

**Havering Council – Decisions taken by the Licensing Sub-Committee on Wednesday, 17 January 2024**

Agenda Item No	Topic	Decision
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**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**

<b>A1</b>	APPLICATION FOR A PREMISES LICENCE - LAKERS CHICKEN, UNIT 2A, 2-4 EASTERN ROAD, ROMFORM RM1 3PJ	<b>Licensing Act 2003 Notice of Decision</b>										
			<p><b>PREMISES</b> Lakers Chicken Unit 2a, 2-4 Eastern Rd Romford RM1 3PJ</p> <p><b>APPLICANT</b> Littlemore Foods Ltd</p> <p><b>Details of requested licensable activities</b> This application for a premises licence is made by Littlemore Foods Ltd under section 17 of the Licensing Act 2003. The application was received by Havering’s Licensing Authority on 9th November 2023.</p> <p>The application seeks to permit the following licensable activity:</p> <p><b>Details of the application</b></p> <table border="1"> <thead> <tr> <th align="center" colspan="3"><b>Late Night Refreshment</b></th> </tr> <tr> <th align="center"><b>Day</b></th> <th align="center"><b>Start</b></th> <th align="center"><b>Finish</b></th> </tr> </thead> <tbody> <tr> <td>Sunday to Wednesday</td> <td align="center">23:00</td> <td align="center">02:00</td> </tr> <tr> <td>Thursday to Saturday</td> <td align="center">23:00</td> <td align="center">05:00</td> </tr> </tbody> </table>	<b>Late Night Refreshment</b>			<b>Day</b>	<b>Start</b>	<b>Finish</b>	Sunday to Wednesday	23:00	02:00
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		<table border="1"> <thead> <tr> <th align="center" colspan="3">Opening hours</th> </tr> <tr> <th align="center">Day</th> <th align="center">Start</th> <th align="center">Finish</th> </tr> </thead> <tbody> <tr> <td>Sunday to Wednesday</td> <td align="center">11:00</td> <td align="center">02:00</td> </tr> <tr> <td>Thursday to Saturday</td> <td align="center">11:00</td> <td align="center">05:00</td> </tr> </tbody> </table> <p><b>Comments and observations on the application</b></p> <p>The applicant acted in accordance with regulations 25 and 26 of The Licensing Act 2003 (Premises licences and club premises certificates) Regulations 2005 relating to the advertising of the application.</p> <p>There were three representations against this application from responsible authorities. The Metropolitan Police, the Licensing Authority and Havering’s Environmental Health Department.</p> <p>1. The Licensing Sub - Committee (“LSC”) has considered an application for a new premises licence in respect of Laker’s Chicken, Unit 2, 2 – 4 Eastern Road, Romford RM1 3PJ (“the premises”).</p> <p>On its application form, the Applicant, Littlemore Foods Ltd. initially sought a licence to sell late night refreshments (on and off the premises) for the following times-</p> <p align="center">                 Sunday to Wednesday - 23:00 hours to 02:00 hours                  Thursday to Saturday – 23:00 hours to 05:00 hours                  Bank Holidays Weekends – 23:00 hours - 05:00 hours                  Any festive days: Christmas Eve, Eid, Diwali, St. Patrick's Day, etc. 23:00 hours             </p>	Opening hours			Day	Start	Finish	Sunday to Wednesday	11:00	02:00	Thursday to Saturday	11:00	05:00
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		<p>to 05:00 hours</p> <p>2. <b>In a supplementary agenda the Applicant submitted a number of further conditions and amended the requested hours to the following –</b></p> <p><b>Sunday to Wednesday - 23:00 hours to 01:00 hours</b></p> <p><b>Thursday to Saturday – 23:00 hours to 03:00 hours</b></p> <p>Sundays before Bank Holidays, Christmas Eve &amp; New Year’s Eve – 23:00 hours to 03:00 hours. The other festive nights mentioned on the application form were withdrawn.</p> <p>3. The Licensing Sub-Committee heard from the Metropolitan Police Licensing Team who objected to the application under the licensing objectives of The Prevention of Crime and Disorder, Public Safety &amp; the Prevention of Public Nuisance, and the London Borough of Havering’s Public Protection officer who objected to the application under the Prevention of Public Nuisance. The Licensing Sub-Committee also heard from a second Public Protection Officer who objected to the application under the licensing objectives of The Prevention of Crime and Disorder, Public Safety &amp; the Prevention of Public Nuisance and</p>

