

Havering Council – Decisions taken by the Licensing Sub-Committee on Thursday, 12 May 2016

Agenda Item No	Topic	Decision
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Note: this decision list is for guidance only. The text of the minutes, which may be different, is definitive.

Part A – Items considered in public

<p>A1</p>	<p>APPLICATION FOR AN EXPEDITED PREMISES LICENCE REVIEW - CIRCUIT 36-38 NORTH STREET, ROMFORD, RM1 1BH</p>	<p align="right">Licensing Act 2003 Notice of Decision</p> <p>PREMISES</p> <p>Circuit 36-38 North Street Romford RM1 1BH</p> <p>DETAILS OF APPLICATION</p> <p>Application for an expedited premises licence review was made by on behalf of the Metropolitan Police Service under section 53A of the Licensing Act 2003. The application was received by Havering’s Licensing Authority at 14:26 on 10 May 2016.</p> <p>APPLICANT</p> <p>PCOisin Daly, On behalf of the Commissioner of the Metropolitan Police Service, Romford Police Station, 19 Main Road, Romford.</p>
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		<p>RM1 1BJ</p> <p>1. Details of existing licensable activities</p> <table border="1"> <thead> <tr> <th align="center" colspan="3">Supply of alcohol.</th> </tr> <tr> <th align="center">Day</th> <th align="center">Start</th> <th align="center">Finish</th> </tr> </thead> <tbody> <tr> <td align="center">Monday to Tuesday</td> <td align="center">11:00</td> <td align="center">00:00</td> </tr> <tr> <td align="center">Wednesday to Thursday</td> <td align="center">11:00</td> <td align="center">01:00</td> </tr> <tr> <td align="center">Friday to Saturday</td> <td align="center">11:00</td> <td align="center">03:45</td> </tr> <tr> <td align="center">Sunday</td> <td align="center">11:00</td> <td align="center">00:30</td> </tr> </tbody> </table> <table border="1"> <thead> <tr> <th align="center" colspan="3">Film, Live Music, Recorded Music, performance of dance, anything of a similar description to music or dance</th> </tr> <tr> <th align="center">Day</th> <th align="center">Start</th> <th align="center">Finish</th> </tr> </thead> <tbody> <tr> <td align="center">Monday to Tuesday</td> <td align="center">11:00</td> <td align="center">00:00</td> </tr> <tr> <td align="center">Wednesday to Thursday</td> <td align="center">11:00</td> <td align="center">02:00</td> </tr> <tr> <td align="center">Friday to Saturday</td> <td align="center">11:00</td> <td align="center">04:00</td> </tr> <tr> <td align="center">Sunday</td> <td align="center">11:00</td> <td align="center">01:30</td> </tr> </tbody> </table>	Supply of alcohol.			Day	Start	Finish	Monday to Tuesday	11:00	00:00	Wednesday to Thursday	11:00	01:00	Friday to Saturday	11:00	03:45	Sunday	11:00	00:30	Film, Live Music, Recorded Music, performance of dance, anything of a similar description to music or dance			Day	Start	Finish	Monday to Tuesday	11:00	00:00	Wednesday to Thursday	11:00	02:00	Friday to Saturday	11:00	04:00	Sunday	11:00	01:30
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		<p>The application was received by Havering’s Licensing Authority at 14:26 hours on 10 May 2016.</p> <p>The application was made under the provisions of section 53A of the Act. As such, s.53A(2)(a) required that within 48 hours of the receipt of the application the licensing authority considers whether it was necessary to take interim steps pending the determination of the review application. This hearing was to enable the licensing authority to comply with this duty.</p> <p>Section 53B (3) required that the licensing authority must consider whether to take the following interim steps:</p> <ul style="list-style-type: none"> (a) the modification of the conditions of the premises licence (b) the exclusion of the sale of alcohol by retail from the scope of the licence (c) the removal of the designated premises supervisor from the licence (d) the suspension of the licence <p>The consideration may take place without the holder of the premises licence having been given an opportunity to make representations to the licensing authority (s.53B (2)). Any decision the licensing authority may make takes effect immediately or as soon after as the licensing authority directs (s.53B (5) (a)). The licensing authority must then give immediate notice of its of its decision to the premises licence holder and the chief officer of Police.</p>

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		<p>4. Details of Representation</p> <p>Metropolitan Police</p> <p>James Rankin and PC Oisin Daly, on behalf of the Metropolitan Police Service took the Sub-Committee through the CCTV footage and written evidence. The Sub-Committee was informed that this incident was so severe that measures were needed to be put in to place immediately in order to protect the public, to prevent crime and disorder. The management had delayed producing a CCTV footage which showed violent disorder and potential evidence of a serious assault by door staff which had rendered a male unconscious. It was also stated that the premises had not followed its own procedures whilst this incident was occurring. The Police had grave concerns with the door staff currently in place and the overall management of the venue; the premises licence holders. The Sub-Committee was informed that this incident followed on from a GBH incident that occurred in March 2016.</p> <p>The Police were therefore seeking an immediate suspension of the premises licence.</p> <p>5. Determination of Application</p> <p>Consequent upon the hearing held on 16 May 2016 the Sub-Committee’s decision regarding the expedited review of the premises licence for Circuit, 36-38 North Street, Romford, RM1 1BH is set out below, for the reasons shown:</p> <p>The Sub-Committee was obliged to determine this application with a view to promoting the licensing objectives, which are:</p>

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		<ul style="list-style-type: none"> • The prevention of crime and disorder • Public safety • The prevention of public nuisance • The protection of children from harm <p>In making its decision, the Sub-Committee also had regard to the Guidance issued under Section 182 of the Licensing Act 2003 and Havering’s Licensing Policy.</p> <p>In addition the Sub-Committee took account of its obligations under s17 of the Crime and Disorder Act 1998, and Articles 1 of the First Protocol of the Human Rights Act 1998.</p> <p>Decision</p> <p>The Sub-Committee having viewed the CCTV footage and read and heard the Police evidence, was concerned that there have been serious breaches of the Licensing objectives and licence conditions. This had an impact on three of the four licensing objective; namely Serious Crime & Disorder, Public Safety and Public Nuisance. The Sub-Committee therefore suspend the premises licence from midday, 12 n May 2016 as an interim measure pending the full review hearing.</p> <p>6. Right of Appeal</p> <p>The premises licence holder may make representations within 48 hours, by Monday 16 May 2016 against the interim step to suspend the premises licence.</p>
A1		

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A2		