



Haverling

L O N D O N B O R O U G H

LICENSING SUB-COMMITTEE RELISH, 168 HIGH STREET, HORNCHURCH

AGENDA

10.30 am	Thursday 28 August 2014	Council Chamber - Town Hall
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Members 3: Quorum 2

COUNCILLORS:

Linda Van den Hende (Chairman)
Robert Benham
Viddy Persaud

**For information about the meeting please contact:
Taiwo Adeoye - 01708 433079
taiwo.adeoye@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 under the Licensing Act 2003.

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

Application for a premises licence at Relish, Unit 4, 168 High Street, Hornchurch RM12 6QU – Report attached

**Andrew Beesley
Committee Administration Manager**

LICENSING SUB-COMMITTEE

REPORT

28 August 2014

Subject Heading:

Procedure for the Hearing: Licensing Act 2003

Report Author and contact details:

Taiwo Adeoye (01708) 433079
e-mail: taiwo.adeoye@havering.gov.uk

Members are advised that, when considering application for a premises licence, the following options are available to them by virtue of the Licensing Act 2003, Part 3, section 35, paragraphs 3 and 4:

"Where relevant representations are made, the authority must

- (a) hold a hearing to consider them, unless the authority, the applicant and each person who has made such representations agree that a hearing is unnecessary, and
- (b) having regard to the representations, take such steps as it considers necessary for the promotion of the licensing objectives.

The steps are:

- a) modify the conditions of the licence
- b) reject the whole or part of the application

and for this purpose, the conditions of the licence are modified if any of them is altered or omitted or any new condition is added."

The Sub-Committee will also wish to note that, if none of these steps is required, the application must be granted.

Assuming that the Sub-Committee is satisfied that a hearing is required, then the following procedural steps are recommended. The Licensing Act 2003 (Hearings) Regulations 2005 will govern the arrangements for the hearing of the application now under consideration. This report accords with the requirements of that Act and the Regulations, and in particular Regulations 21-25 (procedure at the hearing).

1. Membership of the Sub-Committee:

- 1.1 The Sub-Committee comprises three members of the Licensing Committee, with a quorum of two members. **Unless there are objections, in the absence of three members, the hearing shall proceed with the quorum of two.**
- 1.2 A members of the Licensing Committee will be excluded from hearing an application where he or she:
 - 1.2.1 has considered an application in respect of the premises in the previous 12 months as a Member of the Regulatory Services Committee; or
 - 1.2.2 is a Ward Councillor for the Ward in which the premises, subject to the application, are located; or
 - 1.2.3 is a Ward Councillor for a Ward which is likely to be affected by the application or;
 - 1.2.4 has a personal interest in the application.

2. Roles of other participants:

- 2.1 The Legal Advisor is not a party to the hearing. The role of the Legal Advisor is to provide legal advice relating to the application and submissions.
- 2.2 The Clerk is not a party to the hearing. The role of the Clerk is to record the hearing and the decisions of the Sub-Committee, and ensure efficient administration

3. 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 7 clear working days before the hearing. If this information is produced at the hearing it will only be taken into account by the Sub-Committee if the Sub-Committee and all the parties consent to its submission. Permission to have this information included in the hearing should be requested at the beginning of the hearing before any oral submissions have been made.
- Statements made by people in support of a party's representation who are not present at the hearing, must be signed by the maker, dated and witnessed by another person. The statement must also contain the witness's full name and occupation.

Representations:

- The chairman will invite each of the parties at the hearing or their representative sequentially to address the Sub-Committee and call any person/s to whom permission has been granted to appear. Each party will be allowed a maximum period of 10 minutes in which to address the Sub-Committee and call persons on his/her behalf.
- This 10 minute period is where each party has the opportunity to orally address the Sub-Committee and clarify any points in which the Sub-Committee has sought clarification prior to the hearing. This 10 minute period should be uninterrupted unless a member of the Sub-Committee or Legal Advisor considers that the speaker is making submissions that are irrelevant, frivolous or vexatious.
- Members of the Sub-Committee may ask questions of any party, at any time during the proceedings. Time taken in dealing with a Member's question will not be taken into account in determining the length of time available to the party in question to make their representation.

The sequence in which each of the parties will be invited to address the Sub-Committee will normally be in the order of:

- the Chief Officer of Police;
- the Fire Authority;
- the Health and Safety at Work Enforcing Authority;
- the Local Planning Authority;
- the Local environmental Health Authority;
- the Local Weights and Measures Authority;
- the Authority Responsible for the Protection of Children from Harm;
- a navigation or other authority responsible for waterways; and
- any other party that has submitted representations in respect of the application, certificate, notice or other matter appearing before the Sub-Committee;
- the party that has submitted the application, certificate, notice or other matter appearing before the Sub-Committee.

At the discretion of the Sub-Committee the above order may be varied.

Cross-Examination:

Where witnesses have been permitted by the Sub-Committee to speak at the hearing on behalf of a party, permission must be sought from the Sub-Committee before another party can ask the witness questions. This process of questioning is normally referred to as cross-examination. The Sub-Committee will allow cross-examination only where it is necessary to assist it in considering the representations or application.

Relevance:

Information submitted at the hearing must be relevant to the applications, representations, or notice and the promotion of the licensing objectives. The Chairman of the Sub-Committee is entitled to exclude any information it considers to be irrelevant whether presented in written or oral form. The licensing objectives are:

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

7. Failure of parties to attend the hearing:

- 7.1 If a party, who has not given prior notice of his/her intention not to attend the hearing, is absent from the hearing the Sub-Committee may either adjourn the hearing or hold the hearing in the party's absence. Where the hearing is held in the absence of a party, the Sub-Committee will still consider the application, representation or notice submitted by that party.

8. Adjournments and extension of time:

- 8.1 The Sub-Committee may adjourn a hearing to a specified date or extend a notice period except where it must make a determination within certain time limits in the following specific applications:
- 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

28 August 2014

Subject Heading:

Application for a premises licence at
Relish, Unit 4, 168 High Street,
Hornchurch RM12 6QU

Report Author and contact details:

Arthur Hunt – Licensing Officer
01708 432777
licensing@havering.gov.uk

This application for a premises licence is made by Tasty PLC under section 17 of the Licensing Act 2003. The application was received by Havering's Licensing Authority on 10 July 2014.

Geographical description of the area and description of the building

The premise is a ground floor unit, although the application states that it is a "Restaurant on the first floor". It is situated at the rear of Wildwood Restaurant, which is situated on the central island in Hornchurch High Street. It was previously an ice cream parlour.

