activity each such individual must be licensed by the Security Industry Authority.

Annex 2 – Conditions consistent with the operating schedule

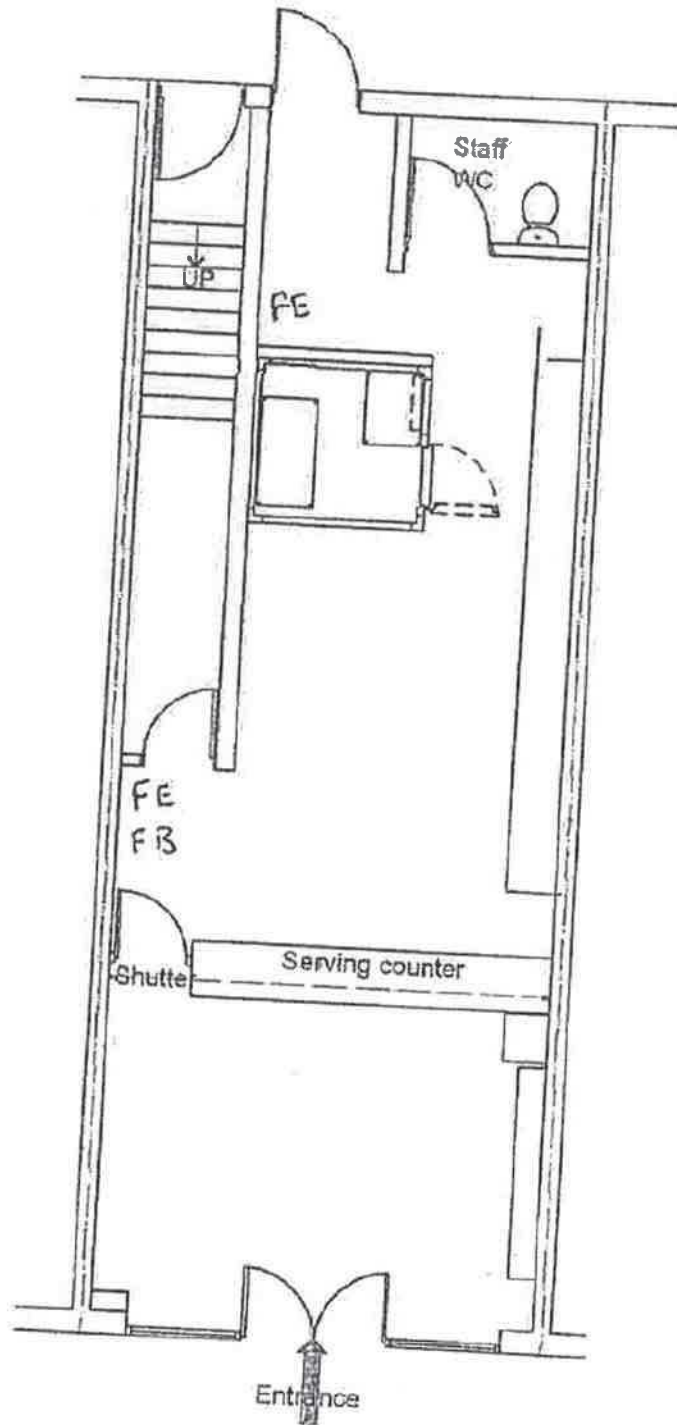
- 1. The CCTV system shall be in operation at the premises at all times when the premises are used for licensable activities. Recorded tapes shall be kept for 28 days and be available for inspection by police and Council officers at all reasonable times.**
- 2. Premises shall have a door supervisor on Friday and Saturday after midnight.**
- 3. Regular checks and maintenance is to be carried out all equipment, electrical installations, emergency lighting, and fire alarms to ensure compliance with current British Standards.**
- 4. Regular checks and maintenance is to be carried out all ventilation, extraction systems and filters to ensure that smells or odours or noise caused in connection with a licensed activity shall not be perceptible at or within the site boundary of any residential property.**
- 5. The licensee will ensure the footpath immediately outside the front of their premises and that of numbers 136,138 and 142,144 are kept clear of refuse emanating from their premises by regular inspection both during and immediately after the operating hours.**
- 6. The management and staff shall be briefed in the importance of their responsibilities towards children.**

2 of 3

No Hearing

Annex 4 – Plans

Full plans held by the London Borough Of Havering licensing section
Plans shown not to scale





Part B

Premises licence summary

Premises licence number

002199

Premises details

Postal address of premises, if any, or if none, ordnance survey map reference or description

Hot & Tasty Chicken
140 South Street, Romford, RM1 1TE

Where the licence is time limited the dates

N/A

Licensable activities authorised by the licence

Recorded Music, Late Night Refreshment

The times the licence authorises the carrying out of licensable activities

Recorded Music

Monday to Saturday – 11.00 to 02.00

Sunday – 11.00 to 00.00

Late Night Refreshment

Monday to Saturday – 23.00 to 02.00

Sunday – 23.00 to 00.00

The opening hours of the premises

Monday to Saturday – 11.00 to 02.00

Sunday – 11.00 to 00.00

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

N/A

Name, (registered) address of holder of premises licence

Mr Hyadulla Turkmani
140 South Street, Romford, Essex RM1 1TE

1 of 2

Registered number of holder, for example company number, charity number (where applicable)

N/A

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

N/A

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

N/A

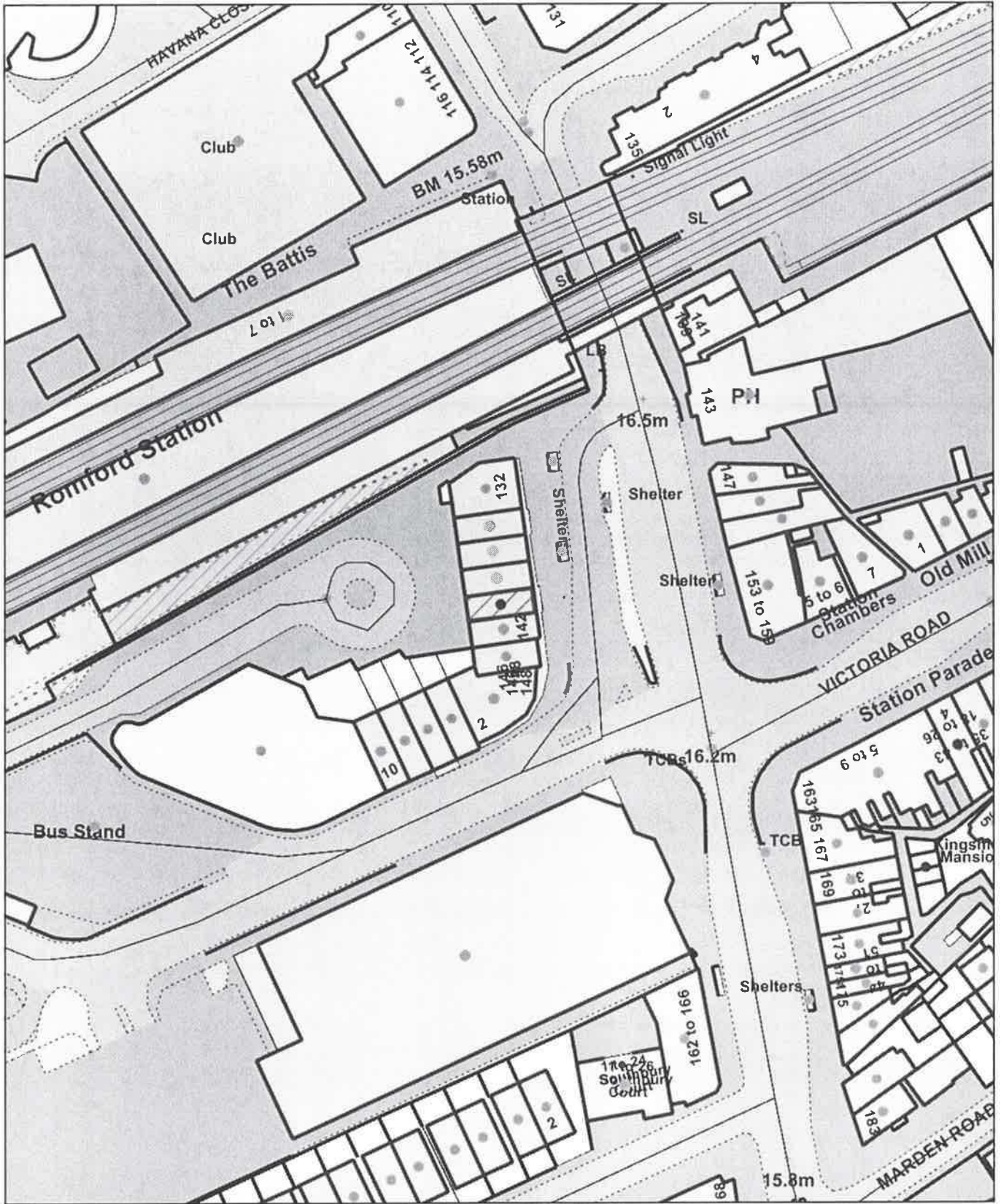
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COPY



