


**Havering Council – Decisions taken by the Licensing Sub-Committee on Friday, 17 January 2020**

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><b>A1</b></p>	<p>VARIATION OF A PREMISES LICENCE AT WINGLETYE FOOD &amp; WINE, 81 WINGLETYE LANE HORNCHURCH RM11 3AT</p>	<div style="text-align: center;">  <p><b>Havering</b> LONDON BOROUGH</p> <p><b>Licensing Act 2003 Notice of Decision</b></p> </div> <p><b><u>DETAILS OF APPLICATION</u></b></p> <p><b>PREMISES</b></p> <p>Wingletye Food &amp; Wine 81 Wingletye Lane, Hornchurch, RM11 3AT</p> <p><b>APPLICANT</b></p> <p>Mr Gokhan Akbas</p> <p>Licensable activity sought:</p> <p>Current premises licence hours:</p> <table border="1" data-bbox="842 1386 1554 1423"> <tr> <td><b>Supply of alcohol</b></td> </tr> </table>	<b>Supply of alcohol</b>
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		<p><i>licences and club premises certificates) Regulations 2005</i> relating to the advertising of the application. The required public notice was installed in the Friday 29 November 2019 edition of the Romford Recorder.</p> <p><b>SUMMARY</b></p> <p>There was 1 representation against this application from interested persons.</p> <p>There were 2 representations against this application from responsible authorities, Namely, Havering’s Licensing Authority and the Metropolitan Police.</p> <p>The application for a variation to a Premises Licence was made by the above applicant, under section 17 of the Licensing Act 2003. The application was received by London Borough of Havering on the 20 November 2019.</p> <p>The Licensing Sub-Committee must promote the licensing objectives and must have regard to the Secretary of State’s National Guidance created under Section 182 of the Licensing Act 2003 and the Council’s own Statement of Licensing Policy.</p> <p>The Applicant attended and was represented by a licensing agent who made submissions on his behalf.</p> <p><b><u>DECISION</u></b></p> <p>The Sub-Committee considered all representations and submissions and decided to grant the application with conditions as below.</p>

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		<p>The Sub-Committee heard evidence from the licensing authority, the police and another interested party. The proposed variation was found to be contrary to aspects of the London Borough of Havering’s licensing policy, this policy was designed to ensure that the licensing objectives were met. The Sub-Committee reminded itself that it was required to consider each application on its own merits.</p> <p>The premises were located in a residential area. There were three schools and a sixth-form college in the area.</p> <p>The police raised concerns about the variation of the licence, to allow the sale of alcohol from 08.00. The officer gave clear evidence of the potential impact of the variation. The Sub-Committee accepted that evidence. The Sub-Committee had concerns that the sale of alcohol from the premises from 08.00 would impact on the objectives in relation to the protection of children from harm and prevention of crime and disorder. This aspect of the application was refused.</p> <p>The Sub-Committee was minded to grant the variation in respect of extension of the licence to sell alcohol on Sunday evening till 23.00. This was on condition that the alcohol cabinets were shuttered and locked outside the operational period of the licence.</p> <p>The Sub-Committee accepted the variation to the layout of the shop as proposed on the plan provided. The Sub-Committee also approved the variation of the licence as set out in section 16 of the application.</p> <p>The Sub-Committee considered that the part refusal was appropriate and proportionate in the circumstances.</p>

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		<p><b>Right of Appeal</b></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"> <li>1. Dismiss the appeal; or</li> <li>2. Substitute the decision for another decision which could have been made by the Sub Committee; or</li> <li>3. Remit the case to the Sub Committee to dispose of it in accordance with the direction of the Court; and</li> <li>4. Make an order for costs as it sees fit.</li> </ol> <p>Richard Cursons Clerk to the Sub-Committee</p>
A1		
A2		