

## PROTECTIVE MARKING


**METROPOLITAN  
POLICE**
**TOTAL POLICING**

Form 691

## Application for the Review of a Premises Licence or Club Premises Certificate under the Licensing Act 2003

### PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

- Before completing this form please read the guidance notes at the end of the form.
- If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.
- You may wish to keep a copy of the completed form for your records.

**I Police Constable Dominic Hallam**
**apply for the review of a premises licence under Section 51 of the Licensing Act 2003  
for the premises described in Part 1 below**

### Part 1 – Premises or club premises details

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

Kiss The Sky, 11 - 13 Camden High Street

**Post town:**
**Post code:**  
(if known)

NW1 7JE

**Name of premises licence holder or club holding club premises certificate (if known):**

St Georges Hotel Inn Limited

**Number of premises licence or club premises certificate (if known):**

PREM-LIC\113657

### Part 2 – Applicant details

**I am:**

Please tick Yes

- |          |  |                                     |
|----------|--|-------------------------------------|
| <b>1</b> | <b>an individual, body or business which is not a responsible authority</b><br>(please read guidance note 1 and complete (A) or (B) below) | <input type="checkbox"/>            |
| <b>2</b> | <b>a responsible authority (please complete (C) below)</b>   | <input checked="" type="checkbox"/> |
| <b>3</b> | <b>a member of the club to which this application relates (please complete section (A) below)</b>  | <input type="checkbox"/>            |

## PROTECTIVE MARKING

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)									
Mr	<input type="checkbox"/>	Mrs	<input type="checkbox"/>	Miss	<input type="checkbox"/>	Ms	<input type="checkbox"/>	Any other title (e.g. Rev.)	<input type="checkbox"/>
Surname:				First Names:					
I am 18 years old or over				<input type="checkbox"/>					
Current postal address if different from premises address:									
Post town:				Post code:					
Daytime Tel. No.:				Email: (optional)					

(B) DETAILS OF OTHER APPLICANT (fill in as applicable)	
Name and Address:	
Telephone Number (if any):	
Email address: (optional)	

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT (fill in as applicable)	
Name and Address:	
Commissioner of Police for the Metropolis, Licensing Unit, Room 1.22, Kentish Town Police Station, 12A Holmes Road, NW5 3AE	
Telephone Number (if any):	
Email address: (optional)	

This application to review relates to the following licensing objective(s)		
		Please tick one or more boxes
1	The prevention of crime and disorder	<input checked="" type="checkbox"/>
2	Public safety	<input type="checkbox"/>
3	The prevention of public nuisance	<input type="checkbox"/>
4	The protection of children from harm	<input type="checkbox"/>
Please state the ground(s) for review: (please read guidance note 2)		
<p>Following a summary review held on the 14<sup>th</sup> December 2023, the venue has breached numerous conditions over the course of a year including those imposed on them by the council at the hearing. The venue has also recently been found to be employing people in breach of their immigration/right to work status. The venue and venue management are not upholding the licensing objectives, particularly the prevention of crime and disorder. Please see the section below regarding the review application.</p>		

**PROTECTIVE MARKING**

**Please provide as much information as possible to support the application:** (please read guidance note 3)

Please refer to my statement dated 24/02/2025 regarding this application.

## PROTECTIVE MARKING

Have you made an application for review relating to this premises before?

☒ (Please tick yes)

Day		Month		Year			
2	0	1	1	2	0	2	3

If yes, please state the date of that application:

**If you have made representations before relating to this premises please state what they were and when you made them:**

The MPS applied for a summary review regarding this venue on the above date. This was due to an incident whereby a female employed at the venue assaulted a customer, this suspect then went outside and spoke with her partner, who was referred to as the manager/security guard, and shortly after he stabbed the above mentioned customer. This customers brother came over to try and help and the manager/security guard proceeded to stab him.

## PROTECTIVE MARKING

I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate.

Please tick Yes



I understand that if I do not comply with the above requirements my application will be rejected.



IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.

### Part 3 – Signatures (please read guidance note 4)

Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 5). If signing on behalf of the applicant please state in what capacity.

Signature:

Date:

24/02/2025

Capacity:

Applicant

Contact name (where not previously given) and postal address for correspondence associated with this application: (please read guidance note 6)

Dominic Hallam, 12a Holmes Road

Post town:

Kentish Town

Post code:

NW5 3AE

Telephone Number (if any):

0 [REDACTED]

If you would prefer us to correspond with you using an e-mail address, your e-mail address (optional):

[REDACTED]

### Notes for Guidance

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details, for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant's agent (for example, solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.



## WITNESS STATEMENT

**Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B**

URN				
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Statement of: Dominic Hallam

Age if under 18: Over 18 *(if over 18 insert 'over 18')* Occupation: Police Constable

This statement (consisting of 4 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know or believe to be true.

Witness Signature  ..... Date: 24/02/2025

I am the above named officer and I write this statement to supplement Form 691 Application for the Review of a Premises Licence under the Licensing Act 2003 dated 24/02/2025.

I apply for a Standard Review of the following Premises Licence under Section 53A of the Licensing Act 2003:

**PREM-LIC\113657**

**Kiss the Sky**

**11 – 13 Camden High**

**London**

**NW1 7JE**

### Grounds for Review:

This Licence Review is being requested as the Metropolitan Police Service (MPS) believe that the Prevention of Crime & Disorder Licensing Objective is not being upheld, the venue has also failed to abide by conditions. The MPS will offer evidence showing that those managing the venue are persistently undermining this Licensing Objective.

