

**Havering Council – Decisions taken by the Licensing Sub-Committee on Monday, 3 August 2015**

Agenda Item No	Topic	Decision
----------------	-------	----------

**Note: this decision list is for guidance only. The text of the minutes, which may be different, is definitive.**

**Part A – Items considered in public**

<p><b>A1</b></p>	<p>APPLICATION FOR A PREMISES LICENCE MADE BY BUDDHA RT LTD FOR CIRCUIT, 36-38 NORTH STREET, ROMFORD.</p>	<p align="right"><b>Licensing Act 2003 Notice of Decision</b></p> <p><b>PREMISES</b> Circuit, 36-38 North Street, Romford, RM1 1BH</p> <p><b>DETAILS OF APPLICATION</b></p> <p>This application for a premises licence is made by Buddha RT Ltd under section 17 of the Licensing Act 2003 (“the Act”).</p> <p><b>APPLICANT</b> Buddha RT Ltd, PO Box 2944, Romford. RM7 1QF</p> <p><b>1. Details of requested licensable activities</b></p> <p>This application was for a new premises licence.</p> <p><b>Details of the application</b></p> <table border="1" data-bbox="846 1350 1742 1420"> <tr> <td> <p><b>Films, live music, recorded music, performances of dance, anything similar to live music, recorded</b></p> </td> </tr> </table>	<p><b>Films, live music, recorded music, performances of dance, anything similar to live music, recorded</b></p>
<p><b>Films, live music, recorded music, performances of dance, anything similar to live music, recorded</b></p>			

**Havering Council – Decisions taken by the Licensing Sub-Committee on Monday, 3 August 2015**

Agenda Item No	Topic	Decision
----------------	-------	----------

		<table border="1"> <thead> <tr> <th align="center" colspan="3"><b>music or performance of dance, supply of alcohol</b></th> </tr> <tr> <th align="center">Day</th> <th align="center">Start</th> <th align="center">Finish</th> </tr> </thead> <tbody> <tr> <td>Monday &amp; Tuesday</td> <td>11:00</td> <td>00:00</td> </tr> <tr> <td>Wednesday &amp; Thursday</td> <td>11:00</td> <td>03:00</td> </tr> <tr> <td>Friday &amp; Saturday</td> <td>11:00</td> <td>04:00</td> </tr> <tr> <td>Sunday</td> <td>11:00</td> <td>02:30</td> </tr> </tbody> </table> <table border="1"> <thead> <tr> <th align="center" colspan="3"><b>Late night refreshment</b></th> </tr> <tr> <th align="center">Day</th> <th align="center">Start</th> <th align="center">Finish</th> </tr> </thead> <tbody> <tr> <td>Monday &amp; Tuesday</td> <td>23:00</td> <td>00:00</td> </tr> <tr> <td>Wednesday &amp; Thursday</td> <td>23:00</td> <td>03:00</td> </tr> <tr> <td>Friday &amp; Saturday</td> <td>23:00</td> <td>04:00</td> </tr> <tr> <td>Sunday</td> <td>23:00</td> <td>02:30</td> </tr> </tbody> </table> <table border="1"> <thead> <tr> <th align="center" colspan="3"><b>Hours premises open to the public</b></th> </tr> <tr> <th align="center">Day</th> <th align="center">Start</th> <th align="center">Finish</th> </tr> </thead> <tbody> <tr> <td>Monday &amp; Tuesday</td> <td>11:00</td> <td>00:15</td> </tr> <tr> <td>Wednesday &amp; Thursday</td> <td>11:00</td> <td>03:15</td> </tr> <tr> <td>Friday &amp; Saturday</td> <td>11:00</td> <td>04:15</td> </tr> <tr> <td>Sunday</td> <td>11:00</td> <td>02:45</td> </tr> </tbody> </table> <p><b>2. Non Standard Timings</b></p> <ul style="list-style-type: none"> <li>• From the end of permitted hours on New Year's Eve to the start of permitted hours on the following day;</li> <li>• On the trading day on which the clocks go forward (i.e. the start of British</li> </ul>	<b>music or performance of dance, supply of alcohol</b>			Day	Start	Finish	Monday & Tuesday	11:00	00:00	Wednesday & Thursday	11:00	03:00	Friday & Saturday	11:00	04:00	Sunday	11:00	02:30	<b>Late night refreshment</b>			Day	Start	Finish	Monday & Tuesday	23:00	00:00	Wednesday & Thursday	23:00	03:00	Friday & Saturday	23:00	04:00	Sunday	23:00	02:30	<b>Hours premises open to the public</b>			Day	Start	Finish	Monday & Tuesday	11:00	00:15	Wednesday & Thursday	11:00	03:15	Friday & Saturday	11:00	04:15	Sunday	11:00	02:45
<b>music or performance of dance, supply of alcohol</b>																																																								
Day	Start	Finish																																																						
Monday & Tuesday	11:00	00:00																																																						
Wednesday & Thursday	11:00	03:00																																																						
Friday & Saturday	11:00	04:00																																																						
Sunday	11:00	02:30																																																						
<b>Late night refreshment</b>																																																								
Day	Start	Finish																																																						
Monday & Tuesday	23:00	00:00																																																						
Wednesday & Thursday	23:00	03:00																																																						
Friday & Saturday	23:00	04:00																																																						
Sunday	23:00	02:30																																																						
<b>Hours premises open to the public</b>																																																								
Day	Start	Finish																																																						
Monday & Tuesday	11:00	00:15																																																						
Wednesday & Thursday	11:00	03:15																																																						
Friday & Saturday	11:00	04:15																																																						
Sunday	11:00	02:45																																																						

