

LICENSING PANEL C

THURSDAY, 14 NOVEMBER 2024 AT 7.00 PM
REMOTE MEETING VIA MICROSOFT TEAMS. THIS MEETING CAN BE WATCHED
LIVE AT WWW.CAMDEN.GOV.UK/WEBCAST

Enquiries to: Vicky Wemyss-Cooke, Committee Services
E-Mail: licensing.committee@camden.gov.uk
Telephone: 020 7974 5726 (Text phone prefix 18001)

MEMBERS

Councillor Jonathan Simpson MBE (Chair), King's Cross (L)
Councillor Nina De Ayala Parker, South Hampstead (L)
Councillor Matthew Kirk, Belsize (LD)

SUBSTITUTE MEMBERS

Councillor Steve Adams, Frognal (C)
Councillor Meric Apak, Kentish Town South (L)
Councillor Joseph Ball, Kentish Town South (L)
Councillor Patricia Callaghan, Camden Town (L)
Councillor Matt Cooper, Primrose Hill (L)
Councillor Sabrina Francis, Bloomsbury (L)
Councillor Lorna Greenwood, Fortune Green (L)
Councillor Sharon Hardwick, West Hampstead (L)
Councillor Jenny Headlam-Wells, Kentish Town South (L)
Councillor Patricia Leman, Camden Square (L)
Councillor Sylvia McNamara, Kentish Town North (L)
Councillor Shah Miah, St Pancras and Somers Town (L)

L = Labour, C = Conservative, LD = Liberal Democrat

IMPORTANT: Please read the 'Guidance Notes on Procedures' that follow.

Issued on: Wednesday, 6 November 2024

REMOTE MEETINGS IN CAMDEN

Everyone is welcome to come to watch public meetings in Camden. Agendas for these meetings are available in advance on the Council's website at www.camden.gov.uk/democracy. Parties to a licensing hearing may submit further late materials no later than 7pm, two working days before the meeting is due to start. These will be published online and will be viewable to all parties. At the start of the relevant item, after the officer's presentation, the Chair will confirm which late papers have been circulated and invite each group of parties (responsible authorities, interested parties, applicant; or applicant, interested parties, licence holder) to set out in up to 2 minutes why the papers should be accepted or not. The committee members will then decide whether to admit the papers – taking advice as needed from officers – and take any adjournment necessary to ensure all voting members have read them.

Unlike most meetings in Camden, Licensing Panels do not allow members of the public to speak at the meeting unless they have made a valid representation during the consultation period. The applicant, licence holder and parties who made representations will be sent a notice of the hearing and are required to return this by 7pm, two working days before the meeting. Where a party has not indicated their intention to speak by this time, they will be presumed to not be addressing the hearing. Reasonable attempts will be made to accommodate those submitting late notifications, but their participation will not be guaranteed.

The applicant, licence holder and parties making representations must identify a single speaker for whom the meeting will be adjourned for up to 15 minutes if their audio feed fails. This may be themselves or another nominated person. They may invite others to speak as part of their submissions, but the committee will not adjourn the meeting for a speaker who is not the identified single speaker for the party unless the Chair is persuaded that that the non-lead speaker has material information to impart to the committee.

The Council is allowed to discuss some items in private, although this does not happen often – any such items will be discussed, as far as possible, at the end of the meeting. The live meeting stream will be paused and members of the public, including the applicant, licence holder and parties making representations, will be asked to leave the remote meeting.

Members of the public have a right to take their own recordings of public meetings for reporting purposes. This does not apply to any of the Council's meetings which are private or not open to the public. Laws on public order offences and defamation still apply, and you should exercise your rights with responsibility. Please respect the views of others when reporting from a meeting.

You may be asked to stop filming, photographing or recording a meeting if this in some way becomes disruptive to the meeting.

This meeting will be broadcast live via www.camden.gov.uk/webcast

If you have any views or questions about meetings at Camden Council please call Committee Services on 020 7974 1915.

REMOTE MEETING ETIQUETTE

Participants¹ in remote meetings are asked to adhere to the following guidelines:

Preparing for the meeting

- If you are planning to attend, make sure you have informed the committee officer named on the agenda front sheet by 7pm, two working days before the meeting, so that a full list of those expected at the meeting can be prepared.
- Ensure you have read the report(s) before the meeting.
- Ensure that you are located in an area where you are unlikely to be disturbed.
- Ensure that your broadband connection is sufficiently stable to join the meeting. If your connection has low bandwidth, you might need to ask others using your broadband connection to disconnect their devices from the broadband for the duration of the meeting. If this does not help, you may wish to try connecting your device to your router using an Ethernet cable.
- Ensure that your background is neutral (a blank wall is best) and that you are dressed appropriately for a meeting held in public.
- Ensure that the camera on the device that you are using is positioned to provide a clear, front-on view of your face. This may involve thinking about lighting in the room you are in (for example, sitting in front of a window may plunge your face into shadow) or putting your webcam, laptop or tablet on top of a couple of books so that you can look into the camera face on.
- Ensure that you are familiar with the functions of the software you are using. The committee officer will be online 15 minutes before the meeting start time to give everyone time to join and deal with any technical challenges, so try to join the meeting at least 5 minutes before the meeting start time to make sure that everything is working.
- Ideally, you should use earphones or a headset to participate in meetings as it reduces the risk of feedback from using your device's external speaker and reduces background noise from your surroundings.

At the meeting

- Join the meeting promptly to avoid unnecessary interruptions.
- Mute your microphone when you are not talking. If you are an officer, applicant, licence holder or party making a representation, please turn off your video when not speaking in order to reduce bandwidth.
- Only speak when invited to do so by the Chair.
- When speaking for the first time, please state your name.
- While usual time limits apply during licensing hearings, do keep comments, questions and other contributions brief and to the point.

¹ Participants are defined as members of the committee; other councillors who seek to address the committee; officers advising the committee or presenting reports; any external partners / third-parties invited to address or advise the Committee; and deputies (including any member of the public with speaking rights).

- If referring to a specific page on the agenda, mention the page number.
- Once you no longer need to participate in the meeting, please leave the call; you can still watch via the public video stream if you wish. Once the Chair closes the meeting, all remaining participants should leave the call promptly.

Exempt or confidential items

Occasionally, the committee may need to go into closed session to consider information that is confidential or exempt from publication. If this happens, the committee will pass a resolution to that effect, the public feed will be cut and any participant who is not a member of the committee will be asked to leave the meeting. If you are asked to leave the meeting, please end your connection promptly. Any connections that are not ended promptly will be terminated by the committee officer.

Gender inclusive minutes: Camden seeks to write the minutes of its committees in a way that does not misgender individuals. If you are contributing to the meeting and you wish to let us know what your pronouns are, please contact the Committee Officer named on the front of this agenda. Otherwise, we will use job titles, full names or neutral terminology. We will not assume gender.

WEBCASTING NOTICE

This meeting will be broadcast live by the Council via www.camden.gov.uk/webcast. The whole of the meeting will be filmed and recorded, except where there are confidential or exempt items, and the footage will be on the Internet for at least a year. A copy of it will also be retained in accordance with the Council's data retention policy.

If you make a representation to the meeting you will be deemed by the Council to have consented to being filmed and to the possible use of those images and sound recordings for webcasting and/or training purposes.

The Council is obliged by law to allow members of the public to take their own recordings and images of this remote meeting. The Council will only seek to prevent this should it be undertaken in a disruptive or otherwise inappropriate manner.

The Council has a privacy notice and further details that you can see at www.camden.gov.uk/privacy. We also have a privacy notice that explains our use of webcasting data that you can see at www.camden.gov.uk/data-protection-privacy-and-cookies#webcasting

If you have any queries regarding webcasting or the recording of meetings by the public, please contact the webcasting co-ordinator on 020 7974 5653.

LICENSING PANEL C

14 NOVEMBER 2024

THERE ARE NO PRIVATE REPORTS

PLEASE NOTE THAT PART OF THIS MEETING MAY NOT BE OPEN TO THE PUBLIC AND PRESS BECAUSE IT MAY INVOLVE THE CONSIDERATION OF EXEMPT INFORMATION WITHIN THE MEANING OF SCHEDULE 12A TO THE LOCAL GOVERNMENT ACT 1972, OR CONFIDENTIAL WITHIN THE MEANING OF SECTION 100(A)(2) OF THE ACT.

AGENDA

Wards

Guidance on Procedures

1. **GUIDANCE ON REMOTE MEETINGS HELD UNDER THE LICENSING ACT 2003 AND ASSOCIATED REGULATIONS** (Pages 43 - 48)

To agree the procedure rules for remote meetings.

2. **APOLOGIES**

3. **DECLARATIONS BY MEMBERS OF STATUTORY DISCLOSABLE PECUNIARY INTERESTS, COMPULSORY REGISTERABLE NON-PECUNIARY INTERESTS AND VOLUNTARY REGISTERABLE NON-PECUNIARY INTERESTS IN MATTERS ON THIS AGENDA**

4. **ANNOUNCEMENTS (IF ANY)**

5. **NOTIFICATION OF ANY ITEMS OF BUSINESS THAT THE CHAIR DECIDES TO TAKE AS URGENT**

6. **MINUTES**

(Pages 49 - 62)

To approve the minutes of the meeting held on 10th October 2024.

7. SHREEJI LOCAL, 167 MALDEN ROAD, LONDON NW5 4HT

Haverstock

Report of the Executive Director Supporting Communities

(Pages 63 -
130)

This is an application in respect of the above premises for a new premises licence under Section 17 of the Licensing Act 2003.

8. ANY OTHER BUSINESS THAT THE CHAIR CONSIDERS URGENT

9. LOCAL GOVERNMENT ACT 1972 - ACCESS TO INFORMATION

Should the Panel wish to go into closed session, it will take the following resolution:

THAT the press and public be excluded from the proceedings of the Licensing Panel on 14th November 2024 during consideration of the respective item on the agenda on the grounds that it is likely, in view of the nature of the business to be transacted, that were members of the public to be present, there would be disclosure of exempt information as defined in Schedule 12A to the Local Government Act 1972 (as amended) and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Specifically -

Publicity in respect of item x would be likely to lead to the disclosure of information in respect of which a claim to legal professional privilege could be maintained in legal proceedings by virtue of Category 5 of Schedule 12A of the Local Government Act 1972 (as amended).

AGENDA ENDS

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IMPORTANT

**Guidance Notes on
Procedures**

**GUIDANCE NOTES ON PROCEDURES FOR HEARINGS IN ACCORDANCE
WITH REGULATION 21 OF THE LICENSING ACT 2003 (HEARING)
REGULARIONS 2005 (AS AMENDED) ['THE REGULATIONS']**

1. Introduction

- 1.1. In this procedure “the Parties” include the Applicant, Responsible Authorities, the licence holder, or any other person as applicable. Any other person is any person that is or is likely to be affected by the operation of a licensed premises, they will be referred to as an ‘Interested Party’ in this procedure note, and Responsible Authorities are bodies like the police and fire brigade. Please check the Licensing Act 2003 (“the Act”) for the complete definition.
- 1.2. For the avoidance of doubt the Licensing Authority Responsible Authority will be represented by the Licensing Enforcement Officer. The Responsible Authority is a distinct and separate body from that of the Licensing Authority who will determine the application.
- 1.3. Except where the Regulations provide differently, the Council Procedure Rules and Access to Information Procedure Rules (in so far as they apply to committees and sub-committees) will be followed for all hearings.
- 1.4. Except where the Regulations provide differently, the Panel may, in exceptional circumstance vary this procedure. In such circumstances the Panel must give reasons for the variation.

2. Making representations to Camden

- 2.1. The Council has produced guidance notes for the Parties. These contain detailed provisions on making applications and relevant representations including the licensing objectives and mandatory time limits referred to in this procedure. They are available from the, Licensing Team, London Borough of Camden, 5 Pancras Square, London, N1C 4AG. Tel: 020 7974 4444 or www.camden.gov.uk/licensing.
- 2.2. Interested Parties and Responsible Authorities should note that representations must be made within 28 days of the date when the application was given to the Authority except where in the case of a review of a premises licence following a closure order, within 7 days (including the 7th day) of the date when the Authority received the notice in relation to the closure order and any extension to it.
- 2.3. Failure to make a relevant representation means a party has no rights to be heard and/or give evidence at a hearing.
- 2.4. Representations can be made for as well as against an application.

3. Holding a hearing

- 3.1. If relevant representations are made there will be a hearing by a Licensing Panel to consider them.
- 3.2. Where a valid application has been made and no representations are made, the application **must** be granted, subject only to conditions that are consistent with the operating schedule and relevant mandatory conditions in the Act. No hearing will take place.

Right to dispense with hearing if all parties agree [where allowed]

- 3.3. The need for a hearing can only be dispensed with if all the parties give notice in writing to the Licensing Authority that they agree that such a hearing is unnecessary. If the officers agree a hearing is unnecessary all the parties will be notified and the Panel will make a decision on the application within 10 working days of that notification. All the parties will be informed of this decision.

Notice of hearing

- 3.4. Where a hearing is necessary, officers will arrange the date, time and place of the hearing and will give a notice of it in accordance with the mandatory time limit.
- 3.5. The notice of hearing will be accompanied by the following information
 - a) the rights of a party provided for in the regulations;
 - b) the consequences if a party does not attend or is not represented at the hearing;
 - c) the procedure to be followed at the hearing;
 - d) any particular points on which the Licensing Panel considers that it will want clarification at the hearing from a party.

Action following receipt of notice of hearing

- 3.6. An Applicant, Interested Party or Responsible Authority who receives a notice of hearing **must** give to the authority a notice in writing stating:
 - a) whether they intend to attend or be represented at the hearing;
 - b) whether they consider a hearing to be unnecessary.
- 3.7. The notice must be given within the prescribed time limit.
- 3.8. If a Party wishes to call someone to appear as a witness at the hearing and address the Licensing Panel the notice must contain a request for permission for that person to appear giving the name of the person and a brief description of the point or points they wish to raise before the Committee. Failure to comply with this requirement will mean that person cannot be called as a witness.
- 3.9. This notice should be sent to the Committee Clerk, Committee Services, Town Hall, Judd Street, London, WC1H 9JE, fax 020 7974 5921 Email:

licensing.committee@camden.gov.uk. Please note that the Committee Clerk will accept this notice by letter, email or fax.

- 3.10. Any Party attending the hearing can be assisted or represented by any person whether or not that person is legally qualified, provided that they have given notice as set out above.
- 3.11. A decision on whether the person can appear will be made by the Licensing Panel at the beginning of the relevant hearing. Members will give reasons as to their decision.

Agenda

- 3.12. In addition to the notice of hearing detailed in paragraphs 3.4 and 3.5, an agenda for the hearing containing a copy of the officers' report to the Licensing Panel will be published before the hearing. You may view this on the Council's website (www.camden.gov.uk/democracy) or request a copy from the Clerk before the hearing.

Failure to attend

- 3.13. If a party has informed the authority that he will not be coming to the hearing, it may go ahead in his absence. If someone has said that they will be attending but does not do so the Licensing Panel may:
 - a) where it considers it to be necessary in the public interest, adjourn the hearing to a specified date; or
 - b) hold the hearing in the party's absence.
- 3.14. If a hearing is adjourned the parties will be notified as soon as possible of the date, time and place to which it has been adjourned. If the Licensing Panel holds the hearing in the absence of a party, it will consider the application, representations or notice made by that party.
- 3.15. Hearings will be held in public. There may be rare occasions where the Panel needs to receive specific legal advice in private. If that is the case, it will pass a special resolution and move to another room with the legal advisor and the Clerk or ask the Applicant and other parties to leave the room. Once the Licensing Panel has received the advice the meeting will resume in public.

Power to extend time etc.

- 3.16. The Licensing Panel can extend the time limits set out in this procedure if it considers it to be necessary in the public interest, but cannot extend the time limit past the prescribed time after which the application will be treated as granted or rejected.
- 3.17. Where the authority has extended a time limit it will as soon as possible notify all parties of the period of the extension and the reasons for it.
- 3.18. The Licensing Panel or the officers of the Authority can:
- a) adjourn a hearing to a specified date;
 - b) arrange for a hearing to be held on specified additional dates, if it considers this to be necessary in order for it to consider any representations or notice made by a party.
- 3.19. Where the authority has adjourned a hearing to a specified date it must as soon as possible notify all parties of the date, time and place.
- 3.20. Where the authority has arranged for a hearing to be held on a specified additional date it must as soon as possible notify all parties of the additional date, time and place.

Quorum

- 3.21. Business shall not be transacted at a Panel unless at least two voting members of the Licensing Committee are present and able to vote.

Panel Time Limits

- 3.22. Committee Procedure Rule 19 will not apply. Meetings will last for a maximum of 4 hours and will finish no later than 22.30. Any business not transacted by the end of the meeting is deferred to another meeting and heard afresh. The Parties will be told which meeting it is being deferred to.

Minutes

- 3.23. The minutes record that consideration was given to a report, and any relevant discussion leading to a reason for the decision that is not in the report, or the reason for departing from an officer's recommendation. Matters which are irrelevant or which are dealt with in the report, or do not affect the decision are not minuted. The minutes will not be a transcript or near transcript of the hearing. Once the minutes have been agreed and signed at a subsequent meeting of the Licensing Panel that document (which incorporates the report and written submissions) is the record of the meeting, as required by Regulation 30 of the Regulations.
- 3.24. The minutes of the meeting are made public when they are ready, and are posted on the Council's website at www.camden.gov.uk/democracy.

Withdrawal of representations

- 3.25. An Interested Party or Responsible Authority who wishes to withdraw any representations that they have made must give notice of this no later than 24 hours before the day on which the hearing is to be held, or it can be done orally at the hearing. This notice should be sent to the Committee Clerk, Committee Services, Town Hall, Judd Street, London, WC1H 9JE, fax: 020 7974 5921 Email: licensing.committee@camden.gov.uk. Please note that the Committee Clerk will accept this notice by letter, email or fax.

Exclusion of disruptive persons

- 3.26. The Licensing Panel can require anyone attending the hearing who is behaving in a disruptive manner to leave the hearing and may:
- a) refuse to let that person return, or
 - b) let him return subject to whatever conditions the Panel specifies.
- 3.27. Anyone who has been required to leave can, before the end of the hearing, submit to the Panel in writing any information that they would have been entitled to give orally if they had they not been required to leave.
- 3.28. Parties and members of the public are not permitted to bring any banner or placard into a meeting. Filming, photography and other forms of recording are permitted unless the Chair rules they are being disruptive. If the meeting passes a motion to exclude the press and public then, in conjunction with this, all rights to record the meeting are removed.

Amending the Application

- 3.29. If the Applicant wishes to amend their application this must be in writing, signed by the applicant or their representative. This can be done before the hearing or at the hearing before the Panel begin deliberation. No amendment will be accepted which in the opinion of the Panel would extend the activities in relation to the original application.

Additional Documentary and Other Evidence

- 3.30. The Parties should make every effort to ensure all documentary and other evidence is included in their application or representation. Additional documentary or other evidence submitted prior to the hearing may only be produced at the hearing with the consent of the Panel. In making its decision the Panel will consider each request on its merit and will bear in mind whether the other parties have seen the material. Please note that the officers of the authority will not distribute additional material received after the original application or representation.
- 3.31. In all other cases, the Panel will consider each request on its merits and will bear in mind whether the other Parties have seen the material, whether there

are exceptional reasons for not producing the material before, whether a failure to admit the evidence would prejudice the Council's ability to reach a decision, and whether prejudice would be caused to the applicant any party if the evidence were to be admitted at this stage.

4. Procedure at Hearings

- 4.1. The Licensing Panel is not a court, and every effort is made to keep the proceedings as informal as possible. Cross-examination will not be permitted unless the Panel agrees.
- 4.2. It is important that the hearing follows a particular order, to make sure that all parties have a chance to be heard.
- 4.3. Any Applicant, Interested Party or Responsible Authority, or their representative who has given notice should make themselves known to the Clerk before the meeting.

5. Hearings concerning applications for the grant and variation of Premises Licences and Club Premises Certificates and the grant of Provisional Statements

Chair's Introduction:

- 5.1. The Chair will introduce the Panel and the officers advising it and then outline the procedures to be followed at the hearing, drawing attention to time limits for speakers.
- 5.2. The Chair will then briefly announce the application and what it is for.
- 5.3. The Panel will then consider any requests made in advance for permission for any person (other than a representative of any party) to appear at the hearing. Permission will not be unreasonably withheld and if permission is refused the Panel will give reasons for its refusal.
- 5.4. The Chair will indicate which officers of the Supporting Communities Directorate are present to deal with points of clarification on the report.

Report of Executive Director Supporting Communities:

- 5.5. The officers of the Supporting Communities Directorate will not normally go through the report on the agenda, as it is anticipated that the Panel, and the Parties will have read it.
- 5.6. Members and the Parties may seek clarification from officers of the Supporting Communities Directorate on matters raised in the report.

Negotiation and Compromise

- 5.7. Where the applicant has amended the application as tabled, the applicant will be permitted a 2 minute debrief to clarify any amendments to the application that have been made since the publication of the report.

Responsible Authority's Case [if applicable]

- 5.8. The Chair will ask the Responsible Authority and their representative, if appropriate, to identify themselves. The Responsible Authority or their representative may:
- a) give further information in support of their representations, in response to any notice from the authority seeking clarification;
 - b) address the Panel; and
 - c) call any witnesses notified to the Authority in advance of the hearing permitted in accordance with 5.3 above.
- 5.9. Fifteen minutes may be allowed for the Responsible Authority's Case, and this may only be extended with the consent of the Panel.
- 5.10. Members of the Panel and then any other party if given permission by the Panel may ask the Responsible Authority questions for the purposes of clarification only.

Interested Parties' Case [if applicable]

- 5.11. The Chair will ask the Interested Parties and their representative, if appropriate, to identify themselves. The Interested Parties or their representative may
- a) give further information in support of their representations, in response to any notice from the authority seeking clarification;
 - b) address the Panel; and
 - c) call any witnesses notified to the Authority in advance of the hearing permitted in accordance with 5.3 above.
- 5.12. Fifteen minutes may be allowed for the Interested Parties' case in total for all interested parties, and this may only be extended with the consent of the Panel. The interested parties should preferably speak through a single spokesperson.
- 5.13. Members of the Panel and then any other party if given permission by the Panel may ask the Interested Parties questions for the purposes of clarification only.

Applicant's Case

- 5.14. The Chair will ask the Applicant and their representative, if appropriate, to identify themselves. The Applicant or their representative may:
- a) give further information in support of their application, in response to any notice from the authority seeking clarification;
 - b) address the Panel; and
 - c) call any witnesses notified to the Authority in advance of the hearing permitted in accordance with 5.3 above.
- 5.15. Fifteen minutes may be allowed for the Applicant's Case, and this may only be extended with the consent of the Panel.
- 5.16. Members of the Panel and then any other party if given permission by the Panel may ask the Applicant questions. Again, this is for the purposes clarification purposes only.

Closing Remarks

- 5.17. Any party is allowed to make closing remarks, not exceeding two minutes. The order will be Responsible Authority, Interested Party and Applicant.

Deliberation

- 5.18. The Panel will deliberate in public. This will take the form of a discussion lead by the Chair and no other person at the hearing may take part. The Panel may ask advice of the legal advisor or the Clerk. There may be occasions where it needs to receive specific legal advice in private. If that is the case, it will pass a special resolution and move to another room with the legal advisor and the Clerk or ask the parties and members of the public to leave the room whilst advice is taken. After receiving this advice the Panel will resume in public.
- 5.19. The Panel will disregard any information given or evidence produced by a party or a witness, which is not relevant to:
- a) their application, representations or notice (as applicable) and/or
 - b) the promotion of the licensing objectives.

Decision

- 5.20. The Panel will make decisions in public and the Chair will announce the decision. The Executive Director Supporting Communities will later confirm the decision in writing to all parties.

6. Hearings concerning applications for reviews of Premises Licences and Club Premises Certificates

Chair's Introduction:

- 6.1. The Chair will introduce the Panel and the officers advising it and then outline the procedures to be followed at the hearing.
- 6.2. The Chair will then briefly announce the application and what it is for.
- 6.3. The Panel will then consider any requests made in advance for permission for any person (other than a representative **of any party**) to appear at the hearing. Permission will not be unreasonably withheld and if permission is refused the Panel will give reasons for its refusal.
- 6.4. The Chair will indicate which officers of the Supporting Communities Directorate are present to deal with points of clarification on the report.

Report of Executive Director Supporting Communities:

- 6.5. The officers of the Supporting Communities Directorate will not normally go through the report on the agenda, as it is anticipated that the Panel, and the Parties will have read it.
- 6.6. Members and the Parties may seek clarification of officers from the Supporting Communities Directorate on matters raised in the report.

Applicant's Case

- 6.7. The Chair will ask the Applicant and their representative, if appropriate, to identify themselves. The Applicant or their representative may
 - a) give further information in support of their application, in response to any notice from the authority seeking clarification;
 - b) address the Panel; and
 - c) call any witnesses notified to the Authority in advance of the hearing. permitted in accordance with 6.3 above.
- 6.8. Members of the Panel and then any other party if given permission by the Panel may ask the Applicant questions. This is for the purposes of clarification only.

Responsible Authority's Case [if applicable]

- 6.9. The Chair will ask the Responsible Authority and their representative, if appropriate, to identify themselves. The Responsible Authority or their representative may
 - a) give further information in support of their application, in response to any notice from the authority seeking clarification;
 - b) address the Panel; and

- c) call any witnesses notified to the Authority in advance of the hearing. permitted in accordance with 6.3 above.
- 6.10. Members of the Panel and then any other party if given permission by the Panel may ask the Responsible Authority questions for the purposes of clarification only.

Interested Parties' Case [if applicable]

- 6.11. The Chair will ask the Interested Parties and their representative, if appropriate, to identify themselves. The Interested Parties or their representative may
- a) give further information in support of their application, in response to any notice from the authority seeking clarification;
 - b) address the Panel; and
 - c) call any witnesses notified to the Authority in advance of the hearing. permitted in accordance with 6.3 above.
- 6.12. The interested parties should preferably speak through a single spokesperson.
- 6.13. Members of the Panel and then any other party if given permission by the Panel may ask the Interested Parties questions for the purposes of clarification only.

Licence Holder's Case

- 6.14. The Chair will ask the Licence Holder and their representative, if appropriate, to identify themselves. The Licence Holder or their representative may:
- a) give further information in support of their case, in response to any notice from the authority seeking clarification;
 - b) address the Panel; and
 - c) call any witnesses notified to the Authority in advance of the hearing. permitted in accordance with 6.3 above.
- 6.15. Members of the Panel and then any other party if given permission by the Panel may ask the Licence Holder questions. Again, this is for the purposes of clarification only.

Closing Remarks

- 6.16. Any party is allowed to make closing remarks, not exceeding two minutes. The order will be Responsible Authority, interested Party and Licence Holder.

Deliberation

- 6.17. The Panel will deliberate in public. This will take the form of a discussion lead by the Chair and no other person at the hearing may take part. The Panel may ask advice of the legal advisor or the Clerk. There may be occasions where it needs to receive specific legal advice in private. If that is the case, it will pass a special resolution and move to another room with the legal advisor and the Clerk or ask the parties and members of the public to leave the room whilst the advice is taken. After receiving this advice the Panel will resume in public.
- 6.18. The Panel will disregard any information given or evidence produced by a party or a witness, which is not relevant to:
- a) their review application or representations (as applicable), and/or
 - b) the promotion of the licensing objectives.

Decision

- 6.19. The Panel will make decisions in public and the Chair will announce the decision. The Executive Director Supporting Communities will later confirm the decision in writing to all parties.

7. Hearings concerning applications for Personal Licences

Chair's Introduction

- 7.1. The Chair will introduce the Panel and the officers advising it and then outline the procedures to be followed at the hearing, drawing attention to time limits for speakers.
- 7.2. The Chair will then briefly announce the application and what it is for.
- 7.3. The Panel will then consider any requests made in advance for permission for any person (other than a representative) to appear at the hearing. Permission will not be unreasonably withheld and if permission is refused the Panel will give reasons for its refusal.
- 7.4. The Chair will indicate which officers of the Supporting Communities Directorate are present to deal with points of clarification on the report.

Report of Executive Director, Supporting Communities Directorate

- 7.5. The officers of the Supporting Communities Directorate will not normally go through the report on the agenda, as it is anticipated that the Panel, and the Parties will have read it.
- 7.6. Members and the Parties may seek clarification from officers from the Supporting Communities Directorate on matters raised in the report.

Police Case

- 7.7. The Chair will ask the Police and their representative, if appropriate, to identify themselves. The Police or their representative may
- a) give further information in support of their notice, in response to any notice from the authority seeking clarification;
 - b) address the Panel; and
 - c) call any witnesses notified to the Authority in advance of the hearing permitted in accordance with 7.3 above.
- 7.8. Members of the Panel and then any other party if given permission by the Panel may ask the Police questions. This is for the purposes of clarification only.

Applicant's Case

- 7.9. The Chair will ask the Applicant and their representative, if appropriate, to identify themselves. The Applicant or their representative may
- a) give further information in support of their application, in response to any notice from the authority seeking clarification;
 - b) address the Panel; and
 - c) call any witnesses notified to the Authority in advance of the hearing permitted in accordance with 7.3 above.
- 7.10. Members of the Panel and then any other party if given permission by the Panel may ask the Applicant questions. Again, this is for the purposes of clarification only.

Closing Remarks

- 7.11. Any party is allowed to make closing remarks, not exceeding two minutes. The order will be the Police and the Applicant.

Deliberation

- 7.12. The Panel will deliberate in public. This will take the form of a discussion lead by the Chair and no other person at the hearing may take part. The Panel may ask advice of the legal advisor or the Clerk. There may be occasions where it needs to receive specific legal advice in private. If that is the case, it will pass a special resolution and move to another room with the legal advisor and the Clerk or ask the parties and members of the public to leave the room whilst advice is taken. After receiving this advice the Panel will resume in public.
- 7.13. The Panel will disregard any information given or evidence produced by a party or a witness, which is not relevant to:
- a) their application, representations or notice (as applicable), and/or
 - b) the promotion of the crime prevention objective.

Decision

- 7.14. The Panel will make decisions in public and the Chair will announce the decision. The Executive Director Supporting Communities will later confirm the decision in writing to all parties.

8. Hearings concerning applications for Temporary Events Notice

Chair's Introduction

- 8.1. The Chair will introduce the Panel and the officers advising it and then outline the procedures to be followed at the hearing, drawing attention to time limits for speakers.
- 8.2. The Chair will then briefly announce the application and what it is for.
- 8.3. The Panel will then consider any requests made in advance for permission for any person (other than a representative) to appear at the hearing. Permission will not be unreasonably withheld and if permission is refused the Panel will give reasons for its refusal.
- 8.4. The Chair will indicate which officers of the Supporting Communities Directorate are present to deal with points of clarification on the report.

Report of Executive Director Supporting Communities

- 8.5. The officers of the Supporting Communities Directorate will not normally go through the report on the agenda, as it is anticipated that the Panel and the Parties will have read it.
- 8.6. Members and the Parties may seek clarification from officers of the Supporting Communities Directorate Department on matters raised in the report.

Responsible Authority Case

- 8.7. The Chair will ask the Police and/or Environmental Health Responsible Authority and their representative, if appropriate, to identify themselves. The Police and/or Environmental Health Responsible Authority or their representative may
 - a) give further information in support of their notice, in response to any notice from the authority seeking clarification;
 - b) address the Panel; and
 - c) call any witnesses notified to the Authority in advance of the hearing permitted in accordance with 8.3 above.
- 8.8. Members of the Panel and then any other party if given permission by the Panel may ask the Police and/or Environmental Health Responsible Authority questions. Again, this is for the purposes of clarification only.

Applicant's Case

- 8.9. The Chair will ask the Applicant and their representative, if appropriate, to identify themselves. The Applicant or their representative may
- a) give further information in support of their application, in response to any notice from the authority seeking clarification;
 - b) address the Panel; and
 - c) call any witnesses notified to the Authority in advance of the hearing permitted in accordance with 8.3 above.
- 8.10. Members of the Panel and then any other party if given permission by the Panel may ask the Applicant questions. Again, this is for the purposes of clarification only.

Closing Remarks

- 8.11. Any party is allowed to make closing remarks, not exceeding two minutes. The order will be the Police and the Applicant.

Deliberation

- 8.12. The Panel will deliberate in public. This will take the form of a discussion lead by the Chair and no other person at the hearing may take part. The Panel may ask advice of the legal advisor or the Clerk. There may be occasions where it needs to receive specific legal advice in private. If that is the case, it will pass a special resolution and move to another room with the legal advisor and the Clerk or ask the parties and members of the public to leave the room whilst advice is taken. After receiving this advice the Panel will resume in public.
- 8.13. The Panel will disregard any information given or evidence produced by a party or a witness, which is not relevant to:
- a) their application, representations or notice (as applicable); and/or
 - b) the promotion of the licensing objectives.

Decision

- 8.14. The Panel will make decisions in public and the Chair will announce the decision. The Executive Director Supporting Communities will later confirm the decision in writing to all parties.

9. Hearings concerning applications for Summary Review or to consider representations against Interim Steps

Chair's Introduction:

- 9.1. The Chair will introduce the Panel and the officers advising it and then outline the procedures to be followed at the hearing.

- 9.2. The Chair will then briefly announce the application and what it is for.
- 9.3. The Panel will then consider any requests made in advance for permission for any person (other than a representative) to appear at the hearing. Permission will not be unreasonably withheld and if permission is refused the Panel will give reasons for its refusal.
- 9.4. The Chair will indicate which officers of the Supporting Communities Directorates are present to deal with points of clarification on the report.

Report of Executive Director Supporting Communities:

- 9.5. The officers of the Supporting Communities Directorate will not normally go through the report on the agenda, as it is anticipated that the Panel and the Parties will have read it.
- 9.6. Members and the Parties may seek clarification of officers from the Supporting Communities Directorate on matters raised in the report.

Police Case

- 9.7. The Chair will ask the Police and their representative, if appropriate, to identify themselves. The Police or their representative may
 - a) give further information in support of their application and certificate;
 - b) address the Panel; and
 - c) call any witnesses notified to the Authority in advance of the hearing, permitted in accordance with 9.3 above.
- 9.8. Members of the Panel and then any other party if given permission by the Panel may ask the Police questions. Again, is for the purposes of clarification only.

Licence Holder's Case [if applicable]

- 9.9. The Chair will ask the Licence Holder and their representative, if appropriate, to identify themselves. The Licence Holder or their representative may
 - a) give further information in support of their representations,
 - b) address the Panel; and
 - c) call any witnesses notified to the Authority in advance of the hearing permitted in accordance with 9.3 above.
- 9.10. Members of the Panel and then any other party if given permission by the Panel may ask the Licence Holder questions. Again, this is for the purposes of clarification only.

Closing Remarks

- 9.11. Any party is allowed to make closing remarks, not exceeding two minutes. The order will be the Police and the Licence Holder.

Deliberation

- 9.12. The Panel will deliberate in public. This will take the form of a discussion lead by the Chair and no other person at the hearing may take part. The Panel may ask advice of the legal advisor or the Clerk. There may be occasions where it needs to receive specific legal advice in private. If that is the case, it will pass a special resolution and move to another room with the legal advisor and the Clerk or ask the parties and members of the public to leave the room whilst advice is taken. After receiving this advice the Panel will resume in public.
- 9.13. The Panel will disregard any information given or evidence produced by a party or a witness, which is not relevant to:
- a) their application, certificate or representations (as applicable); and/or
 - b) the promotion of the licensing objectives.

Decision

- 9.14. The Panel will make decisions in public and the Chair will announce the decision. The Executive Director Supporting Communities will later confirm the decision in writing to all parties.

10. Procedure for Hearings under Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 in Respect of Sex Establishments

1. Introduction

- 1.1. This document sets out the procedure to be followed by the Licensing Sub-Committees (known as “Licensing Panels” or “Panels”) where functions have been delegated from the Licensing Committee.
- 1.2. In this procedure “the Parties” include the applicant or licence holder and any objectors as applicable.
- 1.3. The Council Procedure Rules and Access to Information Procedure Rules (in so far as they apply to Committees and Sub Committees) will be followed for all hearings.
- 1.4. The Licensing Panel may, in exceptional circumstance vary this procedure. In such circumstances the Licensing Panel must give reasons for the variation.

2. Making Objections to an Application

- 2.1. The Council has produced guidance notes for the Parties. These contain detailed provisions on making applications and objections and time limits referred to in this procedure. They are available from:

Contact Camden
London Borough of Camden

5 Pancras Square
London
N1C 4AGTel: 020 7974 4444
Email: LicensingRepresentation@camden.gov.uk
Web: www.camden.gov.uk/licensing

- 2.2. Objections should be made within 28 days of the date of the application.
- 2.3. The Licensing Authority shall not provide an objector's name and address to the applicant for the licence unless the objector has specifically agreed to this.
- 2.4. Failure to make an objection means a Party will have no right to be heard or to give evidence at the hearing.

3 Holding a Hearing

- 3.1 Whether or not relevant objections are made, there will be a hearing by a Licensing Panel to consider applications for the grant, renewal, variation or transfer of a Sex Establishment Licence.

Notice of Hearing

- 3.2 Officers will arrange the date, time and place of the hearing and will give notice of it.
- 3.3 The notice of hearing will be accompanied by the following information:
 - a) the consequences if a Party does not attend or is not represented at the hearing;
 - b) the procedure to be followed at the hearing.

Action Following Receipt of Notice of Hearing

- 3.4 An applicant or objector who receives a notice of hearing must give to the Licensing Authority a notice in writing stating whether they will attend the hearing, whether they will be represented at the hearing and whether they intend to call any witnesses at the hearing.
- 3.5 If a Party wishes to call someone to appear as a witness at the hearing and address the Panel, the notice must contain a request for permission for that person to appear giving the name of the person and a brief description of the point or points they wish to raise before the Licensing Panel. FAILURE TO COMPLY WITH THIS REQUIREMENT WILL MEAN THAT PERSON CANNOT BE CALLED AS A WITNESS.
- 3.6 This notice should be sent to the Committee Clerk, Committee Services, Town Hall, Judd Street, London, WC1H 9JE, fax 020 7974 5921 or email to licensing.committee@camden.gov.uk. Please note that the Committee Clerk will accept this notice by letter, email or fax.

- 3.7 Any Party attending the hearing can be assisted or represented by any person, whether or not that person is legally qualified, provided that they have given notice as set out above. If one of your local Councillors is a Member of the Panel, you should not lobby them directly as this could prejudice their position.
- 3.8 A decision on whether the person can appear will be made by the Panel at the beginning of the relevant hearing. Members will give reasons as to their decision.
- 3.9 Any Party intending to rely on any documentation at the hearing must submit that documentation to the Council at least seven days in advance of the hearing. Failure to do so may mean such supplementary evidence will not be admitted at the hearing.

Agenda

- 3.10 In addition to the notice of hearing detailed in paragraphs 3.2 and 3.3, an agenda for the hearing containing a copy of the Licensing Authority officer's report to the Licensing Panel will be published before the hearing. You may view the report on Camden's website at www.camden.gov.uk/democracy or request a copy by contacting the Committee Clerk before the hearing.

Failure to Attend

- 3.11 If a Party has informed the Council that he will not be attending the hearing it may go ahead in his absence. If a Party has indicated they will attend but does not do so the Panel may:
- (a) where it considers it to be necessary in the public interest, adjourn the hearing to a specified date, or
 - (b) hold the hearing in the Party's absence.
- 3.12 If a Panel adjourns the hearing, it must as soon as possible notify the Parties of the date, time and place to which it has been adjourned. If the Panel holds the hearing in the absence of a Party, it will consider the application or objection made by that Party.
- 3.13 Hearings will be held in public. There may be rare occasions where the Panel needs to receive specific legal advice in private. If that is the case, the Panel will pass a special resolution and move to another room with the legal advisor and the Clerk or ask the applicant and other Parties to leave the room. Once the Panel has received the advice the meeting will resume in public.

Power to Extend Time Limits

- 3.14 The Panel can extend the time limits set out in this procedure if it considers it to be necessary in the public interest.

- 3.15 Where the Council has extended a time limit it will as soon as possible notify all Parties of the period of the extension and the reasons for it.
- 3.16 The Panel or the officers of the Council can—
- (a) adjourn the hearing to a specified date
 - (b) arrange for the hearing to be held on specified additional dates, if it considers this to be necessary in order for the Panel to consider any representations or notice made by a Party.
- 3.17 Where the Panel has adjourned a hearing to a specified date, the Council will, as soon as possible, notify all Parties of the date, time and place of the new hearing.
- 3.18 Where the Panel has arranged for a hearing to be held on a specified additional date, the Council will, as soon as possible, notify all Parties of the additional date, time and place of the additional hearing.

Quorum

- 3.19 Business shall not be transacted at a Panel unless at least two voting members of the Licensing Committee are present and able to vote.

Panel Time Limits

- 3.20 Committee Procedure Rule 19 will not apply. Meetings will last for a maximum of four hours and will finish no later than 22.30 hours. Any business not transacted by the end of the meeting will be deferred to another meeting. The Parties will be told which meeting it is being deferred to.

Minutes

- 3.21 The minutes record that consideration was given to a report, any discussion leading to a decision, and any reason for departing from an officer's recommendation. Irrelevant matters, matters dealt with in the report, or matters that did not affect the decision are not minuted. The minutes will not be a transcript or near transcript of the hearing. Once the minutes have been agreed and signed at a subsequent meeting of the Panel, that document (incorporating the report and any written submissions) is the record of the meeting.
- 3.22 The minutes of the meeting are made public when they are ready and are posted on the Council's website at www.camden.gov.uk/democracy.

Withdrawal of Objections

- 3.23 A person who wishes to withdraw his objection may give notice of this no later than 24 hours before the day on which the hearing is to be held or orally at the hearing. This notice should be sent to the Committee Clerk, Committee Services, Town Hall, Judd Street, London, WC1H 9JE, fax: 020 7974 5921 or

email licensing.committee@camden.gov.uk. The Committee Clerk will accept this notice by letter, email or fax.

Exclusion of Disruptive Persons

- 3.24 The Panel may require anyone person present at the hearing who is behaving in a disruptive manner to leave the hearing and may—
- (a) refuse to let that person return, or
 - (b) let him return subject to whatever conditions the Panel specifies.
- 3.25 Anyone who has been required to leave can, before the end of the hearing, submit to the Panel in writing any information they would have been entitled to give orally if they had they not been required to leave.
- 3.26 Parties and members of the public are not permitted to bring any banner or placard into a meeting, nor are they allowed to film, take photographs of, or make recordings of, the proceedings without the consent of the Chair.

Amending the Application

- 3.27 If an applicant wishes to amend their application, they must do so in writing and must sign the amendment. This can be prior to the hearing or at the hearing before the Panel begins deliberation. No amendment will be accepted which, in the opinion of the Panel, would extend the activities requested in the original application.

Additional Documentary and Other Evidence

- 3.28 The Parties should make every effort to ensure all documentary and other evidence is included in their application or objection. Additional documentary or other evidence submitted prior to the hearing may only be produced at the hearing where it has been provided to the Council at least seven days before the hearing and with the consent of the Panel and other Parties.
- 3.29 In all other cases, the Panel will consider each request on its merits and will bear in mind whether the other Parties have seen the material, whether there are exceptional reasons for not producing the material before, whether a failure to admit the evidence would prejudice the Council's ability to reach a decision, and whether prejudice would be caused to the applicant if the evidence were to be admitted at this stage.

4 Procedure at Hearings

- 4.1 The Licensing Panel is not a court. Every effort is made to keep proceedings as informal as possible. Cross-examination will not be permitted unless the Panel agrees.
- 4.2 It is important that the hearing follows a particular order to ensure all Parties have a chance to be heard.

4.3 Any applicant or objector or their representative who has given notice should make themselves known to the Committee Clerk before the hearing begins.

5 Hearings for Applications for the Grant, Renewal, Transfer or Variation of a Sex Establishment Licence or for Existing Sex Shops

Chair's Introduction:

5.1 The Chair will introduce the Panel and the officers advising it and outline the procedures to be followed at the hearing, drawing attention to time limits for speakers.

5.2 The Chair will then briefly announce the application and what it is for.

5.3 The Panel will then consider any requests made in advance for permission for any person (other than a representative of any Party) to appear at the hearing. Permission will not be unreasonably withheld and if permission is refused the Panel will give reasons for its refusal.

5.4 The Chair will indicate which officers of the Supporting Communities Directorate are present to deal with the report.

Report of Executive Director Supporting Communities

5.5 The officer of the Supporting Communities Directorates will introduce their report to the Licensing Panel. The report will set out the nature of the activities to be provided at the sex establishment, give details of any objections, direct Members to relevant sections of the Council's Sex Establishments Policy, and provide an assessment of the locality where the application is for a new licence or a variation of an existing licence in relevant circumstances.

5.6 Members and the Parties may seek clarification from the officer on matters raised in the report.

Negotiation and Compromise

5.7 Where the applicant has amended the application tabled, the applicant will be permitted a two minute debrief to clarify any amendments to the application that have been made since the publication of the report

Objector's Case (where applicable)

5.8 The Chair will ask the objectors and their representative(s), if appropriate, to identify themselves. The objector or their representative may:

(a) address the Panel, and

(b) call any witnesses notified to the Authority in advance of the hearing. permitted in accordance with 3.5 above

- 5.9 Fifteen minutes in total will be allowed for objectors to state their case. This may only be extended with the consent of the Panel. Objectors should preferably speak through a single spokesperson.
- 5.10 Where objections or other comments have been made by the Metropolitan Police, an additional fifteen minutes shall be permitted for the Police to state their case.
- 5.11 Members of the Panel and then any other Party (if given permission by the Panel) may ask objectors questions.

Applicant's Case

- 5.12 The Chair will ask the applicant and their representative, if appropriate, to identify themselves. The applicant or their representative may:
- (a) address the Panel, and
 - (b) call any witnesses notified to the Authority in advance of the hearing permitted in accordance with 3.5 above
- 5.13 Fifteen minutes will be allowed for the applicant's case. This may only be extended with the consent of the Panel.
- 5.14 Members of the Panel and then any other Party (if given permission by the Panel) may ask the applicant questions.

Closing Remarks

- 5.15 Any Party will be permitted to make closing remarks not exceeding two minutes. Objectors will be required to summarise first, followed by the applicant.

Deliberation

- 5.16 The Panel will deliberate in public. This will take the form of a discussion lead by the Chair and no other person at the hearing may take part. The Panel may ask advice of the legal advisor or the Clerk. There may be occasions where it needs to receive specific legal advice in private. If that is the case, it will pass a special resolution and move to another room with the legal advisor and the Clerk or ask the parties and members of the public to leave the room whilst advice is taken. After receiving this advice the Panel will resume in public.

Decision

- 5.17 Where the Panel are able to reach a decision on the day of the hearing, the Chair will announce the decision to all Parties at the hearing. The Executive Director Supporting Communities will later confirm the decision in writing to all Parties.

- 5.18 In some cases the Panel may not make its decision on the day of the hearing. In such cases, the Panel will reconvene within 28 days to announce its decision in public. The Executive Director Supporting Communities will later confirm the decision in writing to all Parties.

6 Hearings for Applications for the Grant of a Sex Establishment Licence Pre Second Appointed Day

Chair's Introduction:

- 6.1 The Chair will introduce the Panel and the officers advising it and outline the procedures to be followed at the hearing.
- 6.2 The Chair will then briefly give details of the reason for considering revocation of the licence.
- 6.3 The Panel will consider any requests made in advance for permission for any person (other than a representative of any Party) to appear at the hearing. Permission will not be unreasonably withheld, and if permission is refused, the Panel will give reasons for its refusal.

Licensing Authority's Case

- 6.4 The officer of the Supporting Communities Directorate shall outline the reason for considering revocation of the licence and briefly outline the evidence supporting the Licensing Authority's case. The officer shall introduce their report to the Licensing Panel. The report will set out any evidence supporting revocation of the licence and any response from the licence holder, and will direct Members to relevant sections of the Council's Sex Establishments Policy.
- 6.5 The officer will then call any witnesses to support the Licensing Authority's case.
- 6.6 Fifteen minutes in total will be allowed for witnesses to state their case. This may only be extended with the consent of the Panel. Witnesses should preferably speak through a single spokesperson.
- 6.7 Where objections or other comments have been made by the Metropolitan Police, an additional fifteen minutes shall be permitted for the Police to state their case.
- 6.8 Members of the Panel and then the licence holder may ask the officer and any witnesses questions.

Licence Holder's Case

- 6.9 The Chair will ask the licence holder and their representative, if appropriate, to identify themselves. The licence holder or their representative may:
- (a) give any information in support of their case

- (b) address the Panel, and
- (c) call any witnesses notified to the Authority in advance of the hearing permitted in accordance with 3.5 above.

6.10 Members of the Panel and then any other Party (if given permission by the Panel) may ask the licence holder questions.

Closing Remarks

6.11 Any Party shall be permitted to make closing remarks not exceeding two minutes. The order shall be the officer of the Supporting Communities Directorate, any witnesses, and then the licence holder.

Deliberation

6.12 The Panel will deliberate in public. This will take the form of a discussion lead by the Chair and no other person at the hearing may take part. The Panel may ask advice of the legal advisor or the Clerk. There may be occasions where it needs to receive specific legal advice in private. If that is the case, it will pass a special resolution and move to another room with the legal advisor and the Clerk or ask the parties and members of the public to leave the room whilst advice is taken. After receiving this advice the Panel will resume in public.

Decision

6.13 Where the Panel are able to reach a decision on the day of the hearing, the Chair will announce the decision to all Parties at the hearing. The Executive Director Supporting Communities will later confirm the decision in writing to all Parties.

6.14 In some cases the Panel may not make its decision on the day of the hearing. In such cases, the Panel will reconvene within 28 days to announce its decision in public. The Executive Director Supporting Communities will later confirm the decision in writing to all Parties.

11. Miscellaneous Licensing Matters

11.1. Communications on matters not yet on the agenda should be sent to the Licensing Team, Supporting Communities Directorate, 5 Pancras Square, London N1C 4AG, telephone: 020 7974 6919: email: licensingenquiry@camden.gov.uk.

Part 3: Advice to Members of the Licensing Committee on Members' Interests

1. Involvement in Licensing Matters prior to Meetings of the Committee or Licensing Panel

- 1.1. Members of the Committee are advised to take steps to minimise their involvement in any relevant matter prior to its consideration by the Committee or Licensing Panel so that they may be seen to take all decisions at the meeting with an open mind.
- 1.2. If a Member has already taken a view on an application before them (whether in their ward or not), for example by writing a letter of support or objection, or speaking publicly for or against an application, the Member should take particular care where they may be or may appear to be acting both as an advocate on behalf of one or more constituents and as an adjudicator on an application in respect of which the interests of the constituent are at variance with the interests of others. Members may make visits to premises in their capacity as ward councillors and may subsequently speak either for or against the relevant application. In these circumstances a Member may not be seen to be an impartial judge of the relative merits of both sides of the argument. The Member must always declare that they have visited the premises and, if in doubt, should refrain from voting.
- 1.3. The Committee has adopted a protocol governing official visits to premises.

2. Councillors as Objectors

- 2.1. If you are an objector or Interested Party you should obtain a copy of the report from the Clerk unless you have already been sent one by the Supporting Communities Directorate. You may get the report from the Clerk or on the Council's website (www.camden.gov.uk/democracy) after 4.00 p.m. six working days before the meeting. You must comply with the relevant requirements in Parts 1 and 2 to be able speak to the Committee or address the Panel.
- 2.2. However, a Councillor who is objecting on their own right should consider whether they have a prejudicial interest. A Councillor must regard themselves as having a prejudicial interest if the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice the Member's judgement of the public interest.
- 2.3. The Code of Conduct states that where a Member has such an interest s/he should not take part in any discussions about that interest unless a dispensation has been obtained from the authority's Standards Committee. They must declare what the interest is and withdraw from the meeting by leaving the room.
- 2.4. It does not apply where, for example, a Councillor is acting in an advocacy role for his or her constituents, and no new information is being introduced into the public domain. However, in the case of the Panel you should ensure that the

Interested Party complies with the requirements of paragraph 18 or you may be unable to.

3. Briefing for Licensing Committee (not Panels)

- 3.1. There will only be a briefing before a Committee meeting and this will only deal with the following matters:
 - a) Reading late papers, which the Clerk has received on the day of the meeting and seeking clarification on them;
 - b) Advice from the Clerk on procedure and in particular the application of these procedures.
- 3.2. The briefing should start 45 minutes before the start of the meeting and end 15 minutes before. This is to enable officers to be involved in advice to objectors and applicants before the meeting if required. Technical officers do not attend the briefing. There is an opportunity for clarification on matters covered in reports relating to applications during the meeting itself, when the technical officers are present.

4. Applications at Appeal

- 4.1. The Borough Solicitor will provide a report every six months on the progress of applications determined by the Committee and the Licensing Panels, which have gone to appeal.

5. Personal Interests/Prejudicial Interests

- 5.1. As with all other meetings, the provisions of the Camden Code of Conduct apply. The particular nature of the Licensing Committee and Panels means that issues of propriety are of particular concern. Members need to be particularly vigilant and should refamiliarise themselves with the provisions from time to time, seeking advice if in any doubt.

6. The Human Rights Act 1998

- 6.1. The Human Rights Act 1998 incorporates the key articles of the European Convention on Human Rights into domestic law. The Convention guarantees certain basic human rights. As far as possible legislation (including the licensing laws) must be interpreted in conformity with Convention rights. Decisions on licensing matters are actions of a public authority and must be compatible with Convention rights. Consequently Members of the Committee 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

6(1) 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 Protocols: Protection of property

Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law.

d) 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.

- 6.2. Most Convention rights are not absolute and there are circumstances when an interference with a person's rights is permitted.
- 6.3. Article 8 states that "there shall be no interference by a public authority with the exercise of (rights under that Article) except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others" and Article 1 of the First Protocol states that the provisions of the Article "shall not, however, in any way impair the right of a state to enforce such laws as it deems necessary to control the use of property in accordance with the general interest or to secure the payment of taxes or other contributions or penalties."
- 6.4. However, any interference with any of the Rights contained in the Convention must be sanctioned by law and be aimed at pursuing a legitimate aim and must go no further than is necessary and be proportionate to the intended objective of the authority. The interference will not be justified if the means used to achieve the aim are excessive in the circumstances.
- 6.5. This point is relevant to all licensing decisions but particularly in the context of conditions and enforcement. Home Office guidance on this point states "any interference with a Convention right should be carefully designed to meet the objective in question and must not be arbitrary or unfair. You must not use a sledgehammer to crack a nut" to give effect to Convention rights in the licensing context, Members of the Licensing Committee will need to balance the rights of one individual (having regard to the personal circumstances of that person) against those of another and/or the interests of the community at large.

7. Councillors who are not Members of the Licensing Committee

- 7.1. A Councillor who is not a Member of the Licensing Committee may speak at a meeting of the Licensing Committee, with the agreement of the Chair, as an advocate for either the applicant or the objectors, and where no new information is being introduced into the public domain.
- 7.2. A Councillor who is not a Member of the Licensing Committee may speak at a hearing before a Panel as an advocate for either the applicant or the objectors.
- 7.3. However, a Councillor attending in a personal capacity to object to or support any application should consider whether they have a prejudicial interest. A Councillor must regard themselves as having a prejudicial interest if the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice the Member's judgment of the public interest.
- 7.4. The applicant automatically has the right to reply, and the right to see in advance the nature of the objection or representation. Members should disclose any interest they may have, including the fact that they have been in contact with objectors, the applicant, an Interested Party or a relevant Authority if this is the case and whether they are speaking on behalf of such persons or any particular interest.
- 7.5. Any Councillor who is not on the Licensing Committee but who is at one of its meetings should normally sit separately, to demonstrate that they are not taking part in the discussion, consideration or vote. They should not communicate with Members of the Committee or Panel or pass papers or documents to them before or during the meeting. They may not attend briefings or accompany the Committee if it retires to deliberate in private.
- 7.6. Councillors who are opposed in principle to any category of application or form of public entertainment, either in their own ward or borough-wide, should not seek nomination to the Licensing Committee.

8. Ward Members

- 8.1. Being the Member for the ward in which particular premises are situated is not per se declarable and as a general rule Members of the Committee may deliberate on matters affecting their wards, provided this is done with an open mind. To underline the openness of the proceedings, the agenda papers show which ward each Member sits for, and it is helpful for Members to maintain the practice of naming their ward when they introduce themselves at the start of the meeting.

9. Being Seen to Act Fairly

- 9.1. With regard to planning committees, the Local Government Ombudsman advises that not only must Members act fairly; they must be seen to act fairly. The same maxim should apply to licensing committees. Members are advised to maintain and demonstrate an open mind if contacted by applicants or

members of the public in the time leading up to the meeting. Members of the public, applicants and other parties may seek to lobby Members prior to meetings and this is a normal part of the democratic process. Members are however advised to share details of that lobbying with officers in advance of any hearing in the interests of transparency. Officers may comment on the content of that lobbying and may share it with other Members and parties if deemed appropriate.

10. Members should be Present throughout Consideration of an Item

- 10.1. Members making a decision on any particular item must ensure that they are present throughout its consideration. If they join the meeting or go out and return to it part way through a particular item they should refrain from participating in the discussion and not vote on that item. If a Member needs to leave the room, he or she may ask for a short adjournment.

11. Use of Political Whips

- 11.1. The Local Government Ombudsman considers that the "whipping" of group meetings for town and country planning matters in this way is maladministration, and it is good practice to apply the same maxim to licensing matters.

12. Relationship between Members and Officers

- 12.1. Good administration is dependent on a successful relationship between Councillors and officers, which can only be based upon mutual trust, and understanding of each other's roles and responsibilities. The Code governing this relationship is the Camden Code of Conduct. Periodically, Member/officer seminars will be arranged outside the formal committee setting at which general issues of licensing can be discussed more freely as part of the process of training and policy formulation.

13. Member Development and Training

- 13.1. Because the technical issues concerning licensing are complex, and matters of propriety are not always straightforward, appointment to the Licensing Committee creates a requirement for new Members to undertake training on appointment, and for all Members to have refresher training periodically thereafter. Seminars are also organised where Members may develop their specialist knowledge and where topical issues may be aired. Members are advised not to accept nomination to the Licensing Committee unless they are prepared to take on this responsibility. Members also need to familiarise themselves with the provisions of these procedures.

Part 4: Licensing Committee and Licensing Panels – Protocol for Visits to Premises

1. Exceptional Circumstances

- 1.1. Most premises are licensed under delegated powers. Others are referred to the Committee with a detailed report, containing all the background and technical information which officers, in their professional judgement, believe Members need to make a decision on an application. Therefore, visits to premises should be exceptional, and undertaken either to check a specific material consideration, or to assist the Committee with a matter that has hitherto been outside its experience or that of individual Members.
- 1.2. Members should also note the disruption that any visit will cause to the Schedule of meetings, to officers and interested parties attending the meetings.
- 1.3. If having read the officer's report a Member requires further information on an application, it would be appropriate for the Member to contact the report author to request the information to be included in the supplementary agenda which will be despatched the evening before the meeting.

2. Arrangement of Visit

- 2.1. The Executive Director Supporting Communities will notify the licensee that a visit is to be arranged, and a date will be fixed in consultation with the Chair and leaders of the opposition groups on the Committee, although this will not be communicated to the licensee. Members will then be notified of the visit.
- 2.2. In the interests of consistency and transparency, every effort should be made by Members considering the application to attend the visit.
- 2.3. Members will be accompanied on the visit by a licensing officer.

3. Briefing

- 3.1. Before a visit takes place there will be a briefing at a venue to be arranged, with a report setting out technical and background information regarding the premises. In particular, Members will be asked to note the reason for the visit and any specific aspects of the application they wish to focus on. The Borough Solicitor will remind Members of the relevant legislation, providing Counsel's opinion on specific advice as appropriate. Members will be reminded of Camden's Code of Corporate Governance and the rules governing expenditure.

4. Arrival at the Premises

- 4.1. Where appropriate, the accompanying officer should make clear the arrival of Members at the premises. If public admittance is an issue and where there is a door charge, this should be paid and the amount reimbursed by the Council. If some other aspect of the premises is an issue, Members should be admitted without charge. If entrance is refused, and gentle persuasion fails, then the

licensee's decision should be respected. Members should have their identity tags with them.

5. During the Visit

- 5.1. If Members are visiting to see some particular aspect of the premises, or check something, then they should do so. Any specific observations should be passed to the officer, who will note them.
- 5.2. Interested parties will not be invited to site visits but should any attend this may be recorded by officers including a summary of any conversations they have held with Members if appropriate. Members may only ask questions or seek clarification from officers, the applicant or any third party as appropriate. Hospitality or gifts should not be accepted.
- 5.3. Where drinks are served, Members may partake at their own expense. Preferably drinks should be non-alcoholic. Any visit would not normally take longer than the average time taken to consume a drink. However, there may be circumstances (e.g. waiting for a performance to begin or ascertaining the actual closing time of premises) where Members may need to stay longer.
- 5.4. Once Members are satisfied that the purpose of their visit, (as determined and discussed at the briefing) has been fulfilled, the visit should end. It would not be proper to remain for social or entertainment reasons, since these are not the purpose of the visit and could be misinterpreted.

6. After the Visit

- 6.1. The fact that a visit took place will be recorded in the officer's report to the meeting of the Committee considering the application along with any relevant factors noted during the visit which may reasonably be taken into account. It would not be inappropriate for Members to ask questions of applicants and objectors, at the Committee, arising from their visit.

7. Unforeseen Circumstances

- 7.1. If events during a visit to premises take an unexpected turn, such that there is a danger to Members, or the potential to embarrass them in their public capacity, it is usually advisable to leave immediately.

EQUALITY ACT 2010

The Equality Act 2010 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 functions. Members of the Panel must be mindful of this duty *inter alia* when determining all licensing applications. In particular Members of the Panel must pay due regard to the need to:

(1) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;

(2) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and

(3) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

ENDS

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Guidance on remote hearings held under the Licensing Act 2003 and associated regulations

The following procedure shall be adopted in relation to the conduct of all hearings of Licensing Sub-Committees (known as Licensing Panels) which are held to consider applications submitted under the Licensing Act 2003 and associated regulations. The Council's Standing Orders, while still applying, are for hearings held pursuant to the Licensing Act 2003 to be interpreted in light of this guidance note and the fact that the hearing is being held remotely adjusted accordingly.

A. System for conducting remote hearings

1. Camden will conduct remote hearings using Microsoft Teams ('Teams') using the calls functionality.
2. The remote hearing will be conducted via a Teams call, using both the audio and video functionality so all participants¹ in a remote hearing should be capable of being heard and seen. All decision-makers must maintain as a legal minimum an audio connection to the hearing, but may mute themselves when they are not speaking. It will not impact the lawfulness or otherwise of the hearing should a committee member not be able to see the other participants for any part of the hearing, nor if they be cannot be seen by other participants and / or the public. All participants will, as far as able, try to join the hearing using the Teams app or web browser and not via dialling into the hearing.
3. Unless a hearing is dealing with confidential items, it will be streamed to the public so that they may listen and watch (should video be available) but the public will not be able to participate unless section B6 below applies; these are hearings held in public via a digital connection, but are not public hearings.
4. The Chair will be provided with advice on procedure and hearing management by a committee officer, a lawyer and other relevant officers.
5. Hearings will be streamed live as well as recorded, stored and uploaded to the Council's website. The Council will aim to do this within 48 hours of the hearing finishing.
6. Minutes will be taken and published in the usual manner.
7. In line with existing standing orders, the ruling of the Chair on a point of order and on the construction or application of this guidance, procedure rules and standing orders shall not be challenged during any hearing, including any decision of the Chair to ask for contributors to be muted.

Prior to the hearing

1. Agendas will be published on the [website](#) and via the modern.gov app and, unless a matter is urgent, five clear working days will elapse from the publication of the agenda to the holding of the hearing. Panel members will, as usual, receive an automated email when the agenda is published online containing a link to the agenda. They will also be provided with contact details to use in the event that their connection to the hearing is cut.

¹ Participants are defined as members of the committee; other councillors who seek to address the hearing; officers advising the committee or presenting reports; any external partners / third-parties invited to address or advise the hearing; and any member of the public with speaking rights.

Late papers

2. Parties to a licensing hearing may submit further late materials no later than 7pm, two working days before the hearing is due to start. These will be published online and circulated to the panel members. At the start of the relevant item, after the officer's presentation, the Chair will confirm which late papers have been circulated and invite each group of parties (responsible authorities, interested parties, applicant; or applicant, interested parties, licence holder) to set out in up to 2 minutes why the papers should be accepted or not. The panel members will then decide whether to admit the papers – taking advice as needed from officers – and take any adjournment necessary to ensure all voting members have read them.

B. At the hearing

1. The committee officer will begin the remote hearing 15 minutes before the start time to allow participants to join promptly and check their audio / video feeds are working.
2. At the beginning of the formal hearing, the Chair will confirm attendance by calling the name of each of those expected to be in attendance and ask them to confirm that they are present, their role (voting member, guest member, advising officer or member of the public with speaking rights) and that they can hear proceedings. Any members who are acting as substitutes shall identify themselves as substitutes and say for whom they are substituting.
3. The usual rules as to numbers of members to create a quorum will apply, and presence in the hearing of a voting member or substitute will count towards the quorum.
4. The hearing will, as the first item of business on the agenda, note and agree the variations / interpretations of procedure rules as set out in this document. The hearing will then follow the published agenda as normal.
5. Any Member participating who declares an interest in any item of business which would normally require them to leave the room shall switch off their microphone and camera for the duration of the item so they cannot be heard or seen by the other participants. They should also refrain from sending any messages using the chat function during the item or do anything that may be reasonably perceived as trying to influence the debate. Any such action may be a breach of the Members' Code of Conduct. The relevant Member will still be able to see and hear the discussion and at the end of the item may switch their camera and microphone back on. The committee officer may use their ability to remotely switch microphones on and off to assist in this process.

Public participation

6. Licensing hearings do not take deputations. The applicant / licence holder / parties making representations instead declare their intention to address the Committee beforehand. They will be sent a notice of the hearing as normal and are required to return this by 7pm, 2 working days before the hearing. Where a party has not indicated their intention to speak by this time, they will be presumed to not be addressing the Committee. Reasonable attempts will be made to accommodate those submitting late notifications, but their participation will not be guaranteed.
7. It is stressed to applicants / licence holders/ parties making representations that they must identify a single speaker and this may be themselves or another nominated person. They may invite others to speak as part of their submissions, but the panel will not

adjourn the hearing for a speaker who is not the identified single speaker for the party unless the Chair is persuaded that that the non-lead speaker has material information to impart to the panel.

Debate

8. Panel members will indicate their desire to speak by submitting their name using the “chat” function on Teams. This “chat” will not be minuted nor be a formal part or contribution to the hearing. All participants should refrain from using the chat for any function other than indicating their wish to speak, indicating a loss of their audio feed (section C8) or to request a formal vote (section C21) and will be reminded about this at the outset of the hearing. Where a panel member has joined through dialling in, and therefore does not have access to the chat function, the Chair will at relevant points during items specifically invite those participants dialling-in to address the hearing or otherwise confirm they have no comments / questions.
9. When not speaking, participants will be asked to keep themselves muted. Officers may do this remotely to improve the audio quality of the hearing.

Interruptions to connections

10. If a Member’s audio feed cuts out during the hearing they will:
 11. If still connected to Teams, use the ‘chat’ function to advise immediately that they can no longer hear the other participants;
 12. If they are unable to use the Teams ‘chat’ function, use the emergency contact details provided to alert the relevant officer (usually the committee officer) who will advise the Chair.
13. Where the Chair is notified of a panel member’s audio feed failing they will immediately stop the hearing and call a short adjournment of up to 15 minutes to re-establish the connection. Where the connection is re-established, the Chair will ask relevant participants to repeat in summary any part of the discussion that is considered reasonably necessary to ensure panel members have been given the same information as each other.
14. If after the 15 minutes adjournment, the connection to the panel member cannot be re-established then the hearing will resume – so long as there is still a quorum – and the Member will be deemed as having left the hearing and will be unable to vote on the item. They may, if able, rejoin the hearing and participate on later items.
15. If the Chair is the member affected by the interrupted connection, the committee officer will adjourn the hearing in line with sections C9 – C10. Upon the resumption, if the Chair has been unable to rejoin the hearing, the Vice-Chair will assume the Chair. Where there is no Vice-Chair, the committee officer will conduct a vote for a panel member to temporarily assume the chair. The usual Chair may resume their role at the start of the next item if they have resumed their connection.
16. Where a loss of connection renders a hearing inquorate, the normal procedure rules on inquoracy will apply i.e. the hearing will stand adjourned for up to 15 minutes (or 30 minutes if the committee officer deems it likely that a quorum can be achieved in that time). If after this time, a quorum has not been found then the hearing will conclude and the business stand adjourned to the next hearing of the panel.

17. Where the Chair is advised that the public audio feed is not working to a satisfactory standard, then they shall adjourn the hearing as if it was inquorate under section C12 (unless the hearing is in private session).

Voting

18. The Chair may, at their discretion, consider that there is an accord amongst panel members, and shall announce this to the hearing and not call for a formal vote. Should a panel member wish a formal vote to take place they should indicate this by way of the 'chat' function.
19. When the Chair elects to put a matter to the vote, they will ask the voting members of the panel to confirm that they were able to hear the item in full and to cast their vote on the recommendation(s) / motion. The chair will conduct a roll call in alphabetical order for each panel member to respond in turn.
20. Given the quasi-judicial nature of the business, should the Chair be in any doubt as to whether a panel member was present for the whole of an item they will not allow that panel member to vote.

Behaviour

21. The Chair will at their discretion be entitled to mute any contributors, including voting members, should they consider it appropriate. Should either a member or other participant become disruptive, the Chair will warn them and should that warning not result in a change of behaviour which is acceptable to the Chair then they shall, at their absolute discretion, be entitled to terminate the individual's participation in the hearing.

C. Confidential/Exempt Items

1. Should the hearing have confidential or exempt items on the agenda, the Chair will move the usual motion to move into private session. This can be agreed by a general consensus of the voting members to the satisfaction of the Chair or by carrying out a roll call vote.
2. The hearing shall then stand adjourned until the Chair is satisfied, upon the advisement of the clerk, that the public live feed has paused and all participants not eligible to remain as a part of the hearing have been removed as such. Each Member in remote attendance must ensure and verbally declare that there are no other persons present who are not entitled to be (either hearing or seeing), and/or recording the proceedings.
3. When resolving to move back into public session, the hearing shall again adjourn until the Chair is satisfied, upon the advisement of the clerk, that the public live feed has resumed and all eligible participants have had their audio / video feeds restored satisfactorily.

D. Equalities

1. It is recognised that that some persons who ordinarily would be able to participate in Council hearings in person will not be able to participate in remote hearings due to physical or other disability or because they lack the technological capability to do so. It is believed that this will only be a small minority of persons, but will likely disproportionately affect older persons and those of less financial means. We are aware that in terms of income those that fall within certain protected groups are statistically

more likely to lack the means to have access to that equipment or the ability to use it. There is therefore functionality to dial into a hearing instead of joining via the Internet, and the Council will support this as far as possible in line with the procedures set out above.

2. Teams has live captions functionality for remote hearings for the deaf / hard of hearing, which users can independently turn on; guidance on how to do so will be provided. The Council cannot accept any liability for the accuracy of these live captions.
3. The Council will consider any other requests for reasonable adjustments to be made in order to allow parties to be involved in remote Council hearings as far as circumstances at the time of the hearing allows.
4. In addition the Council will review and monitor the operation of its remote decision making and make adjustments when it considers it can further mitigate any adverse impact.

ENDS

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THE LONDON BOROUGH OF CAMDEN

At a hearing of **LICENSING PANEL C** held on **THURSDAY, 10TH OCTOBER, 2024** at 7.00 pm in a Remote meeting via Microsoft Teams.

MEMBERS OF THE PANEL PRESENT

Councillors Jonathan Simpson (Chair) and Councillor Steve Adams (present as substitute).

MEMBERS OF THE PANEL ABSENT

Councillors Nina De Ayala Parker and Matthew Kirk

The minutes should be read in conjunction with the agenda for the hearing. They are subject to approval and signature at the next hearing of Licensing Panel C and any corrections approved at that hearing will be recorded in those minutes.

MINUTES

1. GUIDANCE ON REMOTE MEETINGS HELD UNDER THE LICENSING ACT 2003 AND ASSOCIATED REGULATIONS

RESOLVED –

THAT the guidance on remote meetings be noted.

2. APOLOGIES

Apologies for absence were received from Councillors Matthew Kirk and Nina de Alya Parker. Councillor Steve Adams attended the meeting as substitute.

It was noted that the meeting was quorate with two Members present.

3. DECLARATIONS BY MEMBERS OF STATUTORY DISCLOSABLE PECUNIARY INTERESTS, COMPULSORY REGISTERABLE NON-PECUNIARY INTERESTS AND VOLUNTARY REGISTERABLE NON-PECUNIARY INTERESTS IN MATTERS ON THIS AGENDA

There were none.

4. ANNOUNCEMENTS (IF ANY)

Webcasting

The Chair announced that the meeting was being broadcast live to the internet and would be capable of repeated viewing and copies of the recording could be made available to those that requested them. Those participating in the meeting were deemed to be consenting to being filmed.

Item 9 – Kazim Efe’s Restaurant

The Chair further announced that the above application had been resolved because the parties had agreed conditions.

5. NOTIFICATION OF ANY ITEMS OF BUSINESS THAT THE CHAIR DECIDES TO TAKE AS URGENT

There were none.

6. MINUTES

Consideration was given to the minutes of the meeting held on 5th September 2024.

RESOLVED –

THAT the minutes of the meeting held on 5th September 2024 be approved and signed as a correct record.

7. POPEYES, 'MERLIN HOUSE' 122-126 KILBURN HIGH ROAD, LONDON NW6 4HY

Consideration was given to a report of the Executive Director, Supporting Communities detailing the application for a new premises licence under Section 17 of the Licensing Act 2003.

The Chair informed the hearing that following agreement of conditions both Responsible Authorities – the Police and Licensing Authority had withdrawn their

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representations. The Chair also confirmed that the Panel members had read all the papers in the agenda pack including all the representations made.

The Licensing Officer introduced the report and clarified that the Police had withdrawn their representation following three additional conditions being agreed and an amendment to condition 5 to include a requirement that a Security Industry Authority (SIA) licensed door supervisor must be employed at the premises on Fridays, Saturdays and Bank Holiday Sundays from 22:00 until closing. The Licensing Responsible Authority had also withdrawn their representation following eight additional conditions having been agreed with the applicant.

Six interested parties had made representations objecting to the application which could be found on pages 87-98 of the agenda. The licencing objectives engaged by the application were the prevention of crime and disorder and the prevention of public nuisance. The premises was not situated in a cumulative impact policy area, the hours policy was engaged by the application in relation to the proposed terminal hours for late night refreshments.

The applicant's representative, Mark Browning, confirmed that there were no further amendments to the application.

Interested Party, Ms Katie Manuel Butler supported by her mother Dr Rosie Butler Manuel and speaking on behalf of the residents of Quex Mews summarised her representation on page 89 of the agenda. She expressed concerns that the proposed amendment to the opening hours for the premises would cause further disturbance, noise and litter as well as possible threats to the security and safety of residents. This was because the access road and entrance to properties was used by Popeyes for deliveries and bin collection. The residents already had numerous issues with the premises primarily surrounding disposal of rubbish and despite contact with the applicant on a number of occasions the issues had not been resolved.

Ms Butler asked the Panel not to grant an extension to the premises opening hours but that if it were minded to grant the licence a condition should be included on the licence that the premises bins should be collected from Kilburn High Road instead of Quex Mews as was the case for other businesses in the area.

Members asked how often the gates to the residents gated area had been propped open by staff of Popeyes. Ms Butler said that it was a fairly regular occurrence, multiple times a week.

The Applicant's Representative, Mr Mark Browning accompanied by Gwion Iwan, Operations Director of the company, provided the following information in support of the application:

They acknowledged that the residents had raised concerns in the past about bins being collected from the rear of the premises, through the Mews late in the evening and a solution had been considered. In addition to the conditions agreed with the

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Responsible Authorities, they would agree to two further conditions to address the concerns of residents. These were:

- That bins would not be collected from the rear of the premises between 8pm at night to 7am in the morning. Any food or rubbish or anything that needed to leave the building between 8pm and 7am would leave from the front of the premises and would be carried by hand.
- Staff and customers would not be allowed to gather chat and smoke at the back of the premises between 8pm and 7am to prevent causing nuisance to residents.

With regard to the Safer Neighbourhood representation about anti-social behaviour in the area, Popeyes had been trading for over 12 months, during which time there had been no incidents in the restaurant.

The business had agreed despite this that if the licence were granted for later opening hours, properly badged SIA staff would be employed as well as the use of the Safe Staff System which gave the police complete access to the premises CCTV system at any time.

It was not in the interest of the business for the premises to be other than a safe space for people to visit. The business was not a low-price high-volume brand, the chicken produced was hand cooked and made to order. The business and applicants were experienced in trading in over 60 other cities and high streets very similar to Kilburn High Street, in high footfall areas and had not seen the high levels of anti-social behaviour mentioned in some of the representations.

Members asked about the use of the storage room at the back of the premises, Mr Iwan said that this was empty and would not be used after 8pm.

Members queried why the premises could not open later than 8am in the morning, the Applicant said that from a trading perspective they opened at 8am to serve breakfast which was a good source of income for the business. With regards to the bin collection, the Council collected the bins from around 8.30am and the business would want to get the empty bins back into the premises as quickly as possible for the residents' benefit.

Members asked if the premises would introduce the 'Ask for Angela' scheme to improve women's safety in the night-time economy. They agreed to this.

In response to the interested parties' questions, the applicants provided the following information:

- They could not comment on the rights of way of Popeye from the rear of their premises through the mews that was a matter for a property lawyer. This could be looked into and a response provided to residents.

- The Council had designated the area the bins were collected from.

Following concluding remarks from both Parties, the Council's legal adviser clarified the additional conditions offered by the applicant. The Panel then commenced deliberation.

Panel Decision and Reasons

In their deliberations, Panel Members confirmed that they had been able to see and hear the submissions made by the parties. They stated that they had considered the submissions made by the interested parties and the applicant. The Panel discussed the application and commented that with the applicant's offer of additional conditions an extra level of protection had been provided that would protect the enjoyment and amenity of all the residents in the Mews. Therefore, a large amount of the concerns on certain aspects of the application had been removed and the Panel were minded to grant the application.

The Panel's remaining concern related to staff congregating in the outdoor area late in the evening and asked that a condition be added to the licence that staff should not congregate at the rear of the premises in Quex Mews between 8pm and 7am to ensure there was no disturbance to residents.

The Panel agreed to grant the new premises licence, subject to the conditions outlined in the agenda, additional conditions agreed with the Responsible Authorities and additional conditions agreed at the hearing by the applicant including the "Ask for Angela" scheme.

Panel Members considered that to grant the application with the additional conditions would promote the crime and disorder and prevention of public nuisance licensing objectives.

RESOLVED –

- (i) THAT a premises licence be granted for:

Late Night Refreshment

23.00 until 02.00 Monday to Sunday

Opening hours

08.00am until 02.30pm Monday to Saturday

- (ii) THAT the following conditions be appended to the licence:

Conditions already agreed;

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1. A CCTV system with recording equipment must be installed and maintained at the premises and operated with cameras in positions agreed with the Police.
All recordings used in conjunction with CCTV must: • Be of evidential quality in all lighting conditions; • Indicate the correct time and date; and • Be retained for a period of 31 consecutive days. A member of staff trained to use the system must be on duty at all times licensable activities are taking place, as the recorded images must be available for inspection immediately upon request to all officers of Responsible Authorities. A system must be in place to provide images for uploading upon request to the Police. There must also be adequate portable hardware (such as compact disks or USB storage devices) at the premises, as the recorded images must be available for downloading immediately upon request to officers of other Responsible Authorities.
2. All images downloaded from the CCTV system, must be provided in a format that can be viewed on readily available equipment without the need for specialist software.
3. A bound and sequentially paginated incident/accident book or electronic record must be kept to record all instances of disorder, damage to property and personal injury at the premises. Such records are to be made available for inspection and copying by the Police and other officers of Responsible Authorities immediately upon request, and all such records to be retained at the premises for at least 12 months.
4. Persons carrying any open vessel(s) that may contain alcohol must not be admitted to the premises.
5. A Security Industry Authority licensed door supervisor must be employed at the premises on Fridays & Saturdays and Bank Holiday Sundays from 22:00 until closing.
6. Security Industry Authority licensed door supervisors must be employed at the premises on occasions as deemed necessary by the Premises Licence Holder and/or premises management following a risk assessment and on occasions when requested by, and following consultation with the Police.
7. The Premises Management must ensure that any Security Industry Authority door supervisors employed at the premises wear, and clearly display, their Security Industry Authority licence badge at all times whilst on duty.
8. All areas of the premises, that the public have access to, must be 'glass free' at all times the premises are open to the public.
9. Clear notices must be prominently displayed requesting customers to leave the premises and the area in a quiet and orderly manner.

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10. Deliveries must only be delivered to a residential or business address and not to an open public space such as a street corner, park etc.
11. Clear and legible notices must be prominently displayed at all entrances/exits requesting delivery drivers not to loiter unnecessarily in any area outside the premises and to leave in a quiet and orderly manner.

Conditions Agreed with the Police

12. A Security Industry Authority licensed door supervisor must be employed at the premises on Fridays, Saturdays and Bank Holiday Sundays from 22:00 until closing.
13. No late-night refreshments for customers who attend the venue after 0100 hours.
14. The venue must not have any customers in the venue after 0100 hours.
15. Police must be called to all incidents of violence.

Conditions Agreed with the Licensing Responsible Authority

16. A minimum of ONE registered door supervisors shall be on the premises when open to the public on a Friday and Saturday during the hours of 22:00 until closing.
17. Policy and procedures for door staff will be put into place detailing dispersal techniques for customers and procedures for dealing with incidents that occur near the premises.
18. Notices shall be prominently displayed at each exit from the premises asking customers to be considerate to neighbours when leaving.
19. A maximum of 55 customers shall be permitted on the premises at any one time.
20. Patrols of the area outside the premises shall be undertaken every 5 hours during the use of the licence and any litter attributable to the premises cleared.
21. At least one member of staff on duty whilst this licence is being used shall be trained in the requirements of the Licensing Act 2003 in terms of the licensing objectives, offences committed under the Act and conditions of the premises licence. Such person shall be competent to ensure offences are not committed and that the premises shall be run in accordance with the licence.
22. A minimum of 3 litterbins shall be provided by the licence holder indoors for the use of customers.

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23. Policies and procedures shall be put in place for collection of street litter generated by the premises and such policies shall be implemented by staff whenever the premises are being used under the terms of this licence.

Condition added by Licensing Panel C on 10th October 2024

24. That the premises participate in the 'Ask for Angela' scheme.
25. Bins are not to be collected from the rear of the premises between 8pm at night to 7am in the morning. Any food or rubbish or anything that needed to leave the building between 8pm and 7am would leave from the front of the premises and would be carried by hand.
26. Staff and customers are not allowed to gather chat and smoke at the back of the premises between 8pm and 7am to prevent causing nuisance to residents.

ACTION: Executive Director, Supporting Communities

8. 47 LAMB'S CONDUIT STREET, LONDON WC1N 3NG

Consideration was given to a report of the Executive Director, Supporting Communities detailing the application for a new premises licence under Section 17 of the Licensing Act 2003.

The Licensing Officer introduced the report and confirmed that the Police Responsible Authority and the applicant had agreed to include 15 additional conditions which could be found on page 129 of the agenda. It was highlighted that five relevant representations had been received objecting to the application.

The representations could be found on pages 119 to 128 of the agenda. The licensing objectives engaged by the application were the prevention of crime and disorder, the prevention of public nuisance and public safety. The premises was not located within a cumulative impact policy area.

The Applicant confirmed that there were no amendments to the application.

An Interested Party, Paul Golden, addressed the Panel stating that he was representing a number of residents that could not attend the hearing this evening. He summarised his representation which could be found on pages 119 to 120 of the agenda. He expressed concerns about the lack of sound proofing at the venue as he lived directly above the premises and was significantly impacted by noise emanating from the premises below. He also expressed concern with the number of night-time venues and congestion that already existed in the area as well as the excessive noise nuisance into the early hours of the morning coming from these venues.

Licensing Panel C - Thursday, 10th October, 2024

The Applicant, Mr Itamar Srulovich accompanied by Diana Ionasc made the following representation in support of the application.

The premises was not operating as a bar or a restaurant. There premises operated as a Takeaway Café and Bakery and wanted to sell hampers the intention to sell hampers with bottles of wine, which was high end wine.

It operated as a bookshop and event space at the back of the shop. The applicant had a track record of organising book events part of which included being able to offer alcohol. The nature of retail business these days was that people wanted to have a glass of wine at this type of event and similar premises such as Waterstones had an alcohol licence.

The business was a family business operated by husband and wife and very much engaged with the local community. They cared about the relationship with their neighbours and did a lot to ensure they were an asset to the community.

The existence of another licensed premises with additional CCTV would make the streets quieter and safer and reduce crime.

The conditions agreed with the Police including the operating hours provided residents with assurance that the premises would not operate as a bar and the applicant was prepared to accept further conditions to put the residents mind at ease.

The soundproofing issue had been discussed with the interested party and taken up with the freeholder. The freeholder also owned the entire street and had indicated that the situation at the premises was no different from their other properties which were above much nosier premises. The applicant indicated that he had suggested a meeting take place with the freeholder and the interested party to discuss a way forward but it was not an issue the applicant could solve himself.

Members asked if the applicant had taken any professional advice on increasing the reduction of sound penetration between the applicant's premises and the flat above. Mr Itamar Srulovich said that the issue had been discussed with his solicitor and the freeholder at length but it was not something he could do on his own and needed the cooperation of the freeholder, it however did not appear to be a priority for the freeholder at the moment.

In response to the interested party's questions, the applicants provided the following information:

They had tried to arrange meetings with the freeholder and interested party and had sent several emails but no response had been received.

A licensed premises would make the area safer with the conditions attached to the licence and the availability of CCTV in the area.

Following concluding remarks from both Parties, the Panel commenced deliberation.

Panel Decision and Reasons

In their deliberations, Panel Members confirmed that they had been able to see and hear the submissions made by the parties. They stated that they had considered the submissions made by the interested parties and the applicant. The Panel discussed the application noting that the interested party's comment that the street already had a lot of premises was not relevant as it was not in a cumulative impact policy area. On the other hand, the Panel were of the view that the premises would not be out of character within the street given the description of how it intended to operate. It appeared to be a fairly gentle proposal.

The Panel noted that the main issue of concern, unfortunately was outside its control which was that there was no sound proofing between the premises and the flat above. The Panel encouraged the applicant, interested party and freeholder to exchange contact details and have a meeting to discuss the issue of noise reduction.

The Panel agreed to grant the premises licence, subject to the conditions outlined in the agenda which would promote the crime and disorder and prevention of public nuisance licensing objectives.

RESOLVED –

THAT a premises licence be granted for:

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

12.00 until 21.30 Monday to Saturday

Opening hours

09.00am until 22.00pm Monday to Saturday

(ii) THAT the following conditions be appended to the licence:

Conditions already agreed;

Conditions consistent with the operating schedule

1. Effective and responsible management of premises and training and supervision of staff.
2. Alcohol will be kept behind the bar.
3. There shall be a minimum of 3 member of staff at all times. all front of house staff will be trained and briefed regarding sales of alcohol best practices by the Designated Premises Supervisor.
4. Suitable risk assessments will be put together. regular testing (and certification) of procedures and appliances.

5. Premises will be soundproof in order to cancel the noise and bring it to acceptable levels.
6. Signs will be displayed asking our patrons to leave the premises quietly.
7. All litter will be stored indoors in its designated place and taken outside only in permissible hours.
8. Appropriate instruction, training and supervision to prevent incidents of public nuisance.
9. Staff instruction regarding the restriction of serving alcohol for underage children
10. Children will be allowed on the premises only accompanied by an adult.
11. Minimum 3 members of staff on the floor at all times to secure the protection of children from harm.
12. Appropriate instruction, training and supervision of staff in respect to determining the age of a customer.

Police Agreed conditions:

13. The premises licence holder shall ensure that CCTV cameras and recorders are installed at the premises.
14. The CCTV system shall be maintained in good working order and at all times the premises is open to the public, be fully operational covering both internal and external areas of the premises to which the public have access.
15. The CCTV camera views are not to be obstructed.
16. The medium on which CCTV images are recorded shall be of evidential quality; stored securely; shall be retained for a period of 31 days; and be available for inspection by the Police or Local Authority upon request.
17. At all times when the premises are open for the purposes of licensable activities, a suitably trained member of staff shall be present to assist the Police or an authorised officer in obtaining the CCTV footage.
18. Copies of CCTV shall be made available within 48 hours to the Police or Local Authority, upon request.
19. Staff working at the premises shall be trained in the use of CCTV and a log will be kept to verify this.
20. Signs must be displayed in the customer areas to advise that CCTV is in operation.
21. Notices shall be displayed within the premises warning customers about personal thefts; and to be vigilant.
22. A Challenge 25 policy will be enforced, where any person reasonably looking under the age of 25 shall be asked to prove their age when attempting to purchase alcohol and Signs to this effect will be displayed at the premises. The only acceptable forms of identity will be those with photographic identification documents recognised in the Home Office guidance; including passports, photo-card driving licence or proof of age card bearing the PASS hologram.
23. Police must be called to incidents of violence and/or disorder.
24. An incident log shall be kept at the premises, and made available on request to an authorised officer or the Police, which will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received

- (d) any incidents of disorder and violence
 - (e) all seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system or searching equipment or scanning equipment
 - (g) any refusal of the sale of alcohol to include date, time, and staff member
 - (h) any visit by a relevant authority or emergency service.
 - (i) CAD reference numbers where Police are called.
25. All products over 5.5% ABV will be 'premium' products.
26. Alcohol shall not be sold in an open container.
27. Alcohol will only be consumed in the premises during events held by the venue. Those consuming the alcohol must be attending the event.

ACTION: Executive Director, Supporting Communities

9. KAZIM EFES RESTAURANT, 56-56A MAPLE STREET, W1T 6HW

This application had been resolved.

10. ANY OTHER BUSINESS THAT THE CHAIR CONSIDERS URGENT

There was none.

11. LOCAL GOVERNMENT ACT 1972 - ACCESS TO INFORMATION

The hearing ended at 8.10 pm.


CHAIR

Contact Officer: Sola Odusina
Telephone No: 020 7974 8543
E-Mail: licensing.committee@camden.gov.uk

MINUTES END

Agenda Item 7

APPLICATION FOR A NEW PREMISES LICENCE UNDER SECTION 17 OF THE LICENSING ACT 2003

LONDON BOROUGH OF CAMDEN	FOR SUBMISSION TO: Licensing Panel	DATE: 14 th November 2024
REPORT OF: Executive Director Supporting Communities	CONTACT OFFICER: Steven Dormer, Licensing Officer, Licensing Team, 5 Pancras Square, London, N1C 4AG. 020 7974 016/ steven.dormer@camden.gov.uk	
PREMISES:= SHREEJI LOCAL, 167 Malden Road, London NW5 4HT	WARD: Haverstock	
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 2023) (“the Guidance”)	
Appendices	Appendix 1) Location map of premises Appendix 2) Application form Appendix 3) Relevant representations Appendix 4) Conditions consistent with the operating schedule Appendix 5) Legal and finance comments	
Signed by:  Jamie Akinola Director of Public Safety Date: 29 th October 2024		

1. Application

1.1 This is an application for a new premises licence under section 17 of the Licensing Act 2003. **Appendix 2**

1.2 The application is for:

a) **Supply of Alcohol** (off the premises)

Monday to Saturday 08:00 – 23:00

Sunday 08:00 – 22:30

b) **Opening hours**

Monday to Saturday 07:00 – 23:00

Sunday 07:00 – 22:30

Engagement by the Applicant

- 1.3 The applicant has not used the Pre Application advice service.

2. Representations

- 2.1 Twenty-Four relevant representations have been received from residents and Public Health to oppose the application.
- 2.2 Two Representation has been withdrawn from the Responsible Authority for Licensing and the Metropolitan Police.
- 2.3 The following measures have been agreed with the Police and Licensing Responsible Authority. **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
 - b) The Prevention of Public Nuisance
 - c) Public Safety
 - d) The Protection of Children from Harm

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

- 3.2 The premises are not in a cumulative impact policy area.

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

- 3.3 The hours policy is not engaged by this application in relation to the proposed application.

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) Off Licences

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 18 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:

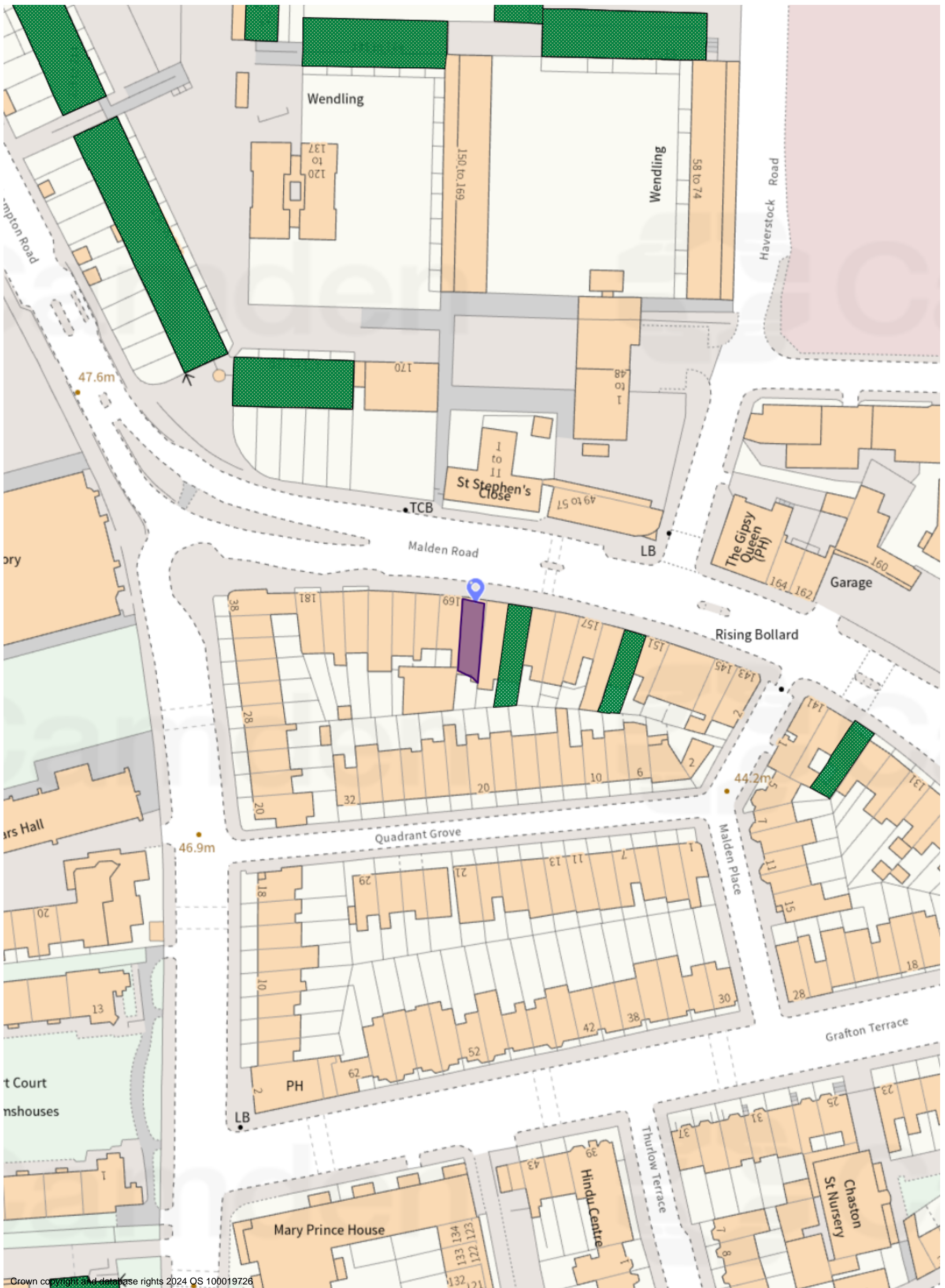
- a) Grant the application in full of such conditions on the licence that are consistent with the operating schedule.
- b) Grant the application subject to revised conditions that they consider appropriate to promote the licensing objectives.
- c) Reject the whole or part of the application.

