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Application for full variations to a licensed premises - Ref no. 124647

Are you able to return the existing premises licence or club certificate? Yes

What do you want to vary? Premises licence : PREM-LIC\3607

Who is making the variation? An authorised agent

Agent details

First name [REDACTED]

Last name [REDACTED]

Name of business (optional) Poppleston Allen Solicitors

Address [REDACTED]
[REDACTED]
[REDACTED]

Email address [REDACTED]

Telephone number [REDACTED]

Correspondence details

Who should we correspond with in regards to this application? Agent

What type of variation are you applying for? Full variation

What is the non-domestic rateable value (NDRV) of the premises? 161000

Will the variations mean the premises is used exclusively or primarily to sell or supply alcohol? Yes

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Will the variations change the expected attendance? No

When do you want the variations to take effect? As soon as possible

What changes do you want to make?

- Amend premises information and premises business hours
- Amend activities
- Amend conditions

Amend seasonal variations to business hours? No

Amend times the premises open to the public at times other than those listed? No

Upload revised premises plans (optional)

- Thirteen&dial8-Scheduleofproposedconditions.docx

Make changes to your business hours below

Day	Start time	End time
Monday	00:00	23:59
Tuesday	00:00	23:59
Wednesday	00:00	23:59
Thursday	00:00	23:59
Friday	00:00	23:59
Saturday	00:00	23:59
Sunday	00:00	23:59

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Activities on your licence

- e. Live music
- f. Recorded music
- i. Late night refreshments
- j. Supply of alcohol

Live music

Day	Start time	End time
Monday	15:00	02:00
Tuesday	15:00	02:00
Wednesday	15:00	02:00
Thursday	15:00	03:00
Friday	15:00	03:00
Saturday	15:00	03:00
Sunday	10:00	00:00

Revise the location (optional)

Indoors

Are there changes to seasonal variations of the activity?

Yes : On the morning of the commencement of British Summertime to extend live music by one hour to preserve the permitted trading hours when the clocks go forward at 01:00 hours. 03:00 on Sundays immediately before the Bank Holiday Mondays. On Christmas Eve and New Year's Eve to extend permitted hours for all activities until 04:00 hours.

Are there changes to the activity taking place at other times?

Yes : See above under seasonal variations

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Recorded music

Day	Start time	End time
Monday	08:00	02:00
Tuesday	08:00	02:00
Wednesday	08:00	02:00
Thursday	08:00	03:00
Friday	08:00	03:00
Saturday	08:00	03:00
Sunday	10:00	00:00

Revise the location (optional)

Indoors

Are there changes to seasonal variations of the activity?

Yes : On the morning of the commencement of British Summertime to extend recorded music by one hour to preserve the permitted trading hours when the clocks go forward at 01:00 hours. 03:00 on Sundays immediately before the Bank Holiday Mondays. On Christmas Eve and New Year's Eve to extend permitted hours for all activities until 04:00 hours.

Are there changes to the activity taking place at other times?

Yes : See under seasonal variations

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Late night refreshments

Day	Start time	End time
Monday	23:00	02:00
Tuesday	23:00	02:00
Wednesday	23:00	02:00
Thursday	23:00	03:00
Friday	23:00	03:00
Saturday	23:00	03:00
Sunday	23:00	00:00

Revise the location (optional)

Both

Amend the specifics of the activity changed (optional)

Hot food and hot drinks

Are there changes to seasonal variations of the activity?

Yes : On the morning of the commencement of British Summertime to extend late night refreshment for members of the public by one hour to preserve the permitted trading hours when the clocks go forward at 01:00 hours. 03:00 on Sundays immediately before the Bank Holiday Mondays. On Christmas Eve and New Year's Eve to extend permitted hours for all activities until 04:00 hours. There will be no change to the 23:00 - 05:00 hours currently permitted Monday to Sunday for residents and guests of Chateau Denmark Hotel and Apartments for late night refreshment.

Are there changes to the activity taking place at other times?

Yes : See seasonal variations above

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Supply of alcohol

Day	Start time	End time
Monday	08:00	02:00
Tuesday	08:00	02:00
Wednesday	08:00	02:00
Thursday	08:00	03:00
Friday	08:00	03:00
Saturday	08:00	03:00
Sunday	10:00	00:00

Revise the location (optional)

Both

Are there changes to seasonal variations of the activity?

Yes : On the morning of the commencement of British Summertime to extend sale of alcohol by one hour for members of the public to preserve the permitted trading hours when the clocks go forward at 01:00 hours. 03:00 on Sundays immediately before the Bank Holiday Mondays. On Christmas Eve and New Year's Eve to extend permitted hours for all activities until 04:00 hours. There will be no change to the 24 hours permissions which are permitted for residents and guests of the Chateau Denmark Hotel and Apartments.

Are there changes to the activity taking place at other times?

Yes : See seasonal variations above.

Amended conditions**Will any of the changes made give rise to**

No

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concerns in respect of children?

The prevention of crime and disorder	Yes : See conditions submitted
Public safety	Yes : See conditions submitted
The prevention of public nuisance	Yes : See conditions submitted
The prevention of children from harm	Yes : See conditions submitted

About this form

Issued by	Camden Town Hall Judd Street London WC1H 9JE
Contact phone	020 7974 4444
Form reference	Ref. no. 124647

Data protection

No personal information you have given us will be passed on to third parties for commercial purposes. The Council's policy is that all information will be shared among officers and other agencies where the legal framework allows it, if this will help to improve the service you receive and to develop other services. If you do not wish certain information about you to be exchanged within the Council, you can request that this does not happen.



London Borough of Camden, Town Hall, Judd Street,
London, WC1H 9JE

Premises Licence

London Borough of Camden Licensing Authority

Premises licence number

PREM-LIC\3607

Part 1 – Premises details

Postal address of premises, or if none, ordnance survey map reference or description

Thirteen
1 - 3 Denmark Street
London
WC2H 8LP

Telephone number N/A

Where the licence is time limited the dates

N/A

Licensable activities authorised by the licence

Late Night Refreshments:	Yes
Retail of Alcohol:	Yes
Live Music:	Yes
Recorded Music	Yes

The times the licence authorises the carrying out of licensable activities

Late Night Refreshments:	
Monday - Thursday	23:00 - 23:30
Friday - Saturday	23:00 - 00:00
	Residents and bonafide guests only of the hotel bedrooms and serviced apartments operated by the premises licence holder within the Hotel on Denmark Street, and Serviced Apartments on Denmark Street; Flitcroft Street; St Giles High Street and Sheldon Mansions.
Monday - Sunday	23:00 - 05:00
Retail of Alcohol:	
Monday - Thursday	08:00 - 23:30
Friday - Saturday	08:00 - 00:00
Sunday	10:00 - 22:30



