


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

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| LONDON BOROUGH OF CAMDEN | <u>FOR SUBMISSION TO:</u> Licensing Panel | <u>DATE:</u> 18 December 2025 |
| <u>REPORT OF:</u> Executive Director Investment, Place and Opportunity | | <u>CONTACT OFFICER:</u> Sarah Fearon-Hales, Licensing Officer Licensing Team, 5 Pancras Square, London, N1C 4AG. Tel: 020 7974 4444 Email: Sarah.fearon-hales@camden.gov.uk |
| <u>PREMISES:</u> Imperial Restaurant & Bar 46 Birchington Road, London, NW6 4LJ | | <u>WARD:</u> Kilburn |
| 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 (November 2025) (“the Guidance”) | |
| Appendices | Appendix 1) 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 and Public Safety  Date: 8th December 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) Retail of Alcohol (For consumption on the premises)

10:00 – 22:30 Monday to Thursday
10:00 – 00:00 Friday and Saturday
11:00 – 22:30 Sunday

b) Live Music, Recorded Music, Performance of Dance and Anything of a similar description to Live music, recorded music or performances of dance (Basement only)

15:00 - 22:30 Thursday
15:00 - 00:00 Friday and Saturday

c) Late Night Refreshment (Ground floor and Basement only)

23:00- 00:00 Friday and Saturday

d) Opening hours

Unrestricted

1.3. The Variation application is for:

a) To extend the licenced area by adding the premises located on 44 Birchington Road, London NW6 4LJ (next door) to the Restaurant (located on 46 Birchington Road, London NW6 4LJ).

b) Change licensing hours

Supply of alcohol (ON the premises)

10:00 – 23:30 – Monday to Sunday

Live Music

23:00 – 00:00 – Friday to Saturday

Recorded Music

23:00 – 00:00 – Friday to Saturday

Opening hours

09:00 - 00:00 – Monday to Sunday

c) Remove licensable activity:

Late night refreshment

The Application can be found at **Appendix 2**.

2. Representations

- 2.1. Four relevant representations were received in relation to the application.
- 2.2. The representations oppose the application, and are from the Environmental Health responsible authority and three residents including a resident petition **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 Public Nuisance
- b) The Prevention of crime and disorder
- c) The protection of children from harm
- d) Ensuring public safety

- 3.2. The hours policy is not engaged by this application in relation to the proposed end times for the sale of alcohol. The framework hours are given in the policy as:

For licences including the sale or supply of alcohol for consumption on the premises only:

| | |
|---------------------|-------------------------|
| Supply of alcohol | |
| Monday to Thursday | 08:00am until 00:30am |
| Friday and Saturday | 08:00am until 00:30am |
| Sunday | 10:00 am until 23:00 pm |

- 3.3. The times for the framework hours on any given day are not (and should not be regarded as) the “usual” or “normal” working 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)

- 3.4. 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 include these principles.

Premises Policy (Chapter Seven – Page 46 to 67 of the Policy)

3.5. The premises policies currently engaged by this application are:

- e) Restaurant cafes and coffee houses.

4. Secretary of State's Guidance

4.1. The relevant parts of the Secretary of State's Guidance ("the Guidance") for this application are:

- f) Chapter 2 - The Licensing Objectives
- g) Chapter 3 - Licensable Activities
- h) Chapter 8 - Applications for Premises Licences
- i) Chapter 9 - Determining Applications
- j) 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:

- k) Grant the application in full with such conditions on the licence that are consistent with the operating schedule.
- l) Grant the application subject to revised conditions that they consider appropriate to promote the licensing objectives.
- m) 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 objective