



Crown copyright and database rights 2025 OS AC0000849991

I want to apply for a	Premises licence
Are you an agent?	No - I'm applying for myself
Does the premises have a name?	Yes
What is the name of the premises?	Sushi serenade
What is the address or location?	78 Parkway NW1 7AN London
What is the type of premises?	Restaurants
Describe the area it is situated in	Shopping and residential
Describe the layout of the premises	Our restaurant is a single-floor establishment, and we are requesting permission to use the outside area for additional seating
Copy of the premises plans	<ul style="list-style-type: none">• FloorPlan.pdf• 4f74c84e-d7f1-4ff4-9f9f-c472bb3c4a12.jpeg

Tell us about the premises business hours

Day	Start time	End time
Monday	12:00	23:00
Tuesday	12:00	23:00
Wednesday	12:00	23:00
Thursday	12:00	23:00
Friday	12:00	23:00
Saturday	12:00	23:00
Sunday	12:00	23:00

Are there any seasonal variations for the premises opening times?

No

Is the premises open to the public at times other than those listed?

Yes

What are the other times?

Bank holidays and Christmas

Is the premises an open space?

Yes

How many people are expected to attend the premises at any one time?

Less than 5000 people

Will the premises be exclusively or primarily used to sell alcohol?

No

How are you applying for a premises licence?

As a limited company

Business details**What is the company registration number**

15755032

Name of business Sushi craft

Name and address 78 Parkway
NW1 7AN
London

Email address [REDACTED]

Telephone number [REDACTED]

How long do you want your premises licence for? Permanently

When do you want your licence to start? As soon as possible

Activity you wish to licence j. Supply of alcohol

Alcohol supply

Day	Start time	End time
Monday	12:30	23:00
Tuesday	12:30	23:00
Wednesday	12:30	23:00
Thursday	12:30	23:00
Friday	12:30	23:00
Saturday	12:00	23:00
Sunday	12:00	23:00

Where will the supplied alcohol be consumed?	Both
Are there any seasonal variations for the activity?	No
Will the activity take place at times other than those listed?	Yes : All bank holidays and Christmas times

DPS details

Does your designated premises supervisor (DPS) currently hold a personal licence?	Yes
--	-----

Was their personal licence issued by Camden?	No
---	----

Personal licence number	[REDACTED]
--------------------------------	------------

Issuing local authority	[REDACTED]
--------------------------------	------------

First name	Atiyeh
-------------------	--------

Last name	Khadem
------------------	--------

Address	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
----------------	--

Signed Copy of the Designated Premises Supervisor (DPS) consent form	<ul style="list-style-type: none">• SKM_C28725021814341.pdf• SKM_C28725021814340.pdf
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Will there be any activities associated with the premises which may give rise to concern in respect of children?	No
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The prevention of crime and disorder

Our premises will implement a 24/7 CCTV system covering all key areas, including entry/exits and sales counters, with footage retained for 31 days. Staff trained in CCTV operation and crime prevention will monitor feeds and collaborate with authorities to address incidents. We adhere to SIA licensing requirements for CCTV usage where applicable and will share footage with Responsible Authorities to support investigations. Additional measures, such as incident logs and controlled access points, will further ensure compliance with licensing objectives

Public safety

We commit to ongoing vigilance, regular audits, and adapting to evolving safety standards. Our measures ensure a secure environment for patrons, staff, and the community, fully complying with Camden Council's licensing objectives and relevant legislation.

The prevention of public nuisance

We will install a noise limiter and conduct quarterly sound checks to ensure compliance with Camden's Environmental Health guidelines. A dedicated staff member will patrol the smoking area after 9 PM to ensure patrons do not disturb residents. We will join Camden's Business Crime Reduction Partnership to address antisocial behavior collaboratively.

The prevention of children from harm

We will implement a Challenge 25 policy, with staff trained monthly on ID verification and Camden's Licensing Standards. High chairs and kids' menus will be available, with allergen information clearly displayed and explained by staff. No alcohol will be

served to tables with unaccompanied minors, and CCTV will monitor dining areas during operating hours.

