


Havering Council – Decisions taken by the Licensing Sub-Committee on Friday, 2 February 2018

Agenda Item No	Topic	Decision
----------------	-------	----------

Note: this decision list is for guidance only. The text of the minutes, which may be different, is definitive.

Part A – Items considered in public

<p>A1</p>	<p>APPLICATION FOR A PREMISES LICENCE - TROPOJA, 99 VICTORIA ROAD, ROMFORD, RM1 2LX</p>	<div align="center">  <h1>Havering</h1> <p>LONDON BOROUGH</p> <p>Licensing Act 2003 Notice of Decision</p> </div> <p>PREMISES Tropoja Cafe & Bar 99 Victoria Road Romford Essex RM1 2LX</p> <p>APPLICANT Mr Adil Haziri and Mr Fatjon Qela</p> <p>1. Details of Application</p> <table border="1"> <thead> <tr> <th align="center" colspan="3">Supply of Alcohol</th> </tr> <tr> <th align="center">Day</th> <th align="center">Start</th> <th align="center">Finish</th> </tr> </thead> <tbody> <tr> <td align="center">Monday to Sunday</td> <td align="center">16:00</td> <td align="center">23:00</td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	Supply of Alcohol			Day	Start	Finish	Monday to Sunday	16:00	23:00			
Supply of Alcohol														
Day	Start	Finish												
Monday to Sunday	16:00	23:00												

Havering Council – Decisions taken by the Licensing Sub-Committee on Friday, 2 February 2018

Agenda Item No	Topic	Decision
----------------	-------	----------

		<table border="1" data-bbox="842 448 1554 491"> <tr> <td></td> <td></td> <td></td> </tr> </table> <table border="1" data-bbox="842 515 1554 707"> <thead> <tr> <th colspan="3">Hours premises open to the public</th> </tr> <tr> <th>Day</th> <th>Start</th> <th>Finish</th> </tr> </thead> <tbody> <tr> <td>Monday to Sunday</td> <td>08:00</td> <td>23:30</td> </tr> <tr> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> </tr> </tbody> </table> <p data-bbox="842 810 2089 938">The applicant acted in accordance with regulations 25 and 26 of <i>The Licensing Act 2003 (Premises licences and club premises certificates) Regulations 2005</i> relating to the advertising of the application. The required public notice was installed in the 22 December 2017 edition of the Havering Yellow Advertiser.</p> <p data-bbox="842 978 2089 1042">The Premises was situated just outside of the Ring Road which circled Romford Town Centre so fell just outside of the Cumulative Impact Zone.</p> <p data-bbox="842 1082 2089 1145">The applicant, in consultation with the Police, modified the application to include the following two conditions within the operating schedule:</p> <ol data-bbox="920 1185 2089 1305" style="list-style-type: none"> 1 All windows and doors to be closed past 8pm save for persons entering and exiting via the front door. 2 The capacity of the venue shall be limited to 40 persons including staff. <p data-bbox="842 1369 1261 1401">2. Details of Representations</p>				Hours premises open to the public			Day	Start	Finish	Monday to Sunday	08:00	23:30						
Hours premises open to the public																				
Day	Start	Finish																		
Monday to Sunday	08:00	23:30																		

Havering Council – Decisions taken by the Licensing Sub-Committee on Friday, 2 February 2018

Agenda Item No	Topic	Decision
		<p>There was 1 representation against the application from an interested person.</p> <p>There was 1 representation against the application from a responsible authority, namely Havering Planning Authority.</p> <p>Details of representations</p> <p>Valid representations may only address the following licensing objectives:</p> <ul style="list-style-type: none"> • The prevention of crime and disorder • The prevention of public nuisance • The protection of children from harm • Public safety <p>The representation from an interested person related to the prevention of crime and disorder, the prevention of public nuisance and public safety.</p> <p>The representation from the planning authority related to the prevention of public nuisance objective.</p> <p>There was no representative from the planning department present at the hearing.</p> <p>The venue did not have planning permission and in operating as a bar may be in breach of planning legislation.</p> <p>The venue was situated within a highly residential area, the property itself had a flat</p>

Havering Council – Decisions taken by the Licensing Sub-Committee on Friday, 2 February 2018

