



# Haverling

LONDON BOROUGH

## LICENSING SUB-COMMITTEE THE HEALTHY CHEF

### AGENDA

<b>10.30 am</b>	<b>Thursday 10 December 2015</b>	<b>Council Chamber - Town Hall</b>
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Members 3: Quorum 2

**COUNCILLORS:**

Frederick Thompson (Chairman)  
Jody Ganly  
Keith Roberts

**For information about the meeting please contact:  
Richard Cursons - 01708 432430  
richard.cursons@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 - 34)**

Application for a premises licence for The Healthy Chef 38 Corbets Tey Road, Upminster, RM14 2AD.

**Andrew Beesley  
Committee Administration Manager**

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# LICENSING SUB-COMMITTEE

# REPORT

10 December 2015

**Subject Heading:**

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

**Report Author and contact details:**

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

10 December 2015

**Subject heading:**

**The Healthy Chef  
38 Corbets Tey Road, Upminster,  
RM14 2AD**

**Report author and contact details:**

**New Premises Licence Application  
Paul Campbell, Licensing Specialist  
5<sup>th</sup> floor Mercury House**

This application for a premises licence is made by Mr Jonathan Hoggett and Alexander Hoggett under section 17 of the Licensing Act 2003. The application was received by Havering's Licensing Authority on 16<sup>th</sup> October 2015.

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

The venue is situated on the West side of Corbets Tey Road at the junction with Stewart Avenue this is about 350 metres south of the junction with St Mary's lane. This is the southern end of the shops in Upminster.

The premises are the end building of a row of 6 terrace shops these premises have residential premises above them but it is unknown if they are occupied by persons or used by businesses.

The premises to the north of the venue on the opposite side of the road are shops and businesses on the ground floor with residential properties above, there are a few shops and a petrol station to the south of the venue in Corbets Tey Road.

Other premises in the surrounding area are all residential properties the nearest being about 35 metres from the premises in Stewart Avenue

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

### **Details of the application**

<b>Late night refreshment</b>		
<b>Day</b>	<b>Start</b>	<b>Finish</b>
Monday to Sunday	23:00	23:30

<b>Supply of Alcohol (on the premises only)</b>		
<b>Day</b>	<b>Start</b>	<b>Finish</b>
Monday to Sunday	10:00	23:30

<b>Hours the premises will be open to the public</b>		
<b>Day</b>	<b>Start</b>	<b>Finish</b>
Monday to Sunday	07:00	00:00

There are no Seasonal Variations or Non Standard Timings attached to this application

Conversations have taken place between the applicant and the police and an additional condition relating to glass being used outside the premises has been agreed and will be added to the premises licence if granted. A full copy of the agreed condition is attached.

#### **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 Havering edition of the Yellow Advertiser on Wednesday 21<sup>st</sup> October 2015.

#### **Summary**

There were no representations against this application from interested persons.

There was one representation 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

#### **Responsible authorities' representations**

Planning as a Responsible authority has made a representation the full report is attached.

There were no representations from any other responsible authority.

**Consent of individual to being specified as premises supervisor**

**MR JONATHAN HOGGETT**

.....  
*[full name of prospective premises supervisor]*

of

**6 SPENCER CRESCENT,  
UPMINSTER,  
ESSEX,  
RM14 1AN**

.....  
*[home address of prospective premises supervisor]*

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

**A NEW PREMISES LICENCE**

.....  
*[type of application]*

by

**MR JONATHAN HOGGETT**

.....  
*[name of applicant]*

relating to a premises licence

**N/A**

.....  
*[number of existing licence, if any]*

for

**THE HEALTHY CHEF,  
38 CORBETS TEY ROAD,  
UPMINSTER,  
ESSEX,  
RM14 2AD**

.....  
*[name and address of premises to which the application relates]*

and any premises licence to be granted or varied in respect of this application made by

**MR JONATHAN HOGGETT**

*[name of applicant]*

concerning the supply of alcohol at

**THE HEALTHY CHEF,  
38 CORBETS TEY ROAD,  
UPMINSTER,  
ESSEX.  
RM14 2AD**

*[name and address of premises to which application relates]*

I also confirm that I am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number

**TO BE ADVISED**

*[insert personal licence number, if any]*

Personal licence issuing authority

**LONDON BOROUGH OF HAVERING**

*[insert name and address and telephone number of personal licence issuing authority, if any]*

Signed



Name (please print)

**JONATHAN HOGGETT**

Date

**5/10/15**

13[Insert name and address of relevant licensing authority and its reference number (optional).]