About this form

Issued by

Camden Town Hall
Judd Street
London
WC1H 9JE

Contact phone

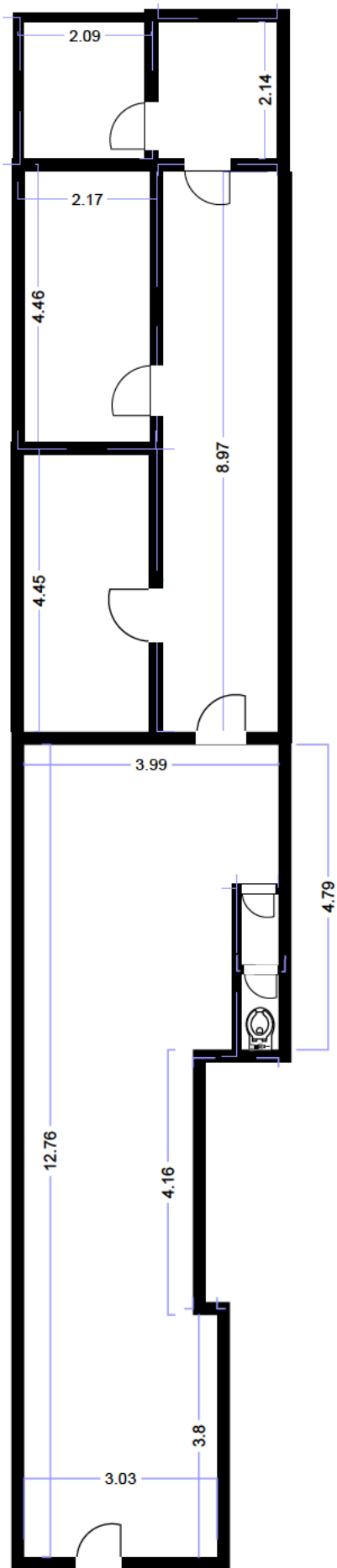
020 7974 4444

Form reference

Ref. no. 126666

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.



From: [REDACTED]
To: [REDACTED]
Cc: [REDACTED]
Subject: Police agreed conditions Sushi Serenade 78 Parkway NW1; Ref no. 126666
Date: 18 March 2025 15:17:48

[EXTERNAL EMAIL] Beware – This email originated outside Camden Council and may be malicious Please take extra care with any links, attachments, requests to take action or for you to verify your password etc.

Hi Sarah,

Hope you are well!

I believe you are dealing with this application. Can you please add these conditions to the application and as such I will not be submitting a representation.

- The venue shall not engage the services of street promoters to encourage clientele to attend the venue.
- Police must be called to incidents of violence and/or serious disorder.
- Alcohol will only be sold by waiter/waitress service to customers seated at tables. Alcohol sales will be ancillary to a substantial table meal.

As you can see the applicant has accepted these conditions below.

Kind Regards,
Chris

From: SushiCraft [REDACTED]
Sent: 18 March 2025 15:05
To: Licensin [REDACTED]
Cc: Malone Christopher - CN-CU [REDACTED]
Subject: Request on alcohol license

Dear license team,

We are emailing regrading our acceptance to the conditions linked to our application request for alcohol licence for our premises.

Including the extra conditions

- we shall not engaged in any street promotion
- we also take to ourself to inform the police immediately incase of any serious violent disorder
- we will also only be serving alcohol to seated costumers consuming their meal no counter service.

We hope to provide furthermore more clarity if needed

Awaiting your responses

Kind regards

Salimi Bakhawan

From: Lee Perella [REDACTED]

Sent: Thursday, March 13, 2025 5:05:01 PM

To: Licensing Representation [REDACTED]
[REDACTED]

Subject: Fw: 126666 EH comments : licence application Sushi Serenade 78 Parkway, Camden Town - applicant in agreement on conditions

See below

No further comments from EH

Lee Perella

Noise and Pollution Officer

Public Safety

Supporting Communities

London Borough of Camden

Tel: [REDACTED]

From: SushiCraft [REDACTED]

Sent: Thursday, March 13, 2025 4:29:46 PM

To: Lee Perella [REDACTED]

