


**Havering Council – Decisions taken by the Licensing Sub-Committee on Monday, 12 December 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><b>A1</b></p>	<p>APPLICATION TO REVIEW A PREMISES LICENCE - CIRCUIT 36-38 NORTH STREET ROMFORD RM1 1BH</p>	<div style="text-align: center;">  <p><b>Licensing Act 2003 Notice of Decision</b></p> </div> <p><b>PREMISES</b> Circuit 36-38 North Street Romford RM1 1BH</p> <p><b>DETAILS OF APPLICATION</b></p> <p>Application for a review made by PC Belinda Goodwin, on behalf of the Metropolitan Police, under section 51 of the Licensing Act 2003. The application was received by Havering’s Licensing Authority on 13 October 2016.</p> <p><b>APPLICANT</b> PC Belinda Goodwin On behalf of the Metropolitan Police, 19 Main Road, Romford</p>
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		<p>RM1 1B7</p> <p><b>1. Details of existing licensable activities</b></p> <table border="1"> <thead> <tr> <th align="center" colspan="3"><b>Supply of alcohol.</b></th> </tr> <tr> <th align="center">Day</th> <th align="center">Start</th> <th align="center">Finish</th> </tr> </thead> <tbody> <tr> <td>Monday to Tuesday</td> <td>11:00</td> <td>00:00</td> </tr> <tr> <td>Wednesday to Thursday</td> <td>11:00</td> <td>01:00</td> </tr> <tr> <td>Friday to Saturday</td> <td>11:00</td> <td>03:15</td> </tr> <tr> <td>Sunday</td> <td>11:00</td> <td>00:30</td> </tr> </tbody> </table> <table border="1"> <thead> <tr> <th align="center" colspan="3"><b>Film, Live Music, Recorded Music, performance of dance, anything of a similar description to music or dance</b></th> </tr> <tr> <th align="center">Day</th> <th align="center">Start</th> <th align="center">Finish</th> </tr> </thead> <tbody> <tr> <td>Monday to Tuesday</td> <td>11:00</td> <td>00:00</td> </tr> <tr> <td>Wednesday to Thursday</td> <td>11:00</td> <td>02:00</td> </tr> <tr> <td>Friday to Saturday</td> <td>11.00</td> <td>03.45</td> </tr> <tr> <td>Sunday</td> <td>11:00</td> <td>01:30</td> </tr> </tbody> </table> <table border="1"> <thead> <tr> <th align="center" colspan="3"><b>Late Night Refreshment</b></th> </tr> <tr> <th align="center">Day</th> <th align="center">Start</th> <th align="center">Finish</th> </tr> </thead> <tbody> <tr> <td>Monday to Tuesday</td> <td>23:00</td> <td>00:00</td> </tr> <tr> <td>Wednesday to Thursday</td> <td>23:00</td> <td>02:00</td> </tr> <tr> <td>Friday to Saturday</td> <td>23:00</td> <td>03.45</td> </tr> <tr> <td>Sunday</td> <td>23:00</td> <td>01:30</td> </tr> </tbody> </table>	<b>Supply of alcohol.</b>			Day	Start	Finish	Monday to Tuesday	11:00	00:00	Wednesday to Thursday	11:00	01:00	Friday to Saturday	11:00	03:15	Sunday	11:00	00:30	<b>Film, Live Music, Recorded Music, performance of dance, anything of a similar description to music or dance</b>			Day	Start	Finish	Monday to Tuesday	11:00	00:00	Wednesday to Thursday	11:00	02:00	Friday to Saturday	11.00	03.45	Sunday	11:00	01:30	<b>Late Night Refreshment</b>			Day	Start	Finish	Monday to Tuesday	23:00	00:00	Wednesday to Thursday	23:00	02:00	Friday to Saturday	23:00	03.45	Sunday	23:00	01:30
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		<p><b>2. Grounds for Review</b></p> <p>The application for a premises licence review had been served under section 51 of the Licensing Act 2003. The application had been prompted as it was felt that the club was failing to uphold two of the licensing objectives namely public safety and the prevention of crime and disorder.</p> <p><b>3. Details of Representation</b></p> <p><b>Police Submission</b></p> <p>Mr Rankin addressed the Sub-Committee stating that he and local officers had met with Mr Dadds, the applicant’s legal representative, and the new premises licence holder and had agreed a way forward. He referred to the process to date and the hearings which had preceded the current hearing.</p> <p>Mr Rankin advised that the transfer of the licence to Fashion Venue Ltd had been agreed following the police’s withdrawal of their objection and that the new company operating the venue had no connections with the previous operators. It was, however, felt that the previous licence had too many conditions attached and the new owners had worked with the police to draw up a new licensing manual which all parties had agreed to and would be deposited with the Council and could only be amended with the police’s agreement.</p>