Havering
LONDON BOROUGH

Map of the area



Hot & Tasty Chicken



Scale: 1:1000
Date: 12 June 2013
Size: A4



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

DIGITAL MAP DATA (C) COLLINS BARTHOLOMEW LTD (2013)



Havering
LONDON BOROUGH

Copy of Application

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 Hyadulla Turkmani
(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 002199
--

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description Hot & Tasty Chicken 140 South Street, Romford			
Post town	Essex	Post code	RM1 1TE

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£12500

Part 2 – Applicant details

Daytime contact telephone number	
E-mail address (optional)	
Current postal address if different from premises address	
Post Town	
Postcode	

Part 3 - Variation

Please tick yes

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

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)
The application is to vary and extend the late night refreshment hours.

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.

Provision 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)
- f) recorded music (if ticking yes, fill in box F)
- 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)

Provision of entertainment facilities:

- i) making music (if ticking yes, fill in box I)
- j) dancing (if ticking yes, fill in box J)
- k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K)

Provision of late night refreshment (if ticking yes, fill in box L)

Sale by retail of alcohol (if ticking yes, fill in box M)

In all cases complete boxes N, O and P

A

Plays Standard days and timings (please read guidance note 6)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue			<u>State any seasonal variations for performing plays</u> (please read guidance note 4)		
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Fri					
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 6)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors <input type="checkbox"/>
				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
Day	Start	Finish		
Mon			<u>Please give further details here</u> (please read guidance note 3)	
Tue				
Wed			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 4)	
Thur				
Fri			<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 5)	
Sat				
Sun				

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Wed			
Thur			<u>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</u> (please read guidance note 5)
Fri			
Sat			
Sun			

D

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

E

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	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue					
Wed			State any seasonal variations for the performance of live music (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)	Both	<input type="checkbox"/>
Tue					
Wed					
Thur			State any seasonal variations for the playing of recorded music (please read guidance note 4)		
Fri					
Sat			Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sun					

G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)	Both	<input type="checkbox"/>
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 use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

H

<p>Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)</p>			<p><u>Please give a description of the type of entertainment you will be providing</u></p>		
Day	Start	Finish	<p><u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)</p>	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
Tue			<p><u>Please give further details here</u> (please read guidance note 3)</p>	Both	<input type="checkbox"/>
Wed					
Thur					
Fri			<p><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4)</p>		
Sat			<p><u>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</u> (please read guidance note 5)</p>		
Sun					

1

Provision of facilities for making music Standard days and timings (please read guidance note 6)			<u>Please give a description of the facilities for making music you will be providing</u>	
			<u>Will the facilities for making music be indoors or outdoors or both – please tick</u> (please read guidance note 2)	
			Indoors	<input type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)	
Mon				
Tue				
Wed				
Thur				
Fri				
Sat				
Sun				
			<u>State any seasonal variations for the provision of facilities for making music</u> (please read guidance note 4)	
			<u>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</u> (please read guidance note 5)	

J

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

K

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)			<u>Please give a description of the type of entertainment facility you will be providing</u>		
Day	Start	Finish	<u>Will the entertainment facility be indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 3)		
Wed					
Thur			<u>State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within i or j</u> (please read guidance note 4)		
Fri					
Sat			<u>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</u> (please read guidance note 5)		
Sun					

L

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	23:00	03:00	Please give further details here (please read guidance note 3)	Both	<input checked="" type="checkbox"/>
Tue	23:00	03:00			
Wed	23:00	03:00		State any seasonal variations for the provision of late night refreshment (please read guidance note 4)	
Thur	23:00	05:00	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5)		
Fri	23:00	05:00			
Sat	23:00	05:00			
Sun	23:00	02:00			

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Mon					
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					
			Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)		

N

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)

N/A

O

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4) N/A
Day	Start	Finish	Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5) N/A
Mon	11:00	03:00	
Tue	11:00	03:00	
Wed	11:00	03:00	
Thur	11:00	05:00	
Fri	11:00	05:00	
Sat	11:00	05:00	
Sun	11:00	02:00	

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

None

Please tick yes

- 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

Reasons why I have failed to enclose the premises licence or relevant part of premises licence
Premises Licence sent to council with the variation application, and currently held by council.

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)

The standard practices listed below will be maintained at all times. All reasonable steps will be taken to ensure that the premises will have a positive impact upon the local environment and its residents at all times. We are happy to consider any conditions proposed by the responsible authorities.

b) The prevention of crime and disorder

CCTV system shall be installed and maintained inside and outside the premises, including a CCTV unit, which monitors the immediate vicinity of the premises. All cameras shall continually record whilst the premises are open to the public and the recordings shall be kept available for a minimum of 31 days with time and date stamping. Recordings shall be made available to an authorised officer or a police officer with 24 hours of any request

c) Public safety

Appropriate fire safety procedures are in place along with appliances including fire extinguishers (Foam, H2O and CO2), fire blankets, internally illuminated fire exit signs, a smoke detector and emergency lighting. All appliances are checked annually and comply with relevant British Standards.

All fire escapes/escape routes will be clearly marked and kept free from obstructions at all times.

d) The prevention of public nuisance

All customers are asked to respect the surroundings and behave in an orderly manner.

Signs will be installed to remind customers respect neighbours and leave quietly.

Patrons will be discouraged from congregating outside the premises.

All waste generated by the premises will be dealt with appropriately.

e) The protection of children from harm

Restrictions under the Licensing Act 2003 will apply.