Subject: Re: 126666 EH comments : licence application Sushi Serenade 78 Parkway, Camden Town - applicant in agreement on conditions

Dear Lee Perella,

Thank you for your email. We hereby confirm our full agreement with all recommendations and conditions outlined for our alcohol license application, including:

1. Closure of external areas (seating, dining, drinking) after 22:00, except for 4 patrons smoking.
2. Removal/securing of external furniture after 22:00. 3. No external speakers.
4. Internal speakers isolated from the structure (not ceiling-installed).
5. Background-level music. 6. Servicing/deliveries limited to 07:00–22:00.

We acknowledge that points 1, 2, 3, 4, and 6 will be formal conditions on the license if granted, and we confirm compliance with recommendation 5 (servicing hours) as agreed.

Additionally, we confirm that “no live music” is proposed as part of our activities. Should you require further details or clarification, please do not hesitate to contact me.

Thank you for your assistance.

Kind regards,

Atiyeh khadem

Manager

[REDACTED]

[REDACTED]

Sushi serenade

On Thu, 13 Mar 2025 at 19:00, Lee Perella <[REDACTED]> wrote:

Just to confirm

Awaiting sushi craft response

All agreed

Lee Perella

Noise and Pollution Officer

Telephone: [REDACTED]

From: Lee Perella

Sent: 07 March 2025 13:57

To: SushiCraft [REDACTED]

Cc: Licensing Representation [REDACTED]

[REDACTED]

Subject: 126666 EH comments : licence application Sushi Serenade [78 Parkway, Camden Town](#)
- applicant in agreement on conditions

Dear Licensing , applicant

Sushi Serenade [78 Parkway, Camden Town](#)

Licence REF 126666

****APPLICANT TO ADVISE BY RESPONSE THAT THEY AGREE WITH THE BELOW AND REPLY TO ALL.****

Please note the licence application is not appearing on the public register in full just the times and the plan. No application itself attached.

It is assumed no live music is being considered as an activity.

The applicant as agreed to the following recommendations.

1. Closure of external areas for seating, dining and drinking after 2200hrs save for 4 patrons smoking only.
2. All external furniture to be removed or designed so it cannot be used after 22.00hrs.
3. No external speakers
4. Internal speakers isolated from structure, not installed in ceiling.
5. Music at background levels.
6. Servicing via premises deliveries and collections between 0700 and 2200hrs.

Excluding point 5 – all other points 1,2,3,4,6, shall be conditioned on the licence should it be granted.

Regards

Lee Perella
Noise and Pollution Officer

Telephone: [REDACTED]

From: SushiCraft [REDACTED]
Sent: 07 March 2025 12:48
To: Lee Perella [REDACTED]
Subject: Re: licence application Sushi Serenade [78 Parkway, Camden Town](#)

Hey Perella,

Many thanks for your advice.

We will do all of it. 🙏

On Wed, 5 Mar 2025 at 17:27, Lee Perella [REDACTED] wrote:

Dear Sushi Serenade

Licence application Sushi Serenade [78 Parkway, Camden Town](#).

Received your application.

Recommend

1. Closure of external areas for seating, dining and drinking after 2200hrs save for 4 patrons smoking only.
2. All external furniture to be removed or designed so it cannot be used after 22.00hrs.
3. No external speakers
4. Internal speakers isolated from structure, not installed in ceiling.
5. Music at background levels.

6. Servicing via premises deliveries and collections between 0700 and 2200hrs.

regards

Lee Perella
Noise and Pollution Officer

Public Safety

----- Forwarded message -----

From: SushiCraft <[REDACTED]>

To: Lee Perella [REDACTED]

Cc:

Bcc:

Date: Fri, 7 Mar 2025 12:47:46 +0000

Subject: Re: licence application Sushi Serenade [78 Parkway, Camden Town](#)

Hey Perella,

Many thanks for your advice.

We will do all of it. 🙏

On Wed, 5 Mar 2025 at 17:27, Lee Perella [REDACTED] wrote:

Dear Sushi Serenade

Licence application Sushi Serenade [78 Parkway, Camden Town](#).

