



Haverling

LONDON BOROUGH

LICENSING SUB-COMMITTEE STATION PARADE LOUNGE

AGENDA

10.30 am	Monday 2 September 2024	Council Chamber - Town Hall
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Members 3: Quorum 2

COUNCILLORS:

Philippa Crowder (Chairman)
Christine Smith
Christine Vickery

For information about the meeting please contact:

**Taiwo Adeoye - 01708433079
taiwo.adeoye@onesource.co.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.

DECLARING INTERESTS FLOWCHART – QUESTIONS TO ASK YOURSELF



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 5 - 10)

Procedure for hearing - Report attached.

5 APPLICATION FOR A PREMISES LICENCE - STATION PARADE LOUNGE, 1 STATION PARADE, HORNCHURCH, RM12 5AB (Pages 11 - 42)

Application for a premises licence is made by Station Parade Lounge Ltd under section 17 of the Licensing Act 2003.

Zena Smith
Head of Committee and Election Services

LICENSING SUB-COMMITTEE

REPORT

2 September 2024

Subject Heading:

Procedure for the Hearing: Licensing Act 2003

Report Author and contact details:

Taiwo Adeoye (01708) 433079
e-mail: taiwo.adeoye@onesource.co.uk

Members are advised that, when considering application for 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.**

1.1.1 A member of the Licensing Committee will be excluded from hearing an application where he or she has considered an application in respect of the premises in the previous 12 months as a Member of the Regulatory Services Committee; or

1.1.2 is a Ward Councillor for the Ward in which the premises, subject to the application, are located; or

1.1.3 is a Ward Councillor for a Ward which is likely to be affected by the application or;

1.1.4 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 7 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.

110. 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.

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Licensing Officer's Report

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LICENSING SUB-COMMITTEE

REPORT

Subject heading:

**Station Parade Lounge, 1 Station
Parade, Hornchurch, RM12 5AB**

Report author and contact details:

**Premises licence application
Oisin Daly Public Protection Officer
Town Hall Main Road
licensing@havering.gov.uk
01708 432777**

This application for a premises licence is made by Station Parade Lounge Ltd under section 17 of the Licensing Act 2003. The application was received by Havering's Licensing Authority on 10th July 2024

Premises' location

The premises is situated in Station Parade, Elm Park. The premises was a barbers shop and the applicant is seeking to change the use to a restaurant/café serving alcohol. The surrounding area is a mixture of residential and mixed-use commercial premises.





Details of the application

The applicant describes the premises as follows:

The premises are a coffee shop/lounge. It will be a welcoming atmosphere designed for families, young professionals. The premises features an open-plan design. The layout encourages visibility across all areas to enhance safety and monitor patron behaviour. There is an outdoor terrace that accommodates additional seating. This space is designed to provide a pleasant atmosphere while minimizing noise impact on neighbouring properties.

To ensure compliance with licensing objectives, alcohol will be sold to customers by waiter/waitress service only. Serving alcohol through waiter staff allows for better enforcement of age restrictions and other licensing requirements.

The application is to permit the following licensable activity:

Sale of alcohol		
Day	Start	Finish
Sunday to Saturday	12:00	23:00

Opening hours		
Day	Start	Finish
Sunday to Saturday	07:00	23:00

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.

The applicant amended their original operating schedule, the amended schedule can be found in the application V3 in the appendix.

In addition, the following conditions were agreed with the Met Police Licensing Unit during the consultation period:

- Alcohol shall only be sold to a person sitting down eating a meal and for consumption with that meal.
- Alcohol shall be sold to customers by waiter/waitress service only.

And the following conditions were also agreed with the Licensing Authority:

1. CCTV:

a) The CCTV system at the premises shall be maintained in working condition and shall record 24 hours every day.

Recordings shall be retained for a minimum of 31 days and shall be made available to Police or Local Authority officers on request and shall be capable of identification and of evidential quality in any light conditions.

b) Staff working at the premises shall be trained in the use of the equipment and a log will be kept to verify this. At least one member of staff, so trained, shall be present at the premises at all times when it is open for licensable activities.

c) There shall be signs displayed in the customer area to advise that CCTV is in operation.

d) CCTV cameras shall monitor all areas of the premises that are accessible to members of the public including the area

immediately outside the premises to monitor numbers and prevent crime and disorder.

e) Should the CCTV become non-functional this shall be reported immediately to the Licensing Authority and the problem rectified as soon as practicable.

2. The Challenge 25 proof of age policy will be operated and only a photographic driving licence, a valid passport, a valid UK Armed Forces / MOD photographic identity card with the bearer`s photograph on it or a Home Office approved proof of age card with the bearer`s photograph and the PASS logo / hologram on it will be accepted as proof of age.

3. Staff Competence and Training:

a) The Licensee shall keep a written record of all staff authorised to sell alcohol. The staff record shall be kept on the licensed

premises and made available for inspection by the Licensing Officer, Trading Standards or the Police, on request.

b) The Licensee shall ensure that each member of staff authorised to sell alcohol has received appropriate training on the law with regard to age-restricted products, proxy sales, and the licensable hours and conditions attached to the licence, including refresher training every six months, and that this is properly documented and training records kept. The training

record (either written or electronic) shall be kept on the licensed premises and made available for inspection by the Licensing Officer, Trading Standards or the Police, on request.

