



# LICENSING SUB-COMMITTEE

# REPORT

7<sup>th</sup> December 2015

**Subject heading:**

**The Diner  
13 Farnham Road Romford RM3 8ED  
Premises licence variation application**

**Report author and contact details:**

**Paul Jones, Licensing Officer  
5<sup>th</sup> floor Mercury House  
01708 432692**

This application to vary a premises licence is made by Mr Alan Masters and Mr Michael O'Meara under section 34 of the Licensing Act 2003. The application was received by Havering's Licensing Authority on 20<sup>th</sup> October 2015.

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

The Diner is located in a parade of purpose built commercial premises in Harold Hill. Residential accommodation is located directly above these commercial outlets. A map of the area is attached for reference.

### **Details of the application**

Current premises licence hours are as follows:

<b>Recorded music</b>		
<b>Day</b>	<b>Start</b>	<b>Finish</b>
Monday to Saturday	08:00	22:00
Sunday	09:00	17:00

<b>Supply of alcohol</b>		
<b>Day</b>	<b>Start</b>	<b>Finish</b>
Monday to Saturday	11:00	22:00
Sunday	11:00	17:00
Christmas Day & New Year's Day	09:00	22:00

<b>Hours premises open to the public</b>		
<b>Day</b>	<b>Start</b>	<b>Finish</b>
Monday to Saturday	08:00	22:00
Sunday	09:00	17:00
Christmas Day &	08:00	22:00

**Licensing Sub-Committee, 7<sup>th</sup> December 2015**

New Year's Day		
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**Variation applied for:**

<b>Live music</b>		
<b>Day</b>	<b>Start</b>	<b>Finish</b>
Saturday	18:00	23:30
Christmas Eve & New Year's Eve	18:00	00:30

<b>Recorded music</b>		
<b>Day</b>	<b>Start</b>	<b>Finish</b>
Monday to Thursday	08:00	23:00
Friday & Saturday	08:00	00:00
Sunday	09:00	21:00
Christmas Eve & New Year's Eve	08:00	00:30

<b>Late night refreshment</b>		
<b>Day</b>	<b>Start</b>	<b>Finish</b>
Monday to Thursday	23:00	23:30
Friday & Saturday	23:00	00:30
Christmas Eve & New Year's Eve	23:00	01:00

<b>Anything similar to live music, recorded music or performance of dance (i.e. dancing by diners to live music) *</b>		
<b>Day</b>	<b>Start</b>	<b>Finish</b>
Saturday	09:00**	23:30
Christmas Eve & New Year's Eve	09:00	00:30

**\* Spontaneous dancing by diners would not constitute a licensable activity.**

**\*\* The application indicates 06:00; however, this has been confirmed as a typographical error.**

<b>Supply of alcohol</b>		
<b>Day</b>	<b>Start</b>	<b>Finish</b>
Monday to Thursday	11:00	23:00
Friday & Saturday	11:00	00:00
Sunday	11:00	21:00
Christmas Eve & New Year's Eve	11:00	00:30

**Licensing Sub-Committee, 7<sup>th</sup> December 2015**

<b>Hours premises open to the public</b>		
<b>Day</b>	<b>Start</b>	<b>Finish</b>
Monday to Thursday	08:00	23:30
Friday & Saturday	08:00	00:30
Sunday	09:00	21:30
Christmas Eve & New Year's Eve	08:00	01:00

**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 required public notice was installed in the week ending 6<sup>th</sup> November 2015 edition of the Havering Yellow Advertiser.

**Summary**

There was one representation against this application from a responsible authority.

**Details of representations**

Valid representations may only address the following licensing objectives:

- The prevention of crime and disorder
- The prevention of public nuisance
- The protection of children from harm
- Public safety

**Responsible authorities' representations**

Enforcement and Appeals Technician Mr Sam Cadman makes representation against this application on the behalf of Havering's Planning Service. Mr Cadman's representation relates to the prevention of public nuisance licensing objective.



