

Havering Council – Decisions taken by the Licensing Sub-Committee on Wednesday, 12 August 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

A1	APPLICATION FOR A PREMISES LICENCE - ILIRIDA CAFE LTD 36 UPMINSTER ROAD SOUTH, RAINHAM RM13 9AA	Licensing Act 2003 Notice of Decision PREMISES Ilirida Cafe 36 Upminster Road South Rainham RM13 9AA Premises licence application APPLICANT Mr Nik Preci Details of the application Section 5 of the application describes the premises as a modest sized café with 80% of its products consisting of soft drinks, refreshments, teas and coffees. The application seeks to permit the supply of alcohol for consumption on the premises from 11:00 to 23:00 seven days a week. During the application’s consultation period the applicant agreed to adopt the following conditions proposed by the Licensing Authority which are contained within Havering’s licensing policy: •Alcohol shall only be sold to a person sitting down eating a meal and for consumption with that meal. •Alcohol shall be served to customers by waiter/waitress service only.
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		The adoption of these two conditions will ensure the premises does not supply alcohol in the manner of a bar or a pub as alcohol may not be supplied for consumption on its own. Summary There were six relevant representations against this application from interested persons. There were no representations against this application from any responsible authority. Determination of application for a premises licence 1. The Sub-Committee had considered an application for a premises licence for Ilirida Café Ltd, situated at 36 Upminster Road South, Rainham, RM13 9AA. The application sought the for supply of on sale alcohol for consumption between 11:00 hours and 23:00 hours seven days a week. 2. Representations against the application had been received from six local residents as interested parties however one of the six resident withdrew their representations prior to the hearing. There were no representations against the application from any responsible authority. 3. The Sub-Committee must promote the licensing objectives and must have regard to the Secretary of State's Statutory Guidance issued under section 182 of the Licensing Act 2003 when determining an application for a premises licence. Where relevant representations are made, the authority must hold a hearing and then take such steps as it considers necessary for the promotion of

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		the licensing objectives. These steps may include rejecting the application, modifying conditions, or granting the application. Decision: Refused; 4. Having considered the application, the written representations, and the oral submissions made at the hearing, the Sub-Committee resolved to refuse the application on the basis that granting the licence would undermine the licensing objectives, in particular the prevention of public nuisance and the protection of children from harm. <u>Applicant</u> 5. The applicant's application was made on the basis the premises would primarily operate as a café, with approximately 80% of sales consisting of non-alcoholic products. The applicant stated that alcohol sales would be limited to beer and wine only, served only by waiter or waitress service, and only to customers seated at tables. These conditions being agreed with the licensing authority. The applicant also confirmed that there would be no vertical drinking, no music played in the outside area, with Challenge 25 and CCTV in operation, and staff would receive training. The applicant stated that the premises would offer cakes, sandwiches, croissants and toasties, and no substantive hot meals. 6. The applicant clarified that the application includes having the outside of the premises being a licensable area but would agree to a condition preventing the outside area being used for licensable activities after 20:30 hours. This would mirror the table and chair licence they have obtained. The applicant also offered

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		condition relating to the monitoring of the outside area of the premises during licensable hours to stop any delivery of stock being delivered to the premises before 7am. 7. The applicant stated that the premises would be run by his wife and himself with 2-3 staff members, that he lives in the immediate of the vicinity of the premises with his wife and children and therefore would ensure the premises is run properly and bring a commercial benefit to Rainham Village. 8. The applicant stated that robust conditions had been included in the operating schedule, with conditions agreed with the licensing authority and that no responsible authority had made representations against the application. <u>Interested Parties</u> 9. The Sub-Committee heard and read the representations from local residents in particular the two residents who attended the hearing, Elaine Huclup and Terry Huclup. The principal concerns raised related to noise and disturbance from customers, the congregation of drinkers outside the premises, the impact on neighbouring residential properties, and the effect upon children and vulnerable persons living nearby. Concern was expressed by residents living in the house adjoining the premises who stated they would suffer loss of privacy and peaceful enjoyment of their homes if alcohol were sold from the premises.

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		<u>Deliberations</u> 10. The Sub-Committee carefully considered all of the evidence before it and acknowledged that the applicant had agreed conditions requiring alcohol to be served only by waiter or waitress service and only ancillary to a meal. However, the Sub-Committee was not satisfied that these conditions were sufficient to prevent the premises from operating in practice as an alcohol-led venue. The evidence before the Sub-Committee was that the food offering at the premises would be limited to light refreshments such as sandwiches, toasties, cakes and croissants rather than substantial meals. In those circumstances, the Sub-Committee found that the proposed conditions would provide only limited control over alcohol consumption and would not adequately mitigate the concerns raised by residents. 11. The Sub-Committee was also concerned by the applicant's understanding of the licensing regime. Although the applicant held a personal licence, during questioning he was unable to identify the four licensing objectives. The Sub-Committee considered this significant, as understanding and promoting the licensing objectives is central to the effective management of a licensed premises. The Sub-Committee was not satisfied that the applicant had demonstrated a sufficient understanding of the responsibilities associated with holding a premises licence. 12. The Sub-Committee placed significant weight on the location of the premises. The premises are immediately adjacent to residential properties, with neighbouring residents sharing a direct boundary with the café. The Sub-

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		Committee accepted the concerns of those residents that the sale of alcohol until 23:00 hours could lead to noise, disturbance, congregation of patrons outside the premises, and a loss of the peaceful enjoyment of their homes. 13. Whilst the Sub-Committee recognised that no responsible authority had objected to the application, it nevertheless found that the evidence from local residents, when considered alongside the limited nature of the food offering and the applicant's lack of understanding of the licensing objectives, demonstrated that granting the licence would be likely to undermine the licensing objectives. In particular, the Sub-Committee found that the conditions offered by the applicant would not adequately address the risk of public nuisance arising from the operation of the premises. 14. Accordingly, the Sub-Committee concluded that the appropriate and proportionate step for the promotion of the licensing objectives was to refuse the application. Right of Appeal Any party who has made a relevant representation may appeal to the Magistrates' Court within 21 days of notification of the decision. On appeal, the Magistrates' Court may: 1. Dismiss the appeal; or 2. Substitute the decision for another decision which could have been made by the Sub Committee; or

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		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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