



Licensing Sub-Committee

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Licensing Sub-Committee

Section 1 - Licensing Officer's Report



LICENSING SUB-COMMITTEE

REPORT

28 January 2013

Subject Heading:

Variation of Premises Licence Application
for the Goose 143 South street, Romford,
RM1 1PL

Report Author and contact details:

Paul Campbell – Licensing Officer
01708 432777
licensing@havering.gov.uk

This application for a variation to a premises licence is made by Stonegate Pub Company Limited under section 34 of the Licensing Act 2003. The application was received by Havering's Licensing Authority on 5th December 2012.

Geographical description of the area and description of the building

The premises are a large end of terrace public house with licensable activity taking place on the ground floor with living accommodation above. The premises has a large car park to the rear.

The premises are situated on the east side of South Street about 25 metres south of Romford Train Station. The surrounding premises are shops and commercial premises on the ground floor including a number of pubs, bars and restaurants there are some residential properties nearby.

A map of the area is attached to assist the committee.

Details of the application

The application to vary the premises licence does not effect the hours of licensable activity.

The application is

1. To alter the opening hours on the Premises Licence so that breakfasts can be served at the venue (licensable activity will not take place at the earlier time). This activity is not licensable under the Licensing Act 2003 but if granted by the Sub-Committee would tidy the licence and make matters clear for any future enforcement.
2. To remove conditions and replace them with others these are listed on page 8 of the application.

A copy of the premises licence is attached to my report to assist the Cub-Committee.

The conditions that are requested to be varied were imposed on the premises licence at a review hearing before the Havering Licensing Sub-Committee on 8th June 2009. This review was brought by Trading Standards following a failed under age test purchases made at the premises. The Sub-Committee decision was appealed by the Goose, the matter did not go before the magistrates as an agreement between the Goose and the Licensing Sub-Committee was reached over the details of the wording and conditions. This was produced into the licence you have with my report.

The premises have not had any Temporary Event Notices since the review hearing which would allow them to operate without door staff and allow children into the premises.

I have inspected the premises on many occasions since 2009 they have always had door staff and no children were on the premises.

Seasonal variations & Non-standard timings

There are no seasonal variations or non-standard timings attached to this application.

Comments and observations on the application

The applicant acted in accordance with premises licence regulations 25 and 26 relating to the advertising of the application. The required newspaper advertisement was installed in the Yellow Advertiser on Wednesday 12th December 2012.

Summary

There was one valid representation against this application from interested parties.

There was one representation against this application from responsible authorities.

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

The representation from the interested falls under the heading of the prevention of crime and disorder and the protection of children from harm.

Responsible Authorities' representations

Trading Standards have outlined their concerns and ask that if the Sub-Committee grant the application that appropriate conditions are placed on the licence to prevent any future under age supply of alcohol at the premises.

There were no representations from the following responsible authorities:

The Metropolitan Police
Public Health
The London Fire and Emergency Planning Authority
The Health & Safety Enforcing Authority
Planning Control & Enforcement
Children & Families Service
Health Service
Licensing Authority



Licensing Sub-Committee

Appendix 1 - Copy of Application

12341

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 Stonegate Pub Company Limited 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 001494

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description
Goose
143 South Street
Post town Romford Post code RM1 1PL

Telephone number at premises (if any) 01708 761063
Non-domestic rateable value of premises £178,000.00

Part 2 – Applicant details

Daytime contact telephone number 0207 399 4200
E-mail address (optional)
Current postal address if different from premises address Porter Tun House
500 Capability Green
Post Town Luton Postcode LU1 3LS

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

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

1. To allow the opening hours of the premises to commence at 08:00hrs on Monday to Sunday, in order to serve breakfast. All licensable activities and timings for licensable activities to remain as existing.
2. To amend conditions on the premises licence following pre-consultation

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 late night refreshment (if ticking yes, fill in box I)

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

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"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 4)		
Thur					
Fri			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 (please read guidance note 5)		
Sat					
Sun					