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## Public Notices

**PUBLIC NOTICE OF AN APPLICATION TO VARY A PREMISES LICENCE UNDER SECTION 34 OF THE LICENSING ACT 2003**

Notice is hereby given that an application was made to the London Borough of Havering to vary a premises licence under the above Act on the 21st October 2015. Applicant: Alan Masters & Michael O'Meara. Address of premises: The Diner, 13 Farnham Road, Romford RM3 8ED. Proposed variations to the licensable activities: Extend the hours for the sale of alcohol and entertainment and add the provision of late night refreshment. Proposed days and hours of licensable activity: Alcohol: Mon-Thurs 11.00-23.00; Fri-Sat 11.00 24.00; Sunday 11.00-21.00. Entertainment: Mon-Thurs: 09.00-23.00; Fri-Sat 09.00-24.00; Sunday 09.00-21.00. Late Night Refreshment: Mon-Thurs 23.00-23.30; Fri-Sat 23.00-24.30; Sunday N/A. The postal address of the Licensing Authority where the register is kept and the application may be inspected is: \*London Borough of Havering, Licensing Team, Public Protection, Mercury House, Mercury Gardens, Romford RM1 3SL. Any person wishing to make representations on this matter shall give notice, in writing, stating the nature and grounds for making such representations to The Licensing Officer at the above address\* within 28 days of the date of this notice - by the 18th November 2015. Further information is available on the web site www.havering.gov.uk following the links. It is an offence under section 158 of the Licensing Act 2003, to knowingly or recklessly make a false statement in or in connection with an application and the maximum fine on summary conviction of such an offence is £5000. Licensing Solutions - duly authorised agents

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**WANTED GOOD HOMES FOR RETIRED GREYHOUNDS Ring Pat on 01708 551 689**  
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## Building

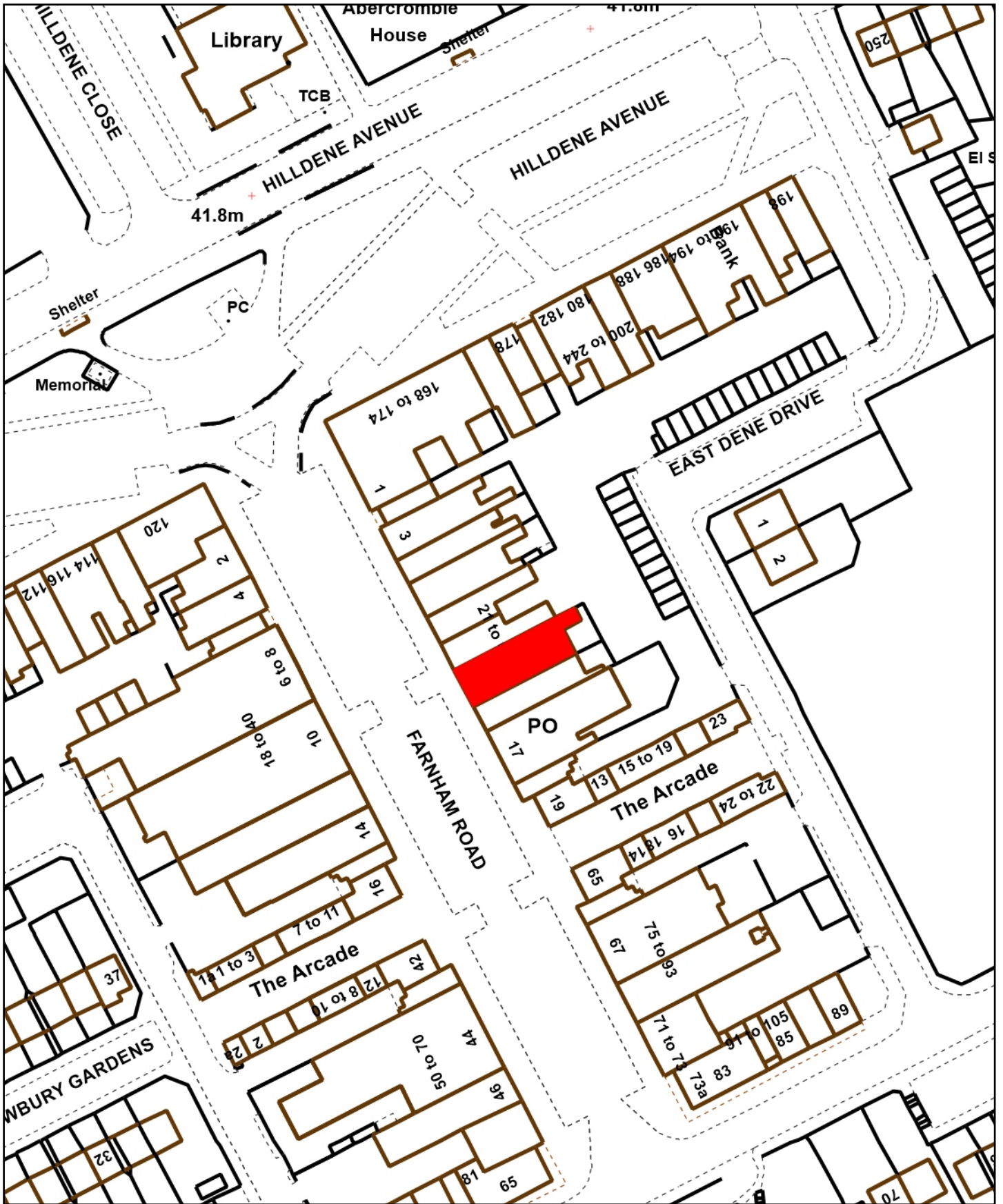
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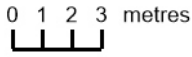
The Diner, 13 Farnham Road







