


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

LONDON BOROUGH OF CAMDEN	FOR SUBMISSION TO: Licensing Panel	DATE: 10 th October 2024
REPORT OF: Executive Director Supporting Communities		CONTACT OFFICER: Gina Demetriou, Licensing Officer, Licensing Team, 5 Pancras Square, London. N1C 4AG Tel: 020 7974 5194 Email: gina.demetriou@camden.gov.uk
PREMISES: Kazim Efes Restaurant, 56-56a Maple Street, W1T 6HW		WARD: Bloomsbury
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 2023) (“the Guidance”)	
Appendices	Appendix 1) 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	
<p>Signed by: </p> <p>Jamie Akinola, Director of Public Safety</p> <p>Date: 25th September 2024</p>		

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) Supply of Alcohol (For consumption on the premises)

10:00 – 23:00 Monday to Saturday

12:00 – 22:30 Sunday

12.00-22.30 Good Friday

12.00-15.00 and 19.00-22.30 Christmas Day

These hours are extended from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day

b) Recorded Music

Public entertainment by way of music and singing only provided solely by the reproduction of recorded sound can only be provided during the hours that the sale of alcohol takes place.

1.3 The application is for:

1) Changes to existing activities

Additional Licensable Activity:

a) Live Music

18:00 – 00:00 Friday and Saturday

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

b) Performance of Dance

18:00 – 00:00 Friday and Saturday

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

c) Late Night Refreshments

23:00 – 23:30 Monday to Thursday

23:00 – 00:00 Friday & Saturday

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

Variation to Existing Licensable Activity and times:

d) Supply of Alcohol (For consumption on the premises)

12:00 – 23:30 Monday to Thursday

12:00 – 00:00 Friday to Saturday

12:00 – 22:30 Sunday

These hours 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) Changes to existing premises plan

2. Representations

- 2.1 One relevant representation has been received in relation to the application.
- 2.2 The representation opposes the application, and this is from a Resident Association.

Appendix 3

3. Policy

Licensing Objectives (Chapter Four - Pages 20-35 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- Pages 39 - 44 of the Policy)

- 3.2. The premises are not situated in either cumulative impact policy area 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:

On Sales

Monday to Thursday	10:00 until 23:30
Friday and Saturday	10:00 until midnight
Sunday	11:00 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 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.

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

- 3.5. The following premises policies are engaged by the application:
- a) Restaurant, cafes and coffee houses
 - b) Premises Providing Music and Dance and Similar Entertainment
 - c) Premises supplying hot food and drink between 11:00 pm and 05:00 am

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

- 3.6 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.

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.