

Annotations

Polygon1

Tube Station

Tube Station

Cumulative Impact Policy Area

Cumulative Impact Policy Area

Administrative

Ward

BoroughMask

Region

Region



## Application to vary a premises licence 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/We** Mitchells & Butlers Leisure Retail Limited

**being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below**

<b>Premises licence number</b> PREM-LIC\2577
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### Part 1 – Premises Details

<b>Postal address of premises or, if none, ordnance survey map reference or description</b>
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Wheatsheaf 25 Rathbone Place
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<b>Post town</b>	London	<b>Post code</b>	W1T 1JB
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Telephone number at premises (if any)	
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Non-domestic rateable value of premises	£52,000
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### Part 2 – Applicant details

<b>Daytime contact telephone number</b>	
---	--

<b>E-mail address (optional)</b>	
----------------------------------	--

<b>Current residential address if different from premises address</b>	
---	--

<b>Post Town</b>		<b>Postcode</b>	
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**Part 3 - Variation**

Please tick yes

Do you want the proposed variation to have effect as soon as possible?

☒

If not, from what date do you want the variation to take effect?

Day		Month		Year	

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1)

☐ Yes☒ No**Please describe briefly the nature of the proposed variation** (Please read guidance note 2)

The variation proposed is to:-

1. Approve changes to the internal layout of the premises including: -
  - New fixed seating on the ground floor
  - Change of bar servery shape on the first floor
  - Removal of raised area on the first floor
  - Relocation of the kitchen from the first floor to the second floor
2. Amend the hours for the sale of alcohol and provision of recorded music from 10:00 to 23:00 to 10:00 to midnight on Fridays and Saturdays only and opening from 10:00 to 23:20 to 10:00 to 00:20 on Fridays and Saturdays only
3. Permit the provision of late-night refreshment from 23:00 to midnight on Fridays and Saturdays only and permit the provision of late-night refreshment and playing of recorded music from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day
4. Remove embedded conditions on the premises licence
5. Add additional conditions requested by the Metropolitan Police as part of this variation

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend

N/A

**Part 4 Operating Schedule**

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

**Provision of regulated entertainment** (Please read guidance note 3)**Please tick all that apply**

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

☐  
☐  
☐  
☐  
☐  
☒  
☐  
☐

**Provision of late night refreshment** (if ticking yes, fill in box I)



**Sale by retail of alcohol** (if ticking yes, fill in box J)



**In all cases complete boxes K, L and M**

**A**

<b>Plays</b> Standard days and timings (please read guidance note 8)			<b>Will the performance of a play take place indoors or outdoors or both – please tick</b> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			<b>Please give further details here</b> (please read guidance note 5)		
Tue					
Wed			<b>State any seasonal variations for performing plays</b> (please read guidance note 6)		
Thur					
Fri			<b>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</b> (please read guidance note 7)		
Sat					
Sun					

**B**

<b>Films</b> Standard days and timings (please read guidance note 8)			<b>Will the exhibition of films take place indoors or outdoors or both – please tick</b> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			<b>Please give further details here</b> (please read guidance note 5)		
Tue					
Wed			<b>State any seasonal variations for the exhibition of films</b> (please read guidance note 6)		
Thur					
Fri			<b>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</b> (please read guidance note 7)		
Sat					
Sun					

**C**

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 8)			<b><u>Please give further details</u></b> (please read guidance note 5)
Day	Start	Finish	
Mon			<b><u>State any seasonal variations for indoor sporting events</u></b> (please read guidance note 6)
Tue			
Wed			
Thur			<b><u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u></b> (please read guidance note 7)
Fri			
Sat			
Sun			

**D**

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 8)			<b><u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 4)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			<b><u>Please give further details here</u></b> (please read guidance note 5)	Both	<input type="checkbox"/>
Tue					
Wed					
Thur			<b><u>State any seasonal variations for boxing or wrestling entertainment</u></b> (please read guidance note 6)		
Fri					
Sat					
Sun					
			<b><u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u></b> (please read guidance note 7)		

**E**

<b>Live music</b> Standard days and timings (please read guidance note 8)			<b>Will the performance of live music take place indoors or outdoors or both – please tick</b> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 5)		
Mon					
Tue					
Wed					
Thur			<b>State any seasonal variations for the performance of live music</b> (please read guidance note 6)		
Fri			<b>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</b> (please read guidance note 7)		
Sat					
Sun					

**F**

<b>Recorded music</b> Standard days and timings (please read guidance note 8)			<b>Will the playing of recorded music take place indoors or outdoors or both – please tick</b> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 5)		
Mon	No Change	No Change	The playing of recorded music indoors usually through the pub's own internal music system		
Tue	No Change	No Change			
Wed	No Change	No Change			
Thur	No Change	No Change	<b>State any seasonal variations for the playing of recorded music</b> (please read guidance note 6)		
Fri	10:00	midnight	<b>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</b> (please read guidance note 7)		
Sat	10:00	midnight			
Sun	No Change	No Change			
			From the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day		



**G**

<b>Performances of dance</b> Standard days and timings (please read guidance note 8)			<b><u>Will the performance of dance take place indoors or outdoors or both – please tick</u></b> (please read guidance note 4)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
Day	Start	Finish			Both	<input type="checkbox"/>
Mon			<b><u>Please give further details here</u></b> (please read guidance note 5)			
Tue						
Wed			<b><u>State any seasonal variations for the performance of dance</u></b> (please read guidance note 6)			
Thur						
Fri			<b><u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u></b> (please read guidance note 7)			
Sat						
Sun						

**H**

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 8)			<b><u>Please give a description of the type of entertainment you will be providing</u></b>			
Day	Start	Finish	<b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 4)		Indoors	<input type="checkbox"/>
Mon					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Tue			<b><u>Please give further details here</u></b> (please read guidance note 5)			
Wed						
Thur			<b><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u></b> (please read guidance note 6)			
Fri						
Sat			<b><u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u></b> (please read guidance note 7)			
Sun						



I

<b>Late night refreshment</b> Standard days and timings (please read guidance note 8)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 5)  The provision of hot food and drink to customers		
Mon					
Tue					
Wed			<b>State any seasonal variations for the provision of late night refreshment</b> (please read guidance note 6)		
Thur					
Fri	23:00	midnight	<b>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</b> (please read guidance note 7)  From the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day		
Sat	23:00	midnight			
Sun					

