

Licensing Act 2003 Responsible Authority representation

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

Premises Name and address:	"Nisa", 97-99 Balgores Lane, Romford, RM2 6BT
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Your Name:	Samuel Cadman
Organisation name / name of body you represent:	Havering Council's planning department
Your Address:	5 th Floor Mercury House, Mercury Gardens, Romford, RM1 3SL
Email:	sam.cadman@havering.gov.uk
Contact telephone number:	01708 434798

Summary of representation:	To OBJECT to the proposed premises licence application on the specific licencing objective "The prevention of public nuisance".
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Policy Considerations:

The representation takes into account the following licencing policies as set out in the document titled "Statement of Licencing Policy" with effect from 7th January 2016:

Licencing Policy 1

In considering applications for new licences, variations to existing licences and licence reviews the Licensing Authority will take the matters listed below into account:

- whether the premises is located in an area of cumulative impact;
- the type of premises and their cumulative impact on the area and the mix of premises in the area;
- the location of the premises and the character of the area;
- the views of the responsible authorities;
- the views of other persons;
- past compliance history of current management;
- the proposed hours of operation;
- the type and number of customers likely to attend the premises;
- whether the applicant is able to demonstrate commitment to a high standard of management, for example through active participation in the Safe and Sound meetings and pub watch.

Licencing Policy 6

The Licensing Authority considers that, in the interests of clarity and transparency, applicants should normally have in place the relevant planning consent for the intended use and hours of operation, or otherwise have lawful planning status, before making an application for a premises licence. However every application will be considered on its merits on a case by case basis

Licencing Policy 8

When assessing the applicant's or licensee's ability to demonstrate a commitment to high standards of management the Licensing Authority will take into account whether the applicant or licensee:

- Can demonstrate comprehensive knowledge of best practice
- Has sought advice from the responsible authorities

- Has implemented any advice that has been given by the responsible authorities
- Is able to understand verbal and written advice and legal requirements
- Can demonstrate knowledge of the licensing objectives, relevant parts of the Licensing Policy and their responsibilities under the Licensing Act 2003
- Is able to run their business lawfully and in accordance with good business practices
- Is able to demonstrate a track record of compliance with legal requirements.

Where there is a history of non-compliance associated with the premises the Licensing Authority is unlikely to grant a new or variation application unless there is evidence of significant improvement in management standards.

Licensing Policy 14

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

Representation:

There have not been any planning conditions attached to use of the property, and so it appears that there are currently no issues with regards to licensing policy 6. However, planning permission would likely restrict the opening hours of the site to be of a similar times to the surrounding properties. One planning application recently decided opposite the subject site restricted the use until 23:00.

The current licence for the premises finishes at 23:30, and so the application is looking to vary the premises licence so that there is the provision of alcohol until 02:00. This increase of opening hours would introduce new issues due to an increase in noise and disturbance to the residents located in close proximity the application site from increased comings-and-goings and noise. This will become more prevalent in the early hours, when there would be a reasonable expectation that there is a lower ambient noise level and a lower amount of activity in the area. It is therefore expected that more conditions or relevant preventative measures should be put in place to address the addition noise and disturbance; but the licence application does not do this. Therefore, the licence applicant does not demonstrate sufficient knowledge of the licensing objectives as outlined in licensing policy 8.

Given the arguments as set out above, the application to vary the licence does not accord with licensing policies 1 and 8. Given the issues outlined above, the planning conditions recently granted for uses nearby, and the current licence in place, it is considered that the current licence has sufficient hours of operation. Therefore, I ask that the licensing committee use this representation to refuse the application to vary the premises licence in accordance with licensing policy 14.

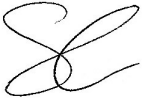
Complaint and Inspection History (if applicable):

No visits to the property were undertaken.

There are no recent planning applications that relate to the use of the site, and so are not relevant to the licence application.

Other documents attached:

No documents attached.

<p>Signed: </p>	<p>Dated: 16th March 2017</p>
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