

Notice of Meeting

LICENSING SUB-COMMITTEE

Tuesday, 7 January 2020 - 7:00 pm
Committee Room 3, Town Hall, Barking

Members: Cllr Moin Quadri (Chair), Cllr Adegboyega Oluwole and Cllr Glenda Paddle

Date of publication: 20 December 2019

Chris Naylor
Chief Executive

Contact Officer: John Dawe
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AGENDA

- 1. Apologies for Absence**
- 2. Declaration of Members' Interests**

In accordance with the Council's Constitution, Members are asked to declare any interest they may have in any matter which is to be considered at this meeting.

LICENSING MATTERS

The following are to be heard under the Licensing Act 2003 in line with relevant procedure.

Licensing Policy and Statutory Guidance April 2018

Premises Licence Applications and Variations - Procedure

Ward

Gascoigne

- 3. Way 2 Save - 147 Ripple Road Barking - Variation of Premises Licence (Pages 7 - 37)**

4. **Any other public items which the Chair decides are urgent**
5. **To consider whether it would be appropriate to pass a resolution to exclude the public and press from the remainder of the meeting due to the nature of the business to be transacted.**

Private Business

The public and press have a legal right to attend Council meetings such as the Licensing and Regulatory Board, except where business is confidential or certain other sensitive information is to be discussed. The list below shows why items are in the private part of the agenda, with reference to the relevant legislation (the relevant paragraph of Part 1 of Schedule 12A of the Local Government Act 1972 as amended). ***There are no such items at the time of preparing this agenda.***

6. **Any other confidential or exempt items which the Chair decides are urgent**



Our Vision for Barking and Dagenham

ONE BOROUGH; ONE COMMUNITY; NO-ONE LEFT BEHIND

Our Priorities

A New Kind of Council

- Build a well-run organisation
- Ensure relentlessly reliable services
- Develop place-based partnerships

Empowering People

- Enable greater independence whilst protecting the most vulnerable
- Strengthen our services for all
- Intervene earlier

Inclusive Growth

- Develop our aspirational and affordable housing offer
- Shape great places and strong communities through regeneration
- Encourage enterprise and enable employment

Citizenship and Participation

- Harness culture and increase opportunity
- Encourage civic pride and social responsibility
- Strengthen partnerships, participation and a place-based approach

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Licensing Policy and Statutory Guidance

LBBB LICENSING POLICY

<https://www.lbbd.gov.uk/sites/default/files/attachments/Licensing-Act-2003-Policy-2017-22.pdf>

APRIL 2018 AMENDED STATUTORY GUIDANCE – S182 OF THE LICENSING ACT 2003

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/702660/Revised_guidance_issued_under_section_182_of_the_Licensing_Act_2003_April_2018_.pdf

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Licensing Sub Committee Procedure for Premises Licence Applications (and Variations)

1. All Parties introduced to the Sub Committee
2. The Procedure is read out.
3. The Licensing Officer will present the application.
4. Objectors that have made valid representations will be invited to speak. Statutory consultees (e.g. the Police, Fire Brigade etc.) will be invited to speak before any other objectors to the application. In the case of members of the public and other interested parties (for example: elected representatives acting on behalf of their constituents; local residents; interested organisations etc) who have made valid representations, they must have given notice of their intention to speak by 12.00 noon on the day before the Sub Committee meeting and will be given a target time of three minutes (or, at the discretion of the Chair, longer). Statutory consultees that have made valid representations are not required to register to speak at the meeting.
5. The Applicant will be given the opportunity to respond to the objections.
6. The Sub Committee Members may, through the Chair, ask questions of the applicant / objectors / officers / other attendees at any time if they require clarification of what is being said or if they need general information in order to assist them in their considerations.
7. The Sub Committee will retire to consider its decision in private.
8. On returning, the Chair will announce the decision.

Notes

- Sub Committee Members should commit to stay for the duration of the meeting in order to ensure that the required quorum is maintained and the business is transacted.
- While each application is considered, Sub Committee Members should be in attendance for the entire period and should not leave the room at any time without the express permission of the Chair. With the Chair's agreement, the meeting will be adjourned until all Members are ready to recommence the hearing. Any Member leaving the meeting while it is ongoing will be precluded any further involvement in that application.
- A Sub Committee Member arriving late will not be able to take part in the consideration and decision-making process for any application to which he/she has not been in attendance for the entire period.
- The Council Licensing Policy for Licensing Act 2003 applications requires that Members of the Sub Committee will not hear cases that relate to premises in their own Ward.

