



# Havering

L O N D O N   B O R O U G H

## **LICENSING SUB-COMMITTEE**

### **ELM PARK EXPRESS**

### **AGENDA**

<b>10.30 am</b>	<b>Monday 29 June 2015</b>	<b>Council Chamber - Town Hall</b>
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Members 3: Quorum 2

#### **COUNCILLORS:**

Linda Van den Hende (Chairman)  
Frederick Thompson  
Linda Trew

**For information about the meeting please contact:**  
**James Goodwin - 01708 433091**  
**[james.goodwin@onesource.co.uk](mailto:james.goodwin@onesource.co.uk)**

## **Protocol for members of the public wishing to report on meetings of the London Borough of Havering**

Members of the public are entitled to report on meetings of Council, Committees and Cabinet, except in circumstances where the public have been excluded as permitted by law.

Reporting means:-

- filming, photographing or making an audio recording of the proceedings of the meeting;
- using any other means for enabling persons not present to see or hear proceedings at a meeting as it takes place or later; or
- reporting or providing commentary on proceedings at a meeting, orally or in writing, so that the report or commentary is available as the meeting takes place or later if the person is not present.

Anyone present at a meeting as it takes place is not permitted to carry out an oral commentary or report. This is to prevent the business of the meeting being disrupted.

Anyone attending a meeting is asked to advise Democratic Services staff on 01708 433076 that they wish to report on the meeting and how they wish to do so. This is to enable employees to guide anyone choosing to report on proceedings to an appropriate place from which to be able to report effectively.

Members of the public are asked to remain seated throughout the meeting as standing up and walking around could distract from the business in hand.

## **AGENDA ITEMS**

### **1 APOLOGIES FOR ABSENCE AND ANNOUNCEMENT OF SUBSTITUTE MEMBERS**

(if any) – receive

### **2 DISCLOSURE OF PECUNIARY INTERESTS**

Members are invited to disclose any pecuniary interest in any of the items on the agenda at this point of the meeting.

*Members may still disclose any pecuniary interest in an item at any time prior to the consideration of the matter.*

### **3 CHAIRMAN'S ANNOUNCEMENT**

The Chairman will announce details of the arrangements in case of fire or other events that might require the meeting room or building's evacuation.

### **4 REPORT OF THE CLERK (Pages 1 - 6)**

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

Application for a Premises Licence under section 17 of the Licensing Act 2003 for Elm Park Express, 9 Broadway Parade, Hornchurch, RM12 4RS.

**Andrew Beesley**  
**Committee Administration Manager**

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# **LICENSING SUB-COMMITTEE**

**29 June 2015**

## **REPORT**

**Subject Heading:**

**Procedure for the Hearing: Licensing  
Act 2003**

**Report Author and contact details:**

**James Goodwin (01708) 432432**  
**e-mail: [james.goodwin@havering.gov.uk](mailto:james.goodwin@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.

# LICENSING SUB-COMMITTEE

# REPORT

Date 29 June 2015

Subject heading:

Elm Park Express  
9 Broadway Parade, Hornchurch,  
RM12 4RS  
Application to Review the Premises  
Licence

Report author and contact details:

Arthur Hunt, Licensing Officer  
5<sup>th</sup> floor Mercury House

This application for a new premises licence is made by Ercan Batit under section 17 of the Licensing Act 2003. The application was received by Havering's Licensing Authority on 5 May 2015.

## Geographical description of the area and description of the building

The premise is a ground floor unit in a terrace of other commercial units in Elm Park Avenue, Hornchurch. It is situated on the south footway approximately 30 metres from the junction with The Broadway, Elm Park. There are apparent residential units above the commercial units.

There is a bus stop directly outside the premises with Elm Park London Underground Station approximately 150 metres away in The Broadway.

A map of the area is attached

## Details of the application

The applicant seeks to provide:-

Supply of Alcohol, Opening Hours		
Day	Start	Finish
Monday to Sunday	08:00	23:00

There is no request for any non-standard timings or seasonal variations.

## Comments and observations on the application

The applicant acted in accordance with regulations 25 and 26 of *The Licensing Act 2003 (Premises licences and club premises certificates) Regulations 2005* relating to the advertising of the application. The required public notice was installed in the 15 May 2015 edition of the Romford Recorder.

There was a premises licence associated with this venue which was taken to review by Havering's Trading Standards. This was following issues with the venue for selling alcohol to underage volunteers on two occasions, counterfeit alcohol for sale at the premises, illicit alcohol and cigarettes being sold. The Licensing sub-committee hearing was held on the 22 April 2015. At that hearing the premises licence was revoked.

As this report is prepared, that decision is still in the appeal period as the decision notice was recorded as being sent on the 14 May 2015. That appeal period will end on the 5 June 2015 (at the earliest – as any appellant has 21 days to appeal to the Magistrates Court on being notified of the decision).

### **Summary**

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

There were three representations against this application from responsible authorities.

### **Details of representations**

Valid representations may only address the following licensing objectives:

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

### **Interested persons' representations**

There were no valid representations submitted by interested parties.

### **Responsible authorities' representations**

Licensing Specialist, Paul Campbell submits a representation describing concerns with on the prevention of crime and disorder and the protection of children from harm licensing objectives.

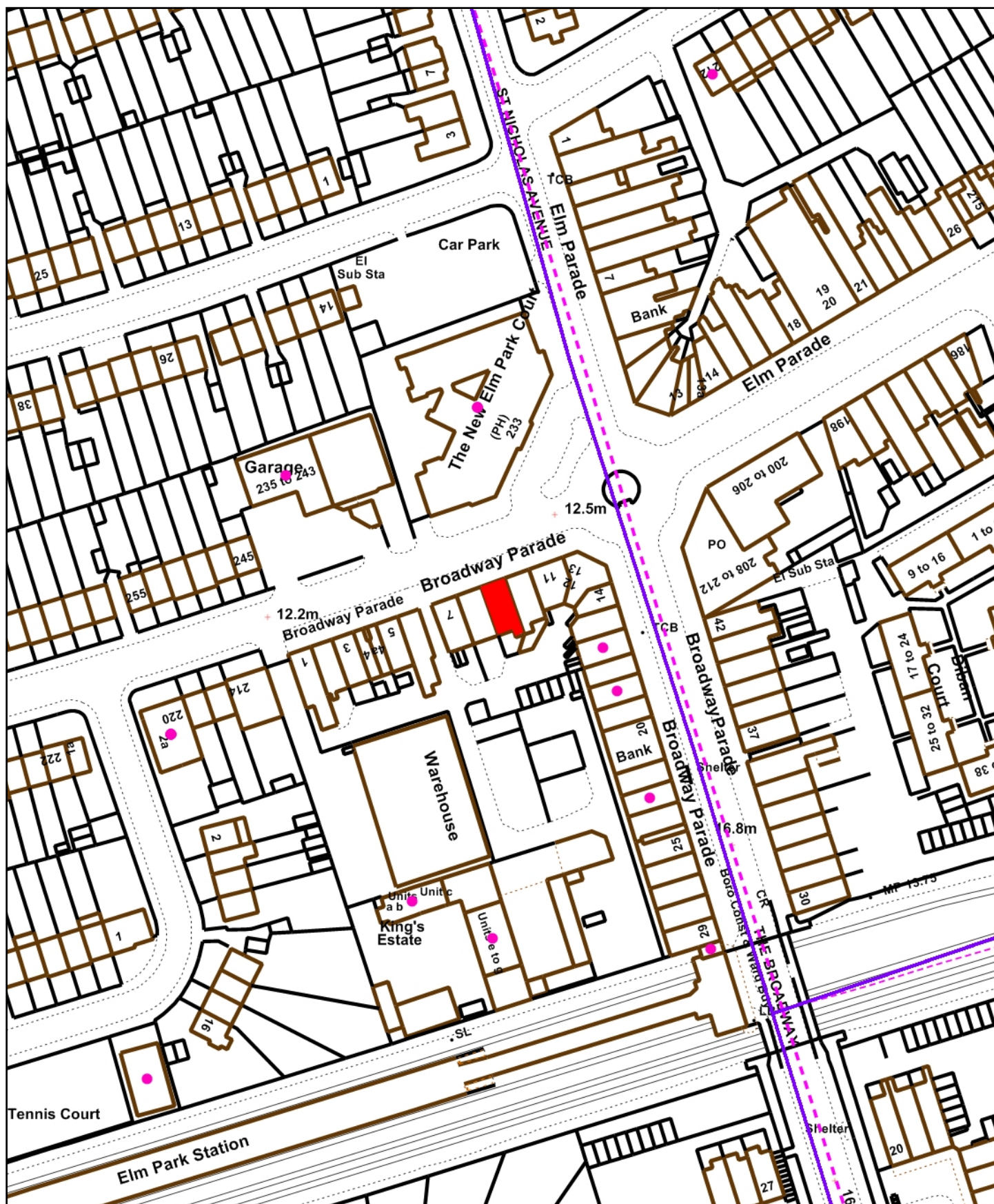
Keith Bush, Specialist Trading Standards Officer (operations) submits a representation based on the prevention of crime and disorder and the protection of children from harm licensing objectives.

