

Havering Council – Decisions taken by the Licensing Sub-Committee on Wednesday, 5 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 - RAZTINA 57 HIGH STREET, HORNCHURCH RM11 1TP	Licensing Act 2003 Notice of Decision PREMISES King of Wings 57 High Street Hornchurch RM11 1T APPLICANT Tihuna Duha Details of the application This application for a premises licence is made by Raztina Ltd under section 17 of the Licensing Act 2003. The application was received by Havering’s Licensing Authority on 10th June 2026. The premises is located at the junction of Billet Lane and High Street in a row of purpose built ground floor commercial outlets. The shops appear to have residential properties located above them. The area might therefore be considered one of mixed use. The premises primarily operates as a takeaway chicken restaurant but contains limited seating for customers to consume their meals. The application seeks to provide late night refreshment seven days a week from 23:00 to 03:00 the day following. Section 14 of the application provides the following clarification:
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		• Provision of late-night refreshment including takeaway and limited indoor and outdoor seating. The premises plan supplied with the application does not include any reference to an outside area, presumably to be located to the front of the premises, an area which appears to be the public highway. To date the Licensing Authority has not received an application for a pavement licence to authorise the placing of tables and chairs on the public highway. The premises is located in one of Havering's cumulative impact zones, the Hornchurch CIZ, as defined in Havering's licensing policy. The application makes no reference to the Hornchurch CIZ and offers no challenge in the form of a policy rebuttal. Section 9 of Havering's licensing policy addresses the Hornchurch CIZ and includes the following paragraph at 9.4: • On the basis of the above evidence the Licensing Authority is of the view that the number, type and density of premises selling alcohol for consumption on and off the premises and the provision of late night refreshment around the High Street is having a cumulative impact and undermining the licensing objectives. It is likely that granting further licences would be inconsistent with the authority's duty to promote the licensing objectives and a cumulative impact policy has been adopted in this area. Section 18 of the application contains several steps the applicant is willing to implement to promote the licensing objectives. From a licensing perspective these proposals appear ill defined and, if they were to become licence conditions, would be largely unenforceable thereby negating the purpose of the condition.

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		During the application's consultation period responsible authorities engaged with the applicant outlining their concerns; however, the applicant was of the following view: • Whilst we respect your concerns, we remain of the view that the application is appropriate as submitted and do not intend to amend the hours requested. In the circumstances, we would be grateful if the application could now proceed to a Licensing Sub-Committee hearing for determination. We look forward to presenting our case to the Committee. There were no representations against this application from any residents or businesses in the immediate area or beyond. There were three representations against this application from responsible authorities, namely Havering's Licensing Authority, Havering's Environmental Health / Environmental Protection team and the Metropolitan Police. The concerns of all three responsible authorities relates to cumulative impact and the premises' intended hours of operation. Determination of application for a new premises licence 1. The Sub-Committee had considered an application for a premises licence for King of Wings, situated at 57 High Street, Hornchurch, RM11 1TP. 2. Representations against the application had been received from a. The Metropolitan Police, b. The Council's Noise team, and c. The Council's Licensing Team. 3. There were no representations against this application from residents.

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		4. The Sub-Committee must promote the licensing objectives and must have regard to the Secretary of State's Statutory Guidance created under section 182 of the Licensing Act 2003 when determining an application for a new 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 the licensing objectives. These steps may include rejecting the application or modifying the conditions to the extent that the authority considers necessary for the promotion of the licensing objectives or granting the application. Decision: refused 5. Having read all written representations and heard oral representations the Sub-Committee decided to refuse the application on the basis that granting the licence will undermine the licensing objectives. 6. In arriving at their decision, the Sub-Committee was mindful of the Secretary of State's guidance which states; a. Licensing authorities are best placed to determine what actions are appropriate for the promotion of the licensing objectives in their areas. All licensing determinations should be considered on a case-by-case basis. They should take into account any representations or objections that have been received from responsible authorities or other persons, and representations made by the applicant or premises user as the case may be. b. The authority's determination should be evidence-based, justified as

