

## **Licensing Sub-Committee**

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## **Licensing Sub-Committee**

**Section 1** - Licensing Officers Report



# LICENSING SUB-COMMITTEE

# REPORT

18<sup>th</sup> January 2012

Subject heading:

Zizzi

Report author and contact details:

41-43 Station Lane HX RM12 6JT  
Premises licence variation  
Paul Jones, Licensing Officer  
5<sup>th</sup> floor Mercury House  
x 2692

This application for a variation to a premises licence is made by ASK Restaurants Ltd under section 34 of the Licensing Act 2003. The application was received by Havering's Licensing Authority on 30<sup>th</sup> November 2011.

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

Zizzi is located on the ground floor of a purpose built premises which apparently has residential properties on two floors above. Zizzi is located just outside Hornchurch's busy town centre in an area which is mixed residential and commercial. A map of the area is attached.

### Details of the application

Zizzi's premises licence currently permits the provision of the following licensable activities:

<b>Supply of alcohol</b>		
<b>Day</b>	<b>Start</b>	<b>Finish</b>
Monday to Saturday	10:00	00:00
Sunday	12:00	23:30

<b>Late night refreshment</b>		
<b>Day</b>	<b>Start</b>	<b>Finish</b>
Monday to Saturday	23:00	00:30
Sunday	23:00	00:00

**Recorded music – no restriction**

**Variation applied for:**

<b>Live music</b>		
<b>Day</b>	<b>Start</b>	<b>Finish</b>
Monday to Sunday	18:00	22:00

The applicant also seeks the removal of the following conditions from the extant version of the licence:

*Subject to the following exceptions, no person shall except during the permitted hours listed above, sell or supply alcohol for consumption on or off the premises or consume in or take from the premises any alcohol. The exceptions are:*

- (i) The consumption of alcohol
  - (a) during the first twenty minutes after the permitted hours*
  - (b) during the first thirty minutes after the permitted hours by persons taking meals on the premises provided that the alcohol is provided as ancillary to the meals.**
- (ii) The taking of alcohol from the premises during the first twenty minutes after the permitted hours provided it is not supplied or taken in an open container.*
- (iii) The ordering of alcohol to be consumed off the premises or the despatch by the vendor of the alcohol so ordered.*
- (iv) The sale or supply of alcohol to, or its consumption by, any person residing in the licensed premises.*
- (v) The taking of alcohol from the licensed premises by a person residing there.*
- (vi) The supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by such person at that person's own expense and consumption by those friends of alcohol so supplied.*
- (vii) The supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.*
- (viii) The sale of alcohol to a trader or club for the purposes of the trade or club.*
- (ix) The sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces.*

**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 7<sup>th</sup> December 2011 edition of the Yellow Advertiser.

## Licensing Sub-Committee, 18 Jan 2012

Section P of the application is there to provide the applicant an opportunity to describe any additional steps intended to be taken to promote the licensing objectives as a result of the proposed variation, which in this case is to add the provision of live music and to remove annex 2 licence conditions. The applicant states in section P that

*We have considered the impact of the proposed alterations and do not feel that there will be any increased risk. No further steps will be necessary to promote the licensing objectives and the existing measures will continue.*

Havering's Licensing Policy 012 states:

*The LLA is committed to protecting the amenity of residents and businesses in the vicinity of licensed premises. Applications for hours set out below in this policy will generally be granted subject to not being contrary to other policies in the statement of licensing policy. Applications for hours outside the hours listed will be considered on their merits. Regulated Activities will normally be permitted:*

- *until 11.30 pm in residential areas*
- *until 00.30 am in mixed use areas*
- *No limits in leisure areas.*

Havering's Licensing Policy 015 states:

*In considering applications for new licences or variations to existing licences and licence reviews following the receipt of relevant representations, the LLA will take the matters listed below into account. These criteria will apply in different ways to different types of premises and licensable activities in the following order:*

- *the location of the premises and character of the area*
- *the views of responsible authorities*
- *the views of interested parties*
- *past compliance history of current management*
- *the proposed hours of operation*

### **Summary**

There was one representation against this application from an interested party.

There was one representation from a ward councillor.

There was one representation against this application from a responsible authority, namely the Metropolitan Police.

**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

**Interested parties' representations**

Cllr John Mylod makes representation against this application based upon the prevention of public nuisance licensing objective. Cllr Mylod feels it is *totally inappropriate* to play live music seven days a week at a premises next to a senior citizens' complex.

The interested party's representation is based upon the prevention of public nuisance licensing objective. The interested party is concerned that there is *too much noise pollution already* and that music from the premises will be *thrust upon* him.