**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.

**We** MR JONATHAN HOGGETT & ALEXANDER HOGGETT

*(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 THE HEALTHY CHEF, 38 CORBETS TEY ROAD, UPMINSTER, ESSEX. RM14 2AD			
<b>Post town</b>	UPMINSTER	<b>Postcode</b>	RM14 2AD

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£9000 BAND 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 \*  please complete section (A)
- b) a person other than an individual \*
- i. as a limited company  please complete section (B)
- ii. as a partnership  please complete section (B)

- iii. as an unincorporated association or  please complete section (B)
- iv. other (for example a statutory corporation)  please complete section (B)
- c) a recognised club  please complete section (B)
- d) a charity  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 <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
<b>Surname</b> HOGGETT			<b>First names</b> JONATHAN		
I am 18 years old or over				<input checked="" type="checkbox"/> X	Please tick yes
Current postal address if different from premises address		6 SPENCER CRESCENT, UPMINSTER, ESSEX. RM14 1AN			
Post town	UPMINSTER		Postcode	RM14 1AN	
<b>Daytime contact telephone number</b>					
<b>E-mail address (optional)</b>					



**SECOND INDIVIDUAL APPLICANT (if applicable)**

Mr <input checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
<b>Surname</b> HOGGETT			<b>First names</b> ALEXANDER		
I am 18 years old or over				X	Please tick yes
Current postal address if different from premises address		6 SPENCER CRESCENT, UPMINSTER, ESSEX. RM14 1AN			
Post town	UPMINSTER		Postcode	RM14 1AN	
<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	1	1	2	0	1	5
---	---	---	---	---	---	---	---

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

DD MM YYYY  

1	1	1	1	1	1	1	1
---	---	---	---	---	---	---	---

Please give a general description of the premises (please read guidance note 1)  
 THE HEALTHY CHEF IS AN ORGANIC EATERY LOCATED IN AN END OF TERRACE GROUND FLOOR RETAIL UNIT WITH A RESIDENTIAL FLAT ABOVE. THERE ARE APPROXIMATELY 29 COVERS INSIDE THE PREMISES AND APPROXIMATELY 24 COVERS AT THE OUTSIDE TABLES AND CHAIRS TO THE FRONT & SIDE OF THE VENUE. THERE IS ALSO AN OFFICE AND KITCHEN / FOOD PREP AREA TO THE REAR OF THE GROUND FLOOR & A (DRA COMPLIANT) CUSTOMER TOILET TO THE REAR OF THE CUSTOMER SEATING AREA.

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"/>   |

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

X

**Supply of alcohol** (if ticking yes, fill in box J)

X

**In all cases complete boxes K, L and M**

**A**

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

**I**

<b>Late night refreshment</b> Standard days and timings (please read guidance note 6)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	X
				Outdoors	<input type="checkbox"/>
				Both	
Day	Start	Finish			
Mon	23.00	23.30	<b><u>Please give further details here</u></b> (please read guidance note 3) PROVISION OF HOT FOOD & DRINK FOR COMSUMPTION ON THE PREMISES OR FOR TAKE AWAY.		
Tue	23.00	23.30			
Wed	23.00	23.30	<b><u>State any seasonal variations for the provision of late night refreshment</u></b> (please read guidance note 4) NONE		
Thur	23.00	23.30			
Fri	23.00	23.30	<b><u>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</u></b> (please read guidance note 5) NONE		
Sat	23.00	23.30			
Sun	23.00	23.30			

**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 checked="" type="checkbox"/>			
				Off the premises	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 4) NONE					
Mon	10.00	23.30						
Tue	10.00	23.30						
Wed	10.00	23.30						
Thur	10.00	23.30						
Fri	10.00	23.30						
Sat	10.00	23.30						
Sun	10.00	23.30						
						<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) NONE		

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

Name JONATHAN HOGGETT	
Address 6 SPENCER CRESCENT, UPMINSTER, ESSEX. RM14 1AN	
Postcode	RM14 1AN
Personal licence number (if known) TO BE ADVISED	
Issuing licensing authority (if known) L B HAVERING	

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).**  
 NONE

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) NONE
Day	Start	Finish	<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) NONE
Mon	07.00	00.00	
Tue	07.00	00.00	
Wed	07.00	00.00	
Thur	07.00	00.00	
Fri	07.00	00.00	
Sat	07.00	00.00	
Sun	07.00	00.00	

**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)**

WE WILL OPERATE OUR BUSINESS IN A RESPONSIBLE MANNER AND ACTIVELY PROMOTE THE LICENSING OBJECTIVES AT ALL TIMES.

