


APPLICATION TO VARY A PREMISES LICENCE UNDER SECTION 34 OF THE LICENSING ACT 2003

LONDON BOROUGH OF CAMDEN	<u>FOR SUBMISSION TO:</u> Licensing Panel	<u>DATE:</u> 5 th June 2025
<u>REPORT OF:</u> Executive Director Supporting Communities		<u>CONTACT OFFICER:</u> Paru Bhudia, Licensing Officer, Licensing Team, 5 Pancras Square, London, N1C 4AG. 020 7974 2947/ paru.bhudia@camden.gov.uk
<u>PREMISES:</u> Wendy's 189 191 Camden High Street London NW1 7BP		<u>WARD:</u> Camden Town
Local Government Act 1972 – Access to Information - Documents used in the preparation of this report	1) The Licensing Act 2003 ("the Act") 2) Camden Statement of Licensing Policy 2022 - 2027 ("the Policy") 3) Revised Guidance issued under section 182 of the Licensing Act 2003 (February 2025) ("the Guidance")ii	
Appendices	Appendix 1) Location map of premises Appendix 2) Application form Appendix 3) Current premises licence Appendix 4) Relevant representations Appendix 5) Conditions consistent with the operating schedule Appendix 6) Legal and Finance comments	
Signed by: Oliver Jones, Director of Recreation & Public Safety  Date: 20 th May 2025		

1. Application

1.1 This is an application to vary a premises licence under section 34 of the Licensing Act 2003. **Appendix 2**

1.2 The premises are licensed for:

a) Late Night Refreshment

Sunday -Thursday	23:00-00:00
Friday - Saturday	23:00-01:00

b) Opening Times

Sunday to Thursday	08:00–00:00
Friday to Saturday	08:00–02:00

1.3 The current premises licence can be found in **Appendix 3**

1.4 The application is for:

To extend the licensable hours for Late Night Refreshment.

Sunday –Wednesday	23:00-00:00
Thursday- Saturday	23:00-04:00

Opening Hours

Sunday to Wednesday	08:00–00:00
Thursday to Saturday	08:00–04:00

2. Representations

2.1 Eleven relevant representations have been received in relation to the application.

2.2 The representations oppose the application and are from the Licensing Responsible Authority, Environmental Health, Licensing Police, Two Councillors, Two Resident Associations and Four residents.

**3. Appendix 4
Policy**

Licensing Objectives (Chapter Four - Pages 20-35 of the Policy):

3.1. The licensing objectives engaged by this application are:

- a) The Prevention of Public Nuisance
- b) Prevention of Crime and Disorder
- c) Public Safety
- d) Protection of Children from Harm

Cumulative Impact Policy Area (Chapter Six- Pages 39 - 44 of the Policy)

3.2 The premises is situated in the Camden Town special policy area where there is a presumption to refuse all new or variation applications. The presumption is rebuttable

Hours Policy (Chapter Five – Pages 36 - 38 of the Policy):

3.3 The hours policy is engaged by this application in relation to the proposed end times for licensable activities. The framework hours are given in the Policy as:

For licences not including the sale or supply of alcohol:

Monday to Thursday	09:00 am until 11:30 pm
Friday and Saturday	09:00 am until midnight
Sunday	09:00 am until 10:30 pm

- 3.4 The times for framework hours on any given day are not (and should not be regarded as) the 'usual' or 'normal' hours for licensable activities in the Borough. Instead, the framework hours serve to identify those cases where the Licensing Authority will pay particular regard to the likely effect on the local neighbourhood of carrying out the proposed licensable activities.

Women's Safety (Appendix One – Page 88 to 89 of the Policy)

- 3.5. The Council has adopted a set of principles that commit our licensed premises to act in a responsible manner, taking all forms of female harassment seriously and set out the practical steps licensed premises can take to support this.

The principles encourage all licensed premises to consider and implement them in the day to day operation of their premises and include:

- a. Let's Communicate
- b. Supporting Each Other
- c. Training for All

The application does not include these principles.

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

- 3.6 The following premises policies are engaged by the application:
- a) Premises supplying hot food and drink between 11:00 pm and 05:00 am

4 Secretary of State's Guidance

- 4.1. The relevant parts of the Secretary of State's Guidance ("the Guidance") for this application are:
- a) Chapter 2 – The Licensing Objectives
 - b) Chapter 3 - Licensable Activities
 - c) Chapter 8 - Application for Premises Licences
 - d) Chapter 10- Conditions Attached to Premises Licences and Club Premises Certificates

5 Recommendations

5.1 To determine the application to vary a premises licence under section 35 the Licensing Act 2003.

5.2 Having considered the application, the representation(s) submitted in relation to this application, the legislative provisions, the Statement of Licensing Policy, and the Guidance issued by the Secretary of State, Members have the following options:

- a) Grant the application in full with such conditions on the licence that are consistent with the operating schedule.
- b) Grant the application subject to revised conditions that they consider appropriate to promote the licensing objectives.
- c) Reject the whole or part of the application.

5.3 Members may attach additional conditions if they consider it appropriate for the promotion of the licensing objectives raised in the representations.

5.4 Members are reminded that all applications must be considered on their own merits, and that findings on any issues of fact should be on the balance of probability.

6 Conclusion

6.1 Members are required to consider the application in light of all the relevant information, and if approval is given, may attach such conditions appropriate to promote the licensing objectives.