J

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 8)			<b>Will the supply of alcohol be for consumption (Please tick box)</b> (please read guidance note 9)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 6)		
Mon	No Change	No Change			
Tue	No Change	No Change			
Wed	No Change	No Change	<b>Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</b> (please read guidance note 7)  From the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day		
Thur	No Change	No Change			
Fri	10:00	midnight			
Sat	10:00	midnight			
Sun	No Change	No Change			

K

<b>Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children</b> (please read guidance note 8)
None

L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 8)			<b>State any seasonal variations</b> (please read guidance note 6)
Day	Start	Finish	
Mon	10:00	23:20	
Tue	10:00	23:20	
Wed	10:00	23:20	
Thur	10:00	23:20	
Fri	10:00	00:20	
Sat	10:00	00:20	
Sun	10:00	23:20	<b>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</b> (please read guidance note 7)  From the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking

Annex 2

Condition 7 except for the words:-

“These hours are extended from the end of permitted hours on New Years Eve (i.e.22.00 or 22.30) to the start of permitted hours on New Years Day (i.e. 10.00 or 12.00)”

Condition 8 in its entirety

Condition 10 in its entirety

Please tick yes

- I have enclosed the premises licence ☐
- I have enclosed the relevant part of the premises licence ☐

If you have not ticked one of these boxes please fill in reasons for not including the licence, or part of it, below

Reasons why I have failed to enclose the premises licence or relevant part of premises licence

An application to transfer the Premises Licence to the applicant was submitted on 21<sup>st</sup> January 2025 to have immediate effect. On 11<sup>th</sup> February [REDACTED] from LB Camden Licensing confirmed the transfer had been granted but we are yet to receive the amended Premises Licence.

**M** Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

**a) General – all four licensing objectives (b,c,d,e)** (please read guidance note 11)

See boxes b) to e) below

**b) The prevention of crime and disorder**

1. The Premises Licence Holder shall ensure that CCTV cameras and recorders are installed at the premises.
2. The medium on which CCTV images are recorded shall be of evidential quality; stored securely; shall be retained for a period of 31 days; and be available for inspection by the Police or Local Authority upon request. Cameras will record for 24 hours.
3. At all times when the premises are open for the purpose of licensable activities, a suitably trained member of management shall be present to assist the Police or an authorised officer in obtaining the CCTV footage.
4. Copies of CCTV shall be made available within 48 hours to the Police or Local Authority upon request.
5. Signs must be displayed in the customer areas to advise that CCTV is in operation.
6. Notices shall be displayed within the premises warning customers about personal thefts and to be vigilant.
7. The venue shall supply and fit suitable anti-theft devices, such as table/counter clips, in order that customers may secure their bags.
8. A comprehensive staff training programme is to be put together which will cover the core responsibilities around selling alcohol and meeting the licensing objectives. Training shall be written into a programme and will be made available for inspection by Police or other responsible authority upon request.
9. Police must be called to incidents of violence and / or disorder.
10. An incident log shall be kept at the premises and made available on request to an authorised officer or the Police, which will record the following:
  - (a) all crimes reported to the venue.
  - (b) all ejections of patrons.
  - (c) any complaints received relating to the licensing objectives.
  - (d) any incidents of disorder and violence.
  - (e) all seizures of drugs or offensive weapons.
  - (f) any faults in the CCTV system or searching equipment or scanning equipment.
  - (g) any refusal of the sale of alcohol, to include date, time and staff member.
  - (h) any visit by a relevant authority or emergency service.

(i) CAD reference numbers where Police are called.

**c) Public safety**

See boxes b) and e)

**d) The prevention of public nuisance**

See boxes b) and e)

**e) The protection of children from harm**

11. A Challenge 21 policy will be enforced, where any person reasonably looking under the age of 21 shall be asked to prove their age when attempting to purchase alcohol, and signs to this effect will be displayed at the premises. The only acceptable forms of identity will be those with photographic identification documents or those approved by the Secretary of State.

**Please tick yes**

- I have made or enclosed payment of the fee or ☒
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy
- I have sent copies of this application and the plan to responsible authorities and others where applicable ☒
- I understand that I must now advertise my application ☒
- I have enclosed the premises licence or relevant part of it or explanation
- I understand that if I do not comply with the above requirements my application will be rejected ☒

**IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.**

**Part 5 – Signatures** (please read guidance note 12)

**Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent** (please read guidance note 13). **If signing on behalf of the applicant please state in what capacity.**

Signature	
-----------	--

Date	27/02/2025
Capacity	Poppleston Allen – Solicitors for & on behalf of the applicant

**Where the premises licence is jointly held signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (please read guidance note 14). If signing on behalf of the applicant please state in what capacity.**

Signature	
Date	
Capacity	

**Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15)**

██████████

████████████████████

██████████

██████████

Post town	██████████	Post code	██████████
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Telephone number (if any)	██████████
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**If you would prefer us to correspond with you by e-mail your e-mail address (optional)**

████████████████████

### Notes for Guidance

**This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence you should make a new premises licence application under section 17 of the Licensing Act 2003.**

1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable for the late night levy
2. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.
3. In terms of specific regulated entertainments please note that:
  - Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
  - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
  - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
  - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on