**Responsible authorities' representations**

PC David Fern makes representation against this application on behalf of the Metropolitan Police. PC Fern contends that the applicant has not fully addressed the steps the licence holder intends to take to promote the licensing objectives, in particular the prevention of crime and disorder.

There were no representations from the following responsible authorities:

- Public Health
- The London Fire and Emergency Planning Authority
- The Health & Safety Enforcing Authority
- The Trading Standards Service
- Planning Control & Enforcement
- Children & Families Service

Paul Jones  
Licensing Officer  
London Borough of Havering



**Havering**  
LONDON BOROUGH

Application

11005

London Borough of Havering

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.

We ASK Restaurants Limited

(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

<b>Premises licence number</b> 002048
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Part 1 – Premises Details

<b>Postal address of premises or, if none, ordnance survey map reference or description</b>			
Zizzi 41-43 Station Lane			
<b>Post town</b>	Hornchurch	<b>Post code</b>	RM12 6JT

<b>Telephone number at premises (if any)</b>	01708 444740
<b>Non-domestic rateable value of premises</b>	£43,750.00

Part 2 – Applicant details

<b>Daytime contact telephone number</b>			
<b>E-mail address (optional)</b>			
<b>Current postal address if different from premises address</b>	Hunton House Highbridge Estate Oxford Road		
<b>Post Town</b>	Uxbridge	<b>Postcode</b>	UB8 1HU



**Part 3 - Variation**

Please tick yes

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

If not do you want the variation to take effect from

Day Month Year  

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**Please describe briefly the nature of the proposed variation** (Please see guidance note  
To permit live music Monday to Sunday 18:00 – 22:00.  
To remove the embedded conditions under Annex 2 with the exception of (a) – (d).  
All other licensable activities and timings for such licensable activities to remain as existing.

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

n/a

**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 yes

- 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)
- f) recorded music (if ticking yes, fill in box F)
- 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)

**Provision of entertainment facilities:**

- i) making music (if ticking yes, fill in box I)
- j) dancing (if ticking yes, fill in box J)
- k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K)

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

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

**In all cases complete boxes N, O and P**

**A**

<b>Plays</b> Standard days and timings (please read guidance note 6)			<b>Will the performance of a play take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input checked="" 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					
Wed			<b>State any seasonal variations for performing plays</b> (please read guidance note 4)		
Thur					
Fri			<b>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</b> (please read guidance note 5)		
Sat					
Sun					

**B**

<b>Films</b> Standard days and timings (please read guidance note 6)			<b>Will the exhibition of films take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input checked="" 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					
Wed			<b>State any seasonal variations for the exhibition of films</b> (please read guidance note 4)		
Thur					
Fri			<b>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</b> (please read guidance note 5)		
Sat					
Sun					

**C**

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 6)			<b><u>Please give further details</u></b> (please read guidance note 3)			
Day	Start	Finish				
Mon						
Tue					<b><u>State any seasonal variations for indoor sporting events</u></b> (please read guidance note 4)	
Wed						
Thur					<b><u>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</u></b> (please read guidance note 5)	
Fri						
Sat						
Sun						

**D**

<b>Boxing or wrestling entertainments</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</u></b> (please read guidance note 2)		Indoors	<input type="checkbox"/>
Day	Start	Finish			Outdoors	<input type="checkbox"/>
Mon					Both	<input type="checkbox"/>
Tue					<b><u>Please give further details here</u></b> (please read guidance note 3)	
Wed					<b><u>State any seasonal variations for boxing or wrestling entertainment</u></b> (please read guidance note 4)	
Thur					<b><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</u></b> (please read guidance note 5)	
Fri						
Sat						
Sun						

**E**

<b>Live music</b> Standard days and timings (please read guidance note 6)			<b>Will the performance of live music take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 3)					
Mon	18:00	22:00						
Tue	18:00	22:00						
Wed	18:00	22:00				<b>State any seasonal variations for the performance of live music</b> (please read guidance note 4)		
Thur	18:00	22:00						
Fri	18:00	22:00				<b>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</b> (please read guidance note 5)		
Sat	18:00	22:00						
Sun	18:00	22:00						

**F**

<b>Recorded music</b> Standard days and timings (please read guidance note 6)			<b>Will the playing of recorded music take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 3)					
Mon	NO CHANGE							
Tue	NO CHANGE							
Wed	NO CHANGE					<b>State any seasonal variations for the playing of recorded music</b> (please read guidance note 4)		
Thur	NO CHANGE							
Fri	NO CHANGE					<b>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</b> (please read guidance note 5)		
Sat	NO CHANGE							
Sun	NO CHANGE							

