

Havering Council – Decisions taken by the Licensing Sub-Committee on Monday, 5 September 2022

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 A PREMISES LICENCE MADE BY LIDL GREAT BRITAIN LTD - 5 RAINHAM ROAD, RAINHAM, RM13 8SP</p>	<p align="right">Licensing Act 2003 Notice of Decision</p> <p>PREMISES Lidl 5 Rainham Road Rainham RM13 8SP</p> <p>APPLICANT Lidl Great Britain Limited</p> <p>1. Details of requested licensable activities This application for a premises licence is made by Lidl Great Britain Limited under section 17 of the Licensing Act 2003. The application was received by Havering’s Licensing Authority on 20 July 2022.</p> <p>Details of the application</p> <p>Licensable activity sought:</p> <table border="1" data-bbox="842 1236 1554 1378"> <thead> <tr> <th align="center" colspan="3">Off-supplies of alcohol & hours premises open to the public</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 Sunday</td> <td align="center">07:00</td> <td align="center">23:00</td> </tr> </tbody> </table>	Off-supplies of alcohol & hours premises open to the public			Day	Start	Finish	Monday to Sunday	07:00	23:00
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		<p>The Licensing Sub-Committee has considered an application for a new premises licence for Lidl, situated at 5 Rainham Road Rainham RM13 8SP and representations against the application have been received from a local resident against the application. No Responsible Authority made representation against the application.</p> <p>The Sub-Committee must promote the licensing objectives and must have regard to the Secretary of State’s National Guidance created under S.182 of the Licensing Act and the Council’s own Statement of Licensing Policy.</p> <p>Where relevant representations are made, the authority must hold a hearing and then take such steps as it considers necessary for the promotion of the licensing objectives (section 18(3), LA 2003). These steps may include rejecting the application, or modifying the conditions to the extent that the authority considers necessary for the promotion of the licensing objectives</p> <p>Decision: granted.</p> <p>Having read representations from the single resident, the Sub-Committee found that there was no evidence presented that granting the application will undermine the licensing objectives. The Sub-Committee also noted that no responsible authorities made representations against the application, in particular the Police, who are their main source of advice with regard to crime and disorder.</p> <p>The Sub-Committee amended the conditions presented in the operating schedule in order to promote the licensing objectives and therefore, the licence is granted as follows:</p>

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		<p>Premises' Opening and Closing Times:</p> <p>Monday to Sunday 07:00 to 23:00 hours</p> <p>Licensable Activities:</p> <p>The provision of off sales of alcohol</p> <p>Monday to Sunday 07:00 to 23:00 hours</p> <p>Conditions:</p> <ol style="list-style-type: none"> 1. Staff shall be trained regarding appropriate precautions to prevent the sale of alcohol to persons under the age of 18, the signs and symptoms of drunk persons and the refusal of sale due to intoxication. 2. Staff shall be trained to recognise the signs of proxy purchases. 3. Records shall be kept of such training for the member of staff who has received that training. 4. All staff shall receive refresher training further to alcohol supplies every six months as a minimum and records shall be kept of this refresher training. 5. Confirmation of training shall be made available to the Licensing Authority or Police within 7 days of a request. 6. A comprehensive digital CCTV system shall be installed internally giving storage of images for a period of not less than 28 days. CCTV images shall be provided on removable media to responsible authorities with 48 hours' notice. 7. Fire safety equipment shall be provided at the premises and all staff shall be

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		<p>trained on the use of this equipment.</p> <p>8. There shall be a Challenge 25 policy operating at the premises. Challenge 25 means that the holder of the premises licence shall ensure that every individual, who appears to be under 25 years of age and is seeking to purchase or be supplied with alcohol at the premises or from the premises shall produce identification proving that individual to be 18 years of age or older. Acceptable identification for the purposes of age verification shall include a driving licence, a passport or a photographic identification bearing the “PASS” logo and the person’s date of birth. If the person seeking to purchase alcohol is unable to produce acceptable means of identification no sale or supply of alcohol may be made to or for that person.</p> <p>9. Challenge 25 posters shall be displayed in prominent positions at the premises.</p> <p>10. An automated till prompt shall be set up so that the operator has to positively confirm that Challenge 25 has been complied with when the first item of alcohol has been scanned.</p> <p>Reasons for delay in decision being communicated to parties:</p> <p>Following that the Local Government Boundary Commission for England had undertaken an electoral review, ward boundaries in Havering Council were changed in May 2022. Havering Council’s constitution states in Part 4 that ‘a Sub-Committee or Panel shall comprise members who neither represent, nor have a connection with, the appellant or complainant, the ward in which the appellant or complainant resides or in which any premises concerned are located’.</p> <p>At the time of drafting the Sub-Committee’s reasons for their decision, the legal advisor to the Sub-Committee, along with Havering Council’s Democratic Services and Licensing teams revisited Havering Council’s new ward boundaries to ensure that none of the members of the</p>

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		<p>committee shared the same ward as the applicant. As a precaution a new hearing date was listed for 29 September 2022 to rehear the application with a new sub-committee; however, it was confirmed on 15 September 2022 that none of the Members shared the same ward as the premises, therefore the decision above stands and subsequently there is no need for a re-hearing.</p> <p>Right of Appeal</p> <p>Any party who has made a relevant representation may appeal to the Magistrates' Court <u>within 21 days of notification of the decision.</u></p> <p>On appeal, the Magistrates' Court may:</p> <ol style="list-style-type: none"> 1. Dismiss the appeal; or 2. Substitute the decision for another decision which could have been made by the Sub Committee; or 3. Remit the case to the Sub Committee to dispose of it in accordance with the direction of the Court; and 4. Make an order for costs as it sees fit.
A1		
A2		