



Haverling

LONDON BOROUGH

LICENSING SUB-COMMITTEE ESSEX GRILL

AGENDA

10.30 am	Wednesday 2 October 2013	Council Chamber - Town Hall
-----------------	-------------------------------------	--

Members 3: Quorum 2

COUNCILLORS:

Peter Gardner (Chairman)
Pam Light
Frederick Thompson

For information about the meeting please contact:

**Richard Cursons - 01708432430
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)

Report attached.

5 REPORT OF THE LICENSING OFFICER (Pages 7 - 24)

Application for a variation of a premises licence for Essex Grill 177 St Mary's Lane Upminster Essex RM14 3BL.

**Andrew Beesley
Committee Administration Manager**



LICENSING SUB-COMMITTEE

2 October 2013

REPORT

Subject Heading:

Procedure for the Hearing:
Licensing Act 2003
Essex Grill
177 St Mary's Lane Upminster
RM14 3BL

Report Author and contact details:

Richard Cursons – Committee Officer
01708 432430
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. Chairman's Briefing meeting:

- 3.1 Prior to this hearing, the Sub-Committee Chairman will have met the Legal Advisor and/or Clerk to determine whether further clarification is required of any issues contained in the application or any representation.
- 3.2 During this preliminary meeting no decision will have been made or discussion held regarding the substantive merits of the application or representations.

4. Location and facilities:

- 4.1 All hearings will be heard at the Havering Town Hall unless otherwise directed.

- 4.2 Interpreters will be provided by the Council on request, provided notice is given at least five working days before the hearing.

5. Notification of attendance:

- 5.1 The Chairman will enquire of the parties who is in attendance and the parties will indicate their names (and, where relevant, whom they represent). A register will be circulated before the commencement of the hearing on which the applicant, his/her advisers and companions and all interested parties (and/or their representatives) will be asked to record their attendance.

6. Procedural matters:

- 6.1 Prior to the commencement of the hearing, the Chairman of the Sub-Committee will orally inform the parties whether their applications to have certain people attend the hearing (e.g. witnesses) have been granted or refused. Note this relates to people other than those attending on behalf of a party in the capacity as a representative of the party.
- 6.2 Prior to the commencement of the hearing the Chairman of the Sub-Committee will outline the procedure to be followed at the hearing. This will normally be as follows:

Introduction of the application:

The Licensing officer will outline:

- details of the application and relevant representations received from the parties;
- relevant legislation ;
- relevant Licensing Policy; and
- the time limit in which the Council must reach a determination.

Documentary evidence:

- Documentary or other information in support of applications, representations or notices should be provided to the Clerk of the Sub-Committee at least 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:
- Review of premises licences following closure orders where the Sub-committee must make a determination within 28 days of receiving notice of the closure order.

9. Sub-Committee's determination of the hearing:

- 9.1 At the conclusion of the hearing the Sub-Committee will deliberate in private accompanied by the Clerk and the Legal Advisor who will be available to assist the Sub-Committee with any legal problems but will not participate in any decision making of the Sub-Committee.

- 9.2 The Sub-Committee will normally make its determination and announce its decision at the end of the hearing.
- 9.3 Where all parties have notified the Sub-Committee that a hearing is not required the Sub-Committee must make its determination within 10 working days of being given notice that the hearing is not required.

10. Power to exclude people from hearing:

- 10.1 The public are entitled to attend the hearing as spectators. However, the Sub-Committee may exclude any person from the hearing including any person assisting or representing a party where:
- it considers that the public interest would be best served by excluding the public or the individual person from the hearing; or
 - that person is behaving in a disruptive manner. This may include a party who is seeking to be heard at the hearing. In the case where a party is to be excluded, the party may submit to the Sub-Committee in writing any information which they would have been entitled to give orally had they not been required to leave the hearing.

11. Recording of proceedings:

- 11.1 A written record of the hearing will be produced and kept for 6 years from the date of the determination of the hearing.

12. Power to vary procedure:

- 12.1 The Sub-committee may depart from following any of the procedures set out in this document if it considers the departure to be necessary in order to consider an application, notice or representation.