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

- 1) THE PREMISES WILL OPERATE STRICTLY AS A CAFÉ BAR WITH A FOOD OFFER AVAILABLE UNTIL 23.00 DAILY.
- 2) WITHIN THE PREMISES AND AT THE OUTSIDE TABLES AND CHAIRS ALCOHOL MAY ONLY BE SOLD TO CUSTOMERS SEATED AT A TABLE WITH ALL SERVICE OF ALCOHOL & FOOD BY WAITING STAFF ONLY.
- 3) THE LAST ORDER FOR FOOD SHALL BE TAKEN 15 MINUTES BEFORE THE TERMINAL HOUR ON ANY DAY.
- 4) NO VERTICAL CONSUMPTION OF ALCOHOL WILL BE PERMITTED WITHIN THE PREMISES OR OUTSIDE SEATING AREA.
- 5) NO OPEN CONTAINERS OF ALCOHOL WILL BE SUPPLIED FOR CONSUMPTION OFF THE PREMISES OR OUTSIDE SEATING AREA.
- 6) NO DRINKS, BOTTLES OR GLASSES MAY BE REMOVED FROM THE PREMISES OR OUTSIDE SEATING AREA.
- 7) THE DPS OR A PERSONAL LICENCE HOLDER SHALL BE ON DUTY FROM 19.00 TO CLOSE ON FRIDAY AND SATURDAY EVENINGS. AT OTHER TIMES THE DPS, A PERSONAL LICENCE HOLDER OR TRAINED MEMBER OF STAFF NOMINATED IN WRITING BY THE DPS SHALL BE ON DUTY AT ALL TIMES THE PREMISES ARE OPEN TO THE PUBLIC.
- 8) A) A CCTV SYSTEM COVERING THE INTERIOR & FRONTAGE OF THE PREMISES WILL BE INSTALLED TO CURRENT METROPOLITAN POLICE / HOME OFFICE STANDARDS AND SHALL BE KEPT OPERATIONAL AT ALL TIMES THE PREMISES ARE OPEN TO THE PUBLIC.  
B) IT SHALL BE CAPABLE OF TAKING A HEAD & SHOULDERS SHOT OF PERSONS ENTERING THE PREMISES, OF RECORDING IMAGES TO AN EVIDENTIAL STANDARD IN ANY LIGHT AND BE CAPABLE OF STORING IMAGES FOR A MINIMUM OF 31 DAYS.  
C) ALL STAFF WHO MAY WORK FRONT OF HOUSE SHALL BE TRAINED TO OPERATE THE CCTV SYSTEM AND DOWNLOAD IMAGES.  
D) AT LEAST ONE MEMBER OF STAFF TRAINED TO OPERATE THE CCTV SYSTEM & DOWNLOAD IMAGES SHALL BE ON DUTY AT ALL TIMES THE PREMISES ARE OPEN TO THE PUBLIC. FOOTAGE SHALL BE SHOWN TO THE POLICE AND SCREENSHOTS PROVIDED TO THEM ON REQUEST. COPIES OF DOWNLOADED IMAGES SHALL BE PROVIDED TO THE POLICE ON A USB STICK, CD OR OTHER ACCEPTABLE MEANS AS SOON AS POSSIBLE AND IN ANY CASE WITHIN 24 HOURS OF THE REQUEST
- 9) CHALLENGE 25 SHALL BE OPERATED AS THE PROOF OF AGE POLICY. (SEE SECTION E CONDITION 1 FOR FULL DETAILS.)
- 10) ALL STAFF WHO WORK FRONT OF HOUSE WILL BE TRAINED FOR THEIR ROLE ON INDUCTION AND BE GIVEN REFRESHER TRAINING EVERY SIX MONTHS. WRITTEN TRAINING RECORDS WILL BE KEPT FOR EACH STAFF MEMBER AND BE PRODUCED TO POLICE & AUTHORISED COUNCIL OFFICERS ON REQUEST. TRAINING WILL INCLUDE IDENTIFYING PERSONS UNDER 25, MAKING A CHALLENGE, ACCEPTABLE PROOF OF AGE & CHECKING IT, MAKING & RECORDING A REFUSAL, AVOIDING CONFLICT & RESPONSIBLE ALCOHOL RETAILING.
- 11) NO CHILD OR YOUNG PERSON UNDER 18 MAY BE PERMITTED TO CONSUME ALCOHOL

ON THE PREMISES AT ANY TIME.

12) AN INCIDENT BOOK SHALL BE KEPT AT THE PREMISES, AND MADE AVAILABLE TO THE POLICE OR AUTHORISED COUNCIL OFFICERS, WHICH WILL RECORD THE FOLLOWING:

- A) ALL CRIMES REPORTED,
- B) LOST PROPERTY,
- C) ALL EJECTIONS OF CUSTOMERS,
- D) ANY COMPLAINTS RECEIVED,
- E) ANY INCIDENTS OF DISORDER,
- F) ANY SEIZURE OF DRUGS OR OFFENSIVE WEAPONS,
- G) ANY FAULTS IN THE CCTV,
- H) ANY REFUSAL IN THE SALE OF ALCOHOL.
- I) ANY VISIT BY A RELEVANT AUTHORITY OR EMERGENCY SERVICE

13) NOTICES WILL BE PROMINENTLY DISPLAYED BY THE ENTRY/ EXIT DOOR AND POINT OF SALE (AS APPROPRIATE) ADVISING CUSTOMERS:

- A) THAT CCTV & CHALLENGE 25 ARE IN OPERATION;
  - B) ADVISING CUSTOMERS OF THE PROVISIONS OF THE LICENSING ACT REGARDING UNDERAGE & PROXY SALES;
  - C) OF THE PERMITTED HOURS FOR LICENSABLE ACTIVITIES & THE OPENING TIMES OF THE PREMISES;
  - D) THAT NO DRINKS, BOTTLES OR GLASSES MAY BE REMOVED FROM THE PREMISES OR OUTSIDE SEATING AREA;
  - E) NOT TO DRINK IN THE STREET;
  - F) TO RESPECT RESIDENTS, LEAVE QUIETLY, NOT TO LOITER OUTSIDE THE PREMISES OR IN THE VICINITY AND TO DISPOSE OF LITTER LEGALLY.
- 14) STAFF WILL MONITOR THE OUTSIDE AREA, INCLUDING CUSTOMER CONDUCT REGULARLY, BOTH PHYSICALLY AND BY USE OF THE CCTV & ALL EMPTY/ DIRTY BOTTLES, GLASSES AND CROCKERY ETC SHALL BE REGULARLY REMOVED.

**c) Public safety**

A FIRE RISK ASSESSMENT & EMERGENCY PLAN WILL BE PREPARED AND REGULARLY REVIEWED.  
STAFF WILL BE GIVEN APPROPRIATE FIRE SAFETY TRAINING.

**d) The prevention of public nuisance**

- 1) THE AREA OUTSIDE OF THE PREMISES SHALL BE KEPT TIDY AT ALL TIMES AND BE SWEPT AT CLOSE.
- 2) RELEVANT NOTICES WILL BE PROMINENTLY DISPLAYED BY THE ENTRY/ EXIT DOOR AND POINT OF SALE (AS APPROPRIATE). SEE SECTION B CONDITION 13 FOR FULL DETAILS.
- 3) NO DELIVERIES WILL BE RECEIVED OR RUBBISH INCLUDING BOTTLES OR GLASS REMOVED FROM THE PREMISES BETWEEN 20.00 & 07.00.
- 4) ANY MUSIC PLAYED WILL ONLY BE PLAYED AT BACKGROUND LEVEL.
- 5) THE OUTSIDE TABLES & CHAIRS WILL CLOSE TO THE PUBLIC AT 22.00 DAILY & BE TAKEN OUT OF USE. ANY CUSTOMERS OUTSIDE WILL BE ASKED TO GO INSIDE THE EATERY AT THAT TIME.
- 6) STAFF WILL REGULARLY CHECK THE TERRACES AND COLLECT ALL GLASSES, CROCKERY ETC. STAFF WILL ALSO MONITOR NOISE LEVELS & THE CONDUCT OF CUSTOMERS.
- 7) A LITTER BIN AND ASHTRAYS WILL BE PROVIDED FOR CUSTOMERS USING THE TERRACES.
- 8) STAFF WILL ENSURE THAT NO MORE THAN 6 CUSTOMERS GO OUTSIDE THE FRONT



AFTER 22.00 TO SMOKE AND DO NOT TAKE DRINKS OUTSIDE ONTO THE FRONT TERRACES WHEN THEY ARE CLOSED.

9) AN INCIDENT BOOK SHALL BE KEPT AT THE PREMISES AND MADE AVAILABLE TO THE POLICE OR AUTHORISED COUNCIL OFFICERS --SEE BOX B CONDITION 12 FOR FULL DETAILS OF THE INFORMATION TO BE RECORDED.

10) A PHONE NUMBER WILL BE DISPLAYED FOR RESIDENTS TO CONTACT THE CAFÉ WITH ANY CONCERNS. DETAILS OF COMPLAINTS & ACTION TAKEN BY THE MANAGEMENT WILL BE INCLUDED IN THE INCIDENT BOOK.

e) The protection of children from harm

1) CHALLENGE 25 SHALL BE OPERATED AS THE PROOF OF AGE POLICY AND ONLY A VALID PASSPORT, PHOTO DRIVING LICENCE, HM FORCES PHOTOGRAPHIC ID CARD OR PROOF OF AGE CARD WITH THE PASS LOGO OR HOLOGRAM ON IT MAY BE ACCEPTED AS PROOF OF AGE.

2) ALL REFUSALS OF THE SALE OF ALCOHOL SHALL BE RECORDED IN THE REFUSALS SECTION OF THE INCIDENT BOOK. THE INCIDENT BOOK SHALL BE KEPT AND PRODUCED TO POLICE & AUTHORISED COUNCIL OFFICERS ON REQUEST --SEE SECTION B CONDITION 12 FOR FULL DETAILS.

