

Licensing Act 2003 Responsible Authority representation

This representation is made by a responsible Authority for the London Borough of Havering concerning an application for a premises licence variation for the premises as detailed below.

Premises Name and address: Drinks Direct, 59 Chippenham Rd, Romford, RM3 8HL

Your Name: Oisin Daly

Organisation name/name of body you represent: Licensing Authority of the London Borough of Havering

Your Address: C/O, Town Hall, Main Road, Romford, Essex, RM1 3BD

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Summary of Objection: Objection to an application for a new premises licence as the grant would likely undermine the licensing objectives of the prevention of crime and disorder, public safety, and protection of children from harm.

Policy Considerations:

Havering's Licensing Policy identifies areas where the concentration of licensed premises is already causing problems that undermine the licensing objectives. The policy states that:

6.3 For areas where a cumulative impact policy is adopted, it creates a rebuttable presumption that applications for new premises licences, club premises certificates, or variation applications 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. The exception to this policy may be for applications for restaurants where alcohol is sold ancillary to a table meal.

The application must therefore demonstrate why it should be considered an exception to the policy.

10. Special Cumulative Impact Policy for Gooshays

10.1 Unlike Hornchurch and Romford, Gooshays is not a major night time economy. A cumulative impact policy was adopted for this area under the previous Statement of Licensing Policy adopted on 7th January 2016

10.2 In the Havering Community Safety Partnership report, London Borough of Havering

Non Domestic Abuse Violence with Injury Problem Profile, May 2018 Gooshays was identified as the ward with second highest amounts of VVI reports to the police in 2017.

10.3 As this area does not house a night time economy environment it is important to understand why this area ranks high in the number of incidents. It also shows as a hotspot in London Ambulance assault data. A hypothesis is that this area is one of Havering's areas which has the lowest deprivation index and thus this has an impact of the level of violent crime experienced in this area.

10.4 One hotspot was identified within the Gooshays ward where incidents appeared linked to licensed premises. This was the Farnham Road/ Hilldene Avenue where a number of assaults were reported within licensed retail establishments.

10.5 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 off the premises around the Farnham Road/Hilldene Avenue area is having a cumulative impact and undermining the licensing objectives and a cumulative impact policy has been adopted in this area. 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.**

13. Standards of Management

The Operating schedule

13.1 When assessing the applicant's or **licence holder's ability to demonstrate a commitment to high standards of management** the Licensing Authority will take into account whether they

- Can demonstrate comprehensive knowledge of best practice
- Has sought advice from the responsible authorities
- Has implemented any advice that has been given by the responsible authorities
- Is able to understand verbal and written advice and legal requirements
- Can demonstrate knowledge of the licensing objectives, relevant parts of the Licensing Policy and their responsibilities under the Licensing Act 2003
- **Is able to run their business lawfully and in accordance with good business practices**
- **Is able to demonstrate a track record of compliance with legal requirements.**

13.2 Where there is a history of non-compliance associated with the premises applicants will need to establish evidence of improvement in management standards and procedures.

14. Alcohol induced crime and disorder and antisocial behaviour

14.1 The Licensing Authority expects licence holders to operate to the highest standards of management, and to cooperate with responsible authorities to prevent:

- The sale of alcohol to underage children;
- Drunkenness on premises;
- Irresponsible drinks promotions.

14.2 Where the Licensing Authority receives representations from responsible authorities that the management of a premise is supporting such activities, or that there is strong evidence linking patrons with alcohol related crime, disorder or antisocial behaviour the

Licensing Authority will consider reviewing the licence.

14.3 Licensing enforcement is a multi-agency activity and it is important that work is coordinated between agencies to deliver solutions. The need for intervention will be risk based and take full account of data, intelligence and information available to both the Council and partners.

14.4 Where appropriate the Licensing Authority will consider imposing controls on products sold where representations indicate localised problems. This provision could include removing the sale of super strength beer, lager and cider in premises as part of a package of measures to deal with the problems associated with street drinking.

Representation

I am submitting this representation on behalf of the Licensing Authority in relation to the application to extend the terminal hour for licensable activities at the above premises. The premises sits within one of Havering's Special Cumulative Impact Policy (SCIP) areas, as set out in the London Borough of Havering Statement of Licensing Policy 2021–2026.