**LICENSING
SUB-COMMITTEE**

REPORT

2 October 2013

Subject heading:

**Essex Grill
177 St Mary's Lane Upminster
RM14 3BL
Premises licence variation
Paul Jones, Licensing Officer
5th floor Mercury House, x2692**

Report author and contact details:

This application to vary a premises licence is made by Mr Mehmet Gilgil under section 34 of the Licensing Act 2003 (*the Act*). The application was received by Havering's licensing authority on 13th August 2013.

Geographical description of the area and description of the building

Essex Grill is a take-away hot food shop located in a parade of shops close to Upminster town centre at the St Mary's Lane junction with Sunnyside Gardens. Upminster Station is a 400 metre walk from this point. The extended parade of properties in which this premises is located is commercial on the ground floor with residential flats above and behind. There are significant numbers of residential premises in the immediate vicinity of this outlet. The area would therefore constitute one of mixed use.

Details of the application

The current premises licence hours are:

Late night refreshment		
Day	Start	Finish
Monday to Sunday	23:00	01:00

Opening hours of the premises		
Day	Start	Finish
Monday to Sunday	14:00	01:00

Variation applied for:

Late night refreshment		
Day	Start	Finish
Sunday to Thursday	23:00	01:00
Friday & Saturday	23:00	02:00

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*

As the area in which this premises lies is a mixed use area the guideline policy for permitted hours is 00:30. Currently the premises licence permits licensable activity to be provided beyond this guideline hour.

Summary

There were three representations made against this application by interested persons, one of whom is a ward councillor.

There was one representation against this application made by a responsible authority.

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 persons' representations

Cllr Linda Van den Hende's representation against this application is based upon the prevention of public nuisance and the prevention of crime and disorder.

The other two representations submitted by interested persons are based upon the prevention of public nuisance licensing objective.

Responsible authorities' representations

Licensing Specialist Paul Campbell made representation against this application on behalf of Havering's Licensing Authority. The representation is based upon all four of the licensing objectives.

Paul Jones
Licensing Officer
London Borough of Havering



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.

~~MR~~ MR. MEHMET GILGIL
 [full name(s) of premises licence holder]

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

011000

Part 1 – Premises details

Postal address of premises or, if none ordnance survey map reference or description
 ESSEX GRILL
 177 ST MARRYS LANE

Post town UPMINISTER

Post code RM14 3BL

Telephone number at premises (if any)

01708 222 666

Non-domestic rateable value of premises

£ 8.200

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.

	Please tick ✓ yes
<u>Provision of regulated entertainment</u>	
a) plays (if ticking yes, fill in box A)	<input type="checkbox"/>
b) films (if ticking yes, fill in box B)	<input type="checkbox"/>
c) indoor sporting events (if ticking yes, fill in box C)	<input type="checkbox"/>
d) boxing or wrestling entertainment (if ticking yes, fill in box D)	<input type="checkbox"/>
e) live music (if ticking yes, fill in box E)	<input type="checkbox"/>
f) recorded music (if ticking yes, fill in box F)	<input type="checkbox"/>
g) performances of dance (if ticking yes, fill in box G)	<input type="checkbox"/>
h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)	<input type="checkbox"/>
<u>Provision of late night refreshment</u> (if ticking yes, fill in box L)	<input checked="" type="checkbox"/>
<u>Sale by retail of alcohol</u> (if ticking yes, fill in box M)	<input type="checkbox"/>

In all cases complete boxes K, L and M

C

Indoor sporting events Standard days and timings (please read Guidance Note 7)			Please give further details here (please read Guidance Note 4)
Day	Start	Finish	
Mon			State any seasonal variations for indoor sporting events (please read Guidance Note 5)
Tue			
Wed			
Thur			
Fri			
Sat			
Sun			
			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read Guidance Note 6)

D

Boxing or wrestling entertainment Standard days and timings (please read Guidance Note 7)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick [✓] (please read Guidance Note 3).	Indoors	
Day	Start	Finish		Outdoors	
Mon			Both		Please give further details here (please read Guidance Note 4)
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					
			State any seasonal variations for boxing or wrestling entertainment (please read Guidance Note 5)		
			Non standard timings. Where you intend to use the premises for boxing and wrestling entertainment at different times to those listed in the column on the left, please list (please read Guidance Note 6)		