PC Lee Davies submits a representation on behalf of the Metropolitan Police detailing a detrimental effect on the prevention of crime and disorder and the protection of children from harm licensing objectives.

There were no representations from any other responsible authority.



Arthur Hunt  
Licensing Officer  
London Borough of Havering



Elm Park Express, 9 Broadway Parade



Scale: 1:1250

Date: 03 June 2015

0 5 10 15 metres



**Havering**  
LONDON BOROUGH

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

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Ordnance Survey 100024327

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**LONDON BOROUGH OF HAVERING**  
**ROAD TRAFFIC REGULATION ACT 1984 - SECTION 14(1)**  
**THE HAVERING [MERCURY GARDENS, WESTERN ROAD, MAIN ROAD, MERCURY GARDENS, WESTERN ROAD, MAIN ROAD, HOCKLEY DRIVE, CASTELLAN AVENUE AND OTHER ROADS] (No. 1) (TEMPORARY PROHIBITION OF TRAFFIC) ORDER 2015**

1. The Council of the London Borough of Havering HEREBY GIVES NOTICE that it proposes to make an Order under section 14(1) of the Road Traffic Regulation Act 1984 the effect of which would be to prohibit vehicular traffic from entering or proceeding in the length of the roads specified in column 1 of the table to the Schedule in this Notice, to facilitate resurfacing of the carriageway thereon ("the Works")

2. The prohibitions specified in Article 1 above are necessary because the Works proposed are to be executed on or near the said roads and the likelihood of danger to the public.

3. If the Order is made, the Order shall come into operation on 1st June 2015 and would be valid for a maximum period of 18 months or until the Works are completed, whichever is the sooner. The Works are scheduled to commence on 1st June 2015 and are expected to be completed by 20th June 2015.

4. The prohibitions specified would only be operational at such times as described in column 2 of the table to the Schedule in this Notice and as shall from time to time be indicated by the display of traffic signs on the street pursuant to Section 68 of the Road Traffic Regulation Act 1984.

5. An exemption would be provided in the proposed Order to permit pedestrian access at any time to any premises situated on or adjacent to the said roads or to any other premises accessible for pedestrians from, and only from the said roads.

6. An alternative route will be available for use and is identified in column 3 of the table in the Schedule to this Notice.

7. Section 16(1) RTTRA states "A person who contravenes, or who uses or permits the use of a vehicle in contravention of, a restriction of prohibition imposed by an order under section 14 of this Act shall be guilty of an offence". The maximum penalty on summary conviction is £1000.

8. Persons having a query concerning these Works or the proposed Order should email Nick Wallen on Nick.Wallen@havering.gov.uk.

**DATED this 15th May 2015**  
**Published in the Romford Recorder: 15th May 2015**  
**Graham White, Interim Director of Legal & Governance**  
**London Borough of Havering, Town Hall, Main Road, Romford RM1 3BD**