**G**

<b>Performances of dance</b> Standard days and timings (please read guidance note 6)			<b>Will the performance of dance take place indoors or outdoors or both – please tick</b> (please read guidance note 2)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish				
Mon			<b>Please give further details here</b> (please read guidance note 3)			
Tue						
Wed			<b>State any seasonal variations for the performance of dance</b> (please read guidance note 4)			
Thur						
Fri			<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)			
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)			<b>Please give a description of the type of entertainment you will be providing</b>			
Day	Start	Finish	<b>Will this entertainment take place indoors or outdoors or both – please tick</b> (please read guidance note 2)		Indoors	<input type="checkbox"/>
Mon					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Tue			<b>Please give further details here</b> (please read guidance note 3)			
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)			
Fri						
Sat			<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						

I

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

J

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

K

<b>Provision of facilities for entertainment of a similar description to that falling within i or j</b> Standard days and timings (please read guidance note 6)			<u>Please give a description of the type of entertainment facility you will be providing</u>		
Day	Start	Finish	<u>Will the entertainment facility be indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 3)		
Wed					
Thur			<u>State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within i or j</u> (please read guidance note 4)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within i or j at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sun					

**L**

<b>Late night refreshment</b> Standard days and timings (please read guidance note 6)			<u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon	NO CHANGE		<u>Please give further details here</u> (please read guidance note 3)		
Tue	NO CHANGE				
Wed	NO CHANGE		<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4)		
Thur	NO CHANGE				
Fri	NO CHANGE		<u>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</u> (please read guidance note 5)		
Sat	NO CHANGE				
Sun	NO CHANGE				

**M**

<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 box)</b> (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
Day	Start	Finish	Both <input type="checkbox"/>		
Mon	NO CHANGE		<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 4)		
Tue	NO CHANGE				
Wed	NO CHANGE				
Thur	NO CHANGE				
Fri	NO CHANGE				
Sat	NO CHANGE				
Sun	NO CHANGE				
			<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)		

**N**

**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** (please read guidance note 8)  
n/a

**O**

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 6)			<b>State any seasonal variations</b> (please read guidance note 4)		
Day	Start	Finish			
Mon	NO CHANGE		<b>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</b> (please read guidance note 5)		
Tue	NO CHANGE				
Wed	NO CHANGE				
Thur	NO CHANGE				
Fri	NO CHANGE				
Sat	NO CHANGE				
Sun	NO CHANGE				



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

To remove embedded conditions under annex 2 with the exception of (a) – (d) – see attached page for confirmation of those to be removed.

Please tick yes

- 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 failed to enclose the premises licence or relevant part of premises licence  
N/A

**P** 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,e)** (please read guidance note 9)

We have considered the impact of the proposed alterations and do not feel that there will be any increased risk. No further steps will be necessary to promote the licensing objectives and the existing measures will continue

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

See box a) above

**c) Public safety**

See box a) above

**d) The prevention of public nuisance**

See box a) above

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

See box a) above

Please tick yes


- I have made or enclosed payment of the fee

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

**IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO 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	29 November 2011
Capacity	Poppleston Allen – Solicitors for & on behalf of the applicant

**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	N/A
Date	
Capacity	

<b>Contact name (where not previously given) and address for correspondence associated with this application</b> (please read guidance note 13)			
Natasha Beck Poppleston Allen Solicitors 37 Stoney Street The Lace Market			
<b>Post town</b>	Nottingham	<b>Post code</b>	NG1 1LS
<b>Telephone number (if any)</b>	0115 9349 192		
<b>If you would prefer us to correspond with you by e-mail your e-mail address (optional)</b> n.beck@popall.co.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, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. 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, 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, both 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.



**Part B**

**Premises licence summary**

**Premises licence number**

**002048**

**Premises details**

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

**Zizzi  
41-43 Station Lane  
Hornchurch  
RM12 6JT**

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

**Not applicable**

**Licensable activities authorised by the licence**

**Recorded Music  
Late Night Refreshment  
Supply of Alcohol**

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

**Supply of alcohol  
Monday to Saturday – 10:00 to 00:00  
Sunday – 12:00 to 23:30**

**Regulated entertainment (meaning recorded music and private entertainment)**


**No restriction**

**NB: Save for recorded music, no entertainment shall take place at the premises with the exception of private entertainment, which is dancing, music or any other entertainment of a like kind which is not public but is promoted for private gain.**