4. A written refusals record will be kept as part of the Incident Book and made available to Police or Authorised Officers on request. The refusals record shall contain details of date & time, description of the person attempting to buy the age restricted products & the products that they were attempting to purchase, reasons why the sale was refused and the name and signature of the person refusing the sale. All staff are to be examined in the use of the refusal books. The refusals book is to be examined on a weekly basis by the premises licence holder / DPS and the date and time of each examination is to be endorsed in the book. Analysis of staff refusals and data such as the time / day is to be carried out by the premises licence holder / DPS on a weekly basis in order to predict trends and identify staff training and compliance issues. The premises licence holder or DPS shall sign and date their record of inspection.

5. An Incident Book shall be kept at the premises and made available to the Police or Authorised Officers, which will record the following:

- All crimes reported;
- Lost property;
- All ejections of customers;
- Any complaints received and the outcome;
- Any incidents of disorder;
- Any faults in the CCTV;
- Any refusal or challenges of the sale of alcohol;
- Any visit by a relevant authority or emergency service. Whenever Police are called a CAD shall be obtained and recorded in the Incident Book

6. Prominent, clear and legible notices are displayed at all exits requesting patrons to respect the needs of local residents and to leave the premises and the area quietly.

7. All reasonable steps shall be taken by a dedicated member of staff to stop patrons congregating outside the premises.

To Note:

In respect of the Licensing Act, planning and licensing are considered as two separate regimes even if there is some overlap. This is highlighted in the case of *Gold Kebab Ltd v Secretary of State for Communities and Local Government* [2015] All ER (D) 48 (Sep).

However, a planning application was submitted for a change of use from a barbers to a café and erection of a new glazed conservatory to front with retractable awning.

It is worth noting that even if the committee grant the licence, the attached plans would not match the premises and licensable activity could not be carried out until a variation was made or the proposed structure erected.

Planning ref: P0797.24 [Planning - Station Parade](#)

Summary

There were two representations made against the application by interested parties.

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Copy of Application

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ARCHITEKTAS

1 Station Parade
RM12 5AB

DESIGN DRAWINGS V_1

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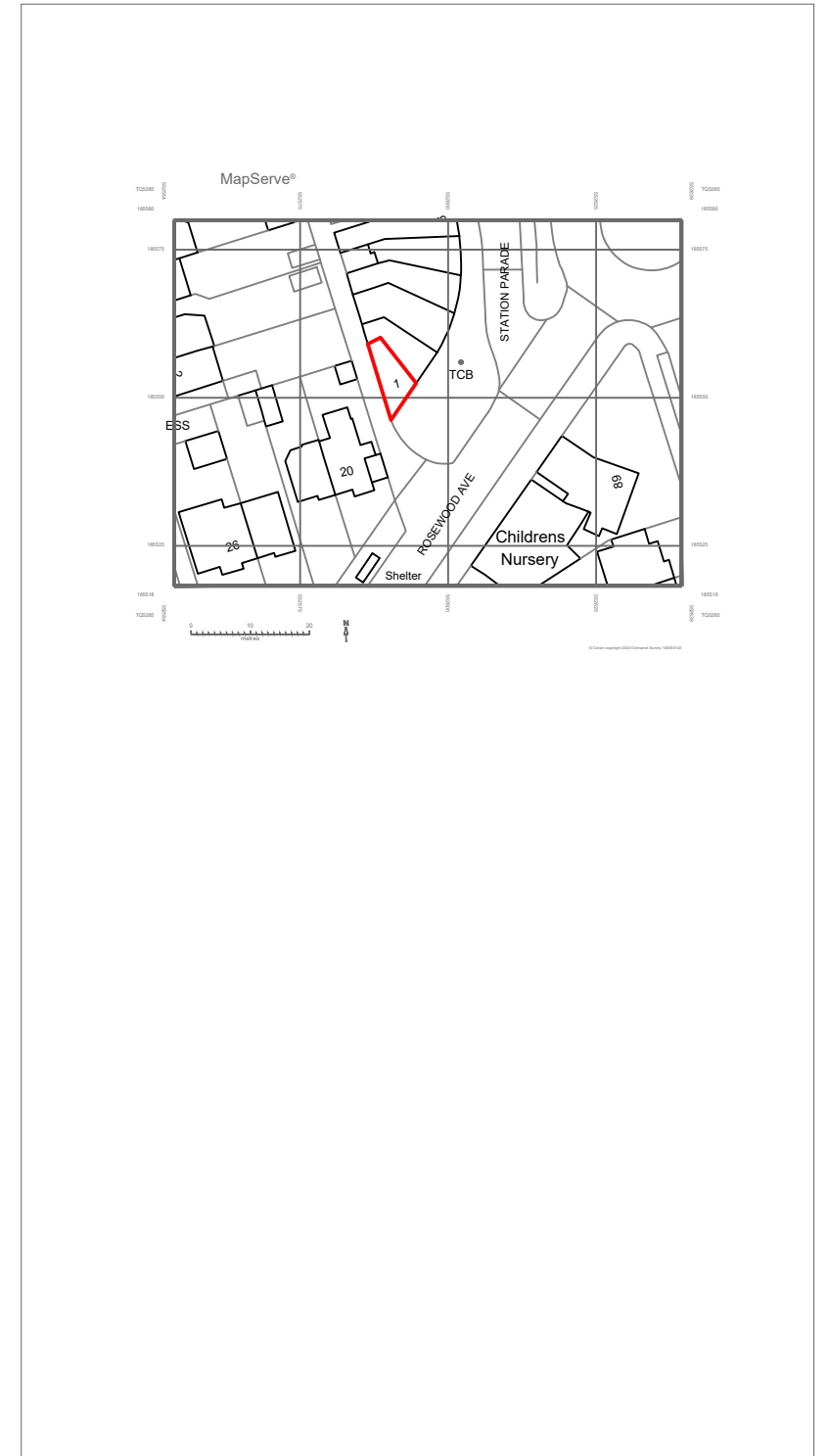
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			PRIVATE			CONSENTS		1 Station Parade RM12 5AB		1SP -01.1000	1
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AR	22/04/24	AR	1:500 @ A3	A3	LOCATION PLAN						

