



# Haverling

L O N D O N   B O R O U G H

## **LICENSING SUB-COMMITTEE HAROLD NEWS - 110 HILLDENE AVENUE**

### **AGENDA**

<b>10.30 am</b>	<b>Tuesday 23 May 2023</b>	<b>Council Chamber - Town Hall</b>
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Members 3: Quorum 2

#### **COUNCILLORS:**

Natasha Summers (Chairman)

Laurance Garrard

Jane Keane

**For information about the meeting please contact:**

**Taiwo Adeoye 01708 433079**

**[Taiwo.Adeoye@oneSource.gov.uk](mailto:Taiwo.Adeoye@oneSource.gov.uk)**

***Under the Committee Procedure Rules within the Council's Constitution the Chairman of the meeting may exercise the powers conferred upon the Mayor in relation to the conduct of full Council meetings. As such, should any member of the public interrupt proceedings, the Chairman will warn the person concerned. If they continue to interrupt, the Chairman will order their removal from the meeting room and may adjourn the meeting while this takes place.***

***Excessive noise and talking should also be kept to a minimum whilst the meeting is in progress in order that the scheduled business may proceed as planned.***

### **Protocol for members of the public wishing to report on meetings of the London Borough of Havering**

Members of the public are entitled to report on meetings of Council, Committees and Cabinet, except in circumstances where the public have been excluded as permitted by law.

Reporting means:-

- filming, photographing or making an audio recording of the proceedings of the meeting;
- using any other means for enabling persons not present to see or hear proceedings at a meeting as it takes place or later; or
- reporting or providing commentary on proceedings at a meeting, orally or in writing, so that the report or commentary is available as the meeting takes place or later if the person is not present.

Anyone present at a meeting as it takes place is not permitted to carry out an oral commentary or report. This is to prevent the business of the meeting being disrupted.

Anyone attending a meeting is asked to advise Democratic Services staff on 01708 433076 that they wish to report on the meeting and how they wish to do so. This is to enable employees to guide anyone choosing to report on proceedings to an appropriate place from which to be able to report effectively.

Members of the public are asked to remain seated throughout the meeting as standing up and walking around could distract from the business in hand.



## **AGENDA ITEMS**

### **1 APOLOGIES FOR ABSENCE AND ANNOUNCEMENT OF SUBSTITUTE MEMBERS**

(if any) - receive

### **2 DISCLOSURE OF INTERESTS**

Members are invited to disclose any interest in any of the items on the agenda at this point of the meeting.

*Members may still disclose any interest in an item at any time prior to the consideration of the matter.*

### **3 CHAIRMAN'S ANNOUNCEMENT**

The Chairman will announce details of the arrangements in case of fire or other events that might require the meeting room or building's evacuation.

### **4 REPORT OF THE CLERK (Pages 1 - 6)**

Procedure for the hearing – Report attached

### **5 APPLICATION TO VARY A PREMISE LICENSE - HAROLD NEWS, 110 HILLDENE AVENUE, ROMFORD, RM3 8DT (Pages 7 - 46)**

Documents attached

**Zena Smith**  
**Democratic and Election Services Manager**



## LICENSING SUB-COMMITTEE

23 May 2023

## REPORT

**Subject Heading:**

**Procedure for the Hearing:  
Licensing Act 2003**

**Report Author and contact details:**

**Christine Elsasser – Democratic  
Services Officer - 01708 433675**

Members are advised that, when considering an application to vary a premises licence, the following options are available to them by virtue of the Licensing Act 2003, Part 3, section 35, paragraphs 3 and 4:

"Where relevant representations are made, the authority must

- (a) hold a hearing to consider them, unless the authority, the applicant and each person who has made such representations agree that a hearing is unnecessary, and
- (b) having regard to the representations, take such steps as it considers necessary for the promotion of the licensing objectives.

The steps are:

- a) modify the conditions of the licence
- b) reject the whole or part of the application

and for this purpose, the conditions of the licence are modified if any of them is altered or omitted or any new condition is added."

The Sub-Committee will also wish to note that, if none of these steps is required, the application must be granted.

Assuming that the Sub-Committee is satisfied that a hearing is required, then the following procedural steps are recommended. The Licensing Act 2003 (Hearings) Regulations 2005 will govern the arrangements for the hearing of the application now under consideration. This report accords with the requirements of that Act and the Regulations, and in particular Regulations 21-25 (procedure at the hearing).

## **1. Membership of the Sub-Committee:**

- 1.1 The Sub-Committee comprises three members of the Licensing Committee, with a quorum of two members. **Unless there are objections, in the absence of three members, the hearing shall proceed with the quorum of two.**
- 1.2 A members of the Licensing Committee will be excluded from hearing an application where he or she:
  - 1.2.1 has considered an application in respect of the premises in the previous 12 months as a Member of the Regulatory Services Committee; or
  - 1.2.2 is a Ward Councillor for the Ward in which the premises, subject to the application, are located; or
  - 1.2.3 is a Ward Councillor for a Ward which is likely to be affected by the application or;
  - 1.2.4 has a personal interest in the application.

## **2. Roles of other participants:**

- 2.1 The Legal Advisor is not a party to the hearing. The role of the Legal Advisor is to provide legal advice relating to the application and submissions.
- 2.2 The Clerk is not a party to the hearing. The role of the Clerk is to record the hearing and the decisions of the Sub-Committee, and ensure efficient administration

## **3. Location and facilities:**

- 3.1 All hearings will be heard at the Havering Town Hall unless otherwise directed.
- 3.2 Interpreters will be provided by the Council on request, provided notice is given at least five working days before the hearing.

#### **4. Notification of attendance:**

- 4.1 The Chairman will enquire of the parties who is in attendance and the parties will indicate their names (and, where relevant, whom they represent). A register will be circulated before the commencement of the hearing on which the applicant, his/her advisers and companions and all interested parties (and/or their representatives) will be asked to record their attendance.

#### **5. Procedural matters:**

- 5.1 Prior to the commencement of the hearing, the Chairman of the Sub-Committee will orally inform the parties whether their applications to have certain people attend the hearing (e.g. witnesses) have been granted or refused. Note this relates to people other than those attending on behalf of a party in the capacity as a representative of the party.
- 5.2 Prior to the commencement of the hearing the Chairman of the Sub-Committee will outline the procedure to be followed at the hearing. This will normally be as follows:

##### **Introduction of the application:**

The Licensing officer will outline:

- details of the application and relevant representations received from the parties;
- relevant legislation ;
- relevant Licensing Policy; and
- the time limit in which the Council must reach a determination.