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		<p>the council’s policy on licensing hours. There were no representations from any residents.</p> <p><b><u>Decision</u></b></p> <p><b>4. Having considered the written evidence and the oral submissions made during the hearing the Licensing Sub-Committee decided that the licence would be granted with all the conditions set out in the supplementary agenda and for the following hours which accorded with the council’s Licensing policy–</b></p> <p>Sunday to Thursday – 23:00 hours to 00:00 hours  <b>Friday and Saturday – 23:00 hours to 01:00 hours</b></p> <p><b>Sundays before Bank Holidays, Christmas Eve &amp; New Year’s Eve – 23:00 hours to 01:00 hours.</b></p> <p><b><u>Reasons for the Decision</u></b></p> <p><b>5. The Sub-Committee must promote the licensing objectives and must have regard to the Secretary of State’s National Guidance created under s182 of the Licensing Act 2003 and the Council’s own Statement of Licensing Policy.</b></p>

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		<p>6. The Licensing Sub-Committee noted that the area in which the premises is situated is in an Cumulative Impact Zone (“CIZ”) and was described by the Public Protection officer as “Havering’s worst crime hot-spot in the borough’s main CIZ</p> <p>7. The Licensing Sub-Committee asked each of the officers for the Responsible Authorities whether they were reassured with the reduced hours as put forward by the Applicant. Each of the officers still objected to the application despite the proposed reduced licensing hours. The officer for the Police Licensing Team stated that he was still concerned about the proposed 03:00 hours end time for licensing. The Public Protection officer stated that the reduced hours were better and they were a positive step. The officer was, however, still concerned that the occupiers of a hotel directly opposite the premises may still be affected by the early morning licensing hours. The second Public Protection officer stated that he would support the application if the licensing hours adhered to those in the council’s licensing policy but he could not support the application with the hours currently applied for.</p>

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		<p>8. In particular the Sub-Committee noted the police representations in respect of the potential for increased crime and disorder, risk to public safety and anti-social behaviour (“ASB”) and that the proposed terminal times did not adhere to the council’s Licensing policy of 00:00 hours and 01:00 hours. The LSC noted the police officer’s concerns regarding alcohol fuelled customers loitering around the venue and causing anti-social behaviour and the increased burden on the police at the time of dispersal. The Sub-Committee was concerned that the late terminal hours would encourage people to loiter in the area until the early hours of the morning and in particular to 3am on Thursdays to Saturdays which would in turn lead to further ASB, noise nuisance, and crime and disorder</p> <p>9. The Licensing Sub-Committee also took into account the Public Protection officer’s concerns that the proposed reduced hours were still not in keeping with the council’s licensing policy.</p> <p>10. The Licensing Sub-Committee therefore was of the opinion that the Applicant had failed to rebut the presumption that the granting of the licence for the hours</p>

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		<p>requested would add to the existing cumulative impact in the area.</p> <p>11. In addition to a further reduction in the licensing hours so that they were in line with the council's licensing policy the Licensing Sub-Committee imposed the following licence conditions for the promotion of the licensing objectives -</p> <p><b><u>Licence Conditions</u></b></p> <p><b>a) Prevention of Crime &amp; Disorder</b></p> <p>1) a) The premises licence holder shall ensure that a CCTV system is installed in the premises of a standard acceptable to the Metropolitan Police Service. The system shall be maintained in good working order &amp; fully operational covering all internal areas to which the public have access and the immediate outside of the restaurant. All entry and exit points shall be covered enabling frontal identification (full head and shoulders images), of every person entering the premises in any light condition to an evidential standard.</p> <p>b) All staff shall be fully trained in the operation of the CCTV system including the ability to download screenshots and images for Police or Authorised Officers on request. A minimum of one such member of staff fully trained in the operation of the CCTV system shall be on duty at all times that the premises are open to the public.</p>

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		<p>c) The CCTV system shall have the capability to either download footage onto a disk or memory stick. The footage of the CCTV system shall be retained for a minimum period of 31 days before re-writing itself with the correct date and time showing. Screenshots and CCTV footage shall be made available to Police or Authorised Officers immediately upon request provided that it is requested further to the prevention or detection of crime and disorder.</p> <p>d) If the CCTV system is broken the premises licence holder shall notify the Licensing Authority and Police Licensing Team as soon as possible and get the fault rectified as soon as practicable.</p> <p>e) The premises licence holder shall ensure that a log is kept with the details &amp; the dates of all work / repairs carried out on the CCTV system including the name and phone number of the engineer.</p> <p>f) On a minimum daily basis, the premises licence holder / DPS shall check that the CCTV system is operational and the date and time stamp are correctly set and on a minimum of a weekly basis, check that the CCTV system is also correctly recording images for a minimum of 31 days and that screenshots and footage can be correctly downloaded. Details of these checks shall be recorded in the appropriate section of the Incident Book.</p> <p>2) An incident log shall be kept at the premises for at least 12 months, and made available on request to Police Officers or Authorised Officers which will record the following:</p> <p>(a) all crimes reported to the premises, or by the premises to Police;</p>