1 Length of Road	2 Duration of Works	3 Alternative Route(s)
Temporary closure of <b>Mercury Gardens</b> Closed northbound between its junctions with Western Road and Main Road	<b>BETWEEN:</b> 19:30 hours and 06:30 hours on 1st June 2015 for each night between the same hours for a maximum period of 18 months or until the Works are completed, whichever is the sooner. The Works are scheduled to commence on 1st June 2015 and are expected to be completed by 3rd June 2015.	Western Road, Junction Road
Temporary closure of <b>Western Road</b> Closed westbound between Junction Road and Mercury Gardens	<b>BETWEEN:</b> 19:30 hours and 06:30 hours on 1st June 2015 for each night between the same hours for a maximum period of 18 months or until the Works are completed, whichever is the sooner. The Works are scheduled to commence on 1st June 2015 and are expected to be completed by 3rd June 2015.	Junction Road, Main Road, Mercury Gardens
Temporary restriction of <b>Main Road</b> No left turn into Junction Road	<b>BETWEEN:</b> 19:30 hours and 06:30 hours on 1st June 2015 for each night between the same hours for a maximum period of 18 months or until the Works are completed, whichever is the sooner. The Works are scheduled to commence on 1st June 2015 and are expected to be completed by 3rd June 2015.	Main Road, Mercury Gardens, Western Road
Temporary closure of <b>Mercury Gardens</b> Closed Southbound between Main Road and Western Road	<b>BETWEEN:</b> 19:30 hours and 06:30 hours on 3rd June 2015 for each night between the same hours for a maximum period of 18 months or until the Works are completed, whichever is the sooner. The Works are scheduled to commence on 3rd June 2015 and are expected to be completed by 5th June 2015.	Main Road, Junction Road, Western Road
Temporary closure of <b>Western Road</b> Closed eastbound between its junctions with Mercury Gardens and Junction Road	<b>BETWEEN:</b> 19:30 hours and 06:30 hours on 3rd June 2015 for each night between the same hours for a maximum period of 18 months or until the Works are completed, whichever is the sooner. The Works are scheduled to commence on 3rd June 2015 and are expected to be completed by 5th June 2015.	Mercury Gardens, Main Road, Junction Road
Temporary closure of <b>Main Road</b> Closed southbound between its junctions with Upper Brentwood Road and Crossways	<b>BETWEEN:</b> 19:30 hours and 06:30 hours on 5th June 2015 between the same hours for a maximum period of 18 months or until the Works are completed, whichever is the sooner. The Works are scheduled for 5th, 8th, 9th June 2015 and are expected to be completed by 11th June 2015.	Upper Brentwood Road, Station Road, Balgores Lane
Temporary restriction of <b>Main Road</b> No right turn into Upper Brentwood Road	<b>BETWEEN:</b> 19:30 hours and 06:30 hours on 5th June 2015 between the same hours for a maximum period of 18 months or until the Works are completed, whichever is the sooner. The Works are scheduled for 5th, 8th, 9th June 2015 and are expected to be completed by 11th June 2015.	
Temporary closure of <b>Hockley Drive</b> Closed in both directions at its junction with Main Road	<b>BETWEEN:</b> 19:30 hours and 06:30 hours on 5th June 2015 between the same hours for a maximum period of 18 months or until the Works are completed, whichever is the sooner. The Works are scheduled for 5th, 8th, 9th June 2015 and are expected to be completed by 11th June 2015.	Links Avenue
Temporary closure of <b>Castellan Avenue</b> Closed in both directions at its junction with Main Road	<b>BETWEEN:</b> 19:30 hours and 06:30 hours on 5th June 2015 between the same hours for a maximum period of 18 months or until the Works are completed, whichever is the sooner. The Works are scheduled for 5th, 8th, 9th June 2015 and are expected to be completed by 11th June 2015.	Severn Avenue
Temporary closure of <b>Severn Avenue</b> Closed in both directions at its junction with Main Road	<b>BETWEEN:</b> 19:30 hours and 06:30 hours on 5th June 2015 between the same hours for a maximum period of 18 months or until the Works are completed, whichever is the sooner. The Works are scheduled for 5th, 8th, 9th June 2015 and are expected to be completed by 11th June 2015.	Castellan Avenue
Temporary closure of <b>Links Avenue</b> Closed in both directions at its junction with Main Road	<b>BETWEEN:</b> 19:30 hours and 06:30 hours on 5th June 2015 between the same hours for a maximum period of 18 months or until the Works are completed, whichever is the sooner. The Works are scheduled for 5th, 8th, 9th June 2015 and are expected to be completed by 11th June 2015.	Hockley Drive
Temporary closure of <b>Rainham Road</b> Closed southbound between Dagenham Road & Fyfield Road	<b>BETWEEN:</b> 19:30 hours and 06:30 hours on 18th June 2015 between the same hours for a maximum period of 18 months or until the Works are completed, whichever is the sooner. The Works are scheduled for 18th June 2015 and are expected to be completed by 19th June 2015	Dagenham Road, Rainham Road South, Ballards Road, New Road
Temporary closure of <b>Rainham Road</b> Closed northbound between Fyfield Road & Dagenham Road	<b>BETWEEN:</b> 19:30 hours and 06:30 hours on 19th June 2015 between the same hours for a maximum period of 18 months or until the Works are completed, whichever is the sooner. The Works are scheduled for 19th June 2015 and are expected to be completed by 20th June 2015	Rainham Road, New Road, Ballards Road, Rainham Road South, Dagenham Road
Temporary closure of <b>Stanley Road North</b> Closed in both directions between Rainham Road & Betterton Road	<b>BETWEEN:</b> 19:30 hours and 06:30 hours on 18th June 2015 between the same hours for a maximum period of 18 months or until the Works are completed, whichever is the sooner. The Works are for 18th June 2015 and are expected to be completed by 20th June 2015	Hood Road, Tring Road, Nelson Road

**LICENSING ACT 2003**  
**NOTICE OF APPLICATION FOR**  
**A PREMISES LICENCE**

I, Ercan Batit of Elm Park Food & Wine 9 Broadway Parade, Hornchurch Essex RM12 4RS

Herby give notice I have applied under S17 Licensing and in accordance with S12 Licensing Act 2003 for a Premises Licence for the above mentioned premises, namely

For the sale of alcohol for consumption off the premises, namely, Monday - Sunday 08:00- 23:00

Any person wishing to make a representation regarding the application must do so in writing to, The Licensing Team Public Protection London Borough of Havering Mercury House Mercury Gardens Romford Essex RM1 3SL

Telephone: 01708 432777 Fax 01708 432554 E-mail: licensing@havering.gov.uk not later than 2nd June 2015

A copy of the application may be inspected during normal business hours.

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

**KEVIN ANTHONY TIMOTHY LANE**  
**Deceased**

Pursuant to the Trustee Act 1925 any persons having a claim or an interest in the Estate of the aforementioned deceased, late of 25 Maytree Close, Rainham, Essex, RM13 8ED who died on 09/02/2014, are required to send particulars thereof in writing to the undermentioned on or before 16/07/2015, after which date the Estate will be distributed having regard only to claims and interests of which they have had notice.

**J. E. Baring & Co Solicitors,**  
First Floor, 63-66 Hatton Garden, London EC1N 8LE (Ref: AJH/Stone).

**LONDON BOROUGH OF HAVERING**  
**ROAD TRAFFIC REGULATION ACT 1984 - SECTION 14(1)**  
**THE HAVERING [NEW ROAD BETWEEN WENNINGTON ROAD AND A13 ] (No. 1) (TEMPORARY PROHIBITION OF TRAFFIC) ORDER 2015**

1. The Council of the London Borough of Havering HEREBY GIVES NOTICE that it proposes to make an Order under section 14(1) of the Road Traffic Regulation Act 1984 the effect of which would be to prohibit vehicular traffic from entering or proceeding in the length of the road specified in column 1 of the table to the Schedule in this Notice, to facilitate resurfacing of the carriageway thereon ("the Works")

2. The prohibitions specified in Article 1 above are necessary because the Works proposed are to be executed on or near the said roads and the likelihood of danger to the public.

3. If the Order is made, the Order shall come into operation on 25th May 2015 and would be valid for a maximum period of 18 months or until the Works are completed, whichever is the sooner. The Works are scheduled to commence on 25th May 2015 and are expected to be completed by 7th June 2015.

4. The prohibitions specified would only be operational at such times as described in column 2 of the table to the Schedule in this Notice and as shall from time to time be indicated by the display of traffic signs on the street pursuant to Section 68 of the Road Traffic Regulation Act 1984.

5. An exemption would be provided in the proposed Order to permit pedestrian access at any time to any premises situated on or adjacent to the said roads or to any other premises accessible for pedestrians from, and only from the said roads.

6. An alternative route will be available for use and is identified in column 3 of the table in the Schedule to this Notice.

7. Section 16(1) RTTRA states "A person who contravenes, or who uses or permits the use of a vehicle in contravention of, a restriction of prohibition imposed by an order under section 14 of this Act shall be guilty of an offence". The maximum penalty on summary conviction is £1000.

8. Persons having a query concerning these Works or the proposed Order should email Velup Siva on Velup.Siva@havering.gov.uk.

