

5. REPORT

Background

- 5.1** The Licensing Act 2003 establishes a regime to allow a person who holds a Personal Licence to be able to apply for a variation to a Premise Licence to be assigned as the Designated Premises Supervisor.
- 5.2** The application is made to the Licensing Authority where the premises are situated. A copy must be served on the Police who may if there are exceptional circumstances, give notice of objection within 14 days where they are satisfied that the granting of the application would undermine the prevention of crime licensing objective.
- 5.3** For the variation of a Premises Licence to specify a Designated Premises Supervisor, the application is given effect immediately.
- 5.4** The application must be granted unless the Chief Officer of Police for the area submits a notice of representation. When a notice of representation is received the Licensing Authority must hold a hearing to consider the representation.

6.0 Current application and consultation –APP 1

Application was received from Admiral Taverns to assign a new designated premises supervisor, the application was served on the Police. Copies of the applications are included in the papers provided to the Sub-Committee.

- 6.1** The Metropolitan Police have raised a notice of representation as described by the Act to the variation applied for, a copy of the representation has been provided to the applicant and is included in the papers provided to the Sub Committee. **APP 2**

7.0 Points of clarification.

The Licensing Act 2003 Hearing Regulations 2005 requires that a notice of hearing be sent to applications and responsible authorities where relevant representation have been received within the statutory time frame.

Determination of applicants

Where notice of representation has been received from the Chief Officer of Police, the Licensing Authority must hold a hearing unless the authority, the applicant and the Chief of Police who gave the notice of representation agree that a hearing is unnecessary. There has been no such agreement in respect of these applications.

The Licensing Sub-Committee, therefore, have two options available to them:

(a) Having regard to the notice of representation, reject the application if it considers it necessary for the promotion of the crime prevention objective to do so ; or

(b) Grant the application.

Policy Considerations

In exercising its functions the Licensing Authority must have regard to the Governments Statutory Guidance. The Following sections are relevant to this application:-

(a) Chapter 2 paragraphs 2.1 – 2.16 and Annex D Part 1 (Crime and Disorder)

(b) Chapter 8 paragraphs 8.66 – 8.69 (Transfers of Premises Licence)

(c) Chapter 4 paragraphs 4.25 -4.27 (Police Objections to New Supervisors)

APPENDIX 1

**APPLICATION TO VARY TO ASSIGN A DESIGNATED
PREMISES SUPERVISOR**

Expires: 04/11/08

Application to vary a premises licence to specify an individual as designated premises supervisor
under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.
If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.
You may wish to keep a copy of the completed form for your records.

I/We Admiral Taverns (Nevada) Limited
(full name(s) of premises licence holder)

being the premises licence holder, apply to vary a premises licence to specify the individual named
in this application as the premises supervisor under section 37 of the Licensing Act 2003

Premises licence number

LN/000003082

Part 1 - Premises details

Postal address of premises or, if none, ordnance survey map reference or description British Queen 21 Love Lane London	
Post town	Post code (if known) N17 8HG
Telephone number (if any)	

Description of premises (please read guidance note 1) PUBLIC HOUSE
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part 2

Full name of proposed designated premises supervisor

Sandra Debbie Brunette

personal licence number of proposed designated premises supervisor and issuing authority of that licence (if any)

licence number: Z01N1560DR
issuing authority: Waltham Forest Council

Full name of existing designated premises supervisor (if any)

Helen Lorraine Hocking

please tick yes

i would like this application to have immediate effect under section 38 of the licensing act 2003

i have enclosed the premises licence or relevant part of it

(if you have not enclosed the premises licence, or relevant part of it, please give reasons why not)

reasons why i have failed to enclose the premises licence or relevant part of it

please tick yes

I have made or enclosed payment of the fee

I will give a copy of this application to the chief officer of police

I have enclosed the consent form completed by the proposed premises supervisor

I have enclosed the premises licence, or relevant part of it or explanation

I will give a copy of this form to the existing premises supervisor, if any

I understand that if I do not comply with the above requirements my application will be rejected

it is an offence, liable on conviction to a fine up to level 5 on the standard scale , under section 158 of the licensing act 2003 to make a false statement in or in connection with this application

Part 3 - Signatures (please read guidance note 2)

Signature of applicant or applicant's solicitor or other duly authorised agent
(See guidance note 3). If signing on behalf of the applicant please state in what capacity.

signature Mark Brown MARK BROWN

date 20th OCTOBER 2008

capacity APPLICANT'S SOLICITOR

For joint applicants signature of 2nd applicant 2nd applicant's solicitor or other authorised agent
(please read guidance note 4). If signing on behalf of the applicant please state in what capacity.

signature

date

capacity

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5)	
CONTACT NAME: <u>Raehuel Roberts</u>	
ADMIRAL TAVERNS LIMITED SUITE H3, STEAM MILL BUSINESS CENTRE STEAM MILL STREET	
Post town CHESTER	Post Code CH3 5AN
Telephone number (if any) 01244 505 <u>474</u> .	
If you would prefer us to correspond with you by e-mail your e-mail address (optional)	

Guidance notes

1. Describe the premises. For example the type of premises it is.
2. The application form must be signed.
3. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have **actual** authority to do so.
4. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
5. This is the address which we shall use to correspond with you about this application

Consent of individual to being specified as premises supervisor

I Sandra Debbie Brunette
(full name of prospective premises supervisor)

of 60 Drapers Road London E15 2AY

(home address of prospective premises supervisor)