NOTES

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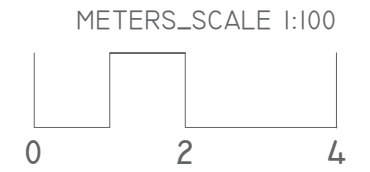
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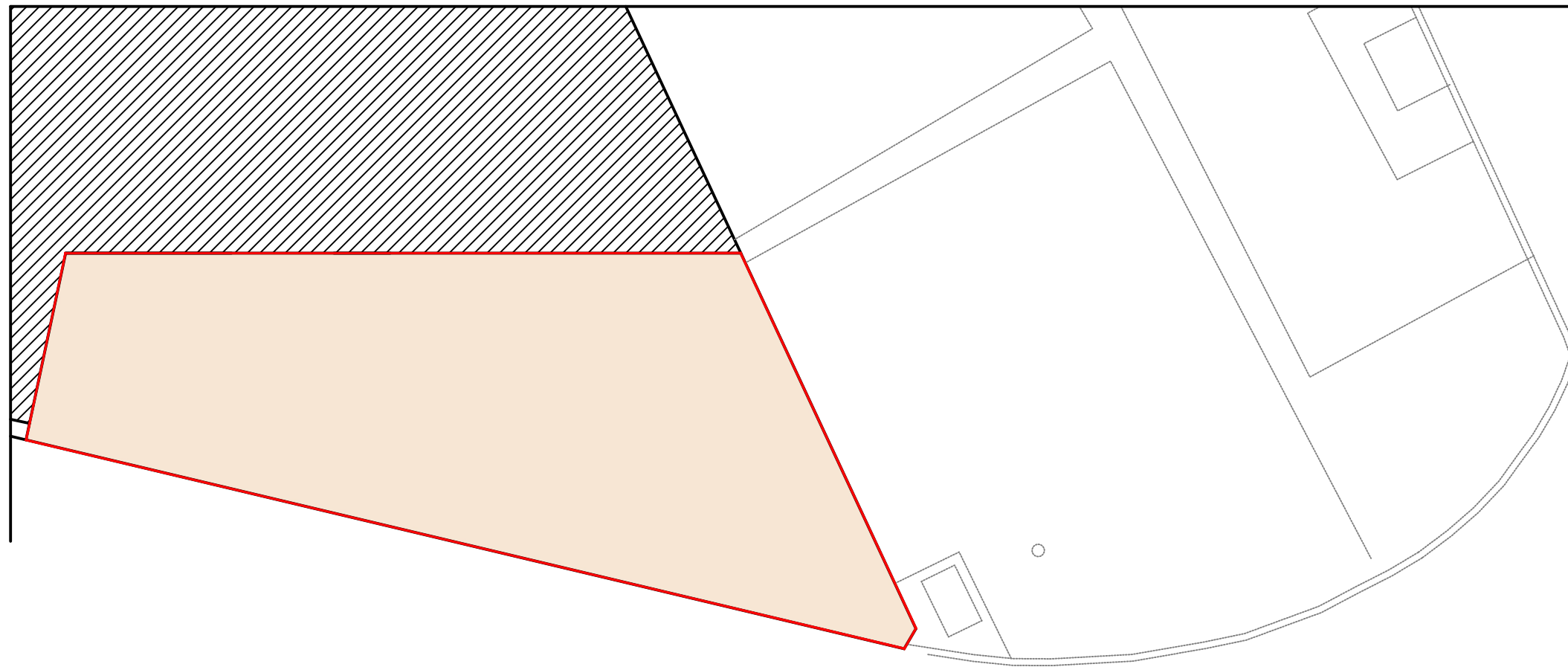
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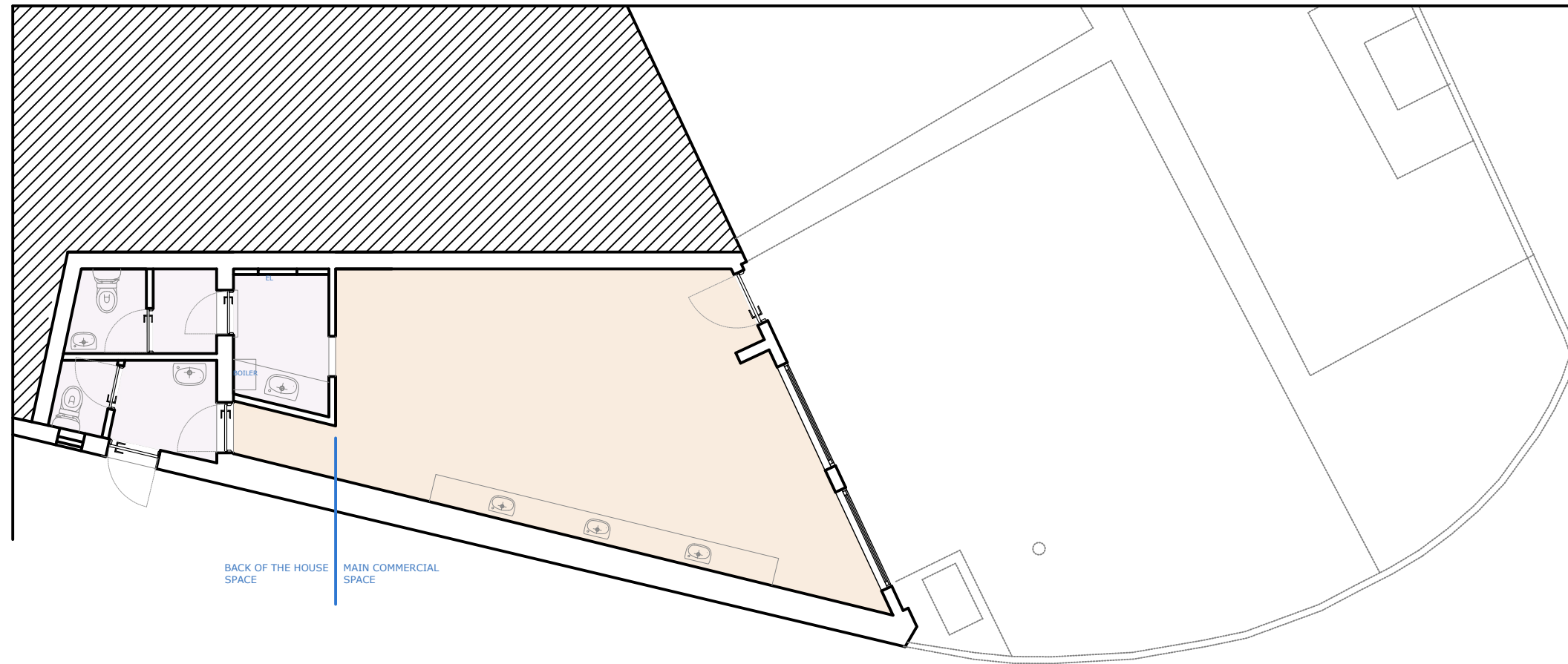
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						AR	22/05/24	AR	1:100 @ A3	A3	GROUND FLOOR - EXISTING SITUATION