B – NO CHANGE

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"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for the exhibition of films (please read guidance note 4)		
Thur					
Fri			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)		
Sat					
Sun					

C – NO CHANGE

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			
Wed			
Thur			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)
Fri			
Sat			
Sun			

D

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

F – NO CHANGE

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 type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish	Both <input type="checkbox"/>		
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for the playing of recorded music (please read guidance note 4)		
Thur					
Fri			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					
Sun					

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"/>	
					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 dance (please read guidance note 4)			
Tue						
Wed						
Thur						
Fri						
Sat						
Sun						
			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 (please read guidance note 5)			

H

Anything of a similar description to that falling within (e), (f) or (g) 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	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)		Indoors <input type="checkbox"/>	
Mon					Outdoors <input type="checkbox"/>	
					Both <input type="checkbox"/>	
Tue			Please give further details here (please read guidance note 3)			
Wed			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)			
Thur						
Fri						
Sat						
Sun						

I – NO CHANGE

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	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
Thur					
Fri			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 (please read guidance note 5)		
Sat					
Sun					

J – NO CHANGE

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box) (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			State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Tue					
Wed					
Thur			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 (please read guidance note 5)		
Fri					
Sat					
Sun					

K

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)
None

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)
Day	Start	Finish	
Mon	08:00	No Change	
Tue	08:00	No Change	
Wed	08:00	No Change	
Thur	08:00	No Change	
Fri	08:00	No Change	
Sat	08:00	No Change	
Sun	08:00	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 amend conditions on the premises licence in Annex 3 as detailed below:

- Remove the condition that states:-
The premises shall ensure that a SIA registered member of staff shall be at the entrance to the premises from 12 noon until close on every day the premises is open to the public.

And replace it with:-
The premises shall ensure that an SIA registered member of staff shall be at the entrance to the premises from 7pm until close on every day the premises is open to the public.

- Remove the condition that states:-
Persons under the age of 18 shall be prohibited from entering the premises.

And replace it with:-
Persons under the age of 18 shall be prohibited from entering the premises after 7pm.

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

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,e) (please read guidance note 9)

We have considered the impact of the proposed variation 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 (a) above

c) Public safety

See (a) above

d) The prevention of public nuisance

See (a) above

e) The protection of children from harm

See (a) above

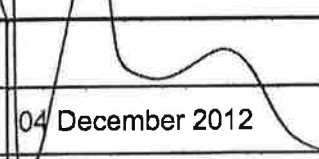
Please tick yes

- 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 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	04 December 2012
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	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 13)			
Michelle Peach Poppleston Allen Solicitors 37 Stoney Street The Lace Market			
Post town	Nottingham	Post code	NG1 1LS
Telephone number (if any)	0115 953 8509		
If you would prefer us to correspond with you by e-mail your e-mail address (optional) m.peach@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.



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Notice of application to vary a Premises Licence under Section 34 of the Licensing Act 2003
Notice is hereby given that Stonegate Pub Company Limited in respect of Premises known as Goose, 143 South Street, Romford, RM1 1PL applied to London Borough of Havering for a Variation of a Premises Licence. The proposed variation is: 1. To allow the opening hours of the premises to commence at 08:00hrs on Monday to Sunday, in order to serve breakfast. All licensable activities and timings for licensable activities to remain as existing. 2. To amend conditions on the premises licence following pre-consultation. Any representations regarding the above-mentioned application must be received in writing by Licensing Team, London Borough of Havering, Mercury House, Mercury Gardens, Romford, RM1 3SL no later than 02 January 2013 stating the grounds for objection. The register of London Borough of Havering and the record of the application may be inspected at the address of the council, given above, during normal business hours or on the council's website - www.havering.gov.uk
It is an offence knowingly or recklessly to make a false statement in connection with an application. The maximum fine by which a person is liable on summary conviction for the offence is £5,000.