**Late Night Refreshment  
Monday to Saturday – 23:00 to 00:30  
Sunday – 12:00 to 00:00**

**The opening hours of the premises**

**As above**

Signed .....  
Steve Bromley, Licensing Officer

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

**On and Off supplies**

Name, (registered) address of holder of premises licence

**Ask Restaurants Ltd  
Hunton House, Highbridge Estate, Oxford Road, Uxbridge, UB8 1HU  
0845 3899488**

Registered number of holder, for example company number, charity number (where applicable)

**02792998**

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

**Ms Donata Villimaite**

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

**Not applicable**

**2 of 2**



Premises licence number

002048

## Part 1 - Premises details

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

Zizzi  
41-43 Station Lane  
Hornchurch  
RM12 6JT

Where the licence is time limited the dates

Not applicable

Licensable activities authorised by the licence

Recorded Music  
Late Night Refreshment  
Supply of Alcohol

The times the licence authorises the carrying out of licensable activities

Supply of alcohol  
Monday to Saturday – 10:00 to 00:00  
Sunday – 12:00 to 23:30

Regulated entertainment (meaning recorded music and private entertainment)

No restriction

NB: Save for recorded music, no entertainment shall take place at the premises with the exception of private entertainment, which is dancing, music or any other entertainment of a like kind which is not public but is promoted for private gain.

Late Night Refreshment  
Monday to Saturday – 23:00 to 00:30  
Sunday – 12:00 to 00:00

The opening hours of the premises

As above

1 of 5

Signed

Steve Bromley, Licensing Officer

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

**On and Off Supplies**

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**Part 2**

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

**Ask Restaurants Ltd  
Hunton House, Highbridge Estate, Oxford Road, Uxbridge, UB8 1HU  
0845 3899488**

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Registered number of holder, for example company number, charity number (where applicable)

**02792998**

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

**Ms Donata Villimaite  
30 Glanville Drive, Hornchurch, RM11 3SY**

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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

**London Borough of Havering - 8176**

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**Mandatory Conditions**

**Alcohol on sales**


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—

- (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 on-
    - (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.

**Alcohol both on & off sales**

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.

3 of 5

Signed  .....

Steve Bromley, Licensing Officer



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

**Embedded Conditions relevant to the licence**

**Alcohol shall not be sold or supplied except during permitted hours with the exception of:**

- (a) Good Friday, 12 midday to 11.30 pm**
- (b) Christmas Day, 12 midday to 11-30pm**
- I New Year's Eve, except on a Sunday, 11am to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31<sup>st</sup> December)**
- (d) New Year's Eve, on a Sunday, 12 midday to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31<sup>st</sup> December)**

**Subject to the following exceptions, no person shall except during the permitted hours listed above, sell or supply alcohol for consumption on or off the premises or consume in or take from the premises any alcohol. The exceptions are:**

- i. The consumption of alcohol**
  - a) during the first twenty minutes after the permitted hours**
  - b) during the first thirty minutes after the permitted hours by persons taking meals on the premises provided that the alcohol is provided as ancillary to the meals.**
- ii. The taking of alcohol from the premises during the first twenty minutes after the permitted hours provided it is not supplied or taken in an open container.**
- iii. The ordering of alcohol to be consumed off the premises or the despatch by the vendor of the alcohol so ordered.**
- iv. The sale or supply of alcohol to, or its consumption by, any person residing in the licensed premises.**
  - ix. The taking of alcohol from the licensed premises by a person residing there.**
- vi. The supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by such person at that person's own expense and consumption by those friends of alcohol so supplied.**
  - ix. The supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.**
  - ix. The sale of alcohol to a trader or club for the purposes of the trade or club.**
  - ix. The sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces.**