Monday - Sunday	Residents and bonafide guests only of the hotel bedrooms and serviced apartments operated by the premises licence holder within the Hotel on Denmark Street, and Serviced Apartments on Denmark Street; Flitcroft Street; St Giles High Street and Sheldon Mansions. 00:00 - 23:59
Live Music:	
Monday - Thursday	15:00 - 23:30
Friday - Saturday	15:00 - 00:00
Sunday	10:00 - 22:30
Recorded Music:	
Monday - Thursday	08:00 - 23:30
Friday - Saturday	08:00 - 00:00
Sunday	10:00 - 22:30

The opening hours of the premises

Monday - Sunday 00:00 - 23:59

Where the licence authorises supplies of alcohol whether these are on and/or off supplies

ON & OFF

Part 2
Name, (registered) address, telephone number and e-mail (where relevant) of holder of premises licence

Chateau Denmark Limited
3rd Floor 114A Cromwell Road
London
SW7 4AG

Registered number of holder, for example company number, charity number (where applicable)

08526677



Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol

Emilie Russell

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises the supply of alcohol

Personal Licence Number: [REDACTED]

Issuing Authority: [REDACTED]

For Supporting Communities Directorate on behalf of the Licensing Authority

[REDACTED]

Date Licence Amended: 27/02/2024 - APP\PREMSIES-VARYDPS\119476

Date Licence Amended: 02/02/2023 - APP\PREMISES-MVARY\113600

Date Licence Amended: 23/06/2022 - APP\PREMISES-VARY\109588

Date Licence Amended: 27/05/2022 - APP\PREMISES-VARYDPS\110088

Date Licence Amended: 27/05/2022 - APP\PREMISES-VARYDPS\109753

Date Licence Amended: 22/04/2022 - APP\PREMISES-MVARY\109513

Date Licence Amended: 04/10/2021 - APP\PREMISES-TRANS\106919

Date Licence Granted: 12/12/2013 - APP\PREMISES-NEW\003145



Annex 1 - Mandatory conditions

1. The supply of alcohol is prohibited at a time when there is no designated premises supervisor in respect of the premises.
2. The supply of alcohol is prohibited at a time when the designated premises supervisor does not hold a personal licence or his/her licence is suspended.
3. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
4. Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, the licence must include a condition that each such individual must –
 - (a) be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or
 - (b) be entitled to carry out that activity by virtue of section 4 of that Act.
5. But nothing in subsection (4) requires such a condition to be imposed -
 - (a) in respect of premises within paragraph 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001 (c. 12) (premises with premises licences authorising plays or films), or
 - (b) in respect of premises in relation to -
 - (i) any occasion mentioned in paragraph 8(3)(b) or (c) of that Schedule (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or
 - (ii) any occasion within paragraph 8(3)(d) of that Schedule (occasions prescribed by regulations under that Act).
6. For the purposes of this section–
 - (a) “security activity” means an activity to which paragraph 2(1)(a) of that Schedule applies[and which is licensable conduct for the purposes of that Act



(see section 3(2) of that Act)], and
(b) paragraph 8(5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of that Schedule.

7.
 - (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
8. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
9.
 - (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
 - (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.



- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either
- (a) a holographic mark, or
 - (b) an ultraviolet feature.
10. The responsible person must ensure that
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.
11. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
12. For the purposes of the condition set out in paragraph 11
- (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979
 - (b) “permitted price” is the price found by applying the formula—

$$P = D + (D \times V)$$
 where—
 - (i) P is the permitted price,
 - (ii) D is the rate of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol; —
 - (c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence
 - (i) the holder of the premises licence,



(ii) the designated premises supervisor (if any) in respect of such a licence, or

(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) "valued added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

13. Where the permitted price given by Paragraph (b) of 12 above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
14. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Annex 2 - Conditions consistent with the Operating Schedule

N/A

Annex 3 - Conditions attached after a hearing by the licensing authority

12/12/2013

15. Notices shall be prominently displayed at each exit from the premises asking patrons to be considerate to neighbours when leaving.
16. Alcohol sold for consumption off the premises shall only be to patrons seated at tables in the area licensed for the provision of tables and chairs by the London Borough of Camden.
17. Substantial food and suitable non-intoxicating beverages, including drinking water, shall be available during the whole of the permitted hours in all parts of the premises where alcohol is sold or supplied.
18. An incident book shall be kept and be available for inspection by the responsible authorities.



19. There shall be no sale or supply of alcohol to persons seated at tables outside the premises after 21:00.
20. Deliveries and collections shall not take place between 21:00 and 07:30 with the exception of deliveries of the items listed in condition 21.
21. Deliveries of dairy products and bread (including pastries) are permitted between 21:00 and 07:30 provided that the supplier and the delivery contractor comply with Transport for London's code of practice for out-of-hours deliveries and servicing.
22. Licensable activities shall be ancillary to the primary use of the building as a café, delicatessen and restaurant.
23. No super-strength beer, lagers or ciders of 5.5% ABV (alcohol by volume) or above shall be sold at the premises, except premium beers and ciders supplied in glass bottles.
24. After 23:00 customers shall be encouraged to exit the premises onto and along Demark Street and away from Flitcroft Street
25. The premises licence holder shall ensure that CCTV cameras and recorder are installed at the premises and are of a standard acceptable to and approved by the Police.
26. The system shall be maintained in good working order and at all times the premises is open to the public, be fully operational covering both internal and external areas of the premises to which the public have access.
27. A CCTV camera on the entrance must capture full-frame shots of the head and shoulders of all people leaving the premises, to enable their identification
28. The CCTV camera views are not to be obstructed.
29. The medium on which the CCTV images are recorded shall be evidential quality; stored securely; shall be retained for a period of 31 days; and be available for inspection by the Police or Local Authority on request.
30. At all times when the premises are open for the purpose of licensable activities, a suitably trained member of staff shall be present to assist the Police or an authorised officer in obtaining the CCTV footage.
31. Copies shall be made available within 48 hours to the Police or Local Authority on request.
32. The facility to transfer the images to a compatible, removal format, shall be held on the premises.
33. Staff working at the premises shall be trained in the use of CCTV and a log will be kept to verify this.



34. Signs must be displayed in the customer areas to advise that CCTV is in operation.
35. Notices shall be displayed within the premises warning customers about personal thefts; and to be vigilant.
36. All staff are to be given suitably secure lockers for the storage of personal items in order to prevent thefts.
37. All flat surfaces in toilet cubicles, including curbed toilet roll holder ellipses, are to be designed out in order to prevent drugs misuse.
38. When the venue is open for licensable activities, the toilets are to be checked by staff at least every two hours and these checks are to be documented on each visit.
39. The licensee will ensure that staff are trained, as appropriate, in respect of relevant Licence Law; crime scene best practice and upon the sale of alcohol to drunks and to persons underage.
40. Management will ensure that patrons utilising any external area, remain within the curtilage of the venue when consuming alcohol.
41. Management will ensure that patrons do not take alcohol away from the venue to consume in the surrounding area.
42. No persons carrying visibly open or sealed alcohol vessels shall be admitted to the premises at any time that the premises are open for any licensable activity.
43. The premises will adopt the "Challenge 21" scheme and any person wishing to purchase alcohol who appears to be under 21 shall be asked to produce an acceptable form of identification (photographic UK driving licence, PASS accredited and/or amended forces card).
44. Customers smoking on the public footway shall not be permitted to cause obstruction of the highway by passer-by.
45. "Waiter/waitress service shall be available throughout the premises"

Additional conditions agreed by the Licensing panel on 23 June 2022

46. a) Outside of the standard permitted hours, alcohol and late-night refreshment may be sold 24 hours a day in the basement area of the premises to residents and four (4) bona fide guests of the hotel bedrooms and serviced apartments operated by the premises licence holder (incorporating the hotel on Denmark Street,



and serviced apartments on Denmark Street; Flitcroft Street; St Giles High Street and Sheldon Mansions).