##### **Documentary evidence:**

- Documentary or other information in support of applications, representations or notices should be provided to the Clerk of the Sub-Committee at least 5 clear working days before the hearing. If this information is produced at the hearing it will only be taken into account by the Sub-Committee if the Sub-Committee and all the parties consent to its submission. Permission to have this information included in the hearing should be requested at the beginning of the hearing before any oral submissions have been made.
- Statements made by people in support of a party's representation who are not present at the hearing, must be signed by the maker, dated and witnessed by another person. The statement must also contain the witness's full name and occupation.

**Representations:**

- The chairman will invite each of the parties at the hearing or their representative sequentially to address the Sub-Committee and call any person/s to whom permission has been granted to appear. Each party will be allowed a maximum period of 10 minutes in which to address the Sub-Committee and call persons on his/her behalf.
- This 10 minute period is where each party has the opportunity to orally address the Sub-Committee and clarify any points in which the Sub-Committee has sought clarification prior to the hearing. This 10 minute period should be uninterrupted unless a member of the Sub-Committee or Legal Advisor considers that the speaker is making submissions that are irrelevant, frivolous or vexatious.
- Members of the Sub-Committee may ask questions of any party, at any time during the proceedings. Time taken in dealing with a Member's question will not be taken into account in determining the length of time available to the party in question to make their representation.

The sequence in which each of the parties will be invited to address the Sub-Committee will normally be in the order of:

- the Chief Officer of Police;
- the Fire Authority;
- the Health and Safety at Work Enforcing Authority;
- the Local Planning Authority;
- the Local environmental Health Authority;
- the Local Weights and Measures Authority;
- the Authority Responsible for the Protection of Children from Harm;
- a navigation or other authority responsible for waterways; and
- any other party that has submitted representations in respect of the application, certificate, notice or other matter appearing before the Sub-Committee;
- the party that has submitted the application, certificate, notice or other matter appearing before the Sub-Committee.

At the discretion of the Sub-Committee the above order may be varied.

**Cross-Examination:**

Where witnesses have been permitted by the Sub-Committee to speak at the hearing on behalf of a party, permission must be sought from the Sub-Committee before another party can ask the witness questions. This process of questioning is normally referred to as cross-examination. The Sub-Committee will allow cross-examination only



where it is necessary to assist it in considering the representations or application.

**Relevance:**

Information submitted at the hearing must be relevant to the applications, representations, or notice and the promotion of the licensing objectives. The Chairman of the Sub-Committee is entitled to exclude any information it considers to be irrelevant whether presented in written or oral form. The licensing objectives are:

**The prevention of crime and disorder;**

**Public safety;**

**The prevention of public nuisance; and**

**The protection of children from harm.**

**6. Failure of parties to attend the hearing:**

- 6.1 If a party, who has not given prior notice of his/her intention not to attend the hearing, is absent from the hearing the Sub-Committee may either adjourn the hearing or hold the hearing in the party's absence. Where the hearing is held in the absence of a party, the Sub-Committee will still consider the application, representation or notice submitted by that party.

**7. Adjournments and extension of time:**

- 7.1 The Sub-Committee may adjourn a hearing to a specified date or extend a notice period except where it must make a determination within certain time limits in the following specific applications:
- Review of premises licences following closure orders where the Sub-committee must make a determination within 28 days of receiving notice of the closure order.

**8. Sub-Committee's determination of the hearing:**

- 8.1 At the conclusion of the hearing the Sub-Committee will deliberate in private accompanied by the Clerk and the Legal Advisor who will be available to assist the Sub-Committee with any legal problems but will not participate in any decision making of the Sub-Committee.
- 8.2 The Sub-Committee will normally make its determination and announce its decision at the end of the hearing.

- 8.3 Where all parties have notified the Sub-Committee that a hearing is not required the Sub-Committee must make its determination within 10 working days of being given notice that the hearing is not required.

**9. Power to exclude people from hearing:**

- 9.1 The public are entitled to attend the hearing as spectators. However, the Sub-Committee may exclude any person from the hearing including any person assisting or representing a party where:
- it considers that the public interest would be best served by excluding the public or the individual person from the hearing; or
  - that person is behaving in a disruptive manner. This may include a party who is seeking to be heard at the hearing. In the case where a party is to be excluded, the party may submit to the Sub-Committee in writing any information which they would have been entitled to give orally had they not been required to leave the hearing.

**10. Recording of proceedings:**

- 10.1 A written record of the hearing will be produced and kept for 6 years from the date of the determination of the hearing.

**11. Power to vary procedure:**

- 11.1 The Sub-committee may depart from following any of the procedures set out in this document if it considers the departure to be necessary in order to consider an application, notice or representation.



**Havering**  
LONDON BOROUGH

Licensing Officer's Report

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# LICENSING SUB-COMMITTEE

# REPORT

23 May 2023

Subject heading:

Harold News

110 Hilldene Avenue Romford RM3 8DT

Premises licence variation

Report author and contact details:

Mr P Jones, Public Protection Officer

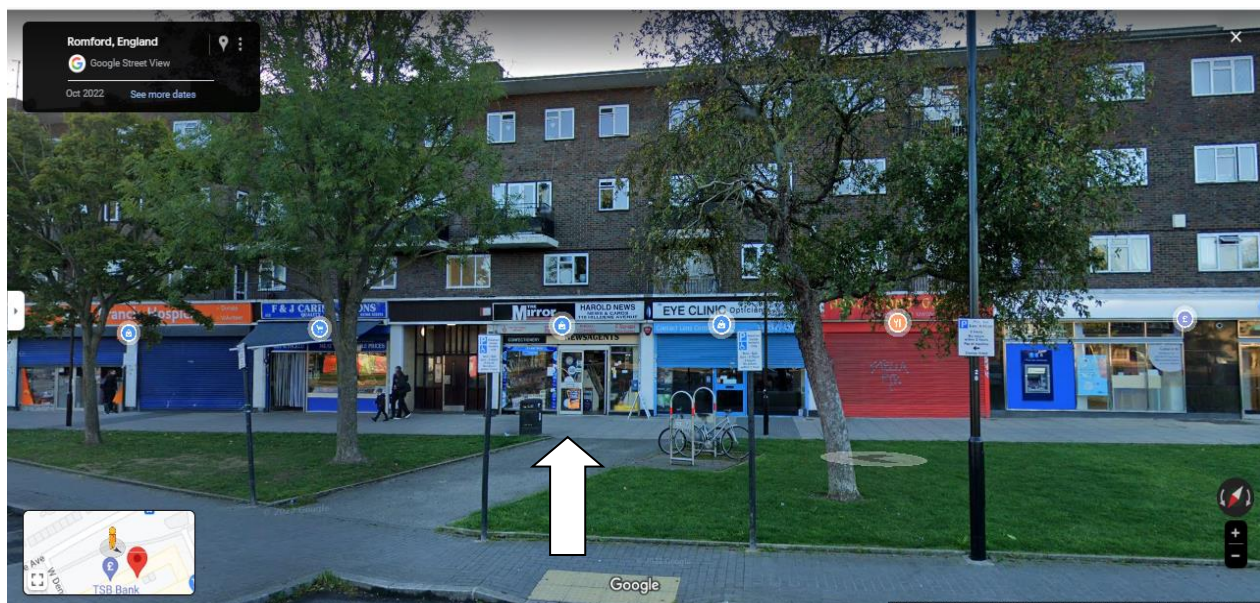
licensing@havering.gov.uk

01708 432777

This application to vary a premises licence is made by Mrs Kusumben Jayantilal Patel under section 34 of the Licensing Act 2003. The application was received by Havering's Licensing Authority on 29<sup>th</sup> March 2023.

## Geographical description of the area and description of the building

Harold News is located in a parade of purpose-built commercial outlets which constitute Harold Hill's Hilldene Shopping Centre. There are residential properties above all of the commercial outlets at this location. The area may therefore be considered one of mixed use.



## Details of the application

Current premises licence hours:

Off supplies of alcohol		
Day	Start	Finish
Monday to Sunday	10:00	19:30

Premises' opening hours		
Day	Start	Finish
Monday to Sunday	06:00	19:30

Variation applied for:

Off supplies of alcohol		
Day	Start	Finish
Monday to Sunday	06:00	22:00

Premises' opening hours		
Day	Start	Finish
Monday to Sunday	06:00	22:00

In addition to the variation in hours detailed above the licence holder also seeks to remove the following condition from the ambit of the licence:

17. No beer, lager, stout or cider above 6% ABV may be sold at the premises.

## Comments and observations on the application

The applicant acted in accordance with regulations 25 and 26 of *The Licensing Act 2003 (Premises licences and club premises certificates) Regulations 2005* relating to the advertising of the application.

There are four similar small licensed premises in the Hilldene Shopping Centre. Three of the premises licences for these shops, including Harold News, have a condition attached restricting the sale of high strength lagers, ciders and beers.

In relation to the extended hours sought in this application paragraph 10.15 of the s.182 Guidance to the Act states:

- Shops, stores and supermarkets should normally be free to provide sales of alcohol for consumption off the premises at any times when the retail outlet is open for shopping unless there are good reasons, based on the licensing objectives, for restricting those hours.

## Summary

There were no representations against this application from residents or businesses in the area.

There were two representations against this application from responsible authorities, namely Havering's Licensing Authority and the Metropolitan Police.



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LONDON BOROUGH

Copy of Application

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\* required information

**Section 1 of 18**

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference

Not Currently In Use

This is the unique reference for this application generated by the system.

Your reference

You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

☒ Yes ☐ No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

**Applicant Details**

\* First name

KUSUMBEN JAYANTILAL

\* Family name

PATEL

\* E-mail

kpatel274@gmail.com

Main telephone number

Include country code.

Other telephone number

☐ Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

- ☐ Applying as a business or organisation, including as a sole trader
- ☒ Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

*Continued from previous page...*

### Address

* Building number or name	<input type="text" value="168"/>
* Street	<input type="text" value="Petersfield Avenue"/>
District	<input type="text"/>
* City or town	<input type="text" value="Romford"/>
County or administrative area	<input type="text"/>
* Postcode	<input type="text" value="RM3 9PH"/>
* Country	<input type="text" value="United Kingdom"/>

### Agent Details

* First name	<input type="text" value="ROBERT"/>
* Family name	<input type="text" value="JORDAN"/>
* E-mail	<input type="text" value="robertjordan01@btinternet.com"/>
Main telephone number	<input type="text" value="07774044585"/>
Other telephone number	<input type="text"/>

Include country code.

☐ Indicate here if you would prefer not to be contacted by telephone

Are you:

- ☒ An agent that is a business or organisation, including a sole trader
- ☐ A private individual acting as an agent

A sole trader is a business owned by one person without any special legal structure.

### Agent Business

Is your business registered in the UK with Companies House? ☒ Yes ☐ No

Note: completing the Applicant Business section is optional in this form.

Registration number	<input type="text" value="05449933"/>
Business name	<input type="text" value="PR RETAIL CONSULTANTS LIMITED"/>
VAT number	<input type="text" value="-"/>
Legal status	<input type="text" value="Private Limited Company"/>
Your position in the business	<input type="text" value="DIRECTOR"/>
Home country	<input type="text" value="United Kingdom"/>

If your business is registered, use its registered name.

Put "none" if you are not registered for VAT.

The country where the headquarters of your business is located.

*Continued from previous page...*

### Agent Registered Address

Address registered with Companies House.

Building number or name	G204, WESTON HOUSE, THE MALTINGS
Street	STATION ROAD
District	
City or town	SAWBRIDGEWORTH
County or administrative area	
Postcode	CM21 9FP
Country	United Kingdom

## Section 2 of 18

### APPLICATION DETAILS

**This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.**

I/we, as named in section 1, being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in section 2 below.

\* Premises Licence Number

Are you able to provide a postal address, OS map reference or description of the premises?

☒ Address    ☐ OS map reference    ☐ Description

### Postal Address Of Premises

Building number or name	HAROLD NEWS, 110
Street	HILLDENE AVENUE
District	
City or town	ROMFORD
County or administrative area	
Postcode	RM3 8DT
Country	United Kingdom

### Premises Contact Details

Telephone number	
Non-domestic rateable value of premises (£)	15,250

## Section 3 of 18

### VARIATION

Continued from previous page...