  
 The National Land & Property Gazetteer  
 NATIONAL STREET GAZETTEER  
 Licensed Partner

Scale: 1:1000  
 Date: 20 October 2015




  
 London Borough of Havering  
 Town Hall, Main Road  
 Romford, RM1 3BD  
 Tel: 01708 434343

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 Ordnance Survey 100024327







**Part A**

**Premises licence number**

**11665**

**Part 1 – Premises details**

**Postal address of premises**

**The Diner  
13 Farnham Road Romford RM3 8ED**

**Where the licence is time limited the dates**

**Not applicable**

**Licensable activities authorised by the licence**

**Recorded music, supply of alcohol**

**The times the licence authorises the carrying out of licensable activities**

**Recorded music  
Monday to Saturday – 08:00 to 22:00  
Sunday – 09:00 to 17:00**

**Supply of alcohol  
Monday to Saturday – 11:00 to 22:00  
Sunday – 11:00 to 17:00  
Christmas Day & New Year's Day – 09:00 to 22:00**

**The opening hours of the premises**

**Monday to Saturday – 08:00 to 22:00  
Sunday – 09:00 to 17:00  
Christmas Day & New Year's Day – 08:00 to 22:00**

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

**On supplies only**

**1 of 6**

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## Part 2

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

**Mr Alan Masters**  
**70 Birch Road Romford RM7 8EP**  
**07958 286209 / 01708 788924**  
**&**  
**Mr Michael O'Meara**  
**69 Birch Road Romford RM7 8EP**  
**07808 730304 / 01708 765155**

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Registered number of holder

**Not applicable**

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

**Mrs Susan Diane Lake**  
[REDACTED]

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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

[REDACTED]

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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 responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.**
  - (2) **In this paragraph, an irresponsible promotion means any one or more of the following: activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children –**
    - (a) **games or other activities which require or encourage, or are designed to require or encourage, individuals to –**

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**Mandatory conditions – contd.**

- (i) **drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or**
    - (ii) **drink as much alcohol as possible (whether within a time limit or otherwise);**
  - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);**
  - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;**
  - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent upon –**
    - (i) the outcome of a race, competition or other event or process, or**
    - (ii) the likelihood of anything occurring or not occurring;**
  - (e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.**
- 4. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).**
- 5. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.**
- 6. The responsible person shall ensure that –**
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures–**
    - (i) beer or cider: ½ pint;**
    - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and**
    - (iii) still wine in a glass: 125 ml; and**
  - (b) customers are made aware of the availability of these measures.**
- 7. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.**
- (2) 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 a holographic mark.**

