



## LICENSING SUB-COMMITTEE

## REPORT

**Subject heading:**

Application to vary premises licence at  
Albay Food and Wine,  
123 Mawney Road, RM7 7BH

**Report author and contact details:**

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**This application to vary a premises licence is made by Mr Dogan Albay under section 34 of the Licensing Act 2003. The application was received by Havering’s Licensing Authority on the 7<sup>th</sup> February 2013.**

**Geographical description of the area and description of the building**

The premises is a single semi-detached unit with the premises on the ground floor. The adjoining property is also a commercial property (an air conditioning and heating engineer). Above both commercial units are residential properties.

The premises is situated on the south side of Mawney Road close to its junction with Oak Road. The two commercial units are surrounded by residential properties, including flats at Kelly Jay Court, which is on the other side of the road.

Mawney Road is a busy road which is used as a cut through by traffic to and from the A12. It is serviced by a bus route with a stop and bus shelter directly outside the premises.

The premises is situated in Brooklands Ward.

A map of the area is attached to assist the committee.

**Details of the application**

The application is to vary the hours of the premises to supply alcohol.

**Current Premises Licence:**

<b>Supply of Alcohol (Off Supplies only)</b>		
<b>Day</b>	<b>Start</b>	<b>Finish</b>
Sunday – Wednesday	10:30 hrs	22:30 hrs
Thursday – Saturday	10:00 hrs	23:00 hrs

**Variation applied for:**

<b>Supply of Alcohol (Off Supplies only)</b>		
<b>Day</b>	<b>Start</b>	<b>Finish</b>
Sunday – Wednesday	08:00 hrs	23:00 hrs
Thursday – Saturday	08:00 hrs	00:00 hrs

**Seasonal variations and non-standard timings**

There are no seasonal variations or non-standard timings attached to this application.

**Comments and observations on the application**

The applicant acted in accordance with premises licence regulations 25 and 26 relating to the advertising of the application. The required newspaper advertisement was installed in the 20<sup>th</sup> February 2013 edition of the Yellow Advertiser.

**Summary**

There were three valid representations against this application from interested persons.

There were no representations against this application from responsible authorities.

**Details of representations**

Valid representations may only address the following licensing objectives:

- The prevention of crime and disorder
- The prevention of public nuisance
- The protection of children from harm
- Public safety

**Interested persons' representations**

There were representations made by three interested persons.

The first representation provides opposition to this application based upon all four licensing objectives. The representation details the belief that the premises was subject to a review for allowing underage sales. This is factually correct and occurred in 2010. The current licence holder has only been in place since 2012. The representation also alludes to the fact that Part P of the operating schedule makes no mention of several issues. The current premises licence covers these issues and there has been no application to vary them, so they will remain.

The second representation raises concerns that the premises will attract further young drinkers who populate the bus shelter outside the premises causing "*possible disorder, public nuisance and crime*".

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The third representation also raises concerns about youths causing a disturbance at the bus stop outside the premises.

**Responsible authorities' representations**

There were no representations from the following responsible authorities:

The Licensing Authority  
The Metropolitan Police  
Public Health  
The London Fire and Emergency Planning Authority  
The Health & Safety Enforcing Authority  
The Trading Standards Service  
Planning Control & Enforcement  
Children & Families Service