Do you want the proposed variation to have effect as soon as possible?

☒ Yes ☐ No

Do you want the proposed variation to have effect in relation to the introduction of the late night levy?

☐ Yes ☒ No

You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable to the late night levy.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

#### Describe Briefly The Nature Of The Proposed Variation

Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.

VARY SALE BY RETAIL OF ALCOHOL OFF THE PREMISES TO  
06:00 HOURS TO 22:00 HOURS MONDAY TO SUNDAY  
REMOVE CONDITION 17: NO BEER, LAGER, STOUT OF CIDER ABOVE 6%ABV MAY BE SOLD AT THE PREMISES

#### Section 4 of 18

##### PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will the schedule to provide plays be subject to change if this application to vary is successful?

☐ Yes ☒ No

#### Section 5 of 18

##### PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will the schedule to provide films be subject to change if this application to vary is successful?

☐ Yes ☒ No

#### Section 6 of 18

##### PROVISION OF INDOOR SPORTING EVENTS

[See guidance on regulated entertainment](#)

*Continued from previous page...*

Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?

☐ Yes ☒ No

## Section 7 of 18

### PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will the schedule to provide boxing or wrestling entertainments be subject to change if this application to vary is successful?

☐ Yes ☒ No

## Section 8 of 18

### PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will the schedule to provide live music be subject to change if this application to vary is successful?

☐ Yes ☒ No

## Section 9 of 18

### PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Will the schedule to provide recorded music be subject to change if this application to vary is successful?

☐ Yes ☒ No

## Section 10 of 18

### PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will the schedule to provide performances of dance be subject to change if this application to vary is successful?

☐ Yes ☒ No

## Section 11 of 18

### PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will the schedule to provide anything similar to live music, recorded music or performances of dance be subject to change if this application to vary is successful?

☐ Yes ☒ No

## Section 12 of 18

### PROVISION OF LATE NIGHT REFRESHMENT

*Continued from previous page...*

Will the schedule to provide late night refreshment be subject to change if this application to vary is successful?

☐ Yes ☒ No

## Section 13 of 18

### SUPPLY OF ALCOHOL

Will the schedule to supply alcohol be subject to change if this application to vary is successful?

☒ Yes ☐ No

#### Standard Days And Timings

##### MONDAY

Start

End

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

##### TUESDAY

Start

End

Start

End

##### WEDNESDAY

Start

End

Start

End

##### THURSDAY

Start

End

Start

End

##### FRIDAY

Start

End

Start

End

##### SATURDAY

Start

End

Start

End

##### SUNDAY

Start

End

Start

End

*Continued from previous page...*

Will the sale of alcohol be for consumption?

☐ On the premises      ☒ Off the premises      ☐ Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

#### Section 14 of 18

##### ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.

Provide information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

NONE

#### Section 15 of 18

##### HOURS PREMISES ARE OPEN TO THE PUBLIC

###### Standard Days And Timings

MONDAY

Start

End

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start

End

Start

End

*Continued from previous page...*

WEDNESDAY

Start	<input type="text" value="06:00"/>	End	<input type="text" value="22:00"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="06:00"/>	End	<input type="text" value="22:00"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="06:00"/>	End	<input type="text" value="22:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="06:00"/>	End	<input type="text" value="22:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="06:00"/>	End	<input type="text" value="22:00"/>
Start	<input type="text"/>	End	<input type="text"/>

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

REMOVE Condition 17  
No beer lager stout or cider above 6% ABV may be sold from the premises

☒ I have enclosed the premises licence



*Continued from previous page...*

☐ I have enclosed the relevant part of the premises licence

Reasons why I have failed to enclose the premises licence or relevant part of premises licence.

## Section 16 of 18

### LICENSING OBJECTIVES

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

as per existing

b) The prevention of crime and disorder

as per existing

c) Public safety

as per existing

d) The prevention of public nuisance

as per existing  
Beer lager stouts and ciders above 6% ABV shall be sold in quantities of four

e) The protection of children from harm

as per existing

## Section 17 of 18

### NOTES ON REGULATED ENTERTAINMENT

*Continued from previous page...*

In terms of specific **regulated entertainments** please note that:

- Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
  - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
  - o a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - o a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
  - o a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - o a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
  - o any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

*Continued from previous page...*

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
  - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
  - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
  - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
  - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

## Section 18 of 18

### PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Variation Fees are determined by the non domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at [http://www.voa.gov.uk/business\\_rates/index.htm](http://www.voa.gov.uk/business_rates/index.htm)

Band A - No RV to £4300 - £100.00

Band B - £4301 to £33000 - £190.00

Band C - £33001 to £87000 - £315.00

Band D - £87001 to £125000 - £450.00\*

Band E - £125001 and over - £635.00\*

\*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then your are required to pay a higher fee

Band D - £87001 to £125000 - £900.00

Band E - £125001 and over - £1,905.00

If you own a large premise you are subject to additional fees based upon the number in attendance at any one time

Capacity 5000-9999 - £1,000.00

Capacity 10000 -14999 - £2,000.00

Capacity 15000-19999 - £4,000.00

Capacity 20000-29999 - £8,000.00

Capacity 30000-39999 - £16,000.00

Capacity 40000-49999 - £24,000.00

Capacity 50000-59999 - £32,000.00

Capacity 60000-69999 - £40,000.00

Capacity 70000-79999 - £48,000.00

Capacity 80000-89999 - £56,000.00

Capacity 90000 and over - £64,000.00

\* Fee amount (£)

190.00

### DECLARATION

I/we understand it is an offence, liable on conviction to a fine up to level 5 on the standard scale, under Section 158 of the

**Continued from previous page...**

\* Licensing Act 2003, to make a false statement in or in connection with this application.

☒ Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

\* Full name

ROBERT JORDAN BSc for PR RETil consultants  
ltd

\* Capacity

agents

\* Date

29 / 03 / 2023  
dd mm yyyy

Add another signatory

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...

2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/havering/change-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

**IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.**

#### OFFICE USE ONLY

Applicant reference number

Fee paid

Payment provider reference

ELMS Payment Reference

Payment status

Payment authorisation code

Payment authorisation date

Date and time submitted

Approval deadline

Error message

Is Digitally signed

☐

[1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#) [9](#) [10](#) [11](#) [12](#) [13](#) [14](#) [15](#) [16](#) [17](#) [18](#) [Next >](#)



**Havering**  
L O N D O N   B O R O U G H

## Current Licence

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## Part A

Premises licence number

24146

### Part 1 – premises details

Postal address of premises

Harold News  
110 Hildene Avenue Romford RM3 8DT  
01708 377451

Where the licence is time limited the dates

Not applicable

Licensable activities authorised by the licence

Supply of alcohol

The times the licence authorises the carrying out of licensable activities

Monday to Sunday – 10:00 to 19:30

The opening hours of the premises

Monday to Sunday – 06:00 to 19:30

Where the licence authorises supplies of alcohol whether these are on and/or off supplies

Off supplies only

### Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence

Mrs Kusumben Jayantilal Patel  
168 Petersfield Avenue Romford RM3 9PH

Registered number of holder

Not applicable

1 of 5



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Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol

**Ms Kusumben Jayantilal Patel**

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Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol

---

**Mandatory conditions**

1. No supply of alcohol may be made under the premises licence:
  - (a) at a time when there is no designated premises supervisor in respect of the premises licence, or
  - (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
3. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.  
(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.  
(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
  - (a) a holographic mark, or
  - (b) an ultraviolet feature.
4. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
5. For the purposes of the condition set out in paragraph 4 —
  - (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
  - (b) “permitted price” is the price found by applying the formula —
$$P=D+(D \times V)$$

where —

- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

2 of 5

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**Mandatory conditions**

- (c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence —
    - (i) the holder of the premises licence,
    - (ii) the designated premises supervisor (if any) in respect of such a licence, or
    - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
  - (d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
  - (e) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.
6. Where the permitted price given by paragraph (b) of paragraph 5 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
7. (1) Sub-paragraph (2) applies where the permitted price given by paragraph (b) of paragraph 5 on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

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**Annex 2 – conditions consistent with the operating schedule**

1. There shall be a refusals book used on the premises. The refusals book shall be examined on a regular basis by the DPS or a nominated person/s and the date and time of each examination shall be endorsed in the book. An analysis of staff refusals and data such as the time/day of refusals shall be carried out by the DPS on a regular basis in order to predict trends and identify staff training requirements.
2. All staff shall be trained in the use of the refusal book.
3. The premises licence holder shall ensure that a CCTV system is installed at the premises. The CCTV system shall be maintained in good working order and all entry and exit points shall be covered enabling frontal Identification (full head and shoulders images) of every person entering the premises in any light condition to an evidential standard. Two external CCTV cameras shall be installed. The CCTV system shall operate during all hours licensable activity is taking place.
4. Management and relevant members of staff shall be trained in the operation of the CCTV system with at least one member staff on duty each day who is able to download images from the CCTV system.

3 of 5

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5. The CCTV system shall have the capability to either download footage onto disc or memory stick. The footage on the CCTV system shall be retained for a minimum period of 31 days before rewriting itself with the correct date and time showing. CCTV footage shall be made available to Police or local authority officers upon request. CCTV images shall be able to be replayed on a computer.
6. If the CCTV system is broken the premises licence holder shall cease all licensable activity and notify the licensing authority as soon as practicable.
7. All alcohol shall be displayed behind screens, covered behind the counter, within a locked cabinet or made inaccessible to the public outside licensable hours.
8. Staff training shall occur at four monthly intervals, shall be recorded in writing and made available to the Police or responsible authorities on request. This training shall cover among other licensing matters:
  - age verification
  - consequences of under age sales
  - street drinkers
  - proxy sales
  - drunks
  - licensing hours
  - conditions of the licence
9. Staff training sheets shall contain details of the name, date of birth and address of each staff member trained.
10. A training log shall be kept for all staff members in which staff shall sign that they have received the relevant training in regards to the licensing objectives and relevant parts of the Licensing Act 2003.
11. There shall be a personal licence holder on duty during all times alcohol is offered for sale.
12. All spirits shall be displayed behind a counter and no spirits may be sold in containers less than 35cl.
13. Signage further to Challenge 25, proxy alcohol sales and leaving quietly shall be displayed at the entrance to the premises, at the display section of alcohol and at the point of sale.
14. There shall be an incident book to record crime, disorder or relevant matters and any action taken in response to such incidents.
15. All exit routes shall be kept clear and adequate fire fighting equipment shall be provided.
16. There shall be no deliveries of alcohol between 20:00 and 09:00 the following day.
17. No beer, lager, stout or cider above 6%abv may be sold at the premises.
18. A notice shall be displayed asking patrons not to litter after leaving the premises.
19. The premises licence holder shall ensure that staff members conduct daily litter patrols of the vicinity.
20. The premises shall operate a Challenge 25 policy further to alcohol supplies. The following proofs of age shall be the only ones to be accepted: a UK photo card driving licence, a passport or a PASS accredited card with appropriate hologram.
21. Signage shall be displayed stating that street drinkers shall not be served.

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**Annex 3 – conditions attached after a hearing by the Licensing Authority**

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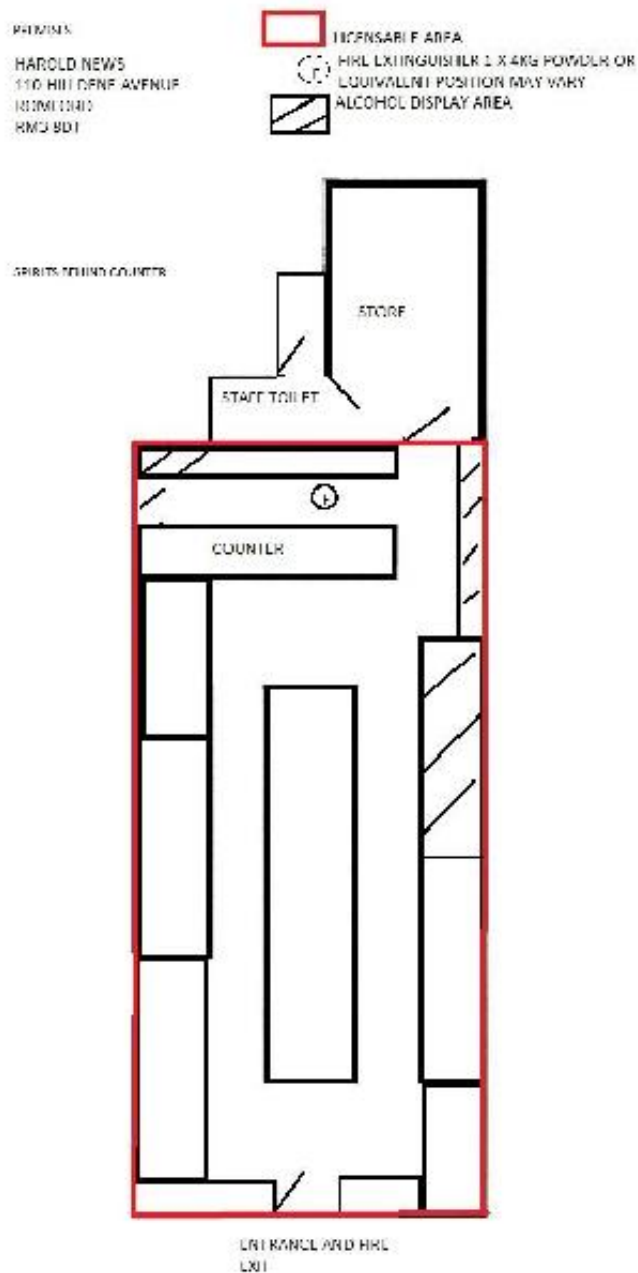
**Not applicable**