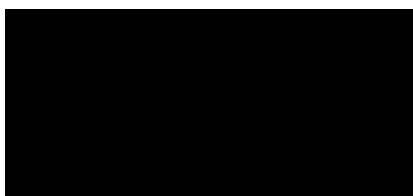
The MPS have engaged extensively with the PLH (**Mr Ray**) and management, taking a gradual and thorough approach, but have yet to see adequate improvements.

We do not have sufficient confidence in the management's ability to maintain a safe and compliant venue.

This venue appears to be alcohol lead, hosting club nights at the weekend into the early hours.

The issues linked to the venue are as follows:

- Crime and Disorder.
- Persistent breaches of conditions.
- Poor management of the venue.



### History:

#### Kiss the Sky Summary Review December 2023:

On the 18<sup>th</sup> November 2023 the venue was host to a serious incident where two members of staff were the suspects.

A member of staff (SUS1) initiated an argument over the drinks bill with a customer (V1) and pushed him. The altercation continued after the customers were removed from the venue.

Once outside SUS1 approached another member of staff (SUS2) who proceeded to stab V1 and another customer (V2) who attempted to intervene.

The two suspects fled and were eventually arrested. The Police presented evidence that suggested the management were not forthcoming with information, such as the details of the suspects and CCTV evidence.

It also became apparent that there was a lack of record keeping for members of staff. At the time Police were unable to ascertain who was working at the venue on the night in question. The security were employed informally and lacked the correct accreditation.

The Police sought full revocation of the licence. The panel were minded to grant the venue a second chance, the following steps were finalised by the panel:

- 7 conditions addressing the failings of the venue.
- The DPS (Mr Ray) was to be removed.
- The members of staff involved in the incident on the night were banned from working and or entering the venue.

#### 18<sup>th</sup> October 2024: Venue Engagement.

Police Licensing conducted a visit to the venue and found that they were in breach of 13 conditions. There were two members of staff on duty at the time. One of these staff members made himself known as the manager on duty. We identified ourselves as Police Officers and at this stage they appeared concerned and one of them tried to leave. After obtaining both of their details we suspected this change in behaviour was due to an issue with their right to work as foreign nationals.

These details were supplied to Immigration who confirmed that one was breaching his right to work and that there didn't appear to be any record of the second male. A joint visit was arranged for the 10<sup>th</sup> January 2025.

- ***The venue received a notification of alleged offences and a supplementary document will be supplied that lists the specific breaches and engagement.***



**10<sup>th</sup> January 2025: Joint Visit with Immigration.**

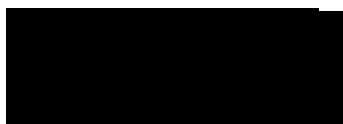
On the 10<sup>th</sup> January 2025 Police conducted a joint visit with Immigration Enforcement. The venue had paperwork confirming that the two males suspected to be in breach of their right to work/immigration status were employed by the PLH. The DPS (Kat Barrett) confirmed that one had worked there for 18 months or more. Multiple licensing conditions, including those imposed at the last summary review held in December 2023, were also breached. Staff logs were incomplete, security officers are often late or absent, and a banned ex-employee was observed drinking on-site – an issue the manager admitted occurs regularly. Despite prior engagement and a meeting regarding breaches on the 24<sup>th</sup> October 2024, the venue continues to disregard its responsibilities.

Throughout the visit Police Licensing spoke with Kat Barrett, the DPS, who appeared to be exasperated and overwhelmed. Kat Barrett would suddenly walk away during a conversation to speak with staff, many of the questions we had were answered with “I don’t know” and “Tony hasn’t told me about that”. It was clear that Kat Barrett was not conversant with the Licence. The staff logs we were shown were not satisfactory, and despite clear direction in the conditions many of the requirements were still missing. The training logs were nowhere to be found and Kat Barrett stated that “they were at home”. It later became apparent that she was not the DPS. The PLH applied to have her shown on the licence but due to breaches taking place under her management the MPS submitted representations.

Another concerning observation was the lack of WAVE/Ask for Angela material present throughout the venue. Without the posters, customers would never know to approach staff in relation to their welfare or vulnerability. We know that customers can find it very difficult to approach staff. Not having any indication from the premises that staff are aware of the sensitivities around violence against women will undermine the application of the scheme. The statistics are clear in regards to the increase in confidence members of public, particularly females, have when they know a venue is sufficiently trained. Despite its importance within the night time economy and the fact that this condition had been breached a few months prior, nothing appeared to have changed. Kat Barrett stated that she had received the training as had another member of staff, and still nothing had been implemented. Prior to this visit, Police Licensing had supplied the PLH with WAVE and Ask for Angela material intended for display.

The venue was suspected to be in breach of 7 conditions during this visit, 4 of which were the same conditions added by the panel during the previous summary review and recently breached on the 18<sup>th</sup> October 2024.

- ***A supplementary document will be supplied that lists the specific conditions breached during this visit.***



**Revised Guidance issued under section 182 of the Licensing Act 2003 (December 2023):**

The 182 Guidance includes four valuable considerations concerning immigration offences, pertinent to this Review application.

Paragraph 2.6: 'The prevention of crime includes the prevention of immigration crime including the prevention of illegal working in licensed premises.'