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LICENSING SUB-COMMITTEE

Tuesday 7 January 2020

Title: Licensing Act 2003 – Way 2 Save 147 Ripple Road Barking, IG11 7PW – Variation of a Premises Licence	
Report of the Director, Law and Governance	
Open Report	For Decision
Wards Affected: Gascoigne	Key Decision: No
Report Author: Theo Lamptey – Service Manager Regulatory Services	Contact Details: Tel: 020 8227 5655 E-mail: Theo.lamptey@lbbd.gov.uk
Accountable Director: Andy Opie, Operational Director, Enforcement Services	
Accountable Strategic Director: Fiona Taylor, Director, Law and Governance	
Summary	
<p>An application for the Variation of a Premises Licence held by Mr. Murat Alma in respect of Way 2 Save, 147 Ripple Road Barking has been made.</p> <p>Four representations against the application have been received. These are from the Licensing Authority Responsible Authority Officer under the Licensing Objectives of the Prevention of Crime & Disorder and the Prevention of Public Nuisance; together with three further representations from three Ward Councillors, under the Licensing Objectives of the Prevention of Crime & Disorder and the Prevention of Public Nuisance and Public Safety.</p> <p>The matter is being put to the Licensing Sub-Committee for determination at a public hearing.</p>	
Recommendation	
<p>That the Sub-Committee considers the content of this report and appendices, together with any oral submissions given at the hearing, and determines the application.</p>	
Reason(s)	
<p>Under the Licensing Act 2003 the Council, as Licensing Authority for the area, has a duty to consider and determine each valid application submitted.</p>	

1. Introduction and Background

1.1 The Licensing Act 2003 (the “Act”) established the national licensing regime for:

- The sale and supply of alcohol
- Regulated entertainment
- Late night refreshment

1.2 Under the Act, any person wishing to use any premises to provide one or more of the above licensable activities must firstly obtain a premises licence from the local licensing authority for the area. If the licence is intended to include the sale and supply of alcohol, then the licence must name a ‘Designated Premises Supervisor’

(DPS) who holds a personal licence issued by the local licensing authority for the area within which they live.

1.3 Applications for premises licences are made subject to public consultation. During the consultation period, it is open to any 'responsible authority' or 'other person' to make representations concerning the application. Representations must relate to one or more of the four licensing objectives. These are:

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

1.4 Where representations are received, and these are neither conciliated or withdrawn, then the local licensing authority must hold a public hearing to determine the matter.

2. Proposals and Issues

The Application under Consideration

2.1 On the 11 November 2019 an application for a variation of a premises licence was received from Mr. Murat Alma. The application is in respect of Way 2 Save, 147 Ripple Road Barking IG11 7PW. A copy of the application is attached at **Appendix A**.

2.2 The application is to vary the hours for the sale of alcohol for consumption off the premises to 07:00 to 02:00 daily with the premises open for the same hours.

2.3 The current licence permits the following licensable activities and hours:

Supply of alcohol

- 09:00 to 23:00 daily.

The opening hours of the premises

- 07:00 to 00:00 daily.

A copy of the current licence is attached as **Appendix B**.

2.4 The Designated Premises Supervisor at the time of the application was Mr. Can Alma.

2.5 Representations

2.6 A representation against this application has been received from the Licensing Authority Responsible Authority Officer. The grounds of objection are under the Licensing Objectives of the Prevention of Crime & Disorder and the Prevention of Public Nuisance which is attached as **Appendix C**.

2.7 Three further representations have been received by three ward Councillors, under the Licensing Objectives of the Prevention of Crime & Disorder, Public Nuisance and Public Safety which is attached as **Appendix D**.

