

Havering Council – Decisions taken by the Licensing Sub-Committee on Monday, 10 March 2025

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

A1	APPLICATION FOR A PREMISES LICENCE - HORNCHURCH FOOD & WINE, 42-44 SQUIRRELS HEATH LANE, HORNCHURCH, RM11 2EA	Licensing Act 2003 Notice of Decision																		
		<p>PREMISES Hornchurch Food & Wine 42-44 Squirrels Heath Lane Hornchurch RM11 2EA</p> <p>APPLICANT Mr Ali Uzun</p> <p>Details of requested licensable activities This application for a premises licence is made by Mr Ali Uzun under section 34 of the Licensing Act 2003. The application was received by Havering’s Licensing Authority on 16 January 2025.</p> <p>The application seeks to permit the following licensable activity:</p> <p>Details of the application</p> <table border="1"> <thead> <tr> <th align="center" colspan="3">Sale 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">Sunday to Saturday</td> <td align="center">12:00</td> <td align="center">23:00</td> </tr> </tbody> </table> <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 align="center">Sunday to Saturday</td> <td align="center">07:00</td> <td align="center">23:00</td> </tr> </tbody> </table>			Sale of alcohol			Day	Start	Finish	Sunday to Saturday	12:00	23:00	Opening hours			Day	Start	Finish	Sunday to Saturday
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		<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>The applicant reached agreement with the Metropolitan Police Licensing Unit during the consultation period with the following conditions to added to the proposed conditions in the operating schedule if granted:</p> <ol style="list-style-type: none"> 1. Prominent, clear notices shall be displayed at the premises about the supply of alcohol to minors and the relevant offences involved. 2. All reasonable steps shall be taken by the venue to prevent customers congregating outside the premises. 3. Crime prevention notices and advice shall be displayed (if advised by the Metropolitan Police) in order to support crime prevention initiatives. 4. Appropriate signage will be displayed, in prominent positions informing customers they are being recorded on CCTV. <p>Summary</p> <p>There were four representations made against the application by interested parties.</p> <p>Rep 1 - Local resident Rep 2 - Local business owner Rep 3 - Petition signed by local residents Rep 4 - Local business owner</p>

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		<p>There were no representations from responsible authorities.</p> <p><u>Application for a new premises licence</u></p> <ol style="list-style-type: none"> 1. The Sub-Committee have considered an application for a new premises licence for 'Hornchurch Food & Wine' situated at 42-44 Squirrels Heath Lane, Hornchurch, RM11 2EA 2. No responsible authority made representations against the application. 3. The Police's Licensing Team and the applicant had agreed to conditions during the consultation period. 4. Residents and a local business had made representation against the application 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 when determining an application for a new premises licence. 6. Where relevant representations are made, the authority must hold a hearing and then take such steps, as it considers necessary for the promotion of the licensing objectives (section 18(3), LA 2003).

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		<p><u>Decision: Granted:</u></p> <p>7. The Sub-Committee were cognisant of the Secretary of States’ section 182 guidance which states that ‘each responsible authority will be an expert in their respective field’, and ‘in some cases it is likely that a particular responsible authority will be the licensing authority’s main source of advice in relation to a particular licensing objective’. In the absence of representations from any responsible authority, the members acknowledged that no responsible authority took issue with the applicant’s application. Moreover, the members noted that the applicant had adopted the additional conditions sought by the Police during the consultation period.</p> <p>8. The member of the Sub-Committee noted that none of the residents who made representations against the application had not attended the hearing. The members found this regrettable as the residents had essentially forfeited their right to amplify on their respective representations and/or to put questions to the applicant. Nevertheless, the members read all the representation prior to the hearing. The Sub-Committee were however reminded that issues relating to the saturation of licenced premises in the area do not form part of the licensing regime and therefore cannot be considered in this application.</p>