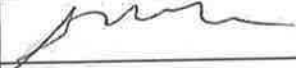
Please tick yes

- I have made or enclosed payment of the fee
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I understand that I must now advertise my application
- I have enclosed the premises licence or relevant part of it or explanation
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 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	9th May 20013
Capacity	APPLICANTS AGENT

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 note 12). **If signing on behalf of the applicant please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 13)			
Mahir Kilic NARTS 53 Stoke Newington High Street			
Post town	LONDON	Post code	N16 8EL
Telephone number (if any)	020 3603 3218		
If you would prefer us to correspond with you by e-mail your e-mail address (optional) info@narts.org.uk			

Legal and Public Notices

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GOODS VEHICLE OPERATOR'S LICENCE

Stuart Sayer trading as Orange Removal Services of Unit 5, Gobians Farm, Collier Row Road, Romford, Essex RM5 2BH is applying for a licence to use Unit 5, Gobians Farm, Collier Row Road, Romford, Essex, RM5 2BH as an operating centre for 3 goods vehicles and 0 trailers.

Owners or occupiers of land (including buildings) near the operating centre(s) who believe that their use or enjoyment of that land would be affected, should make written representations to the Traffic Commissioner at Hillcrest House, 386 Harehills Lane, Leeds, LS9 6NF stating their reasons, within 21 days of this notice. Representors must at the same time send a copy of their representations to the applicant at the address given at the top of this notice.

A Guide to making representations is available from the Traffic Commissioner's Office.



LICENSING ACT 2003 NOTICE OF APPLICATION TO VARY A PREMISES LICENCE

NOTICE IS HEREBY GIVEN that I Mr Ilyadulla Turkmani have applied to Havering Council to vary a premises licence in respect to the premises known as Hot & Tasty Chicken, 140 South Street Romford RM1 1TE as follows: Late Night Refreshment: From 23:00 to 03:00am Monday-Wednesday From 23:00 to 05:00am Thursday-Saturday From 23:00 to 02:00am Sunday. Any person wishing to make representation in respect of the above activities may do so by writing to Licensing Team, 5th Floor Mercury House, Mercury Gardens, Romford, Essex, RM1 3SL by 12th June 2013. A copy of the application is kept by the Licensing Team, 5th Floor Mercury House Mercury Gardens Romford Essex RM1 3SL. The application can be viewed Monday to Friday 9.00am to 5.00pm, except bank holidays. It is an offence knowingly or recklessly to make a false statement in connection with an application. The maximum fine for which a person is liable on summary conviction for making a false statement is a Level 5 fine on the standard scale.

Authorised Agent: NARTS
Tel: 020 8090 0376 E-mail: info@narts.org.uk

13/049

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Legal and Public Notices

LONDON BOROUGH OF HAVERING ROAD TRAFFIC REGULATION ACT 1984, SECTION 16A (AS AMENDED) TEMPORARY PROHIBITION OF TRAFFIC: SPECIAL EVENT 'ELM PARK FIESTA 2013'

- The Council of the London Borough of Havering, being the Highway Authority for the Broadway, Station Parade and Tadworth Parade ("the Roads") HEREBY GIVES NOTICE that because of a special event namely the 'Elm Park Fiesta 2013' ("the Event"), it intends to make an Order, the effect of which will be to (a) prohibit vehicular traffic from entering or proceeding in the length of the Road specified in column 1 of the table in Schedule 1 to this notice, between the dates and times as specified in column 2 of the same table and (b) temporarily suspend the parking bays as specified in column 1 of the table in Schedule 2 during the period specified in column 2 of the same table.
- Nothing in the Order shall apply to anything done with the permission or at the direction of a police constable in uniform or a civil enforcement officer.
- Nothing in the Order shall apply to any emergency vehicles.
- Nothing in the Order shall apply to any vehicle being used in connection with the Event.
- Nothing in the Order shall apply so as to prevent access to premises on or adjacent to the prohibited length of Roads insofar as such access is reasonably practicable having regard to the Event.
- This prohibition shall not apply to pedestrians although access may be diverted, subject to the direction of the police or event organisers, to the extent that safety permits from time to time.
- An alternative route for vehicles is available as set out in column 3 of the table in Schedule 1 to this notice.
- The prohibition shall only apply when traffic signs placed pursuant to Section 68 of the Road Traffic Regulation Act 1984 are in place.
- Any query regarding this Notice should be sent in writing to the following e-mail address: schemes@havering.gov.uk.

DATED this 24th day of May 2013
Published in the Romford Recorder 24th May 2013

Ian Burns, Acting Assistant Chief Executive
London Borough of Havering, Town Hall, Main Road, Romford RM1 3BD

SCHEDULE 1

ROAD	DURATION	ALTERNATIVE ROUTE
THE BROADWAY	BETWEEN: 10:00 hours and 18:00 hours on Saturday 8th June 2013	Elm Park Avenue, Abbs Cross Lane, South End Road and Coronation Drive
STATION PARADE: From the common boundary of Nos. 16 and 17 to its northern extremity		N/A
TADWORTH PARADE: From the common boundary of Nos. 9 and 10 to its northern extremity		N/A

SCHEDULE 2

Road / Length of Road	Commencement Date/Time
THE BROADWAY: Temporary closure of the parking bays in the Broadway. Bays to be suspended; pay and display parking bays, Kiss and Ride bay, Taxi rank and loading bays in the Broadway, Hornchurch RM12.	BETWEEN: 10:00 hours and 18:00 hours on Saturday 8th June 2013

LONDON BOROUGH OF HAVERING ROAD TRAFFIC REGULATION ACT 1984 - SECTION 14(1)

THE HAVERING (VARIOUS ROADS) (NO. 4) (TEMPORARY PROHIBITION OF TRAFFIC) ORDER 2013

- The Council of the London Borough of Havering hereby give notice that it intends making an Order the effect of which would be to prohibit vehicular traffic from entering or proceeding in the lengths of roads specified in column 1 of the table in the Schedule to this Notice, between the times and dates specified in column 2 of that table, due to carriageway resurfacing works taking place thereon.
- The prohibitions would only be operational when traffic signs indicating that prohibition are displayed on street.
- An exemption would be provided in the Order to permit access to premises on or adjacent to the said roads insofar as such access is reasonably practicable without interference with execution of the said works.
- The Order would come into operation on 3 June 2013 and would be valid for a maximum period of 18 months or until the works are completed, whichever is the sooner. The works are scheduled to commence on 3 June 2013 and are expected to be completed on 16 July 2013.
- Persons having a query concerning these works should contact Nick Wallen on 01708-433730.