As stated above the premise is situated on Hornchurch High Street at the junction with Station Lane, Hornchurch. It is surrounded by mainly commercial units, with some residential accommodation above retail units.

The area is fully serviced by a variety of public transport options including several bus routes, private hire and licensed taxis; with Hornchurch underground station a short walk away.

It is situated within the ward of St Andrews which is covered by Havering's Licensing Policy 017 :-

It is the LLA's policy to refuse applications in the St Andrews ward area for pubs and bars; late night refreshment premises offering hot food and drink to take away; off licences; and premises offering facilities for music and dancing other than applications to vary hours with regard to Licensing policy 012.

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

Details of the application

The application intends to act as a “*Restaurant and Takeaway*” premises and seeks to supply alcohol to those customers taking a meal in the premises.

Supply of Alcohol, Opening Hours		
Day	Start	Finish
Monday - Sunday	12:00hrs	23:00hrs

Seasonal variations / Non-standard timings

No seasonal variations or non-standard timings were requested.

Comments and observations on the application

With regards to the applicants responsibilities under the premises licence regulations 25 and 26 relating to the advertising of the application. On initial examination of the notice on the premises on the 22 July 2014 the following defects were found:-.

SI 2005/42

Regulation 25(a)(i)(bb)

The notice was on white paper rather than the required pale blue

Regulation 26(4)(c)

The website address of this licensing authority was not provided on the notice

Regulation 26(4)(d)

The wrong consultation period terminal date, i.e. 11th August 2014, as provided on the notice. This date suggests that representations may be made to the licensing authority until 11th August whereas any representations received after 7th August will be too late for consideration. The date provided is therefore misleading.

The applicant’s solicitor was contacted by E Mail to highlight these errors/omissions on the 22 July.

A further inspection was carried out of the notice on the premises on the 24 July and it was found that the notice had been placed on the required blue paper but that the content remained the same.

It is also noted that the summary of the application contained in the notice stated, “*To permit the sale of alcohol until 23:00 Monday to Sunday*”. This is a vague statement and does not assist the public with the actual licensed hours being applied for as there is no start time.

The application was advertised in the Romford recorder on 25 July 2014. It is noted once again that the vague “*To permit the sale of alcohol until 23:00 Monday to Sunday*” was included in the advert.

Attempts were made with the applicant by both the Police and Licensing Authority to mediate with regards to the operating schedule of the application. As a result a number of additional conditions were agreed. These are attached below.

Summary

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

There was one representation against this application from 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

Responsible Authorities' representations

Mr Jones makes a representation on behalf of Havering's Licensing Authority. His representation is based on concerns over the applicant's application and its promotion of all four licensing objectives. He also makes comment on the application in line with Havering's Licensing policy.

There were no representations from the other responsible authorities:

- The Metropolitan Police
- Public Health
- The London Fire and Emergency Planning Authority
- The Health & Safety Enforcing Authority
- The Trading Standards Service
- Planning Control & Enforcement
- Children & Families Service
- Practice Improvement Lead

From: Daniel Saunders [mailto:daniel@solts.co.uk]
Sent: 06 August 2014 10:14
To: Jason.J.Rose@met.pnn.police.uk
Cc: Paul Jones; lee.M.Davies@met.pnn.police.uk
Subject: RE: RELISH, for Unit 4, 168 High Street, HORNCHURCH, ESSEX, RM12 6QU Ref STS:MA:049682

Hi Jason,

Can you imagine a twenty year old burger vendor demanding a retired customer removes his hat and refusing to serve him if he doesn't? My point is not that the elderly cannot be criminals, but that the consequences of the original wording could be ridiculous, damaging to business and frankly anti-social.

But that is by the by as the wording is now agreed. Therefore the agreed conditions are as follows:

- 1) The premises shall be operated strictly as a Restaurant and Takeaway.**
- 2) Alcohol shall be sold ancillary to table meals with all service by waiting staff.**
- 3) Persons taking a table meal shall be permitted to purchase alcohol before, during and after the meal.**
- 4) Alcohol shall not be supplied to persons collecting take away meals.**
- 5) A proof of age scheme such as Challenge 25 shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification card such as a driving licence or passport.**
- 6) All staff shall be trained for their role including the operation of Challenge 25 on induction and at six-monthly intervals. Training shall include identifying persons under 25 years of age, making a challenge, acceptable proof of age and checking it, making and recording a refusal, avoiding conflict and responsible alcohol retailing. Written records shall be kept of all such training.**
- 7) No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.**
- 8) A premises daily register shall be kept at the premises. This register shall be maintained and kept for a minimum of 12 months. This register should record the name of the person responsible for the premises on each given day. The premises daily register shall record all calls made to the premises where there is a complaint made by a resident or neighbour of noise nuisance or anti-social behaviour by persons attending or leaving the premises. This shall record the details of the caller, the time and date of the call, the time and date of the incident about which the call is made and any actions taken to deal with the call. The premises daily register shall be readily available for inspection by an authorised person throughout the trading hours of the premises. The premises daily register shall also record all incidents in relation to the use of any force by staff or door supervisors in the removal of persons from the premises. It shall record the time and date**

of the occurrence, name or brief description of the person removed and details of the staff members involved.

9) Prominent, clear notices shall be displayed at [all exits] requesting that customers respect the needs of local residents and leave the premises and the area quietly.

10) All staff shall be suitably trained for their job function for the premises. The training shall be written into a programme ongoing and under constant review and must be made available to a relevant responsible authority when called upon.

11) All staff shall be trained in dealing with persons who are incapacitated through the use of drugs or the combined effect of drugs and alcohol.

12) A properly specified and fully operational CCTV system shall be installed or the existing system maintained to a satisfactory standard. The system shall incorporate a camera covering each of the entrance doors and be capable of providing an image which is regarded as 'identification standard' of all persons entering and/or leaving the premises. All other areas of risk identified in the operational requirement shall have coverage appropriate to the risk.

13) 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 but not compelled, either by a sign in a prominent position or request from staff members, to remove headwear unless worn as part of religious observance.

14) 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 shall comply with other essential legislation and all signs as required shall be clearly displayed. The system shall be maintained and fully operational throughout the hours that the premises is open for any licensable activity.

15) 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.

16) Recordings shall be made available to an authorised person of the Licensing Authority or Havering Police together with facilities for viewing.