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		<p>9. The Sub-Committee then heard from the applicant who was able to demonstrate a reasonable understanding of the licensing regime and the conditions stipulated in his operating schedule. The member of the Sub-Committee were told by the applicant's agent that the applicant has over 20 years of relevant licensing experience and that he previously operated a similar licenced premises in the Leyton area. The Sub-Committee noted that the applicant has worked positively with the police to ensure the licensing objectives are not undermined and the licensable hours applied for do not undermine the council's statement of licensing policy.</p> <p>10. The Sub-Committee were also aware of the fact that should after the granting of the licence there be evidence of any of the licensing objectives being undermined, then residents and/or responsible authorities are entitled make an application for the licence to be reviewed by the members.</p> <p>11. The Sub-Committee granted the licence but did however impose four additional conditions as detailed in bold below. The licence was granted as follows;</p> <p><u>The Provision of Sale of Alcohol (Off Sales Only)</u></p> <ul style="list-style-type: none"> • Monday to Sunday 08:00 to 23:00 hours

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		<p><u>Opening and Closing Hours</u></p> <ul style="list-style-type: none"> • Monday to Sunday 08:00 to 23:00 hours <p><u>Conditions Imposed consistent with the operating schedule</u></p> <p><u>1. CCTV:</u></p> <p>a) The CCTV system installed in the premises shall be maintained in good working order and fully operational recording during the hours that the premises is open to the public. It shall monitor all internal areas of the premises to which the public have access, excluding toilets, but including the area immediately outside the premises.</p> <p>b) Recordings shall be retained for a minimum of 31 days and be made available to the Police or Officers of the Council upon request for the provision of preventing and detecting crime, anti-social behaviour, breaches of the licence conditions and the four licensing objectives and shall be capable of identification and of evidential quality in any light conditions.</p> <p>c) Staff working at the premises shall be trained in the use of the equipment and at least one member of staff, so trained, shall be present during permitted hours who can download CCTV if requested by a police officer or authorised officer from the Council and a log will be kept to verify this.</p> <p>d) Cameras on the entrance must capture full frame shots of the heads and shoulders of ALL people entering the premises, capable of identification and of evidential quality in any light conditions.</p>

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		<p>e) There shall be signs displayed in the customer area to advise that CCTV is in operation.</p> <p>f) Should the CCTV become non-functional this shall be reported immediately to the Licensing Authority.</p> <p>g) The CCTV system shall be checked once a week to ensure that it is working / recording and a record of this shall be recorded in the CCTV log book with the premises licence holder noting the date and time of the check. This will also include any faults in the CCTV. The record shall be kept at the premises and shall be made available to the police and Officers of the Council upon request.</p> <p>h) There shall be a digital camera capturing the forecourt in front of the premises area. <i>This condition is imposed by the Sub-Committee to prevent customers from loitering and/or congregating in front of the premises to ensure there is no ASB or public nuisance.</i></p> <p><u>2. "Challenge 25"</u></p> <p>a) The premises licence holder shall adopt a "Challenge 25" policy, where all customers who appear to be under the age of 25 and attempt to purchase alcohol or other age-restricted products, shall be asked for proof of their age.</p> <p>b) The Licensee shall prominently display notices advising customers of the "Challenge 25" policy.</p> <p>c) The following proofs of age are the only ones to be accepted:</p>

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		<ul style="list-style-type: none"> • Proof of age cards bearing the "Pass" hologram symbol • UK Photo Driving licence • Passport • Military ID <p><u>3. Staff Competence and Training:</u></p> <p>a) The premises licence holder shall keep a record (either written or electronic) of all staff authorised to sell alcohol, the record to contain the full name, home address, date of birth and national insurance number of each person so authorised. The staff record shall be kept on the licensed premises and made available for inspection by Police and Local Authority officers on request.</p> <p>b) The premises licence holder shall ensure that prior to being authorised to sell alcohol and at regular 6 months intervals thereafter, each member of staff has received appropriate training in responsible retail of alcohol. Staff shall also be aware of the licensable hours and conditions attached to the licence. This training shall be properly documented and records kept. The training record (either written or electronic) shall be kept on the premises and made available for inspection by Police and Local Authority officers on request.</p> <p>c) The premises licence holder shall ensure that each member of staff authorised to sell alcohol is fully aware of their responsibilities in relation to verifying a customer's age and is sufficiently capable and confident to confront, challenge and effectively question purchasers</p>

