

Licensing Act 2003 Responsible Authority representation

This representation is made by a responsible Authority for the London Borough of Havering concerning an application for a temporary event notice for the premises as detailed below.

Premises Name and address: The Plough Public House 83 Front Lane Upminster RM14 1XL

Your Name: Oisin Daly

Organisation name/name of body you represent: London Borough of Havering/Licensing

Your Address: C/O, Town Hall, Main Road, Romford, Essex, RM1 3BD

Email: Oisin.daly@haverling.gov.uk

Contact telephone number: 01708 432555

Summary of Objection: Objection to an application for a variation to a premises licence as if granted likely to undermine the licensing objectives of the prevention of crime and disorder and public nuisance.

Policy Considerations:

12. Licensing Hours

12.1 When dealing with new and variation applications the Licensing Authority may give more favourable consideration to applications with the following closing times: Public Houses and Bars 23:00 hours Sunday to Thursday Midnight Friday and Saturday Nightclubs 01:00 hours Sunday to Thursday 02:00 hours Friday and Saturday Restaurants and Cafes 23:00 hours Sunday to Thursday Midnight- Friday and Saturday Off licences 23:00 Monday to Sundays Hot food and drink supplied by takeaways, fast food premises Midnight- Sunday to Thursdays 01:00 Friday and Saturday Hotel residents only 24 hours sale of alcohol for on sales only

12.2 Consideration will also be given to the type of area that the premises is located in with regulated activities normally being permitted until 23.30 in residential areas and 00.30 in mixed use areas.

12.3 The above hours are a guide and each application will be considered on it's own merits.

12.4 The above hours are intended to guide applicants on the Licensing Authority's expectations when preparing their operating schedules.

12.5 For applications within the above hours there is no presumption that the application will automatically be granted in all cases where a relevant representation has been made.

If no representations are received, the application will be granted by the licensing authority under delegated powers.

12.6 Applicants who wish to provide licensable activities outside the hours specified above should ensure where relevant the operating schedule specifies detailed measures to militate against crime, disorder and public nuisance etc. taking into account:

- The location of the premises and the character of the area in which they are situated
- The proposed hours during which licensable activities will take place
- The adequacy of the applicant's proposals to prevent crime and disorder and prevent public nuisance
- Whether customers have access to public transport when arriving at or leaving the premises
- The proximity of the premises to other licensed premises in the vicinity and the hours of operation of those other premises policies and proposals for the orderly dispersal of customers.

17. Noise

17.1 The Licensing Authority is committed to protecting the amenity of residents and businesses in the vicinity of licenced premises, particularly when late hours have been sought. Where relevant representations are received, the Licensing Authority will request appropriate restrictions or controls on the licence to support the prevention of undue noise disturbance from licensed premises.