2.8 The Premises Operating History

- 2.9 January 2016 - the licence was first transferred to the current licence holder, Mr Murat Alma, who also became the DPS. The licensable activities permitted were the Sale of Alcohol between the hours of 07:00 to 01:00 Sunday to Thursday and Friday & Saturday until 02:00am with opening hours 24 hours a day.
- 2.10 December 2016 - Variation submitted to allow the premises to sell alcohol 24 hours a day. For this application Mr Alma offered no extra conditions. The application went before the Licensing Sub-Committee in February 2017 who granted the application with extra conditions as requested by the Police, one condition was that there should be an SIA door supervisor employed between the hours of Midnight – 06:00 each day. The minutes of this meeting show that Mr Alma agreed to the conditions requested by the Police before the hearing, and that he had also voluntarily reduced his hours for the sale of alcohol to midnight in July 2016 for a period because of antisocial behaviour in the area.
- 2.11 June 2017 – Licensing inspection revealed non-compliance with conditions on the licence, involving sales of single cans/bottles and quality of training and training records. Warning letter sent.
- 2.12 December 2017 – Police issue a Certificate under S.53(1)(b) of the Licensing Act 2003 to the effect that they believe the premises are associated with serious crime and disorder, following two incidents, one on November 2017 that involved members of staff from the shop and one in December 2017. Both incidents were in the early hours of the morning when a door supervisor should have been present. The Licensing Sub-Committee subsequently suspended the premises licence as an interim step pending the full review hearing.
- 2.13 January 2018 – Full review hearing held, Police agree additional conditions with Mr Alma and a reduction of hours to those on the current licence (sale of alcohol 07:00 – 23:00).
- 2.14 October 2018 - A variation application was received to extend the licensable activity of Sale of alcohol until 02:00am with a closing time of 02:00am. Five representations against the application were received, they were from three local ward Councillors, the Metropolitan Police and the Licensing Authority. The grounds of objection were under the Licensing Objectives of the Prevention of Crime and Disorder and the Prevention of Public Nuisance. Since the initial representations were made both the Police and the Licensing Authority made further representations adding to their original one. The application was heard by the Licensing Sub Committee on the 28 November 2018, the Application was refused.
- 2.15 October 2018 – Application received to vary the Designated Premises Supervisor to Mr Can Alma with Mr Murat Alma remaining as the Licence Holder.
- 2.16 16 December 2019 – Visit carried out by Senior Licensing officer and noted apart from query around sales of single cans / bottles premises was compliant and looked to be well run.

Local Area

- 2.17 A map of the local area is attached as **Appendix E**. The location of the application premises is marked on the map.

3. Options Appraisal

- 3.1 The Sub-Committee is advised that the hearing is of a quasi-judicial nature and representations from all parties, both written and verbal, will form part of the matters that are to be considered.

- 3.2 The Sub-Committee is required to consider each application on its own individual merits with all relevant matters taken into account. Findings on issues of fact should be on the balance of probability.
- 3.3 Having considered the application, the representations and all relevant submissions, the Sub-Committee must decide what action is appropriate to promote the licensing objectives. In doing so the Sub-Committee may decide either to grant, part-grant or refuse the application.
- 3.4 In reaching its decision the Sub-Committee must have regard to:
- The Act
 - Secondary regulations
 - The Guidance issued to Local Licensing Authorities by the Home Office (current version April 2018)
 - The Barking and Dagenham Statement of Licensing Policy for 2017-2022.
- 3.5 If any party is aggrieved by the decision of the Sub-Committee, they have the right to appeal the decision to the Magistrates Court. Appeals may be made within 21 days of notification of the Sub-Committee's decision.

4. Consultation

- 4.1 The application has been subject of public consultation in accordance with the statutory provisions. The application has been advertised by way of public notices placed in a local newspaper and displayed at the premises and notifications have been provided to all responsible authorities and ward councillors.

5. Legal Implications

Implications completed by: Simon Scrowther, Litigation Lawyer, Corporate Legal

- 5.1 The London Borough of Barking and Dagenham, as Licensing Authority under the Licensing Act 2003 and subordinate legislation, is empowered to determine applications of this nature.
- 5.2 Notice must be given of the Licensing Authority's decision on this matter.

Background Used in the Preparation of the Report:

- Licensing Act 2003
- S. 182 Home Office Guidance to Local Licensing Authorities

List of appendices:

- **Appendix A** - Copy of the application
- **Appendix B** - Copy of the current licence
- **Appendix C** – Licensing Authority Officer representation
- **Appendix D** – Ward Councillors Representation
- **Appendix E** – Local Area Map



Barking and Dagenham
Application to vary a premises licence
Licensing Act 2003

For help contact
licensing@lbbd.gov.uk
 Telephone: 020 8215 3000

* required information

Section 1 of 18

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference This is the unique reference for this application generated by the system.

Your reference You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

Yes No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name

* Family name

* E-mail

Main telephone number Include country code.

Other telephone number

Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

Applying as a business or organisation, including as a sole trader

Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

Is the applicant's business registered in the UK with Companies House? Yes No

Is the applicant's business registered outside the UK? Yes No

Note: completing the Applicant Business section is optional in this form.

Business name

VAT number

If the applicant's business is registered, use its registered name.

Put "none" if the applicant is not registered for VAT.