G

Performance of dance Standard days and timings (please read Guidance Note 7)			Will the performance of dance take place indoors or outdoors or both – please tick [✓] (please read Guidance Note 3).	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read Guidance Note 4)	Both	
Tue					
Wed					
Thur			State any seasonal variations for performing of dance (please read Guidance Note 5)		
Fri					
Sat			Non standard timings. Where you intend to use the premises for the performance of dance entertainment at different times to those listed in the column on the left, please list (please read Guidance Note 6)		
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read Guidance Note 7)			<u>Please give a description of the type of the entertainment you will be providing</u>		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both please tick [✓] (please read Guidance Note 3).	Indoors	
Mon			Please give further details here (please read Guidance Note 4)	Outdoors	
Tue				Both	
Wed					
Thur			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read Guidance Note 5)		
Fri					
Sat			Non standard timings. Where you intend to use the premises for the entertainment of similar description to that falling within (e),(f) or (g) at different times to those listed in the column on the left, please list (please read Guidance Note 6)		
Sun					

K

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 9)

L

Hours premises are open to the public Standard days and timings (please read Guidance Note 7)			State any seasonal variation (please read Guidance Note 5))
Day	Start	Finish	
Mon	15:00	01:00	
Tue	15:00	01:00	
Wed	15:00	01:00	<u>Non standard timings. Where you intend to use the premises to open to the public at different times from those listed in the column on the left, please list (please read Guidance Note 6)</u> Every sundays before a bank holiday 15:00 - 02:00.
Thur	15:00	01:00	
Fri	15:00	02:00	
Sat	15:00	02:00	
Sun	15:00	01:00	

M

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

a) General – all four licensing objectives (b,c,d,e) (please read Guidance Note 10)

All the conditions agreed with the police and licensing authority stay as it is on the licence, as I the licensee as a manager at the shop will ensure that sufficient staff on duty at the premises for the purpose of fulfilling the terms and conditions of the licence and for preventing crime and disorder. Always ensure that all staff will undertake training and record will be kept.

b) The prevention of crime and disorder

Any incidents of a criminal nature that may occur on the premises will be reported to the police. CCTV will be in operation as it been agreed. Lasts orders will be taking 15 minutes before closing times to make sure they been served in licensed hours. If any people stay outside shop after closed, will be kindly ask to leave.

c) Public safety

Fire safety procedures are in the place including fire extinguishers, blankets and fans. All exits will be kept clear all the times.

d) The prevention of public nuisance

Notices will be displayed at shop for customers to be quiet and leave quietly. If any customers become noisances, they will be remind that children there nearby and tell them not to be loud, not to play music in their car loudly or make cars engine run while they wait. Always will be reminded to have regard to our neighbours.

e) The protection of children from harm

Children under age of 16 will be required to be accompanied by a responsible adult or will be refused to be served or they can order home delivery to their home. A register of refused sales will be kept on the premises.



Premises licence number

011000

Part 1 - Premises details

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

**Essex Grill
177 St Mary's Lane, Upminster, RM14 3BL**

Where the licence is time limited the dates

N/A

Licensable activities authorised by the licence

Late Night Refreshment

The times the licence authorises the carrying out of licensable activities

Monday to Sunday – 23.00 to 01.00

The opening hours of the premises

Monday to Sunday – 14.00 to 01.00

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

N/A

Part 2

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

**Mr Mehmet Gilgil
The Essex Grill, 177 St Marys Lane, Upminster RM14 3BL
07783953826 – mehmet10uk@yahoo.co.uk**

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

N/A

CD17 The installation or upgrading of any CCTV system shall comply with current best practice. In addition the documentation listed below shall be included in a 'System File' which should be readily available for inspection by the relevant authority;

- Site plan showing position of cameras and their field of view.
- Code of Practice.
- Performance specification e.g. storage capacity, image file size, IPS for each camera and purpose of each camera position
- Operational requirement.
- Incident log.
- Maintenance records including weekly visual checks.

CD18 To obtain a clear head and shoulders image of every person entering the premises on the CCTV system, persons entering the premises should be asked to remove headwear, unless worn as part of religious observance.

