

Notice of Meeting

LICENSING SUB-COMMITTEE

Friday, 14 August 2020 - 11:30 am
Meeting to be held virtually

Members: Cllr Moin Quadri (Chair); Cllr Faraaz Shaukat and Cllr Glenda Paddle

Date of publication: 6 August 2020

Claire Symonds
Acting Chief Executive

Contact Officer: Alan Dawson
E-mail: alan.dawson@lbbd.gov.uk

Please note that this meeting will be webcast to enable the press and public to listen in to the proceedings of this 'virtual' meeting. To view the webcast click [here](#) and select the relevant meeting (the weblink will be available at least 24-hours before the meeting).

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 |
|--------------------------------------------------------------------------------------------------------------------------------|-------------|
| 3. H&Q Café Shop, 242 Bennetts Castle Lane, Dagenham - Application for a Grant of a Premises Licence (Pages 7 - 43) | Becontree |
| 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**14 August 2020**

Title: H&Q Café Shop, 242 Bennetts Castle Lane, Dagenham - Application for a Grant of a Premises Licence	
Report of the Service Manager Public Protection, Regulatory Services	
Open Report	For Decision
Wards Affected: Becontree	Key Decision: No
Report Author: Theo Lamptey, Service Manager Public Protection, 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 of Law and Governance	
Summary	
<p>An application for a new premises licence has been made by H&Q Café Shop LTD in respect of H&Q Café Shop, at 242 Bennetts Castle Lane, Dagenham RM8 3UU.</p> <p>Two representations against the premises licence application have been received. One from the local ward councillors and one from the Licensing Authorities Responsible Authority Officer.</p> <p>The matter is put to the Licensing Sub-Committee for determination at a public hearing, accordingly</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, 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
 - The protection of children from harm
- 1.4 Where representations are received, and are neither conciliated or withdrawn, then the local licensing authority must hold a public hearing to determine the application.

2. Application under consideration

- 2.1 On the 22nd June 2020, H&Q Café Shop Limited applied for a premises licence in respect of the premises known as H&Q Café Shop at 242 Bennetts Castle Lane, Dagenham, RM8 3UU.
- 2.2 The premises are located on the ground floor of 242 Bennetts Castle Lane and incorporate a small rear garden. The application describes the premises as a 'Café'. It seeks consent to
- The supply of alcohol 'on' sales from 10.00 to 23.00 each day of the week
 - The provision of late-night refreshment from 23:00 to midnight seven days a week.
 - The premises itself is intended to open between 06.00 and 00.00.
- 2.3 The application incorporates a plan of the premises showing an indicative layout providing for 36 covers comprising 6 internal, 22 in the rear garden and 8 on the pavement to the front of the premises. This layout is not intended to show the premises under Covid-secure arrangements.
- 2.4 The Designated Premises Supervisor (DPS), intended to hold overall responsibility for authorising alcohol sales made at the premises, is Bekim Hyseni, who holds a personal licence issued by the London Borough of Havering.
- 2.5 A copy of the application is attached as Appendix A to this report. Section 18 of the application sets out the range of measures proposed by the applicant to promote the four licensing objectives and to form the basis of the conditions of any licence granted, together with the mandatory conditions set out within the Act. These include:
- CCTV

- Challenge 25 age verification policy
- No vertical drinking policy
- Incident book
- Restriction on super-strength beers etc above 6.5%
- Restrictions on times for clear up
- Restrictions on admissions of children and young persons

2.6 A map of the local area is provided at Appendix D. The premises is located in a mixed commercial / residential area. There are a significant number of local residents living in close proximity to the premises and there is a care home within 200m of the premises.

3. Representations

3.1 Two representations have been received in respect of this application. One from the ward councillor and one from the Licensing Authority Responsible Authority Officer.

Ward Councillor representation

3.2 The representation received on behalf of the local ward councillor is made under the three licensing objectives – the prevention of crime and disorder; public safety; and the prevention of nuisance. This representation is included as Appendix B to the report.

