

Roxy Ball Room, 246 High Holborn, London,
WC1V 7EX

Scale = 1:721.980
21-May-2025

I want to apply for a	Premises licence
Are you an agent?	Yes - I am an agent
Agent Details	
First name	Christopher
Last name	Rees Gay
Name of business	Woods Whur Solicitors
Name and address	28 ST JAMES HOUSE PARK PLACE LS1 2SP LEEDS
Email address	[REDACTED]
Telephone number	[REDACTED]
Does the premises have a name?	Yes
What is the name of the premises?	Roxy Ball Room
What is the address or location?	Retail Store 246 High Holborn WC1V 7EX London
What is the type of premises?	Roxy Ball Room is a competitive socialising venue offering various games such as pool and ping pong, bowling, showing live sports, with a bar and kitchen.
Describe the area it is situated in	Premises is situated at 246 High Holborn, London, WC1V 7EX
Describe the layout of the premises	Ground Floor and Basement

Copy of the premises plans

- LicensingPlan.pdf

Tell us about the premises business hours

Day	Start time	End time
Monday	10:00	00:00
Tuesday	10:00	00:00
Wednesday	10:00	00:00
Thursday	10:00	00:00
Friday	10:00	00:30
Saturday	10:00	00:30
Sunday	11:00	23:00

Are there any seasonal variations for the premises opening times?

No

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

Yes

What are the other times?

On New Year's Eve the permitted hours shall extend through from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. For statutory bank holiday weekend periods (Friday, Saturday, Sunday and Monday) and for the Thursday before Good Friday and for Christmas Eve, the finish time will be extended by one hour beyond these times.

Is the premises an open space?

No

Is the premises currently under construction?

No

What is the non-domestic rateable value

442500

(NDRV) of the premises?

How many people are expected to attend the premises at any one time? Less than 5000 people

Will the premises be exclusively or primarily used to sell alcohol? No

How are you applying for a premises licence? As a limited company

Business details

What is the company registration number 09724448

Name of business Roxy Leisure Limited

Name and address OFFICE 5 CLAYTON WOOD COURT
LS16 6QW
LEEDS

Email address [REDACTED]

Telephone number [REDACTED]

How long do you want your premises licence for? Permanently

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

Activity you wish to licence

- b. Films
- e. Live music
- f. Recorded music

i. Late night refreshments - Hot food or hot drinks only between 11pm and 5am.
Refreshments outside of these times do not need to be licenced

j. Supply of alcohol

Films

Day	Start time	End time
Monday	10:00	23:30
Tuesday	10:00	23:30
Wednesday	10:00	23:30
Thursday	10:00	23:30
Friday	10:00	00:00
Saturday	10:00	00:00
Sunday	11:00	22:30

Where will exhibitions take place?

Indoors

Tell us about the specifics of the activity

Exhibition of film

Are there any seasonal variations for the activity?

No

Will the activity take place at times other than those listed?

Yes : On New Year's Eve the permitted hours shall extend through from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. For statutory bank holiday weekend periods (Friday, Saturday, Sunday and Monday) and for the Thursday before Good Friday and for Christmas Eve, the finish time will be extended by one hour beyond these times.

Live Music

Day	Start time	End time
Monday	10:00	23:30
Tuesday	10:00	23:30
Wednesday	10:00	23:30
Thursday	10:00	23:30
Friday	10:00	00:00
Saturday	10:00	00:00
Sunday	11:00	22:30

Where will performances take place?

Indoors

Tell us about the specifics of the activity

Performance of Live Music

Are there any seasonal variations for the activity?

No

Will the activity take place at times other than those listed?

Yes : On New Year's Eve the permitted hours shall extend through from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. For statutory bank holiday weekend periods (Friday, Saturday, Sunday and Monday) and for the Thursday before Good Friday and for Christmas Eve, the finish time will be extended by one hour beyond these times.

Recorded Music

Day	Start time	End time
Monday	10:00	23:30
Tuesday	10:00	23:30
Wednesday	10:00	23:30
Thursday	10:00	23:30
Friday	10:00	00:00
Saturday	10:00	00:00
Sunday	11:00	22:30

Where will performances take place?

Indoors

Tell us about the specifics of the activity

Provision of recorded music

Are there any seasonal variations for the activity?

No

Will the activity take place at times other than those listed?

Yes : On New Year's Eve the permitted hours shall extend through from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. For statutory bank holiday weekend periods (Friday, Saturday, Sunday and Monday) and for the Thursday before Good Friday and for Christmas Eve, the finish time will be extended by one hour beyond these times.

Late refreshments

Day	Start time	End time
Monday	23:00	23:30
Tuesday	23:00	23:30
Wednesday	23:00	23:30
Thursday	23:00	23:30
Friday	23:00	00:00
Saturday	23:00	00:00
Sunday	No late night refreshments	

Where will refreshments be provided?

Indoors

Tell us about the specifics of the activity

Provision of hot food and drink

Are there any seasonal variations for the activity?

No

Will the activity take place at times other than those listed?

Yes : On New Year's Eve the permitted hours shall extend through from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. For statutory bank holiday weekend periods (Friday, Saturday, Sunday and Monday) and for the Thursday before Good Friday and for Christmas Eve, the finish time will be extended by one hour beyond these times.

Alcohol supply

Day	Start time	End time
Monday	10:00	23:30
Tuesday	10:00	23:30
Wednesday	10:00	23:30
Thursday	10:00	23:30
Friday	10:00	00:00
Saturday	10:00	00:00
Sunday	11:00	22:30

Where will the supplied alcohol be consumed?

On the premises

Are there any seasonal variations for the activity?

No

Will the activity take place at times other than those listed?

Yes : On New Year's Eve the permitted hours shall extend through from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. For statutory bank holiday weekend periods (Friday, Saturday, Sunday and Monday) and for the Thursday before Good Friday and for Christmas Eve, the finish time will be extended by one hour beyond these times.

DPS details

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

Yes

Was their personal licence issued by Camden?

No

Personal licence number	[REDACTED]
Issuing local authority	[REDACTED]
First name	John
Last name	Crowe
Address	[REDACTED] [REDACTED] [REDACTED]
Signed Copy of the Designated Premises Supervisor (DPS) consent form	<ul style="list-style-type: none"> • DPSConsentForm.pdf
Will there be any activities associated with the premises which may give rise to concern in respect of children?	No
The prevention of crime and disorder	<p>1. The premises licence holder shall ensure that CCTV cameras and recorders are installed at the premises and are of a standard acceptable to and approved by the Police. 2. The CCTV system shall be maintained in good working order and at all times the premises is open to the public, be fully operational covering both internal and external areas of the premises to which the public have access. 3. The CCTV camera views shall not be obstructed. 4. At least one CCTV camera shall be placed no more than seven feet above floor level near to each point of entry and exit in order to capture clear facial images of all persons entering and leaving the premises. 5. The medium on which CCTV images are recorded shall be of evidential quality; stored securely; shall be retained for a</p>

period of 31 days; and be available for inspection by the police or authorised officers on request. 6. When the premises are open for the purposes of licensable activities, a suitably trained member of staff shall be present to assist the police or authorised officers in obtaining the CCTV footage. 7. Copies of any CCTV image shall be made available within 48 hours of the request to the police or local authority. 8. The facility to transfer the images to a compatible, removable format shall be held on the premises. 9. Staff working at the premises shall be trained in the use of CCTV and a log must be kept to verify this. 10. Signs must be displayed in the customer areas to advise that CCTV is in operation. 11. If the CCTV is inoperative or not installed and working to the satisfaction of the police, the licence holder shall notify the Police within 48 hours and give an estimate of the repair timescale. The licence holder and staff shall comply with all reasonable requests from the police. 12. An incident logbook shall be maintained by the premises that details incidents of note that occur in the premises. This shall include refused sales, disorder, and ejections as a minimum. The logbook shall be kept on the premises and be available for inspection at all times the premises is open, and management shall regularly check the book to ensure all staff are using it. 13. The licence holder shall actively participate in any local Pubwatch or similar scheme. 14. The Premises Licence Holder (PLH) /Designated Premises Supervisor (DPS) will ensure that a 'Daily Record Register' is maintained on the premises by the door

staff. The Daily Record Register will contain consecutively numbered pages, the full name and registration number of each person on duty, the employer of that person and the date and time he/she commenced duty and finished duty (verified by the individual's signature). 15. When the premises is carrying on licensable activities after 21.00 hours, on Thursday, Friday, Saturday and Sunday before a Bank Holiday, a minimum of 2 registered door supervisors are to be on duty. Security to be employed until the last customers have left the premises. At other times the number of door supervisors shall be determined by a risk assessment completed by the licence holder. A copy of the risk assessment shall be retained on the premises and made available for inspection by a police officer and/or an authorised officer of the licensing authority on request. 16. Customers permitted to temporarily leave and then re-enter the premises e.g., to smoke, shall not be permitted to take drinks or glass containers with them.

Please see above and below.

Public safety

The prevention of public nuisance

17. Deliveries to the premises shall not take place between 2000hrs and 0800hrs. 18. Collections of waste from the premises shall not take place between 2000hrs and 0800hrs. 19. Collections of waste from the premises which include glass shall not take place between 2000hrs and 0800hrs. 20. Prominent signage shall be displayed at all exits from the premises requesting that customers leave quietly. 21. No noise generated on the premises, or by its associated plant or equipment, shall

emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.

22. 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. 23. A noise management plan shall be in place to identify how noise arising from all sources of noise including regulated entertainment, plant, pa systems and patrons shall be effectively controlled so as to minimise the risk of public nuisance and how any complaints of noise will be dealt with. A copy of the plan shall be retained on the premises and made available for inspection by a police officer and/or authorised officer of the licensing authority on request.

24. A proof of age scheme such as Challenge 25 shall operate at the premises and all staff shall be trained in its implementation. Only photographic ID such as a British driving licence or a passport shall be treated as acceptable forms of identification. A Challenge 25 Scheme shall operate to ensure that any person attempting to purchase alcohol who appears to be under the age of 25 shall provide documented proof that he/she is over 18 years of age. Proof of age ID must bear a photograph, date of birth and a holographic mark or an ultraviolet feature.

25. Children under the age of 16 must be accompanied and supervised by a responsible adult/parent or guardian. 26. No children under the age of 16 shall be

The prevention of children from harm

permitted to remain on the premises after 19.00 hours unless accompanied by a responsible adult/parent or guardian.

About this form

Issued by	Camden Town Hall Judd Street London WC1H 9JE
Contact phone	020 7974 4444
Form reference	Ref. no. 127362

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.

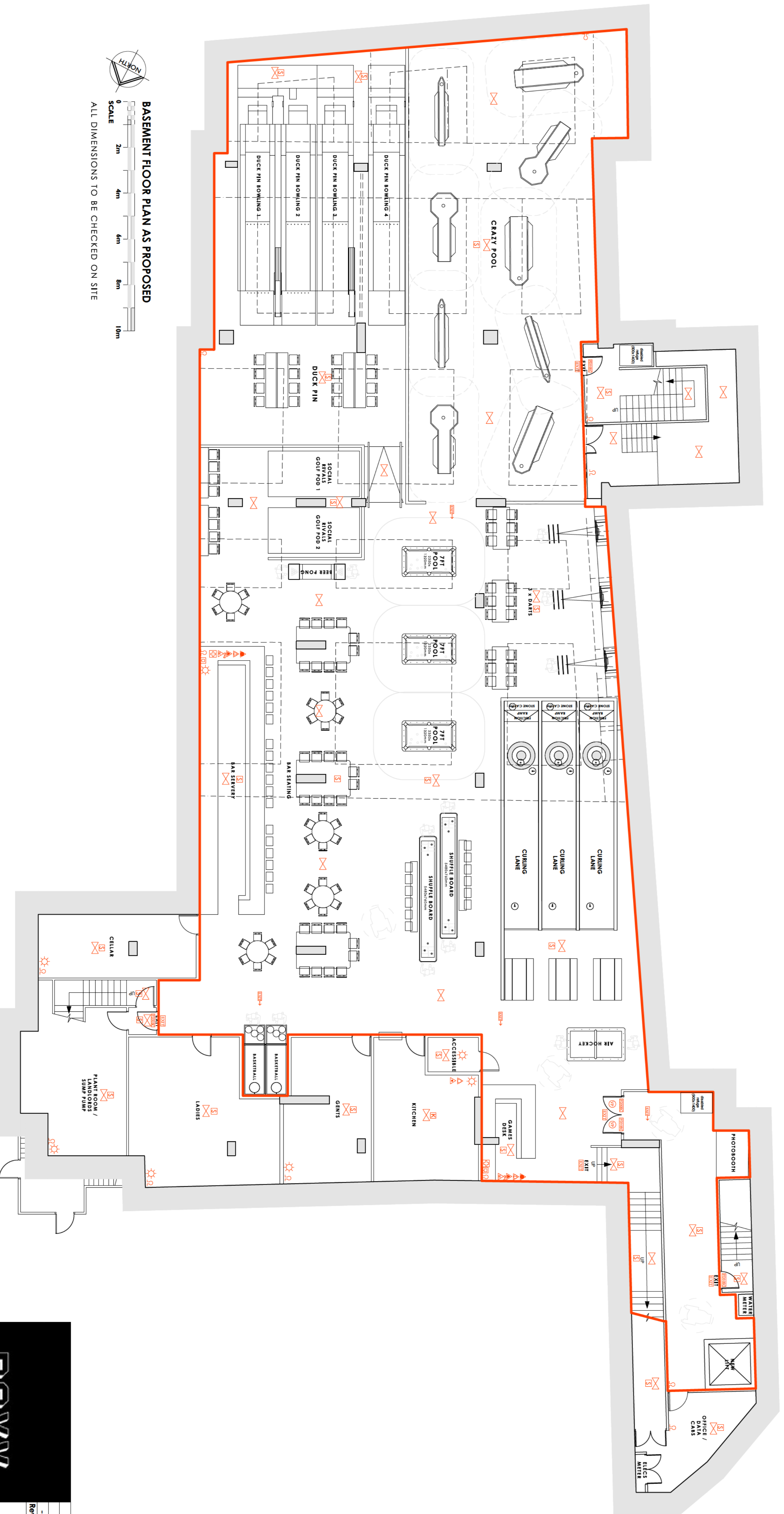
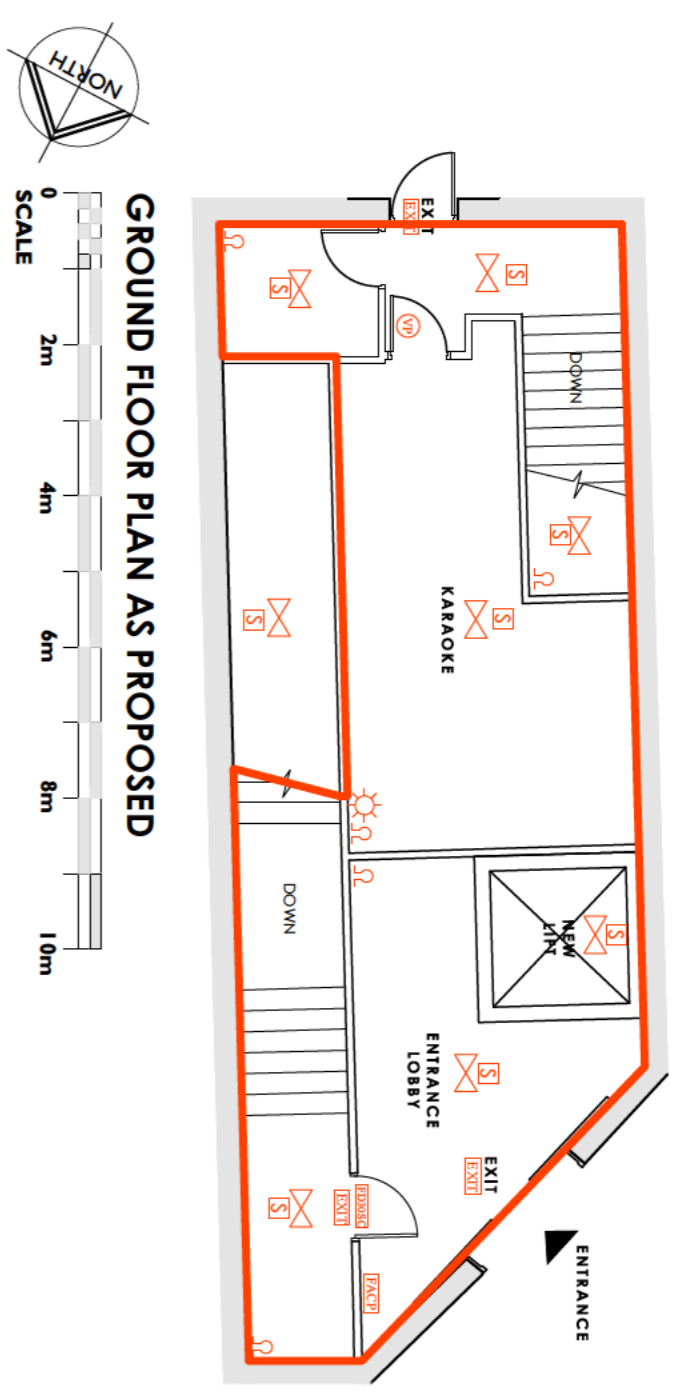
AREA DENOTES LICENSABLE ACTIVITIES

KEY TO LICENSING SYMBOLS (Note Exiting fittings are marked 'E')

	Emergency Lighting Luminaire		Gas Water Chemical (for liquid) fire
	Illuminated emergency exit sign		Water fire extinguisher
	Illuminated door indicating approach (exit)		Water fire extinguisher
	Illuminated emergency exit sign		Dry powder fire extinguisher
	Illuminated door indicating approach (exit)		2kg or 3kg Carbon Dioxide fire extinguisher
	Fire Alarm electronic sounder		5kg 'F' Class fire extinguisher
	Fire Alarm Control Panel		Video panel in door
	Fire Alarm Tension Release		Accessible emergency phone
	Fire Alarm Tension Release		Fire Alarm box
	Fire Alarm Tension Release		
	Fire Alarm Tension Release		
	Fire Alarm Tension Release		
	Fire Alarm Tension Release		

Items shown on this plan which are not required by the Fire Regulations are for illustrative purposes only, and do not form part of the license. Their removal or alteration is the responsibility of the licensee. These items may be moved from time to time with agreement of the Fire Officer or other fire risk assessors.

Existing walls
New firework partitions



ROXY

LEISURE LTD

ROXY BALL ROOM
FORMER COACH GYMS, 246 HIGH HOLBORN, LONDON, WC1V 7EX

LICENSING PLAN

DRAWN CK DATE 13-03-25 DRAWING NO. RBRHOLB/501
SCALE 1:100@A1 REV. -

Rev	Description	By	Date

Representation	
Premises name	Roxy Ball Room
Application reference number	APP\PREMISES-NEW\127362
Last date for representation	22/04/2025

Making a representation as

As a business

Your details**Business name**

Na Zdrowie The Polish Bar

First name

John

Last name

Clark

Telephone number (optional)

[REDACTED]

Email address

[REDACTED]

Address

6 Little Turnstile
 London
 WC1V 7DX

Remain anonymous

No

Grounds of representation

- ensuring public safety
- prevention of public nuisance

Details of representation

My business has a party wall with the proposed karaoke room. When that room was a spin studio the music and bass penetrated into the bar and many times I had to go to the gym reception and ask for the music to be turned down as it was disturbing my customers. The music was also heard on the street, so in summer when my bar's doors were open the spin studio's music also caused a nuisance. The same issue will arise with a karaoke studio

so I object to positioning of a karaoke studio. I note from the plans that there is no designated area outside for Roxy's customers to smoke and vape. As the proposed entrance will be next to my premises who will be responsible for crowd issues and the litter that Roxy's smoker and vapers will leave on the ground? As a premises with street frontage, the Polish Bar will most likely be held responsible by council officials for crowd and litter issues. As the business owner I sweep up any litter my customers leave on a nightly basis. Corporate employees do not take such responsibility. When problems do arise which department or departments will be the responsible for dealing with the above issues? Who heads those departments? Please provide me with names and job titles As someone who will be affected by the development, please ensure I am kept informed of any amendments to the licensing application via email.

Supporting documents (optional)

- Partywallhighlighted.jpg

About this form**Issued by**

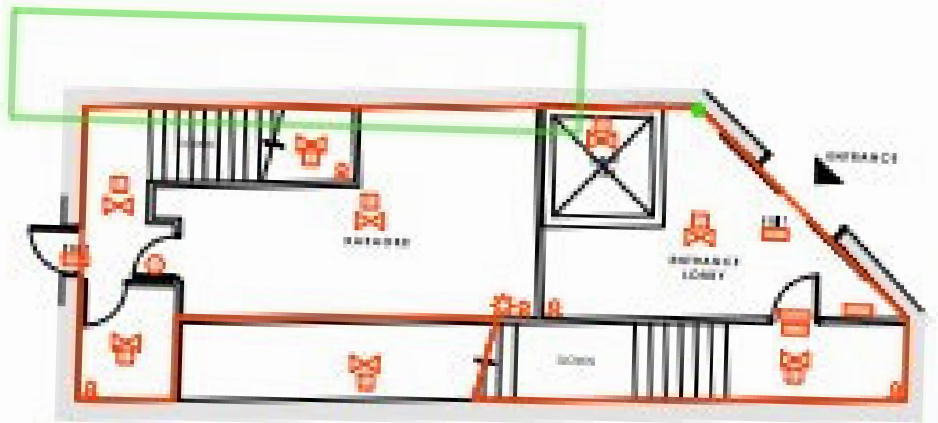
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GROUND FLOOR PLAN AS PROPOSED



From: Matthew Jones
Sent: 07 May 2025 18:20
To: Sarah Williams; John Clark
Cc: Christopher Rees-Gay; Tom Hodgson
Subject: RE: 1 Representation Received - Roxy Ball Room - Holborn

Hello

Condition 21 should deal with Mr Clarks noise concern.

Regards

Matthew Jones

CEO

From: Sarah Williams
Sent: 07 May 2025 18:03
To: John Clark
Cc: Christopher Rees-Gay ; Matthew Jones ; Tom Hodgson
Subject: 1 Representation Received - Roxy Ball Room - Holborn

Hi John Clark,

Thank you for your representation for Roxy Ball Room, APP\PREMISES-NEW\127362.

I can confirm that the last date for representations was the 22/4/2025. As you have made a representation, this application will need to be considered at a licensing panel hearing.

Following the consultation period ends, there may be correspondence and mediation, this may include additional conditions being agreed.

The applicant has tried to reach out to discuss the application and to see if there can be any further mediation and agreement (see email trail below). The CEO Matthew Jones, can be contacted on [REDACTED] so that any further concerns can be discussed ahead of a hearing.

The applicant has agreed to a number of conditions, if deemed granted these will form part of the licence.

1. The premises licence holder shall ensure that CCTV cameras and recorders are installed at the premises and are of a standard acceptable to and approved by the Police.

2. The CCTV system shall be maintained in good working order and at all times the premises is open to the public, be fully operational covering both internal and external areas of the premises to which the public have access.
3. The CCTV camera views shall not be obstructed.
4. At least one CCTV camera shall be placed no more than seven feet above floor level near to each point of entry and exit in order to capture clear facial images of all persons entering and leaving the premises.
5. The medium on which CCTV images are recorded shall be of evidential quality; stored securely; shall be retained for period of 31 days; and be available for inspection by the police or authorised officers on request.
6. When the premises are open for the purposes of licensable activities, a suitably trained member of staff shall be present to assist the police or authorised officers in obtaining the CCTV footage.
7. Copies of any CCTV image shall be made available within 48 hours of the request to the police or local authority.
8. The facility to transfer the images to a compatible, removable format shall be held on the premises.
9. Staff working at the premises shall be trained in the use of CCTV and a log must be kept to verify this.
10. Signs must be displayed in the customer areas to advise that CCTV is in operation.
11. If the CCTV is inoperative or not installed and working to the satisfaction of the police, the licence holder shall notify the Police within 48 hours and give an estimate of the repair timescale. The licence holder and staff shall comply with all reasonable requests from the police.
12. An incident logbook shall be maintained by the premises that details incidents of note that occur in the premises. This shall include refused sales, disorder, and ejections as a minimum. The logbook shall be kept on the premises and be available for inspection at all times the premises is open, and management shall regularly check the book to ensure all staff are using it.
13. The licence holder shall actively participate in any local Pub watch or similar scheme.
14. The Premises Licence Holder (PLH)/Designated Premises Supervisor (DPS) will ensure that a 'Daily Record Register' is maintained on the premises by the door staff. The Daily Record Register will contain consecutively numbered pages, the full name and registration number of each person on duty, the employer of that person and the date and time he/she commenced duty and finished duty (verified by the individual's signature).
15. When the premises is carrying on licensable activities after 21.00 hours, on Thursday, Friday, Saturday and Sunday before a Bank Holiday, a minimum of 2 registered door supervisors are to be on duty. Security to be employed until the last customers have left the premises. At other times the number

of door supervisors shall be determined by a risk assessment completed by the licence holder. A copy of the risk assessment shall be retained on the premises and made available for inspection by a police officer and/or an authorised officer of the licensing authority on request.

16. Customers permitted to temporarily leave and then re-enter the premises e.g., to smoke, shall not be permitted to take drinks or glass containers with them.

17. Deliveries to the premises shall not take place between 2000hrs and 0800hrs.

18. Collections of waste from the premises shall not take place between 2000hrs and 0800hrs.

19. Collections of waste from the premises which include glass shall not take place between 2000hrs and 0800hrs.

20. Prominent signage shall be displayed at all exits from the premises requesting that customers leave quietly.

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attempting to purchase alcohol who appears to be under the age of 25 shall provide documented proof that he/she is over 18 years of age. Proof of age ID must bear a photograph, date of birth and a holographic mark or an ultraviolet feature.

25. Children under the age of 16 must be accompanied and supervised by a responsible adult/parent or guardian.

26. No children under the age of 16 shall be permitted to remain on the premises after 19.00 hours unless accompanied by a responsible adult/parent or guardian.

Please confirm by close of play on the 08/05/2025, if these conditions now satisfy your concerns and you will withdraw, or if you would like your representation to remain. The hearing will then be scheduled and hearing details will be sent.

Kind Regards

Sarah Williams
Licensing Officer

From: Matthew Jones
Sent: 2 May 2025 11:21
To: Christopher Rees-Gay
Subject: RE: Roxy Ball Room Representation

Just to log, I have just tried calling and ive also sent him a message via Instagram to contact me.

Thanks

Matthew Jones

CEO

From: Christopher Rees-Gay
Sent: 02 May 2025 11:14
To: Matthew Jones
Subject: RE: Roxy Ball Room Representation

Great - thanks.

Chris

Christopher Rees-Gay

Woods Whur 2014 Limited

From: Matthew Jones
Sent: 2 May 2025 11:12
To: Christopher Rees-Gay
Cc: Tom Hodgson
Subject: RE: Roxy Ball Room Representation

Hi Chris

I've emailed twice, I will try call him today.

Matthew Jones

CEO

From: Christopher Rees-Gay
Sent: 02 May 2025 07:54
To: Matthew Jones
Cc: Tom Hodgson
Subject: RE: Roxy Ball Room Representation

Good Morning Matt,

Hope you are having a good week.

Do you want to try calling the premises? The number given on the representation was:

██████████

Many thanks

Chris

Christopher Rees-Gay

Woods Whur 2014 Limited

From: Matthew Jones

Sent: 29 April 2025 20:05

To: John Clark

Cc: Christopher Rees-Gay; Tom Hodgson

Subject: Re: Roxy Ball Room Representation

Dear John

I'm just following up on my email from last week, have you had chance to consider?

Regards

Matthew Jones

CEO

From: Matthew Jones

Sent: Friday, April 25, 2025 1:59:37 PM

To: John Clark

Cc: Christopher Rees-Gay; Tom Hodgson

Subject: Roxy Ball Room Representation

Hi John

I wanted to introduce myself as the founder, owner and CEO of Roxy Leisure Ltd and answer your concerns. We have only received one objection to the licence as the police and EHO are happy with our track record and our proposals put forward for this development. I'm writing to you today in hope that you will retract your representation for our licence application, however if you need a further conversation to be satisfied, I would be more than happy to have a video or phone call with you about it.

Roxy Leisure was established 12 years ago as a spin off from my pub and bar business that I own with my family that has been going 20 years and has now grown into 23 locations across the country. We pride ourselves on doing things right and building great local relationships with

neighbours. We take acoustics extremely seriously and have already engaged an acoustic survey for our unit to understand the weak points and what we need to do to ensure we don't break any of the rules agreed with EHO. It is common of us to spend circa £100k per project on acoustic works to ensure no one is disturbed from our operation, I would be happy to supply contact details of landlords from other locations where we have had acoustic concerns.

We have agreed the following with EHO:

21. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.

23. A noise management plan shall be in place to identify how noise arising from all sources of noise including regulated entertainment, plant, pa systems and patrons shall be effectively controlled so as to minimise the risk of public nuisance and how any complaints of noise will be dealt with. A copy of the plan shall be retained on the premises and made available for inspection by a police officer and/or authorised officer of the licensing authority on request.

I believe the above legally protects you as this is written into our licence.

In terms of potentially external mess, I absolutely appreciate your concern, as I said before we are not new to running leisure venues and dealing with everything that comes with it. We are still very much a family business rather than a large corporate. We have a duty of care to the local environment and council to ensure any mess caused by customers is rectified. I'm glad that you are stating you regularly clean outside, as we also have been on the other side of the fence with neighbours who don't believe in keeping attractive frontages. Our entrance is our shop window and it's extremely important to keep this swept and clean at all times.

Our head company is called Professionals At Play, we chose this name as we truly believe in running professionally run venues, it is not in our interest to be having to retro fix issues, we make sure its done right from the start so we can continue with our expansion plan.

I hope that you will see the benefit in having a new leisure neighbour next door to you which may also have a positive impact on the area in terms of trade.

I'm available on [REDACTED] at any time should you wish to speak, or as I said I would happily have a video call to answer anymore concerns.

Regards.

Matthew Jones

CEO



Conditions consistent with the operating schedule

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18. Collections of waste from the premises shall not take place between 2000hrs and 0800hrs.

19. Collections of waste from the premises which include glass shall not take place between 2000hrs and 0800hrs.

20. Prominent signage shall be displayed at all exits from the premises requesting that customers leave quietly.

21. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.

22. 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.

23. A noise management plan shall be in place to identify how noise arising from all sources of noise including regulated entertainment, plant, pa systems and patrons shall be effectively controlled so as to minimise the risk of public nuisance and how any complaints of noise will be dealt with. A copy of the plan shall be retained on the premises and made available for inspection by a police officer and/or authorised officer of the licensing authority on request.

24. A proof of age scheme such as Challenge 25 shall operate at the premises and all staff shall be trained in its implementation. Only photographic ID such as a British driving licence or a passport shall be treated as acceptable forms of identification. A Challenge 25 Scheme shall operate to ensure that any person attempting to purchase alcohol who appears to be under the age of 25 shall provide documented

proof that he/she is over 18 years of age. Proof of age ID must bear a photograph, date of birth and a holographic mark or an ultraviolet feature.

25. Children under the age of 16 must be accompanied and supervised by a responsible adult/parent or guardian.

26. No children under the age of 16 shall be permitted to remain on the premises after 19.00 hours unless accompanied by a responsible adult/parent or guardian.

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.