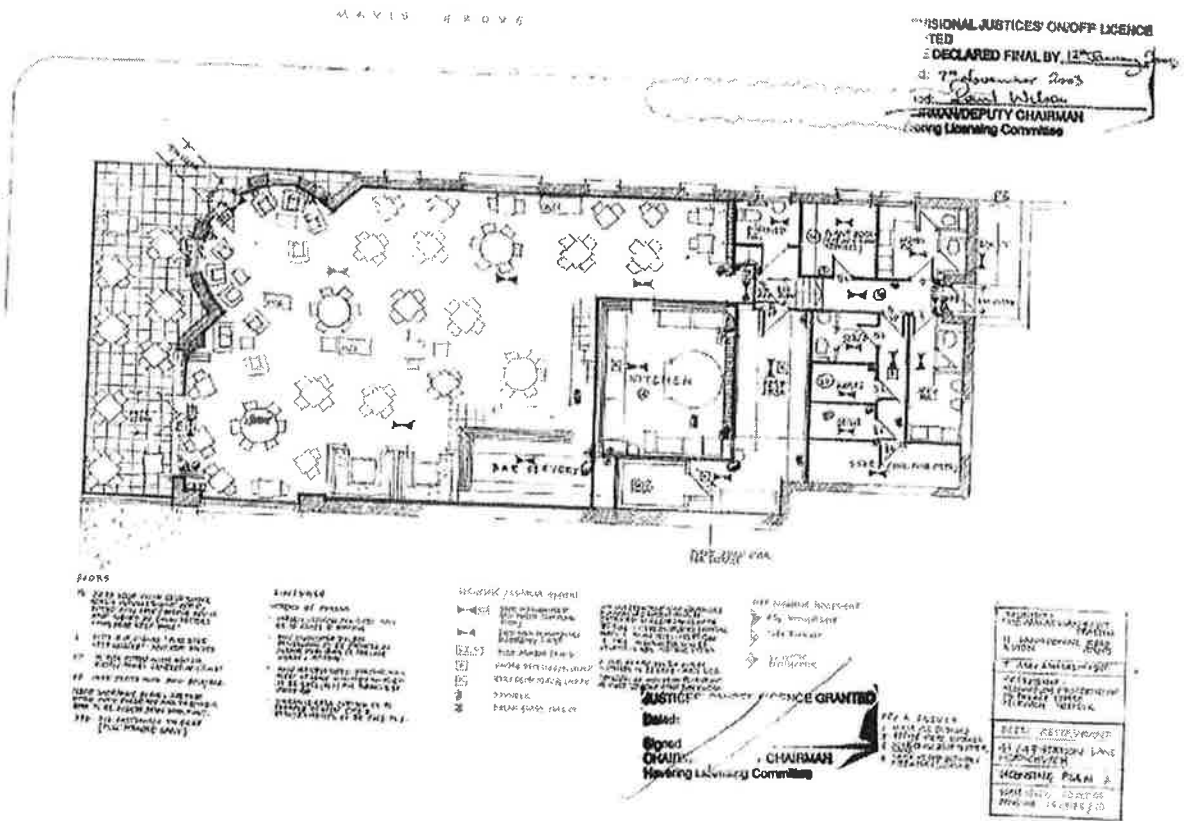
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**Annex 3 – Conditions attached after a hearing by the Licensing Authority**