CD19 The CCTV system shall incorporate a recording facility and all recordings shall be securely stored for a minimum of one calendar month. A system shall be in place to maintain the quality of the recorded image and a complete audit trail maintained. The system will comply with other essential legislation, and all signs as required will be clearly displayed. The system will be maintained and fully operational throughout the hours that the premises are open for any licensable activity.

CD20 The positions of all CCTV cameras shall be clearly shown on a set of plans which should form part of the 'System File'. Any alteration to the system should only be carried out after consultation with and written approval of Havering Police and the Licensing Authority.

CD21 A staff member from the premises who can operate the CCTV system shall be on the premises at all times when the premises is open to the public. This staff member shall be able to show Police recent data or footage with the absolute minimum of delay when requested.

The CCTV system shall be installed and checked by the crime prevention officer or a nominated officer from the Metropolitan Police before the premises licence is granted and open to the public.

All bottles sold from the premises will be made of plastic, no glass bottles or containers will be sold from the premises.

No alcohol shall be sold or consumed on the premises during the permitted hours on the licence.

No person carrying any form of alcoholic drink open in any container will be admitted into the premises.

CDGPG6 Prominent, clear notices shall be displayed at every public entrance stating the actual operating hours of the premises.

3 of 4



Part B

Premises licence summary

Premises licence number

011000

Premises details

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

Essex Grill
177 St Mary's Lane, Upminster, RM14 3BL

Where the licence is time limited the dates

N/A

Licensable activities authorised by the licence

Late Night Refreshment

The times the licence authorises the carrying out of licensable activities

Monday to Sunday – 23.00 to 01.00

The opening hours of the premises

Monday to Sunday – 14.00 to 01.00

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 Mehmet Gilgil
The Essex Grill, 177 St Marys Lane, Upminster RM14 3BL

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

N/A

Yellow Classified

www.yellowadvertiser-today.co.uk

Selling something?

BARGAIN ADS UNDER £100

Call 0905 624 0595

Calls cost £1.02 per minute from a BT Landline. Other networks may vary. Calls from a mobile could be considerably higher. See www.bbc.com/news/technology for more details. If you do not want to receive details on any other products or services, please tick the relevant box at the end of your message. Some advertisements will appear in the next available edition. We do not accept bargain ads under £100 by fax, post or in person.

BARGAIN ADS OVER £100

Call 01268 503 400

Minimum charge £9.00 • 9.00am-5.00pm

Business Advertising

By phone

Recruitment: **01268 503 420**
Classified: **01268 503 430**
Monday-Thursday 9.00-5.30
Fri day 9.00-5.00
Calls may be monitored

By post

Yellow Advertiser
Acorn House
Great Oaks, Basildon,
Essex SS14 1AH

By fax

01268 503 418
01268 503 419
01268 503 455

In person

Pop into our town centre office
Monday-Thursday 9.00-5.30
Friday 9.00-5.00
Acorn House, Great Oaks
Basildon

Display Recruitment

MACHINE OPERATORS
Required for **CNC turning, milling & grinding machines.**
Must have some engineering experience.
Rates per hour negotiable, depending on experience.
Call **01277 810111**

Drivers/Distribution

7.5 Tonne Driver Required
Permanent Position
Monday-Friday
Call for details
01708 864028

Pets & Livestock

ROMFORD GREYHOUND OWNERS' ASSOCIATION
GREYHOUNDS HOMES URGENTLY NEEDED
These graceful animals make excellent pets and are very good with people at home, especially children and quickly return the affection and love given to them. Excessive exercise is not required. Interested? - Telephone Kennels
01708 640895
Julie
07881 288 926
www.rgoa.co.uk

Domestic Service

Domestic & Commercial Refrigeration
Repairs • Services • Spares
All makes including Frost Free.
0800 7838413
07958 670376

Building

PEBBLEDASHING & RENDERING
1st Class Tradesman
10yr Guarantee
Free Estimates
07956 576 157
01708 750 345

People who look in this paper are ready to buy. **ADVERTISE TO THEM!**

Fencing

Scenery Fencing Manufacturers
Lowest Prices in Essex
For supply only or supply & erect
Top quality materials.
Free estimates
01708 370508
01708 377316

