

MINUTES OF LICENSING SUB-COMMITTEE

Tuesday, 5 March 2024
(7:04 - 7:17 pm)

Present: Cllr Faraaz Shaukat (Chair), Cllr Victoria Hornby and Cllr Lynda Rice

Apologies:

7. Declaration of Members' Interests

There were no declarations of interest.

8. Licensing Act 2003 - Application for a Premises Licence: Robin Hood Fish Bar, 4 Lodge Avenue, Dagenham RM8 2JA

The Licensing Officer (LO) presented the report outlining an application received on 23 December 2023 for a Premises License made by London Broast LTD, Robin Hood Fish Bar, 4 Lodge Avenue, Dagenham.

The application sought to provide the provision of Late-Night Refreshment Sunday to Thursday 11:00pm to Midnight and, Friday and Saturday from 11:00pm to 02:00am as shown in Appendix A and A1 to the report. The application would also include a delivery service.

Two representations opposing the application were received. One from a local resident and a second from a local business, both presented under the public nuisance licensing objective as shown in Appendix B and C to the report respectively.

Correspondences had taken place between both objectors (the 'interested parties') and the Applicant, however no agreement could be reached, as was shown in Appendix D and E to the report.

There had also been engagement between the Metropolitan Police and the Applicant during the application process in which an agreement was reached. The agreement was to reduce the operating timings for Friday and Saturday from 02:00am to Midnight. This along with other agreed amendments was shown in Appendix F to the report.

The Chair invited the Applicant to address the Sub-Committee.

The Applicant informed the Committee that the Robin Hood Fish Bar had been in operation for more than 20 years with new owners taking over the operation of the business six months ago. The Applicant reassured the Members that alcohol would not be sold at the premises and failed to see what would cause the public nuisance stated in the objection made by the local business.

The Applicant explained the premises would operate as a small takeaway and therefore would not have a sitting area for customers. The Applicant considered this would prevent any public nuisance from occurring as there was no encouragement for customers to hang around the premises.

As stated, the Metropolitan Police had reached an agreement with the Applicant with new conditions, and as a result the Applicant was of the view that as an agreement had reached with the Police, and as one of the Responsible Authorities, there were no grounds for the objections made by the Interested Parties, neither of whom were present at the meeting.

The Chair then invited the Applicant to sum up their representation before the Sub-Committee retired to make its decision.

Upon reconvening, the Legal Advisor to the Sub-Committee notified all parties of the decision:

DECISION

In its determination the Sub-Committee listened to and considered all the

representations both written and oral, as well as giving due consideration to all the relevant sections of the Statement of Licensing Policy, Home Office Guidance and Statutory Guidance.

The Sub-Committee **resolved** to grant the premises license with conditions as set out below:

1. No alcohol is permitted for sale at the premises.
2. No customers shall be permitted to access or remain on the licensed premise after 00.00 hours.
3. Notices will be prominently displayed by the Entry/Exit door and point of sale (as appropriate) advising customers:
4. the permitted hours for the provision of late-night refreshment, the last order times, and the opening times of the premises.
5. To respect residents and leave quietly, not to loiter outside the shop and to dispose of litter legally.
6. Customers must not bring alcohol into or consume alcohol in the premises.
7. An incident book shall be kept at the premises and made available to the Police or Authorized Officers.
8. A written training record shall be kept for each member of staff which shall be made available to Police or Authorized Officers on request.
9. All staff will receive training for their role on induction and include relevant refresher training at a minimum of 6 monthly intervals.
10. A telephone number will be clearly displayed in the shop window and shall be provided to any local resident/Residents Association to allow contact with management with any concerns.

11. Details of concerns by residents will be recorded in a book together with detail of the action taken to address them.
12. A minimum of 2 members of staff shall be always on duty in the premises that the premises is open for Licensable Activities.
13. Last order must be taken no later than 15 minutes before the terminal hour on any night.
14. A digital CCTV system be operated and maintained.
15. Images recorded shall be kept for a minimum of 31 days and be provided to police or council officers upon request.
16. The CCTV system shall be always maintained in good working order the premises are open to the public and be fully operational covering the internal areas of the premises to which the public have access.
17. At least one CCTV camera is to be placed no more than seven feet above floor level; near to the exit' to capture clear facial images of all persons leaving the premises.
18. The medium on which the CCTV images are recorded shall be of evidential quality; stored securely; and be available for inspection by the Police or Local Authority upon request.
19. At all times when the premises are open for the purpose of licensable activities a suitably trained member of staff shall be present to assist the Police or an authorised officer in obtaining the CCTV footage.
20. Appropriate portable fire equipment and first aid equipment shall be provided and kept easily accessible.
21. All members of staff shall be trained in the use of fire and first aid equipment.
22. A fire risk assessment and emergency plan will be prepared and regularly reviewed.
23. Staff will receive appropriate fire safety and training.
24. Management and staff will proactively discourage customers from loitering outside the premises, politely asking any that do to leave the frontage and vicinity quietly.
25. Staff shall monitor the area outside the shop and dispose of any rubbish generated by customers.
26. Delivery drivers shall wait inside the premises between deliveries/for deliveries.
27. Vehicles used for delivery must switch off their engines when waiting outside the premises for the collection of food for delivery.

28. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection.
29. Staff who arrive in the morning or depart late at night will be asked not to cause disturbance to nearby residents.
30. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
31. No unaccompanied children under 16 shall be on the premises after 22:00
32. Staff and supervisors will ensure the appropriate behavior of customers in respect of children.