**Not applicable**

**Annex 4 - Plans**

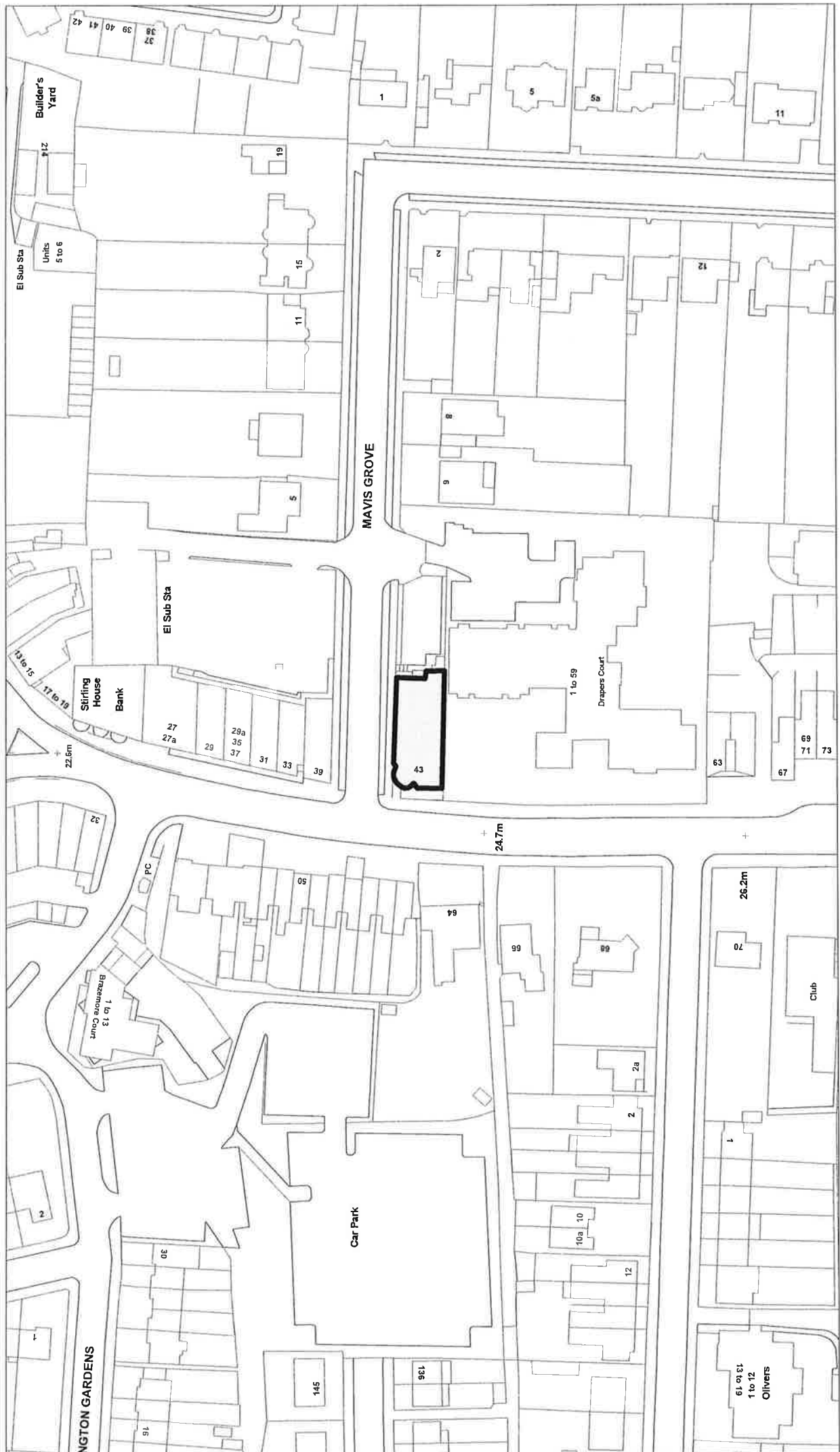


Signed S. Bromley  
Steve Bromley, Licensing Officer



## **Licensing Sub-Committee**

**Appendix 2** - Map of local area



**Zizzi**

Map Reference: TQ5486NW  
Date: 01/12/2011

Scale @ A4  
1:1250

Scale  
0 10 20 30 40 50 m



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

**Havering**  
LONDON BOROUGH

**nlpq**  
The National Land & Property Gazetteer  
Land & Property Gazetteer

**NSG**  
NATIONAL STREET GAZETTEER

**ois** Ordnance Survey  
Licensed Partner

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## **Licensing Sub-Committee**

**Appendix 3** - Representations

**Paul Jones**

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**From:** Councillor John Mylod  
**Sent:** 06 December 2011 15:25  
**To:** Paul Jones  
**Cc:** Councillor John Wood  
**Subject:** Zizzi - Licence variation

Dear Paul

In respect of Zizzi's application to vary a premises licence, would you please note that I wish to lodge an objection as this particular restaurant is next to a senior citizens complex and the playing of live music 7 days a week is totally inappropriate. I believe this application should be refused on the grounds of noise nuisance to elderly people.

Regards

John Mylod

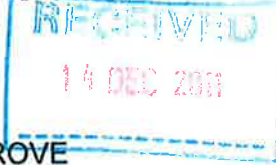
Cllr John Mylod | Councillor for St Andrews Ward  
London Borough of Havering  
Town Hall, Main Road, Romford RM1 3BD  
t: 01708 432037



# Havering

LONDON BOROUGH

**Public Protection**  
Housing & Public Protection  
London Borough of Havering  
Mercury House, Mercury Gardens  
Romford RM1 3SL



THE OCCUPANT  
10 DRAPER COURT MAVIS GROVE  
HORNCHURCH  
RM12 6BN

Telephone: 01708 432777  
Fax: 01708 432554  
email: [licensing@havering.gov.uk](mailto:licensing@havering.gov.uk)  
Textphone ♯: 01708 433175

Date: 1<sup>st</sup> December 2011

My Reference: PJJ/011006

Mr. L Barclay  
Flat 10 Draper Court  
Mavis Grove  
Hornchurch  
RM12 6BN



Dear Sir/Madam

### Licensing Act 2003 – Premises Licence Application Zizzi 41-43 Station Lane Hornchurch RM12 6JT

The London Borough of Havering has received an application for a premises licence under s.17 of this Act. Details of the application can be viewed by appointment at the Licensing Authority at the address above.