3.3 The Ward Councillors were made aware of the potential amendments to the application arising from the conciliation meeting held on 27 July 2020 (as referred to in paragraphs 3.6 and 3.7 below). However, the Ward Councillors did not feel that the potential amendments were sufficient to overcome their concerns and put forward their preferred position in relation to licensing hours and other conditions, which is set out in the addendum to Appendix B.. As referred to in paragraph 3.9, the applicant subsequently withdrew the potential amendments referred to in paragraph 3.7 below.

The responsible authority representations

3.4 The representation received from the Licensing Authority Responsible Authority, Officer is also made under three Licensing Objectives being the prevention of crime and disorder; public safety; and the prevention of public nuisance. The representation does not oppose the application outright but is primarily concerned with:

- Ensuring that the premises operate as a 'Café / Restaurant', as intended by the application, remaining food and not alcohol led, in order to prevent the evolution of the premises into a bar.
- Ensuring the potential impacts of the premises upon local residents are controlled.

3.5 This representation is included as Appendix C to the report.

Conciliation

- 3.6 As the public consultation process was conducted during the Covid restrictions it was not possible to arrange the normal conciliation meeting for all parties at the premises. Instead conciliation was conducted by telephone between the applicant's agent and the Licensing Authority Responsible Authority Officer on 27 July 2020.
- 3.7 A number of potential amendments to the application were discussed. These involved changes to the hours of operation of the premises as set out below:
- Opening hours 06.00 – 23.30 7 days a week
 - Alcohol sales 10.00 – 23.00 7 days a week
 - End of use of tables and chairs at the front of the premises 21.00 each night
 - End of use of the rear garden at 22.00 each night.
- 3.8 Following the telephone conciliation, the Licensing Authority Responsible Authority Officer provided a summary of the discussions and potential amendments to the application to the ward councillors for consideration.
- 3.9 It was indicated at this stage that the ward councillors wished to see further adjustment to the proposals (as set out in the addendum to Appendix B). Following this all amendments to the application were withdrawn by the applicant.
- 3.10 The application under consideration therefore stands as on paper (Appendix A).

4. Options Appraisal

- 4.1 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.
- 4.2 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.
- 4.3 Having considered the application, the representations and all relevant submissions, the Sub-Committee must decide what action is appropriate to promote the licensing objectives.
- 4.4 Any licence granted must be made subject to the mandatory licence conditions established by the Act and to conditions consistent with the measures proposed by the applicant to promote the licensing objectives (as amended by any conciliation process).
- 4.5 Any licence granted may be subject to additional conditions considered appropriate by the Sub-Committee to promote the licensing objectives.
- 4.6 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); and
- The Barking and Dagenham Statement of Licensing Policy for 2017-2022.

4.7 The options open to the Committee are:

- To grant the application.
- To refuse to grant the application; or
- To grant the application subject to additional conditions.

4.8 In the event that any party is aggrieved by the decision of the Sub-Committee, they have the right to appeal the decision to the Magistrates Court. Appeals must be made within 21 days of notification of the Sub-Committee's decision.

5. Consultation

5.1 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, displayed at the premises and published on the Council website. Notifications have been provided to all responsible authorities and ward councillors.

6. Legal Implications

Implications completed by: Deirdre Collins, Prosecution Barrister, Law and Governance

6.1 The Council must have regard to:

- The Licensing Act 2003
- Subordinate Legislation
- S.182 Guidance
- Case Law
- LBBD Statement of Licensing Policy

Public Background Papers Used in the Preparation of the Report: None

List of appendices:

- Appendix A – Premises Licence Application including plan
- Appendix B – Ward councillor representation
- Appendix C – Licensing Responsible Authority Representation.
- Appendix D – Map of the locality

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Application for a premises licence to be granted under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

I/We H & Q Café Shop Limited

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description			
H&Q Café Shop 242 Bennetts Castle Lane Dagenham RM8 3UU			
Post town		Postcode	

Telephone number at premises (if any)	None as yet
Non-domestic rateable value of premises	£ 4300.00