Received your application.

Recommend

1. Closure of external areas for seating, dining and drinking after 2200hrs save for 4 patrons smoking only.
2. All external furniture to be removed or designed so it cannot be used after 22.00hrs.
3. No external speakers
4. Internal speakers isolated from structure, not installed in ceiling.
5. Music at background levels.
6. Servicing via premises deliveries and collections between 0700 and 2200hrs.

regards

Lee Perella
Noise and Pollution Officer

Date: 03/03/2025
Application Reference: APP\PREM-NEW/126666
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 17

RE: Sushi Serenade, 78 Parkway, NW1 7AN

LICENSING AUTHORITY REPRESENTATION

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

Cumulative Impact Area
 Framework Hours

The Premises and Summary of Application

The application by Sushi Craft for a Premises Licence for a restaurant for the sale of alcohol. The venue plans to host customers inside and outside the venue.

The operational times being applied for are as follows: -

Sale of Alcohol on and off the premises

Monday to Friday	12:30 – 23:00
Saturday to Sunday	12:00 – 23:00

The opening hours of the premises

Monday to Sunday	12:00 – 23:00
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Volunteered conditions in the operating schedule.

Our premises will implement a 24/7 CCTV system covering all key areas, including entry/exits and sales counters, with footage retained for 31 days.

Staff trained in CCTV operation and crime prevention will monitor feeds and collaborate with authorities to address incidents.

We adhere to SIA licensing requirements for CCTV usage where applicable and will share footage with Responsible Authorities to support investigations.

Additional measures, such as incident logs and controlled access points, will further ensure compliance with licensing objectives

We will install a noise limiter and conduct quarterly sound checks to ensure compliance with Camden's Environmental Health guidelines.

A dedicated staff member will patrol the smoking area after 9 PM to ensure patrons do not disturb residents.

We will join Camden's Business Crime Reduction Partnership to address antisocial behaviour collaboratively.

We commit to ongoing vigilance, regular audits, and adapting to evolving safety standards.

Our measures ensure a secure environment for patrons, staff, and the community, fully complying with Camden Council's licensing objectives and relevant legislation.

We will implement a Challenge 25 policy, with staff trained monthly on ID verification and Camden's Licensing Standards.

High chairs and kids' menus will be available, with allergen information clearly displayed and explained by staff.

No alcohol will be served to tables with unaccompanied minors, and CCTV will monitor dining areas during operating hours.

Framework Hours – Pages 36 of The Licensing Policy

The application does breach Camden's adopted policy on Framework Hours.

For licences including the sale or supply of alcohol for consumption on the premises only:

Monday to Thursday 10:00 am until 11:30 pm

Friday and Saturday 10:00 am until midnight

Sunday 11:00 am until 10:30 pm

Cumulative Impact Areas

The venue is situated in a Cumulative Impact Area of the London Borough of Camden. This is in breach of 6.9 of the adopted policy on Camden Town Cumulative Impact Area.

Conclusion

The applicant has applied for a new the licence beyond Framework Hours and within a Cumulative Impact Area. It would be a matter for elected members to depart from the adopted licensing policy when determining the application.

In line with Camden Licensing adopted policy should members decide to grant the licence with the following conditions:

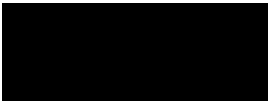
- Alcoholic beverages shall only be sold to customers seated at tables and only when taking a table meal.
- Orders for food and beverages shall be taken and dispensed by waiter or waitress service only.
- Means of escape shall be maintained unobstructed, immediately available and clearly identifiable.
- Exit doors shall be checked before opening each day to ensure they function satisfactorily.
- 9) Customers smoking on the public footway shall not be permitted to cause obstruction of the highway to passers-by
- 11) Regular litter and glass collections shall be carried out in all areas where customers are congregating.
- 11) Regular litter and glass collections shall be carried out in all areas where customers are congregating.
- 12) A physical barrier, such as a rope, will be used to mark the boundary of the area outside the premises where customers are allowed.
- 13) Notices shall be prominently displayed at each exit from the premises asking customers to be considerate to neighbours when leaving.
- 14) External lighting for the premises shall be turned off after the premises are closed to the public.
- 15) Furniture at the premises for customer use shall be fixed in position so space cannot be made to allow the provision of dancing or other entertainment.
- 16) Customers shall not be allowed to bring their own alcohol for consumption on the premises
- 17) Where the supply of alcohol includes delivery to the customer, the licence holder shall ensure that specific procedures are in place and that the activity does not cause nuisance at or near to the premises.
- Let's Communicate – Staff need to feel comfortable to speak up and approach colleagues and management about any form of harassment that they may witness

