


**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> 9 January 2025
<u>REPORT OF:</u> Executive Director Supporting Communities		<u>CONTACT OFFICER:</u> Steven Dormer, Licensing Officer, Licensing Team, 5 Pancras Square, London, N1C 4AG. Tel: 020 7974 8016 Email: steven.dormer@camden.gov.uk
<u>PREMISES:</u> Monmouth Street Wines, 1 Monmouth Street, London, WC2H 9DA		<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) 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 Director of Community Services</p>  <p>Date: 23 December 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 and off the premises)

Monday to Saturday: 10:00 - 23:00

Sunday: 11:00 – 22:30

b) Opening hours

Monday to Saturday: 08:00 - 23:00

Sunday: 10:00 – 22:30

1.3. The Variation.

The application proposes to replace condition 41 of the premises licence only as set out below. The application does not propose any changes to the permitted hours, licensable activities or other conditions.

Condition 41

With the exception of alcohol sold for consumption off the premises in sealed containers alcoholic beverages shall only be sold to seated customers taking a table meal.

Proposed Condition 41

- 1) The sale of alcohol for consumption on the premises shall be to seated customers taking a table meal, except for a maximum of 25 seated customers until 9pm.
- 2) The sale of alcohol for consumption on the premises shall remain ancillary to the retail and/or restaurant use of the premises. The sale of alcohol shall only be legitimate whilst the permitted use of the premises for planning purposes remains that of a restaurant and/or retail shop.
- 3) The sale of alcohol for consumption off the premises shall be in sealed containers only, except for any designated external seating area.

- 1.4. The Police responsible authority, and the applicant agreed to amend the above conditions. On this basis the Police have not submitted a representation for this application. The correspondence can be found at **Appendix 2**.

2. Representations

- 2.1. Three relevant representations have been received in relation to the application.
- 2.2. The representations oppose the application, and these are from both the Licensing Authority, Public Health and one 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 Crime and Disorder
- b) The Prevention of Public Nuisance
- c) Public Safety

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 not engaged by this application in relation to the proposed start times for licensable activities.

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

3.4. The following premises policies are engaged by the application:

- a) Pubs & Bars

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 not 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:
 - i. Grant the application in full with such conditions on the licence that are consistent with the operating schedule.
 - ii. Grant the application subject to revised conditions that they consider appropriate to promote the licensing objectives.
 - iii. 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.