- b) The resident must be present when the sale of alcohol takes place and if required, shall produce proof that they are a resident.
 - c) Bona fide guests are not permitted to remain on the premises when the resident has retired for the night or is not on the premises. All alcohol or late-night refreshment sales after standard permitted hours must be charged to the resident's room.
47. Upon the basis of the above permission being granted, Consolidated Developments Ltd who hold a provisional statement for 4 Flitcroft Street will not repeat the 24-hour resident/guest use when they apply to convert that statement into a premises licence. (The intention being to effectively host residents and guests in this smaller space).
 48. Where the premises are open for licensable activities on Thursdays, Fridays, Saturdays, and Bank Holiday Sundays from 21:00 hours, a minimum of two (2) SIA- registered door supervisors shall be employed at the premises.
 50. All door staff working on said night will stay 30 minutes after members of the public have to leave to actively help with dispersal.
 51. When door supervisors are required, there will be a minimum of one (1) SIA- registered door supervisor permanently working on the main entrance.
 52. Door supervisors and appropriate staff shall be provided with two-way radios or similar systems capable of ensuring continuous communication between each other at all times that the premises are open to the public.
 53. A door supervisors' register shall be updated on occasions when supervisors are employed. The register is to be made available for inspection by the Police and/or an authorised Officer of the Licensing Authority. Details to show:
 - a) Full name;
 - b) Date of birth;
 - c) SIA registration number;
 - d) Date and hours worked; and
 - e) Contact telephone number and email address.
 54. A coloured photocopy of each door supervisor's SIA badge shall be taken by the DPS and retained at the premises.
 55. All door supervisors shall wear high-visibility jackets, or vests, or high-visibility armbands whilst working at entry/exit points and around the exterior of the building.
 56. The smoking area to be constantly supervised by an SIA-registered door supervisor when on duty or by other members of staff who will monitor the capacity and restrict access when necessary.



57. Notices will be displayed requesting guests when going outside to smoke to stand on Flitcroft Street.
58. All staff working in the evening/early morning and security staff to undertake Welfare & Vulnerability Engagement (WAVE) training and a record to be kept of this.
59. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a public nuisance.
60. All amplified music equipment should be controlled by a limiter which should be set and locked preventing unauthorised access. Authorised access only by the licence holder or nominated engineer. The sound limiter should be set and locked by a qualified engineer at a level approved by an Officer from the Environmental Health Team.
61. Post-installation report to be provided on the agreed noise levels and frequencies of the sound limiter settings and details of the limiter itself to be provided to Camden Council.
62. A Noise Management Policy must be prepared and implemented at the premises. The Noise Management Policy to be agreed with Camden Council should be periodically reviewed and updated. A copy will always be available to Officers on reasonable request.
63. Only in-house sound systems and controls will be used for regulated entertainment.
64. Up to 2300hrs applicable to entertainment premises which adjoin or are adjacent to noise sensitive properties -

The noise climate of the surrounding area shall be protected such that the A-weighted equivalent continuous noise level (LAeq) emanating from the application site, as measured 1 metre from any facade of any noise sensitive premises (excluding residences forming part of the Chateau Denmark ownership) over any 5 minute period with entertainment taking place shall not increase by more than 5dB as compared to the same measure, from the same position, and over a comparable period, with no entertainment taking place.

and

The unweighted equivalent noise level (Leq) in the 63Hz Octave band, measured using the "fast" time constant, inside any "living room" of any noise sensitive premises (excluding residences forming part of the Chateau Denmark ownership), with the windows open or closed, over any 5 minute period with entertainment taking place, should show no increase as compared to the same measure, from the same location(s), and over a comparable period, with no entertainment taking place.



Up to 2300hrs applicable to entertainment premises which do not adjoin and are not immediately adjacent to noise sensitive properties –

The noise climate of the surrounding area shall be protected such that the A- weighted equivalent continuous noise level (LAeq) emanating from the application site, as measured 1 metre from any facade of any noise sensitive premises (excluding residences forming part of the Chateau Denmark ownership) over any 5 minute period with entertainment taking place shall not increase by more than 5dB as compared to the same measure, from the same position, and over a comparable period, with no entertainment taking place.

and

The unweighted equivalent noise level (Leq) in the 63Hz Octave band, similarly measured, should not increase by more than 5dB as compared to the same measure, from the same position, and over a comparable period, with no entertainment taking place.

After 2300hrs applicable to all entertainment premises -

The noise climate of the surrounding area shall be protected such that the A- weighted equivalent continuous noise level (or LAeq) emanating from the application site, as measured 1 metre from any facade of any noise sensitive premises over any 5 minute period with entertainment taking place shall not increase by more than 3dB as compared to the same measure, from the same position, and over a comparable period, with no entertainment taking place.

No sound emanating from the establishment should be audible within any noise sensitive premises (excluding residences forming part of the Chateau Denmark ownership) between 23.00 and 07.00 hours.

Annex 4 - Plans



London Borough of Camden, Town Hall, Judd Street, London, WC1H 9JE

Premises Licence Summary
London Borough of Camden Licensing Authority

Premises licence number

PREM-LIC\3607

Part 1 – Premises details

Postal address of premises, or if none, ordnance survey map reference or description

Thirteen
1 - 3 Denmark Street
London
WC2H 8LP

Telephone number

Where the licence is time limited the dates

N/A

Licensable activities authorised by the licence

Late Night Refreshments:	Yes
Retail of Alcohol:	Yes
Live Music:	Yes
Recorded Music	Yes

The times the licence authorises the carrying out of licensable activities

Late Night Refreshments:	
Monday - Thursday	23:00 - 23:30
Friday - Saturday	23:00 - 00:00
	Residents and bonafide guests only of the hotel bedrooms and serviced apartments operated by the premises licence holder within the Hotel on Denmark Street, and Serviced Apartments on Denmark Street; Flitcroft Street; St Giles High Street and Sheldon Mansions.
Monday - Sunday	23:00 - 05:00
Retail of Alcohol:	
Monday - Thursday	08:00 - 23:30
Friday - Saturday	08:00 - 00:00
Sunday	10:00 - 22:30



