


**APPLICATION FOR A NEW PREMISES LICENCE UNDER SECTION 17
OF THE LICENSING ACT 2003**

LONDON BOROUGH OF CAMDEN	<u>FOR SUBMISSION TO:</u> Licensing Panel	<u>DATE:</u> 27 April 2023
<u>REPORT OF:</u> Executive Director Supporting Communities	<u>CONTACT OFFICER:</u> Dennis Viechweg, Licensing Officer, Licensing Team, 5 Pancras Square, London, N1C 4AG. 020 7974 2152 Dennis.Viechweg@camden.gov.uk	
<u>PREMISES:</u> Diverse Dining, 287 Camden High Street, London, NW1 7BX	<u>WARD:</u> Camden Town	
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 (December 2022) (“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 Appendix 5) Legal and finance comments	
Signed by  Jamie Akinola, Director of Public Safety Date: 14 April 2023		

1. Application

1.1 This is an application for a new premises licence under section 17 of the Licensing Act 2003. **Appendix 2**

1.2 The application is for:

a) Supply of Alcohol (For consumption on and off the premises)

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

b) Late night refreshment

23:00 – 23:30 Monday to Thursday
23:00 – 00:00 Friday and Saturday
None - Sunday

c) Opening hours

08:00 – 00:00 Monday to Thursday
08:00 – 00:30 Friday and Saturday
08:00 – 23:00 Sunday

2. Representations

2.1 Two relevant representations have been received in relation to the application.

2.2 The two representations oppose the application and are from the Licensing Authority, responsible authority and one local resident.

Appendix 3

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
- b) The Prevention of Public Nuisance
- c) Public Safety
- d) The Protection of Children from Harm

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

- 3.2 The premises are situated in the Camden Town 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 start times for off sales only. 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) Restaurants, cafes and coffee houses
 - b) Off Licences

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.