

REPORT OF THE GROUP DIRECTOR, NEIGHBOURHOODS AND HOUSING		
LICENSING SUB-COMMITTEE: 13/06/2019	Classification DECISION	Enclosure
PERSONAL LICENCE APPLICATION Christine Maria Abraham	Ward(s) affected Lea Bridge	

1. SUMMARY

Applicant	Christine Maria Abraham
Date of application	11 April 2019
<u>Application:</u> For the grant of a personal licence to authorise the supply of alcohol by the applicant.	
Policies applicable	LP9 (Personal licences)
List of appendices	Appendix A – Personal licence application

2. APPLICATION

- 2.1 Christine Maria Abraham has applied for a personal licence under the Licensing Act 2003. This licence authorises the holder of the licence to supply or authorise the supply of alcohol.
- 2.2 The application is attached as Appendix A. The DBS Certificate and other relevant documents detailing convictions will be available for members at the meeting.

3. OBJECTION NOTICE: METROPOLITAN POLICE

- 3.1 The Metropolitan Police have made an objection notice on the above application. Christine Maria Abraham has an unspent relevant offence conviction. The Police consider that to grant a personal licence to the applicant would undermine the crime and disorder objective.

4. POLICY CONSIDERATIONS

- 4.1 The Licensing Sub-Committee is required to have regard to the Hackney Statement of Licensing Policy (“the Policy”) adopted by the Licensing Authority.
- 4.2 Extracts from licensing policies are reproduced at the front of the agenda for this meeting.
- 4.3 Hackney’s Statement of Licensing Policy applies to the applications where relevant representations have been made. In respect of this application, LP9 (Personal Licence), is relevant to the representation made.

5. GUIDANCE CONSIDERATIONS

- 5.1 The Licensing Authority is required to have regard to any guidance issued by the Secretary of State under the Licensing Act 2003.

6. OFFICER OBSERVATIONS

- 6.1 Members should consider LP9 when determining the application for grant of personal licence.

7. LEGAL IMPLICATIONS

- 7.1 A legal representative will be in attendance to advise members.

8. LEGAL COMMENTS

- 8.1 The Council has a duty as a Licensing Authority under the Licensing Act 2003 to carry out its functions with a view to promoting the following 4 licensing objectives;
- The prevention of crime and disorder
 - Public Safety
 - Prevention of public nuisance
 - The protection of children from harm

- 8.2 It should be noted that each of the licensing objectives have equal importance and are the only grounds upon which a relevant representation can be made and for which an application can be refused or terms and conditions attached to a licence.

10. HUMAN RIGHTS ACT 1998 IMPLICATIONS

- 10.1 There are implications on Article 6, Article 8, Article 14 and the First Protocol of Article 1.

11. MEMBERS DECISION MAKING

- A. **Option 1**
That the application be rejected if members consider it necessary for the promotion of the crime prevention objective
- B. **Option 2**
That the application be granted

12. CONCLUSION

12.1 That members decide on the application for a personal licence.

Group Director, Neighbourhoods and Housing	Kim Wright
Lead Officer (holder of original copy):	Mike Smith Principal Licensing Officer Licensing Service 1 Hillman Street E8 1DY Telephone: 020 8356 4973

LIST OF BACKGROUND PAPERS RELATING TO THIS REPORT

The following document(s) has been relied upon in the preparation of the report.

Description of document	Location
Christine Maria Abraham	Hackney Service Centre Licensing Service 1 Hillman Street London E8 1DY

Printed matter
Licensing Act 2003
LBH Statement of Licensing Policy

APPENDIX A

Application for a personal licence

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 or typed in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

1. Your personal details	
TITLE Please tick Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input checked="" type="checkbox"/> Ms <input type="checkbox"/> Other (please state)	
Surname	ABRAHAM
Forenames	CHRISTINE MARIA
PREVIOUS NAMES (if relevant) please enter details of any previous names or maiden names. Please continue on a separate sheet if necessary.	
TITLE Please tick Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)	
Surname	
Forenames	
Date of Birth	
Nationality	BRITISH CITIZEN
I am 18 years old or over. Please tick	
Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
ADDRESS WHERE ORDINARILY RESIDENT (We will use this address to correspond with you unless you complete the separate correspondence box below).	
[REDACTED]	
[REDACTED]	
Post town	Post code
LONDON	[REDACTED]
TELEPHONE NUMBERS	
Daytime	—
Evening	—
Mobile	[REDACTED]
FAX NUMBER	—
E-MAIL ADDRESS (if you would prefer us to correspond with you by e-mail)	
—	

Address for correspondence associated with this application (if different to the address above)

BILIMWAY TRAINING AND CONSULTANCY LTD



Post town



Post code



TELEPHONE NUMBERS

Daytime

Evening

Mobile



E-MAIL ADDRESS (if you would prefer us to correspond with you by e-mail)



2. Your licensing qualifications

Read Note 1

Please tick yes

Please indicate below which one of these statements applies to you:

- 1. I hold an accredited licensing qualification
- 2. I hold a certified qualification
- 3. I hold an equivalent qualification
- 4. I am a person of prescribed description

If you have ticked either of statements 1, 2 or 3 please provide details of your qualification in the box below (name of qualification, date of issue, issuing body) and please enclose your qualification with your application.
 If you have ticked statement 4, please provide evidence that you are a person of prescribed description.

BIIAB Level 2 Award for
 Personal Licence Holders

3. Previous or outstanding applications for a personal licence

Note: You may only hold one personal licence at a time.

Please tick

Do you currently hold a personal licence?