Dated 24 May 2013

Published in the Romford Recorder 24 May 2013

Ian Burns, Acting Assistant Chief Executive

London Borough of Havering, Town Hall, Main Road, Romford RM1 3BD

SCHEDULE

1 Road/Length of Road	2 Commencement Dates/Times	3 Alternative Route (if any)
Uppminster Road, Closed in both directions between The Walk and Hacton Lane	between 7.30 p.m. on 19th June 2013 and 6.30 a.m. on 20th June 2013	Wingletye Lane, Minster Way Norfolk Road, Newbury Gardens, Hacton Lane
Launders Lane, Closed in both directions at its junction with New Road (A1306)	between 7.00 p.m. on 20th June 2013 and 6.30 a.m. on 21st June 2013 and 6.30 a.m. on 22nd June 2013	Warwick Lane, Avelley Road, Sandy Lane
South Street, Closed in both directions between Brentwood Road and Melton Gardens	14th June 2013 between 9.30 a.m. and 3.30 p.m. and between 7.00 p.m. on 17th June 2013 and 6.30 a.m. on 18th June 2013 and 6.30 a.m. on 18th June 2013 and 6.30 a.m. on 19th June 2013	South Street, Oldchurch Road, Rom Valley Way
Harold Court Road, Closed southbound between A12 Colchester Road and Church Road	9th, 16th & 23rd June 2013 between 8.30 a.m. and 5.00 p.m.	Colchester Road, Avenue Road
Wood Lane, Closed in both directions at its junction with Rainham Road	3rd June to 7th June 2013 between 9.30 a.m. and 3.30 p.m.	Mungo Park Road, Simpson Road Rosewood Avenue, The Broadway, Elm Park Avenue
Coniston Way, Closed in both directions at its junction with Rainham Road	3rd June to 7th June 2013 between 9.30 a.m. and 3.30 p.m.	Furness Way, Wood Lane, Mungo Park Road, Simpson Road
Dunningford Close, Closed in both directions at its junction with Rainham Road	3rd June to 7th June 2013 between 9.30 a.m. and 3.30 p.m.	
Upper Brentwood Road, Closed southbound between Main Road and Western Avenue	10th June and 11th June 2013 between 9.30 a.m. and 3.30 p.m.	Main Road, Balgores Lane, Station Road
Ferguson Avenue, Closed in both directions at its junction with Upper Brentwood Road	10th June and 11th June 2013 between 9.30 a.m. and 3.30 p.m.	Cambridge Avenue, Belgrave Avenue
Beaumont Close, Closed in both directions at its junction with Upper Brentwood Road	10th June and 11th June 2013 between 9.30 a.m. and 3.30 p.m.	
Mowbrays Road, Closed in both directions at its junction with Collier Row Lane	3rd June to 7th June 2013 between 9.30 a.m. and 3.30 p.m.	Horndon Road, Hillfoot Road, Hillfoot Avenue, Playfield Avenue
Maidstone Avenue, Closed in both directions at its junction with Collier Row Lane	3rd June to 7th June 2013 between 9.30 a.m. and 3.30 p.m.	Hayden Way, Wainfleet Avenue
Mawney Road, Closed in both directions at its junction with Collier Row Lane	3rd June to 7th June 2013 between 9.30 a.m. and 3.30 p.m.	Redniff Road
Redniff Road, Closed in both directions at its junction with Collier Row Lane	3rd June to 7th June 2013 between 9.30 a.m. and 3.30 p.m.	Mawney Road
Bird Lane, Closed in both directions between Hall Lane and Southend Arterial Road	27th June 2013 between 9.00 a.m. and 4.00 p.m.	
Ardleigh Green Road, Closed in both directions between Southend Arterial Road and Squirrels Heath Lane	between 7.00 p.m. on 28th June 2013 and 6.30 a.m. on 29th June 2013	Southend Arterial Road, Hall Lane, Main Road Upper Brentwood Road Squirrels Heath Lane
Cedar Road, Closed in both directions at its junction with Abbs Cross Lane	3rd June to 7th June 2013 between 9.30 a.m. and 3.30 p.m.	
Warren Drive, Closed in both directions at its junction with Abbs Cross Lane	3rd June to 7th June 2013 between 9.30 a.m. and 3.30 p.m.	Benhurst Avenue, St. Nicholas Avenue, Elm Park Avenue



Havering
LONDON BOROUGH

Interested Parties (Valid objections)

From: Councillor Frederick Thompson
Sent: 07 June 2013 15:08
To: Licensing
Cc: Councillor Andrew Curtin; Councillor Wendy Brice Thompson
Subject: 12778 Hot & Tasty Chicken, 140 South Street

Dear Licensing Officers,

With regard to this application for premises at 140 South Street I wish to object on the basis that such excessively late opening as proposed to the early hours of the morning, especially Friday and Saturday, impacts heavily on public nuisance as it will delay dispersal from the town centre of those who have left clubs and are likely to be heavily intoxicated. The trail of litter caused by takeaways frequently shows up on the street, quite often carelessly thrown in householders front gardens and into shop fronts of shops and premises that have normal trading hours. It is also obvious that some food is vomited on to the pavement to the disgust of people going to work the next morning.

Delaying dispersal also has an impact on some businesses who find their front doors have been urinated upon or even evidence of defecation.

The police find that late night food outlets also seem to be the spark-off point for public disorder, perhaps because tiredness and alcohol are a bad combination.

Although not obvious this addition to late dispersal numbers can easily impact in the lessening of the protection of children from harm as the added anti-social behaviour such as noisy dispersal impacts on the many households close to the town centre who despite living in flats or small houses frequently have children whose schooling will suffer from disturbed sleep.

Regards

Cllr. Frederick Thompson
Tel: 01708 [REDACTED]



Havering
LONDON BOROUGH

Representations from
Responsible Authorities



Licensing Authority
London Borough Of Havering
Mercury House
Mercury gardens
RM1 3SL

**KD - Havering Borough
KD - Romford Police Station**

Romford Police Station
19 Main Road
Romford
RM1 3BJ

Telephone: 01708 432781
Facsimile:
Email: jason.rose@met.pnn.police.uk
www.met.police.uk

Your ref:
Our ref:

11th May 2013

Police have been served an application by Hot & Tasty Chicken, 140 SOUTH STREET, ROMFORD, RM1 1TE to vary their premises licence under the Licensing Act 2003. We wish to make objections to this application as we believe by granting the premise licence variations it would undermine the crime and disorder and public safety licensing objectives of the legislation.

This premise is located within Havering boroughs Anti Social Behaviour hotspot and directly beside the Transport for London travel network hub. There are two large bus stops directly outside the premise which service night buses, naturally seeing large numbers, under the influence of alcohol, congregating.

Within the past year a number of crimes have been recorded showing the premise as the venue.

5410472/12 - Racially Aggravated Harassment **Friday 5th JULY 2012 @ 20:25 hours**

Manager refused to serve a 13yr old female as she's caused problems at the premises in the past. Female has taken offence to this and tried to reach over the counter and push the gas safety button. She shouted offensive racial comments towards the manager in the presence and hearing of members of the public. When police attended the venue to investigate the display monitor to the CCTV was defective and they were unable to view the footage.

5401728/13 - Breach of ASBO **Saturday 02nd FEB 2013 @ 00:07 hours**

Police had reason to stop male outside the venue who was drinking from an open bottle of Stella Artois, believed awaiting his friend was inside the premises. Male has a current Anti Social Behaviour Order not to have an open container of alcohol in any public place. Suspect was arrested and was very aggressive and abusive stating that he wanted to fight officers and would knock them out in one punch. This behaviour was in the presence and hearing of members of the public nearby at the bus stand and walking by.

5402572/13 - Grievous Bodily Harm **Sunday 17th FEB 2013 @ 00:30 hours**

Victim attended the premises with his girlfriend and once inside got talking to a group of males, during a conversation one of the males called the victims girlfriend "Fatty", his girlfriend heard the comment and stormed out of the premises upset, leaving the male victim at the location. A short while later victim had sustained serious head injuries which resulted in a diagnosed fractured skull and a blood clot that needed surgery. It is believed the victim defended his girlfriend's honour and was attacked by the 3 males. Upon police arrival at the venue an hour later, the staff denied that any incidents had taken place, the premises had been cleaned and there was no sign of any blood or blood splatter. When officers asked to view the CCTV they were informed it could not be operated by the members of staff on duty at that time. No CCTV to this date has been recovered and no scene identified.