	Residents and bonafide guests only of the hotel bedrooms and serviced apartments operated by the premises licence holder within the Hotel on Denmark Street, and Serviced Apartments on Denmark Street; Flitcroft Street; St Giles High Street and Sheldon Mansions.
Monday - Sunday	00:00 - 23:59
Live Music:	
Monday - Thursday	15:00 - 23:30
Friday - Saturday	15:00 - 00:00
Sunday	10:00 - 22:30
Recorded Music:	
Monday - Thursday	08:00 - 23:30
Friday - Saturday	08:00 - 00:00
Sunday	10:00 - 22:30

The opening hours of the premises

Monday - Sunday 00:00 - 23:59

Where the licence authorises supplies of alcohol whether these are on and/or off supplies

ON & OFF

Part 2

Name, (registered) address of holder of premises licence

Chateau Denmark Limited
3rd Floor 114A Cromwell Road
London
SW7 4AG

Registered number of holder, for example company number, charity number (where applicable)

08526677

Name of designated premises supervisor where the premises licence authorises the supply of alcohol

Emilie Russell

State whether access to the premises by children is restricted or prohibited

N/A

Date: 05/11/2024
Application Reference: APP\PREMISES - VARY/124647
Direct Phone Number:
Contact: Steven Dormer
E-mail: [REDACTED]



Public Protection
Supporting Communities
London Borough of Camden
5 Pancras Square
LONDON
N1C 1AG

Please quote our reference in any correspondence

Licensing (Contact Camden)
Crowndale Centre
218 Eversholt Street
London
NW1 1BD

Tel: 020 7974 4444 (switchboard)

London Borough of Camden
Fax: 020 7974 6955 / 6940
Textphone: 020 7974 6866

DX: 2106 Euston

www.camden.gov.uk

Licensing Act 2003 – SECTION 34

RE: 1 Denmark Street WC2H 8LP

LICENSING AUTHORITY REPRESENTATION

This representation is made by the Licensing Authority, and it relates to the following : -

Council Policy on Cumulative Impact Areas
Framework Hours

The Premises and Summary of Application

The application by Poppleston Allen on behalf of Chateau Denmark Limited that was registered with Companies House in 2013.

The operational times being applied for are as follows: -

Late Night Refreshments:

Monday to Thursday 23:00 – 23:30
Friday to Saturday 23:00 – 00:00

Residents and bonafide guests only of the hotel bedrooms and serviced apartments operated by the premises licence holder within the Hotel on Denmark Street, and Serviced Apartments on Denmark Street; Flitcroft Street; St Giles High Street and Sheldon Mansions.

Monday to Sunday 23:00 – 05:00

Retail of Alcohol:

Monday to Thursday 08:00 – 23:30
Friday to Saturday 08:00 – 00:00
Sunday 10:00 – 22:30

Residents and bonafide guests only of the hotel bedrooms and serviced apartments operated by the premises licence holder within the Hotel on Denmark Street, and Serviced Apartments on Denmark Street; Flitcroft Street; St Giles High Street and Sheldon Mansions.

Monday to Sunday 00:00 – 23:59

Live Music:

Monday to Thursday 15:00 – 23:30
 Friday to Saturday 15:00 – 00:00
 Sunday 10:00 – 22:30

Recorded Music:

Monday to Thursday 08:00 – 23:30
 Friday to Saturday 08:00 – 00:00
 Sunday 10:00 – 22:30

Opening Hours:

Monday to Sunday 00:00 – 23:59

Volunteered conditions in the operating schedule.

No additional conditions have been offered in relation to this application.

Framework Hours – Pages 36 of The Licensing Policy

The application does breach Chapter 5 of London Borough of Camden’s adopted policy on Framework Hours.

Cumulative Impact Areas

The venue is situated in a Cumulative Impact Area of the London Borough of Camden. This as per chapter Six section 6.8 Seven Dials Cumulative Impact Area of the London Borough of Camden’s current Licensing Policy 2022-2027.

Conclusion

The applicant has applied for a Premises Licence within a Cumulative Impact Area of the London Borough of Camden. The application also breaches London Borough of Camden adopted policy on Framework Hours. The current measures of the licence uphold the licensing objectives. It would be a matter for elected members to depart from the adopted licensing policy.

Yours sincerely



Steven Dormer
 Licensing Officer

Licensing Representation from the Covent Garden Community Association

Application No.: APP\PREMISES-VARY\124647

Premises: Thirteen

Address: 1 Denmark Street WC2H 8LP

Thirteen is an existing venue situated at the corner of Denmark and Flitcroft Street. It has 2 functions. It is a bar/café/restaurant for members of the public until the end of Framework House and also acts as the “Hotel” bar/restaurant for guests of the Hotel and serviced apartments in the Denmark Street area without a restriction on hours.

The application is to allow the use of the premises until 02:00 Monday-Wednesday and 03:00 Thursday to Saturday. The capacity of the premises is 140 excluding staff.

The applicant engaged in pre-application discussions with the CGCA, for which we are grateful, and has included a dispersal policy and last entry condition.

The Denmark Street area now has a significant number of premises with permission to have licensable activities after midnight. It also has a significant residential population including some who live on Denmark Street itself. The concern of residents and the CGCA arises from noise in the street as customers arrive and leave the premises. This is related not just to a specific premises but also to the cumulative impact when several premises operate at the same time.

We have included 2 attachments to our Representation. One shows residential premises in the vicinity and the other marks dispersal routes. The dispersal routes given in the dispersal policy are West along Denmark Street (marked in green) and Hanks Alley (marked in blue). We have also marked in red another route customers may choose to use.

Arrival and Dispersal

The 2 largest venues in the area (HERE and Lower Third) have customers arriving on Denmark Street and leaving via Hanks Alley. Customers arriving, and especially queuing, do give rise to noise issues but the queue usually ends before 00:00. Dispersal takes place much later but the use of the Hanks Alley route means that customers leaving have minimal impact on Denmark Street, at least on their way to Tottenham Court Road Underground. This is because the exits from both premises are directly onto the Alley and not onto Denmark Street.

Customers for Thirteen will also need to queue on Denmark Street. Whilst so far we have not observed queues for Thirteen this may change if the later licence is granted. Additional condition 5 covers queuing:

- 5 *The licence holder shall ensure that any queue to enter the premises which forms outside the premises is orderly and supervised to ensure that there is no public nuisance or obstruction to the public highway.*

Any significant queuing on Denmark Street (which has narrow pavements and residents) is likely to give rise to nuisance or obstruction. Any queuing on Flitcroft Street will interfere with queuing for Farsight. We are concerned about the cumulative impact of queuing once all 4 venues (HERE, Lower Third, Farsight and Thirteen) have queues at similar times in a small area. We do not have a proposal for a condition to manage this but we believe that the proposed condition should be amended to include a requirement similar to that in additional condition 1. The revised condition should be as follows:

- 5 *The licence holder shall consider the queuing arrangements of premises operating at 4 Flitcroft Street, The Lower Third, 26 Denmark Street and HERE, Denmark Place to ensure that, insofar as possible, the policies support and work in tandem to ensure that any queue to enter their premises which forms outside the premises is orderly and supervised to ensure that there is no public nuisance or obstruction to the public highway.*

In the case of Thirteen the situation is different from HERE and Lower Third, and more similar to Farsight. All customers leaving the premises will exit on to Denmark Street. Whilst Hanks Alley is easily accessible they will have the option to leave using a different route. This is particularly the case on Thursdays when there is no night tube and so people leaving using public transport will need to access the nearest bus stops.