Agenda Item No	Topic	Decision
		<p>above it and it was not known whether the property had adequate soundproofing to prevent ambient noise escaping through the roof.</p> <p>3. Applicant’s response.</p> <p>Mr Hopkins, representing the applicant, addressed the Sub-Committee.</p> <p>Mr Hopkins advised that the applicant had amended the hours for selling alcohol to a more moderate level.</p> <p>The Sub-Committee was advised that the car wash at the rear of the premises was open until 19.00hrs and those operatives from the car wash would be able use the café after finishing work.</p> <p>Mr Hopkins pointed out that no objections had been raised from the Metropolitan Police or Environmental Health.</p> <p>The operating schedule had been amended to show that the applicant would operate the business in a responsible manner and actively promote the licensing objectives at all times. This would include installation of CCTV, promoting Challenge 25 and appropriate signage on the premises reminding patrons about leaving the premises respecting others amenity.</p> <p>The premises would operate with “café bar” type conditions allowing customers to buy alcohol without a requirement to have a meal. The “café bar” would cater mainly for the local Albanian community and had only previously been used by the applicant’s family and employees of the car wash situated at the rear of the premises.</p> <p>Mr Hopkins advised that he had written to the interested person about their concerns but had</p>

Havering Council – Decisions taken by the Licensing Sub-Committee on Friday, 2 February 2018

Agenda Item No	Topic	Decision
		<p>not received any reply to the correspondence.</p> <p>The Sub-Committee was advised that if the applicant was successful with the licence application the Mr Hopkins would be mentoring the applicant/premises for a period of six months following opening and that the applicant would also be applying for planning permission for the premises.</p> <p>Mr Hopkins advised that the applicant had approximately fifteen years’ experience in managing other licensed premises.</p> <p>4. Determination of Application</p> <p>Consequent upon the hearing held on 2 February 2018, the Sub-Committee’s decision regarding the application for a premises licence for Tropoja Café and Bar was as set out below, for the reasons stated:</p> <p>The Sub-Committee was obliged to determine the application with a view to promoting the licensing objectives.</p> <p>In making its decision, the Sub-Committee also had regard to the Guidance issued under Section 182 of the Licensing Act 2003 and Havering’s Licensing Policy. In particular, the Sub-Committee took into account policies 1, 5, 8 and 9 of the Statement of Licensing Policy.</p> <p>In addition the Sub-Committee took account of its obligations under section 117 of the Crime and Disorder Act 1998, and Articles 1 and 8 of the First Protocol of the Human Rights Act 1998.</p>

Havering Council – Decisions taken by the Licensing Sub-Committee on Friday, 2 February 2018

Agenda Item No	Topic	Decision
		<p>5. Decision</p> <p>The Licensing Sub-Committee considered the application for a new premises licence in respect of Tropoja Café and Bar 99 Victoria Road Romford made on behalf of the applicant Adel Haziri and Fatjon Qela.</p> <p>Written and oral representations were made by the responsible body for the London Borough of Havering Planning Authority. The Sub-Committee also considered an objection letter from a local resident. The objection raised concerns in relation to the prevention of public nuisance.</p> <p>The Sub-Committee heard evidence called on behalf of the applicant. It considered the submissions on behalf of the applicant.</p> <p>The Sub-Committee reminded itself that it must promote the licensing objectives and had regard to the Statutory Guidance issued pursuant to 182 of the Licensing Act 2003. The Sub-Committee also considered carefully the Council's Statement of Licensing Policy document. It reminded itself that each decision must be made on its own merit.</p> <p>It seems to the Sub-Committee that the licensing policy 6 was there for a good reason. Without the relevant planning permission the granting of the licence would create an uncertainty in terms of the council's overall approach to the licencing of premises. The suitability of the premises ought to be determined before a licence to sell was granted.</p> <p>The Sub-Committee found that the application did not adequately deal with the concerns raised</p>

Havering Council – Decisions taken by the Licensing Sub-Committee on Friday, 2 February 2018

Agenda Item No	Topic	Decision
		<p>by the responsible authority. This included the impact on the character and mix of premises in the area. There was no attempt to deal with the increased vehicle traffic caused by the proposed activity. There was no attempt to deal with the difficulties created by the increased foot fall. There were no adequate controls in place for the consumption of alcohol outside the premises; particularly bearing in mind the application included a request for off sales.</p> <p>The Sub-Committee concluded that the granting of the licence would not in all the circumstances meet the licencing objectives in relation to public nuisance.</p> <p>The application was therefore refused.</p> <p>Appeal</p> <p>Any party to the decision may appeal to the Magistrates Court within 21 days of notification of the decision. On appeal, the Magistrates Court may make an order for costs as it sees fit.</p> <p>Richard Cursons Clerk to the Licensing Sub-Committee</p>
A1		

Havering Council – Decisions taken by the Licensing Sub-Committee on Friday, 2 February 2018

Agenda Item No	Topic	Decision
A2		