

**MINUTES OF A MEETING OF THE
LICENSING SUB-COMMITTEE
Council Chamber - Town Hall
29 April 2016 (10.30am - 10.56 am)**

Present:

COUNCILLORS

East Havering Residents' Group Linda Van den Hende (Chairman)

Residents' Group Jody Ganly

UKIP Group Phil Martin

Present at the meeting were Trevor Howard (applicant), Stephen Powell (colleague of the applicant), Sam Cadman (on behalf of the Havering Planning Authority) and Paul Jones (Licensing Officer).

Also present were the Council's Legal Adviser and the Clerk to the Sub-Committee.

There were no disclosures of Interest, and all decisions were taken with no votes against.

The Chairman reminded those present of the action to be taken in an emergency.

1 GIDEA PARK TAP 236 MAIN ROAD ROMFORD ESSEX RM2 5HA - APPLICATION FOR A PREMISES LICENCE UNDER SECTION 17 OF THE LICENSING ACT 2003

PREMISES

Gidea Park Micropub
236 Main Road
Romford
RM2 5HA

DETAILS OF APPLICATION

The application for a premises license was made under section 17 of the Licensing Act 2003 ("the Act")

APPLICANT

Mr Trevor Howard
Howard Micropubs Ltd.,
70 Ilfracombe Crescent
Hornchurch
RM12 6RQ

1. Details of requested licensable activities

The application was to permit the following licensable activities:

Supply of alcohol (on and off premises)		
Day	Start	Finish
Monday to Sunday	12:00	23:00
Good Friday	12:00	00:00
Christmas Eve	12:00	00:00
New Year's Eve	12:00	00:39

Hours premises open to the public		
Day	Start	Finish
Sunday to Friday	12:00	23:20
Saturday	11:00	23:20
Good Friday	12:00	00:20
Christmas Eve	12:00	00:20
New Year's Eve	12:00`	00:50

2. Promotion of the Licensing Objectives

The application acted in accordance with regulation 25 and 26 of The Licensing Act 2003 (Premises licences and club premises certificates) Regulation 2005 relating to the advertising of the application. The required public notice was installed in the 18 March 2016 edition of the Romford Recorder.

The application described the premises as:

A micropub, which is defined by the Micropub Association as being "a small free-house which listens to its customers, mainly serves cask ales, promotes conversation, shuns all forms of electronic entertainment and dabbles in traditional pub snacks".

The application was broadly compliant with each of Havering's individual licensing policies but licensing policy 6 states that:

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. Every application, however, will be considered on its merits on a case by case basis.

3. Details of Representations

Valid representations may only address the four licensing objectives.

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

There were no representations against the application from interested persons.

There was one representation against the application from a responsible authority namely Havering's Planning Service. The basis of the objection was that planning permission was likely to be withheld on the grounds of Public Nuisance.

Responsible Authorities

Chief Officer of Metropolitan Police ("the Police"): None

Licensing Authority: None

Planning Control & Enforcement: One

Public Protection: None

London Fire and Emergency Planning Authority ("LFEPA"): None

Health & Safety Enforcing Authority: None

Public Health: None

Children & Families Service: None

The Magistrates Court: None

4. Determination of Application

The Planning Authority stated that a planning application which had been received from the Applicant had been considered and whilst at the time of the licensing hearing no formal decision had been reached, the indications were that the planning application would be refused on the grounds of Public Nuisance..

Mr Howard (the applicant) stated that he was aware of the caution referred to in Havering's Licensing Policy number 6 but had not appreciated that the Planning Authority would take the stance it had concerning granting planning permission due to its concerns about public nuisance which really came down to the issue of parking in the area.

Where the micropub was located was a mixed use area with a number of pubs, restaurants, take-aways and other shops and businesses as well as residential properties and he had carefully researched the location and

could assure the Sub-Committee that this concern was rather inflated. He drew the Sub-Committee's attention to the fact that the micropub's location was extremely well served by public transport and, given the micropub's size along with its specialist appeal, he could assure the Sub-Committee that parking was unlikely to present a realistic problem – indeed he could not envisage there being issues from the establishment because he had undertaken to sound-proof the ceiling of the venue not against the noise of music – there would not be any – but “conversation”.

He concluded by stating that he fully appreciated that if he was granted a licence, he would still not be able to trade until he had obtained planning permission which he said he would be pursuing.

The Sub-Committee noted the applicant's comments and the Chairman asked whether his offer to reduce the time at which children should leave the premises from 9.00pm to 7.00pm remained (paragraphs a and e of the application) and Mr Howard replied that it was. The Chairman then asked about the retention of CCTV records (paragraph c) and informed Mr Howard that the operating schedule should be amended to show that CCTV records would be retained for 31 days and be available for inspection by anyone who was authorised and who had reasonable grounds to do so. Mr Howard acknowledged this and agreed to comply.

Decision:

Consequent upon the hearing on 29 April 2016, the Sub-Committee's decision regarding the application for a premises license for The Gidea Park Micropub, 236 Main Road, Romford RM2 5HA was as follows:

The Sub-Committee **RESOLVED** to grant the premises license with the mandatory conditions and the following:

Conditions consistent with the Operating Schedule

No children permitted to remain in the premises after 19.00 hours

CCTV recordings to be retained for 31 days and made available for inspection on demand to the police and any other officer authorised by the Licensing Authority

The Chairman reminded Mr Howard that even though he had been granted a licence, he could still not trade until he had obtained the appropriate planning permission from the Planning Authority.

Chairman