

Licensing Act 2003 Responsible Authority representation

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

Premises Name and address: Nisa, 97-99 Balgores Lane, Romford RM2 6BT

Your Name: Arthur Hunt

Organisation name/name of body you represent: London Borough of Havering/Licensing

Your Address: 5th Floor, Mercury House, Mercury Gardens, Romford, Essex, RM1 3SL

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Contact telephone number: 01708 433585

Summary of Objection: Objection to an application for a variation to a premises licence based upon the prevention of public nuisance licensing objective.

Policy Considerations

Licensing 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.

Licensing Policy 5

The Licensing Authority is concerned regarding the adverse impact on the licensing objectives arising from the increasing numbers of shops selling alcohol for consumption off the premises. The Licensing Authority will consider restricting the number of premises and the licensing hours to 23.00 in locations where longer hours undermine the licensing objectives.

Licensing Policy 7

When dealing with new and variation applications the Licensing Authority will give more favourable consideration to applications with the following closing times:

Public Houses and Bars 23:00 hours-Sunday to Thursday

Midnight –Friday and Saturday

Nightclubs 01:00 hours Sunday to Thursday

02:00 hours Friday and Saturday

Restaurants and Cafes 23:00 hours Sunday to Thursday

Midnight- Friday and Saturday

Off licences 23:00 Monday to Sundays

Hot food and drink supplied by takeaways, fast food premises

Midnight- Sunday to Thursdays

01:00 Friday and Saturday

Hotel residents only 24 hours sale of alcohol for on sales only.

Consideration will also be given to the type of area that the premises is located in with regulated activities normally being permitted until 23.30 in residential areas and 00.30 in mixed use areas.

These hours are not pre-determined and each application will be considered on its merits.

Representation

I wish to make representation as a Responsible Authority under the prevention of public nuisance licensing objective.

Application

The applicant in this case became the licence holder for the premises in February 2017.

The previous licence holder had virtually run the business into the ground and was rarely open with little stock on display.

Having taken over the business the applicant has refurbished the shop and installed a new lay out which increases the display of alcohol. This was pointed out to the DPS, which precipitated the application to vary the hours and layout.

The premises itself is a ground floor unit in a terrace of other commercial units. However, there are residential units above the premises and others in quite close proximity. Under the Old Statement of Licensing Policy, this would have been considered a mixed use area.



The applicant has stated in the form that he does not consider that any further measures are required to uphold the licensing objectives. Opening until 02:00am the applicant should recognise that there is potential for public nuisance, but obviously fails to address such. As the policy states, each application will be dealt with on its merits. There is nothing in this application that appears to “merit” the variation.

In the immediate vicinity of this premise are a number of other similar premises all of whom are within the hours of policy 7 and close at 23:00. . The Licensing Authority recognises the financial benefits of seeking to expand a customer base; however, extending the premises’ operation further into the early hours of the morning has an implication which reaches beyond the boundary of the premises.

Competition for late night customers might appear to operate on a ‘supply and demand’ principle: the ‘more’ a premises may supply, the greater the demand for that supply. In other words, the longer a premises remains open to the public, the more members of the public will want to avail themselves of the services offered within. The result of such a situation is that competing businesses may feel compelled by this principle to extend their hours also. The outcome of such a scenario is ‘*hours-creep*’.

The applicant has not described why they feel that they should not be subject to Havering’s policy, I believe therefore that they should be restricted to 23:00 in line with Policy 7.

With regards to the layout section of the application. This, as previously stated, was part of a refurbishment of the premises in early 2017. It increases the alcohol display area, but the Licensing Authority have no representations with regard to this part of the application. (Plans below for information and comparison)

Complaint and Inspection History (if applicable)

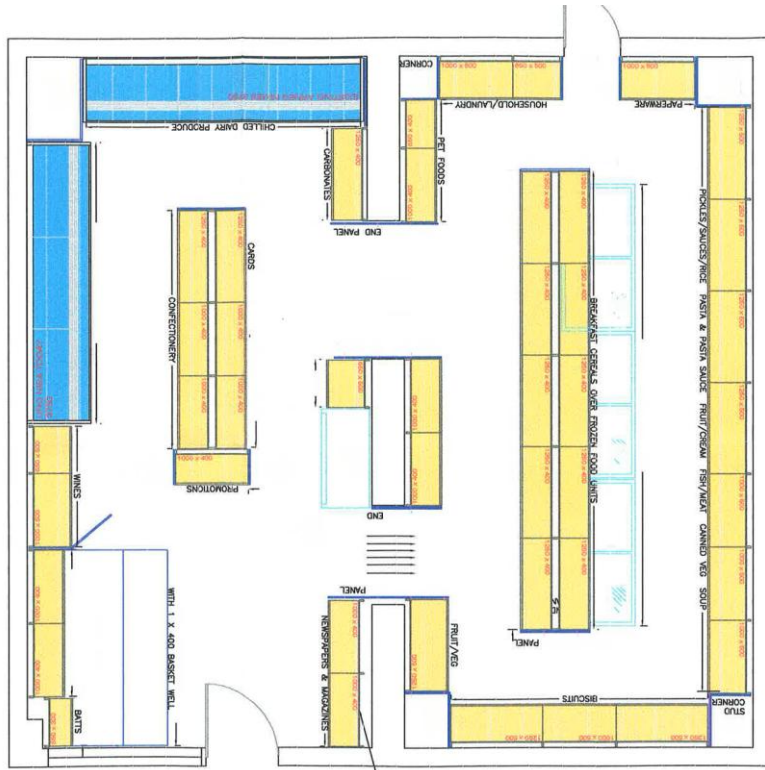
Other documents attached

See plans below

Signed

dated 27/03/2017

Old Plan



New Plan

