


**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> 29 August 2024
<b>REPORT OF:</b> Executive Director Supporting Communities		<b>CONTACT OFFICER:</b> Steven Dormer, Licensing Officer, Licensing Team, 5 Pancras Square, London, N1C 4AG. 020 7974 016/ <a href="mailto:steven.dormer@camden.gov.uk">steven.dormer@camden.gov.uk</a>
<b>PREMISES:</b> Cell Phone Vape City Off Licence, 258 Kilburn High Road, NW6 2BY		<b>WARD:</b> Kilburn
<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 (December 2023) (“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	
<b>Signed by: Jamie Akinola, Director of Public Safety</b>		
		
<b>Date: 19 August 2024</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) Sale of Alcohol off the premises**

Monday to Sunday 09:00 – 23:00

**b) Opening hours**

Monday to Sunday 08:00 – 23:00

### Engagement by the Applicant

- 1.3. The Council offers a voluntary pre-application process which encourages applicants to engage with responsible authorities and residents prior to submitting their application.
- 1.4. The applicant did not engage with the pre-application process.

## **2. Representations**

- 2.1. Five relevant representations have been received in relation to the application by residents.  
**Appendix 3**
- 2.2. Applicant has agreed to pull the application back to Framework Hours. Following consultation with the Police **Appendix 4**

## **3. Policy**

- 3.1. Licensing objectives (Chapter Four Page 20 to 35 of the Policy)
- 3.2. The licensing objectives engaged by this application are:
  - a) The Prevention of Crime and Disorder
  - b) The Prevention of Public Nuisance
  - c) Public Safety
  - d) The Protection of Children from Harm

### Cumulative Impact Policy Area (Chapter Six- Page 39 to 44 of the Policy)

- 3.3. The premises are not in a cumulative impact policy area.

### Hours policy (Chapter Five- Page 36 to 38 of the Policy)

- 3.4. The Framework hours policy is not engaged by this application in relation to the proposed application.
- 3.5. 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.
- 3.7. 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 not include these principles.

Premises Policy (Chapter Seven – Page 46 to 67 of the Policy)

3.8. The premises policies currently engaged by this application are:

- a) Off Licences

#### **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 of 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 considering all the relevant information, and if approval is given, may attach such conditions appropriate to promote the licensing objectives.