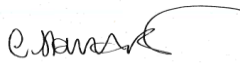


**APPLICATION FOR A SHADOW PREMISES LICENCE UNDER SECTION
16 OF THE LICENSING ACT 2003**

LONDON BOROUGH OF CAMDEN	FOR SUBMISSION TO: Licensing Panel	DATE: 15 th September 2022
REPORT OF: Executive Director Supporting Communities		CONTACT OFFICER: Samina Khan Tel: 020 7974 4504 Email: samina.khan@camden.gov.uk
PREMISES: Secrets (Parker St.) 51 Parker Street, WC2B 5PS		WARD: Holborn with Covent Garden
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 (April 2018) (“the Guidance”)	
Appendices	Appendix 1) Location map of premises Appendix 2) Application form Appendix 3) Relevant representations Appendix 4) Conditions consistent with the operating schedule/existing premises licence Appendix 5) Legal and finance comments	
Signed by Director of Community Services  Date: 12th April 2022		

1. Application

- 1.1 This is an application for a Shadow premises licence under section 16 of the Licensing Act 2003. **Appendix 2**
- 1.2 The application is for:
- a) **Supply of Alcohol (For consumption on the premises)**
17:00 – 03:00 Monday to Saturday
 - b) **Plays**
 - c) **Films**
 - d) **Live Music**
 - e) **Recorded Music**
 - f) **Performances of Dance**
17:00 – 03:00 Monday to Saturday
 - g) **Late night refreshment**
23:00 – 03:00 Monday to Saturday

h) Opening hours

17:00 – 03:00 Monday to Saturday

1.3 The application has been made by Trethowans LLP on behalf of the freeholder of the premises. The applicant seeks to duplicate the licensable activities mentioned in Paragraph 1.2. above and in their operating schedule have offered to duplicate all existing conditions relevant to the New Premises application for the premises known as: Secrets (Parker St) 51 Parker Street WC2B 5PS- from the existing Premises Licence PREM-LIC\3046

1.4 The application has been made under section 16 of the Act which states that ;

(1) The following persons may apply for a premises licence-

(2) A person who carries on, or proposes to carry on, a business which involves the use of premises for the licensable activities, the Application relates.

1.5 The Guidance also states that:

8.14 Any person (if an individual aged 18 or over) who is carrying on or who proposes to carry on a business which involves the use of premises (any place including one in the open air) for licensable activities may apply for a premises licence either on a permanent basis or for a time limited period.

8.15 “A person” in this context includes, for example, a business or a partnership. Licensing authorities should not require the nomination of an individual to hold the licence or determine the identity of the most appropriate person to hold the licence.

2. Representations

2.1 Four relevant representations opposing the representation have been received in relation to the application one from the Licensing Authority responsible authority, two from local residents and one on behalf of the existing premises licence holder. **Appendix 3**

3. Policy

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

3.1 The licensing objectives engaged by this application is:
a) The Prevention of Public Nuisance

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

- 3.2 The premises are situated in the Seven Dials cumulative impact policy area where there is a presumption to refuse all new or variation applications. The presumption is rebuttable.

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

- 3.3 The hours policy is engaged by this application in relation to the proposed 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 Sales

Monday to Saturday	08:00 until 23:00
Sunday	10:00 until 22:30

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) Public Houses and Bars
- b) Premises Providing Music and Dance and Similar Entertainment
- c) Nightclubs

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 3 - Licensable Activities
 - c) Chapter 8 - Applications for Premises Licences

- d) Chapter 9 - Determining Applications
- e) Chapter 10 - Conditions Attached to Premises Licences and Club Premises Certificates.

5. Recommendations

- 5.1 To determine the application for a new premises licence under section 18 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) Grant the application in full with such conditions on the licence that are consistent with the operating schedule.
 - b) Grant the application subject to revised conditions that they consider appropriate to promote the licensing objectives.
 - c) Reject the whole or part of the application.
- 5.3 Members may attach additional conditions if they consider it appropriate for the promotion of the licensing objectives raised in the representations.
- 5.4 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, and if approval is given, may attach such conditions appropriate to promote the licensing objectives.