3) RELEVANT NOTICES WILL BE PROMINENTLY DISPLAYED BY THE ENTRY/ EXIT DOOR AND POINT OF SALE AS APPROPRIATE-- SEE SECTION B CONDITION 13 FOR FULL DETAILS.

4) NO PERSON UNDER THE AGE OF 18 WILL BE ALLOWED TO CONSUME ALCOHOL AT ANY TIME.

5) ALL STAFF WHO WORK FRONT OF HOUSE WILL BE TRAINED FOR THEIR ROLE ON INDUCTION AND BE GIVEN REFRESHER TRAINING EVERY SIX MONTHS. WRITTEN TRAINING RECORDS WILL BE KEPT FOR EACH STAFF MEMBER AND BE PRODUCED TO POLICE & AUTHORISED COUNCIL OFFICERS ON REQUEST. TRAINING WILL INCLUDE IDENTIFYING PERSONS UNDER 25, MAKING A CHALLENGE, ACCEPTABLE PROOF OF AGE & CHECKING IT, MAKING & RECORDING A REFUSAL, AVOIDING CONFLICT & RESPONSIBLE ALCOHOL RETAILING.

6) WRITTEN TRAINING RECORDS WILL BE KEPT FOR ALL STAFF MEMBERS AND MADE AVAILABLE TO POLICE OR AUTHORISED COUNCIL OFFICERS ON REQUEST.

7) UNLESS AN EPOS SYSTEM WITH AN AUTOMATIC PROOF OF AGE CHECK REMINDER INCORPORATED IN IT IS IN USE A MANUAL PROMPT WILL BE DISPLAYED BY THE TILL(S) TO REMIND STAFF TO CHECK PROOF OF AGE WHERE APPROPRIATE.

8) NO UNACCOMPANIED CHILDREN UNDER 18 WILL BE ALLOWED ON THE PREMISES AFTER 19.00.

**Checklist:**


**Please tick to indicate agreement**

- I have made or enclosed payment of the fee. X
- I have enclosed the plan of the premises. X
- I have sent copies of this application and the plan to responsible authorities and others where applicable. X
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable. X
- I understand that I must now advertise my application. X
- I understand that if I do not comply with the above requirements my application will be rejected. X

**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	9/10/15
Capacity	AUTHORISED LICENSING CONSULTANT

**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	

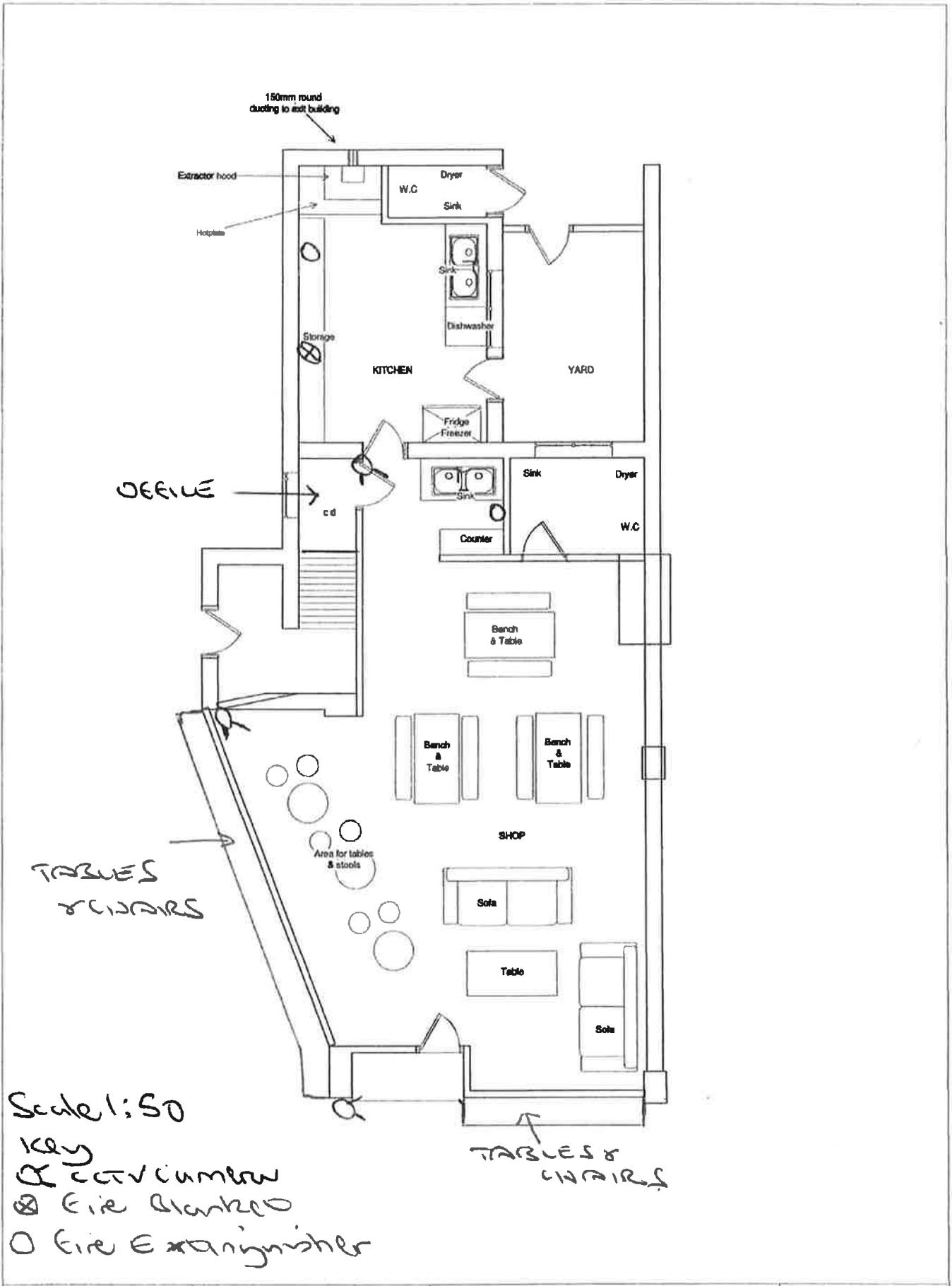
Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)