17) The premises frontage shall be kept tidy at all times.

Kind regards

Daniel



Havering
LONDON BOROUGH

Copy of Application



15777

* required information

Section 1 of 19

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

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

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

Are you an agent acting on behalf of the applicant?

 Yes No

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

Applicant Details

* First name

* Family name

* E-mail

Main telephone number Include country code.

Other telephone number

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

Is the applicant:

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

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

Applicant Business* Is the applicant's business registered in the UK with Companies House? Yes No

* Registration number

* Business name If the applicant's business is registered, use its registered name.

* VAT number Put "none" if the applicant is not registered for VAT.

* Legal status

Continued from previous page...

* Applicant's position in the business

Home country

The country where the applicant's headquarters are.

Registered Address

Address registered with Companies House.

* Building number or name

* Street

District

* City or town

County or administrative area

* Postcode

* Country

Agent Details

* First name

* Family name

* E-mail

Main telephone number

Include country code.

Other telephone number

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

Are you:

An agent that is a business or organisation, including a sole trader

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

A private individual acting as an agent

Agent Business

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

* Is your business registered outside the UK? Yes No

* Business name

If your business is registered, use its registered name.

* VAT number

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

* Legal status

Continued from previous page...

* Your position in the business

Home country

The country where the headquarters of your business is located.

Agent Business Address

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

* Building number or name

* Street

District

* City or town

County or administrative area

* Postcode

* Country

Section 2 of 19

PREMISES DETAILS

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

Premises Address

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

Address OS map reference Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Further Details

Telephone number

Non-domestic rateable value of premises (£)

Section 3 of 19**APPLICATION DETAILS**

In what capacity are you applying for the premises licence?

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

Confirm The Following

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

Section 4 of 19**NON INDIVIDUAL APPLICANTS**

Provide name and registered address of applicant in full. Where appropriate give any registered number. In the case of a partnership or other joint venture (other than a body corporate), give the name and address of each party concerned.

Non Individual Applicant's Name

Name

Details

Registered number (where applicable)

Description of applicant (for example partnership, company, unincorporated association etc)

Continued from previous page...

Public Limited Company

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Contact Details

E-mail

Telephone number

Other telephone number

Section 5 of 19

OPERATING SCHEDULE

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

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

Provide a general description of the premises

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

Restaurant on the First Floor

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

Continued from previous page...

Section 6 of 19

PROVISION OF PLAYS

Will you be providing plays?

Yes No

Section 7 of 19

PROVISION OF FILMS

Will you be providing films?

Yes No

Section 8 of 19

PROVISION OF INDOOR SPORTING EVENTS

Will you be providing indoor sporting events?

Yes No

Section 9 of 19

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

Will you be providing boxing or wrestling entertainments?

Yes No

Section 10 of 19

PROVISION OF LIVE MUSIC

Will you be providing live music?

Yes No

Section 11 of 19

PROVISION OF RECORDED MUSIC

Will you be providing recorded music?

Yes No

Section 12 of 19

PROVISION OF PERFORMANCES OF DANCE

Will you be providing performances of dance?

Yes No

Section 13 of 19

PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

Will you be providing anything similar to live music, recorded music or performances of dance?

Yes No

Section 14 of 19

LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

Section 15 of 19**SUPPLY OF ALCOHOL**

Will you be selling or supplying alcohol?

 Yes No**Standard Days And Timings**

MONDAY

Start End Start End

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

TUESDAY

Start End Start End

WEDNESDAY

Start End Start End

THURSDAY

Start End Start End

FRIDAY

Start End Start End

SATURDAY

Start End Start End

SUNDAY

Start End Start End

Will the sale of alcohol be for consumption:

 On the premises Off the premises Both

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

State any seasonal variations

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

Continued from previous page...

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

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

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

Name

First name

Family name

Enter the contact's address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number (if known)

Issuing licensing authority (if known)

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

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

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

Reference number for consent form (if known)

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

Continued from previous page...

Section 16 of 19

ADULT ENTERTAINMENT

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

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

Section 17 of 19

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations

Continued from previous page...

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

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

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

Section 18 of 19

LICENSING OBJECTIVES

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

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

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

Staff are well trained in the responsible sale of alcohol

b) The prevention of crime and disorder

Staff are well trained to enable them to spot potentially troublesome situations
Seating will be provided for a minimum of 15 covers
The premises opening and closing times will be clearly displayed for customers' information
Only bona fida suppliers will be used and access will be denied to hawkers.
Alcohol will not be sold to anyone who appears intoxicated.

c) Public safety

The applicant will comply with all fire safety and health and safety legislation

d) The prevention of public nuisance

If background music ancillary to the business of a licensed restaurant is played it will not be played at the premises such that noise and vibration would cause any form of public nuisance (for the avoidance of doubt it shall not be played such as to be a licensable activity itself).

Continued from previous page...

e) The protection of children from harm

A policy will be in place whereby anyone who appears to be under the age of 21 will be asked for identification

Section 19 of 19

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Premises Licence Fees are determined by the non domestic rateable value of the premises.

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

Band A - No RV to £4300 - £100

Band B - £4301 to £33000 - £190.00

Band C - £33001 to £87000 - £315.00

Band D - £87001 to £125000 - £450.00*

Band E - £125001 and over - £635.00*

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

Band D - £87001 to £125000 - £900.00

Band E - £125001 and over - £1,905.00

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

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

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

Capacity 5000 to 9999 - £1,000.00

Capacity 10000 to 14999 - £2,000.00

Capacity 15000 to 19999 - £4,000.00

Capacity 20000 to 29999 - £8,000.00

Capacity 30000 to 39999 - £16,000.00

Capacity 40000 to 49999 - £24,000.00

Capacity 50000 to 59999 - £32,000.00

Capacity 60000 to 69999 - £40,000.00

Capacity 70000 to 79999 - £48,000.00

Capacity 80000 to 89999 - £56,000.00

Capacity 90000 and over £64,000.00

* Fee amount (£)

190.00

DECLARATION

* I/we understand it is an offence, liable on conviction to a fine up to level 5 on the standard scale, under Section 158 of the Licensing Act 2003, to make a false statement in or in connection with this application.

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

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

* Full name

Daniel Saunders

Continued from previous page...