Paragraph 9.25: 'When Immigration Enforcement exercises its powers as a responsible authority it will do so in respect of the prevention of crime and disorder licensing objective because it is concerned with the prevention of illegal working or immigration offences more broadly.'

Paragraph 11.18: 'Where responsible authorities such as the police or environmental health officers have already issued warnings requiring improvement – either orally or in writing – that have failed as part of their own stepped approach to address concerns, licensing authorities should not merely repeat that approach and should take this into account when considering what further action is appropriate. Similarly, licensing authorities may take into account any civil immigration penalties which a licence holder has been required to pay for employing an illegal worker.'

Paragraph 11.23: 'It will always be important that any detrimental financial impact that may result from a licensing authority's decision is appropriate and proportionate to the promotion of the licensing objectives and for the prevention of illegal working in licensed premises. But where premises are found to be trading irresponsibly, the licensing authority should not hesitate, where appropriate to do so, to take tough action to tackle the problems at the premises and, where other measures are deemed insufficient, to revoke the licence.'

**Summary:**

Through this application we have demonstrated that the venue has persistently breached the same conditions and shown a disregard for the Licensing Act. It is concerning that of these breaches, many of them are the conditions recently added by the Licensing panel following a serious incident. As a result, no conditions can be suggested to ensure compliance.

The recent issues regarding the immigration status of those employed by the venue have given further cause for concern and shown that the venue has a disregard for its responsibility and the law.

With the above considered, Police Licensing no longer have confidence that the venue can operate in a compliant manner and recommend that the licence is revoked.





# Notification of alleged offences under the Licensing Act 2003

Venue Name: KISS THE SKYAddress: 11-15 CAMDEN HIGH STREET NW1 7JE

REF: (CAD/CRIS etc.)

Details of person in charge at the relevant time: TonyDate: 18/10/24 Time: 22:00

## Summary of alleged offences identified

DPS ☐ Personal Licence Holder ☒

- ☐ Section 57(4) Failure to secure premises licence or a certified copy at the premises or to prominently display a summary of the Licence.
- ☐ Section 57 (7) Failure to produce a premises licence or a certified copy.
- ☐ Section 109 (4) Failure to secure that a copy of the Temporary Event Notice (TEN) is prominently displayed at the premises or secure that a copy of the TEN is in the custody of an appropriate person.
- ☐ Section 109 (8) Failure to produce a TEN to a police officer.
- ☐ Section 135 (4) Failure to produce a personal licence to a police officer.
- ☒ Section 136 (1) Carrying on or attempting to carry on a licensable activity on or from any premises otherwise and in accordance with an authorisation or knowingly allowing a licensable activity to be carried on. (Sec19 issued Y ☐ No ☐)
- ☐ Section 137 (1) Exposing alcohol for retail without an authorisation. (Sec19 issued Y ☐ No ☐)
- ☐ Section 138 (1) Keeping alcohol on a premises for an unauthorised sale. (Sec19 issued Y ☐ No ☐)
- ☐ Section 140 (1) Knowingly allowing disorderly conduct on a licensed premises.
- ☐ Section 141 (1) Knowingly selling or attempting or allowing alcohol to be sold to a person who is drunk.
- ☐ Section 144 (1) Knowingly keeping or allowing non duty paid goods or unlawfully imported goods to be kept on premises.
- ☐ Section 145 (1) Allowing an unaccompanied child on a premises (used primarily or exclusively for the sale of alcohol).
- ☐ Section 146 (1) Selling alcohol to an individual aged under 18.
- ☐ Section 147 (1) Knowingly allowing the sale of alcohol to an individual under 18.
- ☐ Section 153 (1) knowingly allowing an individual under 18 to make a an unsupervised sale of alcohol.
- ☐ Section 179 (4) Intentionally obstructing any authorised person exercising a power of entry under section 179.

## Details of alleged offence(s) including relevant Cad and Crime report details:

\* 16. 18<sup>th</sup> OCT 2024 \* 26. 18<sup>th</sup> OCT 2024 \* 38. 18<sup>th</sup> OCT 2024

\* 17. 18<sup>th</sup> OCT 2024 \* 27. 18<sup>th</sup> OCT 2024 \* 40. 18<sup>th</sup> OCT 2024

\* 21. 18<sup>th</sup> OCT 2024 \* 33. 18<sup>th</sup> OCT 2024 \* 41. 18<sup>th</sup> OCT 2024

\* 22. 18<sup>th</sup> OCT 2024 \* 35. 18<sup>th</sup> OCT 2024

\* 24. 18<sup>th</sup> OCT 2024 \* 36. 18<sup>th</sup> OCT 2024

Issuing officer:

I acknowledge receipt of this form: (venue)

Print: PC HARRIS 19/10/24

The purpose of this notice is to inform you that the failure to comply with the Licensing Act 2003 may result in the police initiating criminal proceedings against the DPS, premises licence holder, or both. This notice may also be used in evidence to support a review of the premises licence pursuant to section 51 Licensing Act 2003 and/or an application for a closure order under section 20 Criminal Justice and Police Act 2001



**EXHIBIT DCH/01****Engagement Chronology 'the Stepped Approach' between Police and Kiss the Sky****a. Saturday 18<sup>th</sup> October 2024 - Police licensing visit**

Referral made to Immigration following suspected immigration offences.