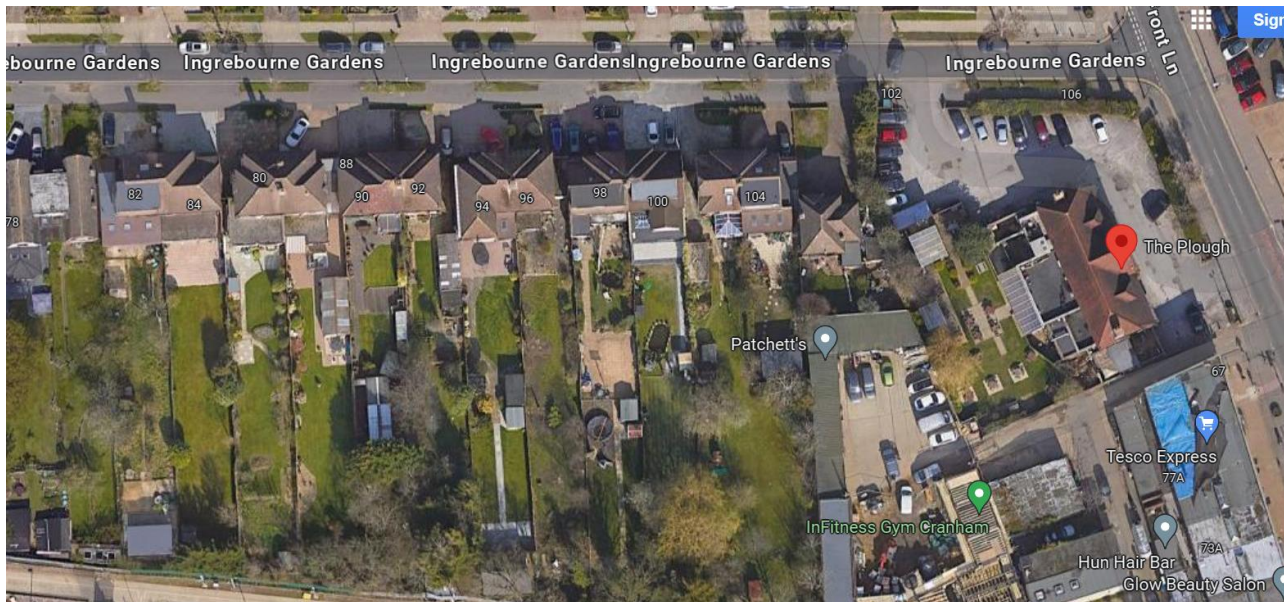
17.2 The Licensing Authority will seek to balance the protection of residents from undue disturbance against noise and the activity that is the natural by-product of people going about their business, entertainment or leisure.

17.3 The Licensing Authority expects that premises intended for the provision of noise-generating licensable activities are acoustically controlled and engineered to a degree where the noise from the premises when compared to the ambient noise level will not cause undue disturbance. The Licensing Authority recognises specific difficulties associated with premises structurally linked to would be licensed premises and the limit of sound insulation performance that can be achieved. In some circumstances licensed premises adjoining residential properties may not be appropriate.

Representation

This representation against the application is primarily based on the fact that the premises is situated within a residential area and the public nuisance licensing objective is likely to be undermined should the application be granted as submitted.

The most impacted local residents will likely be those in Ingrebourne Gardens, as can be seen in the image below:



The hours requested sit outside the recommended hours for licensed premises in a residential area. The current licence authorises licensable activities until 00:00 on Friday and Saturday nights, this is already beyond Havering's recommended guideline policy hours.

Any further extension of hours is likely to increase the potential for noise nuisance, specifically from regulated entertainment and live music. Whilst residents in the vicinity may have become accustomed to the current noise levels, any extension could cause additional disturbance. The background noise levels from traffic would be lower at 01:00hrs and as a result the noise from those levels would be heard more acutely.

Patrons in the rear garden could also be heard from residents' rear gardens, considering hot weather periods when windows are more likely to be open and customers outside, there is a risk that their voices could travel and disturb neighbours. Open windows of the pub could also present a risk of noise travelling.

With extended hours comes the potential for higher levels of intoxication.

This can cause customers to be louder and more boisterous, again having the potential for disturbance to residents.

Dispersal from the premises would also be later. It is conceivable that a customer could get their last order at 01:00hrs, exit the premises at 01:30 and congregate in the car park or externally, awaiting a taxi or speaking to friends before departing. Whilst the request for later hours for licensable activity is until 01:00, there is a risk that disturbance and nuisance could continue far beyond those hours.

Considering the risk of undermining the crime and disorder licensing objective, with increased hours of the sale of alcohol comes the risk of higher levels of intoxication. This can impact on an individual's decision making abilities and become a risk factor in issues of anti-social behaviour and violence.

Conclusion

Whilst there are no objections in principle to the requested removal of conditions at the premises, the Licensing Authority respectfully requests that the licensing sub-committee refuse the extension of licensable activities at the premises as it is against the recommendations within the Authority's guideline policy hours and is likely to undermine the licensing objectives.

Complaint and Inspection History (if applicable)

N/A

Other documents attached

N/a

Signed

Oisin Daly

Dated: 25th June 2024