


**APPLICATION TO REVIEW A PREMISES LICENCE UNDER SECTION 51 OF  
THE LICENSING ACT 2003**

<b>LONDON BOROUGH OF CAMDEN</b>	<b>FOR SUBMISSION TO:</b> Licensing Panel	<b>DATE:</b> 19 October 2023
<b>REPORT OF:</b> Executive Director Supporting Communities	<b>CONTACT OFFICER:</b> Sarah Williams Tel: 020 7974 8227 Email: <a href="mailto:sarah.williams@camden.gov.uk">sarah.williams@camden.gov.uk</a>	
<b>PREMISES:</b> The Square Tavern, 26 Tolmer's Square, London, NW1 2PE	<b>WARD:</b> Regent's Park	
<b>Licence Holder:</b>	<b>Punch Partnerships (PML) Limited</b>	
<b>Applicant:</b>	<b>Mr Chris Roberts</b>	
<b>Local Government Act 1972 – Access to Information - Documents used in the preparation of this report</b>	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 (August 2023) (“the Guidance”)	
<b>Appendices</b>	Appendix 1) Map of Premises Appendix 2) Application Appendix 3) Relevant representations Appendix 4) Current premises licence Appendix 5) Legal and Finance Comments	
<b>Signed by:</b> Jamie Akinola, Director of Public Safety		
		
<b>Date:</b> 6 <sup>th</sup> October 2023		

**1. Application**

1.1 This is an application to review a premises licence under section 51 of the Licensing Act 2003.

1.2 Any determination of the Licensing Panel shall not have effect until:

- a) The end of the period given for appealing against the decision; or
- b) If the decision is appealed against, until the appeal is disposed of.

1.3 The premises is licensed for:

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

10.00- 23.00 Monday to Wednesday  
10:00 - 23:30 Thursday  
10:00 - 00:00 Friday to Saturday  
12:00 – 22:30 Sunday

**b) Films, Live Music, Performance of Dance, Anything of a similar description to Music or Dancing and Recorded Music**

10.00- 23.00 Monday to Wednesday  
10:00 - 23:30 Thursday  
10:00 - 00:00 Friday to Saturday  
12:00 – 22:30 Sunday

**c) Late Night Refreshment**

23:00-23:30 Thursday  
23:00-00:00 Friday to Saturday

**d) Opening hours**

08.00-23.30 Monday to Wednesday  
a) 08:00-00:00 Thursday  
08:00-00:30 Friday to Saturday  
08.00-23.00 Sunday

**e) Seasonal Variations**

All licensable activities are extended from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

**2. Reason for the review**

2.1 The Applicant on behalf of the residents of Tolmer's Square and Hampstead Road has requested this Licence Review. The Applicant believes that the licensing objectives, the prevention of public nuisance and the protection of children from harm are not being upheld. The applicant has included logs of disturbances, and failed interactions with management. Photographs, links and video footage have been provided.

2.2 The Applicant is seeking to modify conditions of the premises licence and to exclude licensable activities from the scope of the licence.

Please see **Appendix 2** for further details.

### **3. Background**

- 3.1 Twelve relevant representations have been received in relation to the application.
- 3.2 Ten representations are in support of the application to review the premises licence, and these are from the Licensing Authority responsible authority, and nine local residents.
- 3.3 Two representations oppose the application to review the premises licence, and these are from a member of the public and a business organisation. **Appendix 3**

### **4. Policy**

#### Licensing Objectives (Chapter Four – Pages 20-25 of the Policy):

- 4.1 The licensing objectives engaged by this application are:
  - a) The Prevention of Public Nuisance
  - b) The Protection of Children from Harm

#### Hours policy (Chapter Five – Pages 36-38 of the Policy)

- 4.2 The hours policy is not engaged by the existing premises licence in relation to the times for licensable activities.

### **5. Secretary of State's Guidance**

- 5.1 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 10- Conditions attached to Premises Licences and Club premises Certificate
  - d) Chapter 11- Reviews

### **6. Recommendations**

- 6.1 To determine the application for a review of the premises licence under section 52 of the Licensing Act 2003.
- 6.2 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 available to them by virtue of the Licensing Act 2003, Section 52:
  - a) Allow the licence to continue operating as before

- b) Modify the conditions of the licence
- c) Exclude a licensable activity from the scope of the licence
- d) To remove the designated premises supervisor
- e) To suspend the licence for a period not exceeding three months
- f) To revoke the licence

6.3 As with all options members will need to consider what is appropriate.

## **7. Conclusion**

7.1. Members are required to determine the review application in light of all the relevant information.