5401728/13 - Sec 5 Public Order Act **Saturday 16th MARCH 2013 @ 00:05 hours**

Police came across an argument between the suspect and a member of staff at the venue who stated the suspect along with two other males had sat down and started causing trouble in the shop and when asked to leave became abusive. The Member of staff informed the males that seating the shop is for paying customers only and the males were asked to leave. Police were called. Suspect was warned repeatedly in regards to swearing in public near the main bus hub. However he continued to

shout obscenities and displaying crude and rude hand gestures. The behaviour was observed by approximately thirty members of the public.

5408179/13 - Actual Bodily Harm

Wednesday 05th JUNE 2013 @ 01:40 hours

A male and female couple were awaiting their food when suspect entered the shop. He engaged the couple in conversation however this conversation turned to violence, suspect punched the male victim twice in the face then kicked the female victim in the chest for no apparent reason. The fight spilled out onto the footway outside in the transport hub. The suspect continued to parade outside the shop swearing and shouting. Police arrived and arrested the male. At the time of police arrival the shop had been closed and police could not liaise with any staff and obtain witness or possible scene evidence. Pc ROSE attended the premises the following day and was informed by both Mr Ashmatullah TURKMANI (manager) and Mr Hayadulla TURKMANI that neither of them could operate the CCTV system to show the footage or download for evidence. Police had to return the following day, some 34 hours after the event to view CCTV

Not only has the premises been a location for crime and disorder, officers have had to visit the establishment on other occasions.

Breach of license condition 2 (Premises shall have a door supervisor on Friday and Saturday after midnight) Saturday 28th April 2013 @ 00:05-00:15hrs

Officers from Havering licensing authority observe the premises operating without any door supervisors at approx. 00:05hrs. Officers enter the venue and speak with Mr TURKMANI advising him of the breach and he simply stated he felt he didn't need door staff.

Breach of license condition 2 (Premises shall have a door supervisor on Friday and Saturday after midnight) and Closure under section 161 Licensing Act 2003. Saturday 4th MAY 2013 @ 00:30-01:00hrs

At 00:30 hrs Pc 403KD Davies witnessed the premises open for trading but no SIA badge holder being on duty, clearly breaching condition 2 of their premises license. Police Inspector Lorraine COWLEY visits the premises at 01:00 hrs and addresses this issue with the manager, Mr Ashmatullah TURKMANI. When this breach is pointed out Mr TURKMANI informs police that they are new owners and they have had no problems since they have put up a re-enforced glass at the counter leaving only a small gap at the bottom to pass food and money with customers. It was established there were no door staff on duty. INSP COWLEY noticed large groups of males gathering outside and trying gain entry, she describes them as "high spirited" and "under the influence of alcohol". INSP COWLEY then elected to exercise her powers of closure under section 161 of the licensing Act 2003 and notified Mr TURKMANI of this informing him the closure was effective from 01:00hrs until 09:00hrs.

This closure was heard at Redbridge Magistrates Court on Tuesday 7th MAY 2013. The court determined not to use its power under section 165 Licensing Act 2003 but was satisfied with the use of section 161 by police in the circumstances.

Operating outside of licensable hours.

Saturday 25th MAY 2013 @ 02:03-02:20hrs

At 02:03hrs Police noticed the premises still had their lights on and were trading. The door supervisor was stood outside with customers sat inside. At 02:06 hours police observed a male walk into the venue approach the counter and appear to order food. Police entered and spoke to staff. Police enquired what time they close. The staff member informed them 02:30 hours. Police asked what time did they serve till and was told 0215 hours. Pc ARMOUR asked to see the license, the manager then stated they were closing in the next ten minutes and that they stop serving at 0200 hours. As this conversation was finishing police witnessed a staff member serve up the food to the customer that came in after 0200 hours. Pc ARMOUR informed the manager that he would be reported to the licensing authority for his breach of licensable hours.

Police could not support an application for any of the suggested extensions of licensing hours, 05:00hrs on a Thursday - Saturday, and 03:00hrs on a Monday- Wednesday and 02:00hrs on a Sunday. We believe the majority of their customer base within these hours would be those who have maximised their drinking time within Romford Town Centre and would be under the influence of alcohol and therefore increase the risk of crime and disorder. Police would not support a request of later hours with no SIA badge holder present as this would increase the risk to public safety and increase the burden on staff in enforcing their current licensing condition in respect of capacity. In fact police recommend that a SIA badge holder should be on duty where the premise trade within their late night refreshment hours i.e. 2300 until close.

Police have serious concerns in relation to the amount of times CCTV has not been available to view or indeed, the facility to download and seize for evidence. It appears staff members continue to clear

and clean the premises prior to police arrival which in turn has an impact on loss of evidence. They have been advised about this in the past but still continue.

If I can be of any further assistance in this matter please do not hesitate to contact me in the licensing office.

Yours sincerely,

Pc Jason ROSE
Licensing Officer
Havering Borough

memo

From: PLANNING CONTROL SERVICE

To: Licensing Officer
Environmental Health

Please call: Bernie Long
Telephone: 01708 432684
Fax: 01708 43690
Email: victor.long@havering.gov.uk

My Reference: ST/BL

Your Reference:

Date: 30 May 2013

Representations re Application for Variation of a Premises Licence (Licensing Act 2003) at Hot and Tasty Chicken, 140 South Street Romford

The London Borough of Havering's Planning Service, being a responsible authority as set out in the Licensing Act 2003, wishes to make representations against the above premises in relation to a variation to the Premises Licence.

This relates to

1. Public Safety
2. Crime and Public Order and
3. Prevention of Public Nuisance.

Relevant Planning History.

On 3 March 2004 planning approval was granted for a change of use of Bank premises to a take away (A3) (P0037.04 refers) I attach the Decision Notice.
The hours of operation were restricted to 0900hrs – 2400hrs on any day.

On 20 September 2004 a planning application was approved to vary the hours condition. I attach the Decision Notice P1360.04.

This allowed opening from 0900hrs -0200hrs the following day Mondays to Saturdays and 0900hrs –Midnight on Sundays Bank Holidays and Public Holidays.
I also attach the relevant officer's report.

It should also be noted that there are residential units above the property and disturbance is likely to cause nuisance.

There has not been a submission of a Planning application to change the current hours approved.

Therefore the Planning Service has no opportunity to test the viability of this application and consult with wider public bodies and neighbours.

I ask that the Licensing Committee defer any decision until a planning application is submitted and determined.



PP Simon Thelwell

Projects and Regulation Manager

LONDON BOROUGH OF HAVERING

TOWN AND COUNTRY PLANNING ACT 1990

AGENT

Ablethird Ltd
102 Queensway
Bletchley
Milton Keynes
MK2 2RX

APPLICANT

Ablethird Ltd
102 Queensway
Bletchley
Milton Keynes
MK2 2RX

APPLICATION NO: P0037.04

In pursuance of their powers as Local Planning Authority, the Council have considered your application and have decided to **GRANT PLANNING PERMISSION** for the following development :

Proposal: Change of use from a bank (A2) to take away (A3)

Location: 140 Ground Floor
South Street
Romford

subject to compliance with the following condition(s):

- 1 The development to which this permission relates must be commenced not later than five years from the date of this permission.

Reason:-

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

- 2 Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 the use hereby permitted shall be as a hot food Take-away only and shall be used for no other purpose(s) whatsoever including any other use in Class A3 of the Order, unless otherwise agreed in writing by the Local Planning Authority.