Pets & Livestock

**WANTED
GOOD HOMES
FOR RETIRED
GREYHOUNDS**
Ring Pat on
01708 551 689
Email: Pat@greyhoundformer.co.uk
Web: www.greyhoundformer.co.uk
(Charity 269668)

**ROMFORD GREYHOUND OWNERS' ASSOCIATION
GREYHOUNDS HOMES URGENTLY NEEDED**
These graceful animals make excellent pets and are very good with people at home, especially children and quickly return the affection and love given to them. Excessive exercise is not required.
Interested? - Telephone
**Kennels
01708 640895
Julie
07881 288 928
www.rgoa.co.uk**

Wanted

OUTBOARD MOTOR
ED. Runner or non Mercury, Yamaha etc 100HP considered, may take boat if still attached
785098

Bargain Buys

CHILD'S WICKER ARMCHAIR
as new, £9. Tel: 01702 451010
leigh on sea.

LARGE WOODEN HOUSE
C71, £25. 107.

PANASONIC PANEL
stand, price 458789.

REAL LEATHER JACKET size 14 also 15
skin for a perfect fit no scuffs £20. Tel: 07938 01702 523 012.

6X3 SNOOKER TABLE
Folding legs, 3 cue! balls + counter. £90
01702 523 012.

ELECTRIC FIRE free- two bars, gold finish, orange glass coals, effect, £55. Tel: 01375

3FT SINGLE BED bed er style frame with ma new, £90ono. Tel: 676121 Rayleigh.

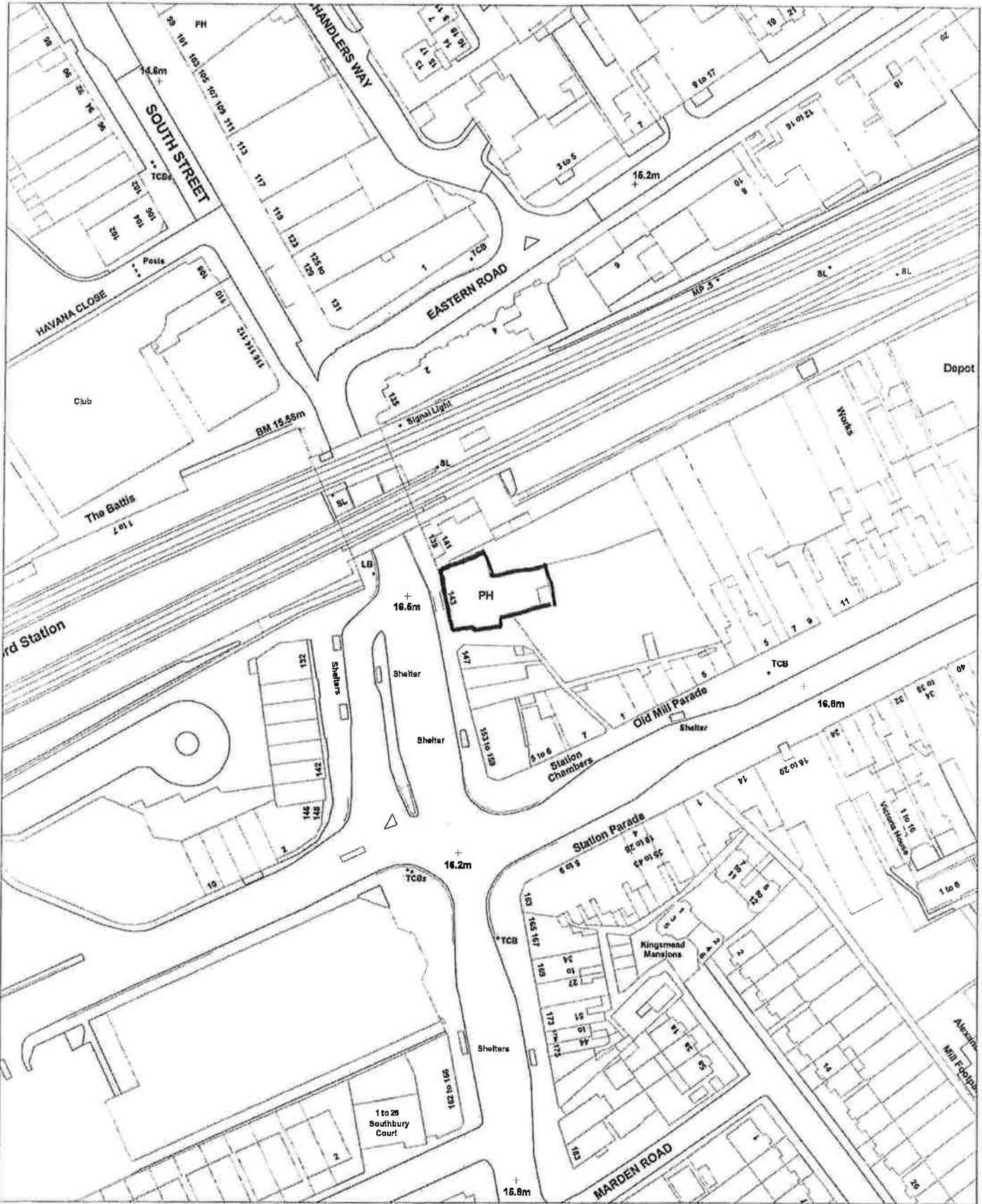
SNOOKER TABLE e free-stand, 4 balls, cues, snoc- £90. Tel: 0