or be subjected to themselves and know the processes available to them to express their views and concerns.

- Supporting Each Other – Ensure that you and your staff are aware of the various support campaigns available such as Ask Angela and that these are clearly displayed around your venue.
- Training for All – Staff training on how to report any issues, what to say and do should they witness or be subject to harassment and how to identify harassment and those who may be vulnerable, make them aware of your internal policies

It would be down to the elected members should they wish to depart from two policy considerations on Cumulative Impact and Framework Hours on the granting of this licence application.

Yours sincerely

A solid black rectangular box used to redact the signature of Steven Dormer.

Steven Dormer
Licensing Officer

From: William Miller [REDACTED]
Sent: 27 March 2025 17:27
To: Sarah Williams [REDACTED]
Cc: Kate Tract [REDACTED]
Subject: Re: Conditions agreed- Rep APP/PREMISES-NEW/126666

Hi Sarah

I am sorry, the residents of the Crescent would still find this completely unacceptable. This isn't about just giving someone a liquor license or extending their hours. Allowing a restaurant to operate in the back yard of any premises on Parkway will set a precedence which will be hard to reverse when others apply for the same. There is not one restaurant or café on Parkway who operates in the back yard, so this would be a first, as far as I know. These all back onto residential gardens and houses in Gloucester Crescent. Even with the restrictions you list, which would be almost impossible to enforce, customers gathering in the back yards (along with music at background levels which you can't control) until 10pm will without a doubt cause unnecessary noise for the residence. As far as I can make out, granting them use of the yard would completely ignore the concerns lodged by the residents.

Yours,

William

From: Sarah Williams [REDACTED]
Date: Thursday 27 March 2025 at 14:32
To: William Miller [REDACTED]
Cc: Kate Tract <[REDACTED]>
Subject: Conditions agreed- Rep APP/PREMISES-NEW/126666

Hi William,

I can confirm that additional conditions have been agreed with the applicant and the Police and Environmental Health Authority.

Live music is not being considered as an activity.

The applicant as agreed to the following recommendations.

1. Closure of external areas for seating, dining and drinking after 2200hrs save for 4 patrons smoking only.
2. All external furniture to be removed or designed so it cannot be used after 22.00hrs.
3. No external speakers
4. Internal speakers isolated from structure, not installed in ceiling.
5. Music at background levels.
6. Servicing via premises deliveries and collections between 0700 and 2200hrs.

1,2,3,4,6, shall be conditioned on the licence, should the licence be granted.

These conditions have been agreed with the Police.

1. The venue shall not engage the services of street promoters to encourage clientele to attend the venue.
2. Police must be called to incidents of violence and/or serious disorder.
3. Alcohol will only be sold by waiter/waitress service to customers seated at tables.
Alcohol sales will be ancillary to a substantial table meal.

I would be grateful if you can confirm if the additional conditions now satisfy your concerns or you would like your representation to remain.

Kind Regards

Sarah Williams
Licensing Officer

From: William Miller [REDACTED]
Sent: 28 February 2025 16:02
To: Sarah Williams [REDACTED]
Cc: Kate Tract [REDACTED]
 William Miller- Rep APP/PREMISES-NEW/126666

Thank you, Sarah

My address is 66 Gloucester Crescent London NW1 7EG

William

William Miller

On 28 Feb 2025, at 16:55, Sarah Williams [REDACTED] wrote:

Hi Kate and William,

I can accept the email as a valid objection.