**Havering Council – Decisions taken by the Licensing Sub-Committee on Monday, 3 August 2015**

Agenda Item No	Topic	Decision
		<p>Standard Time) permitted hours may be extended for an additional hour;</p> <ul style="list-style-type: none"> <li>• The permitted hours may be extended until 04:00 on any day immediately preceding a bank holiday; and</li> <li>• The permitted hours may be extended until 05:00 on Christmas Eve and Boxing Day.</li> </ul> <p><b>3. Promotion of the Licensing Objectives</b></p> <p>The applicant acted in accordance with regulations 25 and 26 of The Licensing Act 2003 (Premises licences and club premises certificates) Regulations 2005 relating to the advertising of the application. The required public notice was installed in the 19 June edition of the Romford Recorder.</p> <p><b>4. Details of Representations</b></p> <p>Valid representations may only address the four licensing objectives.</p> <ul style="list-style-type: none"> <li>• The prevention of crime and disorder</li> <li>• Public safety</li> <li>• The prevention of public nuisance</li> <li>• The protection of children from harm</li> </ul> <p><b>Interested Party representations</b></p> <p>There were eight representations made against the application from interested parties. These representations indicated concerns in relation to each of the licensing objectives. The</p>

**Havering Council – Decisions taken by the Licensing Sub-Committee on Monday, 3 August 2015**

<b>Agenda Item No</b>	<b>Topic</b>	<b>Decision</b>
		<p>representations refer to identical concerns for the security of their homes, the behaviour of the clientele of the premises, public nuisance through noise and public urination, public safety and protection of children from harm. None of those submitting representations attended the meeting.</p> <p><b>Responsible authorities’ representations</b></p> <p><b>Chief Officer of Metropolitan Police (“the Police”):</b></p> <p>The Metropolitan Police had made an objection because they believed that granting the premises licence would have a detrimental effect against promoting at least two of the four licencing objectives, namely: -</p> <ol style="list-style-type: none"> <li>1. Prevention of Crime;</li> <li>2. Prevention of public nuisance.</li> </ol> <p>Prior to the meeting notice was received that the Metropolitan Police intended to withdraw their representation following negotiations with the applicant as to the appropriate conditions to be attached if the licence was granted.</p> <p>P C Goodwin formally confirmed that the Metropolitan Police were withdrawing their representations.</p> <p><b>Planning Control &amp; Enforcement:</b> None</p>

**Havering Council – Decisions taken by the Licensing Sub-Committee on Monday, 3 August 2015**

Agenda Item No	Topic	Decision
		<p><b>Licensing Authority:</b> The Licensing Authority had made representations against the application based upon their concerns in relation to the prevention of crime and disorder, public protection, the prevention of public nuisance and the protection of children from harm.</p> <p>Home Office Guidance states that:</p> <ul style="list-style-type: none"> <li>• Section 8.33 – the applicant is expected to have regard to Havering’s Statement of Licensing Policy;</li> <li>• Section 8.34 – the applicant must show an understanding of the local area, including crime hot spots;</li> <li>• Section 8.35 – the applicant must show he is aware of the potential risks and specific policies, in this case the cumulative impact policy; and</li> <li>• Section 8.35 – the applicant should be aware of the locality and the premises close proximity to residential properties.</li> </ul> <p>The Licensing Authority contend that as a new premises licence application the hours being applied for would create a public nuisance for residents who lived nearby by either the music from the venue or the customers leaving. Havering’s Policy for a mixed use area is a finish time of 00:30 to help prevent such nuisance.</p> <p>Within the Romford Ring Road is identified as a cumulative impact area. It is the policy to refuse applications in Romford within the ring road for pubs and bars, late night refreshment premises offering hot food and drink to take away, off licences and premises offering facilities for music and dancing other than applications to vary hours with regard to licensing policy number 012. This application failed to address and give good reason as to why the licence should be granted outside of this policy.</p>