Reason:-

To restrict the use of the premises to one compatible with the surrounding area and to enable the Local Planning Authority to exercise control over any future use not forming part of this application, and that the development accords with the Unitary Development Plan policy ENV1.

- 3 The premises shall not be open to the public other than between the hours of 0900 hours to 2400 hours on any day.

Reason-

In the interests of amenity.

- 4 Before the use commences suitable equipment to remove and/or disperse odours and odorous material should be fitted to the extract ventilation system in accordance with a scheme to be approved in writing by the Local Planning Authority. Thereafter, the equipment shall be properly maintained and operated during normal working hours.

Reason:-

To protect the amenity of occupiers of nearby premises, and in order that the development accords with Unitary Development Plan policy ENV1.

- 5 Before the uses commences a scheme to control the transmission of noise and vibration from any mechanical ventilation system installed shall be submitted to and approved in writing by the Local Planning Authority and implemented prior to the permitted use commencing. Thereafter, the equipment shall be properly maintained and operated during normal working hours.

Reason:-

To protect the amenity of occupiers of nearby premises, and in order that the development accords with Unitary Development Plan policy ENV1.

- 6 Before the uses commences a waste management scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme, which shall thereafter be permanently maintained, shall include details of the method and location of refuse storage, together with arrangements for refuse disposal. All refuse shall be properly contained within the approved facility and shall not be stored or deposited elsewhere unless previously agreed in writing by the Local Planning Authority.

Reason:-

To protect the amenity of occupiers of nearby premises, and in order that the development accords with the Unitary Development Plan policy ENV1.

INFORMATIVE(S)

- 1 INFORMATIVE:

Thames Water : Thames Water requests that a bacterial or enzyme dosing unit should be

- 1 fitted on all waste discharge points from kitchen sinks and floor drains prior to discharging to the public sewerage system, to avoid back-flow at a later date. If the recommendation is ignored the property may at a later date suffer from back-flow and result in flooding.

Reason for Approval : The proposed change of use would be in compliance with the aims and objectives of policies ENV1, ROM1 and Supplementary Planning Guidance : Romford Town Centre.

Dated: 3rd March 2004



Patrick Keyes
Head of Development and Building Control
London Borough of Havering
Mercury House, Mercury Gardens
Romford RM1 3SL

IMPORTANT - attention is drawn to the notes overleaf

**NOTES IN CONNECTION WITH APPROVAL OF APPLICATIONS SUBJECT TO CONDITIONS
OR REFUSAL OF APPLICATIONS FOR PLANNING PERMISSION**

- (1) If the applicant is aggrieved by the decision of the local planning authority to refuse permission or to grant permission or approval subject to conditions, an appeal may be made to the First Secretary of State at the Department for Communities and Local Government in accordance with Section 78 of the Town and Country Planning Act 1990 within six months of the date of this notice. However, if an enforcement notice is subsequently served relating to the same or substantially similar land and development and you want to appeal you must do so within 28 days of the service of the enforcement notice, or within 6 months of the date of this notice, whichever period expires earlier.

Appeals must be made on a form which is obtainable from the Planning Inspectorate, Customer Support Unit, Temple Quay House. 2 The Square. Temple Quay. Bristol BS1 6PN or from the Planning Inspectorate's web site, www.planning.inspectorate.gov.uk

- (2) When submitting the completed appeal form to the Planning Inspectorate, a copy should be sent to Planning, London Borough of Havering, 7th Floor Mercury House, Mercury Gardens, Romford, RM1 3SL. The First Secretary of State has power to allow a longer period for the giving of a notice of appeal but will not normally be prepared to exercise these powers unless there are special circumstances which excuse the delay in giving notice of appeal. The First Secretary of State is not required to entertain an appeal if it appears that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements to the provisions of the development order, and to any directions given under the order. Where the decision of the local planning authority is based upon a direction from the First Secretary; it is not the practise to refuse to accept appeals solely because of this direction.
- (3) If permission to develop land is refused or granted subject to conditions, whether by the local planning authority or by the First Secretary of State and the owner of the land claims that the land has become incapable of reasonable beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, a purchase notice may be served on the London Borough of Havering requiring the council to purchase the land in accordance with the provision of Part VI of the Town and Country Planning Act 1990.
- (4) In certain circumstances, a claim may be made against the local planning authority for compensation where there has been an appeal or where an application has been referred to the First Secretary, and where planning permission is refused or granted subject to conditions. The circumstances in which such compensation is payable are set out in section 114 of the Town and Country Planning Act 1990.
- (5) The statutory requirements are those set out in section 79(6) of the Town and Country Planning Act 1990, namely Sections 70, 71 and 72(1) of the Act.

You are reminded that Building Regulations approval may also be required for these works. You must contact the Building Control Manager or Building Inspector to confirm if permission is required.

Note: Following a change in government legislation a fee is now required for the request for Submission of details pursuant to discharge of conditions in order to comply with the Town and Country Planning (Fees for Applications and Deemed Applications) (Amendment) (England) Regulations, which came into force from 06/04/2008. A fee of £85 per request (or £25 where the related permission was for extending or altering a dwellinghouse) will be required.

LONDON BOROUGH OF HAVERING

TOWN AND COUNTRY PLANNING ACT 1990

AGENT

Archplan
34 Vivian Gardens
Watford
WD19 4PG

APPLICANT

Mr S Kandasamy
41 Jelicoe Gardens
Stanmore
Middlesex, HA7 3HS

APPLICATION NO: P1360.04

In pursuance of their powers as Local Planning Authority, the Council have considered your application and have decided to **GRANT PLANNING PERMISSION** for the following development :

Proposal: Variation of conditions to increase opening hours to allow 2am closing time Monday-Saturday and 12am on Sundays

Location: Ground Floor
140 South Street
Romford

subject to compliance with the following condition(s):

- 1 The premises shall not be open to the public other than between the hours of 9a.m. to 2a.m. (the following morning) Mondays to Saturdays and 9a.m. to midnight on Sundays, bank holidays and public holidays.

Reason - In the interests of amenity.

INFORMATIVE(S)

- 1 INFORMATIVE:

This does not in any way alter the conditions imposed on the previous approval P0037.04 except condition 3 which this application relates to.

Reason for approval:

The proposed development is considered to be in accordance with the aims, objectives and provisions of Policy Policies ENV1 and ROM1 and Appendix 1 of the Havering Unitary Development Plan.

Dated: 20th September 2004



**Patrick Keyes
Head of Development and Building Control
London Borough of Havering
Mercury House, Mercury Gardens
Romford RM1 3SL**

IMPORTANT - attention is drawn to the notes overleaf

**NOTES IN CONNECTION WITH APPROVAL OF APPLICATIONS SUBJECT TO CONDITIONS
OR REFUSAL OF APPLICATIONS FOR PLANNING PERMISSION**

- (1) If the applicant is aggrieved by the decision of the local planning authority to refuse permission or to grant permission or approval subject to conditions, an appeal may be made to the First Secretary of State at the Department for Communities and Local Government in accordance with Section 78 of the Town and Country Planning Act 1990 within six months of the date of this notice. However, if an enforcement notice is subsequently served relating to the same or substantially similar land and development and you want to appeal you must do so within 28 days of the service of the enforcement notice, or within 6 months of the date of this notice, whichever period expires earlier.