To advertise in this section please
0168 503400



Licensing Sub-Committee

Appendix 2 – Map of local area

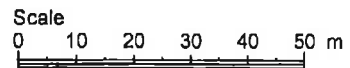


Goose

Map Reference: TQ5188SW



Scale @ A4 1:1250
Date: 06/12/2012



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

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100024327



Licensing Sub-Committee

Appendix 3 - Representation

GT Licensing Consultants,
31A Mildmay Road,
Romford,
Essex.
RM7 7DA
Tel 07810 826778
em: gtlicensingconsultants@googlemail.com
12/12/12

The Licensing Team
London Borough of Havering.

Dear Sir / Madam,

The Goose PH 143 South Street, Romford.

I wish to object to the application to vary the Premises Licence for The Goose 143 South Street, Romford.

I am writing as a resident of Romford, a frequent user of the station, a frequent visitor to Romford Town Centre and a person who conducts business within the Town Centre.

I object under all four of the Licensing Objectives and due to the fact that the premises is located within the Romford Town Centre Special Policy Area.

Firstly I would state that having personally checked the display of the application on the Councils website that it did not appear until Tuesday 11th December as confirmed by Cllr Thompson.

The premise is near Liquid and Envy, is close to the marshalled taxi rank and opposite Romford Station. There are seven public houses, two nightclubs and a number of off licences and late night takeaways including Wacky Bagels nearby and neither the venue or its operation qualify as exceptional to justify the Sub Committee granting this application or again setting aside the cumulative impact policy.

The Goose was and still is regarded as a largely young person's venue especially at weekends.

I have no objection to the earlier opening for breakfast as long as alcohol is not for sale.

The Goose was subject to a Review 2/3 years ago following a number of failed test purchases in which alcohol was sold to underage volunteers. Given that it is generally accepted that a failed test purchase is indicative of further undetected underage sales this is a serious issue when a Town Centre public house is involved.

The sale of alcohol to underage persons is a matter of serious concern in England and we frequently read the alarming figures involving teenagers with serious alcohol related problems including dependency and illnesses including cirrhosis of the liver a usually fatal illness. To have had a major pub operator involved in a Town Centre pub was appalling. It was largely due to the ineptitude of the then Manager in failing to control his pub and the Company for failing to monitor the situation, I suggest a case of profits before responsible retailing and promotion of the Licensing Objectives.

The seriousness with which the Government take the situation is reflected in the fact that the penalty for persistent selling of alcohol to underage persons is now a £20000 fine (persistent selling being defined as 2 offences within 3 months) and that the Section 182 Guidance

under the Licensing Act says some matters are so serious that on a Review serious consideration should be given to revocation even on a first occasion.