The proposed dispersal policy states that:

The policy shall contain measures intended to encourage customers leaving the premises after 23:00 to disperse away from the premises towards Hanks Alley and West along Denmark Street towards Charing Cross Road.

We are concerned that the use of Denmark Street will give rise to additional noise for residents on the street. Hanks Alley also has a branch that runs parallel to Denmark Street which customers can use to reach Charing Cross Road where the N/S bus stops are located.

We therefore ask that the dispersal policy condition is amended to state:

The policy shall contain measures intended to encourage customers leaving the premises after 23:00 to disperse away from the premises using Hanks Alley, going both West and North towards the tube station and New Oxford Street.

This will mean that the blue dotted arrow route is used instead of the green dotted arrow route.

As always the premises cannot **require** customers to use the Hanks Alley route. However the condition means that they must **encourage** customers to use this route and so reduces the risk of harm to the Licensing Objective related to people leaving.

This requirement is very similar to that for the Farsight Collective, which is situated just South of Thirteen on Flitcroft Street.

Smoking Area

We note that there are 3 conditions related to smoking:

- 42 *Customers smoking on the public footway shall not be permitted to cause obstruction of the highway by passer-by.*
- 53 *From 21:00 the smoking area to be constantly supervised by an SIA-registered door supervisor when on duty or by other members of staff who will monitor the capacity and restrict access when necessary.*
- 54 *Notices will be displayed requesting guests when going outside to smoke to stand on Flitcroft Street.*

The implication of these conditions is that the smoking area will be on Flitcroft Street, it will have a restricted capacity, in an area that will not cause an obstruction and that it will be monitored by staff after 21:00.

Our view is that it would be easier to manage if a specific location (on Flitcroft Street) and capacity were specified on the licence. We would welcome clarity on this from the applicant.

We wish to point out that the revision of the Dispersal Policy, changes to the conditions related to smoking and restrictions on sale to tables and chairs outside will not mitigate the impact of yet another post-Midnight licence in this area. It will do nothing about the noise impact of customers arriving until 01:00/02:00 and also does not address issues caused by customers who do not follow the encouragement to use Hanks Alley. Both these issues are likely to give rise to additional noise nuisance in the area that will have an impact on residents. The only way that this can be avoided is to refuse the extension of the Licence.

We hope that this representation is clear and ask that you advise us well in advance of any meeting at which this application will be discussed.

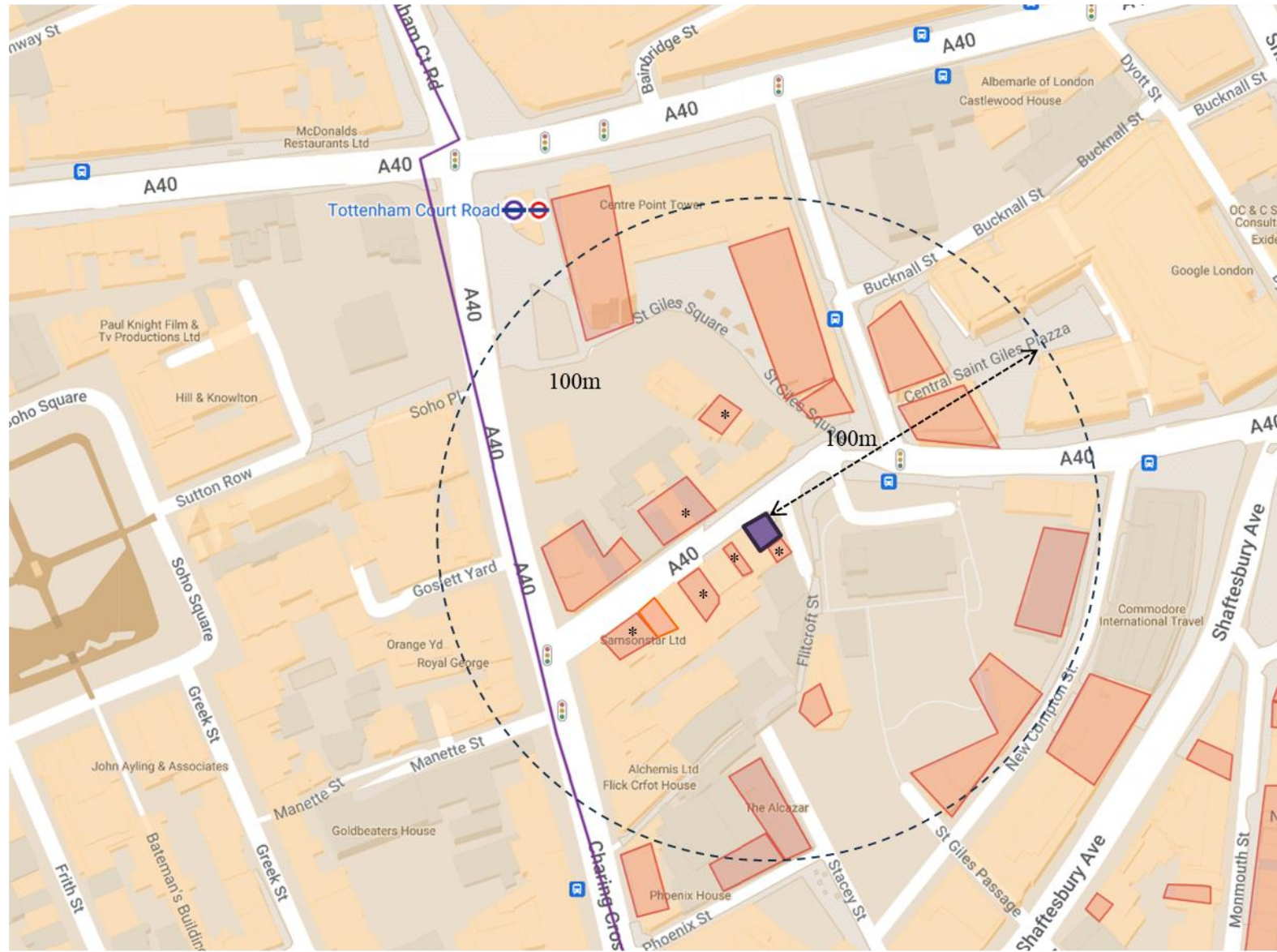
Yours faithfully,

David Kaner
CGCA Licensing Sub-Committee


[REDACTED]
[REDACTED]

The CGCA is recognised by both Camden and Westminster as the Amenity Society for the Covent Garden area (defined as the area bounded by High Holborn, New Oxford Street, Charing Cross Road, St. Martin's Place, Northumberland Avenue, Victoria Embankment, Lancaster Place, Aldwych and Kingsway) and so represents the interests of those who live and work in this area. The CGCA's Licensing Subcommittee is authorised by the Association to make Representations on any Licensing Applications which the Subcommittee believes may have an effect on local residents or other members of the community through likely impact on one or more of the Licensing Objectives. This authorisation was last renewed at a meeting of the Executive Committee of the CGCA on 18th September 2023.

