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## Application for a premises licence to be granted 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 MASON & FIFTH PRIMROSE LIMITED

*(Insert name(s) of applicant)*

**apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003**

### Part 1 – Premises details

Postal address of premises or, if none, Ordnance Survey map reference or description			
5 - 8 St Mark's Square			
<b>Post town</b>	London	<b>Postcode</b>	NW1 7TN

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£0

### Part 2 - Applicant details

Please state whether you are applying for a premises licence as **appropriate** **Please tick as appropriate**

a)	an individual or individuals *		please complete section (A)
b)	a person other than an individual *		
	i as a limited company/limited liability partnership	X	please complete section (B)
	ii as a partnership (other than limited liability)		please complete section (B)
	iii as an unincorporated association or		please complete section (B)
	iv other (for example a statutory corporation)		please complete section (B)

c)	a recognised club		please complete section (B)
d)	a charity		please complete section (B)
e)	the proprietor of an educational establishment		please complete section (B)
f)	a health service body		please complete section (B)
g)	a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales		please complete section (B)
ga)	a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England		please complete section (B)
h)	the chief officer of police of a police force in England and Wales		please complete section (B)

\* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a
- statutory function or
- a function discharged by virtue of Her Majesty's prerogative



**(A) individual applicants** (fill in as applicable)

Mr	Mrs	Miss	Ms	Other Title (for example, Rev)	
<b>Surname</b>			<b>First names</b>		
<b>Date of birth</b>		I am 18 years old or over		Please tick yes	
<b>Nationality</b>					
Current residential address if different from premises address					
Post town				Postcode	
<b>Daytime contact telephone number</b>					
<b>E-mail address (optional)</b>					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 'share code' provided to the applicant by that service (please see note 15 for information)					

--

**Second individual applicant** (if applicable)

Mr	Mrs	Miss	Ms	Other Title (for example, Rev)	
<b>Surname</b>			<b>First names</b>		
<b>Date of birth</b> or over		I am 18 years old		Please tick yes	
<b>Nationality</b>					
Current residential address if different from premises address					
Post town				Postcode	
<b>Daytime contact telephone number</b>					
<b>E-mail address (optional)</b>					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 'share code' provided to the applicant by that service: (please see note 15 for information)					

**(B) Other applicants**

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name MASON & FIFTH PRIMROSE LIMITED
Address 38 ROSEBERY AVENUE LONDON EC1R 4RN

Registered number (where applicable) 14157774
Description of applicant (for example, partnership, company, unincorporated association etc.) company
Telephone number (if any)
E-mail address (optional)

**Part 3 Operating Schedule**

When do you want the premises licence to start?

DD	MM	YYYY
1	8	1 2 2 0 2 4

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY

Please give a general description of the premises (please read guidance note 1)

Aparthotel over 5 floors providing rooms for paying guests. The general public are not admitted.

The supply of alcohol is limited to consumption on the lower ground floor in the communal kitchen and lounge. Off sales only to permit consumption in the garden or in guest rooms. No taking of alcohol off site

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

What licensable activities do you intend to carry on from the premises?

(please see sections 1 and 14 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)	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)	

<b><u>Provision of late night refreshment</u></b> (if ticking yes, fill in box I)	
<b><u>Supply of alcohol</u></b> (if ticking yes, fill in box J)	X

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

J

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 7)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 8)	On the premises	
				Off the premises	
				Both	X
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 5)		
Mon	12:00	23:00			
Tue	12:00	23:00			
Wed	12:00	23:00			
Thur	12:00	23:00			
Fri	12:00	23:00			
Sat	12:00	23:00			
Sun	12:00	23:00			
			<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 6)		

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

<b>Name</b>	Anthony Dylan Murray
<b>Date of birth</b>	██████████
<b>Address</b>	██████████ ██████████ ██████████
<b>Postcode</b>	██████████
<b>Personal licence</b>	██████████

Issuing licensing authority (if known)

**K**

**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** (please read guidance note 9).

None

**L**

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 7)			<b>State any seasonal variations</b> (please read guidance note 5)
Day	Start	Finish	
Mon	00:00	00:00	
Tue	00:00	00:00	
Wed	00:00	00:00	
Thur	00:00	00:00	
Fri	00:00	00:00	
			<b><u>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</u></b> (please read guidance note 6)
			The premises are never open to the general public



Sat	00:00	00:00	
Sun	00:00	00:00	

## M

Describe the steps you intend to take to promote the four licensing objectives:

**a) General – all four licensing objectives (b, c, d and e)** (please read guidance note 10)

CCTV to be provided as required by Police  
 The premises shall operate as an aparthotel catering to paying guests and their bona fide guests.  
 The general public shall not be admitted to the premises  
 Supply of alcohol for consumption on the premises to be limited to the communal kitchen on the lower ground floor  
 Supply of alcohol for consumption off the premises shall be limited to consumption by residents in the garden area or to be taken to their rooms  
 No alcohol shall be taken off site by any guest.

