



# Haverling

LONDON BOROUGH

## LICENSING SUB-COMMITTEE HOT & TASTY CHICKEN & PIZZA

### AGENDA

<b>10.30 am</b>	<b>Wednesday 9 March 2016</b>	<b>Council Chamber - Town Hall</b>
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Members 3: Quorum 2

**COUNCILLORS:**

Linda Van den Hende (Chairman)  
John Wood  
Linda Trew

**For information about the meeting please contact:  
Taiwo Adeoye - 01708 433079  
taiwo.adeoye@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 INTERESTS**

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

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

**3 CHAIRMAN'S ANNOUNCEMENT**

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

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

Procedure for the hearing – Licensing Act 2003

**5 APPLICATION TO VARY A PREMISES LICENCE - HOT AND TASTY CHICKEN & PIZZA 140 SOUTH STREET, ROMFORD, RM1 1TE (Pages 7 - 66)**

Report attached

**Andrew Beesley  
Committee Administration Manager**

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## LICENSING SUB-COMMITTEE

## REPORT

9 March 2016

**Subject Heading:**

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

**Report Author and contact details:**

**Taiwo Adeoye – Committee Officer  
01708 433079**

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

"Where relevant representations are made, the authority must

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

The steps are:

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

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

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

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

## **1. Membership of the Sub-Committee:**

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

## **2. Roles of other participants:**

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

## **3. Chairman's Briefing meeting:**

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

## **4. Location and facilities:**

- 4.1 All hearings will be heard at the Havering Town Hall unless otherwise directed.
- 4.2 Interpreters will be provided by the Council on request, provided notice is given at least five working days before the hearing.

## **5. Notification of attendance:**

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

## **6. Procedural matters:**

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

### **Introduction of the application:**

The Licensing officer will outline:

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

### **Documentary evidence:**

- Documentary or other information in support of applications, representations or notices should be provided to the Clerk of the Sub-Committee at least 5 clear working days before the hearing. If this information is produced at the hearing it will only be taken into account by the Sub-Committee if the Sub-Committee and all the parties consent to its submission. Permission to have this information included in the hearing should be requested at the beginning of the hearing before any oral submissions have been made.
- Statements made by people in support of a party's representation who are not present at the hearing, must be signed by the maker, dated and witnessed by another person. The statement must also contain the witness's full name and occupation.

### **Representations:**

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

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

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

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

### **Cross-Examination:**

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



where it is necessary to assist it in considering the representations or application.

**Relevance:**

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

**The prevention of crime and disorder;**

**Public safety;**

**The prevention of public nuisance; and**

**The protection of children from harm.**

**7. Failure of parties to attend the hearing:**

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

**8. Adjournments and extension of time:**

- 8.1 The Sub-Committee may adjourn a hearing to a specified date or extend a notice period except where it must make a determination within certain time limits in the following specific applications:
- Review of premises licences following closure orders where the Sub-committee must make a determination within 28 days of receiving notice of the closure order.

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

- 9.1 At the conclusion of the hearing the Sub-Committee will deliberate in private accompanied by the Clerk and the Legal Advisor who will be available to assist the Sub-Committee with any legal problems but will not participate in any decision making of the Sub-Committee.
- 9.2 The Sub-Committee will normally make its determination and announce its decision at the end of the hearing.

- 9.3 Where all parties have notified the Sub-Committee that a hearing is not required the Sub-Committee must make its determination within 10 working days of being given notice that the hearing is not required.

**10. Power to exclude people from hearing:**

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

**11. Recording of proceedings:**

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

**12. Power to vary procedure:**

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



Licensing Officer's Report



## LICENSING SUB-COMMITTEE

## REPORT

9 March 2016

Subject heading:

Hot & Tasty Chicken & Pizza  
140 South Street Romford RM1 1TE  
Premises licence variation application  
Paul Jones, Licensing Officer  
5<sup>th</sup> floor Mercury House  
paul.jones@havering.gov.uk

Report author and contact details:

This application for a variation to a premises licence is made by Joyan Ltd under section 34 of the Licensing Act 2003. The application was received by Havering's Licensing Authority on 19<sup>th</sup> January 2016.

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

*Hot & Tasty Chicken & Pizza* is located in Romford's town centre adjacent to Romford Station. The take-away shop comprises the ground floor of a purpose built commercial outlet in a parade of similar outlets. The upper floors appear to be residential. The immediate vicinity comprises a 'transport hub': buses, trains and taxis all terminate at this crossroads. The area might be considered one of mixed use based upon the presence of commercial and residential properties.

### Details of the application

Current premises licence hours:

Recorded music		
Day	Start	Finish
Monday to Saturday	11:00	01:00
Sunday	11:00	00:00

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

**Variation applied for:**

<b>Recorded music</b>		
<b>Day</b>	<b>Start</b>	<b>Finish</b>
Monday to Thursday	11:00	02:00
Friday & Saturday	11:00	04:00
Sunday	11:00	00:00
Sundays of bank holiday weekends, Christmas Eve, New Year's Eve	11:00	04:00

<b>Late night refreshment</b>		
<b>Day</b>	<b>Start</b>	<b>Finish</b>
Monday to Thursday	23:00	02:00
Friday & Saturday	23:00	04:00
Sunday	23:00	00:00
Sundays of bank holiday weekends, Christmas Eve, New Year's Eve	23:00	04:00

<b>Hours premises open to the public</b>		
<b>Day</b>	<b>Start</b>	<b>Finish</b>
Monday to Thursday	11:00	02:00
Friday & Saturday	11:00	04:00
Sunday	11:00	00:00
Sundays of bank holiday weekends, Christmas Eve, New Year's Eve	11:00	04:00

**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 29<sup>th</sup> January 2016 edition of the Havering Yellow Advertiser.

Halfway through the consultation period the applicant submitted a document for consideration entitled '*CIZ Statement*' in which it is stated that '*the applicant seeks the restoration of the hours previously enjoyed prior to the Review bought [sic] against the previous owners*'. This review was submitted by Havering's licensing authority further to a s.161 Licensing Act 2003 closure order issued by Havering Borough Police in May 2013. The closure order followed a series of post-midnight incidents relating to violence, crime and disorder at the premises. The CIZ Statement goes on to suggest that the extension to the hours of operation at the premises '*will not add to negative cumulative impact but will in fact reduce it.*'

The application's section M indicates that the existing conditions are to remain in force and are *considered to be adequate* to aid the promotion of the licensing objectives during the extended terminal hours for the provision of recorded music and late night refreshment to 02:00 during the week and 04:00 at the weekend.

All licensed premises in Havering are now subject to Havering's new licensing policy which came into force on 7<sup>th</sup> January 2016. The area in which this premises resides is a designated cumulative impact zone (CIZ). Licensing policy 2 addresses the CIZ thus:

### ***Licensing Policy 2***

*The Licensing Authority has adopted a special policy relating to cumulative impact in relation to:*

- *Romford town centre within the ring road*
- *St Andrews Ward*

*This policy creates a rebuttable presumption that applications for new premises licences, club premises certificates, or variation applications that will add to the existing cumulative impact, will normally be refused unless the applicant can demonstrate why the operation of the premises involved will not add to the cumulative impact and not impact adversely on the promotion of the licensing objectives. The exception to this policy will be for applications for restaurants where alcohol is sold ancillary to a table meal and the terminal licensing hour is in line with the policy.*

### **Summary**

There were four representations against this application from responsible authorities, namely the Police, Havering's Licensing Authority, Havering's Planning Service and Havering's Environmental Health Department.

### **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**

PC Belinda Goodwin makes representation against this application on the behalf of the Metropolitan Police. PC Goodwin's concerns relate to the prevention of crime and disorder, the prevention of public nuisance and public safety.

Mr Samuel Cadman, Planning Enforcement Officer, makes representation against this application on the behalf of Havering's Planning Department. Mr Cadman's representation is based upon his concerns in relation to the prevention of public nuisance.

Mr Marc Gasson, Environmental Protection Officer, makes representation against this application on the behalf of Havering's Environmental Health Department. Mr Gasson's representation is made further to his concerns in relation to the prevention of public nuisance.

Mr Arthur Hunt, Licensing Officer, makes representation against this application on the behalf of Havering's Licensing Authority. Mr Hunt's concerns relate to the prevention of crime and disorder and the prevention of public nuisance.