Public Notices

NOTICE OF APPLICATION TO VARY A PREMISES LICENCE UNDER SECTION 34 OF THE LICENSING ACT 2003
I Mr MEHMET GILGIL of ESSEX GRILL, 177 ST MARYS LANE UPMINSTER, Essex RM14 3BL.
The proposed variation is: CHANGE THE OPENING HOURS FRIDAY & SATURDAY: 01:00 TILL 02:00 ALL SUNDAYS BEFORE A BANK HOLIDAY 01:00 TILL 02:00
Any representations by an interested party or responsible authority regarding this application can be made to: Licensing Team, Housing & Public Protection, London Borough of Havering, Mercury House, Mercury Gardens, Romford, RM1 3SL.
Website: www.havering.gov.uk
Such representation must be received in writing by 10/09/2013, clearing stating the grounds upon which the Representation is made in relation to the four objectives of the Licensing Act 2003. It is an offence to knowingly or recklessly make a false statement in connection with an application. The maximum fine for which a person is liable on summary conviction for the offence is £5,000.

Artexing & Plastering

AJT Plastering
Specialist in
• Plastering over artex • Re-skimming
• Goving • Outdoor rendering
Clean, reliable and local service
Call Adam on
01268 765 431 • 07894 905 411

Building Repairs/Alterations

LOFT CONVERSIONS INCLUDES
★ Roof window ★ Staircase ★ Suspended floor
Fully insulated, electric, heating
Phone **020 8529 1834**
www.cosyloft.com

Gardening (Home Serv)

AVELON PAVING
• Turfing
• Fencing
• Driveways
• Patios
• Ponds • Walls
• Paths
• Decking
FREE ESTIMATES
01708 701 337
07946 619 438

Articles Wanted

FOOTBALL PROGRAMMES WANTED
Local collector seeks especially pre-1970 items, Finals, European, England, Spurs, Arsenal, West Ham, Chelsea etc and whole collections.
01245 358 660

Bargain Buys

RECORDS BOUGHT Rock, Psych, Funk, Metal, Soul, Jazz, Funk, Disco, Rap, Dance, '90's Pop, Reggae, Ska, R&B, Soul, etc. BEST PRICES PAID £ Tel. 07788 209990
KING CHARLES CAVALIER SPANIEL Statue 12ins high, new, £10. ASSORTED LIGHT FITTINGS, under £25. ELECTRIC SEWING MACHINE, VGC, £15. Tel. 01277 221549
DESKTOP COMPUTER Dell Dimension 3100, £90. DELL ALL IN ONE PHOTO PRINTER, 924, £35. OFFICE/COMPUTER CHAIR, £35. Tel. 01375 408375
MAN, MYTHS & MAGIC 7 volumes, £10. 8 CUPS & SAUCERS, willow pattern, £8. BOX OF NEW CD/DVD CASES, £6. Tel. 01268 778231
VICTORIAN DINING TABLE and 4 chairs, round with veneered top, castors, upholstered with button backs, £99. Tel. 01702 202822
DOUBLE 4 DRAWER DIVAN Silentnight with memory foam mattress, VGC, £40. Tel. 01375 374469
LADIES SIZE 10 MIXED ITEMS 11 pieces, VGC, some new, £25. Tel. 07500 171161
OLD GENTS RACING BIKE good working order, £20. Tel. 07951517767

Bargain Buys

ELECTRIC SEWING MACHINE GC, £15. BLOW UP MATTRESS WITH PUMP, new, £10. ASSORTED LIGHT FITTINGS, all under £50. KING CHARLES CAVALIER SPANIEL STATUE, 10ins high, new, black/white, unwanted gift £10. ASSORTMENT OF LADIES CLOTHES, shoes, handbags, VGC, some new. Tel. 01277 221 549
FLORAL PRINT BY PAUL THEODORE VAN RUSSELL original frame 24 5/8 x 32ins, £25. PAINTING BY B. OLFIELD OF TREES AND LAKE, gold frame, 39 x 27ins, £40. COLLAGE 18 PICTURE POCKETS, gold frame, £8. Tel. 0208 5211765