Residential Property in vicinity of Thirteen



 Thirteen

 Residential Properties (Camden only)

* Residential Property owned by Landlord (C3 Residential used as "Serviced Apartments")

Application No.: APP\PREMISES-VARY\124647

Premises: Thirteen

Address: 1 Denmark Street WC2H 8LP

The Denmark Street area has a significant number of premises with licensable activities after midnight. I am a resident of Denmark Street and already experience considerable disturbance from these. This is arrival and leaving premises, as well as queueing and smoking on the street. This is related not just to a specific premises but also to the cumulative impact when several premises operate at the same time.

Having a late night venue with egress down Denmark Street to Charing Cross Road will make matters worse. Is it possible dispersal can be directed through Hanks Alley, which will protect residents in the area, especially on Thursday when there is no late night tube. This requirement is very similar to that for the Farsight Collective, which is situated just South of Thirteen on Flitcroft Street, which has an even later licence.

The sound lobby needs to be employed at all times when music is played, as this affects the whole street if the door is open.

Point 19. There shall be no sale or supply of alcohol to persons seated at tables outside the premises after 23:00 Monday to Saturday and 22:00 on Sunday

This premises has a tables and chairs licence (2024/3880/PVL) which only allows outside furniture on Flitcroft Street from Monday to Saturday 08:00-21:00 and Sunday 10:00-21:00. As when this was applied for it was agreed that it would not work to have tables and chairs on Denmark Street. Tables outside these current hours will affect Centerpoint House and Matida Apartments residents as they face Flitcroft street.

Point 54. Notices will be displayed requesting guests when going outside to smoke to stand on Flitcroft Street.

Can this be the designated smoking area, and enforced? I already experience excess noise from drunk people smoking outside Dram at 9 Denmark Street.

Point 42. Customers smoking on the public footway shall not be permitted to cause obstruction of the highway by passer-by.

This would be an issue on Denmark Street, as it is so narrow.

Thirteen & dial8, 1-3 Denmark Street, London, WC2H 8LP**Variation of Premises Licence****Schedule of Proposed Conditions**

The conditions currently applicable on the current licence has been examined and revamped to make them more up to date and fit for purpose, with special attention to ensure that those imposed at the hearing of the 22nd June 2022 remain largely unchanged.

The below was the result of our discussion and therefore agreed proposed conditions.

15. Notices shall be prominently displayed at each exit from the premises asking patrons to be considerate to neighbours when leaving.
16. Alcohol sold for consumption off the premises shall only be to patrons seated at tables in the area licensed for the provision of tables and chairs by the London Borough of Camden.
17. Substantial food will be available up to one hour before the bar closes for the sale of alcohol to the public and non-intoxicating beverages shall be available during the whole of permitted hours.
18. An incident book shall be kept and be available for inspection by the responsible authorities.
19. There shall be no sale or supply of alcohol to persons seated at tables outside the premises after 23:00 Monday to Saturday and 22:00 on Sunday.
20. Deliveries and collections shall not take place between 21:00 and 07:30 with the exception of deliveries of the items listed in condition 21.
21. Deliveries of dairy products and bread (including pastries) are permitted between 21:00 and 07:30 provided that the supplier and the delivery contractor comply with Transport for London's code of practice for out-of- hours deliveries and servicing.
22. Licensable activities shall be ancillary to the primary use of the building as a café, delicatessen and restaurant. The premises will, in the late evening operate predominately as a high end cocktail bar providing food with a mix of musical entertainment performances and events touching on fashion, music, film, art and other cultural aspects, fusing popular culture with Denmark Street history.
23. No super-strength beer, lagers or ciders of 5.5% ABV (alcohol by volume) or above shall be sold at the premises, except premium beers and ciders supplied in glass bottles.
24. The premises licence holder shall ensure that CCTV cameras and recorder are installed at the premises and are of a standard acceptable to and approved by the Police.

25. The system shall be maintained in good working order and at all times the premises is open to the public, be fully operational covering both internal and external areas of the premises to which the public have access.
26. A CCTV camera on the entrance must capture full-frame shots of the head and shoulders of all people leaving the premises, to enable their identification.
27. The CCTV camera views are not to be obstructed.
28. The medium on which the CCTV images are recorded shall be evidential quality; stored securely; shall be retained for a period of 31 days; and be available for inspection by the Police or Local Authority on request.
29. At all times when the premises are open for the purpose of licensable activities, a suitably trained person shall be available to assist the Police or an authorised officer in obtaining the CCTV footage.
30. Copies shall be made available within 48 hours to the Police or Local Authority on request.
31. The facility to transfer the images to a compatible, removal format, shall be available.
32. Signs must be displayed in the customer areas to advise that CCTV is in operation.
33. Notices shall be displayed within the premises warning customers about personal thefts; and to be vigilant.
34. All staff are to be given suitably secure lockers for the storage of personal items in order to prevent thefts.
35. All flat surfaces in toilet cubicles, including curbed toilet roll holder ellipses, are to be designed out in order to prevent drugs misuse.
36. When the venue is open for licensable activities, the toilets are to be checked by staff at least every two hours and these checks are to be documents on each visit.
37. The licensee will ensure that staff are trained, as appropriate, in respect of relevant Licence Law; crime scene best practice and upon the sale of alcohol to drunks and to persons underage.
38. Management will ensure that patrons utilising any external area, remain within the curtilage of the venue when consuming alcohol.
39. Management will ensure that patrons do not take alcohol away from the venue to consume in the surrounding area.

40. No persons carrying visibly open or sealed alcohol vessels shall be admitted to the premises at any time that the premises are open for any licensable activity, unless returning from an external area.
41. The premises will adopt the "Challenge 25" scheme and any person wishing to purchase alcohol who appears to be under 25 shall be asked to produce an acceptable form of identification (photographic UK driving licence, PASS accredited and/or amended forces card) and military ID.
42. Customers smoking on the public footway shall not be permitted to cause obstruction of the highway by passer-by.
43. "Waiter/waitress service shall be available throughout the premises".