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**Annex 4 – premises plans**

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**Original premises plans are held by the Licensing Authority of the London Borough of Havering.**





## Part B

### Premises licence summary

Premises licence number

24146

### Premises details

Postal address of premises

Harold News  
110 Hildene Avenue Romford RM3 8DT  
01708 377451

Where the licence is time limited the dates

Not applicable

Licensable activities authorised by the licence

Supply of alcohol

The times the licence authorises the carrying out of licensable activities

Monday to Sunday – 10:00 to 19:30

The opening hours of the premises

Monday to Sunday – 06:00 to 19:30

Where the licence authorises supplies of alcohol whether these are on and / or off supplies

Off supplies only

Name, (registered) address of holder of premises licence

Mrs Kusumben Jayantilal Patel  
168 Petersfield Avenue Romford RM3 9PH

Registered number of holder

Not applicable

1 of 2

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Name of designated premises supervisor where the premises licence authorises for the supply of alcohol

**Ms Kusumben Jayantilal Patel**

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State whether access to the premises by children is restricted or prohibited

**Not applicable**

**2 of 2**

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**Havering**  
L O N D O N   B O R O U G H

Representation from  
Responsible Authorities

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Licensing Authority  
London Borough of Havering

PC Ellis Grote  
East Area Licensing Team  
Romford Police Station  
19 Main Road  
Romford  
Essex  
RM1 3BJ  
Telephone: 01708 779162  
Email: [ellis.grote@met.police.uk](mailto:ellis.grote@met.police.uk)  
[www.met.police.uk](http://www.met.police.uk)  
Your ref: Premises License Variation, Harold  
News  
Date: 26/04/2023

Dear Sir/Madam,

**Subject: Objection to part of Premises License variation – Harold News 110 Hildene Avenue Romford, RM2 8DT**

Police acknowledge receipt of an application for a premises licence variation for Harold News 110 Hildene Avenue Romford, received on 29/03/2023. The applicant is Ms Kusumben Jayantilal Patel, their license number is: 24146.

They are seeking to vary their license conditions and extend their licensable hours:

VARY SALE BY RETAIL OF ALCOHOL OFF THE PREMISES to 06:00 HOURS TO 22:00 HOURS MONDAY TO SUNDAY.

CONDITION 17: NO BEER, LAGER, STOUT OF CIDER ABOVE 6% ABV MAY BE SOLD AT THE PREMISES

The current times to these are as follows:

SALE BY RETAIL OF ALCOHOL OFF THE PREMISES 10:00 to 19:30 MONDAY TO SUNDAY

In relation to the application received **Metropolitan Police** would like to object part of the application. The licensing objectives that Police are objecting under are as follows: Prevention of Crime and Disorder, Public Safety and the Prevention of Public Nuisance. The part we wish to object to is to Remove Condition 17: NO BEER, LAGER, STOUT OF CIDER ABOVE 6%ABV MAY BE SOLD AT THE PREMISES.

Hildene Avenue houses the busiest shopping area in the Harold Hill and Harold Wood towns, there are a number of food stores, convenience stores, health stores and various other stores. Mainly during the summer this area has a lot of issues with street drinkers and homeless in the area drinking alcohol and generally causing anti social behaviour, mainly using the seated areas around Hildene Avenue and Farnham Road. Having been a response team officer for a number of years in the London Borough of Havering, I have responded to a number of occasions where street drinkers, due to their levels of intoxication have caused ASB, committed public order

offences, violent crimes, shoplifted and in many occasions, had to be attended to by the London Ambulance Service due to being drunk and incapable. Having stronger alcohol at affordable prices will have a negative effect on the local community. Street drinkers are often alcoholics and use stronger and cheaper alcohol as an affordable way to drink and become intoxicated, stronger alcohol makes it easier for them to drink themselves to the point where they are sometimes completely unresponsive and put themselves at great risk.

Records show that in February 2023 there were 32 ASB related crimes and 25 shoplifting offences on Heaton ward, there is nothing to say that this is only being caused by street drinkers, however from experience these incidents go hand in hand with the kind of customers that will be purchasing the higher strength alcohol at an affordable price and if this kind of alcohol is made more available this statistics will only get worse.

I have also spoken to the local DWO for Heaton Ward, who shares the same opinion as myself in that having higher strength alcohol available and affordable will have a negative impact on the local business and community.

Police ask the sub committee to reject the aforementioned section of this application.

Yours Sincerely,  
E GROTE

PC Ellis GROTE  
Licensing Officer

**STATEMENT OF WITNESS***(Criminal Procedure Rules, r. 16.2; Criminal Justice Act 1967, s. 9)*

URN

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Statement of: Constable James Hazell

Age if under 18: Over 18

Occupation: Police officer

This statement is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false, or do not believe to be true.

Signature:



Date: 24 Apr 2023

This statement is in regards to the licensing of strong alcohol products in the HILLDENE AVENUE, FARNHAM ROAD area.