Yes No

Do you currently have any outstanding applications for a personal licence, with this or any other licensing authority?

Yes No

Has any personal licence held by you been forfeited in the last 5 years?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Licensing Authority		
Licence number		
Date of issue		
Any further details		

4. CHECKLIST:	
I have	Please tick yes
<ul style="list-style-type: none"> enclosed two photographs of myself, one of which is endorsed as a true likeness of me by a solicitor or notary, a person of standing in the community or any individual with a professional qualification 	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> enclosed any licensing qualification I hold or proof that I am a person of prescribed description 	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> enclosed a criminal conviction certificate or a criminal record certificate or the results of a subject access search of the police national computer by the National Identification Service 	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> enclosed a completed disclosure of criminal convictions and declaration form (Schedule 3) 	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> included a proof of my right to work in the United Kingdom (see note 2) 	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"> made or enclosed payment of the fee for the application 	<input checked="" type="checkbox"/>

5. Declaration	
<p>I am entitled to work in the UK and am not subject to a condition preventing me from doing work relating to the carrying on of a licensable activity. I understand that my licence will become invalid if I cease to be entitled to live and work in the UK.</p> <p>The information contained in this form is correct to the best of my knowledge and belief.</p> <p>It is an offence knowingly or recklessly to make a false statement in or in connection with an application for the grant of a personal licence. (A person is to be treated as making a false statement if he produces, furnishes, signs or otherwise makes use of a document that contains a false statement). To do so could result in prosecution and a fine of any amount. It is an offence under section 24B of the Immigration Act 1971 to work illegally.</p>	
SIGNATURE	<div style="background-color: black; width: 200px; height: 20px;"></div>
DATE	11.04.2019

[Insert name and address of relevant licensing authority and its reference number (optional)]

Disclosure of convictions and civil immigration penalties and declaration

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 or typed in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

1. Your personal details	
TITLE Please tick ✓ Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input checked="" type="checkbox"/> Ms <input type="checkbox"/> Other (please state)	
Surname	ABRAHAM
Forenames	CHRISTINE MARIA
PREVIOUS NAMES (if relevant) please enter details of any previous names or maiden names. Please continue on a separate sheet if necessary.	
TITLE Please tick ✓ Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)	
Surname	
Forenames	

2. Forfeiture by a court or revocation by a licensing authority of a personal licence in the last 5 years		
		Please tick ✓
Has any personal licence held by you been forfeited or revoked in the last 5 years?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If yes, please provide details below:		
Name of court/licensing authority		
Address of court		
Date of forfeiture/revocation		
Offence which resulted in the forfeiture/revocation		

Any additional details	
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3. Relevant or foreign offences and civil immigration penalties

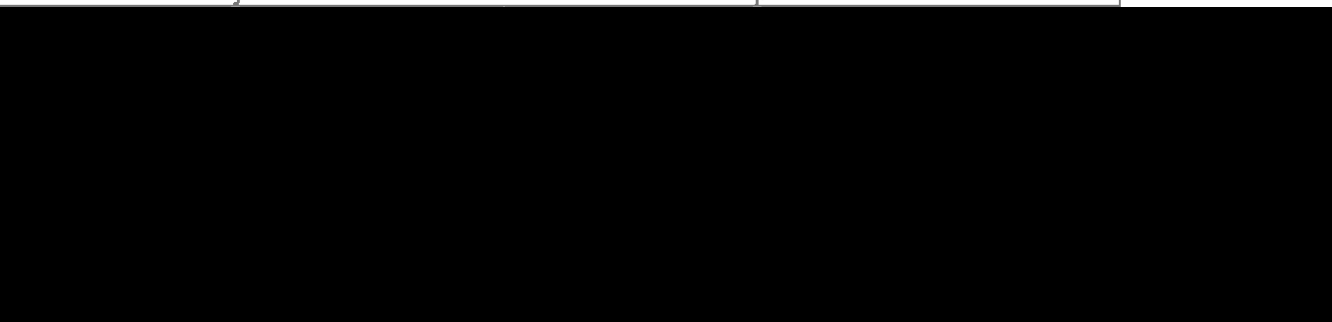
Read Note 1 Please tick ✓

Have you been convicted of any relevant offence or foreign offence or been required to pay a civil immigration penalty?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
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If you have been convicted of any relevant offence you must provide details for each conviction of the date of conviction, the name and location of the convicting court, offence of which you were convicted and the sentence imposed:

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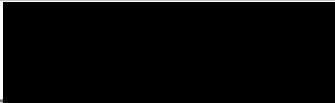
If you have been convicted of any foreign offence you must provide details for each conviction of the date of conviction, the name and location of the convicting court, offence of which you were convicted and the sentence imposed:

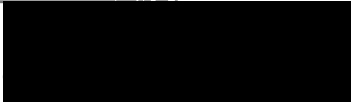


If you have received an immigration penalty you must provide details for each penalty, including date of penalty, company name and reference number:

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4. Declaration			
I declare that I have not been convicted of any relevant offence or any foreign offence or been required to pay a civil immigration penalty			
SIGNATURE		DATE	11.04.2019

5. Declaration			
<p>The information contained in this form is correct to the best of my knowledge and belief.</p> <p>It is an offence knowingly or recklessly to make a false statement in or in connection with an application for the grant or renewal of a personal licence. A person is to be treated as making a false statement if he produces, furnishes, signs or otherwise makes use of a document that contains a false statement. To do so could result in prosecution and a fine of any amount. It is an offence under section 24B of the Immigration Act 1971 to work illegally.</p>			
SIGNATURE		DATE	11.04.2019