Continued from previous page...

Legal status

Applicant's position in the business

Home country

The country where the applicant's headquarters are.

Applicant Business Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

If the applicant has one, this should be the applicant's official address - that is an address required of the applicant by law for receiving communications.

Agent Details

* First name

* Family name

* E-mail

Main telephone number

Include country code.

Other telephone number

Indicate here if you would prefer not to be contacted by telephone

Are you:

An agent that is a business or organisation, including a sole trader

A sole trader is a business owned by one person without any special legal structure.

A private individual acting as an agent

Agent Business

Is your business registered in the UK with Companies House? Yes No

Note: completing the Applicant Business section is optional in this form.

Is your business registered outside the UK? Yes No

Business name

If your business is registered, use its registered name.

VAT number

Put "none" if you are not registered for VAT.

Legal status

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Agent Business Address

If you have one, this should be your official address - that is an address required of you by law for receiving communications.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

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APPLICATION DETAILS

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.

I/we, as named in section 1, being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in section 2 below.

* Premises Licence Number

Are you able to provide a postal address, OS map reference or description of the premises?

Address OS map reference Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Premises Contact Details

Telephone number

Continued from previous page.

Non-domestic rateable
value of premises (£)

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VARIATION

Do you want the proposed
variation to have effect as
soon as possible? Yes No

Do you want the proposed variation to have effect in relation to the
introduction of the late night levy?

Yes No

You do not have to pay a fee if the only
purpose of the variation for which you are
applying is to avoid becoming liable to the
late night levy.

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

Describe Briefly The Nature Of The Proposed Variation

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.

THE SHOP WHICH IS LOCATED ON A BUSY ROAD IS A CONVENIENCE STORE SITUATED ON THE GROUND FLOOR OF THE PREMISES WITH A RESIDENTIAL FLAT & OFFICE ABOVE.
TO EXTEND THE PERMITTED HOURS FOR THE SALE OF ALCOHOL FOR CONSUMPTION OFF THE PREMISES TO BE FROM 07.00 TO 02.00 THE FOLLOWING DAY ALL WEEK.

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PROVISION OF PLAYS

See guidance on regulated entertainment

Will the schedule to provide plays be subject to change if this application to
vary is successful?

Yes No

Section 5 of 18

PROVISION OF FILMS

See guidance on regulated entertainment

Will the schedule to provide films be subject to change if this application to
vary is successful?

Yes No

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PROVISION OF INDOOR SPORTING EVENTS

Continued from previous page...

See guidance on regulated entertainment

Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?

Yes No

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PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

See guidance on regulated entertainment

Will the schedule to provide boxing or wrestling entertainments be subject to change if this application to vary is successful?

Yes No

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PROVISION OF LIVE MUSIC

See guidance on regulated entertainment

Will the schedule to provide live music be subject to change if this application to vary is successful?

Yes No

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PROVISION OF RECORDED MUSIC

See guidance on regulated entertainment

Will the schedule to provide recorded music be subject to change if this application to vary is successful?

Yes No

Section 10 of 18

PROVISION OF PERFORMANCES OF DANCE

See guidance on regulated entertainment

Will the schedule to provide performances of dance be subject to change if this application to vary is successful?

Yes No

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PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

See guidance on regulated entertainment

Will the schedule to provide anything similar to live music, recorded music or performances of dance be subject to change if this application to vary is successful?

Yes No

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PROVISION OF LATE NIGHT REFRESHMENT

Continued from previous page...

Will the schedule to provide late night refreshment be subject to change if this application to vary is successful?

Yes No

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SUPPLY OF ALCOHOL

Will the schedule to supply alcohol be subject to change if this application to vary is successful?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide 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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Continued from previous page...

Will the sale of alcohol be for consumption?

On the premises Off the premises Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

NONE

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

NONE

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ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.

Provide 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 etc gambling machines etc.

NONE

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HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide 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.

TUESDAY

Start

End

Start

End

Continued from previous page...

WEDNESDAY

Start End
Start End

THURSDAY

Start End
Start End

FRIDAY

Start End
Start End

SATURDAY

Start End
Start End

SUNDAY

Start End
Start End

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

NONE

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

NONE

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

NONE

I have enclosed the premises licence

Continued from previous page...

I have enclosed the relevant part of the premises licence

Reasons why I have failed to enclose the premises licence or relevant part of premises licence.

THE PREMISES LICENCE HAS BEEN MISLAID.