Part 2 - Applicant details

Please state whether you are applying for a premises licence as:

(Please tick as appropriate)

- | | | |
|------------------------------------------------------|-------------------------------------|-----------------------------|
| a) an individual or individuals * | <input type="checkbox"/> | please complete section (A) |
| b) a person other than an individual * | | |
| i as a limited company/limited liability partnership | <input checked="" type="checkbox"/> | please complete section (B) |
| ii as a partnership (other than limited liability) | <input type="checkbox"/> | please complete section (B) |
| iii as an unincorporated association or | <input type="checkbox"/> | please complete section (B) |
| iv other (for example a statutory corporation) | <input type="checkbox"/> | please complete section (B) |
| c) a recognised club | <input type="checkbox"/> | please complete section (B) |
| d) a charity | <input type="checkbox"/> | please complete section (B) |
| e) the proprietor of an educational establishment | <input type="checkbox"/> | please complete section (B) |

- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a
 statutory function or
 a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth		I am 18 years old or over <input checked="" type="checkbox"/>		Please tick yes	
Nationality					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth		I am 18 years old or over <input checked="" type="checkbox"/>		Please tick yes	
Nationality					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 9-digit 'share code' provided to the applicant by that service (please see note 15 for information)					

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name H & Q Café Shop Limited
Address 242 Bennetts Castle Lane Dagenham RM8 3UU
Registered number (where applicable) 11485608
Description of applicant (for example, partnership, company, unincorporated association etc.) Private limited company
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
A S	A P	

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY

<p>Please give a general description of the premises (please read guidance note 1)</p> <p>Café</p>

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

--

What licensable activities do you intend to carry on from the premises?

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- 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)

Supply 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 7)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors <input type="checkbox"/>
				Outdoors <input type="checkbox"/>
Day	Start	Finish		Both <input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 4)	
Tue				
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 5)	
Thur				
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 6)	
Sat				
Sun				

B

Films Standard days and timings (please read guidance note 7)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon					
Tue			State any seasonal variations for the exhibition of films (please read guidance note 5)		
Wed					
Thur			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 6)		
Fri					
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	
Mon			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Tue			
Wed			
Thur			<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> (please read guidance note 6)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon					
Tue			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 5)		
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Fri					
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 7)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 5)		
Thur					
Fri			<u>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</u> (please read guidance note 6)		
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 7)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon					
Tue					
Wed			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5)		
Thur					
Fri			<u>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</u> (please read guidance note 6)		
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 7)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)		
Mon					
Tue			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 5)		
Wed					
Thur			<u>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</u> (please read guidance note 6)		
Fri					
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			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 3)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			Please give further details here (please read guidance note 4)		
Wed					
Thur			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 5)		
Fri					
Sat			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 (please read guidance note 6)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)					
Mon	23:00	00:00						
Tue	23:00	00:00						
Wed	23:00	00:00				<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5)		
Thur	23:00	00:00						
Fri	23:00	00:00						
Sat	23:00	00:00						
Sun	23:00	00:00	<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 6)					

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon	10:00	23:00			
Tue	10:00	23:00			
Wed	10:00	23:00			
Thur	10:00	23:00			
Fri	10:00	23:00			
Sat	10:00	23:00			
Sun	10:00	23:00			
			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 6)		

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name Bekim Hyseni	
Date of birth	
Address	
Postcode	
Personal licence number (if known) Awaited	
Issuing licensing authority (if known)	

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 9).

None

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			State any seasonal variations (please read guidance note 5)
Day	Start	Finish	
Mon	06:00	00:00	
Tue	06:00	00:00	
Wed	06:00	00:00	
Thur	06:00	00:00	
Fri	06:00	00:00	
Sat	06:00	00:00	
Sun	06:00	00:00	

M

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

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

1 All staff shall be suitably trained for their job function for the premises. The training shall be written into a programme ongoing and under constant review and shall be made available to a relevant responsible authority when called upon.

2 Alcohol shall be supplied to seated customers only; there shall be no vertical consumption of alcohol on the premises at any time.

b) The prevention of crime and disorder

3 A properly specified and fully operational CCTV recording system shall be installed, operated and maintained. The system shall incorporate a camera covering each of the entrance doors and be capable of providing an image which is regarded as 'identification standard' of all persons entering and/or leaving the premises. The CCTV system shall be in operation at the premises at all times when the premises are used for the provision of licensable activity. All CCTV recordings shall be securely stored for a minimum of one calendar month. A staff member from the premises who can operate the CCTV system shall be on the premises at all times when the premises are 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. Signage indicating that a CCTV recording system is in operation shall be displayed prominently in the premises.

4 The premises licence holder shall uphold a zero tolerance policy in relation to illegal drugs.

5 Any person entering the premises who appears to be under the influence of alcohol or illegal drugs shall in the interests of other members of the public using the premises be requested to leave the premises.

6 A premises incident book shall be kept at the premises. This book shall be maintained and kept for a rolling period of 12 months. The incident book shall record all incidents which may have occurred which are relevant to the supply of alcohol and the promotion of the licensing objectives. Such incidents shall include, but not be limited to, complaints made to the premises alleging nuisance or anti-social behaviour by persons attending or leaving the premises and all refusals to sell alcohol. The incident book shall be readily available for inspection by an authorised person upon reasonable request.

7 Super-strength lagers, beers and/or ciders, i.e. those with an ABV of 6.5% or higher, shall not be sold at the premises.

c) Public safety

8 All exit routes and public areas shall be kept unobstructed, shall have non-slippery and even surfaces, shall be free of trip hazards and shall be clearly signed.

9 No accumulation of combustible rubbish, dirt, surplus material or stored goods shall be permitted to remain in any part of the premises except in an appropriate place and of such quantities so as not to cause a nuisance, obstruction or other safety hazard.

10 Regular checks and maintenance shall be carried out on all equipment, electrical installations, emergency lighting and fire alarms and equipment to ensure their continued safe operation. A written record of these checks shall be kept and made available to an authorised officer of the licensing authority.

11 The premises licence holder shall ensure that a suitable fire risk assessment and emergency plan is in place at all times.

d) The prevention of public nuisance

12 External seating shall be monitored frequently.

13 Signage requesting customers to be respectful of others when entering or leaving the premises shall be installed in a prominent position by the premises' exit.

14 Between the hours of 21:00 and 07:00 no waste/glass bottles shall be moved or deposited outside.

15 The premises' frontage shall be regularly monitored to keep it clean and clear of litter.

16 Arrangements shall be put in place to ensure that waste collection contractors do not collect refuse between 19:00 and 07:00.

e) The protection of children from harm

17 A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are the following recognised photographic identification cards: a driving licence, a passport, a military identification card or a Proof of Age card carrying a 'PASS' hologram.

18 All occasions when persons have been refused service shall be recorded in the incident book.

19 There shall be no children unaccompanied by a responsible adult on the premises after 19:00.

12 All children under the age of 12 years shall be accompanied by an adult whilst on the premises.

Checklist:

Please tick to indicate agreement


- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom or my share code issued by the Home Office online right to work checking service (please read note 15).

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.

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Declaration	<ul style="list-style-type: none"> • [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). • The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)
Signature	
Date	22nd June 2020
Capacity	Duly Authorised Agent

For joint applications, signature of 2nd applicant or 2nd applicant’s solicitor or other authorised agent (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
Paul Jones			
Innpacked			
31 Wedgwood Way Rochford SS4 3AS			
Post town		Postcode	
Telephone number (if any)	07309 057056		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) paul@innpacked.com			

Notes for Guidance

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. 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:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - 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.
 - 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.
 - 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.
 - 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:
 - 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.
 - 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,

- evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

Home Office online right to work checking service

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

Insurance number and their name issued by a Government agency or a previous employer.

- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and

15. Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

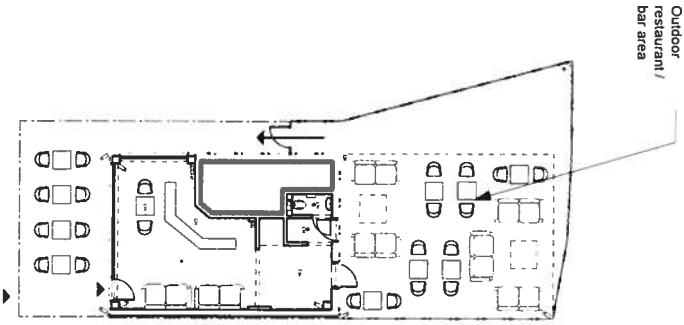
Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

Documents which demonstrate entitlement to work in the UK

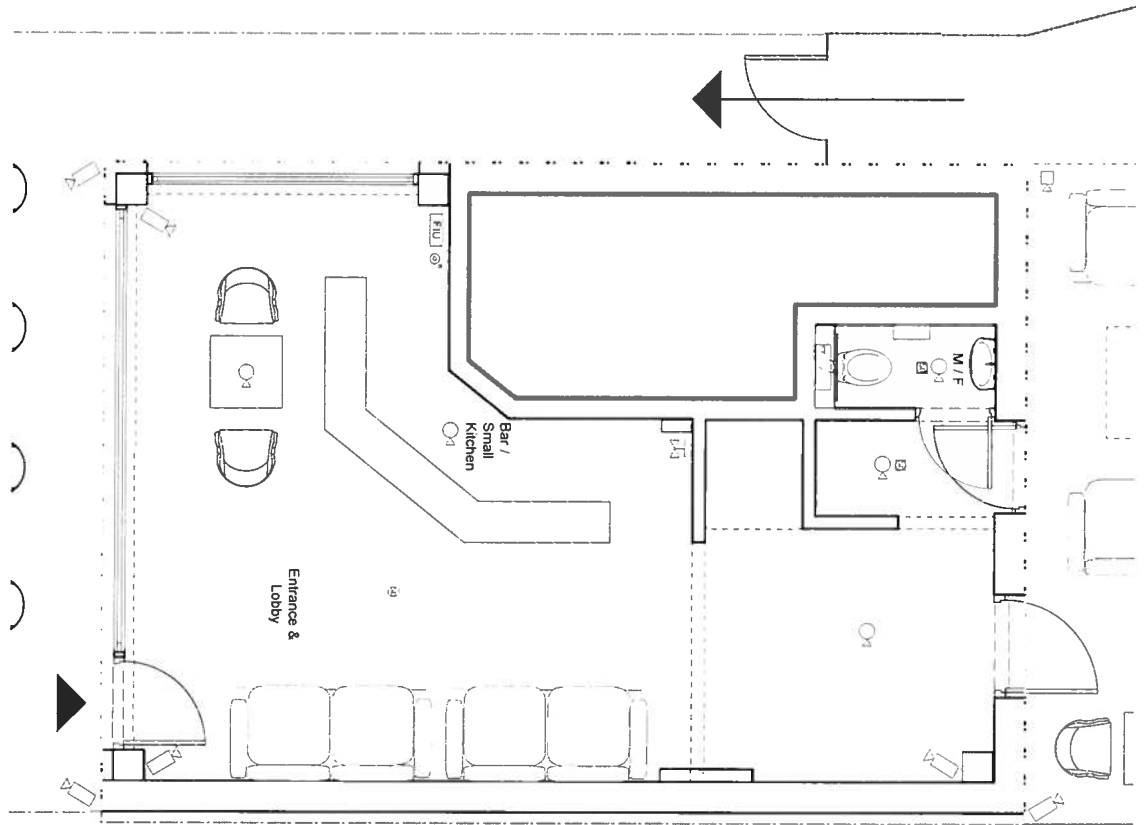
- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, **when produced in combination with** an official document giving the person's permanent National

- and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - 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.
 - 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:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - 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;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - 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.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
 4. For example the 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.
 5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
 7. 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.
 8. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
 9. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
 10. Please list here steps you will take to promote all four licensing objectives together.
 11. The application form must be signed.
 12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
 13. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.
 14. This is the address which we shall use to correspond with you about this application.

**Proposed Floor
Plan 1:200**



**Proposed Floor
Plan 1:50**



Key

- Site Boundary
- Building Boundary
- ▲ Egress from Street Level
- Fire Escape Route
- CCTVs
- FIU Fire Alarm Interface Unit
- Smoke Detector
- Smoke Detector With Fire Alarm
- Waterproof Fire Alarm
- Heat Detector With Fire Alarm
- Fire Alarm
- Gas Off Valve
- Area For Alcohol Consumption
- Bar Area & Reception

NO	DATE	COMMENT	DRW	CHK
00	16/06/20	Building Control	HM	HM



NOTES
 Scale from this drawing. All dimensions to be confirmed on site. Architect to be informed of any discrepancies before any action is taken. This drawing is copyright © my-architect

My-architect

36 Keeling House, E2 8PG
 T 07912325101 E Harry.my@my-architect.co.uk

PROJECT
 242 Bennetts Castle Lane

DRAWINGS
 Proposed Plans

SCALE
 1:100 @ A3

STATUS
 Production

DRAWING NO.
 224/04/400

REVISION
 P00

Representations from Becontree Ward Councillors

The prevention of crime and disorder

- Nearby 242 Bennetts Castle Lane are several sheltered housing complexes at Mitchell Close, Bennetts Castle Lane Care Home, Burford Close and Berryman Close.
- This will be the only late night licensed premises open until midnight in the area and is likely to attract a great deal of trade just before midnight
- Customers of H&Q Café are likely to travel by foot or car to reach the premises and are likely to be disorderly if purchasing alcohol up until 2300 late in the evening as well as food until midnight
- I am concerned that the late opening of the H&Q Café will frighten the elderly residents living nearby who may feel vulnerable to crime perpetrated by late night alcohol drinkers.

Public safety

- Nearby the H&Q Cafe are several sheltered housing complexes at Mitchel Close, Bennetts Castle Lane Care Home, Burford Close and Berryman Close.
- This will be the only late night licensed premises open until midnight in the area and is likely to attract a great deal of trade just before midnight
- Customers of H&Q Café are likely to travel by foot or car to reach the premises and are likely to be disorderly if purchasing alcohol until 2300 and then food up until midnight.
- Bennetts Castle Lane is a known accident hot-spot. Traffic drives too fast down this narrow road and there is plenty of evidence that Becontree councillors and local residents are, and have been, concerned about road safety here. The build-up of traffic as drivers stop to purchase alcohol and late night refreshments is a serious public safety hazard, and poses new risks. Traffic calming measures along the whole length of Bennetts Castle Lane aren't yet in place to slow the traffic . Traffic speed at night is likely to increase as thoughtless drivers believe they are the only road users, and if drivers have been drinking and stop for a late-night top-up of their alcohol stocks up until 2300 and food until midnight. The dangers will increase both for drivers and pedestrians in the area.

The prevention of public nuisance

- The H&Q Cafe is located near several sheltered housing complexes at Mitchel Close, Bennetts Castle Lane Care Home, Burford Close and Berryman Close.
- This will be the only late night licensed premises open until midnight in the area and is likely to attract a great deal of trade just before midnight, and certainly between 2300 and midnight.
- There is likely to be noise as cars drive up to and leave the premises, and noise from the customers as they congregate outside to talk, enjoy their food purchased at the café up until midnight, washed down by a bottle or two of alcohol.
- I am deeply concerned that this new licence application is likely to destroy the quality of life of some of the Borough's most vulnerable residents by disrupting their sleep, and creating fear as strangers are attracted in to the area to make use of the extended opening hours of the H&Q Café for both alcohol and food.