Condition breaches (13) as follows:

- **16.** The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Camden Police Licensing Team and that:
  - a) All entry and exit points will be covered enabling frontal identification of every person entering in any light condition;
  - b) The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises and will include the external area immediately outside the premises entrance;
  - c) All recordings shall be stored for a minimum period of 31 days with date and time stamping;
  - d) Viewing of recordings shall be made available within 48 hours, where possible, upon the request of Police or authorised officer throughout the entire 31-day period; and
  - e) Signs must be displayed in the customer areas to advise that CCTV is in operation.
- **17.** There shall be a minimum of 1 x SIA licensed door supervisor on duty at the Premises each day from 7pm when the Premises is open for Licensable Activities. There shall be a minimum of 2 x SIA licensed door supervisors on duty at the Premises each day when the Premises is open for Licensable Activities after 11pm. The Premises Licence Holder shall risk assess the need for SIA licensed door supervisors at other times/additional SIA licensed door supervisors at the times above.
- **21.** As soon as possible, and in any event within 1 month from the grant of this licence, the premises shall join the local Pub watch or other local crime reduction scheme approved by the police, and local radio scheme if available.
- **22.** The venue shall supply, and fit, suitable anti-theft devices such as table/counter clips, in order that customers must secure their bags.

- **24.** A comprehensive staff training programme is to be put together which will cover the Licensing Act 2003, fire evacuation procedures, and critical incident best-practice, crime scene best practice and WAVE training. Conflict management training was compulsory for all staff members. This training is to be clearly documented.
- **26.** A noise limiter must be fitted to the musical amplification system and maintained in accordance with the following criteria:
  - a) The limiter must be set at a level determined by and to the satisfaction of an Acoustician who is a member of the Institute of Acoustics so as to ensure that no noise nuisance is caused to local residents or businesses;
  - b) The operational panel of the noise limiter shall then be secured by key or password to the satisfaction of an Acoustician who is a member of the Institute of Acoustics and access shall only be by persons authorised by the Premises Licence holder;
  - c) The limiter shall not be altered without prior written agreement from Licensing Authority;
  - d) No alteration or modification to any existing sound system(s) should be affected without prior knowledge of the Licensing Authority, and
  - e) No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device.
- **27.** All windows and external doors shall be kept closed after 21:00 hours, or at any time when Regulated Entertainment takes place, except for the immediate access and egress of persons.
- **33.** The premises shall sign up to the 'Ask for Angela' scheme.

**Breached Conditions attached after a hearing by the licensing authority on 14th December 2023**

- **35.** From 14 December 2023 until 31 December 2024 the Premises Licence Holder and DPS shall hold a series of monthly meetings with a representative from the Camden Police Licensing Team. These meetings may be held virtually.

- **36.** The Premises Licence Holder shall keep a log of all staff (including SIA and casual workers) employed in whatever capacity and for whatever duration at the venue. The log must include the following details:
  - a) Role at venue
  - b) Full name
  - c) Given name (if different)
  - d) Home address
  - e) Date of birth
  - f) NI Number
  - g) Mobile Number
  - h) Email Address
  - i) SIA Number (if SIA)

Staff logs shall be kept for a period of 12 months from an individual's last employment at the venue. The staff log shall be kept at the

- **38.** Where SIA registered door supervisors are used at the Premises, a record shall be kept of their SIA registration number and the dates and times when they are on duty. Records will be kept on a rolling 12-month basis. Records will be kept at the Premises and made available on request to Responsible Authority Officers.
- **40.** There shall be a minimum of 1 x SIA licensed door supervisor on duty at the Premises each day from 7pm when the Premises is open for Licensable Activities. There shall be a minimum of 2 x SIA licensed door supervisors on duty at the Premises each day when the Premises is open for Licensable Activities after 11pm, save for comedy acts, live music performances and open mic sessions held from Sunday to Thursdays. The Premises Licence Holder shall risk assess the need for SIA licensed door supervisors at other times/additional SIA licensed door supervisors at the times above.
- **41.** A comprehensive staff training programme is to be put together which will cover the Licensing Act 2003, fire evacuation procedures, and critical incident best-practice, crime scene best practice and WAVE training. Conflict management training was compulsory for all staff members. This training is to be clearly documented.

**b. Thursday 24<sup>th</sup> October 2024 - Meeting**

Meeting held at Council Offices with Council Licensing Officer. Notification of offences handed to Mr Ray for breaches above. Advice and guidance given to Mr Ray

**c. Monday 1<sup>st</sup> November 2024 - Meeting**

Meeting held at Council Offices with Council Licensing Officer. Mr Ray and his team provided Officers with policies and outlined changes he had implemented.

**d. Saturday 21<sup>st</sup> December 2024 - Police licensing visit**

Officers provided Mr Ray Ask for Angela/WAVE materials and police evidence bags for drug seizures when visiting another venue.

**e. Friday 10<sup>th</sup> January 2025 - Police licensing visit**

Joint Police and Immigration Enforcement visit. Immigration issued enforcement fines for immigration offences.

Condition breaches (7) as follows:

- **17.** There shall be a minimum of 1 x SIA licensed door supervisor on duty at the Premises each day from 7pm when the Premises is open for Licensable Activities. There shall be a minimum of 2 x SIA licensed door supervisors on duty at the Premises each day when the Premises is open for Licensable Activities after 11pm. The Premises Licence Holder shall risk assess the need for SIA licensed door supervisors at other times/additional SIA licensed door supervisors at the times above.
- **32.** Last entry to the premises shall be 00:00hrs.
- **33.** The premises shall sign up to the 'Ask for Angela' scheme.