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

See box a

**c) Public safety**

See box a

**d) The prevention of public nuisance**

See box a

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

All staff will be trained in the provisions of the Licensing Act relating to service of alcohol to under 18's.  
A Challenge 25 scheme shall be in operation.

**Checklist:**

**Please tick to indicate agreement**


<input type="checkbox"/>	I have made or enclosed payment of the fee.	<input checked="" type="checkbox"/>
<input type="checkbox"/>	I have enclosed the plan of the premises.	<input checked="" type="checkbox"/>
<input type="checkbox"/>	I have sent copies of this application and the plan to responsible authorities and others where applicable.	<input checked="" type="checkbox"/>
<input type="checkbox"/>	I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.	<input checked="" type="checkbox"/>
<input type="checkbox"/>	I understand that I must now advertise my application.	<input checked="" type="checkbox"/>
<input type="checkbox"/>	I understand that if I do not comply with the above requirements my application will be rejected. [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom or my share code issued by the Home Office online right to work checking service (please read note 15).	<input checked="" type="checkbox"/>

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.

It is an offence under Section 24b of the Immigration Act 1971 for a person to work when they know, or have reasonable cause to believe, that they are disqualified from doing so by reason of their immigration status. Those who employ an adult without leave or who is subject to conditions as to employment will be liable to a civil penalty under section 15 of the Immigration, Asylum and Nationality Act 2006 and pursuant to Section 21 of the same act, will be committing an offence where they do so in the knowledge, or with reasonable cause to believe, that the employee is disqualified.


**Part 4 – Signatures** (please read guidance note 11)

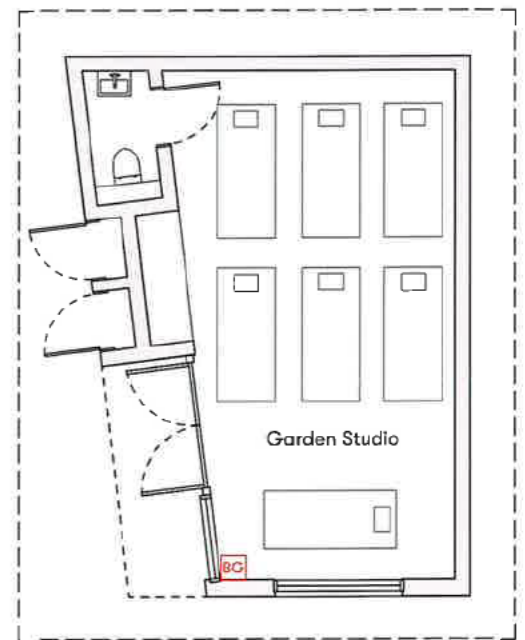
**Signature of applicant or applicant's solicitor or other duly authorised agent** (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

<b>Declaration</b>	<ul style="list-style-type: none"> <li>[Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).</li> <li>The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)</li> </ul>
Signature	 Keystone Law
Date	19/11/2024
Capacity	Solicitor for applicant

**For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant's solicitor or other authorised agent** (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14) Craig Baylis Keystone Law 6 Lettice Street			
Post town	London	Postcode	SW6 4EH
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) 			



LICENSED AREA



Key	
	Fire blanket
	Extinguisher
	Emergency break glass point
	Emergency Exit sign
	Emergency door release point
<b>Mason&amp;Fifth</b>	
Primrose Hill	
Lower Ground Fire Equipment	
PRIM-FEP-LG	A
1:100 at A3	24/09/2024
For Information	
<small>Do not scale from this drawing. This general arrangement has been produced as indicative only. All sizes and dimensions are to be checked on site prior to any works.</small>	

<b>Representation</b>	
Premises name	Mason
Application reference number	APP\PREMISES-NEW\125134
Last date for representation	17/12/2024

**Making a representation as**

As an individual

**Your details****First name**

Hilary

**Last name**

Muggridge

**Telephone number (optional)**

[REDACTED]

**Email address**

[REDACTED]