ADDENDUM TO REPRESENTATIONS

“We request the following amendments to the Conciliation Meeting agreement (changes in **bold**)

Opening hours 06.00 – **23.00** 7 days a week

Alcohol sales 10.00 – **10.00** 7 days a week

End of use of tables and chairs at the front of the premises 21.00 each night

End of use of the rear garden at 22.00 each night.

Becontree ward councillors also want to see a **restriction on alcohol sales at the front of the premises** which we consider appropriate and necessary to diminish any chance of disturbing local residents including the large number of older residents who live near the premises in sheltered accommodation. Please confirm that this **restriction on alcohol sales at the front of the premises** forms part of the amended application.

We expect the timing of the end of use of tables and chairs at the front and in the rear garden to be strictly adhered to without any additional 30 minutes for customers to leave the premises. Can the **prompt end of use of tables and chairs at the front at 21.00 and in the rear garden at 22.00 to be strictly adhered** without any additional 30 minutes “drinking up” period be **part of the Operating Schedule and operating conditions**, please?

We also expect the **timings of opening hours and alcohol sales** set out below to be strictly adhered to **without any slippage**.

Opening hours 06.00 – **23.00** 7 days a week

Alcohol sales 10.00 – **22.00** 7 days a week

Please send us a plan of the seating arrangements at the front of the premises and in the rear garden. We haven’t seen this. We are concerned about the number of seats to the front of the premises (8) and in the rear garden (22) and query whether Covid-19 guidelines can be adhered to in these circumstances. We would want to see any social distancing guidelines applicable to premises serving food and alcohol to be strictly adhered in these premises to avoid passing on Covid-19, which is a serious illness for people over the age of 70 and the BAME community, to passers-by and local people living in the vicinity.

We expect to see all the proposed range of operating conditions attached to the licence which are set out in section 4 of the Statement of Information from the Conciliation meeting to be part of the licence.”

Premises Licence Application in Respect of H &Q Café Shop, 242 Bennetts Castle Lane, Dagenham, RM8 3UU – Representation

I write with regard to the application for a new premises licence made by H & Q Café Shop Limited in respect of the trading premises known as H &Q Café Shop, 242 Bennetts Castle Lane, Dagenham, RM8 3UU.

Having considered the content of the application, which seeks consent for the supply of alcohol 'on' sales between 10:00 and 23:00 and LNR between 23:00 to 00:00 seven days a week, I would wish to make a representation on behalf of the Licensing Authority under the following licensing objectives

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance

This representation is made on the basis that the premises is located in a mixed commercial / residential area. There are a significant number of local residents living in close proximity to the premises and there is a care home within 200m of the premises. Given this there is potential for the residents to be subject to anti-social behaviour and nuisance, particularly from customers using tables and chairs to the front of the premises on the highway and in the rear garden of the premises, and while leaving the premises at night-time.

In my view, the potential could be reduced by imposing an earlier closing time together with a staggered reduction in the premises external operation. On this basis, I would like to see

- A reduction of the terminal licensed hour sought from midnight to 23.00
- The last permitted sales of alcohol to be made at 22.30 allowing for 30 minutes drinking up time
- Restriction placed on the use of tables and chairs in the rear garden to 22.00 and
- Restriction placed on the use of tables and chairs at the front of the premises to 21.00 with the street furniture used being stored in the premises each night or otherwise made inaccessible to the public