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

PREMISES LICENCE *(type of application)*

by Admiral Taverns (Nevada) Limited *(name of applicant)*

relating to a premises licence LN/000003082 *(number of existing licence, if any)*

for British Queen, 21 Love Lane London N17 8HG

[name and address of premises to which the application relates]

and any premises licence to be granted or varied in respect of this application made by

Admiral Taverns (Nevada) Limited *(name of applicant)*

concerning the supply of alcohol at

British Queen, 21 Love Lane London N17 8HG

[name and address of premises to which the application relates]

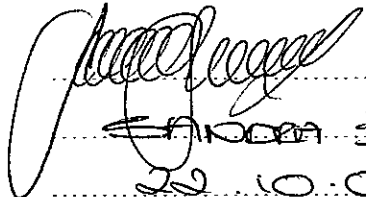
I also confirm that I am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number Z01N1560DR
(insert personal licence number, if any)

Personal licence issuing authority

Waltham Forest Council

(insert name and address and telephone number of personal licence issuing authority, if any)

signed 
name Sandra Brunette
(please print)
dated 22.10.08

Ag 870936

Consent of premises licence holder to transfer

I/we HELEN HOCKING
[full name of premises licence holder(s)]

the premises licence holder of premises licence number _____
[insert premises licence number]

relating to

BRITISH QUEEN 21 LOVE LANE W17
[name and address of premises to which the application relates]

hereby give my consent for the transfer of premises licence number

_____ [insert premises licence number]

to

UNKNOWN
[full name of transferee].

As of Fri 17th October at 2.30 I Helen Hocking handed over the tenancy of the British Queen to Roger Davis and informed licensing office I was no longer on the said property and had no control over premises.

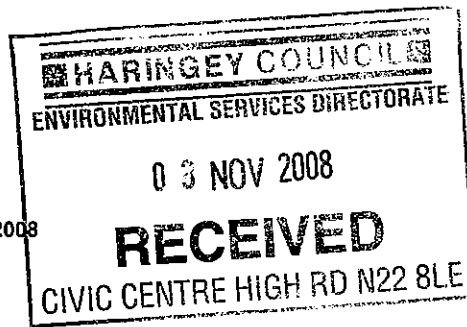
signed [Signature]
name
(please print) _____

dated 17.9.09



APPENDIX 2

REPRESENTATION FOM POLICE AGAINST THE APPLICATION



Your reference:

Our reference: 306/2008

Date: 29 October, 2008

Metropolitan Police Service

Ms D.BARRETT
ENVIRONMENTAL CONTROL SERVICES
TECHNO PARK
ASHLEY ROAD
TOTTENHAM N.17

Licensing
Quicksilver Patrol Base
Western Road
Wood Green
N22 6UH

Tel: 0203 276 0150

Dear Ms. Barrett

Re:- Application for Variation to DPS. British Queen Love Lane N.17:-

Sandra Brunette

I am in receipt of an application made by Admiral Taverns to vary the Designated Premises Supervisor at the British Queen Public House Love Lane N.17. The application is in the name of Sandra Brunette who holds a personal licence issued by Waltham Forest Council.

I wish to make a representation under Sec 37 (5) of the Licensing Act 2003.

I believe that the granting of this application will undermine the Crime Prevention Objective.

This public house has for several years been a problem to the local police and the residents of the area with many complaints of noise and drug dealing taking place in and around the premises.

The Police have held regular meetings with the previous management and Mr. Colin Rawson the Business Development Manager of Admiral Taverns in 2007/2008. The purpose of these meetings was to work with the management towards improving the day to day operation of the premises.

In June 2008 the management absconded from the premises and Admiral taverns re possessed the property.

In September 2008 a Ms Helen Hocking with her business partner took possession of the premises. Ms Hocking applied to become the Designated Premises Supervisor. This application was granted.

The Public House re opened after re – furbishment on the 3rd October 2008. On the 17th October 2008 Ms Hocking contacted me and said that due to differences with her new business partner a Mr Roger Davis she was resigning as the Designated Premises Supervisor with immediate effect. I informed Mr. Rawson of this and requested that he informed Mr. Davis that he could not open the premises until a suitable D.P.S. was found. Mr. Rawson informed him of this.

The British Queen was visited by Police over this weekend and the premises were operating normally, even though they had been told that no sale of alcohol should be undertaken at the premise, this was not adhered. Police did not close the premises due to the number of customers and lack of Police resources.

On Monday 22nd October 2008 a Ms Sandra Brunette contacted me and said that she was to be the new D. P.S. at the British Queen. We had a brief discussion and I asked her re her involvement in the premises. She told me that she would not be working at the premises except at the weekends when she may work behind the bar. I asked her re her experience in the licensing trade and she told me that she is the D.P.S. at British Home Stores, Walthamstow Market E17.

I checked with the Police Licensing Officer for Waltham Forest and he confirmed this to be true. She's been on the licence since 15th November 2007.

This Public House has been a source of problems to the local Police for some time with Crime and Disorder a major problem. I do not believe that Ms. Brunette would be a suitable person due to the fact that she will not be working at the premises except for the occasional weekend and being the D.P.S for British Home Stores does not give her any experience to manage a traditionally difficult public house in a high crime area.

If you require further information please do not hesitate to contact me on the above telephone number.

Yours Sincerely



Geoffrey Parker
Licensing
Quicksilver Patrol Base