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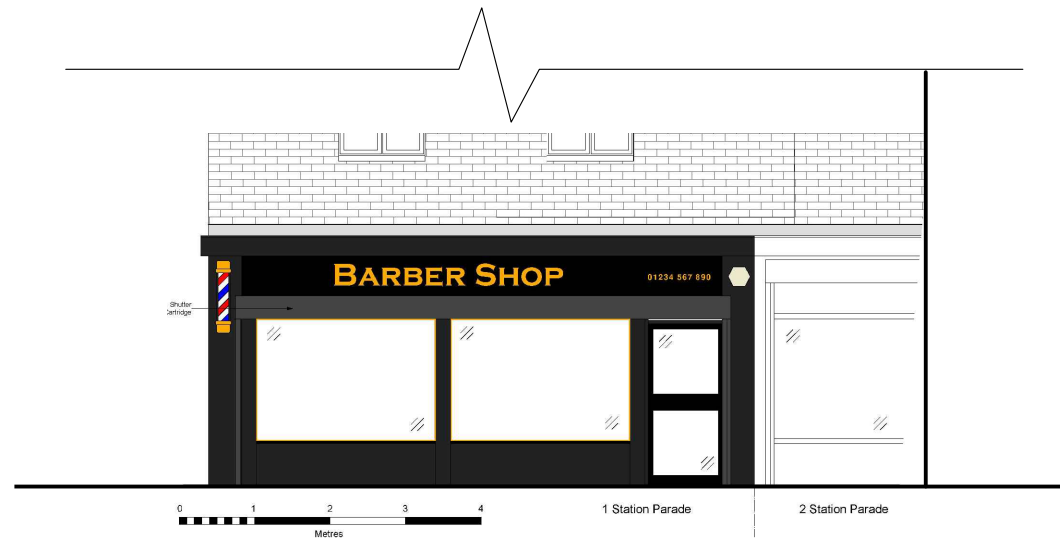
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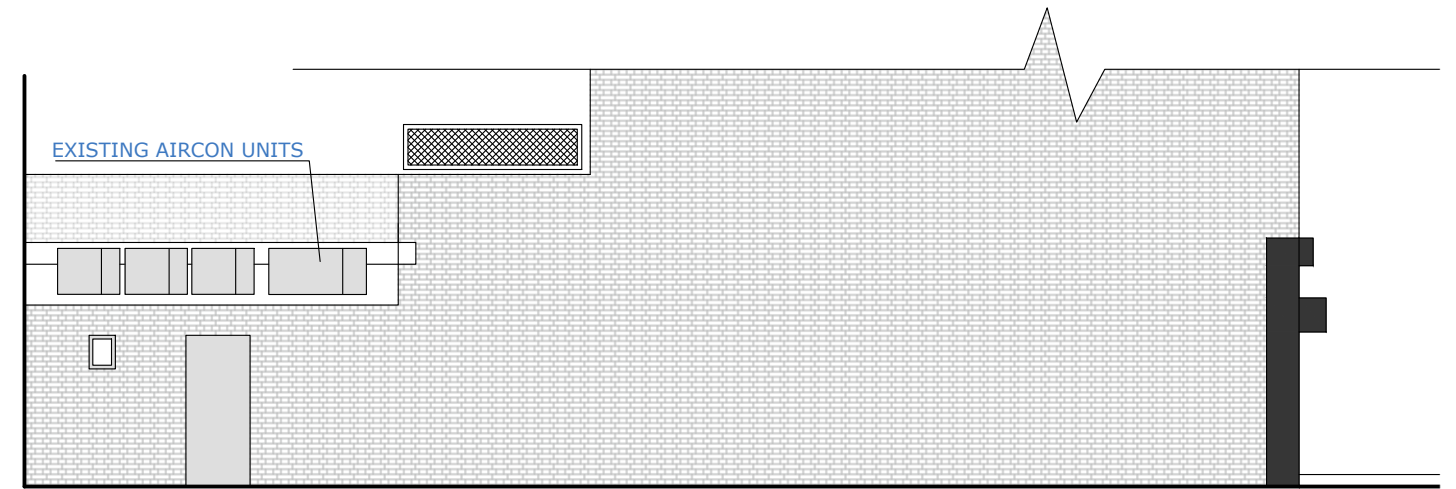
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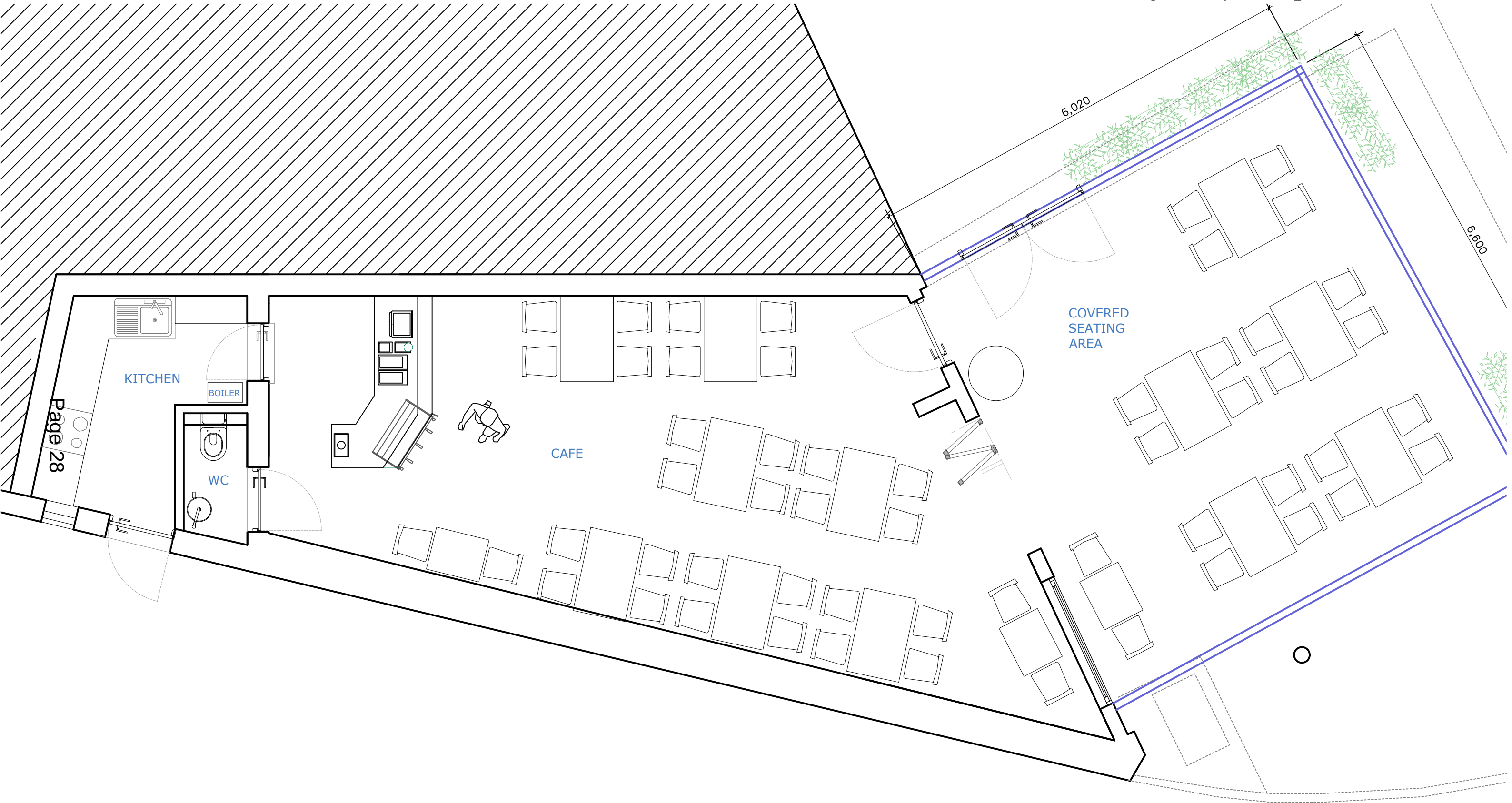