I write this statement on 24/04/2023. I am a Police Officer working as a Dedicated Ward Officers as part of the Neighbourhood Policing Team in Harold. I cover HEATON WARD. HILLDENE AVENUE and FARNHAM ROAD is part of my ward that I cover. I have worked on NPT team for a total of 8 months with an attachment at another unit in between so I would say I am up to date and aware of the issues in the area. I have been asked by the East Area Licensing Team on my thoughts and opinions of an Off License getting permission to sell strong alcohol for a cost effective price on HILLDENE AVENUE close to FARNHAM ROAD.

In my professional opinion and knowing this area relatively well I believe that this Off License selling this kind of alcohol will have a huge detrimental effect of the community, the area and the people who frequent this area. Firstly, this area has a high footfall of Street Drinkers who have been in the area for number of years and who have caused huge distress and Anti-Social Behaviour to the community nearby and has been an ongoing issue for us a Ward Officers for some time. To evidence some of the issues that have been report over the years below is some intelligence reports that I have found that evidence some of the issues:

KDRT00384314 – Informant stated that the regular street drinkers we using the area on HILLDENE AVENUE J/W FARNHAM ROAD as an area to drink alcohol all day, use drugs and use the street corners as there area to urinate in. The informant in this Intel report went on to say “this is an ongoing issue in the area and that the people have been there for years on the benches causing ASB. They has even seen people injecting themselves by the side of the library and is concerned for the children in the area that have to see this. They stated the group often go into COOP and GREGGS and shoplift whatever they like and allegedly security have been told not to do anything.” The informant is concerned of their behaviour and the effects it is having on the local community. This report was from 07/09/2022.

KDRT00384542 – This is also an Intel report stating that a regular street drinker on HILLDENE AVENUE J/W FARNHAM ROAD was urinating in public view and was using the area as his place to go to the toilet all day so he can stay in the area to drink alcohol. This report was on 15/09/2022

KDRT00379609 – This is an Intel report stating that member of the public could hear huge argument/disagreement coming from near the bus stop on HILLDENE AVENUE. She went to find out what was going on and she then noticed it was regular street drinkers having argument between themselves and was so loud that everyone could here. Informant warned the street drinkers of their behaviour and told them to keep the noise down as it is disturbing all the residents close by. This report was made 17/03/2022

Signature:



Signature Witnessed by:

Continuation of Statement of: Constable James Hazell

KDRT00374953 – This is an intel report from informant which states “Street drinkers at hilldene avenue are causing problems around the location drinking out of numerous cans bottles being sick on pavement where they congregate and stealing from local businesses Greggs bakers have complained about people running into the store and stealing foodstuffs on a daily basis even from delivery vehicle a number of males were spoken to by officers about their conduct and behaviour.” This report was from 22/09/2021.

KDRT00363419 – This is an Intel report where informant states “On 17/07/2020 ISR stated that the public toilets at HILLDENE SHOPS are being forced open late at night by the street drinkers and they are taking their drugs in there. The public toilets are behind the street drinker’s bench. These toilets are out of action but are being forced open most nights.” This report was made on 17/07/2020.

From the intelligence reports above this clearly shows the issues that have been brought to our attention. This has been over a period of a number of years too which indicates this has not been a “One off Issue”.

The issues reported clearly show that the street drinkers urinate in public, cause noise nuisances, increase crime rates and all round make the area less attractive place to be, work and visit. I can also say in my experience of visiting the area and street drinkers being present, there is vomit in the vicinity of the street drinkers which is unhygienic and not a nice place for kids to grown up and be around too. There is also lots of children in the area that witness this behaviour and we do not want this to have a negative influence on children’s upbringing.


Secondly, the area has a huge crime rate of theft/shoplifting reports. Although we cannot say that this is defiantly the street drinkers or people who are consuming high volumes of alcohol, you can see from the Intel above that it is reported that it seems this is being caused by the consumption of alcohol.

From reviewing the intel above and knowing the area well I believe that if stronger alcohol is available at a cost effective price then the behaviour seen by officers and reported to police will increase significantly and get even worse than it is at this stage. I believe that the Anti-social behaviour that comes with drinking in the street will massively increase which will then impact the community and the residents that live in the area. I also feel it will have a negative impact on the businesses in the area as shoplifting is an issue as it is but with more/stronger alcohol and then the need to find funds to keep buying the alcohol then the need to shoplift will become even greater. Also with residents not wanting to come to the area due to the Anti-social behaviour caused by the street drinkers this will mean businesses will lose customers and could affect their business to the point of possible closure.

Finally I would like to touch on the health and wellbeing on the people who would buy this high strength alcohol on a regular basis. The street drinkers that are most likely to buy this alcohol in my opinion have an alcohol addiction and they cannot control their addiction. This means they will keep drinking to the point of collapse or even worse. This means that by selling stronger strength alcohol this could affect their health even more to the point that they would need to be hospitalised which then carries its own negative effects.

Ultimately, in my opinion the alcohol already on sale is sufficient enough for all local persons and resident to buy and enjoy alcohol as they please and for them to enjoy it safely. The need to sell stronger strength alcohol is not required for the local residents who live in the area and therefore the sale of stronger strength alcohol will only bring unnecessary and wider issues that are not needed.

This concludes my statement.

Witness Signature: 

Signature Witnessed by:

### **Licensing Act 2003 – responsible authority representation**

This representation is made by a responsible authority for the London Borough of Havering concerning a premises licence application for the premises as detailed below.

**Applicant:** Ms Kusumben Patek  
**Premises:** Harold News, 168 Petersfield Ave, RM3 9PH  
-----  
**Name:** Oisin Daly  
**Organisation:** London Borough of Havering Licensing Authority  
**Address:** c/o Town Hall Main Road Romford RM1 3BD  
**Email:** Oisin.Daly@haverling.gov.uk  
**Telephone no.:** 01708 433661  
-----

#### **Objection summary:**

The application is to permit the sale of high strength alcohol in an area renowned for street drinking.

The premises licence holder is currently in breach of conditions which specifically relate to training in those areas.

There is a risk that the licensing objectives of the prevention of crime and disorder and public nuisance be undermined should the application be granted.

#### **Licensing Policy Considerations:**

##### **13. Standards of Management**

The Operating schedule

13.1 When assessing the applicant's or licence holder's ability to demonstrate a commitment to high standards of management the Licensing Authority will take into account whether they

- Can demonstrate comprehensive knowledge of best practice
- Has sought advice from the responsible authorities
- Has implemented any advice that has been given by the responsible authorities
- Is able to understand verbal and written advice and legal requirements
- Can demonstrate knowledge of the licensing objectives, relevant parts of the Licensing Policy and their responsibilities under the Licensing Act 2003

- Is able to run their business lawfully and in accordance with good business practices
- Is able to demonstrate a track record of compliance with legal requirements.