* Capacity

Solicitor for the Applicant

* Date

10 / 07 / 2014
dd mm yyyy

Add another signatory

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/havering/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING 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

OFFICE USE ONLY


Applicant reference number	DRS 49682
Fee paid	
Payment provider reference	
ELMS Payment Reference	
Payment status	
Payment authorisation code	
Payment authorisation date	
Date and time submitted	
Approval deadline	
Error message	
Is Digitally signed	<input type="checkbox"/>

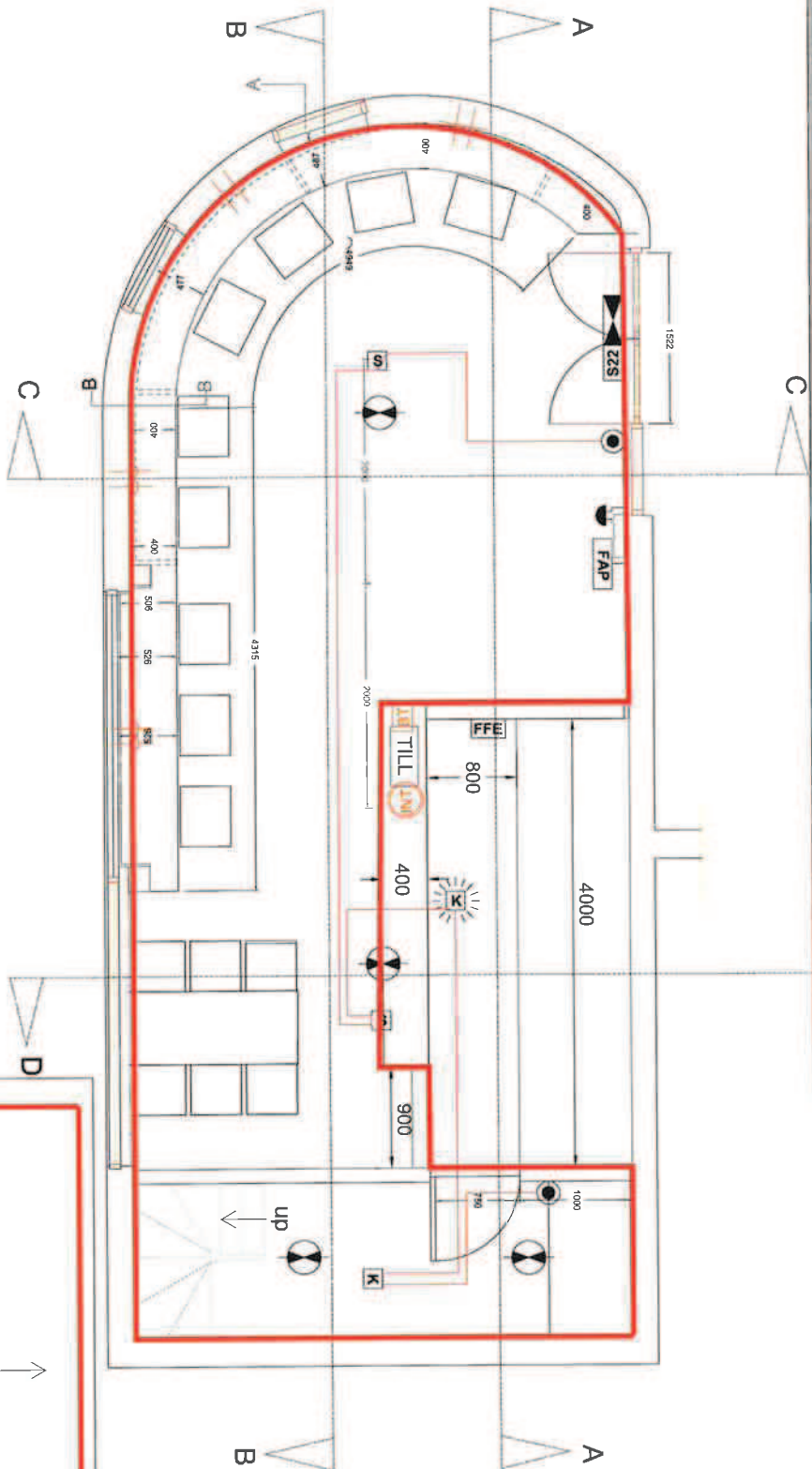
< Previous 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 Next >

Consent of individual to being specified as premises supervisor

I Roy Pereira of 118 Clayhall, Ilford, Essex, IG5 0LF , hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for a premises licence at Unit 4, 168 High St, Hornchurch, RM12 6QU, and any premises licence to be granted or varied in respect of this application made by Tasty Plc concerning the supply of alcohol at Unit 4, 168 High St, Hornchurch, RM12 6QU . I also confirm that I am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number: P00082
Personal licence issuing authority: London Borough of Redbridge

Signed 
Name (please print) R. PEREIRA
Dated 23/6/2014



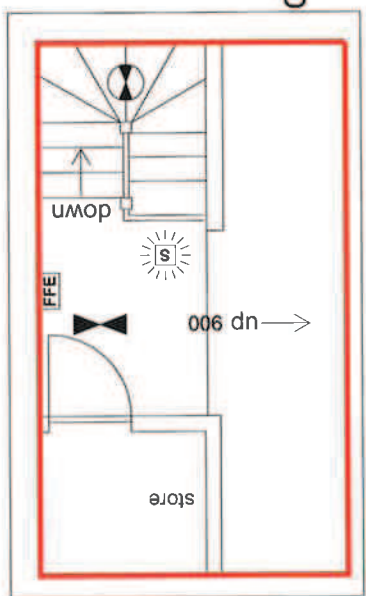
EMERGENCY LIGHTING SYSTEM

An independent self-contained non-maintained system (IPSS) X0A10n, will be installed in accordance with BS 5268: 1:2011, Emergency Lighting - Part 1 : Code of Practice for Emergency Lighting of premises other than cinema and certain other specified premises for entertainment, and BS EN 50172: 2004, BS 5268: 2:2004 lighting appliances for emergency lighting, and BS EN 1838: 2005, BS 5268: 3:2004 lighting appliances for emergency lighting. All signs and notices will comply with BS 5489: Part 1 - Fire Safety Notices and Graphic Symbols.

FIRE ALARM SYSTEM

A Fire Alarm system will be provided in BS 5824: Part 1, 2011 Code of Practice for system design, installation, commissioning and maintenance, comprising of detectors in accordance with BS 5824: Part 1, 2011 Code of Practice. The system design is in BS 5824: Part 1, 2011 Code of Practice.