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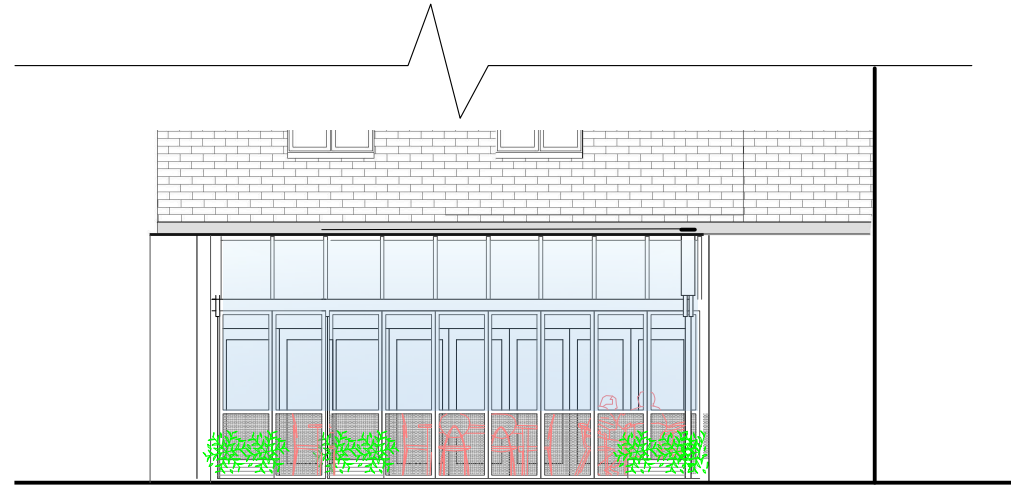
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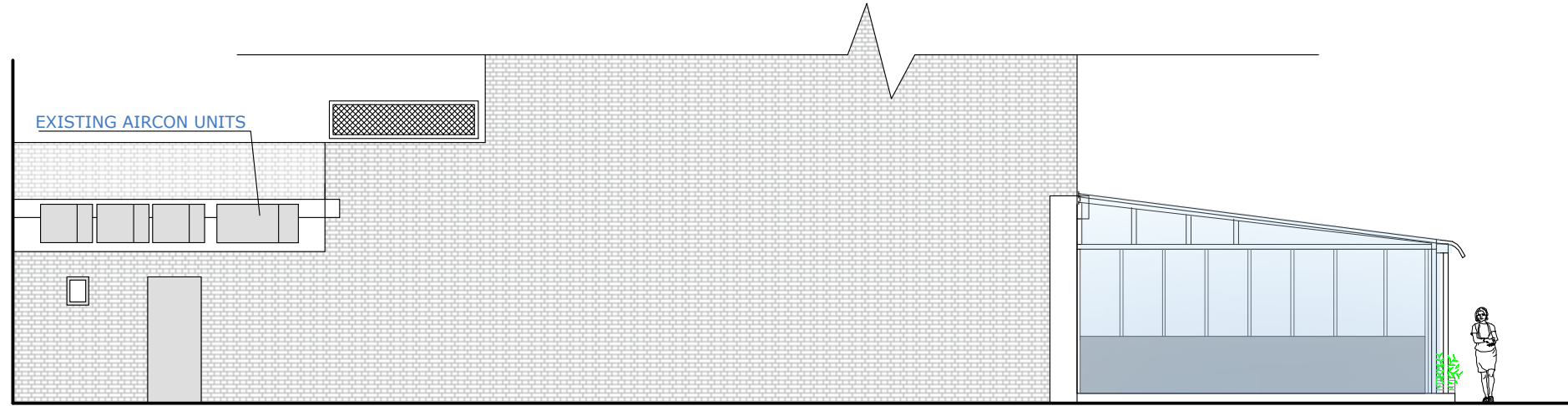
THIS DRAWING IS TO BE READ IN CONJUNCTION WITH RELEVANT STRUCTURAL ENGINEERS, M&E ENGINEERS AND SPECIALIST CONSULTANTS DRAWINGS.