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LICENSING OBJECTIVES

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

ALL EXISTING CONDITIONS TO REMAIN IN FORCE.

b) The prevention of crime and disorder

ALL EXISTING CONDITIONS TO REMAIN IN FORCE.
A MINIMUM OF THREE (3) MEMBERS OF STAFF WILL BE ON DUTY IN THE PREMISES AFTER 23.00 ONE OF WHOM WILL BE TASKED TO MONITOR THE OUTSIDE AREA TO THE FRONT & SIDE OF THE SHOP TO DISCOURAGE PEOPLE LOITERING OR DRINKING OUTSIDE POLITELY ASKING THOSE WHO DO TO LEAVE THE AREA.

c) Public safety

ALL EXISTING CONDITIONS TO REMAIN IN FORCE.

d) The prevention of public nuisance

ALL EXISTING CONDITIONS TO REMAIN IN FORCE.

e) The protection of children from harm

ALL EXISTING CONDITIONS TO REMAIN IN FORCE.

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NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

In terms of specific **regulated entertainments** please note that:

- **Plays:** no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
- **Films:** no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- **Indoor sporting events:** no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- **Boxing or Wrestling Entertainment:** no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- **Live music:** no licence permission is required for:
 - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- **Recorded Music:** no licence permission is required for:
 - o any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

Continued from previous page...

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

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PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Variation Fees are determined by the non-domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/index.htm

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £8700 £315.00

Band D - £87001 to £12500 £450.00*

Band E - £125001 and over £635.00*

*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then you are required to pay a higher fee

Band D - £87001 to £12500 £900.00

Band E - £125001 and over £1,905.00

If you own a large premise you are subject to additional fees based upon the number in attendance at any one time

Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39000 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £6

* Fee amount (£)

DECLARATION

I/WE UNDERSTAND THAT IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON

* SUMMARY CONVICTION TO A FINE OF ANY AMOUNT. The London Borough of Barking and Dagenham is committed to protecting your privacy when you use our services. This privacy notice explains how we use information about you and how we protect your privacy. Please follow the link for more information <https://www.lbbd.gov.uk/general-privacy-notice>

Ticking this box indicates you have read and understood the above declaration

Continued from previous page...

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name

* Capacity

* Date / /
dd mm yyyy

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/barking-and-dagenham/change-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

OFFICE USE ONLY

Applicant reference number

Fee paid

Payment provider reference

ELMS Payment Reference

Payment status

Payment authorisation code

Payment authorisation date

Date and time submitted

Approval deadline

Error message

Is Digitally signed

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 Next >

Appendix B

Part A - Premises licence

Licensing Department
Pondfield House,
100 Wantz Road,
Dagenham,
Essex,
RM10 8PP



Issue Date 18 October 2018

Premises licence number 20996

Part 1 - Premises details

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

Way-2-Save
147 Ripple Road
Barking
Essex
IG11 7PW

Telephone number

Where the licence is time limited the dates

Not applicable

Licensable activities authorised by the licence

Supply of Alcohol

The times the licence authorises the carrying out of licensable activities

Monday 09:00 to 23:00
Tuesday 09:00 to 23:00
Wednesday 09:00 to 23:00
Thursday 09:00 to 23:00
Friday 09:00 to 23:00
Saturday 09:00 to 23:00
Sunday 09:00 to 23:00

The opening hours of the premises

Monday 07:00 to Midnight
Tuesday 07:00 to Midnight
Wednesday 07:00 to Midnight
Thursday 07:00 to Midnight
Friday 07:00 to Midnight
Saturday 07:00 to Midnight
Sunday 07:00 to Midnight

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

Alcohol will be supplied for consumption off the premises

Part 2

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

Mr Murat Alma

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

Not applicable

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

Mr Can Alma

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises the supply of alcohol

LN/201600820

London Borough of Enfield

Annex 1 – Mandatory Conditions

1. No supply of alcohol may be made under this licence
 - a) at a time when there is no designated premises supervisor in respect of it 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 made under this licence must be made or authorised by a person who holds a personal licence.
3.
 - (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
 - (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
 - (3) 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 either—
 1. a holographic mark, or .
 2. an ultraviolet feature.
4.
 - (1). A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
 - (2).For the purposes of the condition set out in paragraph 1 -
 - (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
 - (b) "permitted price" is the price found by applying the formula where-
$$P = D = (D \times V)$$
 - (i) P is the permitted price,
 - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
 - (c) "relevant person" means, in relation to premises in respect of

which there is in force a premises licence-

(i) the holder of the premises licence,

(ii) the designated premises supervisor (if any) in respect of such a licence, or

(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) "valued added tax" means value added tax charged in accordance with the Value Added Tax Act 1994(7).