**Conditions attached after a hearing by the licensing authority on 14th December 2023**

- **36.** The Premises Licence Holder shall keep a log of all staff (including SIA and casual workers) employed in whatever capacity and for whatever duration at the venue. The log must include the following details:
  - a) Role at venue
  - b) Full name

- c) Given name (if different)
- d) Home address
- e) Date of birth
- f) NI Number
- g) Mobile Number
- h) Email Address
- i) SIA Number (if SIA)

Staff logs shall be kept for a period of 12 months from an individual's last employment at the venue. The staff log shall be kept at the Premises and shall be made available upon request to Responsible Authority Officers.

- **38.** Where SIA registered door supervisors are used at the Premises, a record shall be kept of their SIA registration number and the dates and times when they are on duty. Records will be kept on a rolling 12-month basis. Records will be kept at the Premises and made available on request to Responsible Authority Officers.
- **39.** The former staff members who were involved in the incident which took place on 18th November 2023 are forbidden from working at or entering the venue.
- **41.** A comprehensive staff training programme is to be put together which will cover the Licensing Act 2003, fire evacuation procedures, critical incident best-practice, crime scene best practice and WAVE training. Conflict management training was compulsory for all staff members. This training is to be clearly documented.

**f. Tuesday 14<sup>th</sup> January 2025 – Email**

Mr Ray instructed to submit a DPS transfer. First DPS applicant was withdrawn following a MPS objection, but there was no objection to the second application

**g. Wednesday 15<sup>th</sup> January 2025 – Email**

Mr Ray responded to a request made by the MPS to provide CCTV footage. Mr Ray explained the footage was not available due to CCTV system not working during the requested time

**h. Thursday 16<sup>th</sup> January 2025 – Email**

Officers requested clarification on a recent layout change and further information on employee checks

**i. Friday 17<sup>th</sup> January 2025 – Email**

Mr Ray confirmed that the two suspected illegal workers had been checked when first employed a year previously, but that one of them had not done many shifts.

**j. Tuesday 21<sup>st</sup> January 2025 – Email**

Officers asked Mr Ray to provide a proof of the right to work check and asked whether Mr Ray was a sponsor for one of the males

**k. Wednesday 22<sup>nd</sup> January 2025 – Email**

Mr Ray replied stated one of the males was hired on a self-employed basis and that the checks had been done by his employer and that he was allowed to work twenty hours elsewhere.

**l. Thursday 23<sup>rd</sup> January 2025 – Email**

Mr Ray confirmed his team would now be fully compliant on regular CCTV checks, staff sign-ins, having regular SIA and providing training records.

**Date:** 24/03/2025  
**Application Ref:** APP\PREMISES-REV\126743  
**Direct Phone Number:** [REDACTED]  
**Contact:** Peter Agbley  
**E-mail:** [REDACTED]



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

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](http://www.camden.gov.uk)

*Please quote our reference in any correspondence*

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

### **Licensing Act 2003 – SECTION 53**

**Re: KISS THE SKY BAR, 11 CAMDEN HIGH STREET, LONDON NW1 7JE**

#### **LICENSING AUTHORITY REPRESENTATION**

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

- The prevention crime and disorder

It has come to the attention of the Licensing authority that during multiple visits to the premises identified above, a responsible authority, namely the Police, observed a series of alleged breaches of the conditions outlined in the premises licence. These breaches are in contravention of the conditions set forth in the premises licence.

The conditions referenced by the police are as follows:

16. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Camden Police Licensing Team and that:

- All entry and exit points will be covered enabling frontal identification of every person entering in any light condition.
- The CCTV system shall be continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises and will include the external area immediately outside the premises entrance.
- All recordings shall be stored for a minimum period of 31 days with date and time stamping.
- Viewing of recordings shall be made available within 48 hours, where possible, upon the request of Police or authorised office throughout the entire 31 day period.
- Signs must be displayed in the customer areas to advise that CCTV is in operation.

17. There shall be a minimum of 1 x SIA licensed door supervisor on duty at the Premises each day from 7pm when the Premises is open for Licensable Activities. There shall be a minimum of 2 x SIA licensed door supervisors on duty at the Premises each day when the Premises is open for Licensable Activities after 11pm. The Premises Licence Holder shall risk assess the need for SIA licensed door supervisors at other times/additional SIA licensed door supervisors at the times above.

32. Last entry to the premises shall be 00:00hrs.

33. The premises shall sign up to the 'Ask for Angela' scheme.

For both conditions 16 and 17 the police informed us that they requested for the recordings of the CCTV on the 15<sup>th</sup> January 2025, however the response received as explained the footage was not available due to CCTV system not working during the requested time. Which is a breach of these conditions

### **Complaint and Licensing Engagement**

Allegation of 1 security on shift everyday venue was open. The complainant has raised concerns that the premises have failed to comply with the required security staffing levels as per the terms of your licence. It is claimed that there was only one security officer on duty every day that the venue was open.

This was in breached of condition 17 of the licence.

### **Action Taken**

In response to this allegation, a formal letter was sent to the premises via email, raising these concerns and requesting clarification. A copy of the correspondence, titled "Kiss the Sky Letter," is attached for reference.