As someone who lives or works in the vicinity you are entitled to comment on this application. The law requires that your comments must be in writing and must be received by the Council by 28<sup>th</sup> December 2011. Your comments must directly relate to the licensing objectives laid down in the Act, be specific to the premises and, where possible, provide examples of the issues you are raising. The licensing objectives are:

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

The law prevents the Licensing Authority from considering general comments when making a decision about an application. If your representation consists of general rather than specific comments it must be disregarded.

Please note that the law requires that valid representations are made available to the applicant who may wish to contact you. If valid representations are made there will be a hearing before the Licensing Sub-Committee to which you will be invited to attend and speak if you so choose.

This application will be processed under the provisions of the Act and Havering's licensing policy. If you require any further information please do not hesitate to contact the officer named below.

Yours faithfully

Paul Jones  
Licensing Officer

WITH REF TO THE ABOVE  
APPLICATION I LIVE IN 10 DRAPER CT  
A FEW FEET AWAY FROM ZIZZI'S WALK  
I AM DISABLED I LIKE MUSIC THAT I  
CHOOSE, NOT HAVING MUSIC THRUST UPON ME,  
SO PLEASE REJECT THE APPLICATION  
THERE IS TOO MUCH NOISE POLLUTION ALREADY  
L. Barclay



## **Licensing Sub-Committee**

**Appendix 4** - **Representations from Responsible Authorities**



**METROPOLITAN  
POLICE**

**Working together for a safer London**

**Licensing Authority  
London Borough of Havering  
Mercury House, Mercury Gardens,  
Romford, Essex  
RM1 3SL**

**PC David Fern  
Romford Police Station  
19 Main Road  
Romford,  
Essex  
RM1 3BJ**

**Telephone:** 01708 432781

**Fax:** 01708 432554

**Email:**  
**David-anthony.fern@met.police.uk**  
**Date: 22nd December 2011**

Dear Sir,

REF: Application to Vary premises Licence Number 002048  
ZIZZI, 41-43 Station lane, Hornchurch, RM12 6JT

The Metropolitan Police wish to make the following representation against the application.

The police make representation based on the applicant not fully addressing the steps they intend to take to promote the licensing objectives in particular Crime and Disorder. The applicant did not consult with the police prior to this application being made.

**These premises are located within the saturation policy set out in the London Borough of Havering's licensing policy.**

#### **Objections and Recommendations**

The premises are currently operating has a restaurant, serving alcohol mainly with food although this is not condition imposed on the licence at all times.

- The variation to the licence would allow live entertainment daily from 1800 - 2200 hours daily, Patrons would be able to see a performance and consume alcohol. This would allow the premises to operate technically has a bar with live entertainment. This type of premises creates the potential for further crime and disorder in an area already highlighted as being stressed. This style of operation would be strongly opposed by the police in line with current policy and crime and disorder levels in the area.
- The application form states live music to be held indoors, this does not fully establish what type of live music will be held at the premises. No operating schedule was attached to the application or any effects this may have or limit to children on the premises.
- The premises are located within a residential complex and no consideration to this has been shown in the Application. Especially how they plan to operate and limit noise. These issue effect residents and in turn lead to anti social behaviour within an area.

The applicant would also like to amend the conditions set out in Annex 2, the embedded conditions attached to the licence. I am in favour of these conditions being reviewed and make the following suggestion for discussion.

**Alcohol can be supplied:**

- Monday to Saturday 1000 - 00:00 Hours (Midnight)  
Sunday 1200 - 2330 Hours
- Alcohol consumed in the premises must be served as ancillary to a substantial meal purchased from the premises. Substantial meaning a main course from the current menu, this would exclude appetisers.
- The hours of the late night refreshment would remain as per the current licence.

This would simplify the licence and bring it in line with current operating practices, removing all other conditions and restrictions listed in Annex 2.

**CCTV**

The premises currently have no CCTV system in operation, I would propose for a system to be installed in line with current best practice.

**Police ask that the licensing committee refuse to grant the variation to the current licence based on its current format. The committee should also take into account the transferability of such a licence and the cumulative impact this would contribute to in the saturation area.**

If following a compelling presentation by the applicant the licensing committee are minded to grant a license, Police would ask that consideration is given to attaching the following conditions. This would ensure a minimum standard of expectation is robustly adhered. This would then allow the police to support the application with confidence.

**Condition relating to Crime and Disorder  
General Conditions:**

- **CD6** A Premises Daily Register shall be kept at the premise. This register will be maintained and kept for a minimum of 12 months. The Premises Daily Register shall record all calls made to the premises where there is a complaint made by a resident or neighbour of noise, nuisance or anti social behaviour by persons attending or leaving the premises. This shall record the details of the caller, the time and date of the call and the time and date of the incident about which the call is made and any actions taken to deal with the call. The Premises Daily Register will be readily available for inspection by an Authorised Person throughout the trading hours of the premise. The Premises Daily Register will also record all incidents in relation to the use of any force by staff. It shall record the time and date of the occurrence, name or brief description of the person removed, and details of the staff involved.