DS Plastering & Rendering

All plastering undertaken, Skimming, Wall Re-skims, Ceilings, Plaster Boarding, Arter Removal & Re-skin, Patch up and Repairs. Tidy and reliable.
No job too small!!!
Call for FREE quote, or advice!!!!
Danny 07717 840 225 / 01708 700 501
www.dsplasteringrendering.com

To advertise your range of conservatories call

Yellow Advertiser
01268 503400

Building

PROFESSIONAL PLASTERING & RENDERING
Re-skimming, Ceilings & Walls, Plaster Boarding, Coving, Pebbledashing, Waterproof, Rendering Qualified, Clean & Reliable, Affordable Rates
Free Estimates
Call Chris
01708 745 935
07956 983 343
www.trowellfx.co.uk

MASTER BRICKWORK

Extension, walling and patio specialist.
Brick-built BBQ & Pizza Ovens, Quality Assured!
01708 735 695
07948 217 747
www.masterbrickwork.co.uk

Carpet & Upholstery Cleaning

SPARKLES CARPET AND UPHOLSTERY CLEANING
Domestic and commercial steam cleaning - ovens, patios, driveways, hardfloors & conservatories.
If you are not delighted IT'S FREE!
Fully insured
100% guarantee
0800 0407 249
07910 671 320

CRYSTAL DRIVEWAYS & PATIOS

THE DRIVEWAY SPECIALISTS
• Block Paving
• Indian Stone
• Slabbing
• Crazy Paving
• Ornamental Brickwork
• Fencing & Turfing
• Large Portfolio
Free Estimates - 5 Year Guarantee
01708 735 618
07710 086 020

Musical

THE PIANO MAN, 20/30 reconconditioned pianos, Tuning, Removals, Rental scheme. We collect unwanted pianos. 01268 541001, 01708 343455

Pets & Livestock

WANTED GOOD HOMES FOR RETIRED GREYHOUNDS
Ring Pat on **01708 551 689**
Email: Pat@greyhoundhome.co.uk
Web: www.greyhoundhome.co.uk
(Charity 260668)

NEW GARAGE ROOFS GUARANTEED 20 YEARS

PRICES INC. ASBESTOS REMOVED AND REPLACED WITH 18mm. PLY TIMBER FRAME, UNDERLAY & TOP SHEET, NO NEED TO EMPTY GARAGE ★ 30 YEARS CITY & GUILDS
FOR FREE ESTIMATES CALL LES ON
01268 418 579 / 07931 621 219
UP TO 18m² **£760.00 INC VAT** SINGLE GARAGE SIZE

Carpantry

ALL CARPENTRY
www.allcarpentry.co.uk
Staircases, Laminated Flooring, Skirting, Dado Rails, Kitchens, Wardrobes, Doors fitted from £25
Guild Qualified
30 years Experience
Call Steven
01708 525682
Mob 07950 384595

Electrical Services

APPROVED LOCAL ELECTRICIAN
NO CALL OUT CHARGE!
NICE IC APPROVED
SMALL JOBS WELCOME
FREEPHONE
0800 012 2228
www.240volts.co.uk
FULLY QUALIFIED ELECTRICIAN, wires extra sockets and lights etc. One man business established for 12 years. Please phone Colin 01708 475483
IMMERSIONS HEATERS SOCKETS, LIGHTS, COOKERS INSTALLED, FAULT FINDING, SMALL JOBS 02085515595

CROWN LANDSCAPE GARDENERS

BACK GARDEN SPECIALIST
Patios, Driveways, Decking, Pergolas, Walls, Fencing, Turfing
All work guaranteed.
Large portfolio, Free Estimates.
Tel: **01708 739639**
Mob: **07876 152744**
www.crown-landscapes.co.uk
GARDEN MAINTENANCE 1/2 day £20, Full day £40 07963 560345

BUSINESS NEED A BOOST? - WAKE UP!
It's time to ring the YELLOW ADVERTISER

01268 503400
TODAY!

From: linda van den hende [lindavandenhende@btinternet.com]
Sent: 28 August 2013 17:49
To: Paul Campbell
Subject: License application for Essex Grill, Upminster 13006

Hi Paul

I wish to object to this licensing application on the grounds of Public Nuisance and the Prevention of Crime and Disorder.

Firstly I am surprised to see this application given that a very similar one was rejected on 29 July 2013. Whilst I accept that each application has to be treated individually, this application is different only in a reduction of 30 minutes to the previously applied for operating times. However I have set out below my objections to this application.

Public Nuisance

The times sought, on Friday and Saturday is to 2am the following day with application for non-standard timings to 2am on Sunday/mondays where Monday is a Bank holiday. The Councils Licensing policy indicates that in areas of mixed use, licensed activities should be limited to 12.30am. This is a mixed use area with residential properties above and adjacent to the parade of premises where the Essex Grill is situated. The current license is to 1am which already exceeds this policy. Any further extension to the times would increase the noise and disturbance and therefore nuisance to local residents. The applicant indicates that in addition to customers coming into the premise, some using their cars given there is no public transport at the current licensed time, some of his business is a free local delivery service. This increases the likelihood of vehicles opening and closing doors late at night adding to the disturbance. There is a back entrance to the premises, but this is seven premises down the parade and although it may be claimed this is used, the surface is loose stones and could add to noise. It would also add further disturbance to the residential premises above the row of premises. It is therefore highly likely that the road outside would be used which would be a disturbance. It is a busy road with a lot of through traffic. I have had complaints of noise and rubbish from the premises. There have been occasions where the applicant has operated outside the license times.

Whilst Upminster has a number of restaurants and take-aways these all finish trading at 1am at the latest. Any increase to licensing hours would encourage people to stay in the Town Centre after other premises close. In addition any increase to one outlet would inevitably lead to applications for others.

Prevention of crime and disorder

If the license application is granted there is a strong likelihood that this premise would become a destination for people to congregate following the closure of pubs/bars in Upminster and beyond. Some may be fueled by alcohol and therefore an increased chance of disturbance and possibly crime. Whilst the licensee themselves may seek to ensure inside the premises is controlled, they would have no control over what happens outside. This is a risk that needs considering.

I urge the sub-committee to reject this application.

Cllr Linda Van den Hende
Upminster ward

Paul
Please confirm this is a valid objection.
Many thanks
Linda



22nd August 2013

Mr & Mrs S Finnis
2 Sunnyside Gardens
Upminster
Essex RM14 3DS

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

Attention of Mr P Campbell
Your ref: PPC/13006

Dear Mr Campbell

Re: Premises Licence Variation Application, Essex Grill, 177 St Mary's Lane, Upminster

We have received your notice dated 16 August 2013 concerning the application to vary the premises licence for the Essex Grill, 177 St Mary's Lane, Upminster RM14 3BL.

The extension of the opening hour to 0200 hours Friday & Saturday and 0200 hours on the Sunday before a Bank Holiday formed part of the previous application which was rejected by the council on the 29th July 2013. Whilst this application is not the same, the hours of opening over the weekend are and for that reason, as the owners of a nearby property we would like to object to the variation of opening hours on the grounds of prevention of crime and disorder, plus the prevention of public nuisance.

The conditions attached to the original planning consent required the premises to close at 2300hrs Monday to Saturday and 2200hrs on Sunday, which has now been increased to 0100 hours seven days a week. This area of the London Borough of Havering is designated as a mixed use area and as such falls under the LBH Statement of Licensing Policy which should only allow opening to 00.30 hours. This business is already allowed to stay open later than the policy states and to remain open longer would encourage people who may not have spent the evening in Upminster, coming into this residential area causing a public nuisance and the possibility of crime and disorder. We understand that there are only two venues in Upminster that are open to 1am which is a much earlier closing time than the application seeks.

During the operation of the recent events licence which allowed the Essex Grill to remain open to 2am, there was a significant increase in the disturbance late at night and to the early hours through noise, which is due to groups of late night revellers congregating on the public footpath outside the premises and on the forecourt of the Shell Garage opposite.

It was evident that during the event licence operation the premises stayed open later than the agreed 2am closing time.

In the 19 years living in our property we have seen an increase in noise, litter and general public nuisance from the addition of this and other take away food outlets. We are often awoken by the shouting and raised voices of those frequenting the Essex Grill.

We have witnessed those using this outlet, also using the nearby Shell Garage as a late night urinal.