GT LICENSING CONSULTANTS,  
 55 CODENHAM GREEN,  
 BASILDON,  
 ESSEX.  
 SS16 5DT

Post town	<b>BASILDON</b>	Postcode	<b>SS16 5DT</b>
Telephone number (if any)	07810 826778		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			
gtlicensingconsultants@googlemail.com			

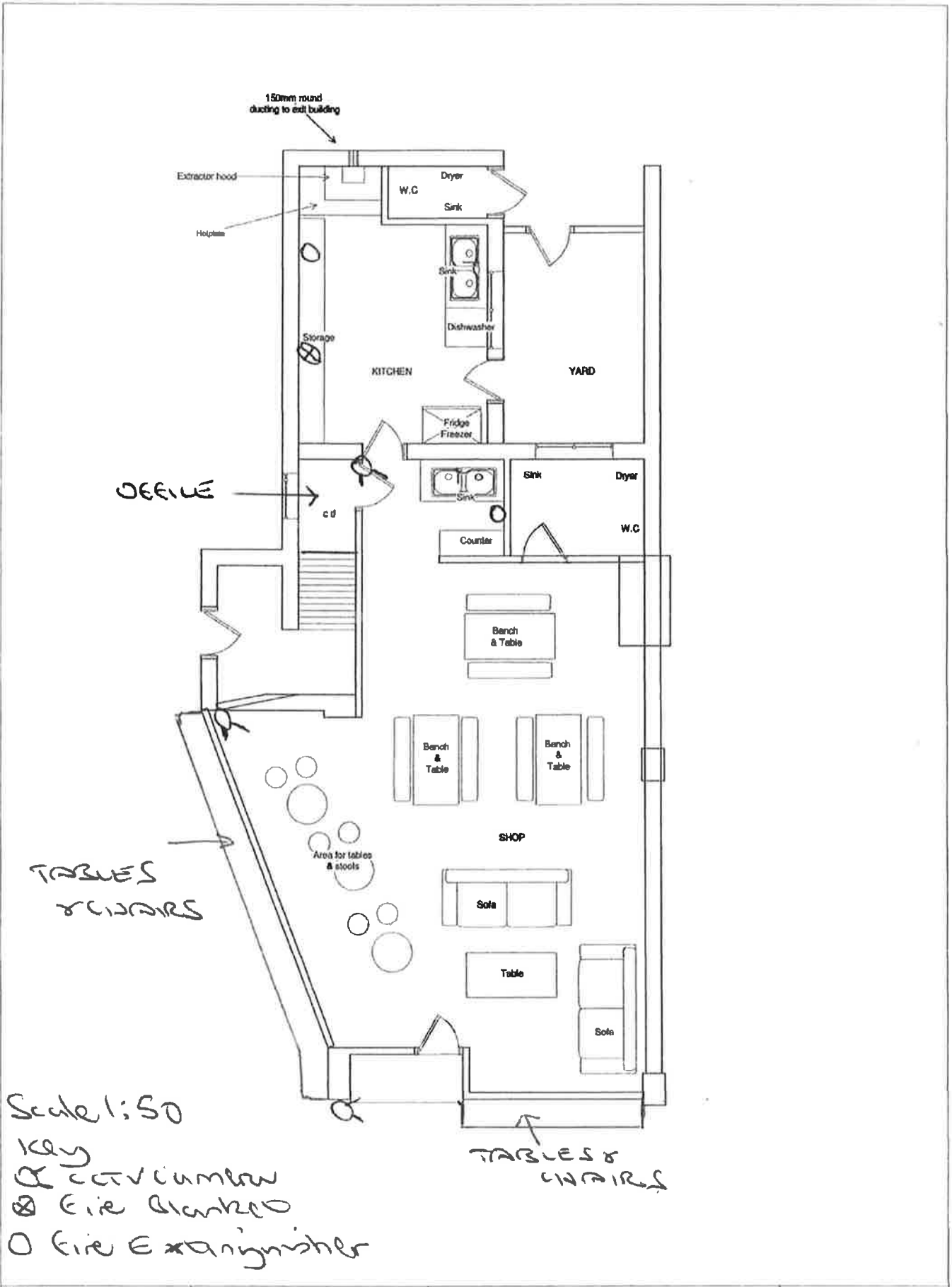
**Notes for Guidance**

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



Client:	Scale: 1:50
Client Post Code:	Date: 18/2/19
Designer:	Page: 1
Room Name: Rooms plan	View Plan





Client:	
Client Post Code:	
Designer:	
Room Name/Room plan:	

Scale: 1:50
Date: 10/2/10
Page: 1
View/Plan:





Healthy Chef



Scale: 1:1000

Date: 13 November 2015

0 5 10 15 metres



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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## Public Notices

### GOODS VEHICLE OPERATOR'S LICENCE

C Maker trading as K&C Despatch of 83 Coniston Avenue, Upminster, Essex RM14 3XL is applying to change an existing licence as follows: To add an Operating Centre to keep 7 vehicles and 0 trailers at Swallow Coaches, 1 Barlow Way, South Rainham, Essex RM13 8BT. Owners or occupiers of land (including buildings) near the operating centre 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.

### NOTICE OF APPLICATION FOR A NEW PREMISES LICENCE UNDER SECTION 17 OF THE LICENSING ACT 2003.

Notice is hereby given that Mr Jonathan Hoggett & Mr Alexander Hoggett have applied to the London Borough of Havering for a new Premises Licence for the Healthy Chef, 38 Corbeis Tey Road, Upminster, Essex RM14 2AD as follows: 1) to allow the provision of late night refreshment on the premises from 23:00 to 23:30 Sunday to Saturday & 2) to permit the sale of alcohol for consumption on the premises from 10:00 to 23:30 Sunday to Saturday. The address of the licensing authority where the register is kept and the application may be inspected during normal business hours is licensing section, housing & public protection, London Borough of Havering, Mercury House, Mercury Gardens, Romford, Essex RM1 3SL, or on the council's website: [www.havering.gov.uk](http://www.havering.gov.uk) any representations by any other person or responsible authority must be received in writing by