(3) Where the permitted price given by Paragraph (b) of paragraph 3 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

(4) (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the price permitted on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales and supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Annex 2 - Conditions consistent with the operating Schedule

1. The Premises shall operate in accordance with the 'Challenge 25' scheme as a minimum. The scheme operates on the basis that whilst alcohol may be sold to persons aged 18 years and over, anyone who appears under 25 years of age will be asked for ID. Notices to this effect should be displayed in a clear and prominent position at the premises. The only proof of age accepted in respect of the sale of alcohol shall be photo driving licence, passport and other approved photographic ID bearing the PASS hologram.
2. A CCTV system shall be installed, kept and maintained at all times during the currency of the licence. The CCTV system serving the premises shall:
 - a. be maintained, fully operational and in good working order at all times.
 - b. make and retain clear images that include the points of sale of alcohol and facial images of the purchasers of the alcohol;
 - c. the CCTV recordings shall show an accurate date and time that the recordings were made and all recordings shall be retained for a period of not less than 31 days.
 - d. The original, or a copy of the CCTV recording, will be available on request to the Police and Local Authority within 48 hours.
 - e. Copies of CCTV recordings shall be provided in a format that can be viewed on readily available equipment without the need for specialist software.
3. A refusals book shall be kept at the premises, in which must be recorded the date, time and circumstances under which any sale of alcohol is refused. This book must be made available for inspection by any police officer, police community support officer or authorised officer of the Licensing Authority. Entries in this book must be made as soon as practicable after the refusal of the sale. The DPS should check and sign the entries on at least a weekly basis.
4. A written record of those authorised to make sales of alcohol shall be kept, this should be endorsed by the DPS with the date such an authorisation commences. This record shall be available to Police Officer, Police Community support Officer or an authorised officer of the Local Authority.
5. All new members of staff shall, before first starting to sell alcohol, be trained as to their responsibilities under the Licensing Act 2003, namely sales to underage, persons already intoxicated, sales by proxy, licensable hours, conditions attached to the premises licence. This training should be recorded in a staff training log and be made available on demand to any Police Officer, Police Community Support Officer or an authorised officer of the Local Authority.
6. All staff shall receive training on the prevention of underage sales at least every six months. Such training shall be recorded in a Staff Training Log showing what training has been given to whom by whom and on what date. This should be signed by the DPS as correct. These records shall be available on request to any Police Officer, Police Community Support Officer or an authorised officer of the Local Authority.
8. All instances of crime and disorder shall be reported to the police
9. Discourage noise from patrons arriving at, queuing or departing from the premises by displaying polite notices for customers attention

Annex 3 - Conditions attached after a hearing by the licensing authority

Hearing 2nd February 2017

1. CCTV to cover the front and the sides of the premises ensuring full visibility at street level taking into account the awnings.
2. No single cans or bottles of beer and cider to be sold at the premises.
3. No beers, perries and ciders with an ABV of 6.5% and over will be sold at the premises.

Full Review Hearing Decision on 8 January 2018 after expedited Hearing on 15th December 2017

1. All alcohol displays will be covered by rigid lockable steel shutters which will be locked shut outside of permitted hours. For the sale of alcohol the shutters must cover the entire alcohol display so as to prevent customers gaining access to the alcohol outside of permitted hours
2. The keys for the shutter must be kept locked away or in the custody of the PLH, DPS or Duty Manager at all times
3. Clear notices stating the permitted hours for the sale of alcohol for consumption off the premises must be prominently displayed at the entrance door to the premises, by the tills, and by/above the alcohol displays
4. At all times that alcohol is offered for sale, a personal license holder shall be present at the premises
5. The shop front shall remain well lit at all times
6. The premises will maintain a CCTV system accompanied by a panic button providing for police response.
7. CCTV shall be installed in the locker room and in any areas of the premises where alcohol is kept, stored or sold

8. A staff sign in book will be maintained to, in particular but not be limited to, record the sign in and sign out times of personal license holders and must be made available to police, council and other authorised staff or other government agencies
9. A full human resources management system must be maintained where all relevant documents are stored for each individual member of staff
10. All copies of relevant documents for members of staff will be maintained for a period of 24 months post termination of employment and will be made available to police, UK border agency and council licensing officers on request
11. The premises license holder will work with people force international or any other similar agency to carry out checks on the home office website and verify the identification documents such as right to work documents to ensure that all new members of staff can be legally employed
12. No new member of staff will be able to work at the premises unless they have provided satisfactory proof of identification and of their right to work in the UK.

