

**LICENCE HOLDER REPRESENTATION TO INTERIM STEPS TAKEN BY
THE LICENSING AUTHORITY IN RELATION TO A SUMMARY REVIEW OF
A PREMISES LICENCE UNDER SECTION 53A OF THE LICENSING ACT
2003**

LONDON BOROUGH OF CAMDEN	<u>FOR SUBMISSION TO:</u> Licensing Panel	<u>DATE:</u> 30 th November 2023
<u>REPORT OF:</u> Executive Director Supporting Communities	<u>CONTACT OFFICER:</u> Peter Agbley 5 Pancras Square, London, N1C 4AG Tel: 020 7974 5507 Email: Peter.agbley@camden.gov.uk	
<u>PREMISES:</u> Kiss The Sky 11-13 Camden High Street, London, NW1 7JE	<u>WARD:</u> Regents Park	
<u>Licence Holder:</u>	St Georges Hotel Inn Limited	
<u>Applicant:</u>	St Georges Hotel Inn Limited	
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 (August 2023) (“the Guidance”)	
Appendices	Appendix 1) Map of premises Appendix 2) Application form and certificate Appendix 3) Current premises licence Appendix 4) Licence Holder representations Appendix 5) Police Support Document Appendix 6) Legal and Finance comments	
<p>Signed by: </p> <p>Director of Public Safety</p> <p>Date: 28th November 2023</p>		

REASON FOR URGENCY

Following an application received from the Metropolitan Police responsible authority the Licensing Authority imposed Interim steps to suspend the premises licence on 21st November 2023. The Licence Holder was notified of this decision in writing on 27th November 2023. On the 28th November 2023 the Licence Holder has made representations against the interim steps imposed.

The Licence Holder can make representations against the interim steps under Section 53B and the Licensing Authority must within 48 of receipt of these representations a hearing must be held in order to consider them. Due to these short timescales this item has been put forward as urgent so as to comply with the Licensing Act 2003 and the regulations that accompany it.

1. Application

1.1 This is a report to consider the representations made by the Licence Holder against the interim steps imposed by the Licensing Authority on 21 November 2023 following an application for summary review of their premises licence under section 53A of the Licensing Act 2003 (“the Act”)

1.2 The premises is licensed for:

a) Supply of Alcohol (For consumption on the premises)

09:00 – 01:00 Monday to Saturday

10:00 – 23:30 Sunday

b) Live Music and Recorded Music

23:00 – 01:30 Monday to Saturday

23:00 – 23:30 Sunday

c) Opening hours

07:00 – 01:45 Monday to Saturday

10:00 – 01:00 Sunday

2. Background

2.1 On 20th November 2023, the Metropolitan Police responsible authority (“the Police”) submitted a summary review application under Section 53A of the Act against St Georges Hotel Inn Limited, trading as Kiss the Sky, 11-13 Camden High Street, NW1 7JE. The application was made because the Police believed the premises was associated with serious crime or disorder, or both.

2.1 In the application the Police state the following:

There was a double stabbing (non-fatal) linked to Kiss The Sky (Premises Licence 113657), 11-13 Camden High Street NW1 7JE

The Police have no confidence in the operators being capable to act honestly, appropriately and responsibly to prevent serious crime and

serious disorder following the involvement staff had in the commission of the offence.

2.2 On 21st November the Licensing Authority having considered the application and hearing evidence from the Police and Licence Holder resolved to take interim steps as follows:

a) To suspend the premises licence pending a full review hearing.

2.3 The decision was confirmed in writing by email to St Georges Hotel Inn Limited on 27th November 2023. The Licence holder has made representations against the interim steps on 28th November 2023. **Appendix 4**

2.4 The Police have also responded to the licence holders representation with documents to support the continuation of the licence suspension. This can be found as **Appendix 5**

3. Recommendations

3.1 To determine the whether interim steps are necessary and appropriate pending a full review hearing of the premises licence under section 53C of the Licensing Act 2003.

3.2 Having considered the application and the certificate, the Police's representations (if any) and the Licence Holders representations Members must:

- a) Consider whether interim steps are necessary for the promotion of the licensing objectives; and
- b) Determine whether to withdraw or modify the steps taken.

3.3 As with all options members will need to consider what is necessary and proportionate to ensure the promotion of the licensing objectives.

4. Conclusion

4.1 Members are required to consider whether interim steps are appropriate in light of all the relevant information.