13.2 Where there is a history of non-compliance associated with the premises applicants will need to establish evidence of improvement in management standards and procedures.

#### **14. Alcohol induced crime and disorder and antisocial behaviour**

14.1 The Licensing Authority expects licence holders to operate to the highest standards of management, and to cooperate with responsible authorities to prevent:

- The sale of alcohol to underage children;
- Drunkenness on premises;
- Irresponsible drinks promotions.

14.2 Where the Licensing Authority receives representations from responsible authorities that the management of a premise is supporting such activities, or that there is strong evidence linking patrons with alcohol related crime, disorder or antisocial behaviour the Licensing Authority will consider reviewing the licence.

14.3 Licensing enforcement is a multi-agency activity and it is important that work is coordinated between agencies to deliver solutions. The need for intervention will be risk based and take full account of data, intelligence and information available to both the Council and partners.

14.4 Where appropriate the Licensing Authority will consider imposing controls on products sold where representations indicate localised problems. This provision could include removing the sale of super strength beer, lager and cider in premises as part of a package of measures to deal with the problems associated with street drinking.

#### **Representation**

1. This premises are located in a mixed-use residential area within what is known as Farnham Rd shops in Harold Hill.
2. This is an area which has been subject to a number of multi-agency enforcement campaigns to deter and prevent street drinking in the immediate area.
3. I have personally attended these and have witnessed first hand groups congregating on benches drinking high strength alcohol.
4. The sale of high strength alcohol is known to attract persons who have alcohol dependency and abuse issues, there are many schemes across the country which promote reducing the strength available to assist in upholding the licensing objectives.
5. When the original licence application was received, consideration was given to the fact that the area had been identified as a cumulative impact zone. Partially down to the risk of high strength alcohol being available to dependent drinkers.
6. Six roads in close vicinity to the premises in Harold Hill, including Barnstaple Road, Hailsham Road and Montgomery Crescent, have been ranked at number 2,185 out of 32,844 lower super output areas (LSOAs) in England - meaning the area is classed as among the 10pc most deprived in the country.

7. On the 03/04/2023 I visited the premises during the consultation period and found that there were several conditions being breached. These included no training being available (including details of training on street drinking, proxy sales and the licensing act), no personal licence holder on site, no staff being present to operate the CCTV, no incident book and no street drinker signs. A refusals register, which had national lottery on the front cover, was produced with a last entry of the 13/07/2022.

The staff member was advised to inform the PLH of the issues and that I would return during the consultation period. The staff member stated that she was the previous licence holder and had sold the premises to the new owner. She stated that she would inform her of the issues raised.

8. The licence was transferred on the 04<sup>th</sup> March 2023. It would be expected for a new licensee to examine the operating schedule in any new premises they have taken over and to ensure that they carry out whatever the requirements are.

Given the application is to amend a condition within that operating schedule, it is clear that the applicant has had time to consider conditions but has not ensured that all conditions are compliant.

The applicant is also a licence holder of another shop in the vicinity.

9. I revisited the premises on the 24<sup>th</sup> April 2023 and found the following conditions to be in breach:

**1. There shall be a refusals book used on the premises. The refusals book shall be examined on a regular basis by the DPS or a nominated person/s and the date and time of each examination shall be endorsed in the book. An analysis of staff refusals and data such as the time/day of refusals shall be carried out by the DPS on a regular basis in order to predict trends and identify staff training requirements.**

**2. All staff shall be trained in the use of the refusal book.**

**8. Staff training shall occur at four monthly intervals, shall be recorded in writing and made available to the Police or responsible authorities on request. This training shall cover among other licensing matters:**

- ☐ age verification
- ☐ consequences of under age sales
- ☐ street drinkers
- ☐ proxy sales
- ☐ drunks
- ☐ licensing hours
- ☐ conditions of the licence

**9. Staff training sheets shall contain details of the name, date of birth and address of each staff member trained.**

**10. A training log shall be kept for all staff members in which staff shall sign that they have received the relevant training in regards to the licensing objectives and relevant parts of the Licensing Act 2003.**

**11. There shall be a personal licence holder on duty during all times alcohol is offered for sale.**

**13. Signage further to Challenge 25, proxy alcohol sales and leaving quietly shall be displayed at the entrance to the premises, at the display section of alcohol and at the point of sale.**

14. There shall be an incident book to record crime, disorder or relevant matters and any action taken in response to such incidents.

18. A notice shall be displayed asking patrons not to litter after leaving the premises.

21. Signage shall be displayed stating that street drinkers shall not be served.

10. The training log, also contained within the national lottery folder, did not give sufficient detail to satisfy the conditions. The male behind the counter did not know what proxy sales were and this had to be explained to him. He stated he had a personal licence but could not produce it.

Date	STAFF Signature	Comments / Actions
18/10/21	KARANSHH.	AGE VERIFICATION, STREET DRINKERS, PROXY, LICENCING, UNDER AGE SALES
18/10/21	KRUTIKA PATEL	AGE VERIFICATION, STREET DRINKERS, PROXY, LICENCING, UNDER AGE SALES
20/01/22	KRUTIKA PATEL	TRAINING REFRESHER.
22/04/22	KRUTIKA PATEL	TRAINING REFRESHER.
03/11/21	11:00 STAFF TRAINING	CIG. ALCOHOL, AGE VERIFICATION, STREET DRINKERS + P.Y. P.T.

#### Complaint and inspection history (if applicable)

Not applicable.



**Summary**

I consider that this application is incompatible with Havering's licensing policy aims. The applicant has not evidenced strong management controls or regard for licence conditions in the very short period they have been in control of the premises.

Due to the persistent breaches of conditions the premises will now require revisits to ensure compliance and may face further enforcement action. I would ask the committee to consider whether it is appropriate to grant a variation of this nature to a non-compliant premises.

The area is regularly subject to multi-agency days of action to combat street drinking, the proposed variation could have the potential to increase that.

There is a significant potential that granting the variation application as submitted would add to nuisance and potentially crime and disorder in the area.

**Signed** *Oisin Daly*

**Dated** 24/04/2023

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