Premises licence number

002199

## Part 1 - Premises details

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

**Hot & Tasty Chicken**  
**140 South Street, Romford, RM1 1TE**

Where the licence is time limited the dates

N/A

Licensable activities authorised by the licence

**Recorded Music, Late Night Refreshment**

The times the licence authorises the carrying out of licensable activities

**Recorded Music**

**Monday to Saturday – 11.00 to 01.00**

**Sunday – 11.00 to 00.00**

**Late Night Refreshment**

**Monday to Saturday – 23.00 to 01.00**

**Sunday – 23.00 to 00.00**

The opening hours of the premises

**Monday to Saturday – 11.00 to 01.00**

**Sunday – 11.00 to 00.00**

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

N/A



## Part 2

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

**Joyan Ltd  
140 South Street, Romford, Essex RM1 1TE**

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

**09354380**

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Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol

**N/A**

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Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

**N/A**

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### Mandatory Conditions

**If at specified times one or more individuals must be at the premises to carry out a security activity each such individual must be licensed by the Security Industry Authority.**

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### Annex 2 – Conditions consistent with the operating schedule

- 1. CCTV covering the interior and exterior of the premises will be installed and shall be kept operational at all times the premises is open to the public. It shall be capable of taking a “head and shoulders” shot of persons entering the premises. It should be capable of storing images for a minimum of 31 days. A member of staff capable of downloading images for the Police or Authorised Officers of the local authority shall be on duty at all times the premises is open to the public.**
- 2. The management and staff shall be briefed in the importance of their responsibilities towards children.**
- 3. The need for an SIA door supervisor to be present between Sunday and Wednesday shall be kept under constant review by the premises licence holder, subject to an on-going risk assessment in conjunction with the Metropolitan Police and shall be re-instated if so requested by the Police.**

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### Annex 3 – Conditions attached after a hearing by the Licensing Authority

- 1. A member of staff able to operate the CCTV equipment shall be on duty at all times the premises is used to provide licensable activity.**
- 2. Capacity of 10 persons (Non Staff) inside the venue at any one time during the hours of 2300 until close.**
- 3. A SIA licensed door supervisor shall be on duty at the premises on Thursday to Saturday, Bank Holiday Sunday, Christmas Eve, Boxing Day and New Years Eve from 23:00 to close.**

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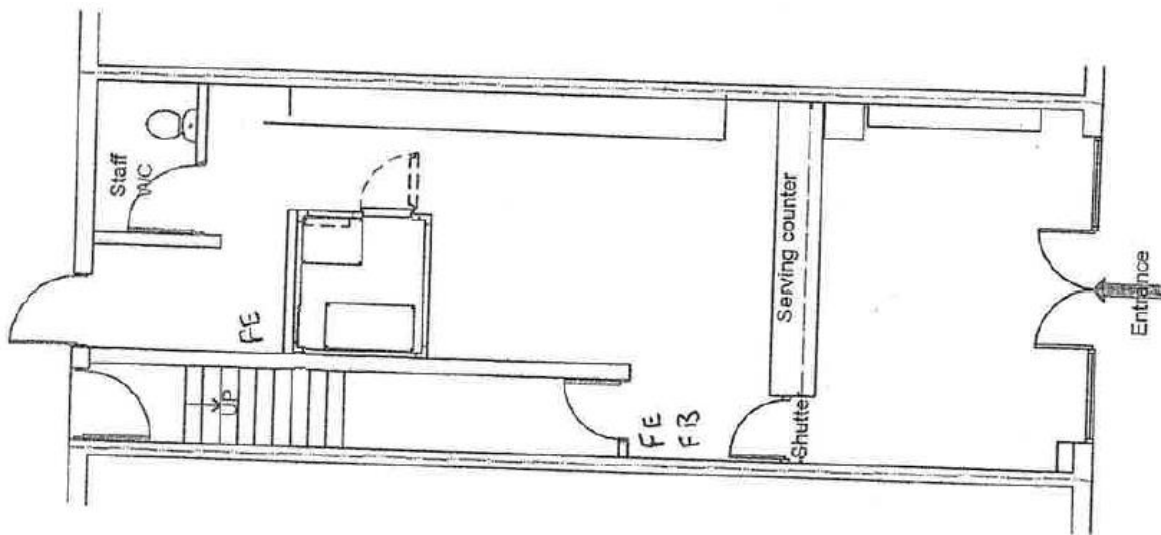
Annex 3 – Conditions attached after a hearing by the Licensing Authority Cont'd

4. Removal of seats and tables from front of counter area after 23.00 hrs.
5. All staff engaged outside the entrance to the premises, or supervising or controlling queues, shall wear high visibility jackets or vests.
6. A Premises Daily Register shall be kept at the premises. This register will be maintained and kept for a minimum of 12 months. This register should record the name of the person responsible for the premise on each given day.
7. The Premises Daily Register shall be readily available for inspection by an Authorised Person or Police throughout the trading hours of the premises.
8. The Premises Daily Register shall also record details of any SIA door staff employed at the premises including their home address. Further, all incidents in relation to the use of any force by staff or Door Supervisors in the removal of persons from the premises. It shall record the time and date of the occurrence, name or brief description of the person removed, and details of the staff involved.

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Annex 4 – Plans

Full plans held by the London Borough Of Havering licensing section  
Plans shown not to scale





## Part B

### Premises licence summary

Premises licence number

002199

### Premises details

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

**Hot & Tasty Chicken**  
**140 South Street, Romford, RM1 1TE**

Where the licence is time limited the dates

**N/A**

Licensable activities authorised by the licence

**Recorded Music, Late Night Refreshment**

The times the licence authorises the carrying out of licensable activities

**Recorded Music**  
**Monday to Saturday – 11.00 to 01.00**  
**Sunday – 11.00 to 00.00**

**Late Night Refreshment**  
**Monday to Saturday – 23.00 to 01.00**  
**Sunday – 23.00 to 00.00**

The opening hours of the premises

**Monday to Saturday – 11.00 to 01.00**  
**Sunday – 11.00 to 00.00**

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

**N/A**

Name, (registered) address of holder of premises licence

**Joyan Ltd**  
**140 South Street, Romford, Essex RM1 1TE**

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

**09354380**

Name of designated premises supervisor where the premises licence authorises for the supply of alcohol

**N/A**

State whether access to the premises by children is restricted or prohibited

**N/A**

1 of 1



**Havering**  
LONDON BOROUGH

Copy of Application

**Application to vary a premises licence under the Licensing Act 2003**

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

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

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

**I/We** JOYAN LTD

*(Insert name(s) of applicant)*

**being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below**

Premises licence number 002199
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**Part 1 – Premises Details**

Postal address of premises or, if none, ordnance survey map reference or description HOT & TASTY CHICKEN, 140 SOUTH STREET, ROMFORD, ESSEX, RM1 1TE
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Post town	ROMFORD	Postcode	RM1 1TE
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Telephone number at premises (if any)	
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Non-domestic rateable value of premises	£12500
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**Part 2 – Applicant details**

Daytime contact telephone number			
E-mail address (optional)			
Current postal address if different from premises address			
Post town		Postcode	

**Part 3 - Variation**

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible?       Yes                       No

If not, from what date do you want the variation to take effect?

DD	MM	YYYY
⌊	⌊	⌊
⌊	⌊	⌊
⌊	⌊	⌊

Do you want the proposed variation to have effect in relation to the introduction of the late night levy?  
(Please see guidance note 1)       Yes                       No

**Please describe briefly the nature of the proposed variation** (Please see guidance note 2)

1) TO EXTEND THE PERMITTED HOURS AS FOLLOWS:  
FOR THE PROVISION OF RECORDED MUSIC FROM 11.00 TO 02.00 MONDAY TO THURSDAY & 11.00 TO 04.00 FRIDAY & SATURDAY;  
FOR THE PROVISION OF LATE NIGHT REFRESHMENT FROM 23.00 TO 02.00 MONDAY TO THURSDAY AND 23.00 TO 04.00 FRIDAY & SATURDAY.

2) TO EXTEND THE PERMITTED HOURS FOR LICENSABLE ACTIVITIES TO 04.00 BANK HOLIDAY SUNDAYS, CHRISTMAS EVE AND NEW YEARS EVE.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number

N/A
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expected to attend:

**Part 4 Operating Schedule**

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

**Provision of regulated entertainment**

**Please tick all that apply**

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

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

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

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



**A**

<b>Plays</b> Standard days and timings (please read guidance note 7)			<b><u>Will the performance of a play take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Mon					
Tue					
Wed			<b><u>State any seasonal variations for performing plays</u></b> (please read guidance note 5)		
Thur					
Fri					
Sat					
Sun					

**B**

<b>Films</b> Standard days and timings (please read guidance note 7)			<b><u>Will the exhibition of films take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Mon					
Tue			<b><u>State any seasonal variations for the exhibition of films</u></b> (please read guidance note 5)		
Wed					
Thur			<b><u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
Fri					
Sat					
Sun					

**C**

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

**D**

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 7)			<b><u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 4)					
Mon								
Tue								
Wed						<b><u>State any seasonal variations for boxing or wrestling entertainment</u></b> (please read guidance note 5)		
Thur								
Fri						<b><u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
Sat								
Sun								

