


**APPLICATION TO VARY A PREMISES LICENCE UNDER SECTION 34 OF
THE LICENSING ACT 2003**

LONDON BOROUGH OF CAMDEN	FOR SUBMISSION TO: Licensing Panel	DATE: 30 November 2023
REPORT OF: Executive Director Supporting Communities	CONTACT OFFICER: Sarah Williams, Licensing Officer, Licensing Team, 5 Pancras Square, London, N1C 4AG. 020 7974 8227/ sarah.williams@camden.gov.uk	
PREMISES: Papa Johns, 51a Camden High Street, London, NW1 7JH	WARD: Regents Park	
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 (August 2023) (“the Guidance”)	
Appendices	Appendix 1) Location map of premises Appendix 2) Application form Appendix 3) Current premises licence Appendix 4) Relevant representations Appendix 5) Conditions consistent with the operating schedule Appendix 6) Legal and Finance comments	
Signed by: Jamie Akinola, Director of Public Safety  Date: 20 th November 2023		

1. Application

1.1 This is an application to vary a premises licence under section 34 of the Licensing Act 2003. **Appendix 2**

1.2 The premises are licensed for:

a) Late Night Refreshment:

23:00 to 01:00 Monday to Thursday:
23:00 to 02:00 Friday and Saturday
23:00 to 00:00 Sunday

b) Opening hours

Not Known

1.1 The current premises licence can be found in **Appendix 3**,

1.2 The application is for:

Additional Licensable Activity:

a) Late night refreshment

23:00-03:00 Monday to Sunday

Non-Standard timings

If applicable, an additional hour to the standard and non-standard times on the day when British summertime commences.

From the standard start timing on 31st December to the standard start time on the 1st of January.

b) Changes to the opening hours

00:00-00:00 Monday to Sunday

Non-Standard timings

If applicable, an additional hour to the standard and non-standard times on the day when British summertime commences.

From the standard start timing on 31st December to the standard start time on the 1st of January.

Additional Conditions offered:

The premises shall close to the public after 02:00 and will then operate solely as a delivery service until 03:00.

The premises to sign up for the "Ask for Angela" scheme and that this should be done before they begin operations.

That suitable and sufficient refuse receptacles be provided such that all waste and refuse produced by the business in the course of its operation, is collected, properly stored and disposed of.

1.3 Following representation made by the Police responsible authority, the application has been reduced to those shown above and amended to include conditions proposed by the Police.

1.4 On the basis that the agreed hours and conditions are included in the application, the Police responsible authority, have withdrawn their representation. The agreed conditions can be found at **Appendix 5**.

2 Representations

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

2.2 The representations oppose the application and are from the Licensing Authority responsible authority and a Resident association.

3 Policy

Licensing Objectives (Chapter Four - Pages 20-35 of the Policy):

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

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

3.2. The premises is situated in the cumulative impact policy area Camden Town, where there is a presumption to refuse all new or variation applications. The presumption is rebuttable.

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

3.3. The hours policy is engaged by this application in relation to the proposed end times for licensable activities. The framework hours are given in the Policy as:

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 framework hours on any given day are not (and should not be regarded as) the 'usual' or 'normal' 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.

Women's Safety (Appendix One – Page 88 to 89 of the Policy)

3.5. The Council has adopted a set of principles that commit our licensed premises to act in a responsible manner, taking all forms of female harassment seriously and set out the practical steps licensed premises can take to support this.

The principles encourage all licensed premises to consider and implement them in the day to day operation of their premises and include:

- a. Let's Communicate
- b. Supporting Each Other
- c. Training for All

The application does include these principles.

Premises Policy (Chapter Seven- Pages 46 -67 of the Policy):

- 3.6 The following premises policies are engaged by the application:
- a) Premises supplying hot food and drink between 11:00 pm and 05:00 am

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 - Application for Premises Licences
 - d) Chapter 10- Conditions Attached to Premises Licences and Club Premises Certificates

5 Recommendations

5.1 To determine the application to vary a premises licence under section 35 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.