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		<p>(b) all ejections of patrons;</p> <p>(c) any incidents of disorder;</p> <p>(d) complaints received and the outcome;</p> <p>(e) any seizure of drugs or offensive weapons;</p> <p>(f) any failures or faults with the CCTV system;</p> <p>g) Any visits by Police or other Emergency Services. Where Police are called the CAD number shall be obtained and recorded in the Incident Book.</p> <p>3) Notices shall also be prominently displayed by the entry/ exit door and servery (as appropriate) advising customers:</p> <p>a) That CCTV is in operation;</p> <p>b) Of the permitted hours for licensable activities, last order times &amp; the opening times of the premises;</p> <p>c) That no glass bottles or glasses shall be removed from the premises;</p> <p>d) To respect residents and leave the premises &amp; vicinity quietly and quickly, not to loiter outside the premises, not to talk loudly when outside smoking and to dispose of litter legally;</p> <p>e) That no more than four (4) customers at a time shall be permitted in the smoking area outside the premises.</p> <p>4) All staff shall be trained on induction and given refresher training at six monthly intervals for their role and in the operation of the CCTV system &amp; downloading images and footage.</p>

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		<p>Training shall also include serving customers in turn, explaining cooking times and any delays to customers, monitoring customer conduct within the restaurant and outside, avoiding conflict, ensuring customers do not bring alcohol into or consume alcohol on the premises and safeguarding children, vulnerable people, girls &amp; women. Written training records shall be kept for each member of staff.</p> <p>5) Customers shall not be permitted to bring alcohol into or consume it in the restaurant. Any customer who is intoxicated shall be asked to leave the premises.</p> <p>6) No glass bottles or glasses shall be removed from the premises.</p> <p>7) The last order for dine in service shall be taken at 22.45 daily and the tables and chairs inside the restaurant closed to the public at 23.15 daily.</p> <p>8) The last order for collection or home delivery shall be taken fifteen (15) minutes before the terminal hour on any night.</p> <p>9) An SIA Licensed Door Supervisor shall be on duty at the restaurant from 23.00 to fifteen (15) minutes after close on Thursday, Friday &amp; Saturday nights and on all nights when Non-Standard Timings apply. The Door Supervisor shall wear a high vis vest with the business name on it and clearly display their SIA Licence or a copy of it while on duty. The SIA Licensed Door Supervisor shall record their name and phone number, SIA Licence number, dates and times of attendance, if employed by a Security Company the name &amp; phone number of the Company and their initials.</p>

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		<p>10) From the end of permitted licensed hours and until all customers have left the premises / frontage, the member of staff tasked for the purpose, or SIA Licensed Door Supervisor when on duty, shall take a proactive role and stand on the exit door asking customers to leave the premises and area quietly and as quickly as possible. The nominated Staff Member shall ensure that customers do not take any glass bottles, or glasses from the premises when departing and monitor the frontage to ensure people do not loiter outside.</p> <p>11) The premises licence holder shall undertake an ongoing daily risk assessment, taking into account any local events taking place or advice received from The Metropolitan Police Service to identify adequate staffing levels &amp; any additional need for SIA Licensed Door Supervisors to be in attendance.</p> <p><b>b) Public Safety</b> A Fire Risk Assessment and Emergency Plan shall be prepared and regularly reviewed. All staff shall receive appropriate fire safety training.</p> <p><b>c) Prevention of Public Nuisance</b> 1) A Dispersal Policy shall be prepared and regularly reviewed. The Dispersal Policy shall be included in staff training including the SIA Licensed Door Supervisor and all staff shall be tasked to implement its provisions. A copy of the Dispersal Policy shall be sent to the Licensing</p>

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		<p>Authority and Police Licensing Team.</p> <p>2) The ventilation and extraction system shall be regularly cleaned and maintained so as to prevent noxious odours causing a nuisance to nearby properties.</p> <p>3) Adequate litter bins shall be placed inside and outside the restaurant for customer use and shall be regularly emptied.</p> <p>4) The outside of the restaurant shall be kept tidy at all times and swept at close.</p> <p>5) No more than four (4) customers shall be allowed outside smoking at any time.</p> <p><b>d) Protection of Children from harm</b></p> <p>1) No unaccompanied children under 16 shall be allowed to enter Lakers Chicken or remain in the premises after 23.00.</p> <p>2) All staff shall receive training in safeguarding children.</p>

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		<p><b>Right of Appeal</b></p> <p>Any party who has made a relevant representation may appeal to the Magistrates’ Court <u>within 21 days of notification of the decision.</u></p> <p>On appeal, the Magistrates’ Court may:</p> <ol style="list-style-type: none"> <li>1. Dismiss the appeal; or</li> <li>2. Substitute the decision for another decision which could have been made by the Sub Committee; or</li> <li>3. Remit the case to the Sub Committee to dispose of it in accordance with the direction of the Court; and</li> <li>4. Make an order for costs as it sees fit.</li> </ol>
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A2		