the licensing authority by 13th November 2015 stating the nature and grounds for making such representation. It is an offence under section 158 of the Licensing Act 2003 to knowingly or recklessly make a false statement in connection with an application. The maximum fine on summary conviction for this offence is £5000. G T Licensing Consultants, tel 07810 826 778. EM: [gtlicensingconsultants@googlemail.com](mailto:gtlicensingconsultants@googlemail.com)

### GOODS VEHICLE OPERATOR'S LICENCE

Crow Skip Hire Limited of Crow Lane, Romford, Essex RM7 0EE is applying to change an existing licence as follows: To keep an extra 0 goods vehicle and 1 trailer at the operating centre at Fells Farm, Dagenham Road, Romford, Essex RM7 0NT. Owners or occupiers of land (including buildings) near the operating centre 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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## Deaths

In Loving Memory of  
**KAYE DIXSON**  
2.6.1949 - 6.10.2015



Kaye sadly lost her year long battle with cancer on 6th October.

A wonderful Mum, Partner, Nan, Sister, Auntie and friend to all who knew her. Also a highly respected local business woman who owned Dixsons Residential Estates on Hornchurch High Street, which will continue to be run as a family business.

Her funeral will take place at South Essex Crematorium on Thursday 22nd October at 11.20am for all those that wish to attend, you will be most welcome.

To advertise in this section please telephone

01268 503400



**Taiwo Adeoye**

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**Subject:** FW: The healthy Chef 38 Corbets Tey Road Upminster RM14 2AD

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**From:** [Belinda.Rooney@met.pnn.police.uk](mailto:Belinda.Rooney@met.pnn.police.uk) [<mailto:Belinda.Rooney@met.pnn.police.uk>]  
**Sent:** 24 October 2015 09:25  
**To:** [gtlicensingconsultants@googlemail.com](mailto:gtlicensingconsultants@googlemail.com)  
**Cc:** [Jason.J.Rose@met.pnn.police.uk](mailto:Jason.J.Rose@met.pnn.police.uk); Paul Campbell  
**Subject:** RE: The healthy Chef 38 Corbets Tey Road Upminster RM14 2AD

Graham,

Sounds good, I will await reply from ward officers and go from there.

