

Havering Council – Decisions taken by the Licensing Sub-Committee on Friday, 24 April 2026

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

<p>A1</p>	<p>APPLICATION TO REVIEW A PREMISES LICENCE - DIAMOND FOOD & WINE, 135-137 NEW ROAD, RAINHAM, RM13 8ES</p>	<p align="right">Licensing Act 2003 Notice of Decision</p> <p>PREMISES Diamond Food & Wine (New Road Food & Wine) 135-137 New Road Rainham RM13 8ES</p> <p>APPLICANT Licensing Team Public Protection Officer for Havering Borough</p> <p>Details of the application</p> <p>The application for a review of a premises licence is made under section 53A of the Licensing Act 2003 by Licensing Team Public Protection Officer for Havering Borough. The application was received by Havering’s Licensing Authority on 4th March 2026.</p> <p>On 27th February 2026 Licensing Officer Mr. Jones attended the premises along with immigration officials. During the visit two individuals were found to be employed at the premises who did not have the relevant right to work in the UK. In addition, safety standards were found to be lacking. Further investigation found a lack of supervision and concerns around the management standards of the licence holder and the apparent absence of the Designated Premises Supervisor (DPS).</p>
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		<p>Summary</p> <p>During the application’s consultation period the Licensing Authority received a representation, namely the Home Office (Immigration Enforcement) on behalf of the Secretary of State.</p> <p>The purpose of this hearing is to decide what steps the licensing sub-committee considers appropriate for the promotion of the licensing objectives and to decide whether the interim licence suspension ceases to have effect altogether or becomes the subject of any steps which it considers are appropriate when making its determination on the review. The steps the licensing authority can take are:</p> <ul style="list-style-type: none"> • the modification of the conditions of the premises licence; • the exclusion of a licensable activity from the scope of the licence; • the removal of the designated premises supervisor from the licence; • the suspension of the licence for a period not exceeding 3 months; and • the revocation of the licence. <p>Determination of application to review of the premises licence</p> <ol style="list-style-type: none"> 1. The Licensing Sub-Committee considered an application for a review of the premises licence for ‘Diamond Food & Wine (New Road Food & Wine)’ situated at 135-137, New Road, Rainham, RM13 8ES. 2. The review application was submitted by the Council’s Licensing team and supported by the Home Office. The application was made following a visit by the

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		<p>Council’s Licensing Team Public Protection Officer Paul Jones with officers from the Home Office on the 27th February 2026 where two individuals were found to be working at the premises in breach of their immigration terms.</p> <p>3. The Licensing Sub-Committee were cognisant that in deciding in which powers to invoke in the review process, the expectation of Licensing Sub-Committee is that it should so far as possible seek to establish the cause or causes of the concerns that the representations identify. Therefore, any remedial action taken should generally be directed at these causes and should always be no more than an appropriate and proportionate response to address the causes of concern that instigated the review.</p> <p>4. The Licensing Sub-Committee were cognisant of the powers available to them being taking no action, issue a warning, add, remove, or modify license conditions, suspend the licence or revoke the licence entirely.</p> <p>5. The Licensing Sub-Committee were cognisant of the secretary of state’s statutory guidance which states</p> <p>a. Where the licensing authority is conducting a review on the grounds that the premises have been used for criminal purposes, its role is solely to determine what steps should be taken in connection with the premises licence, for the promotion of the crime prevention objective. It is important to recognise that certain criminal activity or associated problems may be taking place or have taken place despite the best efforts of the licence holder and the staff working at the premises and despite full compliance with the conditions attached to the licence. In such circumstances, the licensing authority is still empowered to take any appropriate steps to remedy the problems. The</p>

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		<p>licensing authority’s duty is to take steps with a view to the promotion of the licensing objectives and the prevention of illegal working in the interests of the wider community and not those of the individual licence holder.</p> <p>b. Where there is certain criminal activity that may arise in connection with licensed premises which should be treated particularly seriously. These are the use of the licensed premises:</p> <ul style="list-style-type: none"> i. for the sale and distribution of drugs controlled under the Misuse of Drugs Act 1971 and the laundering of the proceeds of drugs crime; ii. for the sale and distribution of illegal firearms; iii. for the evasion of copyright in respect of pirated or unlicensed films and music, which does considerable damage to the industries affected; iv. for the illegal purchase and consumption of alcohol by minors which impacts on the health, educational attainment, employment prospects and propensity for crime of young people; v. for prostitution or the sale of unlawful pornography; vi. by organised groups of paedophiles to groom children; vii. as the base for the organisation of criminal activity, particularly by gangs; viii. for the organisation of racist activity or the promotion of racist attacks; ix. for employing a person who is disqualified from that work by reason of their immigration status in the UK; x. for unlawful gambling; and <p>c. It is envisaged that licensing authorities, the police, the Home Office (Immigration Enforcement) and other law enforcement agencies, which are responsible authorities, will use the review procedures effectively to deter such activities and crime. Where</p>

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		<p>reviews arise and the licensing authority determines that the crime prevention objective is being undermined through the premises being used to further crimes, it is expected that revocation of the licence – even in the first instance – should be seriously considered.</p> <p>6. The Licensing Sub-Committee were further cognisant of the council’s statement of policy, in particular paragraph 13, which sets out the council’s expectations in regard to the standards of management by a licence holder.</p> <p>Reasons:</p> <p>7. After having taken into consideration all written and oral submissions and considered the relevant sections of the Licensing Act 2003 and assisted by the Secretary of State’s statutory guidance and the council’s statement of licensing policy, the Licensing Sub-Committee found that the appropriate and proportionate remedial action is to revoke the premises licence.</p> <p>8. The Licensing Sub-Committee noted that the premises licence holder had not attended the hearing to make representations against the application. The application was unequivocal in that the Council’s Licensing Team, supported by the Home Office, sought revocation of the licence.</p> <p>9. The Licensing Sub-Committee noted the compliance visit revealed two illegal workers were working at the premises and that the Home Office have issued financial penalties for the offences. The Licensing Sub-Committee further noted that the premises licence holder was not in charge of the premises and there was no designated premises supervisor to ensure that the sale of alcohol, a regulated activity,</p>

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		<p>was being made in accordance with the licensing regime. On the contrary, the sale of alcohol from the premises was being made by two illegal workers who had no understanding of the licensing regime with zero supervision. Therefore the Licensing Sub-Committee considered the various powers available and found that the only appropriate remedial action in this instance is to revoke the premises' licence.</p> <p>Right of Appeal</p> <p>Any party who has made a relevant representation may appeal to the Magistrates' Court within 21 days of notification of the decision.</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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