Havering
LONDON BOROUGH

Public Protection

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

Havering Licensing Authority
Mercury House
Mercury Gardens
Romford
RM1 3SL

Telephone: 01708 432766
Fax: 01708 432554
email: paul.campbell@havering.gov.uk
Textphone ♯: 01708 433175

Date: 28 August 2013

Your Reference:
My Reference: PPC//SR 013006

Essex Grill, 177 St Mary's Lane, Upminster, RM14 3BL

As a responsible authority within the definitions of the Licensing Act 2003 the Licensing Authority makes a representation against the application to vary the premises licence at the above venue.

My objection is based on the four licensing objectives, The Prevention of Crime and Disorder, Public Safety, The Prevention of Public Nuisance and the Protection of Children from Harm.

The Essex Grill currently has a premises licence which permits the sale of Late Night Refreshment Monday to Sunday 23.00hrs to 01.00hrs.

A previous application was made by Mr Gilgil on 11th June 2013. The Licensing Authority and others made representations against that application and it was put in front of the Licensing Sub-Committee on 29th July 2013. In the previous application Mr Gilgil applied for a finish time of 01.30hrs Sunday through to Thursday and 02.30hrs Friday and Saturday. That application was refused by the Sub-Committee. Apart from the time being reduced by 30 minutes I have found very little difference between the previous application and this one on the major issues for me to alter my views.

I fully understand that each application must be dealt with on its own merits and for that reason I have not included the previous application or decision notice in my representation but these documents are available if the Sub-Committee wishes to view them.

The following incidents are less than four months old so I consider them relevant to this application.

Following information received from a local resident, I found that the premises were open on Sunday 28th April 2013 (Saturday night into Sunday Morning) at 01.15hrs serving hot food to customers.

Public Protection Bringing together Environmental Health & Trading Standards

The London Borough Of Havering Statement of Licensing Policy states that regulated activities will normally be permitted until
23.00hrs in residential areas
00.30hrs in mixed use areas
No limits in leisure areas
And that applications for hours outside these hours will be considered on their own merits.

This area of the London Borough Of Havering is clearly a mixed use area with residential properties nearby and the premise are already licensed to an hour beyond the hours normally permitted.

I can not see anything in this application that makes it exceptional as to merit longer hours that are further outside of the Statement of Licensing Policy especially with its close proximity of residential properties.

This application is to promote the business and will not enhance the wider local community with a very strong possibility that if granted will have a detrimental effect of people living nearby.

I respectfully ask that the Licensing Sub-Committee consider my representation and in line with the London Borough Of Havering Statement of Licensing Policy reject this application.

Yours faithfully



Paul Campbell
Licensing Specialist for the London Borough Of Havering



Havering
LONDON BOROUGH

Mr Mehmet Gilgil
Essex Grill
177 St Mary's Lane
Upminster
RM14 3BL

Public Protection

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

Telephone: 01708 432766
Fax: 01708 432554
email: paul.campbell@havering.gov.uk
Textphone 9: 01708 433175

Your Reference:
My Reference: PPC/Ins Visits029850

Date: 29 April 2013

Dear Sir/Madam

Licensing Act 2003
Premises Licence No. 11000

Formal Warning

Essex Grill, 177 St Mary's Lane, Upminster, RM14 3BL

The following issue(s) has/have been discussed with you and I have determined that the appropriate course of action is to issue a formal warning. The issue(s) we discussed were as follows:

- On Sunday 28th April 2013 at 01.15hrs the premises were open and serving hot food. The premises licence under the Licensing Act 2003 permits Late Night Refreshment until 01.00hrs only

By serving Late Night Refreshment without there being a licence or other authorisation in place an offence is committed under section 136 of the Licensing Act 2003 the maximum penalty on conviction for this offence is £20,000 fine and/or 6 months imprisonment.

Any repetition of the matters listed above is likely to result in further action, whose ultimate outcome may be for the London Borough of Havering to seek a prosecution against you.

If you require further clarification please do not hesitate to contact me.

Yours faithfully

Paul Campbell

lapr19.doc
Ins Visits029850/PPC04074



Essex Grill


N
↑





Scale: 1:1250
 Date: 11 September 2013
 Size: A4

0 5 10 15 metres


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

© Crown copyright and database rights 2013
 Ordnance Survey 100024327