**DATED this 15th May 2015**  
**Published in the Romford Recorder: 15th May 2015**  
**Graham White, Interim Director of Legal & Governance**  
**London Borough of Havering, Town Hall, Main Road, Romford RM1 3BD**

1 Road/ Length of Road	2 Duration of Works	3 Alternative Route
Temporary closure of <b>A1306 New Road</b> Closed between its junctions with Wennington Road and A13 Slip Road/ A1306 New Road roundabout north side <b>NORTHBOUND</b>	<b>BETWEEN:</b> 19:30 hours and 06:30 hours on 25th May 2015 for each day between the same hours for a maximum period of 18 months or until the Works are completed, whichever is the sooner. The Works are scheduled to commence on 25th May 2015 and are expected to be completed by 7th June 2015.	Traffic diverted to A1306 London Road, Purfleet Road, Mill Road, Romford Road, Aveley Road, Warwick Lane, Launder's Lane, A1306 New Road
Temporary closure of <b>A1306 New Road</b> Closed between its junctions with Wennington Road and A13 Slip Road/ A1306 New Road roundabout north side <b>SOUTHBOUND</b>	<b>BETWEEN:</b> 19:30 hours and 06:30 hours on 1st June 2015 for each day between the same hours for a maximum period of 18 months or until the Works are completed, whichever is the sooner. The Works are scheduled to commence on 1st June 2015 and are expected to be completed by 7th June 2015.	Traffic diverted to A1306 New Road, Launder's Lane, Warwick Lane, Aveley Road, Romford Road, Mill Road, Purfleet Road, A1306 London Road

**Goods Vehicle**  
**Operator's Licence**

Skip A Hoy Ltd of 92 Gorseway, Rush Green, Essex, RM7 0RX is applying for a licence to use Spring Farm, Muthering Lane, Navestock, Romford, Essex RM4 1HL as an operating centre for 3 goods vehicles and 0 trailers.

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

**Goods Vehicle Operator's Licence**

Essex Removal Service & Co Ltd of 139 Crow Lane, Romford, Essex RM7 0ES is applying for a licence to use 139 Crow Lane, Romford, Essex RM7 0ES as an operating centre for 5 goods vehicles. Owners or occupiers of land (including buildings) near the operating centre(s) who believe that their use or enjoyment of that land would be affected, should make written representations to the Traffic Commissioner at Hillcrest House, 386 Harehills Lane, Leeds LS9 6NF stating their reasons, within 21 days of this notice. Representors must at the same time send a copy of their representations to the applicant at the address given at the top of this notice. A Guide to Making Representations is available from the Traffic Commissioner's Office.

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**Application for a premises licence to be granted  
under the Licensing Act 2003**



**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

**I/We Ercan Batit**

*(Insert name(s) of applicant)*

**apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 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**

**Part 1 – Premises Details**

Postal address of premises or, if none, ordnance survey map reference or description Elm Park Food & Wine 9 Broadway Parade Hornchurch Essex RM12 4RS			
<b>Post town</b>		<b>Postcode</b>	
Telephone number at premises (if any)			
Non-domestic rateable value of premises		<b>£9200</b>	

**Part 2 - Applicant Details**

Please state whether you are applying for a premises licence as

Please tick as appropriate

- |   |                          |                             |
|---|--------------------------|-----------------------------|
| a) an individual or individuals *               | X                        | please complete section (A) |
| b) a person other than an individual *          |                          |                             |
| i. as a limited company                         | <input type="checkbox"/> | please complete section (B) |
| ii. as a partnership                            | <input type="checkbox"/> | please complete section (B) |
| iii. as an unincorporated association or        | <input type="checkbox"/> | please complete section (B) |
| iv. other (for example a statutory corporation) | <input type="checkbox"/> | please complete section (B) |
| c) a recognised club                            | <input type="checkbox"/> | please complete section (B) |
| d) a charity                                    | <input type="checkbox"/> | please complete section (B) |

- e) the proprietor of an educational establishment ☐ please complete section (B)
- f) a health service body ☐ please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales ☐ please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England ☐ please complete section (B)
- h) the chief officer of police of a police force in England and Wales ☐ please complete section (B)

\* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or X

I am making the application pursuant to a

statutory function or ☐

a function discharged by virtue of Her Majesty's prerogative ☐

**(A) INDIVIDUAL APPLICANTS** (fill in as applicable)

Mr <input checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
<b>Surname</b> Batit			<b>First names</b> Ercan		
I am 18 years old or over				<input checked="" type="checkbox"/>	Please tick yes
Current postal address if different from premises address		162 - 164 Deans Lane HA8 9NT			
Post town				Postcode	
<b>Daytime contact telephone number</b>					
<b>E-mail address (optional)</b>					

**SECOND INDIVIDUAL APPLICANT (if applicable)**

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
<b>Surname</b>			<b>First names</b>		
I am 18 years old or over					<input type="checkbox"/> Please tick yes
Current postal address if different from premises address					
Post town				Postcode	
<b>Daytime contact telephone number</b>					
<b>E-mail address (optional)</b>					

**(B) OTHER APPLICANTS**

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

Name
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

### Part 3 Operating Schedule

When do you want the premises licence to start?

DD		MM		YYYY	
1	3	0	4	2	0

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD		MM		YYYY	

Please give a general description of the premises (please read guidance note 1)

THE PREMISES IS A BRICK BUILT SHOP CURRENTLY TRADING AS A GENERAL STORE  
WE WISH TO SELL ALCOHOL IN ADDITION TO THE PRODUCTS ALREADY AVAILABLE

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

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment

Please tick any that apply

- |   |                          |
|---|--------------------------|
| 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"/> |

**J**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 6)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon	08:00	23:00	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 4)		
Tue	08:00	23:00			
Wed	08:00	23:00			
Thur	08:00	23:00	<b>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</b> (please read guidance note 5)		
Fri	08:00	23:00			
Sat	08:00	23:00			
Sun	08:00	23:00			

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

Name
------

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 8).**  
NON

L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 6)			<b>State any seasonal variations</b> (please read guidance note 4)
Day	Start	Finish	
Mon	08:00	23:00	
Tue	08:00	23:00	
Wed	08:00	23:00	
Thur	08:00	23:00	
Fri	08:00	23:00	<b>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</b> (please read guidance note 5)
Sat	08:00	23:00	
Sun	08:00	23:00	

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

**a) General – all four licensing objectives (b, c, d and e) (please read guidance note 9)**

No alcohol or tobacco will ever be purchased from sellers calling at the premise. Exceptions to the condition would be purchases made from authorised representatives who have made prior appointments to visit the store.

- ☐ All alcohol and tobacco products sold at the premises shall have the relevant UK duty paid.
- ☐ Foreign tobacco, which does not comply with relevant UK legislation, shall not be stored and/or sold at the premise.
- ☐ Invoices, or copies of invoices, for all alcohol and tobacco purchases for the sale at the premises, will be retained and kept at the premises, and made available to officers from Trading Standards, the Police or HMRC, upon request
- ☐ A stock control system will be maintained, to enable the licensee and designated premises supervisor to quickly identify where and when alcoholic and tobacco product have been purchased
- ☐ An ultra-violet light will be available at the premises and will be used for the purpose of checking the UK Duty Stamps on spirits as soon as practicable after purchase
- ☐ If any spirits purchased for or on behalf of the business have UK Duty Stamps that do not fluoresce under ultra-violet light, or are otherwise suspicious, the licensee and/or designated premises supervisor shall notify the supplier to Havering Council Trading Standards and HMRC as soon as possible.
- ☐ If any tobacco products purchased for or on behalf of the business does not have UK Duty Paid fiscal mark or are otherwise suspicious, the licensee and/or designated premises supervisor shall notify the supplier to Dudley MBC Trading Standards and HMRC as soon as possible.