	3 hr non-maintained LED light		Magnetic Door Hold
	3 hr non-maintained exit sign		Manual Call Point
	3 hr non-maintained LED light		Heat Detector
	3 hr non-maintained LED light		Smoke Detector
	3 hr non-maintained LED light		Independent Fire Vdd
	3 hr non-maintained LED light		Indicates Odd Detector
	3 hr non-maintained LED light		Zoned Station
	3 hr non-maintained LED light		Scander Base
	3 hr non-maintained LED light		Licensed area



PROPOSED FIRST FLOOR PLAN

	Date: 31-03-2014 Project: 168 High Street/Hornchurch, RM12 6DU	Client: RELISH Title: 03 Drawing No: 03 Status: CONSTRUCTION	Scale: 1:20 @ A1 1:40 @ A3 Drawn: CM Checked: CM Status: CONSTRUCTION
	ALL MATERIALS TO BE CLASS O FIRE RATED	Project: 168 High Street/Hornchurch, RM12 6DU	Drawing No: 03 Title: 03 Drawing: CM Status: CONSTRUCTION

**Licensing Act 2003
NOTICE OF APPLICATION FOR A
PREMISES LICENCE**

Notice is given that Tasty PLC has on the 10th July 2014 applied to the London Borough of Havering as the Licensing Authority for a Premises Licence for Unit 4, 168 High St, Hornchurch, RM12 6QU
To permit the supply of alcohol until 23:00 Monday to Sunday.

Anyone wishing to make representations concerning this application should do so in writing to: Licensing Team c/o Town Hall, Main Road, Romford, RM1 3BD Representations in respect of this application must reach the licensing authority by 7th August 2014

The record of this application may be inspected Monday to Friday (except Bank Holidays) during opening hours at the offices of The Licensing Authority at Town Hall, Main Road, Romford, RM1 3BD or online at www.havering.gov.uk

It is an offence knowingly or recklessly to make a false statement in connection with an application, the maximum fine for which on summary conviction is £5000.

**NOTICE OF APPLICATION FOR A
PREMISES LICENCE
UNDER SECTION 17 OF THE LICENSING
ACT 2003**

**APPLICANT: ALPER NAFIUGLU
PREMISES: RAPHAEL'S at 43 Main Road Romford RM2 5EB** The proposed licensable activity is: The supply of alcohol from 12:00 PM to 11:00 PM Monday to Sunday. Full details of the application can be inspected at the address noted below during normal business hours.

Any representation by an interested party or responsible authority regarding this application can be made to: Licensing Team Housing & Public Protection London Borough of Havering, C/O Town Hall, Main Road, RM1
Website: www.havering.gov.uk

Such representation must be received in writing by: 22 AUGUST 2014, clearly 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 £5,000.00.

**STATUTORY ADVERTISEMENT
FOR CLAIMANTS BY PERSONAL
REPRESENTATIVE
(PERSUASION TO THE TRUSTEE
ACT 1925)**

DAVID JOHN FULLMAN Late of 90 Chelsworth Drive, Harold Wood, Romford, Essex RM3 0ES who died on the 16th April 2013. Persons having any claim on the Estate should provide particulars to Symons, Gay & Leland LLP Solicitors of 91A South Street, Romford, Essex RM1 1PA before 3rd October 2014

**KENNETH EAKINS
(Deceased)**

Pursuant to the Trustee Act 1925 any persons having a claim against or an interest in the Estate of the aforementioned deceased, late of 4 Astor Avenue Romford Essex RM7 9JH, who died on 02/02/2014, are required to send particulars thereof in writing to the undersigned on or before 03/10/2014, after which date the Estate will be distributed having regard only to claims and interests of which they have had notice.

**THE CO-OPERATIVE LEGAL
SERVICES LIMITED**

Aztec 650 Aztec West Almondsbury Bristol BS32 4SD (Ref: TNL/3337547P/Eakins)

**EDNA CHRISTINE BIGMORE
(Deceased)**

Pursuant to the Trustee Act 1925 any persons having a claim against or an interest in the Estate of the aforementioned deceased, late of 4 Huskards Waldegrave Gardens Upminster Essex RM14 1UP, who died on 13/03/2014, are required to send particulars thereof in writing to the undersigned Solicitors on or before 03/10/2014, after which date the Estate will be distributed having regard only to claims and interests of which they have had notice.

PINNEY TALFOURD LLP
54 Station Road Upminster Essex RM14 2TU

LONDON BOROUGH OF HAVERING

THE HAVERING (WAITING AND LOADING RESTRICTION) (CIVIL ENFORCEMENT AREA) (NO. 1) (AMENDMENT NO. **) ORDER 201*
THE HAVERING (ROMFORD PARKING PLACES) (SECTOR 1) (CIVIL ENFORCEMENT AREA) (AMENDMENT NO. *) ORDER 201*

THE HAVERING (DISC PARKING PLACES) (AMENDMENT NO. *) ORDER 201*
THE HAVERING (PAY & DISPLAY PARKING PLACES) (NO. *) (AMENDMENT NO. **) ORDER 201*

- NOTICE IS HEREBY GIVEN that the Council of the London Borough of Havering, hereinafter called the Council, propose to make the above-mentioned Orders under sections 6, 45, 46, 49 and 124 of and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984, as amended.
- The effect of the Waiting & Loading Restriction Order would be to:-
 - impose waiting restrictions operative at any time on the lengths of streets specified in Schedule 1A to this Notice;
 - impose waiting restrictions operative between 8.30 a.m. and 10.00 a.m. on Mondays to Fridays inclusive on the lengths of street specified in Schedule 1B to this Notice.
- The effect of the Romford Sector 1 Parking Places Order would be to:-
 - designate permit parking places on the lengths of street specified in Schedule 2 to this Notice, operative between 8.30 a.m. and 10.00 a.m. on Mondays to Fridays inclusive, where vehicles displaying a valid residents permit may wait without time limit;
 - to add No. 145, No. 190, No. 190A and No. 190B Carlton Road to the list of addresses eligible to purchase a residents parking permits.
- The effect of the Disc Parking Places Order would be to remove the existing disc parking places on both sides of Kyme Road 10 metres south junction with Brentwood Road.
- The general effect of the Pay & Display Parking Places Order would be to provide a pay & display parking places, operative between 8.30 a.m. and 6.30 p.m. on Mondays to Saturdays inclusive, on the lengths of the streets specified in Schedule 3 to this Notice, at a cost of 20 pence for the first two hours then 50 pence for the maximum period of three hours.
- Copies of the proposed Orders, of the Orders being amended, together with the Council's statement of reasons for proposing to make the Orders and plans showing the locations and effects of the Orders can be inspected until the end of six weeks from the date on which the Orders are made or as the case may be, the Council decides not to make the Orders, during normal office hours on Mondays to Fridays inclusive, at Traffic & Parking Control, StreetCare, Mercury House, Mercury Gardens, Romford, Essex RM1 3SL.
- Any person desiring to object to the proposals or make other representation should send a statement in writing of either their objection or representations and the grounds thereof to the Group Manager, Traffic & Parking Control, StreetCare, Town Hall, Main Road, Romford, Essex, RM1 3BB, quoting reference LBH/749 to arrive by 15 August 2014.