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		<p>It had also been agreed by all parties that annexes 2 and 3 of the existing licence would be replaced with a new annexe 2 that was handed out to the Sub-Committee for its perusal.</p> <p>Mr Rankin also confirmed that the new operators had commenced works to remove the VIP booths in the club and would be continuing with refurbishment works in the near future. These works were shown to the Sub-Committee on plans submitted to it.</p> <p>Mr Rankin also confirmed that the applicant sought to extend the closing time of the club to 04.00hrs on Friday and Saturday nights.</p> <p><b>Responsible Authorities Submissions</b></p> <p>Sam Cadman on behalf of the Council’s Planning Department advised that the Council had supported the police in their review of the premises licence but as the police had now reached agreement with the applicant on going forward that the Council was willing to support both parties and that if any planning issues needed to be remedied in the future then these would be carried out using planning policies rather than licensing ones.</p> <p>Paul Jones representing the Council’s Licensing Department confirmed that the Council had supported the police’s review as it had concerns over the previous ownership of the premises. However following the negotiations that had taken place between the new owners and the police the Council now wished to</p>

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		<p>support the new arrangements going forward.</p> <p><b>Applicant’s Legal Representative Submission</b></p> <p>Mr Dadds advised that there had been no evidence of public nuisance submitted and agreed that any planning issues would be dealt with using planning policies.</p> <p>Mr Dadds confirmed that the new owner of the premises had no connection to the previous owner and that the new regime was keen to work closely with all the responsible authorities.</p> <p>Mr Dadds also confirmed that the licensing manual, complete with the new annexe 2, submitted by the applicant addressed the concerns that had previously been submitted by the police.</p> <p>Mr Dadds concluded by confirming that the works to remove the VIP booths had commenced and that further alterations would be carried out to the club in the near future however these works would not require a variation to the premises licence. Mr Dadds also confirmed that the premises would open on 26 December and 31 December and then would close for a short period to allow for refurbishment works.</p> <p><b>4. Determination of Application</b></p>

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		<p>Consequent upon the hearing held on 12 December 2016 the Sub-Committee’s decision regarding the 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> <ul style="list-style-type: none"> <li>• The prevention of crime and disorder</li> <li>• Public safety</li> <li>• The prevention of public nuisance</li> <li>• The protection of children from harm</li> </ul> <p>In making its decision, the Sub-Committee also had regard to the Guidance issued under Section 182 of the Licensing Act 2003 and Havering’s Licensing Policy.</p> <p>In addition the Sub-Committee took account of its obligations under s17 of the Crime and Disorder Act 1998, and Articles 1 of the First Protocol of the Human Rights Act 1998.</p> <p><b>Decision:</b></p> <p>The Sub-Committee having considered very carefully all the oral and written submissions presented by the various parties agreed the following:</p> <p>The Sub-Committee agreed to the removal of Annexes 2 and 3 from the existing licence and agreed to the new annexe 2 conditions, set out below, that had</p>
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		<p>previously been agreed with the police.</p> <ol style="list-style-type: none"> <li>1. The designated premises supervisor (DPS) or a duty manager, nominated by them in writing, is to be present on the premises whenever any licensable activity takes place and for no less than 30 minutes following the conclusion of any licensable activity.</li> <li>2. The premises licence holder shall ensure that no customers carrying open bottles upon entry are admitted to the premises at any time the premises are open to the public.</li> <li>3. The premises licence holder shall ensure that all drinking vessels used at the premises are made of poly carbonate or similar kind.</li> <li>4. The premises licence holder shall ensure that where appropriate prominent clear and legible notices are displayed at all exits requesting the patrons to respect the needs of local residents and to leave the premises and area quietly. A notice visible from outside shall provide a telephone number to which complaints may be made.</li> <li>5. The premises licence holder shall ensure that the premises adopts and maintains The Havering Trading Standards approved Challenge 25 scheme.</li> <li>6. The premises licence holder shall ensure that the premises shall adopt a club IDscan or suitable equivalent which shall be utilised as part of the conditions of entry after 21:00. Any patron in the premises prior to 21:00 shall be required to leave the premises and re-enter. Patrons shall only be admitted on production of a passport, a photographic driving licence or a PASS card.</li> <li>7. The premises licence holder shall ensure that all staff are suitably trained for their job function for the premises. The training shall be recorded, on-going and under constant review and these records must be made available to a</li> </ol>