Additional conditions agreed by the Licensing panel on 23 June 2022

44. a) Outside of the standard permitted hours, alcohol and late-night refreshment may be sold 24 hours a day in the basement area of the premises to residents and four (4) bona fide guests of the hotel bedrooms and serviced apartments operated by the premises licence holder (incorporating the hotel on Denmark Street, and serviced apartments on Denmark Street; Flitcroft Street; St Giles High Street and Sheldon Mansions).
 - b) The resident must be present when the sale of alcohol takes place and if required, shall produce proof that they are a resident.
 - c) Bona fide guests are not permitted to remain on the premises when the resident has retired for the night or is not on the premises. All alcohol or late-night refreshment sales after standard permitted hours must be charged to the resident's room.
45. Upon the basis of the above permission being granted, Consolidated Developments Ltd who hold a provisional statement for 4 Flitcroft Street will not repeat the 24-hour resident/guest use when they apply to convert that statement into a premises licence. (The intention being to effectively host residents and guests in this smaller space).
46. The need for door supervisors shall be on a risk assessed basis. A copy of the risk assessment shall be kept on the premises and made available to the Police and Licensing Authority on request.

Where employed, a register of Door supervisor staff shall be maintained, which shall be available for inspection by the Police and/or Licensing Authority and shall be retained for a period of 12 months. Details to show -

 - Full Name.
 - Date of Birth.
 - SIA Registration Number.
 - Date and Hours Worked; and
 - Contact telephone number and email address.

A colour photocopy of each door supervisors SIA badge shall be taken by the DPS and retained at the premises. Door supervisors will wear high visibility jackets or vests or high visibility arm bands whilst working at entry/exit points and around the exterior of the building.

Door staff shall work in conjunction with the Outernet Security Team to preserve safety and to support dispersal of customers in the promotion of the licensing objectives.

47. All door staff working on said night will stay 30 minutes after members of the public have to leave to actively help with dispersal.
48. When door supervisors are on duty, there will be a minimum of one (1) SIA- registered door supervisor permanently working on the main entrance.
49. Door supervisors and appropriate staff shall be provided with two-way radios or similar systems capable of ensuring continuous communication between each other at all times that the premises are open to the public.
50. A door supervisors' register shall be updated on occasions when supervisors are employed. The register is to be made available for inspection by the Police and/or an authorised Officer of the Licensing Authority. Details to show:
 - a) Full name;
 - b) Date of birth;
 - c) SIA registration number;
 - d) Date and hours worked; and
 - e) Contact telephone number and email address.
51. A coloured photocopy of each door supervisor's SIA badge shall be taken by the DPS and retained at the premises.
52. All door supervisors shall wear high-visibility jackets, or vests, or high-visibility armbands whilst working at entry/exit points and around the exterior of the building.
53. From 21:00 the smoking area to be constantly supervised by an SIA-registered door supervisor when on duty or by other members of staff who will monitor the capacity and restrict access when necessary.
54. Notices will be displayed requesting guests when going outside to smoke to stand on Flitcroft Street.
55. All staff working in the evening/early morning and security staff to undertake Welfare & Vulnerability Engagement (WAVE) training and a record to be kept of this.
56. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a public nuisance.
57. All amplified music equipment should be controlled by a limiter which should be set and locked preventing unauthorised access. Authorised access only by the licence holder or nominated engineer. The sound limiter should be set and locked by a qualified engineer at a level approved by an Officer from the Environmental Health Team.

58. Post-installation report to be provided on the agreed noise levels and frequencies of the sound limiter settings and details of the limiter itself to be provided to Camden Council. (Already provided to Lee Parella by Torbin Anderson of RBA Acoustics).
59. A Noise Management Policy must be prepared and implemented at the premises. The Noise Management Policy to be agreed with Camden Council should be periodically reviewed and updated. A copy will always be available to Officers on reasonable request.
60. Only in-house sound systems and controls will be used for regulated entertainment.
61. Up to 2300hrs applicable to entertainment premises which adjoin or are adjacent to noise sensitive properties –
The noise climate of the surrounding area shall be protected such that the A- weighted equivalent continuous noise level (LAeq) emanating from the application site, as measured 1 metre from any facade of any noise sensitive premises (excluding residences forming part of the Chateau Denmark ownership) over any 5 minute period with entertainment taking place shall not increase by more than 5dB as compared to the same measure, from the same position, and over a comparable period, with no entertainment taking place. (This has been met and may not need to be included in the licence application)

and

The unweighted equivalent noise level (Leq) in the 63Hz Octave band, measured using the "fast" time constant, inside any "living room" of any noise sensitive premises (excluding residences forming part of the Chateau Denmark ownership), with the windows open or closed, over any 5 minute period with entertainment taking place, should show no increase as compared to the same measure, from the same location(s), and over a comparable period, with no entertainment taking place.

Up to 2300hrs applicable to entertainment premises which do not adjoin and are not immediately adjacent to noise sensitive properties –

The noise climate of the surrounding area shall be protected such that the A- weighted equivalent continuous noise level (LAeq) emanating from the application site, as measured 1 metre from any facade of any noise sensitive premises (excluding residences forming part of the Chateau Denmark ownership) over any 5 minute period with entertainment taking place shall not increase by more than 5dB as compared to the same measure, from the same position, and over a comparable period, with no entertainment taking place.

and

The unweighted equivalent noise level (Leq) in the 63Hz Octave band, similarly measured, should not increase by more than 5dB as compared to the same measure, from the same position, and over a comparable period, with no entertainment taking place.

After 23:00hrs applicable to all entertainment premises -

The noise climate of the surrounding area shall be protected such that the A- weighted equivalent continuous noise level (or LAeq) emanating from the application site, as measured 1 metre from any facade of any noise sensitive premises over any 5 minute period

with entertainment taking place shall not increase by more than 3dB as compared to the same measure, from the same position, and over a comparable period, with no entertainment taking place.

No sound emanating from the establishment should be audible within any noise sensitive premises (excluding residences forming part of the Chateau Denmark ownership) between 23.00 and 07.00 hours.

Whilst the conditions currently on the licence would be deemed adequate for the premises and its current operations, these need to be reviewed in light of the proposed changes to the operational hours, whilst bearing in mind that the premises would be covered under the operations of the Outer net group.

With that in mind, it is proposed that the below additional conditions be considered for the variation of the premises licence. (Awaiting comments from Lee and James).