**E**

<b>Live music</b> Standard days and timings (please read guidance note 7)			<b>Will the performance of live music take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give further details here</b> (please read guidance note 4)		
Mon					
Tue					
Wed			<b>State any seasonal variations for the performance of live music</b> (please read guidance note 5)		
Thur					
Fri					
Sat					
Sun					

**F**

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	X
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon	11.00		<b><u>Please give further details here</u></b> (please read guidance note 4)		
		02.00			
Tue	11.00				
		02.00			
Wed	11.00		<b><u>State any seasonal variations for the playing of recorded music</u></b> (please read guidance note 5) NONE		
		02.00			
Thur	11.00				
		02.00			
Fri	11.00		<b><u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6) ON THE SUNDAYS OF BANK HOLIDAY WEEKENDS, CHRISTMAS EVE & NEW YEARS EVE THE TERMINAL HOUR FOR LICENSABLE ACTIVITIES TO BE EXTENDED TO 04.00 THE FOLLOWING DAY.		
		04.00			
Sat	11.00				
		04.00			
Sun	11.00				
		00.00			

# G

Performances of dance Standard days and timings (please read guidance note 7)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 5)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

# H

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



**I**

Late night refreshment Standard days and timings (please read guidance note 7)			<u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	X
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon	23.00		<u>Please give further details here</u> (please read guidance note 4) THE PROVISION OF HOT FOOD & DRINK IN THE SHOP FOR CONSUMPTION OFF THE PREMISES ONLY.		
		02.00			
Tue	23.00				
		02.00			
Wed	23.00		<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5) NONE		
		02.00			
Thur	23.00				
		02.00			
Fri	23.00		<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 6) ON THE SUNDAYS OF BANK HOLIDAY WEEKENDS, CHRISTMAS EVE & NEW YEARS EVE THE TERMINAL HOUR FOR LICENSABLE ACTIVITIES TO BE EXTENDED TO 04.00 THE FOLLOWING DAY.		
		04.00			
Sat	23.00				
		04.00			
Sun	23.00				
		00.00			

**J**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 7)			<b><u>Will the supply of alcohol be for consumption – please tick</u></b> (please read guidance note 8)	On the premises	<input type="checkbox"/>			
				Off the premises	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<b><u>State any seasonal variations for the supply of alcohol</u></b> (please read guidance note 5)					
Mon								
Tue								
Wed								
Thur								
Fri								
Sat								
Sun								
						<b><u>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</u></b> (please read guidance note 6)		
Thur								
Fri								
Sat								
Sun								

**K**

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).  
NONE

L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 7)			<b>State any seasonal variations</b> (please read guidance note 5) 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 6) ON THE SUNDAYS OF BANK HOLIDAY WEEKENDS, CHRISTMAS EVE & NEW YEARS EVE THE TERMINAL HOUR FOR LICENSABLE ACTIVITIES TO BE EXTENDED TO 04.00 THE FOLLOWING DAY.
Mon	11.00		
		02.00	
Tue	11.00		
		02.00	
Wed	11.00		
		02.00	
Thur	11.00		
		02.00	
Fri	11.00		
		04.00	
Sat	11.00		
		04.00	
Sun	11.00		
		00.00	

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.  
 NONE

Please tick as appropriate

- I have enclosed the premises licence X
- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.
--

## M

Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

**a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)**

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**

ALL EXISTING CONDITIONS TO REMAIN IN FORCE & ARE CONSIDERED TO BE ADEQUATE.

**c) Public safety**

ALL EXISTING CONDITIONS TO REMAIN IN FORCE & ARE CONSIDERED TO BE ADEQUATE.

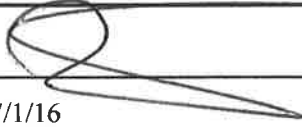
**d) The prevention of public nuisance**

ALL EXISTING CONDITIONS TO REMAIN IN FORCE & ARE CONSIDERED TO BE ADEQUATE.

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

**Part 5 – Signatures** (please read guidance note 11)

**Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent** (please read guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	17/1/16
Capacity	AUTHORISED LICENSING CONSULTANTS

**Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant’s solicitor or other authorised agent** (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

<b>Contact name (where not previously given) and address for correspondence associated with this application</b> (please read guidance note 14) GT LICENSING CONSULTANTS, 55 CODENHAM GREEN, BASILDON, ESSEX. SS16 5DT			
Post town	BASILDON	Post code	SS16 5DT
Telephone number (if any)	07810 826778		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) gtlicensingconsultants@googemail.com			

## CIZ Statement

Hot and Tasty Chicken is located in Romford Town Centre in close proximity to Romford Station and the Romford Bus Hub. There are three mini cab offices close to the premises and the marshalled taxi rank in nearby Eastern Road during the hours of the night time economy. Romford Station will also serve the Cross Rail Line with fast services to Central London and Heathrow Airport. The applicant has considered the CIZ policy.

Mr Rahmatullah has been operating the shop for over a year and in that time he has demonstrated that he is a responsible operator complying with the terms and conditions of his current Licence. The applicant is fully aware of the issues arising in the Town Centre and of the measures that are required to address those issues. While it can not be seen as a reason on its own to depart from the Special Policy on Licensing it is a well run shop with good management headed by Mr Rahmatullah.

Firstly the applicant seeks the restoration of the hours previously enjoyed prior to the Review brought against the previous owners which were until 02.00 the following day nightly. The current owner is new but tested in the location and there is no connection with the previous owners. We suggest there would be no increase in cumulative impact given that the shop was previously permitted to open until 02.00.

Secondly Mr Rahmatullah requests a 04.00 terminal hour Friday and Saturday and Bank Holiday Sundays. The current conditions including a Door Supervisor will be extended as necessary.

We suggest that having an additional competently operated and well known fast food outlet operating later at weekends and in the transport hub will aid in the faster and safer dispersal of customers during the latter part and at the end of the night time economy. It will reduce queuing times, the number of people gathering and bumping into each other at the current limited outlets and the associated risks of public disorder / anti social behaviour and public nuisance. We suggest it will not add to negative cumulative impact but in fact will reduce it.

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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 Variation of the Premises Licence Under Section 34 of the Licensing Act 2003**

Notice is hereby given that Joyan Ltd have applied to the London Borough of Havering for a Variation of the Premises Licence for Hot and Tasty Chicken, 140 South Street, Romford, Essex, RM1 1TE as follows: 1) To extend the permitted hours as follows: For the Provision of Recorded Music to be from 11.00 to 02.00 the following day Monday to Thursday & from 11.00 to 04.00 the following day Friday and Saturday & for the Provision of Late Night Refreshment to be from 23.00 to 02.00 the following day Monday to Thursday & from 23.00 to 04.00 the following day Friday and Saturday; 2) To extend the Permitted Hours for Licensable Activities to 04.00 the following day on Bank Holiday Sundays, Christmas Eve and New Years Eve. 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. Any Representations by any other person or responsible authority must be received in writing by the Licensing Authority by 16th February 2016 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 826778 Em: gtlicensingconsultants@googlemail.com

#### GEORGINA DOROTHY AGER (Deceased)

Pursuant to the Trustee Act 1925, notice is hereby given that any persons having a claim against or an interest in the Estate of the above named, late of 236 Alma Avenue, Hornchurch, Essex RM12 6JN, who died on 18/02/2015 are required to send written particulars to the undersigned on or before 28/03/2016, after which date the Estate will be distributed having regard only to the claims and interests of which they have had notice.

#### PATRICK EDWARD PENTON (Deceased)

Pursuant to the Trustee Act 1925, notice is hereby given that any persons having a claim against or an interest in the Estate of the above named, late of 13 Nyth Close, Upminster, Essex RM14 1RS, who died on 18/12/2015 are required to send written particulars to the undersigned on or before 28/03/2016, after which date the Estate will be distributed having regard only to the claims and interests of which they have had notice.

Chorus Law as Attorney for the Personal Representative. Heron House, Timothy's Bridge Road, Stratford-upon-Avon CV37 9BX

Chorus Law as Attorney for the Personal Representative. Heron House, Timothy's Bridge Road, Stratford-upon-Avon CV37 9BX

#### DOROTHY MAY HARRISON (formerly known as McMillen) (Deceased)

Pursuant to the Trustee Act 1925, notice is hereby given that any persons having a claim against or an interest in the Estate of the above named, late of 14 Cherry Tree Close, Rainham, Essex RM13 7QU, who died on 23/10/2015 are required to send written particulars to the undersigned on or before 4/4/2016, after which date the Estate will be distributed having regard only to the claims and interests of which they have had notice.

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**Havering**  
LONDON BOROUGH

Representation from  
Responsible Authorities

## Licensing Act 2003 Responsible Authority representation

This representation is made by a responsible Authority for the London Borough of Havering concerning an application for a temporary event notice for the premises as detailed below.