1. Notices shall be displayed:
  - showing the opening and closing times of the premises on all days of the week;
  - asking customers to conduct themselves in an orderly fashion and to cause no nuisance to residents or passers-by;
  - warning customers of potential criminal activity in the premises;
  - warning customers not to bring drugs onto the premises;
  - asking customers to leave the premises and the area quietly;
  - not to stand outside talking late at night.
2. No outside solicitation of passers-by to purchase from the premises shall take place.
3. A log book shall be kept on the premises listing statutory inspections.
4. Access for emergency vehicles shall be provided.
5. Queues of customers shall not obstruct public exits.
6. All shop fittings, seating, lighting, heating, electrical and ventilation installations, sanitary accommodation and washing facilities shall be adequately maintained.
7. Floor surfaces shall be non-slip and there shall be no hanging curtains obstructing or concealing doorways.
8. Seating shall not obstruct exits and there shall be adequate lighting and ventilation.
9. No explosive or highly flammable materials shall be brought onto or kept on the premises and no smoking shall be permitted there at any time.
10. There shall be no noise above background levels and noise standards shall have full regard to BS4142.
11. Receptacles for rubbish shall be provided in the premises and if provided outside shall be removed at the close of business each day.
12. Refuse shall be stored securely, it shall be removed from the premises the next day and there shall be no bin movement after 23:00 each day.
13. All cooking facilities shall be regularly maintained in order not to cause any noise nuisance.
14. Bottles and noisy receptacles shall not be handled late at night.
15. Proof of identification shall be demanded when doubt arises over the age of a customer attempting to buy alcohol.
16. Staff shall be trained to deal with emergencies and in particular be able to carry out first aid on a customer if so required.
17. If a taxi operator is to be displayed in the premises then a specific operator shall be named and nominated by the premises' owner.
18. Any taxis supplied by the nominated provider shall not sound horns, idle engines late at night and taxi drivers shall be made aware of the need to avoid nuisance to local residents at late hours.
19. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer.
20. All entry and exit points shall be covered by CCTV cameras enabling frontal identification of every person entering in any light condition.
21. The CCTV system shall continually record while the premises is open for the provision of licensable activity and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping.

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

- 22. CCTV recordings shall be made available immediately upon the request of the Police or an authorised officer throughout the preceding 31 day period.**
- 23. The supply of alcohol at the premises shall only be to a person seated taking a table meal there and for consumption by such a person as ancillary to their meal.**
- 24. The supply of alcohol shall be by waiter or waitress service only.**
- 25. A proof of age scheme such as Challenge 21 or 25 shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards such as a driving licence or passport.**
- 26. An incident log shall be kept at the premises and made available on request to an authorised officer of the council or the Police which shall record the following:**
  - all crimes reported to the venue;**
  - all ejections of patrons;**
  - any complaints received;**
  - any incidents of disorder;**
  - any faults in the CCTV system or searching equipment or scanning equipment;**
  - any refusal of the sale of alcohol;**
  - any visit by a relevant authority or emergency service.**
- 27. Patrons temporarily leaving and re-entering the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.**
- 28. A log shall be kept detailing all refused sales of alcohol. The log shall include the date and time of the refused sale and the name of the member of staff who refused the sale. The log shall be available for inspection at the premises by the Police or an authorised officer of the council at all times when the premises is open.**
- 29. Any person under 18 years of age must be accompanied by an adult after 20:00.**
- 30. The licence holders and designated premises supervisor shall liaise with the local safer neighbourhood Police on a regular basis.**

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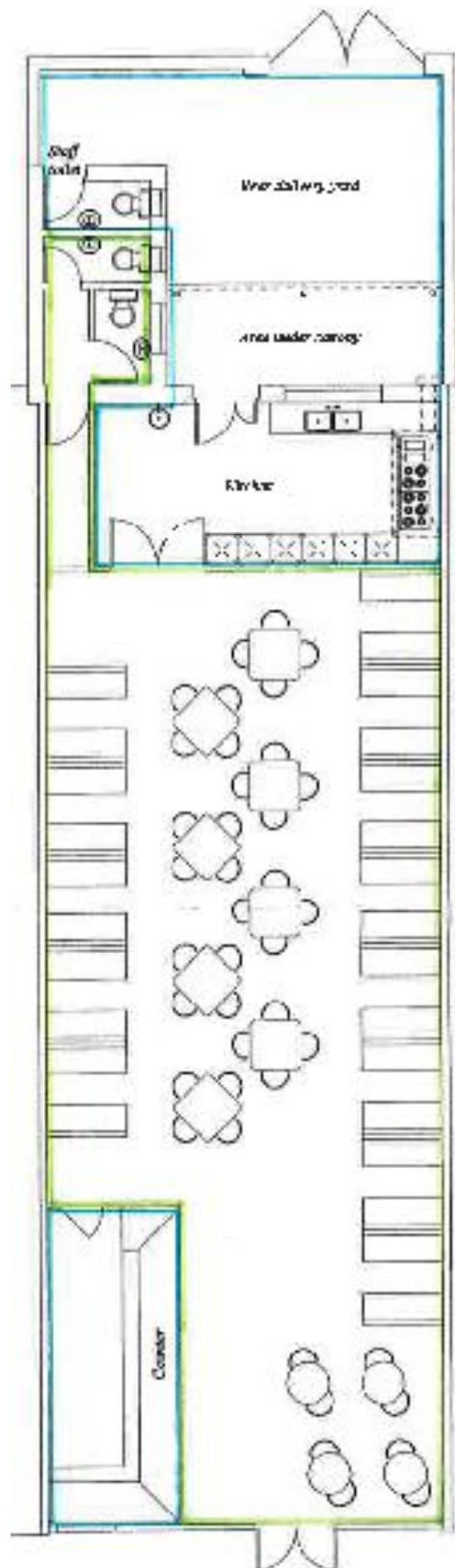
**Annex 3 – conditions attached after a hearing by the Licensing Authority**