Proposed Additional Conditions

1. The premises will implement a dispersal policy, and all relevant staff will be trained in its implementation. The policy shall contain measures intended to encourage customers leaving the premises after 23:00 to disperse away from the premises towards Hanks Alley and West along Denmark Street towards Charing Cross Road. If customers are being dropped off/collected by car then they shall be encouraged to use a designated drop off/pick up point. The policy will be reviewed regularly and whenever the licensee becomes aware of issues associated with dispersal. The premises shall consider the dispersal arrangements of premises operating at 4 Flitcroft Street, The Lower Third, 26 Denmark Street and HERE, Denmark Place to ensure that, insofar as possible, the policies support and work in tandem.
2. Maximum capacity shall not exceed 140 persons (excluding staff).
3. In relation to any event involving a promoter, their associates, DJ(s) or artist(s), or one where the venue has been booked by an outside agent with a view to selling tickets to the public for a profit then:
 - a) The licensee shall complete a full risk assessment via open source material, reference checks from previous venues performed and if there are concerns following all these checks, to inform Camden Police Licensing at least 7 days before the event occurs on email CNMailbox.CamdenPoliceLicensingTeam@met.police.uk.
 - b) The licensee shall notify Camden Police Licensing Team via the same email if there are any short notice booking events or any unusual events (due to occur within less than 7 days) as soon as reasonably practicable. The police will have the right of absolute refusal of any such events for reason of late notification; and
 - c) Where the venue runs a promoted event using a DJ or MC who performs to background music then they should risk assess the need to search every customer upon entry taking cognizance of Police advice. If the risk assessment determines that searching will be conducted, then if a customer refuses to be searched this will result in NO ENTRY.

4. The premises shall not engage the service of street promoters to encourage clientele to attend the venue.
5. The licence holder shall ensure that any queue to enter the premises which forms outside the premises is orderly and supervised to ensure that there is no public nuisance or obstruction to the public highway.
6. The premises shall operate a system whereby a record is maintained of refusals to serve alcohol. Details to be produced for inspection to the Police and other Responsible Authorities upon request.
7. There shall be no new admissions of members of the public to the premises 60 minutes before the terminal hour for the sale of alcohol, namely 01:00 Monday to Wednesday, 02:00 Thursday to Saturday and 23:00 on Sunday. (This excludes hotel residents and guests).
8. The premises shall maintain a complaints log detailing the nature of the complaint, complainant (if known) and any action taken. The log to be made available for inspection by Environmental Health upon reasonable request.
9. The premises shall ensure that an enhanced Risk Assessment shall be carried out to determine how many disabled customers they can safely accommodate and vacate in the event of an emergency.
10. Safety Inspection Certificates (which shall be maintained up to date) shall be available on site for inspection by Authorised Officers.
11. The management and/or security team, working in conjunction with the Outernet security team, shall monitor parking along Denmark Street and shall discourage patrons from parking illegally. If cars have parked illegally then security shall inform Camden Council for the purposes of ticketing.
12. The premises licence holder shall attend a quarterly meeting with local residents and businesses, which it is understood may be cancelled if there is no business for discussion.
13. A direct dial telephone number shall be provided to residents that shall be manned during operating hours of the premises. Details of any calls received shall be logged and a note subsequently made of the action taken. Details to be made available upon request to responsible authorities.

Section 1: Background comments of the Borough Solicitor

- 1.1 The purpose of Camden's Statement of Licensing Policy is to make it clear to applicants that wider considerations will be taken into account when determining applications. It is intended to guide the Licensing Panel when considering licence applications. However, the Licensing Panel must always consider each application on its own merits and allow exceptions to the normal policy where the circumstances of the application justify allowing an exception. The burden is on the applicant to show that they comply with the policy.
- 1.2 Members should only address those matters that have formed the subject matter of relevant representations. Matters that arise that are not the subject of relevant representations fall outside the function that the Panel is exercising when it holds a hearing
- 1.3 Members must determine, having regard for the evidence, whether granting the application for a premises licence will impact adversely on the policy criteria listed in paragraph 3 of this report.
- 1.4 In accordance with the provisions of Part 1 of Schedule 5 of the Act, where a Licensing Authority rejects in whole or in part, an application for a new premises licence, the applicant may appeal against the decision, to a magistrate's court within 21 days of being notified of the decision.
- 1.5 Similarly, where a person who made relevant representations in relation to the application contends that the licence ought not to have been granted, or that different or additional conditions should have been imposed on the licence, he may appeal against the decision to a magistrate's court within 21 days of being notified of the decision.
- 1.6 **The Human Rights Act 1998** incorporates the key articles of the European Convention on Human Rights into domestic law. Decisions on licensing matters are actions of a public authority and must be compatible with Convention rights. Consequently, Members of the Panel must be aware of the rights contained in the Convention (particularly those set out below) when making licensing decisions.
 - (a) **Article 6: Right to a fair trial**
In the determination of his civil rights and obligations, everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law.
 - (b) **Article 8: Right to respect for private and family life**
Everyone has a right to respect for his or her private life, his home and correspondence.

(c) Article 1 of the First Protocol: Protection of property

Every natural or legal person is entitled to the peaceful enjoyment of his possessions, including a licence. No one shall be deprived of his possession except in the public interest and subject to the conditions provided for by law and by the general principles of international law.

(d) Article 10: Freedom of Expression

Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers. This Article shall not prevent States from requiring the licensing of broadcasting, television or cinema enterprises.

The exercise of these freedoms since it carries with it duties and responsibilities may be subject to such formalities, conditions, restrictions or penalties as are prescribed by law and are necessary in a democratic society, in the interests of national security, territorial integrity or public safety, for the prevention of disorder or crime, for the protection of health and morals, for the protection of the reputation or rights of others, for preventing the disclosure of information received in confidence, or for maintaining the authority and impartiality of the judiciary.

(e) Article 14: Prohibition of discrimination

The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth, or other status.

- 1.7 When formulating policy local authorities must have regard to the **Equality Act 2010**. The Act provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers including licensing powers. Members of the panel must be mindful of this duty when determining all licensing applications.

The section 149 Public Sector Equality Duty

(1) A public authority must, in the exercise of its functions, have due regard to the need to—

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

(2) A person who is not a public authority but who exercises public functions must, in the exercise of those functions, have due regard to the matters mentioned in subsection (1).

(3) Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to—

- (a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
- (b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;
- (c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

(4) The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.

(5) Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to—

- (a) tackle prejudice, and
- (b) promote understanding.

(6) Compliance with the duties in this section may involve treating some persons more favourably than others; but that is not to be taken as permitting conduct that would otherwise be prohibited by or under this Act.

1.8 In determining any application, the Council must comply with the public sector equality duty in s.149 of the 2010 Act. This is a duty to have regard to the need to achieve the statutory goals of s.149, rather than to achieve a particular result. The s149 duty sits alongside and does not override statutory requirements in relation to determining licensing applications, including the duty to consider all evidence on its merits and the legislative criteria listed at paragraphs 3 & 4.

1.9 When members have before them representations or other material on issues relevant to s149, even outside the scope of "standard" licensing considerations such material must still be specifically assessed in the context of s149. However, because s149 creates a requirement to "have regard" the fact a matter raised is relevant to s149 will not automatically translate into a reason for refusing an application that would be sustainable in any subsequent appeal, given the legal requirement to determine applications in compliance with licensing legislation.

Section 2: Financial Comments

- 2.1 Following consideration there are no financial implications concerning this application. The Executive Director Corporate Services has been consulted in the preparation of this report and has no further comments to add.