William,

Are you happy to confirm your address and for your objection to be sent to the applicant?

This is in line with making a representation online via [Comment on a licence application - Camden Council](#)

What happens next

We will review your comments to ensure it is relevant to the licensing objectives. We will then send your comments to the applicants. This will include your name, address and contact details to enable to applicant to liaise with you in relation to the application. If you do not wish for contact details to be shared with the applicant, you must specify as such in your representation.

If the applicant doesn't deal with your concerns, the application will be discussed at a licensing panel. You will be invited to attend and tell the panel about your concerns.

What happens to my comments?

Your comments will be made publicly available online. This will include your name and address but we will not display your telephone number or email address.

We will take steps to ensure any other personal data as defined by the [General Data Protection Regulation](#) is removed where appropriate. However, if you have any specific concerns about the publication of any data you have submitted please contact licensing@camden.gov.uk

Read our [Corporate Privacy Statement](#) and our [Public Protection Privacy Notice](#) for more information.

Kind Regards

Sarah Williams
Licensing Officer

From: Kate Tract [REDACTED]
Sent: 28 February 2025 15:49
To: William Miller <[REDACTED]> Sarah Williams
[REDACTED]
Subject: Re: APP/PREMISES-NEW/126666

Hi Sarah,

Can you confirm that you can accept this email from William as an objection re prevention of public nuisance?

Best Kate

From: William Miller [REDACTED]
Sent: 27 February 2025 14:44
To: Sarah Williams [REDACTED]
Cc: Kate Tract [REDACTED]
Subject: Re: APP/PREMISES-NEW/126666

Thank you for letting us see what the application is really for. It really isn't clear on the website that they're applying for access for seating and ISS if the outside space which we are assuming means the rear.

On behalf of the residence of Gloucester Crescent I must object to this application on the strongest terms especially considering the hours. This premises backs onto residential homes which are very close and any use of the backyard, which no other retailer on Parkway has use of, would create unwanted disturbances, especially at night. There are many families with young children living in these houses immediately behind this premises. This must not be granted.

Thank you.

William

William Miller
[REDACTED]

Conditions consistent with the operating schedule

1. Our premises will implement a 24/7 CCTV system covering all key areas, including entry/exits and sales counters, with footage retained for 31 days.
2. Staff trained in CCTV operation and crime prevention will monitor feeds and collaborate with authorities to address incidents.
3. We adhere to SIA licensing requirements for CCTV usage where applicable and will share footage with Responsible Authorities to support investigations.
4. Additional measures, such as incident logs and controlled access points, will further ensure compliance with licensing objectives.
5. We will install a noise limiter and conduct quarterly sound checks to ensure compliance with Camden's Environmental Health guidelines.
6. A dedicated staff member will patrol the smoking area after 21:00hours to ensure patrons do not disturb residents.
7. We will join Camden's Business Crime Reduction Partnership to address antisocial behaviour collaboratively.
8. We commit to ongoing vigilance, regular audits, and adapting to evolving safety standards.
9. Our measures ensure a secure environment for patrons, staff, and the community, fully complying with Camden Council's licensing objectives and relevant legislation.
10. We will implement a Challenge 25 policy, with staff trained monthly on ID verification and Camden's Licensing Standards.
11. Highchairs and kids' menus will be available, with allergen information clearly displayed and explained by staff.
12. No alcohol will be served to tables with unaccompanied minors.
13. CCTV will monitor dining areas during operating hours.

Agreed Police conditions

1. The venue shall not engage the services of street promoters to encourage clientele to attend the venue.
2. Police must be called to incidents of violence and/or serious disorder.
3. Alcohol will only be sold by waiter/waitress service to customers seated at tables. Alcohol sales will be ancillary to a substantial table meal.

Agreed Environmental Health conditions

1. Closure of external areas for seating, dining and drinking after 2200hrs save for 4 patrons smoking only.
2. All external furniture to be removed or designed so it cannot be used after 22.00hrs.
3. No external speakers
4. Internal speakers isolated from structure, not installed in ceiling.
5. Servicing via premises deliveries and collections between 0700 and 2200hrs.

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.