METERS_SCALE 1:100

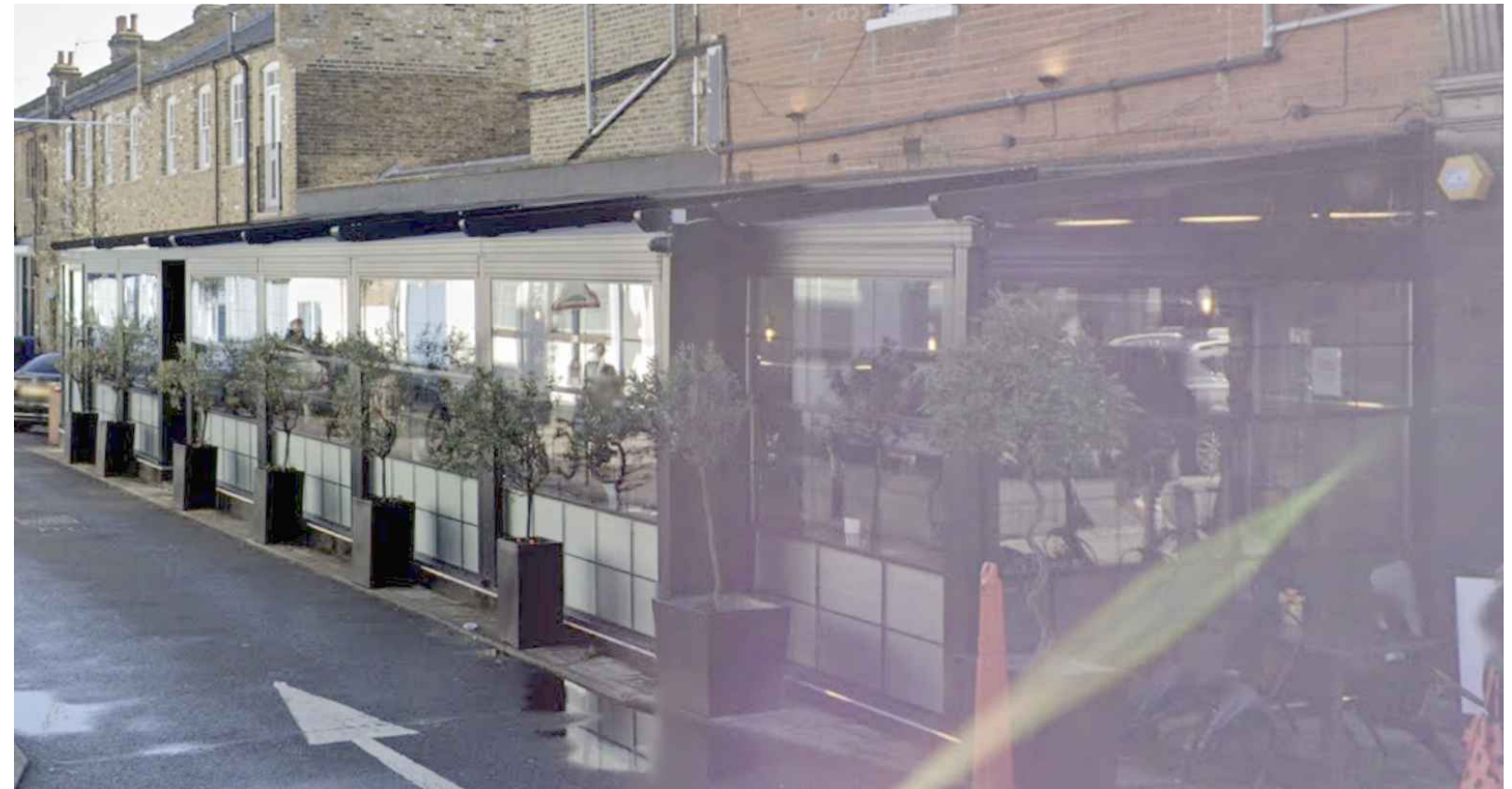
A3



PROPOSED FRONT ELEVATION



PROPOSED SIDE ELEVATION



ARCHITEKTAS info@architektas.co.uk www.architektas.co.uk www.bent.design	PURPOSE OF ISSUE Information Comment Consents Building Control Tender Contract Construction					CLIENT	DRAWING STATUS		PROJECT	DRAWING NO	REVISION
						PRIVATE	CONSENTS		1 Station Parade RM12 5AB	1SP -01.200P	1
		REV	DATE	NOTES	DR	DRAWN	START DATE	CHECKED	SCALE	SHEET SIZE	DRAWING TITLE
				AR	22/05/24	AR	1:100 @ A3	A3	ELEVATIONS - PROPOSED		

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Havering
LONDON BOROUGH

Interested Parties (Valid objections)

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The Royal British Legion
Elm Park Club Limited
35a Maylands Avenue
Elm Park
Hornchurch
Essex RM12 5BB
Tel: 01708 452074

London Borough of Havering
Licensing Authority
Town Hall
Main Road
Romford
RM1 3BD

Date 31st July 2024

London Borough of Havering
Town Hall
- 2 AUG 2024
RECEIVED

Dear Sir/Madam,

I would like to object to the application for a premises licence for one Station Parade Elm Park, Hornchurch RM12 5AB.

The grounds for my objection are if it was agreed it would cause an issue to public safety, increase the possibility of public nuisance and the protection of children from harm.

The view inside of this outlet would encourage youngsters to see inside and “hang around” the area not only causing noise/nuisance but frightening the many elderly people living in the area preventing them from leaving their home worsening their standard of living.

There are already several Alcoholic outlets very close by and this includes the Royal British Legion Club of which I am the Chairman whose membership is very elderly and I know that they would be hesitant walking past fearing for their safety.

Yours Truly

A handwritten signature in black ink, appearing to read 'J. White'.

Mr J B White
Club Chairman

Secretary Mrs J J White, Registered under the Co operative and Community Benefit Societies Act 2014 No. 16209