- 1. The premises' incident log shall be hard-bound and not loose-leaf.**

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Annex 4 – Premises plans

Full premises plans are held by the Licensing Authority of the London Borough of Havering. The plans reproduced below are not to scale:





## Part B

### Premises licence summary

Premises licence number

11665

### Premises details

Postal address of premises

The Diner  
13 Farnham Road Romford RM3 8ED

Where the licence is time limited the dates

Not applicable

Licensable activities authorised by the licence

Recorded music, supply of alcohol

The times the licence authorises the carrying out of licensable activities

Recorded music  
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The opening hours of the premises

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Christmas Day & New Year's Day – 08:00 to 22:00

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

On supplies only

1 of 2

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Name, (registered) address of holder of premises licence

**Mr Alan Masters  
70 Birch Road Romford RM7 8EP  
&  
Mr Michael O'Meara  
69 Birch Road Romford RM7 8EP**

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Registered number of holder

**Not applicable**

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

**Mrs Susan Diane Lake**

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

**Restricted**

**2 of 2**

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## Application to vary a premises licence under the Licensing Act 2003

### PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We ALAN MASTERS & MICHAEL O'MEARA

*(Insert name(s) of applicant)*

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number 11665

#### Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description

THE DINER  
13 FARNHAM ROAD

Post town	ROMFORD	Postcode	RM3 8ED
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Telephone number at premises (if any)	01708 371888
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Non-domestic rateable value of premises	£22500
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#### Part 2 – Applicant details

Daytime contact telephone number	
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E-mail address (optional)	
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Current postal address if different from premises address	
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Post town		Postcode	
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#### Part 3 - Variation

Please tick as appropriate

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

No

If not, from what date do you want the variation to take effect?

DD	MM	YYYY
<input type="text"/>	<input type="text"/>	<input type="text"/>

**Please describe briefly the nature of the proposed variation (Please see guidance note 1)**

TO CHANGE THE OPENING HOURS AND THOSE FOR THE SALE OF ALCOHOL AND RECORDED MUSIC AND ADJUST ASSOCIATED CONDITIONS, ADD THE PROVISION OF LIVE MUSIC AND DANCING AND LATE NIGHT REFRESHMENT AND ADJUST HOURS ON CHRISTMAS DAY AND NEW YEARS DAY

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

#### Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

##### Provision of regulated entertainment

Please tick all that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E) X
- f) recorded music (if ticking yes, fill in box F) X
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g)  
(if ticking yes, fill in box H) X

**Provision of late night refreshment** (if ticking yes, fill in box I) X

**Sale by retail of alcohol** (if ticking yes, fill in box J) X

**In all cases complete boxes K, L and M**

# A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

**B**

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
			State any seasonal variations for the exhibition of films (please read guidance note 4)		
Tue					
			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5)		
Wed					
Thur					
Fri					
Sat					
Sun					

**C**

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3)
Day	Start	Finish	
Mon			State any seasonal variations for indoor sporting events (please read guidance note 4)
Tue			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 5)
Wed			
Thur			
Fri			
Sat			
Sun			

# D

<b>Boxing or wrestling entertainments</b> <b>Standard days and timings (please read guidance note 6)</b>			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)</u>	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here (please read guidance note 3)</u>		
Mon					
Tue			<u>State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)</u>		
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)</u>		
Fri					
Sat					
Sun					

# E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
			State any seasonal variations for the performance of live music (please read guidance note 4)		
Tue					
			Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Wed					
			CHRISTMAS EVE INTO CHRISTMAS DAY 18.00 TO 00.30 NEW YEARS EVE INTO NEW YEARS DAY 18.00 TO 00.30		
Thur					
Fri					
Sat	18.00	23.30			
Sun					



