


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

LONDON BOROUGH OF CAMDEN	FOR SUBMISSION TO: Licensing Panel	DATE: 7 th September 2023
REPORT OF: Executive Director Supporting Communities		CONTACT OFFICER: Peter Agbley, Licensing Officer Licensing Team, 5 Pancras Square, London, N1C 4AG. 020 7974 5507/ Peter.agbley@camden.gov.uk
PREMISES: Electric Ballroom 184 Camden High Street London, NW1 8QP		WARD: Camden Town with Primrose Hill
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) Amended Guidance issued under section 182 of the Licensing Act 2003 (December 2022) (“the Guidance”)	
Appendices	Appendix 1) Location map of premises Appendix 2) Application form Appendix 3) Current premises licence Appendix 4) Relevant representations Appendix 5) Legal and finance comments	
Signed by: Jamie Akinola, Director of Public Safety  Date: 23 rd August 2023		

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) Supply of Alcohol (For consumption both on and off the premises)

11:00 – 03:00 Monday to Saturday
12:00 – 02:00 Sunday
and until 05.00 on New Years Day

b) Recorded Music

18.00-03.00 - Monday - Wednesday
18.00-04.00 - Thursday
18.00-06.00 - Friday & Saturday
12:00-04.00 - Sunday
and until 04.00 on the day following Bank Holiday Mondays and
until 06.00 on the day following New Years Eve.

c) Live Music

18.00-01.00 - Monday - Friday
19.00-01.00 - Saturday - Sunday

d) Performance of Dance

18:00 - 03:00 - Monday - Wednesday
18:00 - 04:00 - Thursday
18:00 - 06:00 - Friday - Saturday
12:00 - 04:00 - Sunday
New Year's Eve/Day until 05:00, Bank Holidays Mondays until 04:00

e) Opening hours

11.00-03.00- Monday - Wednesday
11.00-04.00-Thursday
11.00-06.00-Friday & Saturday
12.00-04.00-Sunday
and until 04.00 on the day following Bank Holiday Mondays and
until 06.00 on the day following New Years Eve.

- 1.3 The variation is to reduce alcohol hours on Monday - Wednesday to 02:00 and to then extend respective alcohol hours on Friday and Saturday until 04:30 to read:

Supply of Alcohol (For consumption both on and off the premises)

11:00 – 02:00 - Monday to Wednesday
11:00 – 03:00 - Thursday
12:00 – 04:30 - Friday and Saturday
12:00 – 02:00 - Sunday
and until 05.00 on New Years Day

- 1.4 The application also seeks to amend a condition:

Variation to amend condition 17 at Annex 2 of the premises licence:

Condition 17 states - Public entertainment may only be provided on the Ground and First floor. The total number of people accommodated at the premises at any one time shall not exceed 1100 (with the exception

of Live Music with a terminal hour of 23:00 Monday to Sunday only) in accordance with the following layout.

Ground floor - 850

First floor - 250

The exception to the total number of people to be accommodated at the premises is for Live Music with a terminal hour of 23:00 Monday to Sunday only. The total number of people accommodated for Live Music at any one time shall not exceed 1200.

To read: Condition 17 The total number of people accommodated at any one time shall not exceed 1500.

Appendix 2.

2. Representations

- 2.1 Nine relevant representations have been received in relation to the application.
- 2.2 Three representations oppose the application, and these are from the Police responsible authority, Licensing Authority responsible authority, Public Health responsible authority.
- 2.3 Six representations were in support of the application. These are from the London Mayor's Night Czar, Industry Associations and businesses.
- 2.4 On 22nd August 2023 additional documents were provided by The Police responsible authority, this is labelled as hearing statistics. These can be found at **Appendix 4**

3. Policy

Licensing objectives (Chapter Four Page 20 to 35 of the Policy)

- 3.1 The licensing objectives engaged by this application are:
 - a) The Prevention of Crime and Disorder

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

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

Hours policy (Chapter Five- Page 36 to 38 of the Policy)

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

On Sales

Monday to Thursday	10:00 until 23:30
Friday and Saturday	10:00 until midnight
Sunday	11:00 until 22:30

Off Sales

Monday to Saturday	08:00 until 23:00
Sunday	10:00 until 22:30

No sale or supply of alcohol

Monday to Thursday	09:00 until 23:30
Friday and Saturday	09:00 until midnight
Sunday	09:00 until 22:30

- 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 – Page 46 to 67 of the Policy)

- 3.6 The premises policies currently engaged by this application are:
- a) Public Houses and Bars

- b) Restaurants, cafes and coffee houses
- c) Premises Providing Music and Dance and Similar Entertainment

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 - Applications for Premises Licences
 - d) Chapter 9 - Determining Applications
 - e) Chapter 10 - Conditions Attached to Premises Licences and Club Premises Certificates.

5. Recommendations

- 5.1 To determine the application for a new premises licence under section 35 of 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.