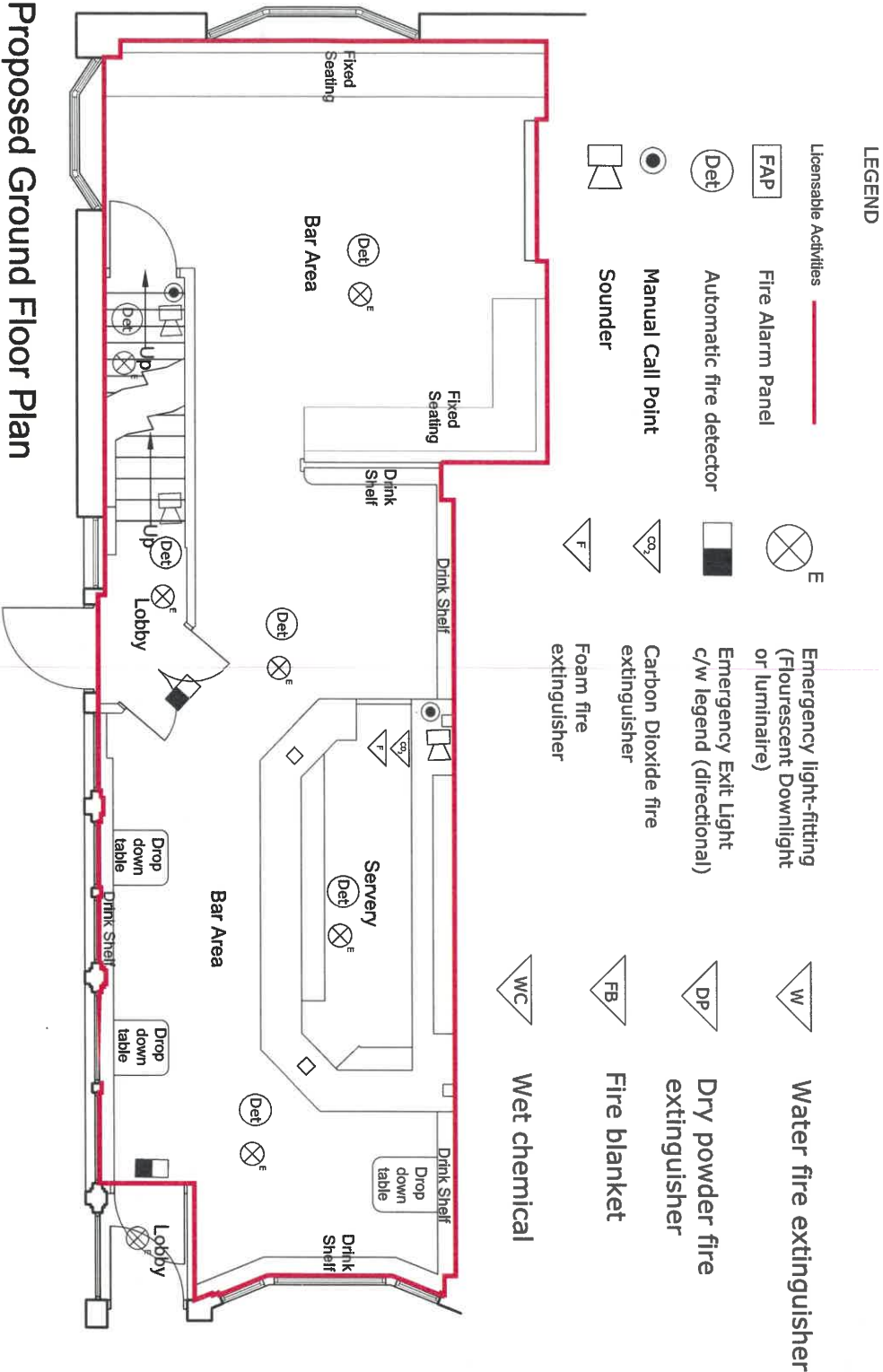
any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.

- Live music: no licence permission is required for:
  - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
  - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
  - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
  - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
  - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
  - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
  - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
  - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

4. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.

5. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
6. For example (but not exclusively), where the activity will occur on additional days during the summer months.
7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
8. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
9. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
10. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
11. Please list here steps you will take to promote all four licensing objectives together.
12. The application form must be signed.
13. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
14. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
15. This is the address which we shall use to correspond with you about this application.
- 16.





Proposed Ground Floor Plan

Items shown on this plan which are not required by the Plans Regulations are for illustrative purposes only, and do not form part of the licence. These items may be moved at the discretion of the Licence Holder. The current location of the fire safety equipment and other safety equipment is as shown. These items may be moved from time to time with agreement of the Fire Officer or after fire risk assessment.

**ARC**  
DESIGN ASSOCIATES

51 - 55 Fowler Road  
Hemel Hempstead  
Herts AL1 1AB  
Tel : 000 8559 8888  
Fax : 000 8559 8777

Note :-  
This drawing must not be scaled. All dimensions and levels must be checked on site and any discrepancies are to be reported to ARC DESIGN ASSOCIATES prior to manufacture.

**Mitchells & Butlers**

27 Bedford Row  
London WC1R 4EJ  
Tel: 020 7324 1234  
www.mitchells.com

CLIENT  
Mitchells & Butlers

PROJECT  
The Wheatsheaf,  
25 Rathbone Place,  
London W1T 1JB

TITLE  
Proposed Ground Floor  
Licensing Plan

ISSUE

Scale: 1:50  
Date: Jan 25  
Drawn: JAK

Drawing No. 309/11.03

Rev.

LEGEND

Licensable Activities



Fire Alarm Panel



Automatic fire detector



Manual Call Point



Sounder



Emergency light-fitting  
(Flourescent Downlight  
or luminaire)



Emergency Exit Light  
c/w legend (directional)