**Address**

Flat 1st Floor  
 2 Princess Road  
 London  
 NW1 8JJ

**Remain anonymous**

No

**Grounds of representation**

- prevention of public nuisance

**Details of representation**

Please, please, no more noisy alcohol induced racket right outside my open back bedroom window this coming summer.....It' s bad enough with the drunken racket on the other side of the house, outside the Albert Pub, on Princess Road, opposite my flat, on summer and autumn nights. Are we now to have the same noise and disturbance at the back of our houses as well? It is bad enough in the summer when the other houses, part of the same block and next door to Vernon House, running down to the Canal, decide to entertain their

noisy drunken guests.....but to have another potential source of late night drinking practically outside my bedroom window is completely unacceptable! There is a so-called paved "garden", which I can see pretty close-to from my flat, which runs right along the back of the first several houses in Princess Road, plus a room at the end which I gather houses a yoga studio and running club. Why can't it stay this way instead of the proposal for an alcohol licence which as we all know would be a magnet for late night drinkers, along with all the tables and chairs which run the whole length of what used to be Vernon House's back garden? And I gather Vernon Ho is proposing a continuous seven day licence from 7pm to 11pm, seven nights a week. This is absolutely not acceptable to the large number of people living within close earshot who will have to put up with this every single night, seven days a week, who up to now have been spared a little of the drunken racket which emanates from the houses further down the block. We should not have to fight this. This is an unacceptable disturbance to many very longstanding local residents who should by law be permitted to have quiet and reasonable enjoyment of their homes. This is an extremely longstanding residential area. Most of us have lived here for years. Most of the time it has been very peaceful, as such a residential area should be. Vernon House is a hostel of expensive rooms which will be occupied by perfectly nice people but who couldn't give a damn about disturbing their neighbours, and if alcohol and tables and chairs are available,

are going to take advantage of it. Rather reminiscent of a pub garden in summer in fact, and which is absolutely ENTIRELY INAPPROPRIATE to be happening right outside our back windows!!

## 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.

<b>Representation</b>	
Premises name	Mason
Application reference number	APP\PREMISES-NEW\125134
Last date for representation	17/12/2024

**Making a representation as**

As an individual

**Your details****First name**

J D

**Last name**

Jones

**Telephone number (optional)**

[REDACTED]

**Email address**

[REDACTED]

**Address**

4 Princess Road

London

NW1 8JJ

**Remain anonymous**

No

**Grounds of representation**

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

**Details of representation**

We live right off the yard where this "club" uses and it is very very loud. The noise causes disturbance all down Princess Road and the homes abutting Vernon House on Regent's Park Road. Sundays this club should not run after 4 and to be going to 11 pm weeknights is outrageous as the long yard is a huge echo chamber that will cause a lot of noise disturbance Mon - Thursday night when people are sleeping and have to get to work the next morning. This is a



resident housing not a business street on RP rd... not zoned for clubs... so to push these bounds is thoughtless and all about greed. THis is a quiet residential area. THnak you I know you would not want this off your bedroom window or yard for you and your family.

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<b>Representation</b>	
Premises name	Mason
Application reference number	APP\PREMISES-NEW\125134
Last date for representation	17/12/2024

**Making a representation as**

As an individual

**Your details****First name**

Lorna

**Last name**

Fowler

**Telephone number (optional)**

[REDACTED]

**Email address**

[REDACTED]

**Address**

4 Princess Road

London

NW1 8JJ

**Remain anonymous**

No

**Grounds of representation**

- prevention of public nuisance

**Details of representation**

My home adjoins Vernon House. We have already expected noise even late at night and I fear I will no longer be able to enjoy my own house without noise if alcohol is introduced. Given the largely changing people using this hostel:hotel it could even be booked by groups for parties, as happens on Airbnb, especially since it has a large garden room with bathroom facilities an extra weatherproof room for a party. The garden is fitted with chairs and tables which would encourage drinks to be taken outside. Furthermore most of the houses adjoining the Vernon House building and

garden and garden room have been here 40-50+ years ( we are an unusually settled terrace ) and thus we are largely very elderly. Vernon House has apparently a running club and a judo studio and clearly an alcohol licence would allow it to advertise itself as an events location. Given the church across the road a possible wedding reception venue. Clearly this licence request is to add to its revenue raising so events would boost that. . Furthermore if people want a drink the Albert Pub is within 50 yards. To have noise behind my house as well as from the pub at the front would be unbearable. I think the hours are too long . There is no restaurant in V House so as an hotel one would expect guests to be out visiting London or working in the daytime so 12-11 7/7 is excessive an application. This would only work if the licence could not be used for events or to serve groups and with the proviso no alcohol could be taken into the garden or garden room at any time. The garden room is calculated to hold legally a large number of people- see objections to plans for garden room.