Regards

Belinda

---

**From:** GRAHAM HOPKINS [<mailto:gtlicensingconsultants@googlemail.com>]  
**Sent:** 24 October 2015 09:22  
**To:** Goodwin Belinda'B' - KD  
**Subject:** Re: The healthy Chef 38 Corbets Tey Road Upminster RM14 2AD

Dear Belinda,

Our client will accept the condition below in red.

We suggest the use of polycarb glasses would meet Police concerns? For information 24 chairs would be the maximum out the front and to the side.

Kind regards,

Graham GT Licensing Consultants 07810 826778 / 01268 281457

On Friday, 23 October 2015, <[Belinda.Rooney@met.pnn.police.uk](mailto:Belinda.Rooney@met.pnn.police.uk)> wrote:  
Graham,

Hope your well. I have had a good look at the licence for the above premise and I would like to see the addition of

No person shall be allowed to leave the premises whilst in the possession of any glass drinking vessel or open glass bottle, whether empty or containing any beverage. Drinks for consumption outside of the premises shall be served in non-glassware drinking vessels (e.g. plastic, polystyrene, waxed paper).

This is to prevent broken glass outside. I note that the owner is asking for 24 covers on the outside, this does seem like a lot and is only an approximate figure is this likely to increase?. I have e-mailed the local officers for their input as we do in all new applications so shall be guided by them as to any issues they may foresee so will await their response.

Regards

Belinda Goodwin 695kd

**Licensing Officer - Metropolitan Police - Havering**

Met Phone 712804 | Direct 01708 779162 or 01708 432781 | Fax 01708 432554

Address - **ROMFORD POLICE STATION 19 MAIN ROAD, ROMFORD, ESSEX RM1 3BJ**  
or **5th Floor, Mercury House, Mercury Gardens, RM1 3SL**

E mail - [Belinda.goodwin@met.pnn.police.uk](mailto:Belinda.goodwin@met.pnn.police.uk)

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Graham Hopkins

**Total Policing is the Met's commitment to be on the streets and in your communities to catch offenders, prevent crime and support victims. We are here for London, working with you to make our capital safer.**

The Healthy Chef, 38 Corbets Tey Road, Upminster, RM14 2AD

## Summary

This written representation is submitted to object to the licence in connection with the property known as "The Healthy Chef" located at 38 Corbets Tey Road, Upminster, RM14 2AD. This is raised in direct relevance to the licensing objection specific to the "Prevention of Public Nuisance".

## Site description:

The application site is located on the western side of Corbets Tey Road on the corner of Corbets Tey Road and Stewart Avenue. The application site is part of a parade of shops made up of a variety of uses including shops and cafes. The application premises is situated on the fringe of a noted centre for shopping, with many of the surrounding properties having commercial uses at ground floor level with residential units at first and second floor level. However, beyond the shop fronts of Corbets Tey Road, there are many residential houses close to the site in Stewart Avenue to the east and Springfield Court to the west.

## Consideration for representation.

A recent planning application was submitted under reference P0859.15 for the change of use from a shop to a café / restaurant, but it was withdrawn on 10<sup>th</sup> August 2015 (meaning that no decision was made on the application). This means that the lawful planning use of the property remains as a shop, and no assessments have been made on the impact of the change of use to the local area.

Although a planning application may be submitted in the coming weeks, any planning application takes approximately 8 weeks for a decision to be made. As such the use applied for in the licence application does not have planning permission, and consequently is not in accordance with Havering's licencing policy 007.

The licence application seeks to use the property as a café / restaurant / takeaway / bar seven days a week; opening to the public between 07:00hrs and 00:00hrs, including the service of alcohol between the hours of 10:00hrs and 23:30hrs every day. When assessing the impact of the use of the property in terms of the prevention of public nuisance, it is deemed that the nearby residents (most notably those residing above the premises) should be afforded similar amenity to those already experienced. It is noted that despite the property being situated on the fringes of a town centre, there is not a notable night time economy in this area and any late-evening / night time uses would not be supported.

Furthermore, the licence application seeks to use the area outside the front of the premises as seating for patrons / customers, effectively increasing the floor area of the property. If the licence is granted in its current form, it would allow the sale of alcohol until the late evening to a greater number of persons than previously experienced by the neighbours (up to 53 persons). This would increase noise and activity at a time when the ambient noise level is lower and in an area where this type of activity has not been prevalent to the distress of local residents and other members of

the public. Furthermore, allowing alcohol to be served into the late evening every day may increase the chance of persons under the influence loitering in the local area, causing anti-social behaviour in a residential area, and consequently the licence application does not seek to prevent a public nuisance.

The concerns of planning services could only be alleviated by a conditional licence, significantly restricting the hours of activity in the late evening / night time, to and to reduce the size of the outside seating area.

It must also be noted that any unauthorised development or use is liable for enforcement action. A planning enforcement case may be opened and the use investigated if the property changes from a shop to a café / restaurant / bar without planning permission.

---