Carbon Dioxide fire  
extinguisher



Foam fire  
extinguisher



Water fire extinguisher



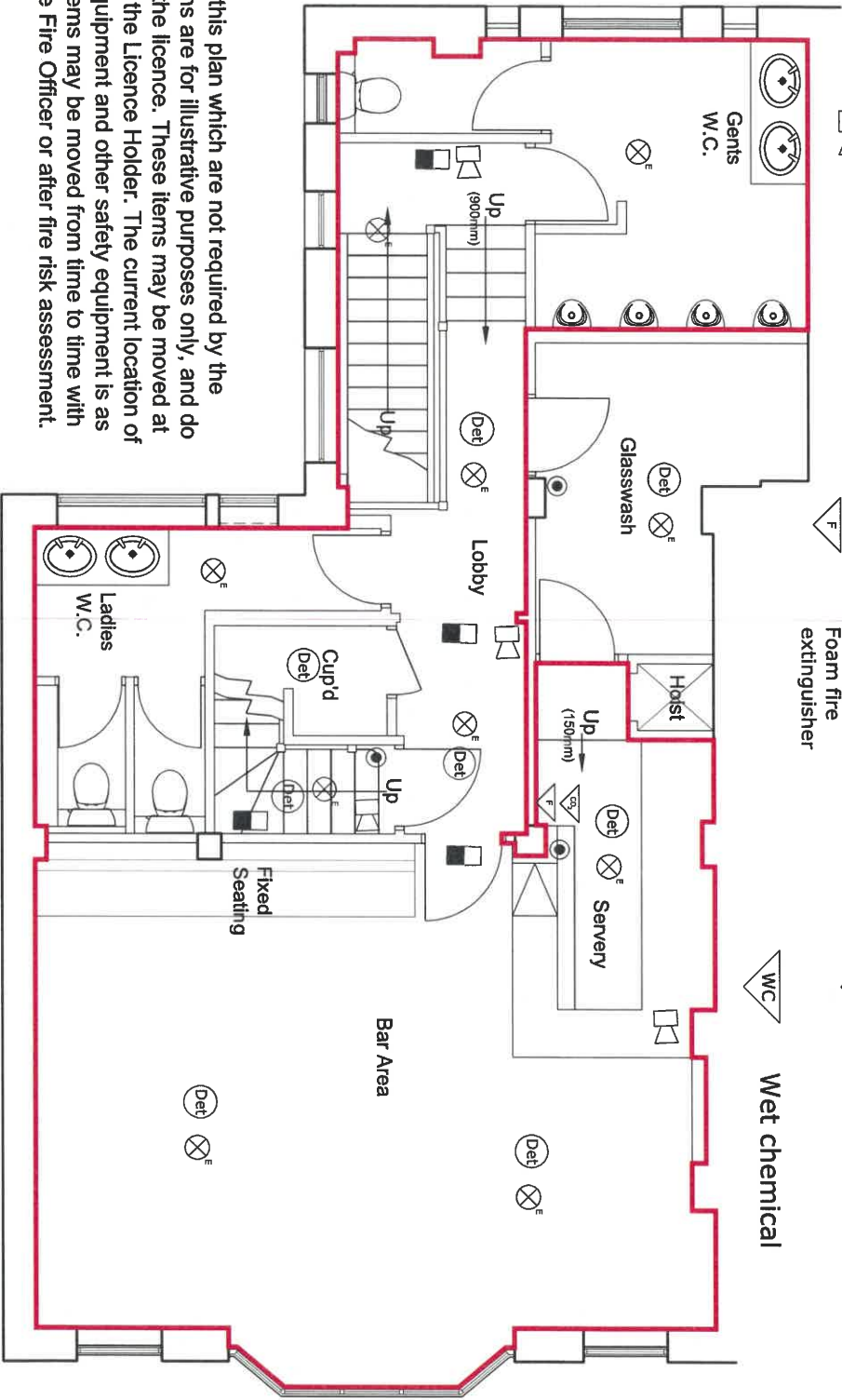
Dry powder fire  
extinguisher



Fire blanket



Wet chemical



Items shown on this plan which are not required by the Plans Regulations are for illustrative purposes only, and do not form part of the licence. These items may be moved at the discretion of the Licence Holder. The current location of the fire safety equipment and other safety equipment is as shown. These items may be moved from time to time with agreement of the Fire Officer or after fire risk assessment.

Proposed First Floor Plan

Notes -  
This drawing must not be scaled. All dimensions and measurements are to be taken from the drawing. Any discrepancies are to be reported to ARCO DESIGN ASSOCIATES prior to manufacture.

**ARCO**  
DESIGN ASSOCIATES  
51 - 55 Fowler Road  
Barnet, London N4 6JF  
Tel: 020 8599 8866  
Email: info@arco.co.uk  
Fax: 020 8599 8777

Rev Date

**Mitchells & Butlers**  
27 The Square  
Barnet, London N4 6JF  
Tel: 020 8599 8866  
www.mitchells.co.uk

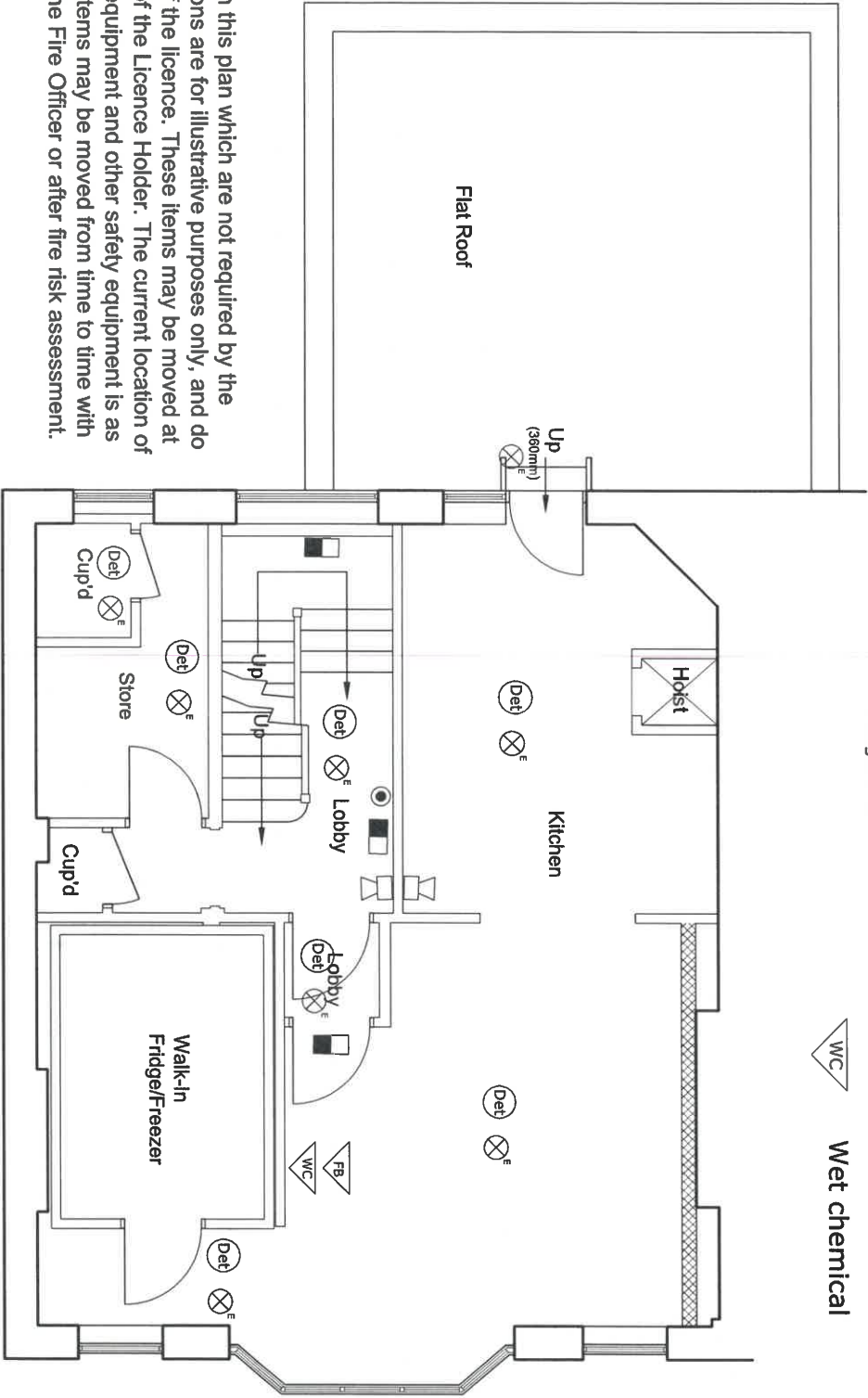
CLIENT  
Mitchells & Butlers  
PROJECT  
The Wheatsheaf,  
25 Rathbone Place,  
London W1T 1JB