Part B - Premises licence Summary

Licensing Department
Pondfield House,
100 Wantz Road,
Dagenham,
Essex,
RM10 8PP



Issue Date 18 October 2018

Premises licence number 20996

Part 1 - Premises details

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

Description

Way-2-Save
147 Ripple Road
Barking
Essex
IG11 7PW

Telephone number

Where the licence is time limited the dates

Not applicable

Licensable activities authorised by the licence

Supply of Alcohol

The times the licence authorises the carrying out of licensable activities

Supply of Alcohol

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

Alcohol will be supplied for consumption off the premises

Part 2

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

Mr Murat Alma

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

Not applicable

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

Mr Can Alma

LICENSING AUTHORITY REPRESENTATION

Dear Rachel,

I write with regard to the application by Murat Alma for a variation of the current premises licence issued in respect of the premises known as Way 2 Save at 147 Ripple Road, Barking, IG11 7PW, seeking to extend the licensed hours for the sale of alcohol for consumption off the premises to allow sales to take place between the hours of 07.00 to 02.00 seven days a week.

Please note that I wish to lodge a representation on behalf of the Licensing Authority under the licensing objectives relating to the prevention of crime and disorder and the prevention of public nuisance

The representation is made in the knowledge that:

- Mr Alma has held a premises licence in respect of these premises for a number of years
- In February 2017 Mr Alma was granted a variation of that licence which provided 24/7 licensed operation
- In January 2018 that licence was subject of a summary review lodged by the Commissioner of Police on the grounds of serious crime and / or disorder and this resulted in the licensed hours of the premises being reduced to end at 23.00
- In November 2018 an application to vary the licensed hours back up until 02.00 was refused by the Council's Licensing Sub-Committee

This latest application to extend the premises licensed operating hours makes little attempt to address how the premises intend to avoid a repeat of the circumstances that led to the late night licensed operation of the premises being curtailed back in 2018. It offers only that 3 members of staff will be on duty after 23.00 and that one will be given a role to ensure people are not loitering or drinking outside the premises.

While, as far as I am aware, the premises have operated free from incident since the reduction of hours and that the designated premises supervisor named on the licence changed in 2018, a return to late night licensed operation impacts upon the nature of the business and the issues that the premises staff may need to deal with. The premises evidently had problems when it last operated in this way and I would wish to be assured and have evidence that the premises current management have properly reviewed and risk-assessed the situation and identified how they can prevent a reprise of previous concerns.

Richard Parkins

Senior Licensing Officer

Regulatory Services

London Borough of Barking and Dagenham

Barking Town Hall

Town Hall Square

Barking, IG11 7LU

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Application for a Variation of the Premises Licence in respect of the Way 2 Save, 47 Ripple Road, Barking

Three representations have been received within the consultation period from the Gascoigne Ward Councillors as follows:

Councillor Twomey

Councillor Twomey “opposes the longer opening hours on the basis of the prevention of public nuisance and potentially prevention of crime and disorder. In his view it is highly unlikely that there is a need for this extension from the nearby community, who have over the years sent numerous complaints to the council around noise and disruption in particular.

This extension is likely to bring in people from further afield causing more public nuisance and potentially crime and disorder as the alcohol sold at this time of the evening/early hours of the morning will be drunk outside of the premises and in the close vicinity.”

Councillor Ashraf

Councillor Ashraf “Concours with Councillor Twomey” and lodges a representation on the basis of the following licensing objectives – “The Prevention of Crime and Disorder; the Prevention of Public Nuisance; and the Prevention of Crime and Disorder.

Councillor Ashraf notes that “we spent months working with Police team on this” and now that the situation is improved does not want the disruption to return”.

Councillor Ashraf also believes “Public safety is still an ongoing issue.”

And with regard to “the Prevention of Public Nuisance; and the Protection of Children from Harm I had received several complaints from surrounding residents”, and “we can’t afford to go back to square one.”

Councillor Aziz

Councillor Aziz opposes the application under the licensing objectives of the Prevention of Public Nuisance and Public Safety stating “There have been problems regarding noise from this area previously, therefore this extension will only increase public nuisance, reduce public safety and potentially increase crimes within the area.”