*Condition 17 - There shall be a minimum of 1 x SIA licensed door supervisor on duty at the Premises each day from 7pm when the Premises is open for Licensable Activities. There shall be a minimum of 2 x SIA licensed door supervisors on duty at the Premises each day when the Premises is open for Licensable Activities after 11pm. The Premises Licence Holder shall risk assess the need for SIA licensed door supervisors at other times/additional SIA licensed door supervisors at the times above.*

### **Cumulative Impact Areas**

The premises is situated in the Camden Town Cumulative Impact Area, where there is a presumption to refuse all new and variation applications in its entirety, as set out in Chapter 6 of the Licensing Policy (Cumulative Impact Policies). While this presumption is rebuttable, this is only in exceptional circumstances where the applicant has successfully demonstrated that the granting of their application would not contribute or exacerbate the existing impact of licensed premises in that area.

### **Conclusion**

It is expected that all premises operating within Camden, and particularly those located within the Cumulative Impact Areas (CIA), ensure full compliance with the conditions outlined in their respective premises licences. This is essential to ensure that these premises do not engage in activities that undermine the four licensing objectives, as set forth by the Licensing Act 2003.

Premises must continuously operate within the confines of their premises licence during all periods when they are open to the public. This includes abiding by conditions such as:

A personal licence holder must be on duty at all times when the premises is authorised to sell alcohol, the installation and maintenance of CCTV systems, and the provision of footage upon reasonable request by the police or any authorised officer(s) and provision of SIA (Security Industry Authority) staff as required to ensure the premises' compliance with all relevant conditions.

Should any premises be unable to meet these conditions, particularly regarding the provision of CCTV footage or the presence of a personal licence holder, it is crucial that they assess whether they are in a position to comply with additional licence conditions in the long term.

Failure to comply with request, such as providing CCTV footage to the police or any responsible officer, particularly in cases involving a request from the police, could lead to serious consequences. Non-compliance with such requests may result in the licensing authority taking action, which could include a review of the premises licence and, in severe cases, a request for its revocation.

It is also imperative that all licensed premises, especially licensed premises operating within the CIA zones take all necessary steps to ensure they fully comply with the conditions of their licences and continue to meet their obligations under the Licensing Act 2003.

Yours sincerely

A black rectangular box redacting the signature of Peter Agbley.

Peter Agbley  
Licensing Team Leader (Acting Up)

**Date:** 27<sup>th</sup> Jan 2025  
**Direct Phone Number:** [REDACTED]  
**Contact:** Peter Agleby  
**E-mail:** [REDACTED]  
**Our Ref:** SR331799



**Regulatory Services**  
**Environmental Health, Business**  
**and Consumer Service**

**Trading Standard**  
 London Borough of Camden  
 Town Hall Judd St  
 London WC1H 9JE

Tel: 020 7974 4444 (switchboard)  
 Fax: 020 7974 6955 / 6940  
 Textphone: 020 7974 6866  
 DX: 2106 Euston

[www.camden.gov.uk](http://www.camden.gov.uk)

The Owner/The Manager  
 Kiss the Sky  
 Bar And Premises  
 11-13 Camden High Street  
 London  
 NW1 7JE

Dear Sir/Madam,

### **Licensing Act 2003 - Promotion of the Licensing Objectives**

**Re: Kiss the Sky, Bar and Premises, 11-13 Camden High Street, London, NW1 7JE**  
**(Licence Number - PREM-LIC113657)**

We have recently received a complaint about a breach of licence conditions. The complainant has alleged that you are in breach of your licence conditions pertaining to SIA condition(s). It is alleged have only had 1 security on shift everyday venue was open. The complainant has raised concerns that we have failed to comply with the required security staffing levels as per the terms of your licence. It is claimed that there was only one security officer on duty every day that the venue was open.

You do have a responsibility in ensuring the promotions all four of the licensing objectives, which are:

1. The Prevention of Crime and Disorder,
2. The Prevention of Public Nuisance,
3. Ensuring Public Safety
4. The Protection of Children from Harm

In addition to your responsibilities in promotion of the licensing objectives. As a first step I am writing to you to inform you that we have received a complaint, and to ask you to take action to ensure adherence to the conditions attached to your licence. .

I will also like to remind of the conditions of your premises licence, particularly the below conditions -

***17. There shall be a minimum of 1 x SIA licensed door supervisor on duty at the Premises each day from 7pm when the Premises is open for Licensable Activities. There shall be a minimum of 2 x SIA licensed door supervisors on duty at the Premises each day when the Premises is open for Licensable Activities after 11pm. The Premises Licence Holder shall risk assess the need for SIA licensed door supervisors at other times/additional SIA licensed door supervisors***

*at the times above.*

***18. The Premises Licence Holder shall employ a minimum of 1 x SIA Licensed Door Supervisors at the Premises on a Friday and Saturday night from 21:00hrs until 02:00hrs.***

***40. There shall be a minimum of 1 x SIA licensed door supervisor on duty at the Premises each day from 7pm when the Premises is open for Licensable Activities. There shall be a minimum of 2 x SIA licensed door supervisors on duty at the Premises each day when the Premises is open for Licensable Activities after 11pm, save for comedy acts, live music performances and open mic sessions held from Sunday to Thursdays. The Premises Licence Holder shall risk assess the need for SIA licensed door supervisors at other times/additional SIA licensed door supervisors at the times above.***

As a matter of best practice, I would recommend that you carry out a risk assessment to cover all activity being carried on at your premises and taking into account the promotion of the licensing objectives.

I will be investigating this matter further to determine if there are valid grounds for complaint. Part of this investigation is likely to include making objective observations on how this issue is being managed, and I may also wish to speak to staff to raise awareness of any problems observed.