TITLE  
Proposed First Floor  
Licensing Plan  
ISSUE

Scale: 1:50  
Drawing No. 30911.04  
Rev.

LEGEND

Licensable Activities		
FAP	Fire Alarm Panel	
Det	Automatic fire detector	
	Manual Call Point	
	Sounder	
E	Emergency light-fitting (Flourescent Downlight or luminaire)	
	Emergency Exit Light c/w legend (directional)	
	Carbon Dioxide fire extinguisher	
	Foam fire extinguisher	
	Water fire extinguisher	
	Dry powder fire extinguisher	
	Fire blanket	
	Wet chemical	



Items shown on this plan which are not required by the Plans Regulations are for illustrative purposes only, and do not form part of the licence. These items may be moved at the discretion of the Licence Holder. The current location of the fire safety equipment and other safety equipment is as shown. These items may be moved from time to time with agreement of the Fire Officer or after fire risk assessment.

Proposed Second Floor Plan

Note -  
This drawing must not be scaled. All dimensions and levels must be checked on site and any discrepancies are to be reported to ARC DESIGN ASSOCIATES prior to manufacture.




ARC  
DESIGN ASSOCIATES

81 - 657 Fowler Road  
Essex IG26 3XE  
Tel: 020 8559 8669  
Fax: 020 8559 8777

Rev / Date

CLIENT	Mitchells & Butlers
PROJECT	The Wheatstead, 25 Rathbone Place, London W1T 1JB
TITLE	Proposed Second Floor Licensing Plan
ISSUE	



27 Fleet Street  
London EC4A 3DF  
Tel: 020 7806 2000  
www.mitchells.com

Scale: 1:50  
Drawing No. 3091/LD6  
Rev. 1

Appendix 2

# Charlotte Street Association

email: csafitzrovia@yahoo.co.uk

Jonathan Smith,  
Partner,  
Popleston Allen, Licensing Solicitors.

12<sup>th</sup> April 2025

By email to: [REDACTED]

<b>Agreement Letter</b>
-------------------------

Dear Jonathan,

**Re: Licensing Act 2003: Application to Vary the Premises Licence:  
WHEATSHEAF PUB, 25 Rathbone Place, W1T 1JB**

---

Reference: APP\PREMISES-VARY\126825

---

Following our telephone conversations and recent email correspondence with regard to coming to a possible agreement, I have set out below the various aspects which I think we have now agreed to.

**A. Proposed changes to the Internal layout:**

In the context of the planning approval last year for certain changes, we have no objection to the proposed changes shown in your client's Licensing Plan layout drawing.

**B. Proposed additional Conditions:**

As a result of our discussions, your client has agreed to the following Conditions, which we greatly appreciate:

- (1). There will be no consumption of alcohol outside on Fridays and Saturdays after 23:00 hours.
- (2). The premises shall operate the "Ask for Angela" scheme and display relevant signage within the premises advertising the scheme.

**C. Removal of existing Condition 8 (Condition 16) and Condition 10 (Condition 18):**

There appear to be two versions of the existing Premise Licence - one version which Camden Licensing sent us recently; and the version which you downloaded from Camden's website (and which you emailed to me).

I do not know if both versions have the same Conditions, but the Conditions appear to be numbered differently. Condition 8 and Condition 10, which you wish to remove, are Condition 16 and Condition 18, respectively in the version which I have.

Nonetheless, we have no objection to the removal of these two Conditions:

**Condition 8 (Condition 16 in the version we have):**

which starts as: "The above condition (4) does not prohibit ..... " etc.

**Condition 10 (Condition 18 in the version we have):**

which starts as: "Regulated entertainment for which there is no licence may not take place in any part of the licensed premises ....." etc.

Continued ..... 2.

CHARLOTTE STREET ASSOCIATION

12<sup>th</sup> April 2025: Page 2.

**Agreement Letter – continued:**

Re: Licensing Act 2003: Application to Vary the Premises Licence:  
WHEATSHEAF PUB, 25 Rathbone Place, W1T 1JB

---

Reference: APP\PREMISES-VARY\126825

---

**D. Metropolitan Police's Conditions:**

We are happy to accept the Police's Conditions, as attached to your email of 31<sup>st</sup> March 2025.

**WITHDRAWAL OF OUR OBJECTIONS:**

We are happy to confirm to the Camden Licensing Authority the withdrawal of the Charlotte Street Association's objections **on the basis of the above:**

- A. Proposed changes to the Internal layout.
- B. Proposed additional Conditions.
- C. Removal of existing Condition 8 (Condition 16) and Condition 10 (Condition 18).
- D. Metropolitan Police's Conditions.

We also confirm that a Licensing Hearing is thus not now necessary.

We will email a copy of this letter to Camden.

We appreciate your client agreeing to the two additional Conditions – thank you.

Yours sincerely,

*Clive Henderson,*

**On behalf of Charlotte Street Association**

Copy: Linus Rees/CSA Secretary; and CSA Committee.

**Premises Licence**  
London Borough of Camden Licensing Authority

## Part 1 – Premises details

<b>Telephone number</b>	<b>020 7580 1585</b>
-------------------------	----------------------

Sale by Retail of Alcohol  
Recorded Music

1.	10.00-23.00 Monday to Saturday (excluding Christmas Day & Good Friday) 12.00-22.30 Sunday (excluding Christmas Day) 12.00-22.30 Good Friday 12.00-15.00 and 19.00-22.30 Christmas Day These hours are extended from the end of permitted hours on New Year's Eve (i.e. 23.00 or 22.30) to the start of permitted hours on New Year's Day (i.e. 10.00 or 12.00).
----	---

2. Public entertainment by way of music and singing only provided solely by then reproduction of recorded sound can only be provided during the hours that the sale of alcohol takes place.

