


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

LONDON BOROUGH OF CAMDEN	FOR SUBMISSION TO: Licensing Panel	DATE: Thursday 5 th December 2024
REPORT OF: Executive Director Supporting Communities		CONTACT OFFICER: Steven Dormer Tel: 020 7974 8016 Email: steven.dormer@camden.gov.uk
PREMISES: K Club, 51 Parker Street, London, WC2B 5PS		WARD: 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) 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: 20th November 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:

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

Monday to Saturday

17:00 - 03:00

ii) Recorded Music, Films, Live Music, Performance of Dance

Monday to Saturday

17:00 - 03:00

iii) Late Night Refreshments

Monday to Saturday

23:00 - 03:00

vi) Opening hours

Monday to Saturday

17:00 - 03:00

1.3 The Variation to Existing Licensable Activity and times:

a) Changes to the lay out of the licensable area.

b) Change of hours for all licensable activities Monday to Saturday. To include opening for licensable activities on Sundays

i) Supply of Alcohol (For consumption on the premises) to members of the public.

14:00 – 05:00 Monday to Saturday

17:00 – 02:00 Sunday

ii) Recorded Music, Live Music, Performance of Dance, Films

14:00 – 05:00 Monday to Saturday

17:00 – 02:00 Sunday

iii) Late Night Refreshments

23:00 – 05:00 Monday to Saturday

23:00 – 02:00 Sunday

c) Remove conditions 25 & 18

Remove Condition 25

25. Striptease shall only take place on designated stages, adjacent to tables and adjacent to the bar counter, subject to the following conditions:-

(a) Such performances shall be undertaken only by performers and the audience shall not be permitted to participate.

(b) Performances shall not be viewable from outside the premises.

(c) No performer shall make physical contact with the breasts or genitalia of any other performer during a performance, nor shall there be performances of simulated sexual activity between performers.

(d) During a performance there shall be no physical activity between the performer and the customer which could reasonably be construed as sexual activity.

(e) At the end of each performance, the performer shall immediately replace her clothing.

(f) The entrances and exits of the premises (other than those used purely as emergency exits) shall be supervised at all times to assist patrons leaving the premises quickly and quietly.

(g) The licence holder shall use all reasonable endeavours to check the performer's identity, address and eligibility to work in the UK, and shall maintain appropriate records of all performers.

(h) Rules shall be produced for customers indicating unacceptable conduct, and copies of these rules shall be displayed at tables and other appropriate locations within the premises.

(i) The licence holder, in consultation with the Police, shall develop a crime prevention strategy for the premises.

Remove condition 48

48. There shall be no external advertising in the form of pictures or photographs

2. Representations

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

2.2 Nine representations oppose the application, and these are from residents and Responsible Authorities.

2.3 Six representations from residents and three from Responsible Authorities.

Appendix 4

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 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- Pages 39 - 44 of the Policy)

- 3.2. The premises are situated in the Seven Dials Covent Garden 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 start 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 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) Premises Providing Music and Dance and Similar Entertainment
 - b) Nightclubs

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.