**Premises Name and address:** Hot & Tasty Chicken & Pizza, 140 South Street,  
Romford, Essex RM1 1TE

**Your Name:** Arthur Hunt

**Organisation name/name of body you represent:** London Borough of Havering  
Licensing Authority

**Your Address:** Mercury House, Mercury Gardens, Romford, Essex, RM1 3SL

**Email:** [arthur.hunt@havering.gov.uk](mailto:arthur.hunt@havering.gov.uk)

**Contact telephone number:** 01708 432749

**Summary of Objection:** Under the Prevention of Public Nuisance and Crime & Disorder licensing objectives.

### Policy Considerations

#### Licensing Policy 1

In considering applications for new licences, variations to existing licences and licence reviews the Licensing Authority will take the matters listed below into account:

- whether the premises is located in an area of cumulative impact;
- the type of premises and their cumulative impact on the area and the mix of premises in the area;
- the location of the premises and the character of the area;
- the views of the responsible authorities;
- the views of other persons;
- past compliance history of current management;
- the proposed hours of operation;
- the type and number of customers likely to attend the premises;
- whether the applicant is able to demonstrate commitment to a high standard of management, for example through active participation in the Safe and Sound meetings and pub watch.

## Licensing Policy 2

The Licensing Authority has adopted a special Policy relating to Cumulative Impact in relation to:

- Romford town centre within the ring road
- St Andrews Ward

This Policy creates a rebuttable presumption that applications for new premises licences, club premises certificates, or variation applications that will add to the existing cumulative impact, will normally be refused, unless the applicant can demonstrate why the operation of the premises involved will not add to the cumulative impact and not impact adversely on the promotion of the licensing objectives. The exception to this policy will be for applications for restaurants where alcohol is sold ancillary to a table meal and the terminal licensing hour is in line with the Policy.

## Licensing Policy 6

The Licensing Authority considers that, in the interests of clarity and transparency, applicants should normally have in place the relevant planning consent for the intended use and hours of operation, or otherwise have lawful planning status, before making an application for a premises licence. However every application will be considered on its merits on a case by case basis

## Licensing Policy 7

When dealing with new and variation applications the Licensing Authority will give more favourable consideration to applications with the following closing times:

Hot food and drink supplied by takeaways, fast food premises

Midnight- Sunday to Thursdays

01:00 Friday and Saturday

Consideration will also be given to the type of area that the premises is located in with regulated activities normally being permitted until 23.30 in residential areas and 00.30 in mixed use areas.

These hours are not pre-determined and each application will be considered on its merits.

## Licensing Policy 14

The Licensing Authority is committed to protecting the amenity of residents and businesses in the vicinity of licenced premises, particularly when late hours have been sought. Where relevant representations are received, the Licensing Authority will impose appropriate restrictions or controls on the licence to support the prevention of undue noise disturbance from licensed premises.

## Licensing Policy 17

The Licensing Authority will normally require all licensed premises to be cleared of patrons within a reasonable period, usually 30 minutes, after the end of the time

**permitted for licensable activities. An application for a new late night premises licences or variation application will not normally be granted unless a proposed dispersal Policy is included in the operating schedule.**

## **Representation**

With regards to the above I can confirm that this Licensing Authority wishes to make representation *against* this application based upon our concerns in relation to the prevention of public nuisance and the prevention of crime and disorder licensing objectives.

If the premises are permitted to open for longer hours, they will have to deal with intoxicated customers for a longer period, thus the possibility of further crime and disorder is increased.

Any increase in hours could lead to the potential to cause residents further nuisance.

## **The Application**

The initial application was submitted on the 19 January 2016 and as such is covered by Havering's Licensing policy which came into force on the 7 January 2016. It was clear that the applicant had failed to read or take into account the new policy in the application.

Licensing Policy 1 details the considerations that each applicant should consider and hopefully address in their application. The application states at Section M part a), "*we will operate our business in a responsible manner and actively promote the licensing objectives at all times*". This is an expectation of every premises whether they operate at late hours or not.

Every other box in the operating schedule states, "*All existing conditions to remain in force and are considered to be adequate.*"

Having received the application, I made it very clear to the applicant and his agent that there had been a new policy instituted and that the application should reflect the policy. As a result, on the 1 February a further "CIZ Statement" was submitted. I would contend that this statement does little to further the application in line with the policy.

Licensing Policy 2 states "*This Policy creates a rebuttable presumption that applications for new premises licences, club premises certificates, or variation applications that will add to the existing cumulative impact, will normally be refused, unless the applicant can demonstrate why the operation of the premises involved will not add to the cumulative impact and not impact adversely on the promotion of the licensing objectives.*"

The statement says, "*It will reduce queuing times, the number of people gathering and bumping into each other at the current limited outlets...*" This statement assumes that there are a finite number of people who look for late night refreshment at the end of the evening. However, it does not address the fact that it may in fact draw 'further' people to remain in the vicinity instead of dispersing. Therefore it would have an effect on the cumulative impact area.

The special policy area was designated as such by Havering in response to its identification by the Police as an area in which resources to cope with late night anti-social behaviour issues were limited.

This special policy area has been highlighted as one which requires greater attention than other areas of the borough in relation to licensed premises and the problems attendant to alcohol consumption. Our concern as the Licensing Authority is the potential for this vicinity to incrementally increase its average terminal hour. A potential result of this hours-

creep would be the influx of greater numbers of individuals to the area seeking late-night refreshments after an evening out.

Licensing Policy 6 deals with planning issues. This is something that my colleague from Planning will expand upon in his representation, but effectively the premises are only allowed to open from 0900 – 0200 Monday to Saturday and midnight on Sundays, Bank Holidays and Public Holidays. It is accepted that planning and licensing laws are not binding on either side, but an explanation of how the applicant is seeking to remedy this situation may have been appropriate. The current hours are within planning permission times.

Licensing Policy 7 details hours that would be considered appropriate for hot food and drink suppliers ie takeaway or fast food premises to be open. As this area is a mix of commercial and residential properties the terminal hour preferred is 00.30. The premises currently exceeds this time from Monday to Saturday. The only argument put forward for increasing the hours to 0200 Monday to Thursday is that the premises previously were operating until those hours. In October 2013, the premises licence was reviewed at hearing following the Police issuing a closure order at the premises. It was at that hearing that a decision was taken by the Licensing Sub-Committee to reduce the hours to 0030. This decision was appealed, but before the magistrates court hearing agreement was reached between the appellant and the Licensing Authority that the premises could open until 0100.

It is acknowledged that the owner of the business has changed but that should not be the sole reason to revert to the previous hours at the premises. The application does not take into account that in the time that the premise has been operating to 0100 that the policing situation within the town centre has changed, and therefore increasing the hours could have an effect upon the cumulative impact area.

The Guidance issued under s.182 of the Licensing Act 2003 states at para 8:35:

*“Applicants are expected to include positive proposals in their application on how they will manage any potential risks. Where specific policies apply in the area (for example, a cumulative impact policy), applicants are also expected to demonstrate an understanding of how the policy impacts on their application; any measures they will take to mitigate the impact; and why they consider the application should be an exception to the policy.”*

I can see no positive proposal in this application to mitigate the impact, other than simply opening.

Licensing Policy 17 states that premises seeking to apply or vary a licence for late nights should include a dispersal policy as part of the application. There is no dispersal policy attached to this application.

The applicant makes mention of the review of the premises licence which occurred in 2013 in the statement that was submitted following the application. That review came about following the Police issuing a closure notice under s.161 of the Licensing Act. At the hearing the Police were able to catalogue a series of events which led to the closure notice being issued. These all seemed to indicate that the early hours of the morning were a problem at this premises. As I have previously stated it is accepted that there has been a change of ownership since that review; however, the location of the premises, in the transport hub, must play a part in those incidents. If the premises had not been there and open those incidents may not have happened. Also no further measures have been volunteered by the applicant in the operating schedule to mitigate the risk that being open in the early hours of the morning obviously brings.

Competition for late night customers might appear to operate on a 'supply and demand' principle: the 'more' a premises may supply, the greater the demand for that supply. In other words, the longer a premises remains open to the public the more members of the public will want to avail themselves of the services offered within. The result of such a situation is that competing businesses may feel compelled by this principle to extend their hours also. The outcome of such a scenario is 'hours-creep'.

### **Conclusion**

It is the opinion of the Licensing Authority that this application does not meet the threshold set out in Havering's Licensing Policy 2:-

*This Policy creates a rebuttable presumption that applications for new premises licences, club premises certificates, or variation applications that will add to the existing cumulative impact, will normally be refused, unless the applicant can demonstrate why the operation of the premises involved will not add to the cumulative impact and not impact adversely on the promotion of the licensing objectives.*

In that, it does not demonstrate that it will not add to the cumulative impact of the area or adversely impact the promotion of the licensing objectives.

### **Complaint and Inspection History (if applicable)**

#### Application to vary the Premises Licence 01/04/2013

Hours requested Monday – Wednesday 1100~0300, Thursday to Saturday 1100~0500, Sunday 1100~0200. Rejected as fee payment was returned to drawer.

