

Licensing Sub-Committee

MINUTES of the OPEN section of the Licensing Sub-Committee held on Wednesday 19 December 2018 at 10.00 am at Ground Floor Meeting Room G02C - 160 Tooley Street, London SE1 2QH

PRESENT: Councillor Renata Hamvas (Chair)
Councillor Sunil Chopra
Councillor Adele Morris

OFFICER SUPPORT: Rebecca Millardship, legal officer
P.C. Graham White, Metropolitan Police Service
Home Office representatives
Andrew Weir, constitutional officer

1. APOLOGIES

There were none.

2. CONFIRMATION OF VOTING MEMBERS

The members present were confirmed as the voting members.

3. NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE CHAIR DEEMS URGENT

There were none.

4. DISCLOSURE OF INTERESTS AND DISPENSATIONS

There were none.

5. LICENSING ACT 2003: ROCCA DI PAPPA, 76-77 DULWICH VILLAGE, LONDON, SE21 7BJ

The legal representative for the premises advised that they had had discussions with the applicant for the review

The applicant or the review and the police confirmed that they were satisfied with the conditions agreed with the premises.

The meeting adjourned at 11.00am for the sub-committee to consider its decision.

The meeting reconvened at 11,07am and the chair advised all parties of the decision.

RESOLVED:

That the council's licensing sub-committee, having considered an application made under Section 51 of the Licensing Act 2003 by Home Office Immigration Enforcement for the review of the premises licence issued in respect of the premises known as Rocca Di Pappa, 76-77 Dulwich Village, London, SE21 7BJ having had regard to all other relevant representations has decided it necessary for the promotion of the licensing objectives to:

Modify the conditions of the licence to include the additional requirements:

1. That the employer must carry out checks concerning the right to work of their employees working at the premises and any prospective employees completing a trial shift prior to entering into a contract of employment.
2. That the employer must retain copies of documents obtained following checks conducted concerning employees or prospective employees right to work. These must be stored securely by the employer at the premises or a digital copy must be immediately accessible from the premises for ease of inspection by immigration officials.
3. That the employer, or any person appearing to represent the employer, must be able to produce on demand documents relating to the right to work, at the request of a Police officer, Licensing officer or an Immigration officer who enters the premises to carry out an inspection under section 179(1A) of the 2003 Act.

Reasons

The reasons for this decision are as follows:

The licensing sub-committee heard from the applicant that they had been able to conciliate with the license holders in this matter, by agreeing the conditions as set out above.

The sub-committee reviewed the application and all other documents submitted by the responsible authorities. They had no further questions and reviewed the conditions that had been agreed between the parties. The sub-committee agreed that the addition of the conditions to the licence were both an appropriate and proportionate response to the review application.

In reaching this decision the sub-committee had regard to all the relevant considerations and the four licensing objectives and considered that this decision was appropriate and proportionate.

Appeal rights

This decision is open to appeal by either:

- a) The applicant for the review
- b) The premises licence holder
- c) Any other person who made relevant representations in relation to the application

Such appeal must be commenced by notice of appeal given by the appellant to the justices' clerk for the Magistrates' Court for the area within the period of 21 days beginning with the day on which the appellant was notified by this licensing authority of the decision.

This decision does not have effect until either

- a) The end of the period for appealing against this decision; or
- b) In the event of any notice of appeal being given, until the appeal is disposed of.

The meeting ended at 11.10am.

CHAIR:

DATED: