

IN THE MATTER OF THE LICENSING ACT 2003

SCHOFIELD'S BAR 1A EARLHAM STREET, SEVEN DIALS, CAMDEN

APPLICANT SUBMISSIONS

Introduction

1. These submissions are made in response to the Covent Garden Community Association's ("**CGCA**") representation and their additional document lodged on 30 May 2026. The submissions append Counsel's Opinion and summarise the applicant's position specifically in relation to the CGCA's request that a "personal use" condition is imposed on the Premises Licence by the Licensing Sub Committee.
2. The applicant's position, supported by Counsel's Opinion, is that the condition is unlawful and, in any event, not necessary or appropriate in order to promote the Licensing Objectives.
3. The applicant is extremely grateful to the CGCA and local residents for engaging in friendly meetings pre and post submission of the application. This positive neighbourly consultation resulted in an agreement in all aspects of the application, including the proposed licensable activities, hours and conditions, except for the single outstanding condition proposed by the CGCA. There are no representations from individual local residents or the Responsible Authorities.
4. This application is one of, if not *the*, first bar proposal in Seven Dials since the new Statement of Licensing Policy (the "**Policy**") was adopted in 2025. The previous policy had the effect of preventing new bar proposals in Seven Dials due to a policy presumption to refuse applications of this type. It is against this backdrop that the Licensing Sub-Committee is being asked to apply a "personal use" condition by the CGCA. The new Policy neither anticipates nor requires premises licences authorising bar use to be conditioned in this way, and instead seeks to encourage "*responsible and positive business investment and economic growth*" in Camden.

Controls & Safeguards

5. Counsel's Opinion confirms that imposing the CGCA's condition would not be lawful. In any event, imposing the condition is not required to promote the Licensing Objectives due to the agreed terms of the application, as well as the following controls and safeguards:
 - a. A comprehensive suite of enforceable licence conditions agreed with the CGCA, local residents and the Responsible Authorities, including conditions 1 and 2, which prevent irresponsible vertical drinking bar use and drinks promotions, as well as strict model conditions recently endorsed by the new Policy.
 - b. Proposed hours within the new Framework Hours (not 1.00 am as per the CGCA's document), and in fact less than Framework Hours on Friday and Saturday evenings.
 - c. A concurrent planning application which conditions the applicant's Operational Management Plan, as relied upon in the CGCA's additional submission document.
 - d. Section 42 of the Licensing Act 2003 (the "Act"), under which the Police must be notified of an application to transfer a premises licence, with the right to object if there are concerns about the incoming licensee.
 - e. Section 37 of the Act, under which the Police must be notified of an application to appoint a new Designated Premises Supervisor ("DPS"), with the right to object if there are concerns about the incoming DPS.
 - f. Section 51 of the Act, which allows the Responsible Authorities or local residents to initiate a review of a premises licence in the event the premises is not promoting the Licensing Objectives.
 - g. A conscientious and proactive landlord, Shaftesbury Capital Plc, who cares for the local area and has consistently demonstrated a long-term commitment to place-making, a harmonious operator mix alongside the local community and wide-ranging estate management. The landlord's safeguards include careful tenant vetting, which has ultimately resulted in Daniel and Joe Schofield being selected to take a lease of the premises. Indeed, they are tenants that the CGCA and local residents have kindly met and endorsed.

The Law

6. The above enforceable controls and safeguards robustly promote the Licensing Objectives. This can be achieved without the CGCA's proposed condition, which Counsel has determined would be unlawful in any event, for the following reasons, *inter alia*:
 - a. The Act anticipates a "*light touch bureaucracy*"¹. Conditions should only be imposed when strictly necessary and appropriate, without burdening a licence holder with excessive bureaucracy or disproportionate conditions with no proper evidential foundations.
 - b. The Act envisages an analogous delineation between *premises* licences and *personal* licences. The proposed CGCA condition would blur the line between *premises* and *personal* licensing regimes, which would be unlawful and run counter to the "light touch" framework which seeks to avoid excessive bureaucracy.²
 - c. The proposed condition may be *desirable* for the CGCA, but it is not *relevant, necessary, proportionate or appropriate* to promote the Licensing Objectives in accordance with the requirements of section 18 of the Act and Section 182 Guidance.
 - d. The proposed CGCA condition would frustrate the licence holder's statutory right to apply for a transfer of the premises licence.
 - e. Paragraph 10.10 of the section 182 Guidance requires licensing authorities to be mindful of the "*indirect costs that can arise because of conditions*". The proposed CGCA condition would impose a number of potential future costs where there is no proper justification for doing so in the circumstances.

Summary

7. For the reasons set out above, the applicant respectfully asks the Licensing Sub-Committee to grant the premises licence in accordance with the proposed licensable activities, hours and conditions agreed with the Responsible Authorities, local residents and the CGCA. Imposing the CGCA's proposed "personal use" condition is not necessary, proportionate or appropriate to promote the Licensing Objectives, nor would it be lawful.

¹ Black J in *R(Daniel Thwaites Plc) The Wirral Borough Magistrates' Court* [2009] PTSR51 NAT paragraphs 13 and 14; and paragraph 7.2 Section 182 Guidance

² Paragraphs 39-40 Counsel's opinion.