10.00-23.20 Monday to Saturday (excluding Christmas Day and Good Friday)  
12.00-22.50 Sunday (excluding Christmas Day)  
12.00-22.50 Good Friday  
12.00-15.20 and 19.00-22.50 Christmas Day

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

On & Off

**Part 2**

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

Mitchells & Butlers Leisure Retail Limited  
Brass Retail Leisure Services  
27 Fleet Street  
Birmingham  
B3 1JP

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

01001181

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

Mr David Gwyn Peregrine  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

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

Issuing Authority: [REDACTED]  
Personal Licence Number: [REDACTED]

**Signed on behalf of the Director, Culture and Environment Department**

[REDACTED]

Date Licence Amended: 05/02/2025 - APP\PREMISES-TRANS\126176  
Date Licence Amended: 29/01/2018 - APP\PREMISES-VARYDPS\087673  
Date: Thursday, February 16, 2006



## **Annex 1 - Mandatory conditions**

1. The supply of alcohol is prohibited at a time when there is no designated premises supervisor in respect of the premises.
2. The supply of alcohol is prohibited at a time when the designated premises supervisor does not hold a personal licence or his/her licence is suspended.
3. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
4. Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, the licence must include a condition that each such individual must –
  - (a) be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or
  - (b) be entitled to carry out that activity by virtue of section 4 of that Act.
5. But nothing in subsection (4) requires such a condition to be imposed –
  - (a) in respect of premises within paragraph 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001 (c. 12) (premises with premises licences authorising plays or films), or
  - (b) in respect of premises in relation to –
    - (i) any occasion mentioned in paragraph 8(3)(b) or (c) of that Schedule (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or
    - (ii) any occasion within paragraph 8(3)(d) of that Schedule (occasions prescribed by regulations under that Act).
6. For the purposes of this section–
  - (a) “security activity” means an activity to which paragraph 2(1)(a) of that Schedule applies[ and which is licensable conduct for the purposes of that Act (see section 3(2) of that Act)], and
  - (b) paragraph 8(5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of that Schedule.
7.
  - (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
  - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises

- (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to
    - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
    - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
  - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
  - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
  - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
  - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
8. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
9. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either
- (a) a holographic mark, or
  - (b) an ultraviolet feature.
10. The responsible person must ensure that
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied

having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures

- (i) beer or cider: ½ pint;
- (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
- (iii) still wine in a glass: 125 ml;

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

11. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

12. For the purposes of the condition set out in paragraph 11

(a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979

(b) “permitted price” is the price found by applying the formula—

$$P = D + (D \times V)$$

where—

- (i) P is the permitted price,
- (ii) D is the rate of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol; —

(c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence

- (i) the holder of the premises licence,
- (ii) the designated premises supervisor (if any) in respect of such a licence, or
- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

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

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

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

## **Annex 2 - Conditions consistent with the operating schedule**

15. Alcohol shall not be sold or supplied except during the permitted hours. In this condition, permitted hours means:  
  
10.00-23.00 Monday to Saturday (excluding Christmas Day and Good Friday)  
12.00-22.30 Sunday (excluding Christmas Day)  
12.00-22.30 Good Friday  
12.00-15.00 and 19.00-22.30 Christmas Day  
These hours are extended from the end of permitted hours on New Year's Eve (i.e. 23.00 or 22.30) to the start of permitted hours on New Year's Day (i.e. 10.00 or 12.00).
16. The above condition (4) does not prohibit:
  - a) during the first twenty minutes after the terminal hour for the sale of alcohol, the consumption of alcohol on the premises;
  - b) during the first twenty minutes after the terminal hour for the sale of alcohol, the taking of alcohol from the premises unless the alcohol is taken in an open vessel;
  - c) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of alcohol so ordered;
  - d) the consumption of the alcohol on the premises by, or the taking of, sale or supply to, any person residing on the premises;
  - e) the sale or supply of alcohol to a trader or club for the purposes of the trade or club;
  - f) the taking of alcohol from the premises by a person residing there;
  - g) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so

- supplied;
  - h) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of alcohol, so supplied, if the alcohol is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises;
  - i) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces.
17. Unless otherwise specified on this licence, no regulated entertainment, other than by way of music and singing only which is provided solely by the reproduction of recorded sound, shall take place at the premises with the exception of pre-booked private events limited to the provision of music and dancing for pre-invited guests.
18. Regulated entertainment for which there is no licence may not take place in any part of the licensed premises as detailed by the plan if members of the public are admitted.
19. Where alcohol is sold for consumption off the premises it must not be sold in an open container.

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

**N/A**

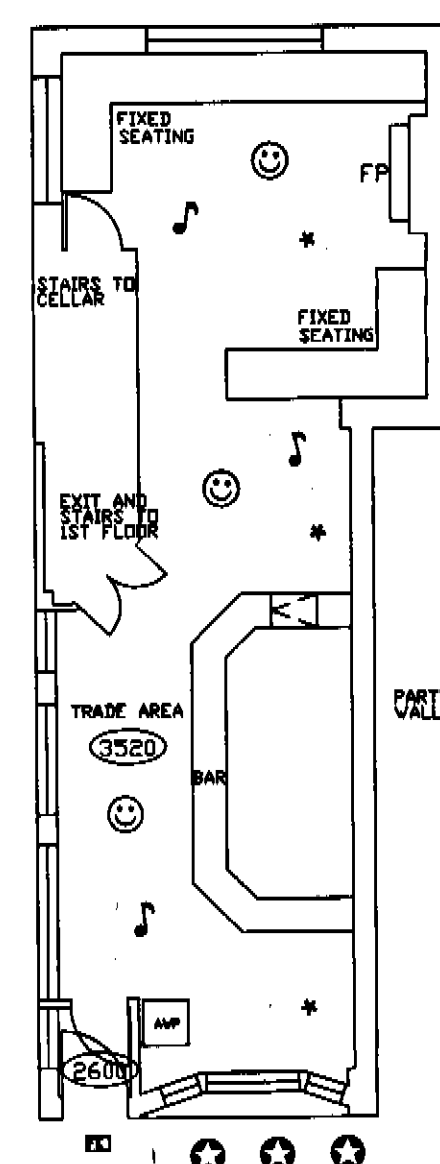
**Annex 4 - Plans**

## SCHEDULE OF ADDITIONAL ACCOMMODATION:

1: Number of storeys of building.	4 storeys
2: Staff accommodation.	3 bedrooms
3: Letting rooms with mini bar.	0 rooms
4: Letting rooms without mini bar.	0 rooms