**CCTV**

The presence of a properly specified and fully operational CCTV system can make an important contribution towards public safety and the prevention of crime. It will also assist in the investigation and identification of those involved should an incident occur immediately outside or inside licensed premises. An 'Operational Requirement' (OR) should be drawn up for each CCTV system to ensure that it is fit for purpose. Advice on how to complete an 'OR' can be found in the Home office Scientific Development Branch (HOSDB) publication 55/06 'CCTV Operational Requirements Manual'. The Havering Police Crime Prevention Office will provide individuals conducting risk assessments when preparing operating schedules with advice relevant to current

standards. At the time of publication these are provided for in the HOSDB publication 09/05 'UK Police Requirements for Digital CCTV Systems

- **CD17** The installation or upgrading of any CCTV system shall comply with current best practice. In addition the documentation listed below shall be included in a 'System File' which should be readily available for inspection by the relevant authority; Site plan showing position of cameras and their field of view. Code of Practice. Performance specification e.g. storage capacity, image file size, IPS for each camera and purpose of each camera position Operational requirement. Incident log. Maintenance records including weekly visual checks.
- **CD18** To obtain a clear head and shoulders image of every person entering the premises on the CCTV system, persons entering the premises should be asked to remove headwear, unless worn as part of religious observance.
- **CD19** The CCTV system shall incorporate a recording facility and all recordings shall be securely stored for a minimum of one calendar month. A system shall be in place to maintain the quality of the recorded image and a complete audit trail maintained. The system will comply with other essential legislation, and all signs as required will be clearly displayed. The system will be maintained and fully operational throughout the hours that the premises are open for any licensable activity.
- **CD20** The positions of all CCTV cameras shall be clearly shown on a set of plans which should form part of the 'System File'. Any alteration to the system should only be carried out after consultation with and written approval of Havering Police and the Licensing Authority.
- **CD21** A staff member from the premises who can operate the CCTV system shall be on the premises at all times when the premise is open to the public. This staff member shall be able to show Police recent data or footage with the absolute minimum of delay when requested.

#### **Alcohol**

- The sale of alcohol for consumption on the premises shall be sold ancillary to a substantial meal purchased from the premises. Substantial meaning a main course from the current menu, this would exclude appetisers.

**If the application is granted to allow live entertainment and to serve alcohol without food, consideration should also be given to review the security and the Bottle/Glass policy of the premises.**

#### **Door Supervision**

I would advise that door staff are employed and all individuals to be registered with the Security Industry Authority.

- **CD7** All Door Supervisors shall enter their full details in the Premises Daily Register at the commencement of work. This shall record their full name, home address and contact telephone number, the Door Supervisor's SIA registration number and the time they commenced and concluded working. If the Door Supervisor was supplied by an agency, details of that agency will also be recorded including the name of the agency, the registered business address and a contact telephone number.

**Bottle and Glasses**

Glass bottles may be used as weapons inflicting more serious harm during incidents of disorder. Subject to a risk assessment a condition may be imposed to prevent sales of drinks in glass bottles for consumption on the premises.

- CD9 Drinks shall be served in non-glassware drinking vessels (e.g. plastic, polystyrene, waxed paper)

**Queue Management and Dispersal Procedures**

Queue management and dispersal procedures are designed to assist licensed premises in being good neighbours to residents and businesses in the vicinity so as to maintain the legitimate right of neighbours to enjoy their homes and businesses without disturbance.

- PNGPG1 - The Licence Holder shall implement a written queue management policy. All queuing outside the premises shall be managed in such a way that prevents noisy or rowdy behaviour and therefore minimises disturbance or nuisance to neighbours. The policy shall be approved in writing by the Licensing Authority.
- PNGPG2 - The Licence Holder shall implement a written dispersal policy, to move customers from the premises and the immediate vicinity in such a way as to cause minimum disturbance or nuisance to neighbours, both residential and business, and to make the minimum impact upon the neighbourhood in relation to potential nuisance, antisocial behaviour, crime and disorder. The policy shall be approved in writing by the Licensing Authority.

The police will continue to work with the applicant and their representative in an effort to resolve the matter.

If I can be of any further assistance in this matter please do not hesitate to contact me in the licensing office.

Yours sincerely

David Fern  
Licensing officer  
Havering Borough Police