Protecting Children from Harm

**b) The prevention of crime and disorder**

1. The CCTV system must be installed and operate internally to cover all areas that licensable activities take place and where alcohol is displayed within any public area.
2. The CCTV unit shall be positioned in a secure part of the licensed premise. Access to the system should be allowed immediately to the Police upon request.
3. A competent trained person in the use of and operation of the CCTV will be in attendance at the premises at all times that licensable activities take place and be able to fully operate the CCTV system to be able to download in a recognised format any information requested by the Police.
4. The CCTV system clock should be set correctly and maintained (taking account of GMT and BST).
5. A facility will be available for the Police to remove from the CCTV system a copy of any material relevant to any ongoing Police investigation.
6. All CCTV images will be retained for a period of not less than 31 day
7. An incident register of all occurrences and ejections from the premises will be maintained at the premises and all details of public order offences will be recorded.
8. All persons involved in the sale of alcohol will receive initial and subsequent 6 monthly refresher training by the Designated Premises Supervisor or an appropriately accredited training provider with regards to the law in relation to the sale of alcohol. This will be recorded in a staff training register and will include, signature of the member of staff, the DPS or an appropriately accredited training provider together with the date.
9. At any time when there is no Personal License holder on the premises there must be at least one member of staff on duty inside the premise who has been authorised by the DPS. Any such person should have seen, read and be fully aware of the conditions of the premise licence and take all steps to ensure that such conditions are adhered to whilst they have responsibility for the premise.
10. A record should be kept detailing, the name and address relative to the person left in charge of the premise and the times and dates when the authority to cover exists, in writing.
11. These should be individual entries covering short periods of time only and should not exceed more than a three week period.
12. The authorised person should also sign on each occasion that he/she has physically seen inspected and is fully aware of all the conditions attached to the premise licence. The DPS should sign to acknowledge that they agree to the authorised person being in charge of the premise for any times specified. The records of these matters should be kept fully updated at all times.

All Records shall be retained at the premises for a period of no less than 12 months and made available to responsible authorities on request.

**c) Public safety**

ALL EMERGENCY LIGHTING WILL BE CHECKED WEEKLY  
ENTRANCES, EXITS AND PASSEGEWAYS ARE KEPT CLEAR

**d) The prevention of public nuisance**

PROMINENT SIGNS WILL BE DISPLAYED REQUESTING CUSTOMERS TO HAVE REGARD FOR LOCAL RESIDENTS  
WHEN LEAVING THE PREMISES  
ADEQUATE BINS ARE AVAILABLE FOR CUSTOMERS TO DISPOSE OF LITTER

**e) The protection of children from harm**

- ☐ A Challenge 25 policy will be adopted in order to reduce the potential for underage sales of age restricted products including alcohol. If a customer appears to be under 25 years of age and cannot prove that they are eligible to purchase the age restricted item with a valid UK or Ireland Photocard Driving Licence, a valid Passport or PASS accredited proof of age scheme card, they will be refused service.
- ☐ Challenge 25 posters will be displayed at the premises to reinforce this policy. Posters will be placed at; each till, each area alcohol is stocked and at the point of entry into the store. The posters will be displayed prominently and in sight of customers and staff.
- ☐ A Refusals Register is to be used to record all incidents when a sale is refused. The register is to be kept in the store at all times unless it is requested by authorised officers of responsible authorities. The Refusal/Challenge Register is to be checked and signed off by the Designated Premises Supervisor every two weeks.
- ☐ All staff working at the premises involved in the sale of age restricted products including alcohol will receive on-going training and will be refreshed at least every 6 months. This will be recorded in a staff training register and will also include a written test of knowledge. The Training records must be made available to authorised officers of responsible authorities on request. Records shall be retained at the premises.

**Checklist:**

**Please tick to indicate agreement**

- I have made or enclosed payment of the fee. ☒
- I have enclosed the plan of the premises. ☒
- I have sent copies of this application and the plan to responsible authorities and others where applicable. ☒
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable. ☒
- I understand that I must now advertise my application. ☒




- I understand that if I do not comply with the above requirements my application will be rejected. ☒

**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.**

**Part 4 – Signatures** (please read guidance note 10)

**Signature of applicant or applicant's solicitor or other duly authorised agent** (see guidance note 11).  
**If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	1-5-15
Capacity	AGENT FOR THE APPLICANT

**For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant's solicitor or other authorised agent** (please read guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)

PMB LICENSING  
 THE DOG AND PARTRIDGE  
 136 HIGH STREET

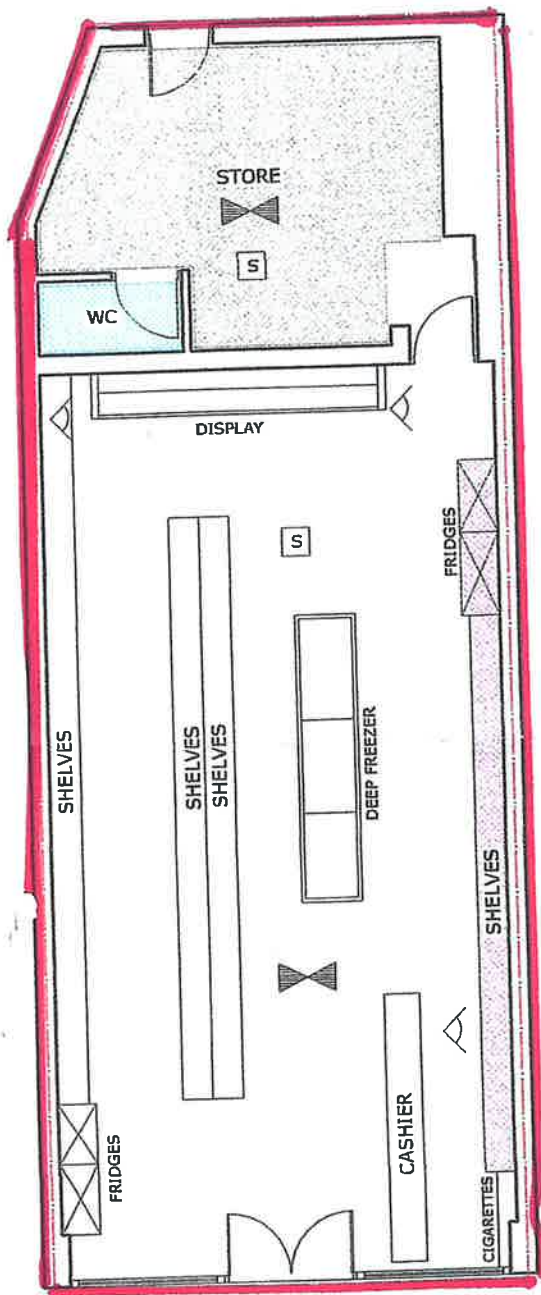
Post town	DUDLEY	Postcode	DY5 3BP
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Telephone number (if any)	07779351620
---------------------------	-------------



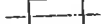




If you would prefer us to correspond with you by e-mail, your e-mail address (optional)  
 pmblicensing@yahoo.com

**Notes for Guidance**

1. Describe 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.
2. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.