Under the policy, there is a presumption to refuse applications that would add to cumulative impact unless the applicant can demonstrate exceptional circumstances. In this case, the applicant has not provided sufficient evidence to rebut that presumption.

This application relates to a premises which has **recently been subject to a review hearing resulting in the revocation of its premises licence**. The previous operation of the premises demonstrated serious failings and an inability to promote the licensing objectives.

In such circumstances, significant weight must be given to whether the new applicant can demonstrate that the issues identified will not be repeated. The Licensing Authority is not satisfied that this has been demonstrated

The Licensing Authority has serious concerns regarding the applicant's background and previous involvement in licensed premises.

Evidence available, including Sub-Committee documentation and external authority findings, indicates:

- **Licence Review – Slough, 2012 [Agenda item - Review of Premises Licence - Drinks Direct Supermarket Limited, 256 High Street Langley, Slough](#)** summarised as follows;
 - Selling alcohol to an underage person
 - Selling cigarettes to an underage person
 - Selling fireworks in breach of the firework licence conditions
 - Found in possession for sale of counterfeit alcohol, condoms and batteries
- **Additional Counterfeit / Illicit Goods (Appendix A)**

In spite of the review hearing above, the applicant was further found in September 2015 to be in possession of counterfeit cigarettes and alcohol. This finding was referenced in a later licensing hearing (below).

This repeated offence raises concerns about the applicants ability not only to uphold the licensing objectives but to comply with legislation that is known to them.

- **Illegal Workers - [Agenda for Licensing Sub-Committee on Wednesday 10th May 2017, 2.00 pm :: Maldon District Council](#)**

This premises connected to the applicant has been subject to enforcement action where individuals were found working without the legal right to work in the UK. This represents a serious criminal offence and demonstrates a failure of management oversight.

- **Licence Revocation (External Authority, Appendix B)**

In the case of Country Produce (Maldon District Council) detailed above, the premises licence was revoked following the identification of illegal workers. Revocation reflects significant and fundamental failings in management.

- **History of Drinks Direct (trading as the Drinks Seller) (Appendix C)**

The premises itself has already been subject to formal review proceedings resulting in revocation. This highlights the assessment of the authority of the premises being of high risk.

Lawful Right To Occupy Premises

Another concern relates to the applicant's lawful right to occupy the property. The premises itself is owned and leased by the London Borough of Havering. Property Services manage the premises and the lease has been assigned to a Mr Hakimzada.

Property services have confirmed that there have been no attempts by the applicant to seek to transfer the lease into their name. Hakimzada has also sub-let a separate property owned by the borough against the terms of the lease. It is a concern that whilst the applicant could have taken a lease from Hakimzada, they may be subject to eviction as the sub-lease would be against the terms set by the borough.

Hakimzada formed the basis of a representation made by the police against an attempt to transfer the premises licence into their name. That individual was also found to have been subject to enforcement action in relation to licensed premises in West London, similar to the current applicant (Appendix D Police representation, Appendix E Decision notice).

It raises the question whether the new applicant could be unduly influenced, or is working in connection with, the current tenant who has unlawfully sub-let other properties on the borough.

Granting the application would undermine:

Prevention of Crime and Disorder

The applicant's history of illegal workers and counterfeit goods presents a clear risk of criminal activity.

Public Safety

Poor compliance and lack of effective management increase risks to staff, customers and the wider public.

Protection of Children from Harm

Where management standards are in question, safeguards such as Challenge 25 cannot

be relied upon as effective.

Conclusion

The premises is located within a Special Cumulative Impact Policy area. The applicant has not demonstrated exceptional circumstances or provided evidence to show the variation would not add to cumulative impact. Concerning history available on public indices show a pattern of unlawful behaviour, all related to activities conducted in connection with licensed premises.

Complaint and Inspection History (if applicable)

N/A

Other documents attached

Appendix A Essex TS Statement

Appendix B Maldon Decision Notice

Appendix C Drinks Seller Decision Notice

Appendix D Police Rep Transfer Application

Appendix E Transfer and DPS Vary decision

Signed



Dated: 28th May 2026