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- (3) If permission to develop land is refused or granted subject to conditions, whether by the local planning authority or by the First Secretary of State and the owner of the land claims that the land has become incapable of reasonable beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, a purchase notice may be served on the London Borough of Havering requiring the council to purchase the land in accordance with the provision of Part VI of the Town and Country Planning Act 1990.
- (4) In certain circumstances, a claim may be made against the local planning authority for compensation where there has been an appeal or where an application has been referred to the First Secretary, and where planning permission is refused or granted subject to conditions. The circumstances in which such compensation is payable are set out in section 114 of the Town and Country Planning Act 1990.
- (5) The statutory requirements are those set out in section 79(6) of the Town and Country Planning Act 1990, namely Sections 70, 71 and 72(1) of the Act.

You are reminded that Building Regulations approval may also be required for these works. You must contact the Building Control Manager or Building Inspector to confirm if permission is required.

Note: Following a change in government legislation a fee is now required for the request for Submission of details pursuant to discharge of conditions in order to comply with the Town and Country Planning (Fees for Applications and Deemed Applications) (Amendment) (England) Regulations, which came into force from 06/04/2008. A fee of £85 per request (or £25 where the related permission was for extending or altering a dwellinghouse) will be required.

OFFICER REPORT FOR DECISION UNDER DELEGATED AUTHORITY

APPLICATION NO: P1360.04

WARD: Romford Town

Date Received: 26th July 2004

ADDRESS: Ground Floor
140 South Street
Romford

PROPOSAL: Variation of conditions to increase opening hours to allow 2am closing time Monday-Saturday and 12am on Sundays

DELEGATED REPORT

EXISTING USE: Recently approved and now occupied as an A3 take-away known as New Royal Fried Chicken and Ribs.

EXISTING ACCESS/PARKING: Site is located in Romford town centre, there are no designated parking spots. To the front of the site is the bus terminal.

SURROUNDINGS: Located in Romford Town Centre the surroundings are of course dominated by the shopping mall. In the immediate local area, this part of South Street serves the main bus terminal and is located nearby to the train station entrance and the crossroads of South Street and Victoria Road. The local neighbouring shops serve a variety of uses.

RELEVANT POLICIES:

ENV1 - All new developments have located satisfactorily and have a high standard of design.

APPX1 - Criteria for residential extensions.

ROM1 - Favour towards additional retail floorspace

RELEVANT HISTORY:

P1819.88 - 3 Storey Independent office suites for use as consumer offices/retail on ground floor with two floors of general offices - Approved

P0037.04 - Change of use from bank (A2) to take-away (A3) - Approved

FINISHING MATERIALS: Face Brick first, wood panel upper and tile roof. Traditional Glass Shop front to ground level.

DESCRIPTION OF PROPOSAL: The application proposes a variation in condition 3 which presently states:

"The premises shall not be open to the public other than between the hours of 0900 hours and 2400 hours on any day."

This application is therefore for variation of this condition to allow opening times to be until 2am Monday-Saturday and 12am Sunday.

HIGHWAY/PARKING ISSUES: Located at the North end of South Street this site is classed in the Romford Town Centre and faces onto the bus terminal. There is a cross road nearby giving access to large parking spaces to the rear of the site serving a larger supermarket. There are no official designated parking spaces allocated to this site. Being located in Romford Town Centre, the site is next to the main rail link station and behind the existing bus terminal giving more than adequate public transport links to this location. Variation in opening hours would pose no further parking impacts.

OFFICER REPORT FOR DECISION UNDER DELEGATED AUTHORITY

APPLICATION NO: P1360.04

ENVIRONMENTAL IMPACT: This area of South Street has no zoning or direct policy focused on this row of shops. Within this immediate row of shops are a variety of uses being Sui-Generis, Mini-Cab office, A1, A2 and A3 use.

Concerns were raised by the metropolitan police of the general increase of A3 related uses in the Romford town centre and as such the related crime that results from late night drinking and use of take-away shops. Although this is a general concern raised of the entire main centre it would enforce the need to limit the hours of opening to not promote late night use of this and thus not promote anti-social behaviour in the centre. The metropolitan Police would request this would not increase beyond 12am.

The previous application brought to light concerns of anti-social behaviour associated with late operating hours and as such was specifically conditioned to be limited until 12am.

The history of the take away use next door at number 138 South Street reveals that this was initially approved in 1995 as an A3 take away use and subsequently the conditioned hours of opening were limited to the hours between 9am to 11pm daily. This was later applied for and approved in 2001 to extend these hours of operation until 2am Mon-Sat and Sunday to 12am.

Given that this application requests hours of opening equal to that of the neighbouring take-away restaurant which was also approved recently it would pose no strong reason for refusal of this application. Further to this, Romford Town Centre although renowned for anti-social behaviour after nights out in Romford Town Centre, it should be of differing opinions that the bars and clubs staying open to these hours which effectively promote anti-social behaviour, it would be unreasonable to restrict the associated take-away stores who have survived solely on this business and blame the anti-social behaviour on them and as such would be recommended for approval.

REPRESENTATIONS RECEIVED:

EXTERNAL

There was one letter of objection received from Hilbery Chaplin Residential with concerns of these hours as this would lead to further vandalism and anti-social behaviour.

INTERNAL

Metropolitan Police - Recommends the hours remain the same.

Strategic Planning and Technical Services - No Comment.

Environmental Health - No Objection as this site is not applying for any hours out of the ordinary for this area.

CONCLUSION: It is found that although the original application highlighted the general concerns of promoting additional anti-social behaviour, it would be unreasonable to refuse this application to open to the designated hours given the nature of the business approved in this area of Romford especially given the neighbouring take away shop has the same hours.

Recommendation - Approved

Date passed to DC Manager: 7-September-04

RECOMMENDATION Grant Planning Permission subject to the following

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Page 2 of 3

OFFICER REPORT FOR DECISION UNDER DELEGATED AUTHORITY

APPLICATION NO: P1360.04

conditions:

1. The premises shall not be open to the public other than between the hours of 9a.m. to 2a.m. (the following morning) Mondays to Saturdays and 9a.m. to midnight on Sundays, bank holidays and public holidays.

Reason - In the interests of amenity.

1. **INFORMATIVE:**

This does not in any way alter the conditions imposed on the previous approval P0037.04 except condition 3 which this application relates to.

Reason for approval:

The proposed development is considered to be in accordance with the aims, objectives and provisions of Policy Policies ENV1 and ROM1 and Appendix 1 of the Havering Unitary Development Plan.

Signed

S. Tew

Date

20/9/04



Havering
LONDON BOROUGH

Public Protection

London Borough of Havering
Mercury House, Mercury Gardens
Romford RM1 3SL

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

Telephone: 01708 433585
Fax: 01708 432554
email: arthur.hunt@havering.gov.uk
Textphone ☎ : 01708 433175

Date: 12 June 2013

My Reference: AGH 12788

Dear Sir

Licensing Act 2003
Hot and Tasty Chicken, 140 South Street, Romford, RM1 1TE
Application to vary a premises licence

With regards to the above I can confirm that this Licensing Authority wishes to make representation against this application based upon our concerns in relation to the prevention of public nuisance and the prevention of crime and disorder licensing objectives. The premises have been the subject of **Crime and Disorder** matters there having been a failure to comply with conditions on the Premises Licence. If the premises are permitted to open for longer hours, they will have to deal with intoxicated customers for a longer period, thus the possibility of further crime and disorder is increased. **Public Safety** the premise has operated without Door Supervisors as required by their premises licence.