Dated 25 July 2014

Published in the Romford Recorder: 25 July 2014

Helen Edwards, Director of Legal and Governance

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

SCHEDULE 1A

Amery Gardens,

- both sides, between the south-eastern kerb-line of its north-easternmost junction with Belgrave Avenue and a point 10 metres south-east of that kerb-line;
- both sides, between the south-eastern kerb-line of its south-westernmost junction with Belgrave Avenue and a point 10 metres south-east of that kerb-line.

Belgrave Avenue

- both sides, between a point 10 metres south-east of the south-eastern kerb-line of The Unnamed Service Road fronting Nos. 86 to 112 Southend Arterial Road and the north-eastern boundary of May Villa;
- the north, north-east and north-west sides
 - between a point 10 metres north-east of the north-eastern kerb-line of Ferguson Avenue and a point 10 metres south-west of the south-western kerb-line of Ferguson Avenue;
 - between a point opposite the common boundary of Nos. 106 and 108 Belgrave Avenue and a point 1.2 metres north-east of a point opposite the common boundary of Nos. 120 and 122 Belgrave Avenue;
 - between a point 10 metres east of the eastern kerb-line of Redfern Gardens and a point 10 metres west of the western kerb-line of Redfern Gardens;
 - between a point 10 metres north-east of the north-eastern kerb-line of Montrose Avenue and a point 10 metres south-west of the south-western kerb-line of Montrose Avenue;
- the south, south-east and south-west sides
 - between a point 10 metres north-east of the north-eastern kerb-line of its north-easternmost junction with Amery Gardens and a point 10 metres south-west of the south-western kerb-line of its north-easternmost junction with Amery Gardens;
 - between a point 10 metres north-east of the north-eastern kerb-line of its south-westernmost junction with Amery Gardens and a point 10 metres south-west of the south-western kerb-line of its south-westernmost junction with Amery Gardens;

Brentwood Road, the south-east side, between a point 10 metres north-east of the north-eastern kerb-line of Kyme Road and a point 10 metres south-west of the south-western kerb-line of Kyme Road.

Crossways

- the north-east side, between the south-eastern kerb-line of Main Road and a point 10 metres south-east of that kerb-line;
 - the south-west side, between the south-eastern kerb-line of Main Road and north-western boundary of No. 2 Crossways;
- Crow Lane,** the south side, between a point 5.2 metres west of a point opposite the common boundary of Nos. 18 and 20 Crow Lane and a point 4.5 metres east of a point opposite the common boundary of Nos. 26 and 26a Crow Lane.
- Ferguson Avenue,** both sides, between the north-western kerb-line of Belgrave Avenue and a point 10 metres north-west of that kerb-line.
- Kyme Road**

- the north-east side, between the south-eastern kerb-line of Brentwood Road

- and a point 10 metres south-east of that kerb-line;
- the south-west side, between the south-eastern kerb-line of Brentwood Road and a point 39.5 metres south-east of that kerb-line.

Main Road, the south-east side, between the north-eastern kerb-line of Crossways and a point 15 metres north-east of that kerb-line.

Montrose Avenue, both sides, between the north-western kerb-line of Belgrave Avenue and a point 10 metres north-west of that kerb-line.

Redfern Gardens, both sides, between the northern kerb-line of Belgrave Avenue and a point 10 metres north of that kerb-line.

The Unnamed Service Road fronting Nos. 86 to 112 Southend Arterial Road, both sides, between the north-western kerb-line of Belgrave Avenue and a point 10 metres north-west of that kerb-line.

SCHEDULE 1B

Carlton Road

- the north-west side
 - between a point 4.2 metres north-east of the common boundary of Nos. 121 and 123 Carlton Road and a point 4.1 metres south-west of the common boundary of Nos. 125 and 127 Carlton Road;
 - between a point 4.0 metres north-east of the common boundary of Nos. 125 and 127 Carlton Road and a point 4.3 metres south-west of the common boundary of Nos. 129 and 131 Carlton Road;
 - between a point 4.2 metres north-east of the common boundary of Nos. 129 and 131 Carlton Road and a point 4.0 metres south-west of the common boundary of Nos. 133 and 135 Carlton Road;
 - between a point 4.2 metres north-east of the common boundary of Nos. 133 and 135 Carlton Road and a point 4.1 metres south-west of the common boundary of Nos. 137 and 139 Carlton Road;
 - between a point 4.0 metres north-east of the common boundary of Nos. 137 and 139 Carlton Road and the common boundary of Nos. 145 and 147 Carlton Road;
- the south-east side
 - between the south-western flank wall of No. 172 Carlton Road and a point 6.5 metres south-west of the common boundary of Nos. 172 and 174 Carlton Road;
 - between a point 6.5 metres north-east of the common boundary of Nos. 172 and 174 Carlton Road and a point 6.7 metres south-west of the common boundary of Nos. 176 and 178 Carlton Road;
 - between a point 3.9 metres north-east of the common boundary of Nos. 176 and 178 Carlton Road and a point 3.5 metres south-west of the common boundary of Nos. 180 and 182 Carlton Road;
 - between a point 3.5 metres north-east of the common boundary of Nos. 180 and 182 Carlton Road and a point 4.2 metres south-west of the common boundary of Nos. 184 and 186 Carlton Road;
 - between a point 4.6 metres north-east of the common boundary of Nos. 184 and 186 Carlton Road and a point 4.2 metres south-west of the common boundary of Nos. 188 and 190 Carlton Road;
 - between a point 4.5 metres north-east of the common boundary of Nos. 188 and 190 Carlton Road and a point opposite the common boundary of Nos. 145 and 147 Carlton Road.

