


**APPLICATION TO TRANSFER A PREMISES LICENCE UNDER SECTION 42 OF THE
LICENSING ACT 2003**

LONDON BOROUGH OF CAMDEN		<u>FOR SUBMISSION TO:</u> Licensing Panel	<u>DATE:</u> 19 th June 2025
<u>REPORT OF:</u> Executive Director Supporting Communities		<u>CONTACT OFFICER:</u> Peter Agbley, Licensing Team Leader (Acting Up) Licensing Team, 5 Pancras Square, London, N1C 4AG. 020 7974 5507 / Peter.agbley@camden.gov.uk	
<u>PREMISES:</u> Sican 26-28 Whitfield Street, London W1T 2RG		<u>WARD:</u> Bloomsbury	
Local Government Act 1972 – Access to Information - Documents used in the preparation of this report	1) The Licensing Act 2003 (“the Act”) 2) Camden Statement of Licensing Policy 2022-2027 (“the Policy”) 3) Amended Guidance issued under section 182 of the Licensing Act 2003 (February 2025) (“the Guidance”)		
Appendices	Appendix 1) Location map of premises Appendix 2) Application form Appendix 3) Existing premises licence Appendix 4) Police representation Appendix 5) Legal and finance comments		
Signed by: Oliver Jones, Director of Recreation 			
Date: 9 th June 2025			

1. Application

1.1 This is an application to Transfer a premises licence under section 42 of the Licensing Act 2003. **Appendix 2**

1.2 The premises is licensed for:

a) Supply of Alcohol (For consumption On/Off the premises)

10.00 - 00.00 Monday - Wednesday (excluding Christmas Day and Good Friday)
10.00 - 01.00 Thursday - Saturday (excluding Christmas Day and Good Friday)
12.00 - 23.30 Sunday (excluding Christmas Day) and Good Friday
12.00 - 22.30 Christmas Day

b) Late Night Refreshment

23.00 - 00.30 Monday - Wednesday (excluding Christmas Day and Good Friday)
23.00 - 01.30 Thursday - Saturday (excluding Christmas Day and Good Friday)
23.00 - 00.00 Sunday (excluding Christmas Day) and Good Friday

c) Recorded Music

Unless otherwise specified on this licence, no regulated entertainment, other than by way of music and singing only which is provided solely by the reproduction of recorded sound, shall take place at the premises with the exception of pre-booked private events limited to the provision of music and dancing for pre-invited guests.

d) Opening hours

10.00 - 00.30 Monday - Wednesday (excluding Christmas Day)
10.00 - 01.30 Thursday - Saturday (excluding Christmas Day and Good Friday)
12.00 - 00.00 Sunday (excluding Christmas Day) and Good Friday

2. Representations

2.1 In accordance with Section 42 (6) of that Act, the Police may object to the Transfer where, in exceptional circumstances, they are satisfied that the transfer of the licence would undermine the crime prevention objective. In this case, such a notice has been received by the Licensing Authority, who must now hold a hearing to consider it.

2.2 A representation has been received against the application from the Police responsible authority.

The MPS is of the view that an application to transfer the premises licence was made after the licence has been revoked and is currently pending an appeal in the magistrate court. The MPS believes that the transferring the licence into a new

company with the same director, with all intention purposes is the same set of circumstances that led to the revocation in the first place

A copy of the representation is attached to this report as **Appendix 4**

3. Policy

Licensing objectives (Chapter Four Page 20 to 35 of the Policy)

3.1 The licensing objectives engaged by this application are:

- a) The Prevention of Crime and Disorder

Cumulative Impact Policy Area (Chapter Six- Page 39 to 44 of the Policy)

3.2 The premises is not situated in either cumulative impact policy areas.

Hours policy (Chapter Five- Page 36 to 38 of the Policy)

3.3 The hours policy is engaged by the existing premises Licence in relation to the terminal times for licensable activities. The framework hours are given in the Policy as:

On Sales

Monday to Thursday	10:00 until 23:30
Friday and Saturday	10:00 until midnight
Sunday	11:00 until 22:30

Off the premises

Monday to Saturday	08:00 am until 11:00 pm
Sunday	10:00 am until 10:30 pm

No sale or supply of alcohol

Monday to Thursday	09:00 until 23:30
Friday and Saturday	09:00 until midnight
Sunday	09:00 until 22:30

3.4 The times for the framework hours on any given day are not (and should not be regarded as) the “usual” or “normal” working hours for licensable activities in the Borough. Instead, the framework hours serve to identify those cases where the Licensing Authority will pay particular regard to the likely effect on the local neighbourhood of carrying out the proposed licensable activities.

Premises Policy (Chapter Seven – Page 46 to 67 of the Policy)

3.5 The premises policies currently engaged by this application are:

- a) Restaurants, cafes and coffee houses
- b) Premises providing music, dance and similar entertainment

4. Secretary of State's Guidance

- 4.1 The relevant parts of the Secretary of State's Guidance ("the Guidance") for this application are:
- a) Chapter 2 - The Licensing Objectives
 - b) Chapter 8 – Applications for Premises Licences
 - c) Chapter 9 - Determining Applications

5. Recommendations

- 5.1 To determine the application to Transfer a premises licence under section 42 of the Licensing Act 2003
- 5.2 Having considered the application, the representation(s) submitted in relation to this application, the legislative provisions, the Statement of Licensing Policy, and the Guidance issued by the Secretary of State, Members have the following options:
- a) Having regard to the notice of representation, reject the application if it considers it necessary for the promotion of the crime prevention objectives to do so; or
 - b) Grant the application
- 5.3 Members are reminded that all applications must be considered on their own merits, and that findings on any issues of fact should be on the balance of probability.

6. Conclusion

- 6.1 Members are required to consider the application in light of all the relevant information.