#### Application to vary the Premises Licence 15/05/2013

Hours requested Monday – Wednesday 1100~0300, Thursday to Saturday 1100~0500, Sunday 1100~0200. Rejected at hearing.

Premises Licence review 23/10/2013 following the Police closure of the premises in May 2013.

### **Other documents attached**

None attached

Arthur Hunt  
Licensing Officer



Signed

dated 16/02/2016

## Licensing Act 2003 Responsible Authority representation

This representation is made by a responsible Authority for the London Borough of Havering concerning a licence application for the premises as detailed below.

**Premises Name and address:** Hot & Tasty Chicken & Pizza, 140 South Street,  
Romford, Essex RM1 1TE

**Your Name:** \_Marc David Gasson

**Organisation name/name of body you represent:** London Borough of Havering/Public Protection

**Your Address:** 5<sup>th</sup> Floor, Mercury House, Mercury Gardens, Romford, Essex, RM3 0YU

**Email:** marc.gasson@havering.gov.uk\_\_

**Contact telephone number:** 01708 432749

**Summary of Objection:** to object to the proposed variations to the premises licence on the specific licensing objective "the prevention of public nuisance" .

### Policy Considerations

#### Licensing Policy 2

The Licensing Authority has adopted a special Policy relating to cumulative impact in relation to:

- Romford town centre within the ring road
- St Andrews Ward

This special Policy will create a rebuttable presumption that applications for new premises licences, club premises certificates, or variation applications that are likely to add to the existing cumulative impact will normally be refused, unless the applicant can demonstrate why the operation of the premises involved will not add to the cumulative impact or otherwise impact adversely on the promotion of the licensing objectives. The exception to this policy will be for applications for restaurants where alcohol is sold ancillary to a table meal and the terminal licensing hour is in line with the Policy.

#### Licensing Policy 7

When dealing with new and variation applications the Licensing Authority will give more favourable consideration to applications with the following closing times:

Public Houses and Bars 23:00 hours-Sunday to Thursday

	Midnight –Friday and Saturday
Nightclubs	01:00 hours Sunday to Thursday 02:00 hours Friday and Saturday
Restaurants and Cafes	23:00 hours Sunday to Thursday Midnight- Friday and Saturday
Off licences	23:00 Monday to Sundays
Hot food and drink supplied by takeaways, fast food premises	Midnight- Sunday to Thursdays 01:00 Friday and Saturday
Hotel residents only	24 hours sale of alcohol for on sales only.

Consideration will also be given to the type of area that the premises is located in with regulated activities normally being permitted until 23.30 in residential areas and 00.30 in mixed use areas.

These hours are not pre-determined and each application will be considered on its merits.

#### Licensing Policy 14

The Licensing Authority is committed to protecting the amenity of residents and businesses in the vicinity of licenced premises, particularly when late hours have been sought. Where relevant representations are received, the Licensing Authority will impose appropriate restrictions or controls on the licence to support the prevention of undue noise disturbance from licensed premises.

#### Licensing Policy 16

The Licensing Authority recognises that where gardens and tables and chairs are provided for smoking, eating and drinking outside, users can cause nuisance.

Where smoking, eating and drinking take place outside the Licensing Authority expects applicants to provide comprehensive details in their operating schedule on:

- The location of outside areas to be available for use
- How the outside areas will be managed to prevent noise, smell and pavement obstructions.

Where the Licensing Authority receives representations or a review application regarding the use of an outside area it will impose restrictions or conditions that are appropriate for preventing a public nuisance.

### **Representation**

When reviewing this licence application this representation seeks to address the licencing objective “the prevention of public nuisance” by firstly looking at the proposals submitted by the applicant and secondly whether these address the concerns I have with regard to the licensing objective.



The applicant has submitted the following with regards to addressing the licencing objective "prevention of public nuisance" :-

1. We will operate our business in a responsible manner and actively promote the licensing objectives at all times.
2. All existing conditions to remain in force and are considered to be adequate.

This information is limited and in my opinion fails to address my concerns with regards to the following:-

1. The noise from patrons congregating outside the premises.
2. The noise created by patrons staying later into the early hours of the morning in the town centre and in larger numbers. Although the applicant has no control of their patrons once they are away from the premises the fact that the premises is open till later is the reason why the problems are arising to a later and much more unsociable hour

The potential problems associated with this application is compounded by the fact that there is a significant number of residential properties in close proximity to the premises in question.

1. There are flat directly above this premises and above adjacent shops in the parade.
2. Flats in Charrington Court, South Street.
3. Flats and houses in surrounding streets ie South Street, Victoria Road and Regarth Avernue.

Any extension in the licensing hours will potentially result in an increase in the length of time residents are exposed to potentially unacceptable levels of noise and also that this level is going to be louder as there are a larger number of patrons producing that noise.

Given the reasons detailed above, this application goes directly against licensing policies 2, 7, 14 and 16 and also fails to address my concerns with regards to the "prevention of public nuisance". In effect any extension in hours is only likely to exacerbate the noise disturbance experienced by nearby residents. As this is the likely case and the applicants operating schedule does not address my concerns, Public Protection asks that the Licensing Committee to refuse the application to vary the premises licence.

#### **Complaint and Inspection History (if applicable)**

There are no records on the Public Protection database to show any history of noise complaints against this premises.

**Other documents attached**

None attached

Signed

dated

### Licensing Act 2003 Responsible Authority representation

This representation is made by a responsible Authority for the London Borough of Havering concerning a licence application for the premises as detailed below.

<b>Premises Name and address:</b>	"Hot & Tasty Chicken", 140 South Street, Romford, RM1 1TE
<b>Your Name:</b>	Samuel Cadman
<b>Organisation name / name of body you represent:</b>	Havering Council's planning department
<b>Your Address:</b>	5 <sup>th</sup> Floor Mercury House, Mercury Gardens, Romford, RM1 3SL
<b>Email:</b>	sam.cadman@havering.gov.uk
<b>Contact telephone number:</b>	01708 434798
<b>Summary of representation:</b>	To OBJECT to the proposed application for variations to the premises licence on the specific licencing objective "The prevention of public nuisance".

#### Policy Considerations:

The representation takes into account the following licencing policies as set out in the document titled "Statement of Licencing Policy" with effect from 7<sup>th</sup> January 2016:

##### Licencing Policy 1

In considering applications for new licences, variations to existing licences and licence reviews the Licensing Authority will take the matters listed below into account:

- whether the premises is located in an area of cumulative impact;
- the type of premises and their cumulative impact on the area and the mix of premises in the area;
- the location of the premises and the character of the area;
- the views of the responsible authorities;
- the views of other persons;
- past compliance history of current management;
- the proposed hours of operation;
- the type and number of customers likely to attend the premises;
- whether the applicant is able to demonstrate commitment to a high standard of management, for example through active participation in the Safe and Sound meetings and pub watch.

##### Licencing Policy 6

The Licensing Authority considers that, in the interests of clarity and transparency, applicants should normally have in place the relevant planning consent for the intended use and hours of operation, or otherwise have lawful planning status, before making an application for a premises licence. However every application will be considered on its merits on a case by case basis

#### Licencing Policy 8

When assessing the applicant's or licensee's ability to demonstrate a commitment to high standards of management the Licensing Authority will take into account whether the applicant or licensee:

- Can demonstrate comprehensive knowledge of best practice
- Has sought advice from the responsible authorities
- Has implemented any advice that has been given by the responsible authorities
- Is able to understand verbal and written advice and legal requirements
- Can demonstrate knowledge of the licensing objectives, relevant parts of the Licensing Policy and their responsibilities under the Licensing Act 2003
- Is able to run their business lawfully and in accordance with good business practices
- Is able to demonstrate a track record of compliance with legal requirements.

Where there is a history of non-compliance associated with the premises the Licensing Authority is unlikely to grant a new or variation application unless there is evidence of significant improvement in management standards.

#### Licencing Policy 14

The Licensing Authority is committed to protecting the amenity of residents and businesses in the vicinity of licenced premises, particularly when late hours have been sought. Where relevant representations are received, the Licensing Authority will impose appropriate restrictions or controls on the licence to support the prevention of undue noise disturbance from licensed premises.

#### **Representation:**

An assessment by the planning services was undertaken in 2004 (with planning application number P1360.04) with relation to the use of the property as a takeaway, and the impact on the amenity of the local area was considered and subsequently conditioned as such:

1. *The premises shall not be open to the public other than between the hours of 9a.m. to 2a.m. (the following morning) Mondays to Saturdays and 9a.m. to midnight on Sundays, bank holidays and public holidays.*

*Reason - In the interests of amenity.*

These are the latest enforceable planning conditions and as such the hours proposed in the licence application would be unlawful in planning terms. When previously assessing the use of the premises, the impact of the use on public nuisance was considered, and it was deemed necessary and expedient to control the use through the above planning condition – namely the opening times. As such the application for the licence goes directly against Licencing Policy 6. However, as the planning and licencing regimes are separate I have considered the merits of the licence application below.

When reviewing the licence application, I note that section M of the application makes reference to how the applicant will meet the specific licencing objectives. There are two parts of this section of the application where the applicant explains how they will address the licencing objective "the prevention of public nuisance". In response, the applicant has put:

- a) *We will operate our business in a responsible manner and actively promote the licencing objectives at all times.*
- d) *All existing conditions to remain in force & are considered to be adequate.*

These explanations make no reference to the impact of the proposed variations on the surrounding area; which will be especially prominent given the proximity to the train station (Romford Station) and several late-night clubs in Romford High Street. The main concerns which have not been addressed are;

- the effect of patrons who loiter in the local area,
- the noise generated by patrons standing outside,
- the effect on litter in the local area,

- the smells that will be produced by the cooking affecting the residential properties located along the parade of shops (and most notably the flats directly above the premises),
- The cumulative affect the use will have in keeping persons who visit the property in the late hour (most likely under the influence of alcohol) in Romford High Street at times when there are limited public transport links.

Furthermore, there has been no consideration for patrons who visit the property loitering in the local area and causing disturbance to the residential properties in the surrounding roads and at the train station. This is particularly important as the licence application seeks to have the sale of food into the late evening / early morning every day; which will affect the amenity of the local residents, as well as the overall character of the area. This may also act as a precedent which (if followed by other properties in the local area) will have a detrimental impact on the character of the area. I must also note that there is a similar premises located at 2 Eastern Road (of which there are outstanding planning issues and anti-social behaviour issues also). This application does not make any mention to additional cumulative impacts that may occur by having several late-night premises located in close proximity with each other. Overall, the application to vary the licence does not give sufficient details to demonstrate that the licencing objective specific to the prevention of public nuisance will be upheld. This licence application therefore demonstrates a lack of consideration for the local area, and demonstrates a lack of high standards of management which is expected under Licencing Policies 1 and 8.

I note that this property is part of a parade of shops; with shops and restaurant uses on the ground floor, and residential accommodation in the form of flats on the first and second floor of this property. There are also residential properties located in a similar situation on properties located along Station Parade, and Victoria Road to the east, South Street to the south of the premises, 2-storey residential homes locates to the south in Regarth Avenue, and flats located in Charrington Court to the west. The application to vary the licence seeks to have the premises open until the late evening / early morning every day (being open as late as 04:00hrs). This change would create additional noise and activity in the late evening / night time (when there is a lower ambient noise level in the area) to a level that has been prevalent to the distress of the local residents and to the general public most notably through anti-social behaviour. Furthermore, no additional information is provided in relation to maintaining the local area in terms of rubbish that the takeaway will produce. Failure to provide sufficient waste management schemes or provision will result in the area (not just immediately outside the property, but the surrounding streets) suffering with rubbish on the pavements. This will affect not only the residents, but also affects the cleanliness of the area. If left unmanaged, the decisions will incrementally add to the overall impact of litter on the streetscene and ultimately how people perceive the area as a whole. This will not prevent a public nuisance, but actively create a public nuisance. Consequently the application for the licence goes against Licencing Policy 14.

Given the arguments as set out above, the licence application goes directly against licencing policy, and the planning department's concerns on the prevention of public nuisance have not been alleviated though the operating schedule set out in the licence application. As this is the case, planning services asks that the licencing committee refuse the application to vary the premises licence.

It must be noted that as planning conditions are not being adhered to, a planning enforcement investigation may have to now be undertaken, with enforcement action considered.

#### **Complaint and Inspection History (if applicable):**

No visits to the property were undertaken.

I have attached the planning decision notices in the "other documents" section, but for clarity, the planning history is as such:

Application Number:	P0037.04
Description of proposal:	Change of use from a bank (A2) to take away (A3).
Outcome:	Approved with conditions.

Application Number:	P1360.04
Description of proposal:	Variation of conditions to increase opening hours to allow 2am closing time Monday-Saturday and 12am on Sundays
Outcome:	Approved with conditions.

**Other documents attached:**

I have attached the planning decision notices for both of the planning applications P0037.04 and P1360.04.

Signed		Dated:	26 / 1 / 16
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**LONDON BOROUGH OF HAVERING**

**TOWN AND COUNTRY PLANNING ACT 1990**

**To:** Ablethird Ltd  
102 Queensway  
Bletchley  
Milton Keynes  
MK2 2RX

**APPLICATION No: P0037.04**

In pursuance of their powers as Local Planning Authority, the Council have considered your application and have decided to **GRANT PLANNING PERMISSION** for the following development :

**Proposal:** Change of use from a bank (A2) to take away (A3)  
**Location:** 140 Ground Floor  
South Street  
Romford

**subject to compliance with the following condition(s):**

- 1 The development to which this permission relates must be commenced not later than five years from the date of this permission.

**Reason:-**

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

- 2 Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 the use hereby permitted shall be as a hot food Take-away only and shall be used for no other purpose(s) whatsoever including any other use in Class A3 of the Order, unless otherwise agreed in writing by the Local Planning Authority.

**Reason:-**

To restrict the use of the premises to one compatible with the surrounding area and to enable the Local Planning Authority to exercise control over any future use not forming part of this application, and that the development accords with the Unitary Development Plan policy ENV1.

- 3 The premises shall not be open to the public other than between the hours of 0900 hours to 2400 hours on any day.

Reason-

In the interests of amenity.

- 4 Before the use commences suitable equipment to remove and/or disperse odours and odorous material should be fitted to the extract ventilation system in accordance with a scheme to be approved in writing by the Local Planning Authority. Thereafter, the equipment shall be properly maintained and operated during normal working hours.

Reason:-

To protect the amenity of occupiers of nearby premises, and in order that the development accords with Unitary Development Plan policy ENV1.

- 5 Before the uses commences a scheme to control the transmission of noise and vibration from any mechanical ventilation system installed shall be submitted to and approved in writing by the Local Planning Authority and implemented prior to the permitted use commencing. Thereafter, the equipment shall be properly maintained and operated during normal working hours.

Reason:-

To protect the amenity of occupiers of nearby premises, and in order that the development accords with Unitary Development Plan policy ENV1.

- 6 Before the uses commences a waste management scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme, which shall thereafter be permanently maintained, shall include details of the method and location of refuse storage, together with arrangements for refuse disposal. All refuse shall be properly contained within the approved facility and shall not be stored or deposited elsewhere unless previously agreed in writing by the Local Planning Authority.

Reason:-

To protect the amenity of occupiers of nearby premises, and in order that the development accords with the Unitary Development Plan policy ENV1.

INFORMATIVE:

Thames Water : Thames Water requests that a bacterial or enzyme dosing unit should be



fitted on all waste discharge points from kitchen sinks and floor drains prior to discharging to the public sewerage system, to avoid back-flow at a later date. If the recommendation is ignored the property may at a later date suffer from back-flow and result in flooding.

Reason for Approval : The proposed change of use would be in compliance with the aims and objectives of policies ENV1, ROM1 and Supplementary Planning Guidance : Romford Town Centre.

**Dated: 3rd March 2004**



Michael Day  
Head of Planning  
London Borough of Havering  
Mercury House, Mercury Gardens  
Romford RM1 3SL

**Important - attention is drawn to the notes overleaf**

**NOTES IN CONNECTION WITH APPROVAL OF APPLICATIONS SUBJECT TO CONDITIONS  
OR REFUSAL OF APPLICATIONS FOR PLANNING PERMISSION**

- (1) If the applicant is aggrieved by the decision of the local planning authority to refuse permission or to grant permission or approval subject to conditions, he may appeal to the First Secretary of State for the Environment in accordance with Section 78 of the Town and Country Planning Act 1990 within three months of the date of this notice. (Appeals must be made on a form which is obtainable the Planning Inspectorate, Customer Support Unit, Temple Quay House. 2 The Square. Temple Quay. Bristol BS1 6PN or from the Planning Inspectorate's web site, [www.planning.inspectorate.gov.uk](http://www.planning.inspectorate.gov.uk).)
- (2) When submitting the completed appeal form to the Department of the Environment, a copy should be sent to Legal Services, London Borough of Havering, Town Hall, Main Road, Romford, RM1 3BD. The First Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise his powers unless there are special circumstances which excuse the delay in giving notice of appeal. The First Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements to the provisions of the development order, and to any directions given under the order. He does not in practise refuse to entertain appeals solely because the decision of the local planning authority was based on a direction given by him.
- (3) If permission to develop land is refused or granted subject to conditions, whether by the local planning authority or by the First Secretary of State and the owner of the land claims that the land has become incapable of reasonable beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted he may serve on the Havering Council, a purchase notice requiring that council to purchase his interest in the land in accordance with the provision of Part VI of the Town and Country Planning Act 1990.
- (4) In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the First Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in section 114 of the Town and Country Planning Act 1990.