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From: [Stuart Aiken](#)
To: [Oisin Daly](#)
Cc: Donna.cain@lbbd.gov.uk
Subject: Re: Representation made
Date: 01 August 2024 11:45:13
Attachments: [image006.png](#)
[image008.png](#)
[Floorplan.PNG](#)

Hi Oisin,

I am happy for this to be made public.
Mr S Aiken (owner of property)
20 Rosewood Avenue
Hornchurch
RM12 5LH

As well as my statement(s) previously submitted I also want to add the below:

- The premise application will have a direct impact on my quality of life and the value of my property. I vehemently oppose this application.
- The noise disruption, potential anti-social behaviour and public nuisance of service alcohol so late into the evening will have negative connotations for the local community.
- I am objecting to both the premises licence as well as opening hours of 12:00 - 23:00.

Noise Disruption

- My property is under <50 foot from the boundary of proposed 'new glazed conservatory to front with a rectangle awning' (planning application: P0797.24). Please find attached picture Proximity from my upstairs window on the proximity of the proposed structure (Highlighted in blue). I have also attached a building floor plan for reference of close proximity.
- Structure has minimum to no soundproofing which will mean constant noise until 23:00 each day. This will not be acceptable as residents have work commitments
- The likely sound impact would be until the early hours of the morning following closure of establishment at 11:00, loitering/waiting for buses. The nearest bus stop is <100 yards from the establishment directly in front of the boundary of my property (see attached bus picture depicting location from house). This will have noise pollution concerns at the front of my property and well as my neighbour as well as residence.

Anti Social Behaviour/Public Nuisance

The location of the establishment is on the end of a shopping parade going directly into a residential area with a nursery directly opposite. This could have safeguarding ramifications of people who are intoxicated.