The Licensing Sub Committee found the case substantiated and imposed two conditions that SIA licensed Door Supervisors should be on duty from 12 noon till close and that under 18's should not be allowed in The Goose. These were sensible and proportionate measures imposed on the Premises Licence to ensure the robust promotion of the Licensing Objectives of Prevention of Harm to Children and Prevention of Crime and Disorder.

Stonegate Pub Co propose to ease these conditions no doubt to reduce their costs and increase their profitability and the attraction of the pub. This attraction will no doubt include young people and sure as night follows day a percentage will be underage and get served. The vicious circle restarts.

Stonegate offer no measures to replace the successful presence of the current Door Supervisors Team who have done a lot to maintain order and deter underage persons.

Given the past history of The Goose regarding irresponsible even incompetent management and the recurrent underage sales I urge the Licensing Sub Committee to reject the removal of these conditions and maintain the presence of the Door Supervisors and outright ban on under 18's in the venue

I urge the Licensing Sub Committee to reject the application in its entirety for the reasons given. This is not a case I would be prepared to consider mediation for as it is totally inappropriate application and in a Special Policy Area so I would ask the Panel to reject it.

Yours faithfully,


Graham Hopkins



Licensing Sub-Committee

Appendix 4 - Representations from Responsible Authority



Havering
LONDON BOROUGH

Housing & Public Protection
London Borough of Havering
5th Floor, Mercury House
Mercury Gardens
Romford RM1 3SL

Telephone: 01708 433425
Fax: 01708 432554
email: keith.bush@havering.gov.uk
Textphone: 01708 433175
Date: 18th December 2012

London Borough of Havering
Licensing Team
Mercury House
Mercury Gardens
Romford
RM1 3SL

Your Ref.:

Dear Sir/Madam,

Licensing Act 2003
Goose, 143 South Street, Romford, RM1 1PL

In relation to the application to vary the above mentioned premise licence this Service would make the following representations:

The Trading Standards Service bought the Goose before the licensing committee in 2009. The premise was bought to review following 3 underage sales in May 2007, March 2008 and December 2008. The Designated Premises Supervisor (DPS) at the time was a Jonathan Davies and the premise licence holder was Mitchels and Butler Leisure and Retail Ltd.

At the hearing the licensing committee imposed a number of conditions including one requiring that an SIA registered member of staff be at the premises from 12 noon until close on every day.

Since the condition was imposed test purchases have been carried out at the venue on 16th December 2010, 25th February 2012 and most recently on 7th December 2012.

On each of these occasions the volunteer was challenged by the member of door staff and has been unable to even get to the bar to attempt to order a drink. Therefore the condition that was imposed by the committee has been successful in preventing further underage sales at the venue.

The trading standards service is therefore concerned that the removal of this condition may directly affect the licensing objection of the protection of children from harm.

In order to address these concerns the applicant has given the following assurances:

That all staff will be fully retrained if the variation is successful,
That door staff will be present from 7 o'clock at night
That the company will conduct it own regular test purchasing if the condition is removed.

We appreciate that the original offending is quite historical and would request that the licensing committee consider whether the assurances offered by the applicant give sufficient confidence that the condition can now be removed from the licence.

The trading standards service is also concerned with the proposed second condition amendment which states:

Persons under the age of 18 shall be prohibited from entering the premises after 7pm.

We are concerned with the wording of this condition and would suggest that if it is to be agreed it should be better quantified. Firstly that under 18's should only be permitted on the premises when accompanied by a person over 18 and taking a meal.

Secondly we think that in its current format it would allow for persons under 18 to remain in the premises potentially to closing time if they entered prior to 7pm. It would be more satisfactory if the condition was to state that no persons under 18 are to remain in the premises after 7pm.

I trust this representation is self explanatory. If however there are further queries regarding this matter please telephone on 01708 433425.

Yours faithfully,



Mr K Bush
Specialist Trading Standards Officer (Operations)