EXISTING GROUND FLOOR

-  LIQUOR STORAGE
-  WC, PASSAGEWAY, ETC
-  AMBIT OF LICENSED PREMISES
-  SAFETY LIGHTING
-  CARBON DIOXIDE FIRE EXTINGUISHER
-  9 LT. WATER FIRE EXTINGUISHER
-  CCTV

**LICENSABLE ACTIVITY**

**ELM PARK FOOD & WINE:**

9 BROADWAY PARADE

ELM PARK AVENUE

HORNCHURCH RM12

EXISTING

- GROUND FLOOR PLAN

SCALE: 1/100

REF. NO : 118.05/01

DATE: APR. 05

DRG BY: A.AY

**ANVA LTD.**

P.O. BOX 1827

ILFORD, IG2 7WJ

TEL: 020 8599 5036 FAX: 020 8586 4401  
MOBILE: 077 10942923 / 079 31393989



# Havering

LONDON BOROUGH

## Public Protection

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

The Appropriate Licensing Officer  
Licensing Authority  
London Borough of Havering  
Town Hall  
Main Road  
Romford  
RM1 3BB

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

Date: 27<sup>th</sup> May 2015

My Reference: PPC 16677

Dear Sir

**Licensing Act 2003**  
**Elm Park Express**  
**9 Broadway Parade, Elm Park, Hornchurch, RM12 4RS.**  
**Application for a premises licence**

With regard to the above I can confirm that this Licensing Authority wishes to make representation against the application for a premises licence based upon our concerns in relation to the prevention of crime and disorder and the protection of children from harm licensing objectives.

This premises was called to review by Trading Standards for selling alcohol to underage volunteers on two occasions, counterfeit alcohol for sale at the premises, illicit alcohol and cigarettes being sold, other incidents of poor management were pointed out to the Licensing Sub-Committee by myself in relation to this venue.

At the hearing on 22<sup>nd</sup> April 2015 of the Licensing Sub-Committee revoked the premises licence. This application for a new premises licence was received by the licensing authority 13 days later on 5<sup>th</sup> May.

With this background for the venue and this application asking for longer hours for the supply alcohol and additional alcohol area to the revoked premises licence, I think that the applicant has not adequately addressed the four licensing objectives in the operating schedule.

In section "a) General"

The points mentioned are what all licensed premises have to do to comply with the law.

In section "b) prevention of crime and disorder"

What is offered here is what I would expect to be offered on any new application nothing extra is addressed.

In section "c) Public Safety"

Nothing additional is being offered

In section "d) Prevention of Public Nuisance"

This is the minimum required on a new premises licence application

In section "e) Protection of Children from Harm"

A challenge 25 and refusals register and training is the normal conditions on a premises with a venue which has had previous issues I would require extensive procedures to be in place before I could consider supporting an application for the same premises.

Without correct and robust measures in place at the premises it may continue to act poorly and possibly illegally, the Licensing Authority have no confidence at this time that the premises will drastically change their operating procedures to stop illegal actions and protect children, some further reasons for our concerns are as follows.

The applicant Mr Ercan Batit gives his address on the application and the consent to be the Designated Premises Supervisor (DPS) as 162-164 Deans Lane HA8 9NT.

The address 162-164 Deans Lane is the address of "Edgware Supermarket Off Licence – Newsagent" this is a commercial premises and does not appear to be residential. (photo attached)

I made enquiries at Brent Council and they told me that Mr Ercan Batit is the licence holder and the DPS for Edgware Supermarket, the address for Mr Batit on their files is not 162-164 Deans Lane.

Enquiries made with the London Borough of Hackney (where Mr Batit personal licence was issued) in relation to Mr Batit personal licence gave the following reply

*"I can confirm that Mr Ercan Batit holds a personal licence (LBH-PER-T-0253) issued by us. however, the home address we have on our system is 8 Windsor House, Manor House, London, N4 2QA"*

Elm Park town centre is an area of about 80 shop units which serves the local community, customers do not generally travel from further afield to Elm Park to shop.

Out of the 80 shops, 11 premises are licensed to sell alcohol for off supply including four national companies.

As the amount of potential customers is a relative static figure, competition for customers could cause licence holders without robust procedures in place to cut corners to make a profit, this could be buying from a cheap or unreliable source or selling to persons who should not be served.

This is possibly the reason the last licence holder for the premises had illegal/illicit alcohol/cigarettes and sold alcohol to children.

The Licensing Authority is unsure if there is any family or business connection between Mr Batit and the previous two licence holders of Mrs Berta Sarikaya and Mr Cancer Coccelli.

It is not known if Mrs Sarikaya is going to appeal the Sub-Committee decision to revoke the premises licence (001347), if she does the premises can continue to supply alcohol under that licence until the appeal is heard. If this application is granted which licence will the premises be operating under, who will be in control of the premises and what conditions will alcohol be being sold under.

The premises were still supplying alcohol under licence 001347 at the date of this representation.

## Outline of concerns

- This is a premises licence application which relates to the premises not to a person.  
– A licence can be transferred as soon as it is granted.
- We have a premises which has in the past sold alcohol to children and sold illegal/illicit alcohol and cigarettes. – Public will be used to using this shop for illegal/illicit products.
- We have an applicant which has different addresses recorded with different councils. – We do not know a correct address.
- We have an application for a problem premises which shows a DPS who is also the DPS for a store in Brent. – How much time will the DPS be spending at Elm Park and Brent.
- We have an application where the operating schedule only offers what is expected in every application and does not fully address the previous problems at the premises. – Effective measures have not been offered to prevent illegal actions or poor practice happening again at the premises.
- We have an application that is asking for extra hours to the revoked licence.
- We have an application that is asking for extra areas for the display of alcohol than the revoked licence.
- We do not know if there is any family or business connection between Mr Batit and previous licence holders.
- We are unsure of who will be running the Elm Park shop. – Will the same staff be used at the premises.

Yours faithfully

**Paul Campbell**  
**Licensing Specialist**



**Public Protection**  
London Borough of Havering  
5<sup>th</sup> Floor, Mercury House  
Mercury Gardens  
Romford RM1 3SL

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

**Telephone: 01708 433425**  
Fax: 01708 432554  
email: keith.bush@havering.gov.uk  
Textphone: 01708 433175  
Date: 28<sup>th</sup> May 2015

Your Ref:

Dear Sir/Madam,

**Licensing Act 2003**  
**Elm Park Food & Wine, 9 Broadway Parade, Hornchurch, Essex**

In relation to the application for the above mentioned premises licence the trading standards service would make the following representations:

The service has concerns in relation to the licensing objectives of the protection of children from harm and the prevention of crime and disorder and are unable to support this application.

The previous operators of the venue were the premises licence holder, Berta Sarikaya and the designated premises supervisor, Caner Cocelli.

Whilst under the operation of these individuals there were 2 underage sales of alcohol and counterfeit and illicit alcohol and cigarettes were found on the premises on 3 separate occasions, leading to a review of the premise licence. The decision of the Licensing Sub-Committee was to revoke the licence.

One of the concerns of the Sub-Committee was the continued involvement of Mr Cocelli in the business.

The speed with which the new application was received raises concerns that the new operators may not be independent and sufficiently far removed from the previous operators to make material difference at the premises. It seems unlikely that the business has been sold in such a short period of time and this may be something the Sub-Committee would like to explore.

