

LICENSING SUB-COMMITTEE

9 January 2019

REPORT

Subject heading

Veyso's

Report author and contact details

**19 Clockhouse Lane Romford RM5 3PH
Premises licence transfer application
Paul Jones, Public Protection Officer
Town Hall Main Road Romford
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01708 432777**

This application to transfer a premises licence is made by Mr Irfan Demir under the provisions of s.42 of the Licensing Act 2003 (*the Act*). The completed application was received by Havering's Licensing Authority on 28th November 2018.

Application details

This application to transfer a premises licence was submitted via the GOV.UK online facility on 26th November 2018. The application was incomplete. The outstanding documentation was provided to the licensing authority on 28th November 2018. At this point, and in accordance with the requirements of s.42 of the Act, the application was provided to the Metropolitan Police and to the Immigration Department of the Home Office for their consideration. The transfer application was given immediate interim effect under the provisions of s.43(1).

Subsequent to the commencement of the interim effect period on 28th November 2018 the Police submitted a notice under the authority of s.42(6) to the effect that the exceptional circumstances of the case are such that granting the application would undermine the crime prevention objective. This objection notice was submitted on 7th December 2018.

Determination

An opposed application for a premises licence transfer may be determined under the provisions of s.44(5) of the Act which provides:

Where a notice is given under section 42(6) or (8) (and not withdrawn), and subsection (3) above does not apply, the authority must —

- (a) hold a hearing to consider it, unless the authority, the applicant and the person who gave the notice agree that a hearing is unnecessary, and
- (b) having regard to the notice —

- (i) where the notice is given under section 42(6), reject the application if it considers it appropriate for the promotion of the crime prevention objective to do so, or

- (ii) where the notice is given under section 42(8), reject the application if it considers it appropriate for the prevention of illegal working in licensed premises to do so.

The determination of this application is therefore to either:

- permit the transfer of the licence to the applicant, or
- refuse to permit the transfer of the licence to the applicant