SCHEDULE 2

Carlton Road

- the north-west side
 - from a point 0.8 metres south-west of the common boundary of Nos. 121 and 123 Carlton Road to a point 4.2 metres north-east of the common boundary of Nos. 121 and 123 Carlton Road;
 - from a point 4.1 metres south-west of the common boundary of Nos. 125 and 127 Carlton Road to a point 4.0 metres north-east of the common boundary of Nos. 125 and 127 Carlton Road;
 - from a point 4.3 metres south-west of the common boundary of Nos. 129 and 131 Carlton Road to a point 4.2 metres north-east of the common boundary of Nos. 129 and 131 Carlton Road;
 - from a point 4.0 metres south-west of the common boundary of Nos. 133 and 135 Carlton Road to a point 4.2 metres north-east of the common boundary of Nos. 133 and 135 Carlton Road;
 - from a point 4.1 metres south-west of the common boundary of Nos. 137 and 139 Carlton Road to a point 4.0 metres north-east of the common boundary of Nos. 137 and 139 Carlton Road;
- the south-east side
 - from a point 6.5 metres south-west of the common boundary of Nos. 172 and 174 Carlton Road to a point 6.5 metres north-east of the common boundary of Nos. 172 and 174 Carlton Road;
 - from a point 6.7 metres south-west of the common boundary of Nos. 176 and 178 Carlton Road to a point 3.9 metres north-east of the common boundary of Nos. 176 and 178 Carlton Road;
 - from a point 3.5 metres south-west of the common boundary of Nos. 180 and 182 Carlton Road to a point 3.5 metres north-east of the common boundary of Nos. 180 and 182 Carlton Road;
 - from a point 4.2 metres south-west of the common boundary of Nos. 184 and 186 Carlton Road to a point 4.6 metres north-east of the common boundary of Nos. 184 and 186 Carlton Road;
 - from a point 4.2 metres south-west of the common boundary of Nos. 188 and 190 Carlton Road to a point 4.5 metres north-east of the common boundary of Nos. 188 and 190 Carlton Road.

SCHEDULE 3

Kyme Road, the north-east side, from a point 10 metres south-east of the south-eastern kerb-line of Brentwood Road extending south-eastward for a distance of 25 metres.

**SELL anything
WITH SMALL ADS**

It Pays To Advertise




Relish Burger, Unit 4, 168 High St, Hornchurch







Scale: 1:1000
Date: 22 July 2014





Representations from Responsible Authority



Public Protection

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

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

Telephone: 01708 432692
Fax: 01708 432554
email: paul.jones@havering.gov.uk
Textphone ☎: 01708 433175

Date: 21st July 2014

My Reference: PJJ/015777

Dear Sir

Licensing Act 2003
Relish 168 High Street Hornchurch RM12 6AF
Premises licence application

Further to the application detailed above this licensing authority would like to make representation against the application based upon the following concerns in relation to the promotion of all four of the licensing objectives.

Havering's licensing policy 09 states that –

The LLA seeks to encourage the highest standards of management in licensed premises and expects the operating schedule to describe how these standards will be achieved in relation to promoting the licensing objectives.

In part, it is the onus of this policy which causes us to have concerns about this application as we are of the view that the operating schedule as submitted does not sufficiently address the promotion of the licensing objectives. Indeed, most of the steps identified in section 18 of the application are already statutory requirements.

Before we examine the undertakings provided by the applicant in section 18 we should first consider the position in which this premises is located. High Street Hornchurch is in the middle of Hornchurch town centre. As such the area is subject to a special policy in relation to cumulative impact:

It is the LLA's policy to refuse applications in the St Andrews ward area for pubs and bars, late night refreshment premises offering hot food and drink to take away, off licences and premises offering facilities for music and dancing other than applications to vary hours with regard to licensing policy 012.

We can see that restaurant premises such as this one might not appear to be included within the ambit of this policy; however, the guidance to the Act might require an applicant to make himself aware of any special policies in the area. The following excerpts from the guidance indicate these expectations.

- 8.33 *In completing an operating schedule, applicants are expected to... demonstrate knowledge of their local area when describing the steps they propose to take to promote the licensing objectives.*
- 8.34 *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:*
- *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.*
- 8.35 *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.*

We would suggest that the applicant has not sufficiently addressed these expectations as we have been unable to find any evidence demonstrating knowledge of the local area. Further to this, the contents of section 18 might demonstrate the applicant's apparent failure to responsibly address the promotion of the licensing objectives.

Section 18 contains nine undertakings the applicant feels will allow the successful promotion of the licensing objectives. These are as follows.

1. Staff are well trained in the responsible sale of alcohol.

While this might appear reasonable Havering's licensing policy indicates at paragraph 4.19 that *the LLA will not consider a case to be exceptional merely on the grounds that the premises has been or will be operated within the terms of the conditions on the licence, or that they are or will be generally well managed. This is expected in the conduct of all licensed premises.* A premises which sells alcohol would be expected to have well trained staff members if they wish to supply alcohol. We would reasonably expect any training undertaken by premises' staff to be recorded and those records conditionally required to be provided to the appropriate responsible authorities for inspection upon request. This has not been a consideration made by the applicant.

2. Staff are well trained to enable them to spot potentially troublesome situations.

We would refer to our previous point in relation to training. The training identified in this undertaking appears to enable staff to spot “troublesome situations” but does not clarify the action staff might be expected to take upon identifying such a situation. This undertaking, should it be converted to a condition on the licence, might seem to be vague, effectively unenforceable and therefore redundant. Such a condition would require the licence holder to be able to spot troublesome situations, rather than act upon them. This might appear contrary to the requirement to *prevent* crime and disorder rather than to simply observe it.

3. Seating will be provided for a minimum of 15 covers.

We are not sure how a minimum seating arrangement can promote the licensing objectives. How might a minimum of 15 covers prevent crime and disorder, as it is this licensing objective to which the undertaking has been aligned? Would fewer than 15 covers suggest a greater potential for crime and disorder to occur?

4. The premises’ opening and closing times will be clearly displayed for customers’ information.

This undertaking is already a requirement of the Act, insofar as the premises licence summary, which contains this information, is required by s.57(3) to be *prominently displayed at the premises*.

5. Only bona fida [sic] suppliers will be used and access will be denied to hawkers.

We assume that this undertaking is designed to address the potential problem of illegal and/or counterfeit alcohol sales being made from nameless individuals travelling from premises to premises in white vans. While we would support this approach its effectiveness as a conditional element of the licence is open to question; for example, a supplier’s *bona fide* status may be a subjective view. Additionally, s.144(1) makes it an offence to keep alcohol which has been imported without payment of duty or otherwise unlawfully imported on licensed premises. The applicant will be obliged to comply with this requirement whether or not it is a voluntarily added condition on his premises licence.