**F**

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon	08.00	23.00			
Tue	08.00	23.00			
Wed	08.00	23.00	State any seasonal variations for the playing of recorded music (please read guidance note 4) CHRISTMAS EVE INTO CHRISTMAS DAY 08.00 TO 00.30 NEW YEARS EVE INTO NEW YEARS DAY 08.00 TO 00.30		
Thur	08.00	23.00			
Fri	08.00	24.00	Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat	08.00	24.00			
Sun	09.00	21.00			

# G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			<b>Please give further details here</b> (please read guidance note 3)		
Tue			<b>State any seasonal variations for the performance of dance</b> (please read guidance note 4)		
Wed			<b>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</b> (please read guidance note 5)		
Thur					
Fri					
Sat					
Sun					

# H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<b>Will this entertainment take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	X
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<b>Please give further details here</b> (please read guidance note 3)  DANCING BY DINERS TO LIVE MUSIC		
Wed					
Thur			<b>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</b> (please read guidance note 4) CHRISTMAS EVE INTO CHRISTMAS DAY 06.00 TO 00.30 NEW YEARS EVE INTO NEW YEARS DAY 06.00 TO 00.30		
Fri					
Sat	06.00	23.30	<b>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</b> (please read guidance note 5)		
Sun					

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	X
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon	23.00	23.30	<b>Please give further details here</b> (please read guidance note 3)		
Tue	23.00	23.30			
Wed	23.00	23.30	<b>State any seasonal variations for the provision of late night refreshment</b> (please read guidance note 4) CHRISTMAS EVE INTO CHRISTMAS DAY 23.00 TO 01.00 NEW YEARS EVE INTO NEW YEARS DAY 23.00 TO 01.00		
Thur	23.00	23.30			
Fri	23.00	24.00	<b>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</b> (please read guidance note 5)		
Sat	00.00	00.30			
	23.00	24.00			
Sun	00.00	00.30			

**J**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 6)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 7)	On the premises	<input checked="" type="checkbox"/>			
				Off the premises	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 4) CHRISTMAS EVE INTO CHRISTMAS DAY 11.00 TO 00.30 NEW YEARS EVE INTO NEW YEARS DAY 11.00 TO 00.30					
Mon	11.00	23.00						
Tue	11.00	23.00						
Wed	11.00	23.00						
Thur	11.00	23.00						
Fri	11.00	24.00						
Sat	11.00	24.00						
Sun	11.00	21.00						
						<b>Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</b> (please read guidance note 5)		

**K**

<p><b>Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children</b> (please read guidance note 8).</p> <p>NONE</p>
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L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)  CHRISTMAS EVE INTO CHRISTMAS DAY 08.00 TO 01.00 NEW YEARS EVE INTO NEW YEARS DAY 08.00 TO 01.00
Day	Start	Finish	
Mon	08.00	23.30	Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)
Tue	08.00	23.30	
Wed	08.00	23.30	
Thur	08.00	23.30	
Fri	08.00	24.00	
Sat	00.00	00.30	
	08.00	24.00	
Sun	00.00	00.30	
	09.00	21.30	

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

ANY HOURS RESTRICTING THE SALE OF ALCOHOL ON CHRISTMAS DAY AND NEW YEARS DAY

Please tick as appropriate

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.  
LICENCE TO FOLLOW DIRECT FROM THE SITE

## **M**

Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

### **a) General – all four licensing objectives (b, c, d and e) (please read guidance note 9)**

OTHER EXISTING AND MANDATORY CONDITIONS TO REMAIN - ALARM SYSTEM, CCTV SYSTEM WITH RECORDING FACILITIES, TRAINED STAFF WITH RECORDED ONGOING ALCOHOL TRAINING REGIME, CHALLENGE 25 AND PROOF OF AGE INITIATIVE EMBRACED, INSTORE CHALLENGE SIGNAGE, REFUSALS SYSTEM WITH REFUSALS BOOK AND INCIDENT LOG