**Havering Council – Decisions taken by the Licensing Sub-Committee on Monday, 3 August 2015**

<b>Agenda Item No</b>	<b>Topic</b>	<b>Decision</b>
		<p>If this application was to replace the existing licence it did raise concerns as a number of conditions on the existing licence were not covered in the new application.</p> <p><b>Public Protection:</b> None</p> <p><b>London Fire &amp; Emergency Planning Authority (“LFEPA”):</b> None</p> <p><b>Health &amp; Safety Enforcing Authority:</b> None.</p> <p><b>Public Health:</b> None</p> <p><b>Children &amp; Families Service:</b> None</p> <p><b>The Magistrates Court:</b> None</p> <p><b>5. Applicant’s response</b></p> <p>Mr Dadds, Solicitor responded on behalf of the applicants. He dealt first with the issue of papers circulated late.</p> <p>He referred to the calendar of Temporary Event Notices which he had provided. This was just for the record to show that the premises had been operating the hours applied for without any problems or attracting representations from either the Metropolitan Police or Environmental Health.</p> <p>He argued that Mr Jones had no grounds to object to the late submission of the letters he had sent to the residents who had submitted representations on behalf of his clients. The</p>

**Havering Council – Decisions taken by the Licensing Sub-Committee on Monday, 3 August 2015**

Agenda Item No	Topic	Decision
		<p>letters were advising the residents of the changes to the proposed conditions which he had agreed with the Metropolitan Police and gave them an opportunity to withdraw their representation. None of the residents had withdrawn their representations.</p> <p>Mr Dadds then responded to the question as to why he had submitted a new premises application rather than apply for a variation. He advised the Sub-Committee that a couple of London Boroughs would grant an application to vary a licence and take the opportunity to impose a raft of conditions. If his clients weren't happy he would have to appeal to the Magistrates Court to seek redress. This represented an additional cost to his clients. It was his practice therefore never to apply for a variation, other than in exceptional circumstances, but always to apply for a new premises licence. In this case it gave the opportunity to clarify and simplify the raft of conditions on the existing licence.</p> <p>Mr Dadds reminded the Sub-Committee that in determining the application they must take into account that the premises already have a licence.</p> <p>There was an anomaly with the current licence as Saturday night hours were longer than Friday night.</p> <p>If there was any evidence of public nuisance why did Environmental Health not make a representation.</p> <p>During the course of the hearing Mr Dadds presented a revised list of opening hours which had been agreed with the Police, but not Licencing. A number of anomalies were spotted and following an adjournment a revised list of opening hours were presented. Again these had been agreed with the Police but not licencing.</p> <p>The revised hours were as follows:</p>