Vandalism and public urination/vomiting are very real concerns from the proposal. This is exercised with the bus stop in front of property, where people will be loitering longer. There will naturally be higher footfall much later into the evening which will increase the risk for both.

Comments on Conditions for sale

"Just to note that the premises have agreed that all alcohol sales shall only be whilst seated and ancillary to a table meal."

This narrative proposed does not hold in line with the application. The proposal is for a Cafe which would serve 'light' meals and snacks. This would very easily be abused for the sale of

alcohol as a primary function. Planning application is not for a restaurant which would constitute a planned primary event of a meal.

I would also scrutinise the conditions of late night alcohol sales. In most cases meals are not served post 21:00 which makes me query why a licence has been proposed until 23:00. I am failing to see any evidence of how this would be enforced or monitored

Affect on Property Price

There is no question that having a dwelling of this type will have a direct negative affect on my property's value due to the points raised above.

When moved into my property I was fully aware the location was adjacent to a commercial shopping parade. This thought was with the understanding of trading business day time hours.

On Thu, 1 Aug 2024 at 10:23, Oisín Daly <Oisín.Daly@havering.gov.uk> wrote:

Hi Stuart,

It would be partially redacted to the public but the applicant would be entitled to request the details

Kind Regards

Oisín

Oisín Patrick Daly | Public Protection Officer London Borough of Havering | Environment Town Hall,
Main Road, Romford, RM1 1BD

t 01708 433661

e oisin.daly@havering.gov.uk

w www.havering.gov.uk

text relay 18001 01708 432777



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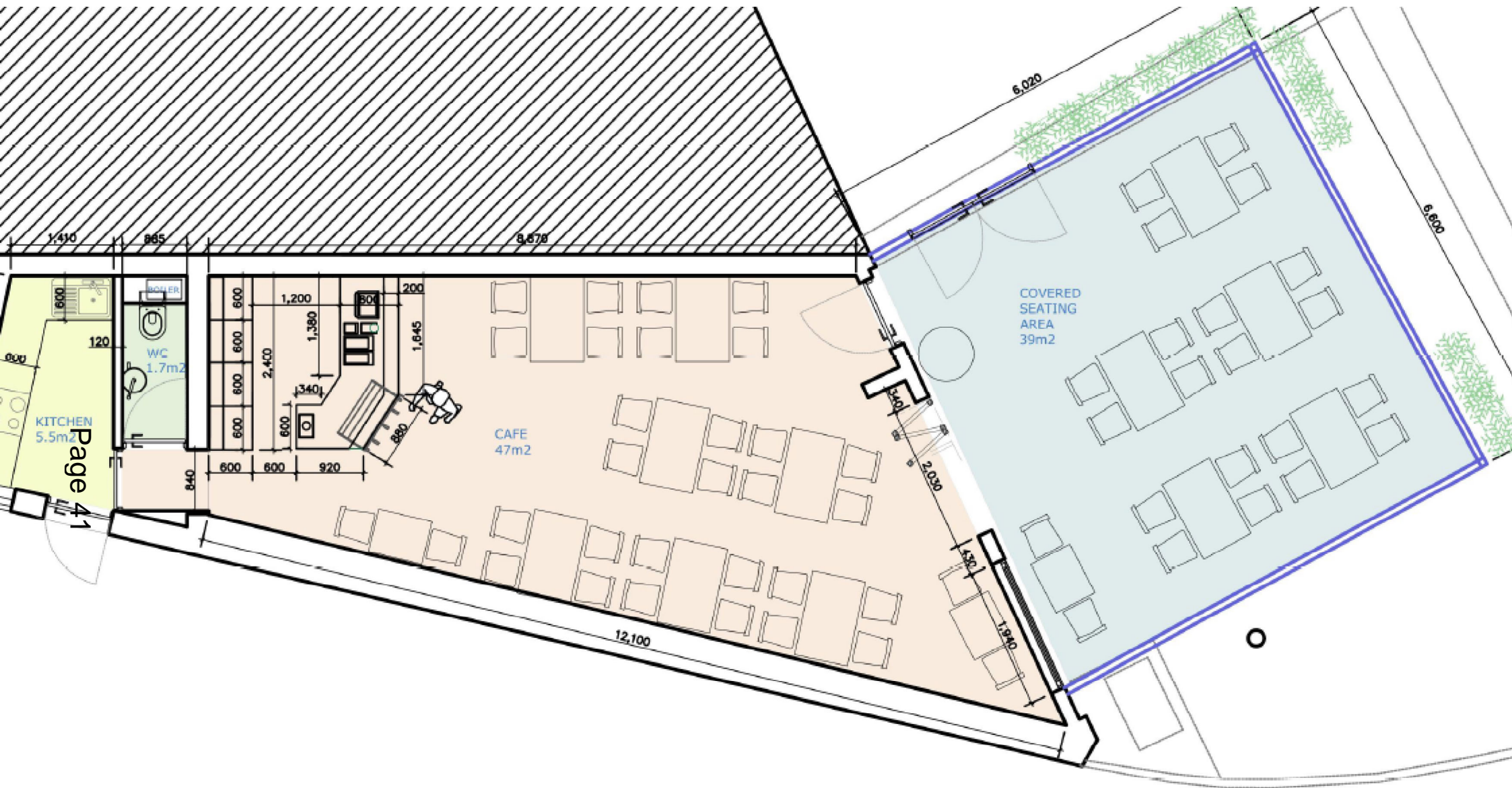
6593 KKE

YC66 LJL

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