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		<p>relevant responsible authority when called upon.</p> <p>8. The premises licence holder shall ensure that a 'premises daily register' shall be maintained and kept at the premises for a minimum of 12 months and is readily available for inspection by an authorised person throughout the trading hours of the premises. The register shall record:</p> <ul style="list-style-type: none"> <li>• The name of the duty manager responsible for the premises on each given day</li> <li>• All calls made to the premises where there is a complaint made by a resident or neighbour of noise, nuisance or anti-social behaviour by persons attending or leaving the premises including the details of the caller, the time and date of the call, the time and date of the incident about which the call is made and any actions taken to deal with the call</li> <li>• All incidents in relation to the use of any force by staff or door supervisors in the removal of persons from the premises including the time and date of the occurrence, name or brief description of the person removed and details of the staff involved</li> <li>• A record of door staff employed at the premises at any time it is open to the public</li> </ul> <p>9. The premises licence holder shall implement and incorporate policies on the following matters: Drugs, Door staff, CCTV, Queue Management and Searching, Responsible Drinking and Crime Prevention. These policies shall be bespoke to the premises, concise and any amendments to the policies must be only be made following consultation with police licensing officers.</p> <p>10. The premises licence holder shall ensure that patrons under the age of 18 are not permitted on the premises.</p> <p>11. The premises licence holder shall ensure that last admission to the premises</p>



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		<p>shall be no later than 03:00.</p> <p>12. The premises licence holder shall ensure that the rubbish and glass refuse bins kept at the rear of the premises away from public access. They shall also ensure that the footpath immediately outside the front of the entire premises is kept clear of refuse emanating from the premises by regular inspection both during and immediately after operating hours.</p> <p>13. The premises licence holder shall ensure that any door companies shall be accredited with the SIA Approved Contractor Scheme.</p> <p>14. There shall be four SIA accredited door supervisors, plus an additional one per one hundred persons to the nearest hundred, employed at the venue at any time that licensable activity takes place.</p> <p>15. The premises licence holder shall ensure that there shall be no self-service of alcohol in the premises at any time and that any service of alcohol shall be carried out by bar staff and/or waiter/waitress.</p> <p>16. The premises licence holder shall ensure that a list of all external promotions and DJ s coming to the venue shall be provided to the Police in advance of each event taking place by way of form 696 Metropolitan Police Risk Assessment form which shall be submitted to the Police no later than seven days prior to the event. A list of house DJs shall be produced to the Police and updated as and when any amendment is made.</p> <p>17. At all times that the premises are open to the public a marshal shall be stationed at the rear of the premises. In the event of an ejection at the rear of the premises no less than two SIA personnel shall be involved.</p> <p>18. The premises licence holder shall ensure that a properly specified and fully operational CCTV system is maintained to a satisfactory standard. The system shall incorporate a camera covering each of the entrance doors and</p>

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		<p>shall be capable of providing an image which is regarded as 'identification standard' of all persons entering and/or leaving the premises The premises licence holder shall ensure that a qualified user of the CCTV system is present at the premises whenever licensable activity is undertaken. The premises licence holder shall ensure that the CCTV system incorporates a recording facility and all recordings shall be securely stored for a minimum of one calendar month and made available within a reasonable time upon request by the Police on production of the relevant data protection form.</p> <p>19. CCTV shall be monitored at all times the premises is open for licensable activities.</p> <p>The premises should be laid out as per the new plans submitted before the Sub-Committee.</p> <p>The Sub-Committee granted the opening hours of the premises on Fridays and Saturdays only until 04.00hr the following day.</p> <p><b>Appeal</b></p> <p>Any party to the decision may appeal to the Magistrates Court within 21 days of notification of the decision. On appeal, the Magistrates Court may make an order for costs as it sees fit.</p>

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