6. Alcohol will not be sold to anyone who appears intoxicated.

This undertaking is already a requirement of the Act and thus might not be a voluntary step on the part of the applicant to aid the promotion of the licensing objectives. S.141(1) provides that a person commits an offence if he knowingly sells, attempts to sell or allows alcohol to be sold to a person who is drunk.

7. The applicant will comply with all fire safety and health and safety legislation.

As appears implicit in this undertaking the applicant will already be obliged to comply with requirements under other relevant legislation. We might reasonably question the voluntary nature of this undertaking as a step to promote the licensing objectives if it is already a legislative requirement.

8. If background music ancillary to the business of a licensed restaurant is played it will not be played at the premises such that noise and vibration would cause any form of public nuisance (for the avoidance of doubt it shall not be played such as to be a licensable activity itself).

Again, we can see that this undertaking might appear redundant as the applicant would legally be unable to provide recorded music as a licensable activity: the provision of recorded music has not been submitted as a part of this application. Effectively the undertaking appears to state that the applicant will not provide recorded music as a licensable activity when the licence would not permit its provision anyway.

9. A policy will be in place whereby anyone who appears to be under the age of 21 will be asked for identification.

We can only assume that this undertaking relates to the supply of alcohol as it does not make clear whether the request for identification is designed to restrict its customer base in general to over-21s or whether it relates specifically to the supply of alcohol. If this undertaking does relate to the supply of alcohol we will find that it is already a requirement of the Act, via mandatory conditions, to seek identification from individuals whom staff suspect may not be old enough to buy alcohol:

(1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

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

We can see, however, that the applicant's voluntary undertaking stops short of clause (2) of this mandatory condition. The applicant's offer does not clarify what action is to be taken should the identification supplied prove to be inadequate.

Undertaking no. 9 appears to be the sole response in relation to the protection of children from harm licensing objective. This is of greater concern when we consider that the nature of this premises as a burger bar might likely make it appeal to a younger clientele. Indeed, the entrance to the premises, as shown below, might suggest that the premises' target market is young people for a large painting of a youth, wearing sunglasses and a baseball cap, appears to be holding out a *Relish* burger for consideration. It might seem reasonable to suggest that such a promotional device is aimed at a client-base who might readily associate themselves with the character offering the burger, i.e. young people.



There exists, therefore, the strong possibility that under-18s will regularly frequent this establishment thus increasing the need for vigilance in relation to under-age alcohol sales. This application appears to provide scant regard to concerns in relation to protecting children from harm when supplying alcohol.

Conclusion

The London Borough of Havering seeks to promote businesses and as such this licensing authority is not, in principle, opposed to a premises licence being in force at this location. The alcohol supply hours are well within the guidelines of licensing policy 012 and the application might therefore appear modest. Our concern is that the applicant has not demonstrated an understanding of the duties placed upon a premises licence holder when seeking to sell alcohol. This naturally causes us concern.

If we accept that the applicant does not have a thorough grasp of the responsibilities of a premises licence holder we might further question undertakings 1 and 2 which suggest that staff will be “well trained” in relation to the responsible sale of alcohol. If staff members are not adequately trained we have concerns that the supply of alcohol at this premises might not be subject to the rigours one would normally expect.

If we further accept that the applicant has been unable to identify any steps he might seek to take to promote the licensing objectives which are above and beyond existing legislative requirements then alarm bells must surely start to ring.

We made our concerns known to the applicant (please see e-mail below) but at the time of completing this representation had received no response.

We would suggest that the licensing sub-committee gives consideration to the merits of this application and, should the decision be to grant it, further consider the imposition of a series of robust conditions which would aid the promotion of the licensing objectives at this premises which we should remember is located in an area which *has been identified as under stress because of the cumulative effect of the concentration of licensed premises which has led to serious problems of disorder and/or public nuisance affecting residents, visitors and other businesses (Haverling licensing policy para. 4.15).*

I trust this clarifies the position of Haverling's licensing authority in relation to this application.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Paul Jones', with a small flourish at the end.

Paul Jones
Licensing Officer

From: Paul Jones
Sent: 14 July 2014 13:29
To: daniel@solts.co.uk
Cc: Jason.J.Rose@met.pnn.police.uk
Subject: Relish Unit 4 168 High Street Hornchurch - premises licence application

Dear Mr Saunders

Further to the above I have today been assessing the application while wearing my 'responsible authority hat', as it were. I am afraid that I am of the view that section 18 of the form, which deals with the steps your client intends to take to promote the licensing objectives, appears to be rather lacklustre. There appear to be very few undertakings which might translate into enforceable conditions to aid the promotion of the licensing objectives.

Sub-sections (a) to (e) of section 18 identify eight steps offered by the applicant but if we examine those undertakings we can see that actually there are fewer than this. If we remove those undertakings which are already regulatory requirements, e.g. 'Alcohol will not be supplied to anyone who appears intoxicated', and those which might appear not to address the promotion of the licensing objectives, e.g. 'Seating will be provided for a minimum of 15 covers', we might find that the applicant has effectively offered one or two undertakings aimed at addressing the promotion of the licensing objectives.

Given that the nature of this venture as a burger bar might make the premises attractive to a younger clientele we might normally expect a more robust set of steps to address the promotion of the licensing objectives to be volunteered by the applicant. This premises is located in a special policy area and, while restaurant premises are not specifically addressed by the relevant policy, we would normally expect an applicant to at least demonstrate an awareness of the demands of this particular location. We would therefore suggest that the applicant re-evaluates the application's section 18 and identifies a set of steps to promote the licensing objectives which are more reassuring and pertinent than those currently provided.

This is, of course, a suggestion only and it is entirely for an applicant to define what steps he is prepared to take to this end; however, if the application is to remain as submitted this licensing authority would feel compelled to make representation against the application and request that the licensing sub-committee determine the outcome.

A copy of Havering's licensing policy may be found here:

<http://www.havering.gov.uk/Pages/Services/Premises-licence.aspx>

Many thanks.

Kind regards

Paul Jones | Licensing Officer
London Borough of Havering | Public Protection
Mercury House, Mercury Gardens, Romford, RM1 3SL
t: 01708 432692

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