The statutory requirements are those set out in section 79(6) of the Town and Country Planning Act 1990, namely Sections 70, 71 and 72(1) of the Act.



**LONDON BOROUGH OF HAVERING**

**TOWN AND COUNTRY PLANNING ACT 1990**

**To:** Archplan  
34 Vivian Gardens  
Watford  
WD19 4PG

Mr S Kandasamy  
41 Jelicoe Gardens  
Stanmore  
Middlesex, HA7 3HS

APPLICATION No: **P1360.04**

In pursuance of their powers as Local Planning Authority, the Council have considered your application and have decided to **GRANT PLANNING PERMISSION** for the following development :

Proposal: Variation of conditions to increase opening hours to allow 2am closing time Monday-Saturday and 12am on Sundays

Location: Ground Floor  
140 South Street  
Romford

**subject to compliance with the following condition(s):**

- 1 The premises shall not be open to the public other than between the hours of 9a.m. to 2a.m. (the following morning) Mondays to Saturdays and 9a.m. to midnight on Sundays, bank holidays and public holidays.

Reason - In the interests of amenity.

**INFORMATIVE:**

This does not in any way alter the conditions imposed on the previous approval P0037.04 except condition 3 which this application relates to.

Reason for approval:

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The proposed development is considered to be in accordance with the aims, objectives and provisions of Policy Policies ENV1 and ROM1 and Appendix 1 of the Havering Unitary Development Plan.

**Dated: 20th September 2004**

*Michael Day*

Michael Day  
Head of Planning  
London Borough of Havering  
Mercury House, Mercury Gardens  
Romford RM1 3SL

**Important - attention is drawn to the notes overleaf**

**NOTES IN CONNECTION WITH APPROVAL OF APPLICATIONS SUBJECT TO CONDITIONS  
OR REFUSAL OF APPLICATIONS FOR PLANNING PERMISSION**

- (1) If the applicant is aggrieved by the decision of the local planning authority to refuse permission or to grant permission or approval subject to conditions, he may appeal to the First Secretary of State for the Environment in accordance with Section 78 of the Town and Country Planning Act 1990 within three months of the date of this notice. (Appeals must be made on a form which is obtainable the Planning Inspectorate, Customer Support Unit, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or from the Planning Inspectorate's web site, [www.planning.inspectorate.gov.uk](http://www.planning.inspectorate.gov.uk).)
- (2) When submitting the completed appeal form to the Department of the Environment, a copy should be sent to Legal Services, London Borough of Havering, Town Hall, Main Road, Romford, RM1 3BD. The First Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise his powers unless there are special circumstances which excuse the delay in giving notice of appeal. The First Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements to the provisions of the development order, and to any directions given under the order. He does not in practise refuse to entertain appeals solely because the decision of the local planning authority was based on a direction given by him.
- (3) If permission to develop land is refused or granted subject to conditions, whether by the local planning authority or by the First Secretary of State and the owner of the land claims that the land has become incapable of reasonable beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted he may serve on the Havering Council, a purchase notice requiring that council to purchase his interest in the land in accordance with the provision of Part VI of the Town and Country Planning Act 1990.
- (4) In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the First Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in section 114 of the Town and Country Planning Act 1990.

The statutory requirements are those set out in section 79(6) of the Town and Country Planning Act 1990, namely Sections 70, 71 and 72(1) of the Act.



**WITNESS STATEMENT**

CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

**Statement of**      **Stephen Mangham**.....      URN:      

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Age if under 18      **Over 18** .....      (if over 18 insert 'over 18')      Occupation:      **Police Sergeant P225009**.....

This statement (consisting of: ....**2**.... pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything in it which I know to be false, or do not believe to be true.

Signature:      .....      Date:      14.02.2016.....

Tick if witness evidence is visually recorded       (*supply witness details on rear*)

I am currently employed as a Police Sergeant on Romford Town centre. The role covers the main economic hub of Romford Town centre and covers both daytime (retail) and night time economies. Romford is a busy town centre with good transport links to central London and out into Essex. There are several late night drinking venues which tend to be situated around Romford Train station on South Street. The size of the night time economy is second only to the West End for footfall into the various venues.

Policing the town at night presents various complications from a policing point of view from licensing, violent crime, public safety and counter terrorism are some of the issues facing officers. Presently a team of officers police the night time economy at the weekends. This team consists of one sergeant and six constables. They are often supported by other officers brought in from other teams based in the borough. Violent crime peaks towards the end of the week as to be expected. This tends to be fights that have happened either in licensed premises or in the street. Officers tend to be posted at points to cover the town centre as visibly as possible. This includes the bus and train station hub, South Street near McDonalds/Fiction nightclub and all the way to North Street. This is a large area to cover and often by 0200 hours a lot of the officers are away from the town centre as they have made arrests.

Often, by 0400 hours, there are just three of four officers left policing the South Street hub. This means that these officers have to cover the safe dispersal of over one thousand (1000) people who exit the nightclubs onto the street in a very short space of time from around 0345 to 0430 hours. This part of the night is often chaotic with policing resources pushed to there absolute limit when the people leaving the clubs make their way to the existing late night food venues. The late night food venues then become a focus for a high density of people and violence and fighting often erupts. Due to resourcing levels officers by this stage of the night can only normally cover the immediate area of South Street up to the train station and not beyond with officers relying on CCTV to tell them if there are issues further up the road at the taxi rank and bus hub.

I have been made aware that "HOT AND TASTY", 140 SOUTH STREET, has applied to extend its licence to

Signature:      .....      Signature witnessed by:      .....

Continuation of Statement of **Stephen Mangham** .....

sell hot food and beverage beyond 0100 hours to remain open until 0400 hours. Hot and Tasty is situated in South Street opposite the bus stop hub which is next to the train station. Also around the rear of this location is A1 mini cabs which is a busy mini cab office serving the town almost 24 hours and gets busy at the weekends. The simple fact is that another late trading take away will become a focus for persons looking to get late night food and drink as well as getting a mini cab. This would mean it will attract an increase in violent crime in the immediate area commensurate with the kind of increases seen in and around other late/ end of night food venues.

Currently there would not be the additional policing required for this venue as officers will still be committed further down South Street. This will increase the risk to the public in the final hours of the evening and over burden the existing policing for the night time economy. In the interests of public safety I cannot recommend that the hours of trading for Hot and Tasty be extended.

Signature: ..... Signature witnessed by: .....



**Witness contact details**

Home address: **C/O Romford Police Station** .....  
..... Postcode: .....  
Home telephone number ..... Work telephone number .....  
Mobile/pager number ..... Email address: .....  
Preferred means of contact: .....  
**Male** / ~~Female~~ (delete as applicable) Date and place of birth: .....  
Former name: ..... Ethnicity Code (16+1): ..... Religion/belief: .....

**Dates of witness non-availability** .....  
.....

**Witness care**

- a) Is the witness willing and likely to attend court? Yes / No. If 'No', include reason(s) on **MG6**.
- b) What can be done to ensure attendance?
- c) Does the witness require a Special Measures Assessment as a vulnerable or intimidated witness? Yes / No. If 'Yes' submit **MG2** with file.
- d) Does the witness have any specific care needs? Yes / No. If 'Yes' what are they? (Disability, healthcare, childcare, transport, , language difficulties, visually impaired, restricted mobility or other concerns?)

**Witness Consent (for witness completion)**

- a) The criminal justice process and Victim Personal Statement scheme (victims only) has been explained to me Yes  No
- b) I have been given the Victim Personal Statement leaflet Yes  No
- c) I have been given the leaflet 'Giving a witness statement to police — what happens next?' Yes  No
- d) I consent to police having access to my medical record(s) in relation to this matter: (obtained in accordance with local practice) Yes  No  N/A
- e) I consent to my medical record in relation to this matter being disclosed to the defence: Yes  No  N/A
- f) I consent to the statement being disclosed for the purposes of civil proceedings e.g. child care proceedings, CICA Yes  No
- g) The information recorded above will be disclosed to the Witness Service so they can offer help and support, unless you ask them not to. Tick this box to decline their services:

Signature of witness: ..... Print name: .....  
Signature of parent/guardian/appropriate adult: ..... Print name: .....  
Address and telephone number if different from above: .....

Statement taken by (print name): **Mangham P225009 Stephen** ..... Station: **Romford** .....

Time and place statement taken: .....

### Licensing Act 2003 Responsible Authority representation

This representation is made by a responsible Authority for the London Borough of Havering concerning a licence application for the premises as detailed below.