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Judd Street  
London  
WC1H 9JE

**Contact phone**

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**From:** Ms Gray [REDACTED]  
**Sent:** 27 November 2024 00:50  
**To:** licensing inbox [REDACTED]  
**Subject:** Mason & Fifth licence application 125134

We are writing to strongly object to this application for a licence. because this is has always been a residence, not an entertainment venue.

Although this is now a hostel with expensive rooms, and no longer a nurses home, and it carries out activities every day, such a yoga, in the garden room, it is not appropriate to start having alcohol served on the premises, which will inevitably generate a lot of noise and activity in the garden, which backs on to our house and is right next to our quiet terrace garden, and those of all our neighbours.

Many of us are elderly and at home during the day and in the evening.

We already have a pub across the road, which produces a lot of noise, and the school, which has children in the playground from 7.30am and during playtimes, and after school until 3.30-4.30pm.

This will mean there's nowhere peaceful and quiet for us to enjoy our homes.

Apart from The Albert Immediately opposite us (a 1-minute walk from Vernon House), there is another pub at the other end of Princess Road, The Engineer, and four more pubs within easy 5-10 minutes walk, as well as the numerous coffee shops, restaurants and cafes along Regents Park Road, and Sam's Cafe in Chalcot Road.

We already have issues with bright lights often being left on all night outside the garden room, shining through our curtains and blinds, and broken promises from management to ensure that this doesn't happen again whenever we complain. If they are granted a licence, we can expect this to occur more often and for any guarantees to ensure peace and quiet to be worthless.

We utterly object to the notion that the following hours, 7 days a week, is either appropriate or acceptable for a residential building, backing onto other residences in a residential area which already has so many opportunities a short distance away to enjoy alcohol in more appropriate surroundings.:

Monday: 12:00 - 23:00  
Tuesday: 12:00 - 23:00  
Wednesday: 12:00 - 23:00  
Thursday: 12:00 - 23:00  
Friday: 12:00 - 23:00  
Saturday: 12:00 - 23:00  
Sunday: 12:00 - 23:00

Please do not destroy the only peace we have in our homes by allowing this unnecessary and unreasonable application.

Thank you

Ilse, Alice and Poppy Gray

12 Princess Road

**From:** Pam White [REDACTED]  
**Sent:** 22 November 2024 11:23  
**To:** licensing inbox [REDACTED]  
**Subject:** APP/PREMISES-NEW/125134 Mason & Fifth Primrose Limited 5-8 St Mark's Square, NW1 7TN

**[EXTERNAL EMAIL]** Beware – This email originated outside Camden Council and may be malicious Please take extra care with any links, attachments, requests to take action or for you to verify your password etc.

I wish to object to the above application on the following reasons, as there is no precedent for a bar serving alcohol in such a hostel as this premises. It has planning consent for a hostel but it seems to be operating as a boutique hotel now:

the hours are too long and on 7 days which is not acceptable

It is in a residential area, in a hostel of (expensive rooms) and as such, it is not appropriate here

There is a potential for noise and disturbance. The property already uses its garden room, which blights the adjoining Princess Road houses of enjoyment of their own properties (10&12). It is a ready made party venue in the garden with lavatory & basin. Any drinks will certainly in summer end up in the garden and in the garden room. Given the flux of population in this property (hostel or hotel?), the owners can have no control over who is staying and it would appear to have a ready made party venue with sleeping & garden room to party in.

There would be harm to children and to the elderly

There would be disturbance to local residents who are permitted to have quiet and reasonable enjoyment of their homes

If alcohol is required here, the Albert pub is opposite the building, some 20m distant

Pam White  
[REDACTED]

**From:** Paul Harvey [REDACTED]  
**Sent:** 29 November 2024 16:37  
**To:** licensing inbox [REDACTED]  
**Subject:** Liquor Licence Application for Mason & Fifth-reference number 125134.

[REDACTED]

**[EXTERNAL EMAIL]** Beware – This email originated outside Camden Council and may be malicious Please take extra care with any links, attachments, requests to take action or for you to verify your password etc.

Dear Licensing Team,

We are writing to formally object to the liquor licence application for Mason & Fifth, reference number 125134.

As residents and neighbours in this residential community, we are deeply concerned that granting this licence would significantly disrupt the character and tranquillity of St Marks Square and the surrounding area. The proposed hours of operation—12:00 to 23:00, seven days a week—are excessive and inappropriate for a predominantly residential setting like Primrose Hill.

This building, with its historical roots as a convent and nurses' dormitory, has long been associated with peace and quiet. Extending alcohol service late into the evening daily risks undermining the values that make this neighbourhood so appealing to families, professionals, and retirees who live here. Allowing alcohol sales in this location would disrupt the close-knit and serene atmosphere that residents have worked hard to preserve.