If you need any further information or advice on this matter then please do not hesitate to contact me as detailed above.

Yours sincerely

A black rectangular box used to redact the signature of Peter Agbley.

**Peter Agbley  
Licensing Officer**

**Date:** 20/03/2025  
**Application**  
**Reference:** APP\PREM-REV\126743  
**Contact:**  
**E-mail:** Gary Bakall (5618)  
 [REDACTED]



**Planning Service**  
 Supporting Communities  
 London Borough of Camden  
 5 Pancras Square  
 LONDON  
 N1C 1AG

Tel: 020 7974 4444 (switchboard)

London Borough of Camden  
 Fax: 020 7974 6955 / 6940  
 Textphone: 020 7974 4444

DX: 2106 Euston

*Please quote our reference in any correspondence*

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

**Licensing Act 2003 – SECTION 51**  
**Town & Country Planning Act 1990**  
**Re: Kiss the Sky Bar, 11-13 Camden High Street, London NW1 7JE.**

### **SUPPORTING STATEMENT**

Camden's Planning Service is making this statement as a responsible authority because it wishes to bring to the attention of this review that this premises has been operating without planning permission and submitted a retrospective planning application (Ref: 2025/0469/P) for a material change of use from a restaurant (Class E) to a drinking establishment (Sui Generis) on the 2<sup>nd</sup> February 2025. This application is out to public consultation and will be determined in accordance with the policies in Camden's local plan and local amenity considerations.

Regards

Gary Bakall  
 Planning Responsible Authority  
 L.B.CAMDEN



London Borough of Camden, 5 Pancras Square, London N1C 4AG

### Premises Licence

London Borough of Camden Licensing Authority

#### Premises licence number

PREM-LIC\113657

#### Part 1 – Premises details

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

KISS THE SKY  
11-13 Camden High Street  
London  
NW1 7JE

Telephone number N/A

##### Where the licence is time limited the dates

N/A

##### Licensable activities authorised by the licence

Retail of Alcohol:	Yes
Recorded Music:	Yes
Live Music:	Yes

##### The times the licence authorises the carrying out of licensable activities

Retail of Alcohol:	
Monday to Saturday:	09:00 – 01:00
Sunday:	10:00 – 23:30
Recorded Music:	
Monday to Saturday:	23:00 – 01:30
Sunday:	23:00 – 23:30
Live Music:	
Monday to Saturday:	23:00 – 01:30
Sunday:	23:00 – 23:30


**The opening hours of the premises**

Monday to Thursday: 07:00 – 01:45  
 Friday to Saturday: 07:00 – 02:00  
 Sunday: 10:00 – 01:00

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

ON Premises

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

St Georges Hotel Inn Limited  
 [REDACTED]  
 [REDACTED]  
 [REDACTED]

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

[REDACTED]

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

Sonia De Leon Trujillo  
 [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 Corporate Services Directorate on behalf of the Licensing Authority**

[REDACTED]

Date Licence Amended: 01/02/2025 - APP\PREMISES-VARYDPS\126121  
 Date Licence Amended: 25/04/2024 - APP\PREMISES-VARY\120038  
 Date Licence Amended: 03/01/2024 - APP\PREMISES-VARYDPS\118655  
 Date Licence Amended: 14/12/2023 - APP\PREMISES-REVIEW\118198  
 Date Licence Granted: 20/04/2023 - APP\PREMISES-NEW



## 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) "value 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**

15. There shall be a personal licence holder on duty on the premises at all times when the premises are authorised to sell alcohol.
16. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Camden Police Licensing Team and that:
  - a) All entry and exit points will be covered enabling frontal identification of every person entering in any light condition;
  - b) The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises and will include the external area immediately outside the premises entrance;
  - c) All recordings shall be stored for a minimum period of 31 days with date and time stamping;
  - d) Viewing of recordings shall be made available within 48 hours, where possible, upon the request of Police or authorised officer throughout the entire 31-day period; and
  - e) Signs must be displayed in the customer areas to advise that CCTV is in operation.
17. There shall be a minimum of 1 x SIA licensed door supervisor on duty at the Premises each day from 7pm when the Premises is open for Licensable Activities. There shall be a minimum of 2 x SIA licensed door supervisors on duty at the Premises each day when the Premises is open for Licensable Activities after 11pm. The Premises Licence Holder shall risk assess the need for SIA licensed door supervisors at other times/additional SIA licensed door supervisors at the times above.
18. The Premises Licence Holder shall employ a minimum of 1 x SIA Licensed Door Supervisors at the Premises on a Friday and Saturday night from 21:00hrs until



02:00hrs.

19. An incident log shall be kept at the premises and made available on request to an authorised Officer of the Council or the Police. It must be completed within 24 hours of the incident and will record the following:
  - a) all crimes reported to the venue
  - b) all ejections of patrons
  - c) any complaints received concerning crime and disorder
  - d) any incidents of disorder
  - e) all seizures of drugs or offensive weapons
  - f) any faults in the CCTV system, searching equipment or scanning equipment
  - g) any refusal of the sale of alcohol
  - h) any visit by a relevant authority or emergency service.
20. In the event that a serious assault is committed on the premises (or appears to have been committed) the management will immediately ensure that:
  - a) The police (and, where appropriate, the London Ambulance Service) are called without delay;
  - b) All measures that are reasonably practicable are taken to apprehend any suspects pending the arrival of the police;
  - c) The crime scene is preserved so as to enable a full forensic investigation to be carried out by the police; and
  - d) Such other measures are taken (as appropriate) to fully protect the safety of all persons present on the premises.
21. As soon as possible, and in any event within 1 month from the grant of this licence, the premises shall join the local Pubwatch or other local crime reduction scheme approved by the police, and local radio scheme if available.
22. The venue shall supply, and fit, suitable anti-theft devices such as table/counter clips, in order that customers must secure their bags.
23. A copy of the premises' dispersal policy shall be made readily available at the premises for inspection by a police officer and/or an authorised officer of the Council.
24. A comprehensive staff training programme is to be put together which will cover the Licensing Act 2003, fire evacuation procedures, critical incident best-practice, crime scene best practice and WAVE training. Conflict management training was compulsory for all staff members. This training is to be clearly documented.
25. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke or make a phone call, shall not be permitted to take glass containers with them.
26. A noise limiter must be fitted to the musical amplification system and maintained



in accordance with the following criteria:

- a) the limiter must be set at a level determined by and to the satisfaction of an Acoustician who is a member of the Institute of Acoustics so as to ensure that no noise nuisance is caused to local residents or businesses;
  - b) The operational panel of the noise limiter shall then be secured by key or password to the satisfaction of an Acoustician who is a member of the Institute of Acoustics and access shall only be by persons authorised by the Premises Licence holder;
  - c) The limiter shall not be altered without prior written agreement from Licensing Authority;
  - d) No alteration or modification to any existing sound system(s) should be affected without prior knowledge of the Licensing Authority, and
  - e) No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device.
27. All windows and external doors shall be kept closed after 21:00 hours, or at any time when Regulated Entertainment takes place, except for the immediate access and egress of persons.
28. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
29. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
30. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke or make a phone call, shall be limited to 10 persons at any one time.
31. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
32. Last entry to the premises shall be 00:00hrs.
33. The premises shall sign up to the 'Ask for Angela' scheme.
34. The capacity of the venue shall be 50 patrons.

**Conditions attached after a hearing by the licensing authority on 14<sup>th</sup> December 2023**

35. From 14 December 2023 until 31 December 2024 the Premises Licence Holder and DPS shall hold a series of monthly meetings with a representative from the Camden Police Licensing Team. These meetings may be held virtually.



36. The Premises Licence Holder shall keep a log of all staff (including SIA and casual workers) employed in whatever capacity and for whatever duration at the venue. The log must include the following details:

- a) Role at venue
- b) Full name
- c) Given name (if different)
- d) Home address
- e) Date of birth
- f) NI Number
- g) Mobile Number
- h) Email Address
- i) SIA Number (if SIA)

Staff logs shall be kept for a period of 12 months from an individual's last employment at the venue. The staff log shall be kept at the Premises and shall be made available upon request to Responsible Authority Officers.

37. The premises will not engage the previous security provider which was operating when the incident which took place on 18<sup>th</sup> November 2023.

38. Where SIA registered door supervisors are used at the Premises, a record shall be kept of their SIA registration number and the dates and times when they are on duty. Records will be kept on a rolling 12-month basis. Records will be kept at the Premises and made available on request to Responsible Authority Officers.

39. The former staff members who were involved in the incident which took place on 18<sup>th</sup> November 2023 are forbidden from working at or entering the venue.

40. There shall be a minimum of 1 x SIA licensed door supervisor on duty at the Premises each day from 7pm when the Premises is open for Licensable Activities. There shall be a minimum of 2 x SIA licensed door supervisors on duty at the Premises each day when the Premises is open for Licensable Activities after 11pm, save for comedy acts, live music performances and open mic sessions held from Sunday to Thursdays. The Premises Licence Holder shall risk assess the need for SIA licensed door supervisors at other times/additional SIA licensed door supervisors at the times above.

41. A comprehensive staff training programme is to be put together which will cover the Licensing Act 2003, fire evacuation procedures, critical incident best-practice, crime scene best practice and WAVE training. Conflict management training was compulsory for all staff members. This training is to be clearly documented.

## **Annex 4 - Plans**



London Borough of Camden, 5 Pancras Square, London N1C 4AG

### Premises Licence Summary

London Borough of Camden Licensing Authority

#### Premises licence number

PREM-LIC\113657

#### Part 1 – Premises details

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

KISS THE SKY  
11-13 Camden High Street  
London  
NW1 7JE

Telephone number N/A

##### Where the licence is time limited the dates

N/A

##### Licensable activities authorised by the licence

Retail of Alcohol: Yes

Recorded Music: Yes

Live Music: Yes

##### The times the licence authorises the carrying out of licensable activities

Retail of Alcohol:

Monday to Saturday:

09:00 – 01:00

Sunday:

10:00 – 23:30

Recorded Music:

Monday to Saturday:

23:00 – 01:30

Sunday:

23:00 – 23:30

Live Music:

Monday to Saturday:

23:00 – 01:30

Sunday:

23:00 – 23:30

##### The opening hours of the premises

Monday to Thursday: 07:00 – 01:45

Friday to Saturday: 07:00 – 02:00

Sunday: 10:00 – 01:00



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

ON Premises

**Part 2**

**Name, (registered) address of holder of premises licence**

St Georges Hotel Inn Limited

[REDACTED]

[REDACTED]

[REDACTED]

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

[REDACTED]

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

[REDACTED]

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

N/A

## 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.