## LEGEND

0000	CEILING HEIGHT
—	WINDOW
FP	FIRE PLACE
—	DOOR
○	TOILET
⊗	URINAL
⊙	WASH HAND BASIN
■	BOILER
■	FIRE EXIT
■	EMERGENCY LIGHT
■	DISTRIBUTION BOARD
≡	STEPS
⊥	SINK UNIT
AP	AMUSEMENT WITH PRIZES
—	BAR FLAP



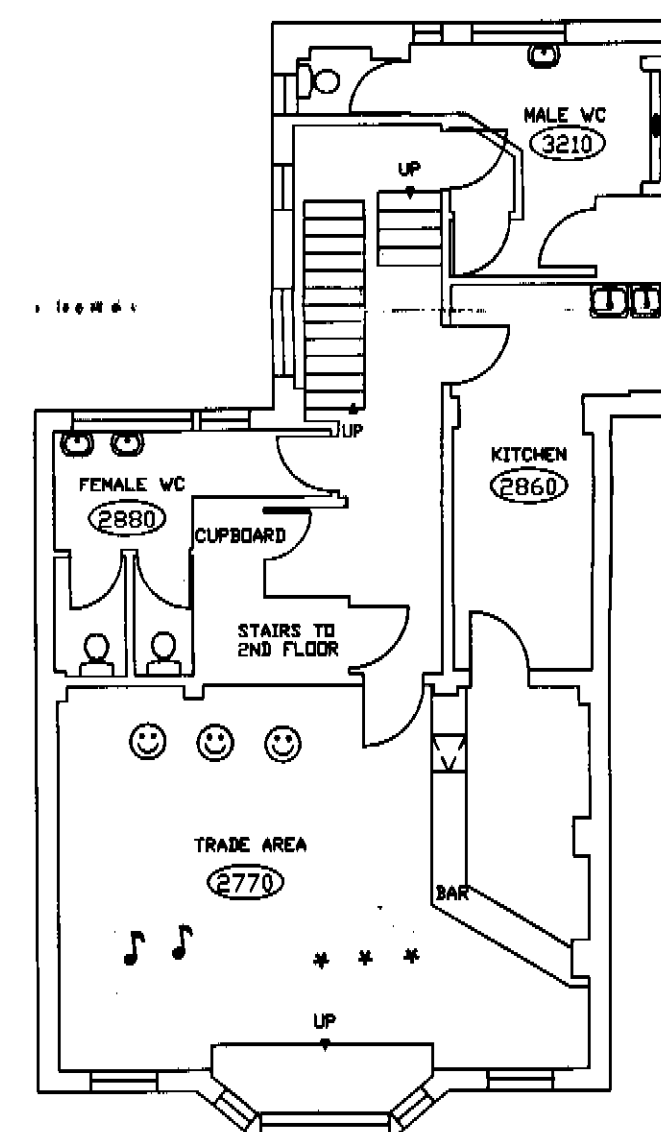
BUILDING SURVEYED AREA = 137.8 SQ. M

- LOCATED ON FIRST FLOOR
- LOCATED IN CELLAR

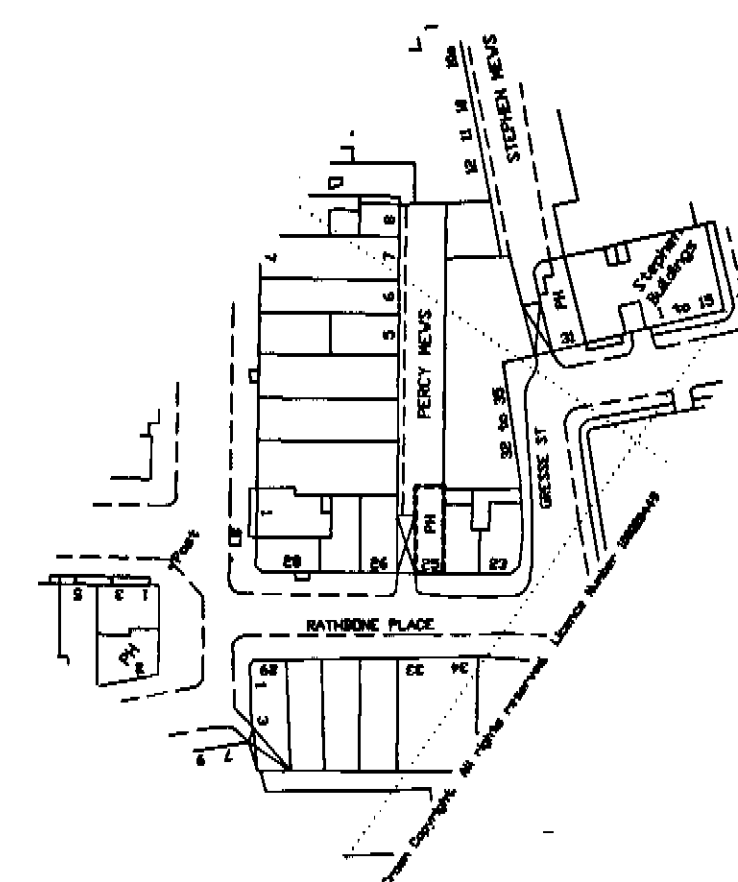
SCALE 1:100  
GROUND FLOOR

## KEY TO LICENSED AREAS

- \* Sale and Supply of Alcohol – on and off sales
- ♪ Regulated entertainment
- ⊙ Hot food after 23.00
- ⊙ Areas made available for consumption outside the premises



SCALE 1:100  
FIRST FLOOR



INDICATIVE ONLY  
SCALE 1:1250

PROPERTY INFORMATION		LICENSING SURVEY PLAN	
Property ID	Property Name	Date of Survey	Drp. Scale
023404/75	Wheatseaf 25 Rathbone Place London W1P 1DG	01/07/04	AS SHOWN