<b>Premises Name and address:</b>	<b>Hot and Tasty 140 South Street Romford RM1 1TE</b>
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<b>Your Name:</b>	<b>PC Belinda Goodwin 695KD</b>
<b>Organisation name / name of body you represent:</b>	<b>Metropolitan Police Service</b>
<b>Your Address:</b>	Romford Police Station 19 Main Road Romford RM1 1BJ
<b>Email:</b>	<b>Belinda.goodwin@met.pnn.police.uk</b>
<b>Contact telephone number:</b>	01708

<b>Summary of representation:</b>	<p>To OBJECT to the proposed premises licence application on the specific licencing objectives</p> <p><b>The prevention of crime and disorder</b></p> <p><b>The prevention of public nuisance</b></p> <p><b>Public Safety</b></p>
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<p><b>Policy Considerations:</b></p> <p>The representation takes into account the following licensing policies as set out in the document titled "Statement of Licensing Policy" with effect from 7<sup>th</sup> January 2016:</p> <p><b>Licensing Policy 1</b></p> <p>In considering applications for new licences, variations to existing licences and licence reviews the Licensing Authority will take the matters listed below into account:</p> <p>whether the premises is located in an area of cumulative impact;</p> <ul style="list-style-type: none"> <li>• the type of premises and their cumulative impact on the area and the mix of premises in the area;</li> <li>• the location of the premises and the character of the area;</li> <li>• the views of the responsible authorities;</li> <li>• the views of other persons;</li> </ul>
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- past compliance history of current management;
- the proposed hours of operation;
- the type and number of customers likely to attend the premises;
- whether the applicant is able to demonstrate commitment to a high standard of management, for example through active participation in the Safe and Sound meetings and pub watch.

### **Licensing Policy 2**

The Licensing Authority has adopted a special policy relating to cumulative impact in relation to:

- Romford town centre within the ring road
- St Andrews Ward

This policy creates a rebuttable presumption that applications for new premises licences, club premises certificates, or variation applications that will add to the existing cumulative impact, will normally be refused, unless the applicant can demonstrate why the operation of the premises involved will not add to the cumulative impact and not impact adversely on the promotion of the licensing.

The applicant has not shown how this will add negatively to the cumulative impact in the area, only that there will be one more venue open at this time to help reduce the customers at other venues, therefore this will help to disperse patrons more quickly. Police feel that this will have the opposite effect and as this venue is situated at the transport hub and Taxi hubs this may in turn attract more people to congregate in this one area and could then interfere with patrons who are wanting to get home via taxi or bus. Also, there are doubts that any taxi drivers and local bus companies would be encouraged to take customers inside their vehicles with food, especially if they are inebriated, this may delay patrons again in leaving the area as they would want to eat their food first.

### **Licensing Policy 4**

The Licensing Authority will keep potential areas of saturation (areas where the Authority believes that no further licensed premises can be accommodated) under review. Where representations from responsible authorities or interested parties indicate that saturation is reached it will consider introducing a saturation policy for the area that will create a presumption for the refusal of all new applications.

**Representation:**

The venue is within the cumulative impact area as specified in Policy 2 and is situated within the transport hub of a the main Town Centre. Police have concerns that this would add to the dispersal within the Town once the clubs have finished trading. The later that people congregate within the Town especially if they have been drinking can associate and become hot spots for there to be disorder. With previous issues when there was a burger van in this location near to the station this often had issues with anti-social behaviour and disorder attached to it. The venue have offered to keep the door staff on until close, Police would still have concerns that this would lead to an increase in Police presence at the venue and if there are issues at 0400hrs when the venue is asking to open, this could have a massive impact on Police resources and one that the borough could ill afford to have. At present the venue is open until 01:00hrs and there have been two offences that have been reported from the venue over the past year. From the local Town centre team the issues that would arise from the terminal hours being agreed could be impactful. The fact the premises is in the centre of the transport hub this could add to the dispersal and congregation of persons within this area increasing the likelihood of anti-social behaviour and adding to our crime and disorder. This congregation of persons is contrary to the transport hub acting as the final level of dispersal for persons leaving Romford town centre. In the immediate vicinity of the venue are bus stops leaving to all areas of Havering and beyond and one of the largest cab companies in the Town. Although there are Taxi Marshalls within the area there efficiency is debatable. The area is also frequented by potential gang members and this would be another venue where they may target the vulnerable who are often intoxicated and become easy “victims” for these members.

Although this venue is situated in the Town centre we do have noise and anti-social behaviour complaints recorded from Charrington Court. If the venue is allowed to open to this terminal hour it could encourage patrons to congregate in the area and interfere with residents going to work or just trying to go about their day to day business.

Also, the impact that this will have on the local police service will be quite detrimental. Officers have to deal with patrons leaving the pubs and clubs from 0100hrs to 0400hrs and work really hard in getting them away from the town as efficiently and as safely as possible, if we have yet another take away open to this time this would prove a lot harder to do. We have incidents on a regular basis past 0100hrs that are generated from the restaurants and take away venues that become hot spots for violent disorder and general anti-social behaviour.

The licence states that they must have an SIA door staff at the location from 2300hrs until close, in the new application Mr Rahmaullah has not offered to employ any extra door staff for the later hours and has only stated that

**all existing conditions to remain in force and are considered to be adequate.**

**whether the applicant is able to demonstrate commitment to a high standard of management, for example through active participation in the Safe and Sound meetings and pub watch.**

Mr Rahmaullah has not shown any commitment on the application that he intends to take part in the Safe and Sound meetings.

**The type and number of customers likely to attend the premises.**

The clientele after 0100hrs are likely to be intoxicated which will add to any disorder that may occur, Mr Rahmaullah has not shown what special measures he will be putting in place to counter-act drunk persons entering the premises and also there are no provisions in how staff within the premises would cope with this and how to facilitate a big influx of customers in order to take their orders and to serve them in a timely manner so as not to add to anyone becoming agitated within the premises and causing issues with other customers and the staff. The licence currently states that no more than 10 persons allowed in at one time, the applicant has increased this amount to 25 people for the recent TEN application, Mr Rahmaullah has not shown how they are going to control this at the later hours when all of the clubs are shutting down. Mr Rahmaullah has not made any reference to a dispersal policy within the application and cannot show us what measures he is taking in assisting customers at the premise to be respectful to the local residents and not to add to any noise that they are experiencing already.

## HISTORY

**15/07/2015 14:00hrs**

Police received 5 separate CADs by MOP to a group of males fighting outside THE GOOSE PUBLIC HOUSE, SOUTH STREET and opposite ROMFORD BRITISH RAIL STATION. On route to the location, an allegation was made from an anonymous member of the public one of the group was running along SOUTH STREET holding a large kitchen knife. CCTV were called up and followed the male who had been identified as holding the knife, he ran SOUTH along SOUTH STREET, into ATLANTA BOULEVARD and get into the front passenger seat of a vehicle and drive off. Police stopped the vehicle both occupants searched for offensive weapons. Negative result on them and vehicle for a knife. Police spoke with VIW1 - the manager of HOT N TASTY CHICKEN, 140 SOUTH STREET who witnessed the suspect run into his kitchen, take a large kitchen knife, run outside onto SOUTH STREET. Approximately three minutes later the same male returned and said 'HAVE YOU CALLED THE POLICE?' VIW1 replied 'NO.' Black male asked 'CAN I PUT THE KNIFE BACK? CAN I PUT IT BACK?' VIW1 replied 'YES.'

**11/01/2016 23:00hrs**

SUS has been previously banned by the manager for causing problems every time she comes in. VIW has informed her that she was banned from the shop to which she replied "because of that lesbian bitch you banned me". VIW took this remark as offensive as it was aimed at his colleague" He has then told her again that he will not serve her and would she please leave. She has then punched the protective glass above the counter several times and then walked to the main shop door. She has then slammed the door. VIW was worried she was going to break the door and has come from behind the counter and approached the main door. As he did she has pulled the door outwards several times hard. The door is not designed to open this way and as a result the door spring has broken. Whilst doing this she has shouted "Paki, you fucking Paki"

The suspect has then left. It was not reported at the time as they were shutting up the shop.

The only other witnesses to this were customers in the shop but no details were taken.

**The premises were issued with a closure notice on Saturday 4th May 2013 and went to hearing on 16/10/2013 and the committee decided that the issue of crime and disorder was in part a problem for the area in which the premises is located. The limitation of hours are appropriate because of the incidents of crime and disorder in the area and recorded at the premises predominantly occurred between the hours of midnight and 0030hrs. The committee made the decision to bring back the terminal hour to 0030hrs Monday to Saturday and after an appeal by the applicant at the time the courts agreed to let the venue stay open until 0100hrs. Although there have not been as many issues at the venue since this time Police feel that this is attributed due to the terminal hour being 0100hrs.**

**Complaint and Inspection History (if applicable):**

**Other documents attached: Attached is an MG11 impact statement from PS Steve Mangham who is one of the Town Centre Team sergeants outlining the concerns that his and his team have if this venue is allowed to operate until 0400hrs.**

**Signed**

**Dated:**