Rachel Taylor Licensing Case Officer

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Way 2 Save - Google Maps

google.com/maps/place/Way+2+Save/@51.5346604,0.082988,17.75z/data=!4m5!3m4!1s0x47d8a60d40212a8d:0x72705477e4466b6d!8m2!3d51.5347063!4d0.0835709

way to save barking



Way 2 Save
4.4 ★★★★★ (112)
Supermarket

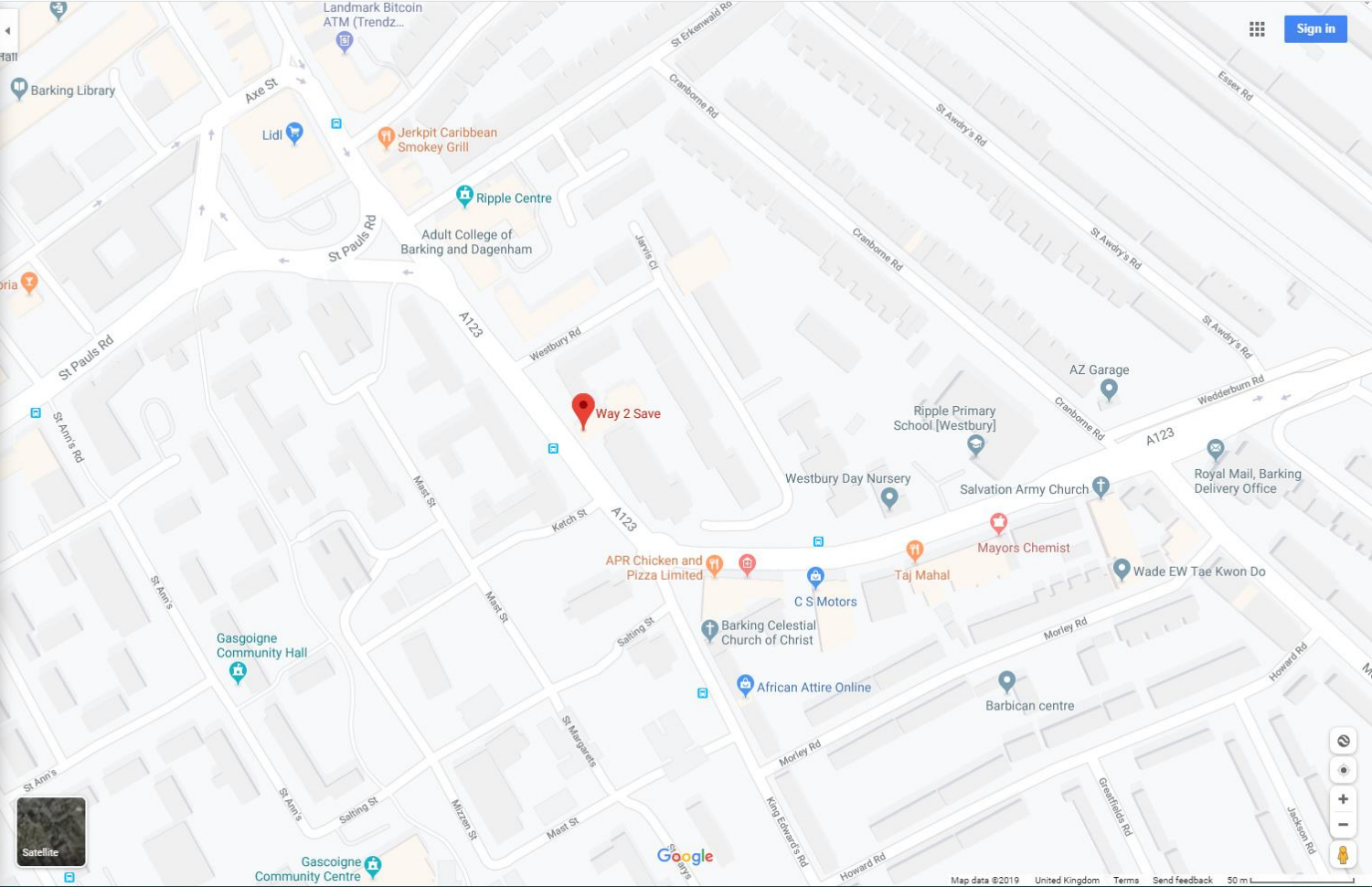
Directions Save Nearby Send to your phone Share

147 Ripple Rd, Barking IG11 7PW
G3MM+VC Barking
07909 632149
Open now: Open 24 hours
Claim this business

Suggest an edit

Add missing information
Add website

Popular times Fridays
LIVE Busier than usual



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