### **b) The prevention of crime and disorder**

ALARM SYSTEM, CCTV SYSTEM WITH RECORDING FACILITY, TRAINED STAFF, CHALLENGE 25, REFUSALS SYSTEM AND INCIDENT LOG

### **c) Public safety**

STAFF TRAINED IN FIRE SAFETY PROCEDURES AND THE USE OF FIRE SAFETY EQUIPMENT, FIRE FIGHTING EQUIPMENT

### **d) The prevention of public nuisance**

STAFF TRAINED TO DEAL WITH SITUATIONS

### **e) The protection of children from harm**

FULL ALCOHOL TRAINING REGIME IN USE, ONGOING RECORDED ALCOHOL TRAINING AND REFRESHER TRAINING, CHALLENGE 25 TRADING INITIATIVE EMBRACED, CHALLENGE SIGNAGE, REFUSALS SYSTEM AND REFUSALS BOOK



Checklist:

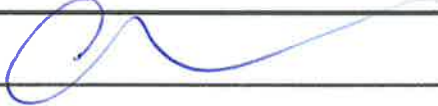
Please tick to indicate agreement

- I have made or enclosed payment of the fee. X
- I have sent copies of this application and the plan to responsible authorities and others where applicable. X
- I understand that I must now advertise my application. X
- I have enclosed the premises licence or relevant part of it or explanation. X
- I understand that if I do not comply with the above requirements my application will be rejected. X

**IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.**

**Part 5 – Signatures** (please read guidance note 10)

**Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent** (please read guidance note 11). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	16 <sup>TH</sup> OCTOBER 2015
Capacity	LICENSING SOLUTIONS - DULY AUTHORISED AGENT

**Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent** (please read guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

**Contact name (where not previously given) and address for correspondence associated with this application** (please read guidance note 13)

LICENSING SOLUTIONS  
32 CHURCH ROAD  
LOCKS HEATH

Post town	SOUTHAMPTON	Post code	SO31 6LU
Telephone number (if any)	07831 159450		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) chris@licensingsolutions.org.uk			

## Notes for Guidance

**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.**

1. 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.
2. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
3. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give 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.
7. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
8. Please give 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 or the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

“The Diner”, 13 Farnham Road, Romford, RM3 8ED

## Summary

This written representation is submitted to object to the variation to the licence in connection with the property known as “The Diner”, located at 13 Farnham Road, Romford, RM3 8ED. This is raised in direct relevance to the licensing objection specific to the “Prevention of Public Nuisance”.

## Site description:

The site is situated on the east side of Farnham Road, on the ground floor of a 4-storey building which has a parade of shops on the ground floor.

The site is located in very close proximity to many residential homes, with 3-storey residential units in the form of flats located directly above the application site (which is the same along the parade of shops on the eastern side of Farnham Road), as well as residential dwelling houses located nearby in Newbury Gardens and Chippenham Road.

## Consideration for representation.

A planning application was submitted under reference P1796.10 for the “*Change of Use from Class A1 to Class A3 and installation of extract ducting to the rear.*” This was granted on 23<sup>rd</sup> May 2011, and there were several conditions attached to the development, including:

2. The premises shall not be used and no deliveries shall be made other than between the hours of 08.00 hours and 22:00 hours on Mondays to Saturdays and between 09:00 and 17:00 hours on Sundays without the prior consent in writing of the Local Planning Authority.

There have been several planning applications since, but none have altered or changed the use of the property or have removed or changed the hours of operation. In granting this planning permission [P1796.10] for the use of the premises, consideration was given to the prevention of public nuisance; and most notably to the local residents located in close proximity. The application to vary the licence seeks to have the use operating outside of the times previously approved by planning; which have not been appealed against or challenged / changed since. As this is the case, planning would object to the application as it seeks to have use operating past these approved times until the late hour (being open until 24:30hrs on a Saturday night); and would be contrary to the licencing policy 007. This would increase the noise and activity in the late evening / night time (when there is a lower ambient noise level in the area) to a level that has not been prevalent to the distress of the local residents and to the general public, and is also deemed unacceptable and neighbourly; and contrary to Licencing policy 008.

Furthermore, allowing alcohol to be served from 11:00hrs until 24:00hrs may increase the chance of persons under the influence loitering in the nearby areas, causing anti-social behaviour; which may be especially prevalent given the large pedestrianized areas; most notably along Hildene Avenue.

The only way that the concerns of planning services would be alleviated would be to grant a conditional licence; limiting the opening hours to those stated in the planning condition above, and the model conditions set out under the licencing policy (Conditions PN1-PN23).

It must also be noted that any unauthorised development or use is liable for enforcement action. There are also outstanding planning issues with regards to the discharge of conditions for application P1796.10; which will now be addressed by the planning enforcement team.