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		<p>and check evidence of proof of age of under 25's attempting to purchase alcohol.</p> <p>d) The DPS is to undergo refresher training in respect of retail of alcohol within 21 days of the licence being granted. The record of training must be sent to the Council's Licensing team within 28 days of the licensing being granted.</p> <p><i>This condition is imposed by the Sub-Committee following members asking the applicant direct questions at the hearing. Although the applicant demonstrated a reasonable understanding of the licensing regime, the Sub-Committee found that the applicant would benefit from a refresher training, in particular as he would be in charge of training staff on the licensing regime.</i></p> <p><u>4. Refusals Book:</u></p> <p>a) The premises licence holder shall keep a register of refused sales of all age-restricted products that shall contain details of time and date, description of the attempting purchaser, description of the age restricted products they attempted to purchase, reason why the sale was refused and the name/signature of the sales person refusing the sale.</p> <p>b) The Refusals Book shall be kept on the licensed premises and made available for inspection by Police and Local Authority officers on request.</p> <p><u>5. Controls of alcohol:</u></p> <p>a) There shall be no supply of alcohol for consumption off the premises except in sealed containers.</p>

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		<p>b) A till prompt system shall be installed to assist staff by reminding them to challenge for ID when a sale of alcohol is made.</p> <p><i>The Sub-Committee imposed this condition as there is a college in the local area.</i></p> <p>c) The Licensee to prominently display notices advising customers the licensable hours.</p> <p>d) Documented delegation of authorisations to sell alcohol shall be maintained at the premises and shall be available on request by an authorised officer of the Licensing Authority or the Police.</p> <p><u>6. Incident Book:</u></p> <p>a) The premises licence holder shall ensure that an “Incident report register” is kept, in either a book or electronic format, in which full details of all incidents are recorded. This shall be completed as soon as possible and in any case no later than the close of business on the day of the incident. The time and date when the report was completed, and by whom, is to form part of the entry. The record shall be kept on the premises at all times and shall be produced to an authorised officer of the Licensing Authority or the Police on request, and must record the following: -</p> <ul style="list-style-type: none"> (i) all crimes reported to the premises (where relevant to the licensing objectives) (ii) all ejections of patrons (iii) any complaints received (where relevant to the licensing objectives)

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		<p>(iv) any incidents of disorder</p> <p>(v) any refusal of the sale of alcohol</p> <p>(vi) any visit by a relevant authority or emergency services, noting time, date & purpose and those officials by name.</p> <p><u>7. Refusals Book:</u></p> <p>a) The licensee to keep a register of refused sales of all age- restricted products (Refusals Book). The refusals book to contain details of time and date, description of the attempting purchaser, description of the age restricted products they attempted to purchase, reason why the sale was refused and the name/signature of the sales person refusing the sale.</p> <p>b) The Refusals book to be examined on a regular basis by the Licensee and date and time of each examination to be endorsed in the book.</p> <p>c) The Refusals Book to be kept on the licensed premises and made available for inspection by the Licensing Officer, Trading Standards or the Police</p> <p><u>8. Notices</u></p> <p>a) A direct telephone number for the manager at the premises shall be displayed at the premises' shop front at all times.</p> <p><i>The Sub-Committee imposed this condition to allow local residents to inform the premises' DPS of any issues arising from the sale of alcohol from the premise.</i></p>

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		<p><u>9. Conditions agreed between the applicant and the Police</u></p> <p>a) Prominent, clear notices shall be displayed at the premises about the supply of alcohol to minors and the relevant offences involved.</p> <p>b) All reasonable steps shall be taken by the venue to prevent customers congregating outside the premises.</p> <p>c) Crime prevention notices and advice shall be displayed (if advised by the Metropolitan Police) in order to support crime prevention initiatives.</p> <p>d) Appropriate signage will be displayed, in prominent positions informing customers they are being recorded on CCTV.</p> <p>Right of Appeal</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"> 1. Dismiss the appeal; or 2. Substitute the decision for another decision which could have been made by the Sub Committee; or 3. Remit the case to the Sub Committee to dispose of it in accordance with the direction of the Court; and 4. Make an order for costs as it sees fit.

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