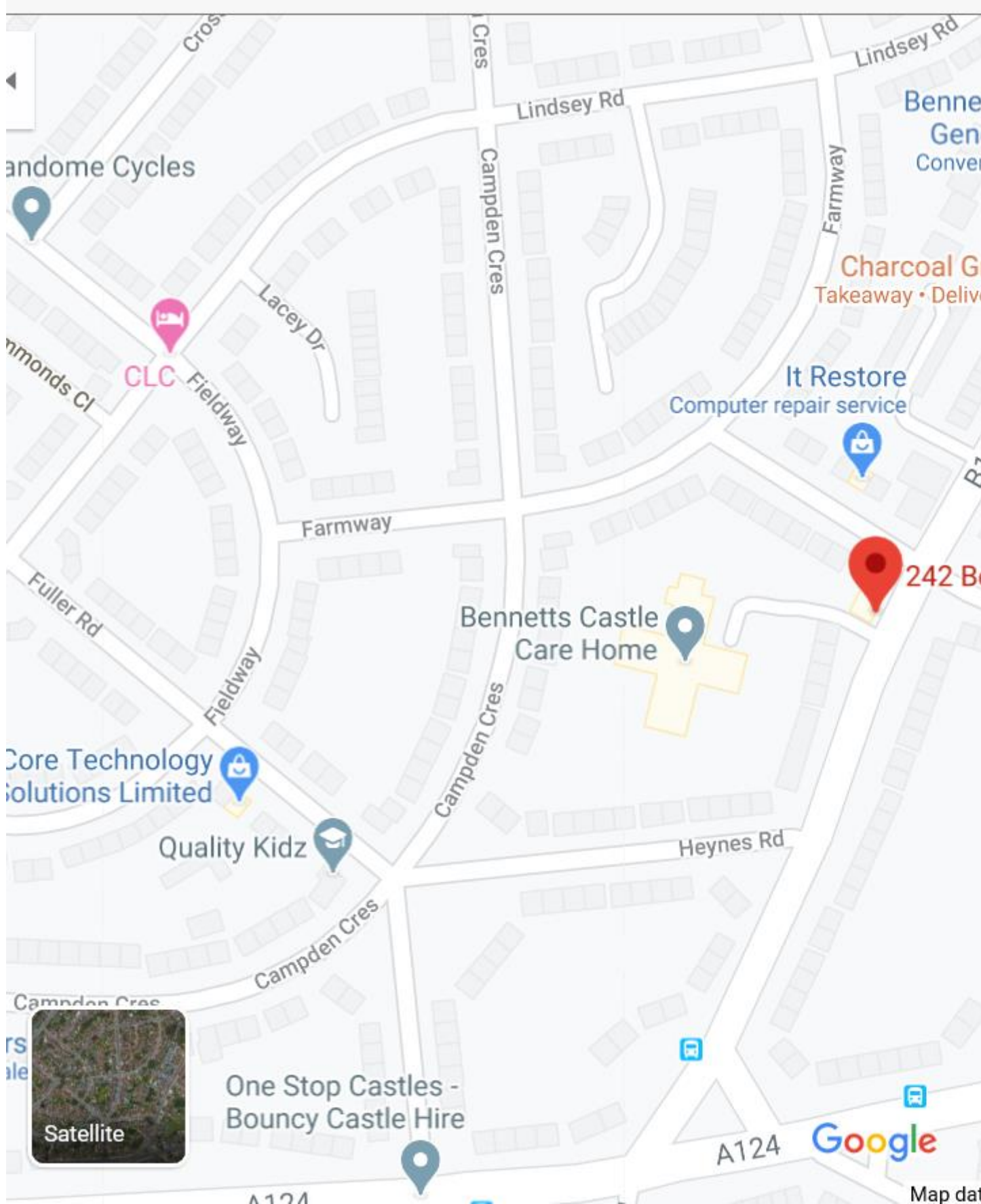
Furthermore, the application describes the premises as a 'café. However, the operating schedule provided contains no provisions intended to ensure that the premises, once licensed, operates as such. The operating schedule proposes a condition only that states "Alcohol shall be supplied to seated customers only; there shall be no vertical consumption of alcohol on the premises at any time".

There is potential, therefore, that the premises business becomes alcohol rather than food led and evolves into a bar rather than a café. I would also wish to see a condition added to any licence granted that states “Alcohol shall only be purchased for consumption on the premises when it is an accompaniment to a sit down substantial plated meal served at a table”.

If agreement is given to these additions, I would be prepared to withdraw this representation.

Samena Baloch, Licensing Authority Responsible Authority Officer

Appendix D – Map of the locality



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