The application

This application seeks overall to extend the hours during which licensable activity, i.e. the provision of late night refreshment, may be provided at the premises. Effectively the restaurant wishes to be able to provide late night refreshment to its customers from 23:00 until 03:00 Monday to Wednesday, from 23:00 until 05:00 Thursday to Saturday and from 23:00 – 02:00 on Sunday.

Section M – additional steps to promote the licensing objectives

Currently the premise is required to provide door supervision on Friday and Saturday night after midnight. There is no mention of extending the use of door supervisors with the increased hours included in this application.

Public Protection Bringing together Environmental Health & Trading Standards

Other premises within the locality are required to have door supervision during all hours of licensable activity, thus making it 7 day a week cover for premises from 23:00 until closing.

The fact that the applicant has failed to identify such a step is necessary might indicate that he has failed to recognise the potential for more anti-social behaviour which may result from providing hot food late at night at this premises for longer hours. On Wednesday 5th June 2013 a fight broke out at the shop to which staff had to intervene, as no door supervisor was on duty. This event may have been prevented if a door supervisor had been on duty.

It is recognised that the authority of a door supervisor is limited to activities occurring within the premises rather than those outside on the public highway. Section M of the application does not seek to address the fact that the premise is situated within the busy Romford Hub but solely comments that "*patrons will be discouraged from congregating outside the premises*". Being within the hub area of Romford, effectively means that the area outside is a congregating point for people to travel home following their night in Romford. This will obviously affect any dispersal plan enacted by the premises.

Additionally, door supervisors have a cost implication with regard to their salary. History has shown us that similar take-away food premises in this borough with an attendant premises licence condition requiring a door supervisor have often felt it necessary to dispense with the services of their door supervisor when economic needs have identified that business savings need to be made. This leaves the premises licence in breach, an identified security risk unattended and the licensing objectives not fully promoted. This has occurred at this premise on 28th April 2013 and the 4th May 2013 when the police closed the premises using their powers under the Licensing Act.

Licensing policy 012 – hours

Havering's licensing policy 012 relates to the hours during which it is felt appropriate to provide licensable activity in given areas of the borough. Policy 012 is as follows:

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*

This policy indicates that an application for hours which extend beyond these guideline hours will be considered on its merits. We contend that the application as submitted should not be considered an exception to the guidelines of licensing policy 012. The Hot and Tasty Chicken premises licence is already currently in excess of the hours dictated by licensing policy 012 as it allows late night refreshment until 0200 Monday to Saturday.

Public Protection Bringing together Environmental Health & Trading Standards

In the immediate vicinity of this premises are a number of other similar restaurants, each of which might appear to be in competition to attract late night, 'post-club' customers. The Licensing Authority recognises the financial benefits of seeking to expand a customer base; however, extending the premises' operation further into the early hours of the morning has an implication which reaches beyond the boundary of the premises.

Competition for late night customers might appear to operate on a 'supply and demand' principle: the 'more' a premises may supply, the greater the demand for that supply. In other words, the longer a premises remains open to the public, the more members of the public will want to avail themselves of the services offered within. The result of such a situation is that competing businesses may feel compelled by this principle to extend their hours also. The outcome of such a scenario is 'hours-creep'.

Licensing policy 018 – Location, cumulative impact and saturation

The area in which this premises is located is subject to a special policy in relation to licensed premises via licensing policy 018. This policy is as follows:

It is the LLA's policy to refuse applications in Romford within the ring road 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 the regard to licensing policy 012

The special policy area was designated as such by Havering in response to its identification by the Police as an area in which resources to cope with late-night anti-social behaviour issues were limited.

This special policy area has been highlighted as one which requires greater attention than other areas of the borough in relation to licensed premises and the problems attendant to alcohol consumption. Our concern as the Licensing Authority is the potential for this vicinity to incrementally increase its average terminal hour. A potential result of this hours-creep would be the influx of greater numbers of individuals to the area seeking a late-night refreshments after an evening out.

Section 182 guidance to the Act – promoting the licensing objectives

Section 4(3) of the Act requires that a Licensing Authority, when carrying out its functions, has regard to its licensing policy as well as to the guidance issued under s.182 of the Act. This guidance also identifies certain expectations in relation to applicants.

Paragraphs 8.34 to 8.42 of the guidance to the Act address the steps required to promote the licensing objectives. A brief examination of these steps will demonstrate that the applicant has not fully addressed the promotion of the licensing objectives in line with the guidance, thus making it difficult for the Licensing Authority to support the application.

8.35 Applicants are, in particular, expected to obtain sufficient information to enable them to demonstrate, when setting out the steps they propose to take to promote the licensing objectives, that they understand:

Public Protection Bringing together Environmental Health & Trading Standards

- *the layout of the local area and physical environment including crime and disorder hotspots, proximity to residential premises and proximity to areas where children may congregate;*
- *any risk posed to the local area by the applicants' proposed licensable activities; and*
- *any local initiatives (for example, local crime reduction initiatives or voluntary schemes including local taxi-marshalling schemes, street pastors and other schemes) which may help to mitigate potential risks.*

As previously stated there is no evidence in section M that the applicant has sought to address the specific issues that come with being located in the Romford Hub.

8.36 Applicants are expected to include positive proposals in their application on how they will manage any potential risks. Where specific policies apply in the area (for example, a cumulative impact policy), applicants are also expected to demonstrate an understanding of how the policy impacts on their application; any measures they will take to mitigate the impact; and why they consider the application should be an exception to the policy.

As mentioned previously the Romford Town Centre is a special policy area addressed by Havering's licensing policy 018. The property is located in this special policy area and late night refreshment premises are required to promote the licensing objectives. As a Licensing Authority we might reasonably expect that the applicant acknowledges his role in relation to preventing public nuisance in this special area; however, there is no mention of *"why they consider the application should be an exception to the policy."*

Licensing policy 015 – premises' compliance history

Based upon Havering's licensing policy 015 an application such as this should also be considered in the light of the applicant's compliance history in relation to the provisions of the current licence. Licensing policy 015 states:

In considering applications for new licences or variations to existing licences and licence reviews following the receipt of relevant representations, the LLA will take the matters listed below into account. These criteria will apply in different ways to different types of premises and licensable activities in the following order:

- *the location of the premises and character of the area*
- *the views of responsible authorities*
- *the views of interested parties*
- *past compliance history of current management*
- *the proposed hours of operation*

Annex 2 condition 2 states, *Premises shall have a door supervisor on Friday and Saturday after midnight*

At 00:05 hours on 28th April 2013 a licensing visit was conducted on the premises. There was no door supervisor on duty. Mr Turkmani was spoken to and initially stated that he did not think that a door supervisor was required. On pointing out that it was a condition of his licence, he stated that he would get the door staff as required. Mr Turkmani was warned that he should not operate without the required door supervisors.

Public Protection Bringing together Environmental Health & Trading Standards

On the 4th May 2013 the Police carried out a visit and once again there was no door supervisor on duty. The Police were sufficiently concerned about the situation that they closed the premises under section 161 of the Licensing Act 2003. This decision was ratified by Redbridge Magistrates Court on the 7th May 2013.

On the 25th May 2013 at 02:03 – 02:20, Police observed the premises operating outside their licensable hours. They were visited by the officers and warned.

Based upon our concerns detailed above this Licensing Authority is not in a position to be able to support an application to extend licensable activity at the premises outside those provisions identified in Havering's licensing policy 012.

Yours faithfully



Arthur Hunt
Licensing Officer