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 considering all the relevant information, and if approval is given, may attach such conditions appropriate to promote the licensing objectives.



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I want to apply for a	Premises licence
Are you an agent?	Yes - I am an agent
Agent Details	
First name	OISIN
Last name	Daly
Name of business	ABSOLUTE LICENCE SOLUTIONS LTD
Name and address	[REDACTED] [REDACTED] [REDACTED]
Email address	[REDACTED]
Telephone number	[REDACTED]
Does the premises have a name?	Yes
What is the name of the premises?	SHREEJI LOCAL
What is the address or location?	167 Malden Road NW5 4HT London
What is the type of premises?	Newsagents
Describe the area it is situated in	mixed use commercial
Describe the layout of the premises	Ground floor shop in small parade
Copy of the premises plans	<ul style="list-style-type: none">• LA2003PLANSSHREEJILOCAL.pdf

Tell us about the premises business hours

Day	Start time	End time
Monday	07:00	23:00
Tuesday	07:00	23:00
Wednesday	07:00	23:00
Thursday	07:00	23:00
Friday	07:00	23:00
Saturday	07:00	23:00
Sunday	07:00	22:30

Are there any seasonal variations for the premises opening times?

No

Is the premises open to the public at times other than those listed?

No

Is the premises an open space?

No

Is the premises currently under construction?

No

What is the non-domestic rateable value (NDRV) of the premises?

10250

How many people are expected to attend the premises at any one time?

Less than 5000 people

Will the premises be exclusively or primarily used to sell alcohol?

No

How are you applying for a premises licence?

As a limited company

Business details**What is the company registration number**

[REDACTED]

Name of business

SHREEJI LOCAL LTD

Name and address

[REDACTED]

[REDACTED]

[REDACTED]

Email address

[REDACTED]

Telephone number

[REDACTED]

How long do you want your premises licence for?

Permanently

When do you want your licence to start?

As soon as possible

Activity you wish to licence

j. Supply of alcohol

Alcohol supply

Day	Start time	End time
Monday	07:00	23:00
Tuesday	07:00	23:00
Wednesday	07:00	23:00
Thursday	07:00	23:00
Friday	07:00	23:00
Saturday	07:00	23:00
Sunday	07:00	22:30

Where will the supplied alcohol be consumed? Off the premises

Are there any seasonal variations for the activity? No

Will the activity take place at times other than those listed? No

DPS details

Does your designated premises supervisor (DPS) currently hold a personal licence? Yes

Was their personal licence issued by Camden? No

Personal licence number [REDACTED]

Issuing local authority [REDACTED]

First name KENABEN

Last name ACHARYA

Address [REDACTED]
[REDACTED]
[REDACTED]

Signed Copy of the Designated Premises Supervisor (DPS) consent form • DPSCONSENTACHARYA-FINALSIGNED.pdf

Will there be any activities associated with the premises which may give rise to concern in respect of children? No

The prevention of crime and disorder Alcohol shall be stored in areas in

accordance with the floor plan. All staff responsible for selling alcohol shall receive regular training in the Licensing Act 2003 in terms of the licensing objectives, offences committed under the Act and conditions of the Premises Licence. Written records of staff training in the Licensing Act 2003 shall be retained and made available to police and authorised officers of the Licensing Authority on request. Staff shall receive refresher training in the Licensing Act 2003 at intervals of no more than 6 months. Signed and dated records shall be kept of all staff training and such records kept available for inspection at the premises for a period of at least one calendar year from the last date of entry There shall be CCTV in operation at the premises and a) a member of staff who has been nominated in writing and who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public. b) if the premises are not open, and subject to the tests set out by virtue of the Data Protection Act, within 24 hours of a request for access to the CCTV system from either the police or licensing authority, this staff member must be able to show a Police, HMRC or authorised council officer recent data or footage with the absolute minimum of delay when requested. c) CCTV shall record continuously and be retained for not less than 31 days.

Public safety

A daily incident log shall be kept at the premises for a period of at least 12 months from the date of last entry, which will record the following: (a) all crimes reported to the venue (b) all ejections of patrons (c) any

The prevention of public nuisance

complaints received (d) any incidents of disorder (e) any faults in the CCTV repaired within 24hrs (f) any refusal of the sale of alcohol (g) any visit by a relevant authority or emergency service. (h) any lost property found or handed to staff at the premises. (i) any other relevant incidents to be recorded.

The premises licence holder shall not sell super strength beer, lager or cider with an alcohol content above 5.5% ABV or greater. This restriction shall not apply in respect of specialist branded premium priced products, for example Craft ales, local or micro-brewery specialist products, boxed gifts or national celebratory/commemorative beer, lager or cider with alcohol content of 5.5% ABV or greater. Alcohol shall not be sold in an open container, be opened in the premises, or be consumed in the premises. All alcohol in the public parts of the premises shall be kept in display units. No alcohol is to be kept under the counter.

The prevention of children from harm

A "Challenge 25" age verification policy shall be operated at the Premises during the permitted hours for the sale of alcohol and staff shall be trained in respect of the policy. Staff shall ask for proof of age from anyone they suspect of being less than 25 years of age. The only acceptable forms of identification shall be a photo style driving licence, a passport, a photo identification card bearing the PASS logo in a hologram format, military ID or recognised national photographic identity cards from member countries of the European Union. Posters shall be displayed in prominent positions around the premises advising customers of the Challenge 25 policy in force at the premises.

About this form

Issued by	Camden Town Hall Judd Street London WC1H 9JE
Contact phone	020 7974 4444
Form reference	Ref. no. 123165

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.

-----Original Message-----

From: Work [REDACTED]
Sent: Wednesday, September 4, 2024 4:53 PM
To: licensing inbox <licensing@camden.gov.uk>
Subject: APP\PREMISE-NEW\123165

[You don't often get email from [REDACTED]. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

[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.

Hello,

I am emailing regarding the premise licence request stated above.

I would like to object to this, I have my business - Court Service Station for many years and it has been an area which has recently increased in theft, drug activities and nuisance. The addition of an off licence will only add to this. We are happy with Malden Wines and The Gipsy Queen as designated and responsible businesses for the purchase of alcohol and there is also the Queens Crescent market where the community can buy alcohol.

Thanks,

[REDACTED]
Sent from my iPhone

Representation	
Premises name	SHREEJI LOCAL
Application reference number	APP\PREMISE-NEW\123165
Last date for representation	25/09/2024

Making a representation as

As an individual

Your details**First name**

[REDACTED]

Last name

[REDACTED]

Telephone number (optional)

[REDACTED]

Email address

[REDACTED]

Address

[REDACTED]

[REDACTED]

[REDACTED]

Remain anonymous

No

Grounds of representation

- prevention of crime and disorder
- ensuring public safety
- prevention of public nuisance
- protection of children from harm

Details of representation

It is a very quiet residential area which has recently be terrorised by thefts cycles and homes drug dealing blatantly and house break ins . We have enough access to off licences with the very responsible owners of Malden wine and their closing times at 10pm . We have almshouses which need protecting in the evenings . We have two local pubs gipsy queen and Southampton

arms . Plus pubs and off licences in Queens
crescent it is more than enough for the local
direct vicinity

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Representation	
Premises name	SHREEJI LOCAL
Application reference number	APP\PREMISE-NEW\123165
Last date for representation	25/09/2024

Making a representation as

As an individual

Your details**First name**

[REDACTED]

Last name

[REDACTED]

Telephone number (optional)

[REDACTED]

Email address

[REDACTED]

Address

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Remain anonymous

No

Grounds of representation

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

Details of representation

Hi, I object to this licence because we have responsible off licence - Malden Wines in the area and queen's crescent also has off licence. There has been an increase in robberies, dryg activities and public nuisance in the last few months and the introduction of a new off-licence is not necessary, this shop has historical been a newsagent and it should remain this way. Since the introduction of new owners in this

newsagent the owners have not been as present and allowing them to sell alcohol could cause many issues, as the shop owners would not be there at all times. I therefore object to this licence.

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Representation	
Premises name	SHREEJI LOCAL
Application reference number	APP\PREMISE-NEW\123165
Last date for representation	25/09/2024

Making a representation as

As an individual

Your details**First name**

[REDACTED]

Last name

[REDACTED]

Telephone number (optional)

[REDACTED]

Email address

[REDACTED]

Address

[REDACTED]

[REDACTED]

[REDACTED]

Remain anonymous

No

Grounds of representation

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

Details of representation

Hello, We currently have enough off licences around the area and we also have the gipsy queen pub. Given the inceease in drug activities, theft and general nuisance being caused in the area the introduction of a new offlicence with long hours of opening such as 7am to 11pm is too long and is not necessary. We arw happy with the current off licence and pub and would not like another off licence.



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Application reference number	APP\PREMISE-NEW\123165
Last date for representation	25/09/2024

Making a representation as

As an individual

Your details**First name**

[REDACTED]

Last name

[REDACTED]

Telephone number (optional)

[REDACTED]

Email address

[REDACTED]

Address

[REDACTED]

[REDACTED]

[REDACTED]

Remain anonymous

No

Grounds of representation

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

Details of representation

Hi, I would like to object to this licence as we currently have an off-licence within a 5minutes walking distance and The Gipsy Queen pub, both of which are understanding of the neighbourhood needs and wants, and serve alcohol responsibly to customers. Although both of these establishments are very careful and take all caution, there has been an increase in nuisance and the introduction of another off-licence will simply add to this. We are

happy with the number of alcohol shops and pubs in the area and wish not to extend this.

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Last date for representation	25/09/2024

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As an individual

Your details**First name**

[REDACTED]

Last name

[REDACTED]

Telephone number (optional)**Email address**

[REDACTED]

Address

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Remain anonymous

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- ensuring public safety
- prevention of public nuisance

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Application reference number	APP\PREMISE-NEW\123165
Last date for representation	25/09/2024

Making a representation as

As an individual

Your details**First name**

[REDACTED]

Last name

[REDACTED]

Telephone number (optional)

[REDACTED]

Email address

[REDACTED]

Address

[REDACTED]

[REDACTED]

[REDACTED]

Remain anonymous

No

Grounds of representation

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

Details of representation

Hi, We currently have an off-licence and pub in the region which is suffice, and an addition of shops in the Queens crescent. Given the increase in theft, drugs and nuisance in the area - we would not like an introduction of another off-licence with long hours of serving alcohol, 7am to 11pm.

Thanks

**About this form****Issued by**

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London
WC1H 9JE

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Application reference number	APP\PREMISE-NEW\123165
Last date for representation	25/09/2024

Making a representation as

As an individual

Your details**First name**

[REDACTED]

Last name

[REDACTED]

Telephone number (optional)**Email address**

[REDACTED]

Address

[REDACTED]

[REDACTED]

[REDACTED]

Remain anonymous

No

Grounds of representation

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

Details of representation

There is currently a High rate of drug and theft activity around the area and the introduction of a new off licence will add to this For years and years we have had the tipsy queen pub and Malden wines for alcohol purchase and they are great for the community and responsible. We do not need any other shops selling alcohol especially with how high drug and theft activity is.



About this form

Issued by	Camden Town Hall Judd Street London WC1H 9JE
Contact phone	020 7974 4444

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Representation	
Premises name	SHREEJI LOCAL
Application reference number	APP\PREMISE-NEW\123165
Last date for representation	25/09/2024

Making a representation as

As an individual

Your details**First name**

[REDACTED]

Last name

[REDACTED]

Telephone number (optional)**Email address**

[REDACTED]

Address

[REDACTED]

[REDACTED]

[REDACTED]

Remain anonymous

No

Grounds of representation

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

Details of representation

Hello There is currently high level of theft and nuisance in the area and the introduction of another off-licence is not needed. We have enough off licences and pubs in the area. Please reject this for the sake of our community

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London
WC1H 9JE

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Representation	
Premises name	SHREEJI LOCAL
Application reference number	APP\PREMISE-NEW\123165
Last date for representation	25/09/2024

Making a representation as

As an individual

Your details**First name**

[REDACTED]

Last name

[REDACTED]

Telephone number (optional)**Email address**

[REDACTED]

Address

[REDACTED]

[REDACTED]

[REDACTED]

Remain anonymous

No

Grounds of representation

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

Details of representation

Hello, I currently work as a mechanic at Service Court Station, and I would like to object to this licence as there has been a massive increase in drug and theft activities which I have witnessed first hand. The introduction of a new off-licence with longer hours is simply outrages in this area, as we already have shops in Queens Crescent, Malden Wines and The Gipsy Queen all serving alcohol to members of the public in a responsible manner - yet there are new

and new issues with drugs and theft arising.
I object to this licence and do not see how
this would benefit the community.

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Representation	
Premises name	SHREEJI LOCAL
Application reference number	APP\PREMISE-NEW\123165
Last date for representation	25/09/2024

Making a representation as

As an individual

Your details**First name**

[REDACTED]

Last name

[REDACTED]

Telephone number (optional)

[REDACTED]

Email address

[REDACTED]

Address

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Remain anonymous

No

Grounds of representation

- prevention of crime and disorder

Details of representation

Hi, I would like to object to this licence as we currently have an off-licence within a 5minutes walking distance and The Gipsy Queen pub, both of which are understanding of the neighbourhood needs and wants, and serve alcohol responsibly to customers. Although both of these establishments are very careful and take all caution, there has been an increase in nuisance, drugs and theft activity. And the introduction of another off-licence will

simply add to this. We are happy with the number of alcohol shops and pubs in the area and wish not to extend this.

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Representation	
Premises name	SHREEJI LOCAL
Application reference number	APP\PREMISE-NEW\123165
Last date for representation	25/09/2024

Making a representation as

As an individual

Your details**First name**

[REDACTED]

Last name

[REDACTED]

Telephone number (optional)

[REDACTED]

Email address

[REDACTED]

Address

[REDACTED]

[REDACTED]

[REDACTED]

Remain anonymous

No

Grounds of representation

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

Details of representation

I object to this application on the following grounds. We already have a shop that sells alcohol and a pub in the short parade of shops and businesses at the top of Malden Road. Both the shop and the pub sell alcohol very responsibly and have done so for many years, however, anti-social behaviour in the area has still gone up. The more premises that are allowed to sell alcohol in such a tiny geographical area, the more likely that undesirable behaviour will

increase further. This therefore links directly to the other two concerns, of ensuring public safety and prevention of public nuisance. We already have an issue with drug dealing and drug taking in this location and adding more places to procure alcohol is likely to increase this. Furthermore, neither the shop, Malden Wines, nor the pub, The Gipsy Queen, are open early in the morning, thus reducing the number of hours that alcohol is available, which is a protection to local residents and passers-by. Local residents are happy with the number of alcohol-licensed premises in the area and we do not wish to see any more.

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Representation	
Premises name	SHREEJI LOCAL
Application reference number	APP\PREMISE-NEW\123165
Last date for representation	25/09/2024

Making a representation as

As an individual

Your details**First name**

[REDACTED]

Last name

[REDACTED]

Telephone number (optional)

[REDACTED]

Email address

[REDACTED]

Address

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Remain anonymous

No

Grounds of representation

- prevention of crime and disorder

Details of representation

We don't need another off-licence in the area for it to expand the crime rate and anti social behaviour of people buying alcohol

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Representation	
Premises name	SHREEJI LOCAL
Application reference number	APP\PREMISE-NEW\123165
Last date for representation	25/09/2024

Making a representation as

As an individual

Your details**First name**

[REDACTED]

Last name

[REDACTED]

Telephone number (optional)

[REDACTED]

Email address

[REDACTED]

Address

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Remain anonymous

No

Grounds of representation

- prevention of crime and disorder

Details of representation

Preventing public nuisance and antisocial behaviour

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Representation	
Premises name	SHREEJI LOCAL
Application reference number	APP\PREMISE-NEW\123165
Last date for representation	25/09/2024

Making a representation as

As an individual

Your details**First name**

[REDACTED]

Last name

[REDACTED]

Telephone number (optional)

[REDACTED]

Email address

[REDACTED]

Address

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Remain anonymous

No

Grounds of representation

- prevention of crime and disorder
- ensuring public safety
- prevention of public nuisance
- protection of children from harm

Details of representation

Hi, I would like to object to this licence as we currently have an off-licence within a 5minutes walking distance and The Gipsy Queen pub, both of which are understanding of the neighbourhood needs and wants, and serve alcohol responsibly to customers. Although both of these establishments are very careful and take all

caution, there has been an increase in nuisance and the introduction of another off-licence will simply add to this. We are happy with the number of alcohol shops and pubs in the area and wish not to extend this.

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Representation	
Premises name	SHREEJI LOCAL
Application reference number	APP\PREMISE-NEW\123165
Last date for representation	25/09/2024

Making a representation as

As an individual

Your details**First name**

[REDACTED]

Last name

[REDACTED]

Telephone number (optional)**Email address**

[REDACTED]

Address

[REDACTED]

[REDACTED]

[REDACTED]

Remain anonymous

No

Grounds of representation

- prevention of crime and disorder
- ensuring public safety
- prevention of public nuisance
- protection of children from harm

Details of representation

There is increasing unsocial behaviour and drug dealing in our streets happening on Grafton Terrace, Malden Road, quadrant Grove and Malden place already and with more shops selling alcohol more people will get attracted to our area and it'll become even more unsettling. We feel unsafe and stressed out in our neighbourhood due to theft and criminal incidents.

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Premises name	SHREEJI LOCAL
Application reference number	APP\PREMISE-NEW\123165
Last date for representation	25/09/2024

Making a representation as

As an individual

Your details**First name**

[REDACTED]

Last name

[REDACTED]

Telephone number (optional)**Email address**

[REDACTED]

Address

[REDACTED]

[REDACTED]

[REDACTED]

Remain anonymous

No

Grounds of representation

- ensuring public safety

Details of representation

Lots of petty crime about, worsened by drugs and alcohol, risk to children as questionable checks of age for underage clients

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Representation	
Premises name	SHREEJI LOCAL
Application reference number	APP\PREMISE-NEW\123165
Last date for representation	25/09/2024

Making a representation as

As an individual

Your details**First name**

[REDACTED]

Last name

[REDACTED]

Telephone number (optional)

[REDACTED]

Email address

[REDACTED]

Address

[REDACTED]

[REDACTED]

[REDACTED]

Remain anonymous

No

Grounds of representation

- prevention of crime and disorder
- ensuring public safety
- prevention of public nuisance
- protection of children from harm

Details of representation

Sale of alcohol throughout the day likely to lead to public nuisance near a school. There is already an off licence nearby so no need for additional sale of alcohol

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Representation	
Premises name	SHREEJI LOCAL
Application reference number	APP\PREMISE-NEW\123165
Last date for representation	25/09/2024

Making a representation as

As an individual

Your details**First name**

[REDACTED]

Last name

[REDACTED]

Telephone number (optional)

[REDACTED]

Email address

[REDACTED]

Address

[REDACTED]

[REDACTED]

[REDACTED]

Remain anonymous

No

Grounds of representation

- prevention of crime and disorder
- ensuring public safety
- prevention of public nuisance
- protection of children from harm

Details of representation

We don't need another off license close to an existing one and opposite a pub. It is totally unnecessary and given we already have problems with alcohol/drugs and crime, this is completely not what we need. There's a school not far too.

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Representation	
Premises name	SHREEJI LOCAL
Application reference number	APP\PREMISE-NEW\123165
Last date for representation	25/09/2024

Making a representation as

As an individual

Your details**First name**

[REDACTED]

Last name

[REDACTED]

Telephone number (optional)**Email address**

[REDACTED]

Address

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Remain anonymous

Yes

Detail the exceptional circumstances

Hello, I object to this licence request because we already have Malden Wines and The Gipsy Queen - we do not want any more Off licences in the area. We have a high rate of drug and robbery issues, and the introduction of another establishment which provides alcohol will add to this issue. Malden wines and The Gipsy Queen have been the designated area for alcohol purchase and they both understand whom to serve and not to serve, something we value as a neighbourhood and this is more the suffice for us. In addition, having an establishment open serving alcohol until 11pm and 10:30pm on Sunday is not very ideal - especially when we as locals would be looking to get some sleep. I'm the area

on The Gipsy Queen is open until late due to it being a pub and that is enough for the community. [REDACTED]

Grounds of representation

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

Details of representation

Hello, I object to this licence request because we already have Malden Wines and The Gipsy Queen - we do not want any more Off licences in the area. We have a high rate of drug and robbery issues, and the introduction of another establishment which provides alcohol will add to this issue. Malden wines and The Gipsy Queen have been the designated area for alcohol purchase and they both understand whom to serve and not to serve, something we value as a neighbourhood and this is more the suffice for us. In addition, having an establishment open serving alcohol until 11pm and 10:30pm on Sunday is not very ideal - especially when we as locals would be looking to get some sleep. I'm the area on The Gipsy Queen is open until late due to it being a pub and that is enough for the community. [REDACTED]

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Representation	
Premises name	SHREEJI LOCAL
Application reference number	APP\PREMISE-NEW\123165
Last date for representation	25/09/2024

Making a representation as

As an individual

Your details**First name**

[REDACTED]

Last name

[REDACTED]

Telephone number (optional)

[REDACTED]

Email address

[REDACTED]

Address

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Remain anonymous

Yes

Detail the exceptional circumstances

Hi, I would like to object to this licence as we currently have an off-licence within a 5minutes walking distance and The Gipsy Queen pub, both of which are understanding of the neighbourhood needs and wants, and serve alcohol responsibly to customers. Although both of these establishments are very careful and take all caution, there has been an increase in nuisance and the introduction of another off-licence will simply add to this. We are happy with the number of alcohol shops and pubs in the area and wish not to extend this. Thanks

Grounds of representation

- prevention of public nuisance

Details of representation

Hi, I would like to object to this licence as we currently have an off-licence within a 5minutes walking distance and The Gipsy Queen pub, both of which are understanding of the neighbourhood needs and wants, and serve alcohol responsibly to customers. Although both of these establishments are very careful and take all caution, there has been an increase in nuisance and the introduction of another off-licence will simply add to this. We are happy with the number of alcohol shops and pubs in the area and wish not to extend this. Thanks

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Representation	
Premises name	SHREEJI LOCAL
Application reference number	APP\PREMISE-NEW\123165
Last date for representation	25/09/2024

Making a representation as

As an individual

Your details**First name**

[REDACTED]

Last name

[REDACTED]

Telephone number (optional)

[REDACTED]

Email address

[REDACTED]

Address

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Remain anonymous

Yes

Detail the exceptional circumstances

I do not wish to be identified due to severe anxiety issues (medical).

Grounds of representation

- prevention of crime and disorder
- ensuring public safety
- prevention of public nuisance
- protection of children from harm

Details of representation

More off licences seem unnecessary, there are plenty on Queens Crescent nearby. The current off licence is well managed by long standing owners. There is also a pub across the road and another one opening soon just behind it on Grafton Terrace.

More street drinking could add to the already increasing Anti Social Behaviour in the area and could be unpleasant. I would think that keeping the shop as a newsagents is better for the area please.

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Representation	
Premises name	SHREEJI LOCAL
Application reference number	APP\PREMISE-NEW\123165
Last date for representation	25/09/2024

Making a representation as

As an individual

Your details**First name**

[REDACTED]

Last name

[REDACTED]

Telephone number (optional)**Email address**

[REDACTED]

Address

[REDACTED]

[REDACTED]

[REDACTED]

Remain anonymous

Yes

Detail the exceptional circumstances

I object to another alcohol license in this area. We have 3 pubs, one off licence and QC selling alcohol. It's too much for one neighbour.

Grounds of representation

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

Details of representation

I object to another alcohol license in this area. We have 3 pubs, one off licence and QC selling alcohol. It's too much for one neighbourhood.

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Claire Mulligan-Ward
Commissioning Officer
Camden Health and Wellbeing
Department/Public Health



24 September 2024

Representation from Camden Health and Wellbeing Department/Public Health Department on behalf of health bodies providing health services in Camden.

SHREEJI LOCAL, 167 Malden Road, London, NW5 4HT

This representation is made on behalf of Camden Health and Wellbeing Department/Public Health as a responsible authority.

It relates to the application for a license of;

SHREEJI LOCAL, 167 Malden Road, London, NW5 4H, with a request to sell alcohol between the hours of Monday to Saturday 07.00-23.00 and Sunday 07.00-22.30, outside of framework hours.

The grounds for the representation are:

- public safety,
- the prevention of crime and disorder, and
- the prevention of public nuisance.

We are concerned that if this application for extended hours is granted, it will increase the availability of alcohol for consumption and the number of people drinking. This could lead to an increase in public nuisance, crime and disorder, hospital admissions and callouts and impact adversely on the health of those buying and consuming the alcohol as well as the health of others who encounter them.

Alcohol harms

The harms caused by alcohol in the UK are substantial. Recent figures show that alcohol costs the NHS £3.5bn a year, and alcohol related crime costs the country £11.4bn annually. In 2020, 7423 deaths were directly attributable to alcohol in England and Wales¹.

Evidence shows that changes in hours or days of trading can have a significant impact on volume of alcohol consumed and rates of alcohol related problems².

¹ <https://www.bmj.com/content/375/bmj.n2678>

² Popova S et al Hour and days of sale and density of alcohol outlets: Impacts on alcohol consumption and damage: A systemic review. Alcohol and Alcoholism 2009, 44(5) 500 – 516. Available at: <https://academic.oup.com/ajph/article/44/5/500/182556?login=true>

Hospital Admissions

Alcohol-specific admissions refer to the number of residents admitted to a hospital because of a condition that was attributable to alcohol. Alcohol-specific admissions do not include those seen in Accident and Emergency but are then sent home (i.e., those who are seen but not admitted).

There were 150 hospital specific (alcohol related) admissions in the Haverstock Ward (where Shreeji Local is situated) due to alcohol in 2021/22, which is higher than the Camden average of 100 in the same period.

Alcohol Data

The impact of alcohol is particularly great in Camden³.

Camden is the London borough with the fifth highest number of deaths due to chronic liver disease (2022/23).

Camden is the second highest London borough for hospital admissions due to alcohol related unintentional injuries (2022/23).

Camden is the thirteenth (13) highest London borough for hospital admissions due to alcohol related conditions (2022/23).

Camden is the eighth highest London borough for hospital admissions for alcohol liver disease (2022/23).

Summary

There is evidence that increased availability of alcohol in terms of the time in which alcohol is available (hours of sale) results in an increase in alcohol-related harm and increases the impact on a number of frontline services and the community as a whole.

Recommendation

Camden Health and Wellbeing Department/Public Health Department recommends that the extended licensed hours of sale to supply alcohol from this premise is not granted.

³ [Local Alcohol Profiles for England \(LAPE\) - GOV.UK \(www.gov.uk\)](https://www.gov.uk)

[REDACTED]

Hello

Based on this, if there is no other representation still in play and the premises is not in a CIA area, I am happy to withdraw my representation.

Many thanks.

Esther Jones
Licensing Team Leader

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

From: O Daly [REDACTED]
Sent: Monday, September 23, 2024 2:18 PM
To: Steven Dormer [REDACTED]
Subject: Re: RE: 123165 - Shreeji Local

[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.

Hi,

Sorry, to clarify our end -

The applicant fully accepts the conditions and reduced hours contained within the local authority representation

Kind Regards,

Oisin Daly

Director

Tel: [REDACTED] [REDACTED]

Absolute Licence Solutions Ltd
Co. No. 12211951

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On Mon, Sept 23, 2024, 01:28 pm Steven Dormer <[REDACTED]> wrote:

Hi Oisin,

Yes the Licensing Authority rep can be agreed.

Steven Dormer
Licensing Officer

From: O Daly [REDACTED]
Sent: Monday, September 23, 2024 1:25 PM
To: Steven Dormer <Steven.Dormer@camden.gov.uk>
Subject: Re: 123165 - Shreeji Local

[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.

Hi Steven,

Just for the records, the licensing authority rep can be agreed.

Kind Regards,

Oisin Daly

Director

From: [licensing inbox](#)

To: Steven Dormer; [REDACTED]

Subject: FW: Police Licensing - SHREEJI LOCAL, 167 Malden Road NW5 4HT, Application NEW\ 123165

Date: 24 September 2024 17:28:35

From: [REDACTED]

Sent: Tuesday, September 24, 2024 1:36 PM

To: licensing inbox <licensing@camden.gov.uk>; [REDACTED]

Subject: RE: Police Licensing - SHREEJI LOCAL, 167 Malden Road NW5 4HT, Application NEW\ 123165

Good afternoon Camden Licensing,

Police Licensing have agreed the following terms with SHREEJI LOCAL, 167 Malden Road NW5 4HT, Application NEW\123165 meaning a Police Representation will not be necessary on the basis the terms set out below are included in the Operating Schedule:

Start time for licensable hours 8am instead of 7am on the application

1. No single sales of any cans, or bottles under 660ml, of beer, lager, cider or perry with an ABV over 6% shall be sold at the premises save that this shall not apply to premium beer, lager, cider or perry with an ABV over 6% such as craft or speciality brands or brands produced by a micro-brewery, or brands produced to commemorate a national or local event.

2. All alcohol in the public parts of the premises shall be kept in display units. All display units for alcohol will be covered fully. Covers will be placed at the end of permitted hours for the sale of alcohol and shall not be removed again until the start of permitted hours the following day

Warm regards,

Joel

Conditions consistent with the operating schedule.

1. No single sales of any cans, or bottles under 660ml, of beer, lager, cider or perry with an ABV over 6% shall be sold at the premises save that this shall not apply to premium beer, lager, cider or perry with an ABV over 6% such as craft or speciality brands or brands produced by a micro-brewery, or brands produced to commemorate a national or local event.

2. All alcohol in the public parts of the premises shall be kept in display units. All display units for alcohol will be covered fully. Covers will be placed at the end of permitted hours for the sale of alcohol and shall not be removed again until the start of permitted hours the following day

3. All staff responsible for selling alcohol shall receive regular training in the Licensing Act 2003 in terms of the licensing objectives, offences committed under the Act and conditions of the Premises Licence.

4. Written records of staff training in the Licensing Act 2003 shall be retained and made available to police and authorised officers of the Licensing Authority on request.

5. Staff shall receive refresher training in the Licensing Act 2003 at intervals of no more than 6 months.

6. Signed and dated records shall be kept of all staff training and such records kept available for inspection at the premises for a period of at least one calendar year from the last date of entry

7. There shall be CCTV in operation at the premises and

- a) a member of staff who has been nominated in writing and who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public.
- b) if the premises are not open, and subject to the tests set out by virtue of the Data Protection Act, within 24 hours of a request for access to the CCTV system from either the police or licensing authority, this staff member must be able to show a Police, HMRC or authorised council officer recent data or footage with the absolute minimum of delay when requested.
- b) CCTV shall record continuously and be retained for not less than 31 days.

8 A daily incident log shall be kept at the premises for a period of at least 12 months from the date of last entry, which will record the following:

- (a) all crimes reported to the venue
- (b) all ejections of patrons
- (c) any complaints received
- (d) any incidents of disorder
- (e) any faults in the CCTV repaired within 24hrs
- (f) any refusal of the sale of alcohol
- (g) any visit by a relevant authority or emergency service.
- (h) any lost property found or handed to staff at the premises.
- (i) any other relevant incidents to be recorded.

9. The premises licence holder shall not sell super strength beer, lager or cider with an alcohol content above 5.5% ABV or greater.

10. This restriction shall not apply in respect of specialist branded premium priced products, for example Craft ales, local or micro-brewery specialist products, boxed gifts or national celebratory/commemorative beer, lager or cider with alcohol content of 5.5% ABV or greater.

11. Alcohol shall not be sold in an open container, be opened in the premises, or be consumed in the premises.

12. All alcohol in the public parts of the premises shall be kept in display units. No alcohol is to be kept under the counter.

13. A “Challenge 25” age verification policy shall be operated at the Premises during the permitted hours for the sale of alcohol and staff shall be trained in respect of the policy. Staff shall ask for proof of age from anyone they suspect of being less than 25 years of age.

14 The only acceptable forms of identification shall be a photo style driving licence, a passport, a photo identification card bearing the PASS logo in a hologram format, military ID or recognised national photographic identity cards from member countries of the European Union.

15. Posters shall be displayed in prominent positions around the premises advising customers of the Challenge 25 policy in force at the premises.

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.