

**MINUTES OF A MEETING OF THE
LICENSING SUB-COMMITTEE
Council Chamber - Town Hall
11 July 2019 (10.30 - 11.50 am)**

Present:

COUNCILLORS

Conservative Group Philippa Crowder (Chairman), Bob Perry and
Christine Vickery

Mr Graham Hopkins & Ms Linda Potter (Licensing Agent to the applicant), Mr Joseph Sullivan and Lisa Hussein – for premises. Also in attendance was PC Adam Williams Police Licensing Officer and Mr Paul Jones, Havering Licensing Officer; the Legal Advisor to the Sub-Committee and the clerk to the Licensing Sub-Committee.

The Chairman advised Members and the public of action to be taken in the event of emergency evacuation of the Town Hall becoming necessary.

1 DECLARATION OF INTERESTS

Councillor Crowder made it known at the beginning of the hearing, that she had attended the opening of the premises in her capacity as Mayor of Havering. Councillor Crowder confirmed that she had no pecuniary interest and that she would remain impartial.

2 APPLICATION TO VARY A PREMISES LICENCE – THE RISING SUN

PREMISES

The Rising Sun
64-68 High Street
Hornchurch
RM12 4UW

APPLICANT

Mr Joseph Sullivan and Mr Peter Faires

Details of the application

Current premises licence hours were detailed on the licence contained within the agenda copy. The variation applied for was as follows:

GROUND FLOOR Plays, films, indoor sporting events, live music, recorded music, performances of dance, anything of a similar description to live music, recorded music or performances of dance, supply of alcohol		
Day	Start	Finish
Monday to Sunday	10:00	02:00

GROUND FLOOR Late night refreshment		
Day	Start	Finish
Monday to Sunday	23:00	02:00

GROUND FLOOR Hours premises open to the public		
Day	Start	Finish
Monday to Sunday	10:00	02:30

FIRST FLOOR Plays, films, indoor sporting events, live music, recorded music, performances of dance, anything of a similar description to live music, recorded music or performances of dance, supply of alcohol		
Day	Start	Finish
Monday to Sunday	10:00	03:00

FIRST FLOOR Late night refreshment		
Day	Start	Finish
Monday to Sunday	23:00	03:00

FIRST FLOOR Hours premises open to the public		
Day	Start	Finish
Monday to Sunday	10:00	03:30

There were a series of non-standard timings as per the application. The applicants also sought to modify the premises licence conditions as per the application.

There was one representation against this application from a responsible authority, namely Havering's Planning Authority.

There were three representations against this application from responsible authorities, namely the Metropolitan Police, Havering's Planning Authority and the London Fire Brigade.

The Sub-Committee noted that the London Fire Brigade had withdrawn its objection to the application following remedial works carried out by the applicants to the premises.

In a correspondence dated 9 July 2019, the London Fire Brigade confirmed that the matters detailed in the Commissioner's letter and schedule dated 10 May 2019, about which the Commissioner intended to make a representation to the Licensing Authority, have now been addressed to this Commissioner's satisfaction.

A condition had been agreed with the applicant to be included on the licence as follows:-

“The variation of the premises licence may be granted but any extended hours shall not be utilised until all works specified in Inspecting Officer Hallam's Schedule of Works had been undertaken to the written satisfaction of the London Fire Brigade.”

Mr Paul Jones, Havering Licensing Officer presented the application.

PC Adam Williams, Police Licensing Officer, addressed the Sub-Committee and reiterated his written objection stating that the Police were objecting to part of the application, namely the terminal hours. The licensing objectives that Police were objecting under were the Prevention of Crime and Disorder, Public Safety and the Prevention of Public Nuisance.

The Sub-Committee was informed that the premises was located in a Cumulative Impact Zone (CIZ). Where this was in place, there was usually a presumption that applications for new premises licenses or variations to existing premises licenses (increase in hours, capacity or change of conditions) would be refused.

PC William narrated that violent crime in Havering occurred disproportionately during the hours of 10pm-2am period (extending to 4am in Romford Town), during and following a Friday and Saturday night. This included almost 1 in 4 assault with injury offences (Actual Bodily Harm) and a third of serious assaults (Grievous Bodily Harm). Furthermore, 1 in 5 sexual offences occur during this period.

The Sub-Committee noted that Hornchurch had a growing restaurant and late night premise economy, the second largest in Havering after Romford Town. A disproportionate amount of violent crime and disorder within Hornchurch continued to take place over the weekend from 9pm-3am (about 54%).

The Police contended that the requested hours would make the venue the latest venue open within the Hornchurch Town Centre. It was stated that if the premises remained open this could lead to the venue and surrounding pedestrian area becoming over-crowded by drinkers waiting to gain entry or pedestrians waiting for taxis outside the premises being forced to walk into

the road. The Police also raised concern that a large number of already intoxicated people congregating could easily lead to anti-social behaviour and result in increased violent crime.

The Sub-Committee was also informed that the application had not addressed how the premises would deal with possible issues such as measures to minimise the noise caused by patrons outside the premises, details of dispersal policies, or offer an area for patrons to use whilst waiting for taxis.

The Police Licensing Officer outlined the potential of noise nuisance as the premises was located in an area where there were residential properties and dispersal of patrons at the terminal hours of the application could lead to noise disturbances.

PC William concluded that on behalf of the Police his concern with regards the requested terminal hour of 03:00 hours and was of the opinion that the applicant had not satisfactorily addressed the licensing objectives in the application. It was also stated that the premises had always worked with the Police but on this application the Police did not have confidence that the venue would run efficiently in accordance with the requested licence conditions.

The applicant's representative, Mr Hopkins addressed the Sub-Committee and stated that the application was a well thought though variation by his client. It was stated that Mr Joseph Sullivan and Mr Peter Faires took over the establishment in September 2017. The premises was in support of the CIZ policy that covered the location. Mr Hopkins stated that there were no negative impact with regards to the application.

The Sub-Committee was informed that the owners and premises was a well-managed, and that the owners were experienced and responsible operators.

Mr Hopkins clarified the following capacity numbers for the venue:

- Downstairs – 160 persons
- Upstairs - 170 persons

In response, Mr Hopkins informed the Sub-Committee that there would be six SIA personnel on duty at the premises until 30 minutes after dispersal of patrons.

The Sub-Committee noted that the intention was to remove off sales of alcohol from the premises licence. The premises proposed last admission was at 01:00 hours.

In response to an enquiry from the Sub-Committee, PC William outlined that the local neighbourhood Police team would be unable to cope with the extended hours.

Mr Hopkins reassured the Sub-Committee that the premises was a well-run operation, that robust sets of conditions had been outlined in the application and that the owners were ready to work with all the Responsible Authorities to ensure the business was compliant.

Chairman

Chairman