The building is directly across from a nursery school and a church, both of which require a quiet and respectful environment to serve their purposes. Introducing alcohol sales in such close proximity raises concerns about noise, crowds, and potentially unruly behaviour, which could negatively affect these institutions.

Mason & Fifth operates more as an upscale hostel than a traditional hotel, making it part of a predominantly residential community rather than a commercial district. Alcohol sales would exacerbate noise and disturbances, especially during evenings and weekends, when residents, including families with young children and elderly individuals, expect peace and quiet.

The area already has adequate facilities for alcohol consumption. The Albert pub, located just 20 metres away, provides a more appropriate venue for this purpose. Introducing a second

licensed premise would add unnecessary noise, traffic, and competition, creating a strain on community resources and lowering the overall quality of life in the neighbourhood.

While the current proposal ties alcohol service to the yoga studio, there is a real concern that this space could quickly transition into a de facto bar or drinking establishment. Such a shift would have a profound impact on the immediate area, particularly the homes along St Marks Square and Princess Road, which are already vulnerable to increased activity and noise. Our backyards are our one area of peace.

Our objections stem from a shared desire to protect the unique character of this conservation community and to ensure it remains a safe, tranquil, and family-friendly environment. This community is not opposed to appropriate development or commerce, but a liquor licence at Mason & Fifth would bring a level of disruption that is neither necessary nor beneficial.

We urge Camden Council to carefully consider the concerns of the residents and decline this application in the interest of maintaining the peaceful and harmonious character of St Marks Square and Primrose Hill. This was originally a home for essential workers. Do not let it become a destination bar.

Thank you for your attention to this matter. We trust you will give due consideration to these points and safeguard the community's interests.

Best regards,

Paul, Colleen, and Victoria Harvey

10 St Marks Square

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]



<b>Representation</b>	
Premises name	Mason
Application reference number	APP\PREMISES-NEW\125134
Last date for representation	17/12/2024

**Making a representation as**

As an individual

**Your details****First name**

William

**Last name**

Bordass

**Telephone number (optional)**

[REDACTED]

**Email address**

[REDACTED]

**Address**

10 Princess Road  
London  
NW1 8JJ

**Remain anonymous**

No

**Grounds of representation**

- prevention of public nuisance

**Details of representation**

We overlook the garden and garden house behind the applicant's building. See attached Birdseye View, Garden House location, and Garden House Plan. We have been concerned about the changes in the use of 5-8 St Mark's Square since the building, classified as a sui generis hostel, was sold by the London Clinic eight years or so ago. In 2018 it was converted into one-room flats. The Garden Room was refused planning but went through on appeal. In use this could become intrusive for us, with noise and occasional barbecues. Circa 2021, the building was emptied and sold,

reopening a year ago and operating more like a hotel - which does not seem to us to be within the terms of its planning consent. We also fear that the sale of alcohol could make the garden and garden house more rowdy and intrusive.

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London  
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**Conditions consistent with the operating schedule**

1. The garden shall be vacated by 20:00hrs each night, and all lighting turned off by 20.00 hrs each night.
2. The supply of alcohol will be restricted to building residents only.
3. No alcohol supplied shall be consumed outside the front of the property.
4. No bar servery shall be constructed or used on the premises.
5. No direct payment shall be made or accepted for the supply of alcohol on the premises.
6. Events where alcohol is supplied shall be limited to a maximum of six events per calendar year (three in the summer months and three in the winter months), with the supply of alcohol being ancillary to a substantial meal.
7. Outside of these events, the supply of alcohol shall be restricted to Friday nights between 17:00hrs and 21:00hrs, with a limit of no more than three glasses of alcohol per resident during this time.
8. No alcohol shall be supplied at the premises after 21:00hrs.
9. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Camden Police Licensing Team.
  - a. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition.
  - b. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises and will include the external area immediately outside the premises entrance.
  - c. All recordings shall be stored for a minimum period of 31 days with date and time stamping.
  - d. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31-day period.
10. The premises shall operate as an aparthotel catering to paying guests and their bona fide guests.
11. The general public shall not be admitted to the premises.
12. Supply of alcohol for consumption on the premises to be limited to the communal kitchen on the lower ground floor.
13. Supply of alcohol for consumption off the premises shall be limited to consumption by residents in the garden area or to be taken to their rooms.
14. No alcohol shall be taken off site by any guest.

15. All staff will be trained in the provisions of the Licensing Act relating to service of alcohol to under 18's.
16. A Challenge 25 scheme shall be in operation.

## 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.