


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

<b>LONDON BOROUGH OF CAMDEN</b>	<b>FOR SUBMISSION TO:</b> Licensing Panel	<b>DATE:</b> 22 <sup>nd</sup> November 2018
<b>REPORT OF:</b> Executive Director Supporting Communities		<b>CONTACT OFFICER:</b> Sheridan O'Grady Tel: 020 7974 2777 Email: Sheridan.o'grady@camden.gov.uk
<b>PREMISES:</b> Italian Alley Unit 1-4 Stables Market, Chalk Farm Road, London NW1 8AH		<b>WARD:</b> Camden Town with Primrose Hill
<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 2017-2022 (“the Policy”) 3) Amended Guidance issued under section 182 of the Licensing Act 2003 (April 2018) (“the Guidance”)	
<b>Appendices</b>	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	
<p><b>Signed by Director of Place Management</b></p> 		
<b>Date: 7<sup>th</sup> November 2018</b>		

**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 the premises)**

11:00 – 23:00 Monday to Sunday

**b) Opening hours**

09:00 – 23:30 Monday to Sunday

## 2. Representations

- 2.1 Four relevant representations opposing the application have been received. One from the Licensing Authority responsible authority, two from local resident associations and one from a local resident in relation to the application.

### 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 Public Nuisance

### 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 Sunday 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

- 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

#### **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.