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		being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve. c. The conditions that are appropriate for the promotion of the licensing objectives should emerge initially from the risk assessment carried out by a prospective licence. 7. The Sub-Committee was mindful of the council's licensing policy which states; a. For areas where a cumulative impact policy is adopted, it creates a rebuttable presumption that applications for new premises licences that will add to the existing cumulative impact will normally be refused unless the applicant can demonstrate why the operation of the premises involved will not add to the cumulative impact and not impact adversely on the promotion of the licensing objectives. b. It must be stressed that the rebuttable presumption created by the cumulative impact policy does not relieve responsible authorities or other persons of the need to make relevant representations. If there are no representations, the Licensing Authority must grant the application consistent with the operating schedule submitted. c. The cumulative impact policy is not absolute. The circumstances of each application within the cumulative impact area will be considered upon its own merits and the Licensing Authority shall permit licences and certificates that are unlikely to add to the cumulative impact and not impact adversely on the licensing objectives.

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		d. In completing the operating schedule, applicants are expected to have regard to the licensing policy which sets out the expectations of the Authority as to the steps that are appropriate for the promotion of the licensing objectives. e. Where specific policies apply in the area (for example, a Cumulative Impact Policy), applicants are also expected to: • Demonstrate an understanding of how the Policy impacts on their application, • Identify any measures they will take to mitigate the impact, and • Confirm why they consider their application should be an exception to the Policy. Responsible Authorities 8. The Sub-Committee read and heard the written representations of all three responsible authorities and found that by in large they all shared the same concerns in that; a. The premises will attract the nighttime economy customers from neighbouring premises in the area who are licenced to sell alcohol. This will cause late-night drinkers congregating in and around the premises. The result of this is that it is likely that there will be intoxicated patrons congregating outside the premises who are prone to alcohol-fuelled verbal aggression, fights, and low-level street altercations. The large crowds will also cause noise and disturbance from customers waiting for food, and the applicant has not provided how he will manage delivery

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		drivers who may also cause a noise nuisance. b. The Council's licensing policy creates a presumption to refuse the application unless the applicant can demonstrate that the granting of the premises licence will not add to the existing issues in the area. The applicant failed to rebut the presumption as the operating schedule lists vague conditions that are unenforceable and not robust to address the issues raised by the responsible authorities. c. The applicant chose not to engage with the responsible authorities during the consultation period and has not demonstrated an understanding of the licensing regime and the council's licensing policy. <u>Applicant</u> 9. Turning to the applicant, the applicant's main submission was that the premises is part of a large franchise who will provide training, however no further details were provided of what training will be given, how often, and how it will deal with the issues of customers of the nighttime economy. He also added that they will consider utilising SIA door staff but again no explanation on what days, for how long etc. <u>Deliberations</u> 10. The Sub-Committee found that the applicant did not understand the licensing regime, the importance of an operating schedule and the council's licensing policy, let alone rebut the presumption of to refuse the application. The applicant could not identify or explain what the four licensing objectives are, what the council's licensing policy states regarding the Hornchurch area, or the reasoning of the conditions listed in the operating schedule that he

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		completed. The Sub-Committee found that by granting the licence, with or without modification, the premises licence will undermine the licensing objectives. 11. The Sub-Committee found it regrettable that the applicant chose not to engage with the responsible authorities during the consultation period. The Secretary of State's guidance says that all parties are expected to work together in partnership to ensure that the licensing objectives are promoted collectively. By engaging with the responsible authorities, the applicant could possibly have agreed more robust conditions, understood the licensing regime and council's licensing policy better and perhaps allay the concerns of the responsible authorities. 12. The Sub-Committee took into account that the Council's licensing policy emphasises that applicants must demonstrate a commitment to a high standard of management. The applicant's operating schedule and representations at the hearing did not demonstrate such standards. 13. The Sub-Committee also accepted the representations of the three responsible authorities in full. The Sub-Committee were mindful of the fact that responsible authorities are their main source of advice, in particular the police, who are their main source of advice on crime and disorder. 14. Finally, the Sub-Committee considered the need to promote growth and deliver economic benefits but found again the only step to promote the licensing objectives is to refuse the application.

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		Right of Appeal Any party who has made a relevant representation may appeal to the Magistrates' Court <u>within 21 days of notification of the decision.</u> 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 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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