

For Consideration By	Licensing Sub-Committee
Meeting Date	19 March 2024
Type of Application	Transfer of Premises Licence
Address of Premises	Church Street Supermarket, 12 Stoke Newington Church Street, London, N16 0LH
Classification	Decision
Ward(s) Affected	Stoke Newington
Group Director	Rickardo Hyatt

1. **Summary**

- 1.1. This is an application for a transfer of premises licence.

2. **Application**

- 2.1. Mr Soner Erdogan has made an application for a transfer of premises licence under section 42 of the Licensing Act 2003. The application is attached as Appendix A.
- 2.2. A copy of the premises licence is attached as Appendix C.

3. **Objection Notice**

- 3.1. The application received an objection from the Police. The notice received from the Police is attached as Appendix B. The Police consider that to the application would undermine the crime prevention objective.

4. **Guidance Considerations**

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

5. **Policy Considerations**

- 5.1. Licensing Sub-Committee is required to have regard to the London Borough of Hackney's Statement of Licensing Policy ("the Policy) adopted by the Licensing Authority.

5.2. Extracts from licensing policies are reproduced at the front of the agenda for this meeting.

6. **Officer Observations**

6.1. Members should have regard to the relevant section of the Licensing Act 2003 and the Guidance issued by the Home Office when determining the application for grant of transfer of premises licence.

6.2. An extract from the guidance issued by the Home Office is attached for information at Appendix D.

7. **Legal Comments**

7.1. 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

7.2. 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.

8. **Human Rights Act 1998 Implications**

8.1. There are implications to;

- **Article 6** – Right to a fair hearing
- **Article 14** – Not to discriminate
- Balancing: **Article 1**- Peaceful enjoyment of their possession (i.e. a licence is defined as being a possession) with **Article 8** – Right of Privacy (i.e. respect private & family life) to achieve a proportionate decision having regard to the protection of an individuals rights against the interests of the community at large.

9. **Members Decision Making**

9.1. **Option 1**

That the application be rejected if members consider it necessary for the promotion of the crime prevention objective.

9.2. **Option 2**

That the application be granted

10. **Conclusion**

- 10.1. That Members decide on the application for a transfer of premises under the Licensing Act 2003.

Appendices:

Appendix A: Application for a transfer of premises licence and supporting documents

Appendix B: Representation from responsible authority

Appendix C: A copy of the premises licence

Appendix D: Extract from the guidance issued by the Home Office

Appendix E: Location map

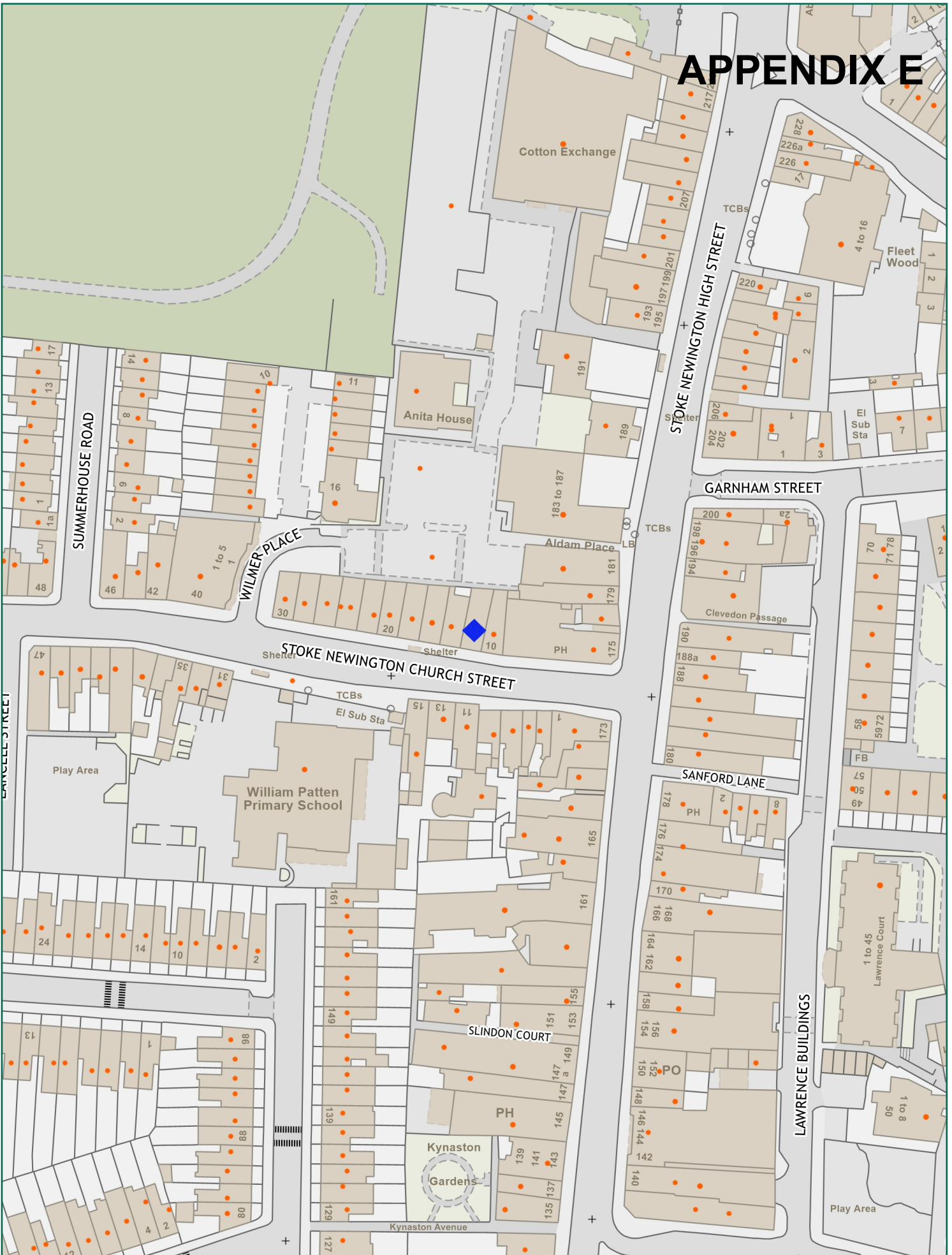
Background documents


Licensing Act 2003

LBH Statement of Licensing Policy

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APPENDIX E




NORTH

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Church Street Supermarket, 12 Stoke Newington Church Street, London, N16 0LH

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