**Havering Council – Decisions taken by the Licensing Sub-Committee on Monday, 3 August 2015**

Agenda Item No	Topic	Decision
----------------	-------	----------

		<table border="1"> <thead> <tr> <th align="center" colspan="3"><b>Sale of Alcohol</b></th> </tr> <tr> <th align="center">Day</th> <th align="center">Start</th> <th align="center">Finish</th> </tr> </thead> <tbody> <tr> <td>Monday and Tuesday</td> <td>11:00</td> <td>00:00</td> </tr> <tr> <td>Wednesday and Thursday</td> <td>11:00</td> <td>01:00</td> </tr> <tr> <td>Friday and Saturday</td> <td>11:00</td> <td>03:45</td> </tr> <tr> <td>Sunday</td> <td>11:00</td> <td>00:30</td> </tr> </tbody> </table> <table border="1"> <thead> <tr> <th align="center" colspan="3"><b>Other licensable activities (Films, Live Music, Recorded Music, Dance, Similar activities, late night refreshments)</b></th> </tr> <tr> <th align="center">Day</th> <th align="center">Start</th> <th align="center">Finish</th> </tr> </thead> <tbody> <tr> <td>Monday and Tuesday</td> <td>11:00</td> <td>00:00</td> </tr> <tr> <td>Wednesday and Thursday</td> <td>11:00</td> <td>02:00</td> </tr> <tr> <td>Friday and Saturday</td> <td>11:00</td> <td>04:00</td> </tr> <tr> <td>Sunday</td> <td>11:00</td> <td>01:30</td> </tr> </tbody> </table> <table border="1"> <thead> <tr> <th align="center" colspan="3"><b>Opening Hours</b></th> </tr> <tr> <th align="center">Day</th> <th align="center">Start</th> <th align="center">Finish</th> </tr> </thead> <tbody> <tr> <td>Monday and Tuesday</td> <td>11:00</td> <td>00:15</td> </tr> <tr> <td>Wednesday and Thursday</td> <td>11:00</td> <td>02:00</td> </tr> <tr> <td>Friday and Saturday</td> <td>11:00</td> <td>04:15</td> </tr> <tr> <td>Sunday</td> <td>11:00</td> <td>01:30</td> </tr> </tbody> </table> <p><b>6. Determination of Application</b></p> <p><b>Decision</b></p>	<b>Sale of Alcohol</b>			Day	Start	Finish	Monday and Tuesday	11:00	00:00	Wednesday and Thursday	11:00	01:00	Friday and Saturday	11:00	03:45	Sunday	11:00	00:30	<b>Other licensable activities (Films, Live Music, Recorded Music, Dance, Similar activities, late night refreshments)</b>			Day	Start	Finish	Monday and Tuesday	11:00	00:00	Wednesday and Thursday	11:00	02:00	Friday and Saturday	11:00	04:00	Sunday	11:00	01:30	<b>Opening Hours</b>			Day	Start	Finish	Monday and Tuesday	11:00	00:15	Wednesday and Thursday	11:00	02:00	Friday and Saturday	11:00	04:15	Sunday	11:00	01:30
<b>Sale of Alcohol</b>																																																								
Day	Start	Finish																																																						
Monday and Tuesday	11:00	00:00																																																						
Wednesday and Thursday	11:00	01:00																																																						
Friday and Saturday	11:00	03:45																																																						
Sunday	11:00	00:30																																																						
<b>Other licensable activities (Films, Live Music, Recorded Music, Dance, Similar activities, late night refreshments)</b>																																																								
Day	Start	Finish																																																						
Monday and Tuesday	11:00	00:00																																																						
Wednesday and Thursday	11:00	02:00																																																						
Friday and Saturday	11:00	04:00																																																						
Sunday	11:00	01:30																																																						
<b>Opening Hours</b>																																																								
Day	Start	Finish																																																						
Monday and Tuesday	11:00	00:15																																																						
Wednesday and Thursday	11:00	02:00																																																						
Friday and Saturday	11:00	04:15																																																						
Sunday	11:00	01:30																																																						



**Havering Council – Decisions taken by the Licensing Sub-Committee on Monday, 3 August 2015**

Agenda Item No	Topic	Decision
----------------	-------	----------

		<p><b>Consequent upon the hearing held on 3 August 2015, the Sub-Committee’s decision regarding the application for a Premises Licence for Circuit, 36-38 North Street, Romford was as follows:.</b></p> <p>The Sub-Committee was obliged to determine this application with a view to promoting the licensing objectives, which are:</p> <ul style="list-style-type: none"> <li>• The prevention of crime and disorder</li> <li>• Public safety</li> <li>• The prevention of public nuisance</li> <li>• The protection of children from harm</li> </ul> <p>In making its decision, the Sub-Committee also had regard to the Guidance issued under Section 182 of the Licensing Act 2003 and Havering’s Licensing Policy.</p> <p>In addition, the Sub-Committee took account of its obligations under s17 of the Crime and Disorder Act 1998, and Articles 1 and 8 of the First Protocol of the Human Rights Act 1998.</p> <p>The Sub-Committee adjourned the hearing for a maximum of 4 weeks. This was because, they had received substantial documentation prior to the hearing and it would be impractical to consider them and give consideration as to whether or not they should impose additional conditions and what those conditions should be to further the licensing objectives in the time allocated to the present hearing. It was therefore necessary to adjourn the hearing to another date.</p>
--	--	---

**Havering Council – Decisions taken by the Licensing Sub-Committee on Monday, 3 August 2015**

<b>Agenda Item No</b>	<b>Topic</b>	<b>Decision</b>
		James Goodwin Clerk to the Licensing Sub-Committee
<b>A1</b>		
<b>A2</b>		