


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

LONDON BOROUGH OF CAMDEN	<u>FOR SUBMISSION TO:</u> Licensing Panel	<u>DATE:</u> 8 August 2024
<u>REPORT OF:</u> Executive Director Supporting Communities		<u>CONTACT OFFICER:</u> Peter Agleby, Licensing Officer, Licensing Team, 5 Pancras Square, London, N1C 4AG. 020 7974 5507/ Peter.agbley@camden.gov.uk
<u>PREMISES:</u> Hoxton Hotel 203 High Holborn, London, WC1V 7BD		<u>WARD:</u> Holborn & Covent Garden
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) Location map of premises Appendix 2) Application form Appendix 3) Current premises licence Appendix 4) Relevant representations Appendix 5) Legal and Finance comments	
Signed by: Jamie Akinola, Director of Public Safety  Date: 4 th July 2024		

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 (On Sales)**

07:00 - 02:00 (Ground floor) - Monday to
Saturday 07:00 - 00:30 (Basement) - Monday
to Saturday 07:00 - 00:00 (Ground floor and
Basement) - Sunday

The premises shall remain open to permit the sale of alcohol to hotel

residents and their bona fide guests 24 hours per day

08:00 to 23:00 Monday to Sunday

b) **Late Night Refreshment:**

23:00 - 02:00 (Ground floor) Monday to Saturday

23:00 - 00:30 (Basement) Monday to Saturday

23:00 - 00:00 (Ground floor and basement) Sunday

c) **Recorded Music**

07:00 - 02:00 (Ground floor) - Monday to Saturday

07:00 - 00:30 (Basement) - Monday to Saturday

07:00 - 00:00 (Ground floor and Basement) - Sunday

d) **Live Music**

07:00 - 02:00 (Ground floor) - Monday to Saturday

07:00 - 00:30 (Basement) - Monday to Saturday

07:00 - 00:00 (Ground floor and Basement) - Sunday

e) **Films**

07:00 - 02:00 (Ground floor) - Monday to Saturday

07:00 - 00:30 (Basement) - Monday to Saturday

07:00 - 00:00 (Ground floor and Basement) - Sunday

f) **Opening hours**

07:00 - 02:30 (Ground floor) - Monday to Saturday

07:00 - 01:00 (Basement) - Monday to Saturday

07:00 - 00:30 (Ground floor and Basement) - Sunday

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

- 1.3 The application seeks to vary the premises licence in respect of the basement area only. The application does not propose any other changes to the existing hours or licensable activities on any other floors of the hotel.

The application for the basement area is as follows:

- a) Vary the permitted terminal hours for licensable activities in the basement to 2am Monday to Saturday (no change Sunday) in line with the permitted hours for the ground floor.
- b) Add the following condition: In the basement:

- a. *There shall be no dance floor.*
- b. *Except for the designated bar area hatched on the licence plan, the supply of alcohol shall be way by waiter/waitress service to seated customers only.*

2. Representation

- 2.1 One relevant representation has been received in relation to the application.
- 2.2 The representation opposes the application and is from a local resident.

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 of Seven Dials, 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

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 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) Hotels
- b) 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.