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

### Premises licence summary

**Premises licence number** **PREM-LIC\2577**

#### Premises details

<b>Postal address of premises, or if none, ordnance survey map reference or description</b>  Wheatsheaf 25 RATHBONE PLACE LONDON W1T 1JB
<b>Telephone number 020 7580 1585</b>

<b>Where the licence is time limited the dates</b> N/A
---

<b>Licensable Activities authorised by the licence</b>  Sale by Retail of Alcohol Recorded Music
---

<b>The times the licence authorises the carrying out of licensable activities</b>  1.           10.00-23.00 Monday to Saturday (excluding Christmas Day & Good Friday) 12.00-22.30 Sunday (excluding Christmas Day) 12.00-22.30 Good Friday 12.00-15.00 and 19.00-22.30 Christmas Day These hours are extended from the end of permitted hours on New Year's Eve (i.e. 23.00 or 22.30) to the start of permitted hours on New Year's Day (i.e. 10.00 or 12.00).  2.           Public entertainment by way of music and singing only provided solely by the           reproduction of recorded sound can only be provided during the hours that           the sale of alcohol takes place.
---



**The opening hours of the premises**

10.00-23.20 Monday to Saturday (excluding Christmas Day and Good Friday)  
12.00-22.50 Sunday (excluding Christmas Day)  
12.00-22.50 Good Friday  
12.00-15.20 and 19.00-22.50 Christmas Day

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

On & Off

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

Mitchells & Butlers Leisure Retail Limited  
Brass Retail Leisure Services  
27 Fleet Street  
Birmingham  
B3 1JP

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

01001181

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

Mr David Gwyn Peregrine

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

No restrictions



Representation	
Premises name	Wheatsheaf
Application reference number	APP\PREMISES-VARY\126825
Last date for representation	27/03/2025

## Making a representation as

As an individual

## Your details

First name

Daniel

Last name

Dicker

Telephone number (optional)

Email address

[REDACTED]

Address

Flat 1st Floor  
8 Percy Mews  
London  
W1T 1EZ

Remain anonymous

No

Grounds of representation

- prevention of crime and disorder
- ensuring public safety
- prevention of public nuisance

Details of representation

I live in Percy Mews which is a dead end at the rear of the Wheatsheaf Pub. The pub has applied to extend its licence on Friday and Saturday nights until midnight with customers being asked to leave by 12.20 am. The majority of customers of the pub use the outdoor tunnel of the pub to drink and smoke. This tunnel is a public highway and it is regularly blocked by pub customers which creates access issues for residents of



the Mews (on foot and by vehicle). Percy Mews is bordered by four and five storey buildings on either side which creates a 'canyon/tunnel' effect which amplifies the noise made by the pub customers who in turn raise their own voices to be heard above air conditioning units situated at the rear of the pub. Unlike other pubs in the area, the Wheatsheaf has no boundary markers indicating where customers can drink so clients are regularly using the whole of the Mews to engage noisily in their drinking - they then leave their litter and glasses in the Mews which doesn't get collected. The nature of the customers drinking in the street and blocking access to the Mews creates a foil for others to use the Mews for criminal activity - regular drug taking and dealing, defecating and urinating in the Mews, fights, sexual intercourse, rough sleeping, remains of shoplifting and littering of the Mews goes undetected due to this - in addition pub customers using the tunnel and Mews have been subject to muggings which the pub has displayed signage to make customers aware of. As this is central London, there are already a number of other establishments in the area with late night music and drinking licences which serve the pub/nightclub communities. These are my reasons for objections to The Wheatsheaf's licence extensions.

## About this form

### Issued by

Camden Town Hall  
Judd Street



London  
WC1H 9JE

**Contact phone**

020 7974 4444

## **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.

### **Conditions consistent with the operating schedule**

1. These hours are extended from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.
2. Unless otherwise specified on this licence, no regulated entertainment, other than by way of music and singing only which is provided solely by the reproduction of recorded sound, shall take place at the premises with the exception of pre-booked private events limited to the provision of music and dancing for pre-invited guests.
3. Where alcohol is sold for consumption off the premises it must not be sold in an open container.

### **Agreed Police conditions**

1. The Premises Licence Holder shall ensure that CCTV cameras and recorders are installed at the premises.
2. The medium on which CCTV images are recorded shall be of evidential quality; stored securely; shall be retained for a period of 31 days; and be available for inspection by the Police or Local Authority upon request. Cameras will record for 24 hours.
3. At all times when the premises are open for the purpose of licensable activities, a suitably trained member of management shall be present to assist the Police or an authorised officer in obtaining the CCTV footage.
4. Copies of CCTV shall be made available within 48 hours to the Police or Local Authority upon request.
5. Signs must be displayed in the customer areas to advise that CCTV is in operation.
6. Notices shall be displayed within the premises warning customers about personal thefts and to be vigilant.
7. The venue shall supply and fit suitable anti-theft devices, such as table/counter clips, in order that customers may secure their bags.
8. A comprehensive staff training programme is to be put together which will cover the core responsibilities around selling alcohol and meeting the licensing objectives. Training shall be written into a programme and will be made available for inspection by Police or other responsible authority upon request.
9. A Challenge 21 policy will be enforced, where any person reasonably looking under the age of 21 shall be asked to prove their age when attempting to purchase alcohol, and signs to this effect will be displayed at the premises. The only acceptable forms of identity will be those with photographic identification documents or those approved by the Secretary of State.
10. Police must be called to incidents of violence and / or disorder.
11. An incident log shall be kept at the premises and made available on request to an authorised officer or the Police, which will record the following:

- (a) all crimes reported to the venue.
- (b) all ejections of patrons.
- (c) any complaints received relating to the licensing objectives.
- (d) any incidents of disorder and violence.
- (e) all seizures of drugs or offensive weapons.
- (f) any faults in the CCTV system or searching equipment or scanning equipment.
- (g) any refusal of the sale of alcohol, to include date, time and staff member.
- (h) any visit by a relevant authority or emergency service.
- (i) CAD reference numbers where Police are called.

### **Agreed Charlotte Street Association Conditions**

1. There will be no consumption of alcohol outside on Fridays and Saturdays after 23:00 hours.
2. The premises shall operate the "Ask for Angela" scheme and display relevant signage within the premises advertising the scheme.

## 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.