Background enquiries have raised the following concerns:

Mr Caner Cocelli and Mr Ercan Batit would appear to have lived together in the past at 103 Hickory Close, London N9 between 1999 and 2003.

Mr Batit, and Mr Cocelli have both been the directors of two companies, ZMD Ltd and Berkay Ltd.

It should be noted that in the Companies House records for Berkay Ltd that Mr Caner Cocelli uses the address of 162-164 Deans Lane, Edgware, London, HA8 9NT. This is the same address as used in the current application for Ercan Batit.

There have been significant failures at 9 Broadway Parade, Elm Park. Before granting this licence the committee needs to be sure that the new operators are willing and able to make the necessary changes to prevent any reoccurrence. The trading standards service is concerned that the new applicant has close ties to Mr Caner Cocelli and that as a result no significant changes will occur at the venue in relation to the way it is operated.

It is also noted that the new applicant Mr Ercan Batit was cautioned for selling alcohol to a minor at Edgware Supermarket, 162-164 Deans Lane, Edgware in 2007. It is acknowledged that the offence is quite historic and we are unaware of any further problems.

I trust this representation is self explanatory. If however there are further queries regarding this matter please telephone on 01708 433425.

Yours faithfully,



**Mr K Bush**  
**Specialist Trading Standards Officer (Operations)**





**Current Appointments Report for:**  
**ZMD LTD**  
**07482164**

**Created: 05/05/2015 16:26:15**

Companies House is a registry of corporate information. We carry out basic checks to make sure that documents have been fully completed and signed, but we do not have the statutory power or capability to verify the accuracy of the information that corporate entities send to us. We accept all information that such entities deliver to us in good faith and place it on the public record. The fact that the information has been placed on the public record should not be taken to indicate that Companies House has verified or validated it in any way.

# Company Register Information

<b>Company Number:</b>	07482164	<b>Date of Incorporation:</b> 05/01/2011
<b>Company Name:</b>	ZMD LTD	
<b>Registered Office:</b>	c/o ARTEMIS & CO 305 HERTFORD ROAD LONDON N9 7ET	
<b>Company Type:</b>	Private Limited Company	
<b>Country of Origin:</b>	United Kingdom	
<b>Status:</b>	Active	
<b>Nature Of Business (SIC):</b>	47110 - Retail sale in non-specialised stores with food, beverages or tobacco predominating	
<b>Number of Charges:</b>	( 0 outstanding / 0 part satisfied / 0 satisfied)	

## Previous Names

No previous name information has been recorded over the last 20 years.

## Key Filing Dates

<b>Accounting Reference Date:</b>	31/01
<b>Last Accounts Made Up To:</b>	31/01/2014 (TOTAL EXEMPTION SMALL)
<b>Next Accounts Due:</b>	31/10/2015
<b>Last Return Made Up To:</b>	05/01/2015
<b>Next Return Due:</b>	02/02/2016
<b>Last members list:</b>	05/01/2015
<b>Last Bulk Shareholders List:</b>	Not available

# Current Appointments

Number of current appointments: 1/Number of resigned appointments : 1

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<b>DIRECTOR:</b>	BATIT, ERCAN MR	
<b>Appointed:</b>	05/01/2011	<b>Date of Birth:</b> 23/11/1973
<b>Nationality:</b>	BRITISH	
<b>No. of Appointments:</b>	3	
<b>Address:</b>	162-164 DEANS LANE EDGWARE UNITED KINGDOM HA8 9NT	
<b>Country/State of Residence:</b>	GBR	

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<b>DIRECTOR:</b>	COCELLI, CANER MR	
<b>Appointed:</b>	01/02/2012	<b>Date of Birth:</b> 27/09/1971
<b>Resigned:</b>	31/12/2012	
<b>Nationality:</b>	TURKISH	
<b>No. of Appointments:</b>	1	
<b>Address:</b>	c/o ARTEMIS & CO 305 HERTFORD ROAD LONDON UNITED KINGDOM N9 7ET	
<b>Country/State of Residence:</b>	UNITED KINGDOM	

# Recent Filing History

Documents filed since 21/01/2014

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DATE	FORM	DESCRIPTION
12/03/2015	AR01	05/01/15 FULL LIST
<i>12/03/2015</i>	<i>LATEST SOC</i>	<i>12/03/15 STATEMENT OF CAPITAL;GBP 100</i>
31/10/2014	AA	31/01/14 TOTAL EXEMPTION SMALL
21/01/2014	AR01	05/01/14 FULL LIST

This Report excludes 88(2) Share Allotment documents



**Current Appointments Report for:  
BERKAY LIMITED  
04742962**

**Created: 05/05/2015 16:31:14**

Companies House is a registry of corporate information. We carry out basic checks to make sure that documents have been fully completed and signed, but we do not have the statutory power or capability to verify the accuracy of the information that corporate entities send to us. We accept all information that such entities deliver to us in good faith and place it on the public record. The fact that the information has been placed on the public record should not be taken to indicate that Companies House has verified or validated it in any way.

# Company Register Information

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<b>Company Number:</b>	04742962	<b>Date of Incorporation:</b> 24/04/2003
<b>Company Name:</b>	BERKAY LIMITED	
<b>Registered Office:</b>	GILBERT & CO 442C HERTFORD ROAD EDMONTON LONDON N9 8AB	
<b>Company Type:</b>	Private Limited Company	
<b>Country of Origin:</b>	United Kingdom	
<b>Status:</b>	Dissolved 17/06/2014	
<b>Nature Of Business (SIC):</b>	5211 - Retail in non-specialised stores holding an alcohol licence, with food, beverages or tobacco predominating, not elsewhere classified	
<b>Number of Charges:</b>	( 0 outstanding / 0 part satisfied / 0 satisfied)	

## Previous Names

No previous name information has been recorded over the last 20 years.

## Key Filing Dates

<b>Accounting Reference Date:</b>	31/03
<b>Last Accounts Made Up To:</b>	31/03/2011 (TOTAL EXEMPTION SMALL)
<b>Next Accounts Due:</b>	
<b>Last Return Made Up To:</b>	24/04/2010
<b>Next Return Due:</b>	
<b>Last members list:</b>	24/04/2010
<b>Last Bulk Shareholders List:</b>	Not available

# Current Appointments

Number of current appointments: 2/Number of resigned appointments : 5

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<b>SECRETARY:</b>	BATIT, AZIZ MR	
<b>Appointed:</b>	27/10/2008	<b>Date of Birth:</b> 08/02/1966
<b>No. of Appointments:</b>	1	
<b>Address:</b>	25 ORCHARD CRESCENT EDGWARE LONDON UK HA8 9PP	

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<b>DIRECTOR:</b>	BATIT, ERCAN MR	
<b>Appointed:</b>	15/06/2004	<b>Date of Birth:</b> 23/11/1973
<b>Nationality:</b>	BRITISH	
<b>No. of Appointments:</b>	3	
<b>Address:</b>	162-164 DEANS LANE EDGWARE MIDDLESEX HA8 9NT	
<b>Country/State of Residence:</b>	GBR	

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<b>SECRETARY:</b>	BATIT, EROL	
<b>Appointed:</b>	29/05/2003	<b>Date of Birth:</b> 01/03/1975
<b>Resigned:</b>	27/10/2008	
<b>No. of Appointments:</b>	1	
<b>Address:</b>	113 SUMMIT ESTATE PORTLAND AVENUE LONDON N16 6EX	

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<b>NOMINEE SECRETARY:</b>	HCS SECRETARIAL LIMITED	
<b>Appointed:</b>	24/04/2003	
<b>Resigned:</b>	24/04/2003	
<b>Nationality:</b>	BRITISH	
<b>No. of Appointments:</b>	0	
<b>Address:</b>	44 UPPER BELGRAVE ROAD CLIFTON	

BRISTOL  
UK  
BS8 2XN

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<b>DIRECTOR:</b>	BATIT, ERCAN MR	
<b>Appointed:</b>	15/06/2004	<b>Date of Birth:</b> 23/11/1973
<b>Resigned:</b>	15/06/2004	
<b>Nationality:</b>	BRITISH	
<b>No. of Appointments:</b>	3	
<b>Address:</b>	162-164 DEANS LANE EDGWARE MIDDLESEX HA8 9NT	
<b>Country/State of Residence:</b>	GBR	

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<b>DIRECTOR:</b>	COCELLI, CANER	
<b>Appointed:</b>	07/05/2003	<b>Date of Birth:</b> 27/09/1971
<b>Resigned:</b>	15/06/2004	
<b>Nationality:</b>	TURKISH	
<b>No. of Appointments:</b>	1	
<b>Address:</b>	162-164 DEANS LANE EDGWARE LONDON HA8 9NT	

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<b>NOMINEE DIRECTOR:</b>	HANOVER DIRECTORS LIMITED	
<b>Appointed:</b>	24/04/2003	
<b>Resigned:</b>	24/04/2003	
<b>Nationality:</b>	BRITISH	
<b>No. of Appointments:</b>	0	
<b>Address:</b>	44 UPPER BELGRAVE ROAD BRISTOL BS8 2XN	



# Recent Filing History

Documents filed since 11/06/2013

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DATE	FORM	DESCRIPTION
17/06/2014	GAZ2(A)	FINAL GAZETTE: DISSOLVED VIA VOLUNTARY STRIKE-OFF
04/03/2014	GAZ1(A)	FIRST GAZETTE NOTICE FOR VOLUNTARY STRIKE-OFF
16/08/2013	SOAS(A)	VOLUNTARY STRIKE OFF SUSPENDED
11/06/2013	GAZ1(A)	FIRST GAZETTE NOTICE FOR VOLUNTARY STRIKE-OFF

This Report excludes 88(2) Share Allotment documents

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Mr Paul CAMPBELL  
Havering Licensing Authority  
Mercury House  
Mercury Gardens  
Romford  
Essex  
RM1 3SL

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

Romford Police Station  
19 Main Road  
Romford  
RM1 3BJ  
Telephone: 01708-779171  
Facsimile:  
Email:  
lee.M.Davies@met.pnn.police.uk  
www.met.police.uk  
Your ref:  
Our ref: Kotan Premises Licence  
Application  
26 May 2015

Dear Mr Campbell

Police have been served a new premises license application relating to the premises of **Elm Park Food and Wine, 9 Broadway Parade, Hornchurch, Essex, RM12 4RS**. Police wish to make objections to this application as we believe by granting the premise license it will have a detrimental effect against promoting at least two of the four Licensing objectives, namely -

- 1, Prevention of Crime and Disorder.
- 2, The prevention of public nuisance.

**Location**

The premise in question is situated in Elm Park on a parade of shops within a short walking distance of Elm Park Underground station, and Abbs Cross Arts Academy, which incorporates year 12 and year 13 students.

**Background.**

The premise is a brick built shop currently trading as a general store with a request to sell alcohol in addition to the goods already available,

The premise has come to police notice on several occasions, most recently on 22nd April 2015 when the premise was brought before the licensing sub-committee following a review by trading standards, on this occasion the decision was made to revoke the licence. In January 2015 illicit alcohol and cigarettes were seized as part of an operation with HMRC, prior to that on 11/12/2014 the venue sold alcohol to a test purchase officer, **(KDRT00304912 refers)** I was part of that operation and I established that the seller did not request identification and did not ask the test purchaser to confirm there age, the seller in question has a current personal licence, he was issued with a fixed penalty notice for £90.00, during the same operation officers found a large quantity of foreign cigarettes estimated to be more than 2000 that had not been VAT cleared underneath the counter, In June 2011 Police and trading standards officers visited the premises to conduct a test purchase operation, the dedicated premises supervisor at the time sold a 75cl bottle of Echo Falls wine at 11% volume to a 16 year old test purchaser, no identification was requested and the DPS did not ask for the volunteers age, The DPS was prosecuted and pleaded guilty at court, He was fined £233 and was told to pay £300 towards the costs. **(KDRT00257062 Refers)**

**Concerns over crime and disorder.**

As the police have already mentioned the venue has been subject of crime and disorder, indeed on the day of the December 2014 operation, as police were exiting the venue a member of the public entered and attempted to buy some of the cigarettes from underneath the counter, she was advised that these cigarettes were no longer available, the female seemed annoyed by these remarks, this would appear on face value to be the norm for local residents and customers who use the venue on a regular basis, furthermore on a previous visit the police found a pick axe handle and knife under counter **(KDRT00108217 Refers)** this in itself raises concerns that the premies will take the law in to

there own hands, If the prospective new owners are not inclined to sell from under the counter, or indeed not willing to sell to children who use the venue on a regular basis this could lead to problems in the venue with the staff becoming the victims of assaults and potential public order offences.

### **Concerns over the protection of children from harm**

As mentioned the venue has failed two test purchases in the past once in 2014 and another in 2011, on both occasions the seller did not ask for identification and did not request the persons age, both were prosecuted one via the court system and the other by way of a fine, furthermore there have been occasions when the police have attended the venue and have found a child of 14 years old working behind the counter, on a Friday night (**KDRT00225631 Refers**) this is clearly not acceptable, nor appropriate. The police feel that local youths who know the venue will continue to use it as a source for alcohol, this in the police's opinion is evident in the lack of due diligence by the management and supervisors on the previous underage sales.

### **In Summary**

There appears to be a common theme with this venue, although there is no apparent link between the succession of premises supervisors all have failed in some way, whether it is selling illegal cigarettes, stocking/buying illicit alcohol or indeed selling alcohol to underage children,

The supervisors have a lack of regard for the law and indeed the conditions set out in the premises licence.

The police do not have the confidence that the new ownership will be any different, despite any assurance that may be made, via the application,

Lastly on 12/03/2015 police received an email from the current management's representatives stating that the venue had lost the premises licence.

If this is the case then how is an already failing venue going to comply with the conditions set out in the licence if they do not have one to refer to in the first place,

It is the police's opinion that the premises licence for this venue should not be granted as the police have no confidence that the new owners will be able to adhere to the law and the conditions set out in the licence.

If I can be of any further assistance please feel free to contact me

Regards

**Lee DAVIES**  
**Pc 403KD**  
**Romford Town centre Team**

| **Telephone: 01708 779203** | **Mobile: 07584318627** | **E-mail: Lee.davies3@met.police.uk**  
**Address: Romford Police Station, 19 Main Road, Romford RM1 3BJ**