



**I want to apply for a**

Premises licence

**Are you an agent?**

Yes - I am an agent

**Agent Details**

**First name**

██████

**Last name**

████████

**Name of business**

FJF Licensing Solutions

**Name and address**

████████████████████

██████████

████████████████████

**Email address**

██

**Telephone number**

██████████████

**Does the premises have a name?**

Yes

**What is the name of the premises?**

I Am Donor

**What is the address or location?**

44 Chalk Farm Road

NW1 8AJ

London

**What is the type of premises?**

Restaurant with takeaway

**Describe the area it is situated in**

Mainly commercial area with some residential

**Describe the layout of the premises**

Premises to be licensed comprises of a ground floor and a raised (upper) ground floor. A small external terrace immediately in front of the premises is also included in the area for licensable activity. The ground floor comprises of a customer area, kitchen

food preparation area, food order point and food collection points and toilet. The raised ground floor provides seating for customers, toilets and staff room. The premises will also provide food and drinks for takeaway and home delivery The maximum number of customers in the premises at any one time will not exceed 50.

**Copy of the premises plans**

- 02IamDonerCamdenProposedLicensingLayout.pdf

**Tell us about the premises business hours**

Day	Start time	End time
Monday	10:00	00:30
Tuesday	10:00	00:30
Wednesday	10:00	00:30
Thursday	10:00	00:30
Friday	10:00	04:30
Saturday	10:00	04:30
Sunday	10:00	00:30

**Are there any seasonal variations for the premises opening times?**

No

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

Yes

**What are the other times?**

To extend the terminal hour for the closing of the premises until 01.30hrs the following day on Christmas Eve, Boxing Day, New Year's Day, Burns Night (January 25th), Valentines Day (14th February), St Patrick's Day (17th March) and St George's Day

(23rd April) – where those days fall other than on a Friday or Saturday. To extend the terminal hour for the closing of the premises until 01.30hrs the following day on the Sundays and Mondays of Bank Holiday weekends. From the end of opening hours on New Year's Eve until the opening hours on New Year's Day

**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?** 46250

**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** 10077289

**Name of business** MFORTE Ltd

**Name and address** 10 CHILTON ROAD  
HA8 7NJ  
EDGWARE

**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**

i. Late night refreshments - Hot food or hot drinks only between 11pm and 5am.  
Refreshments outside of these times do not need to be licenced

j. Supply of alcohol

**Late refreshments**

<b>Day</b>	<b>Start time</b>	<b>End time</b>
Monday	23:00	23:59
Tuesday	23:00	23:59
Wednesday	23:00	23:59
Thursday	23:00	23:59
Friday	23:00	04:00
Saturday	23:00	04:00
Sunday	23:00	23:59

**Where will refreshments be provided?**

Both

**Tell us about the specifics of the activity**

Hot food and drinks available to be consumed either on the premises or for take away by customers or through a home delivery service

**Are there any seasonal variations for the activity?**

No

**Will the activity take place at times other than those listed?**

Yes : To extend the terminal hour for late-night refreshment until 01.00hrs the following day on Christmas Eve, Boxing Day, New Year's Day, Burns Night (January 25th), Valentines Day (14th February), St Patrick's Day (17th March) and St George's Day (23rd April) – where those days fall other than on a Friday or a Saturday To extend the terminal hour for late-night refreshment until 01.00hrs the following day on the Sundays and Mondays of Bank Holiday weekends. From the end of permitted hours on New Year's Eve until the start of permitted hours on New Year's Day

**Alcohol supply**

<b>Day</b>	<b>Start time</b>	<b>End time</b>
Monday	10:00	23:59
Tuesday	10:00	23:59
Wednesday	10:00	23:59
Thursday	10:00	23:59
Friday	10:00	23:59
Saturday	10:00	23:59
Sunday	10:00	23:59

**Where will the supplied alcohol be consumed?** Both

**Are there any seasonal variations for the activity?** No

**Will the activity take place at times other than those listed?** Yes : To extend the terminal hour for the sale of alcohol until 01.00hrs the following day on Christmas Eve, Boxing Day, New Year's Day, Burns Night (January 25th), Valentines Day (14th February), St Patrick's Day (17th March), St George's Day (23rd April) and the Fridays, Saturdays, Sundays and Mondays of Bank Holiday weekends. From the end of permitted hours on New Year's Eve until the start of permitted hours on New Year's Day

**DPS details**

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

**Was their personal licence issued by Camden?**

**Personal licence number** [REDACTED]

**Issuing local authority** [REDACTED]

**First name** [REDACTED]

**Last name** [REDACTED]

**Address**  
[REDACTED]  
[REDACTED]  
[REDACTED]

**Signed Copy of the Designated Premises** • [DPSconsentform-IAmDonorFeb2024.pdf](#)

**Supervisor (DPS) consent form**

**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**

Staff will be trained with regard to their responsibilities in the retail sale of alcohol and licence conditions and the measures necessary for compliance with those conditions. A record shall be made of the training provided and this record shall be made available to Police and authorised officers upon reasonable request. CCTV shall be installed and maintained at the premises in an efficient working order. Any area of the premises to which the public have access (except toilets) will be covered by CCTV and shall operate at all times when the premises are open to the Public. The quality and standard of recorded images must meet the requirements of the Police and Local Authority, to enable positive identification of individuals. Recorded images shall be retained by the venue for a period of no less than 31 days. Recorded images shall be supplied to the Police, Fire Service and Licensing Authority upon reasonable request in a format so it can be played back on a standard personal computer or standard DVD player. (e.g. Memory stick/CD/DVD). Authorised staff shall be trained in the operation and usage of the CCTV system including the viewing and downloading of images in order that they can be made available to the Police or an authorised officer of a responsible



authority upon reasonable request. An incident log shall be maintained and kept at the premises, and made available on request to the Police, Fire Service and Licensing Authority. The log will record the following: (a) All crimes which occur within the venue. (b) All ejections of patrons. (c) Any incidents of disorder. (d) Seizures of drugs or offensive weapons. Alcoholic drinks which are sold for consumption on the premises will only be consumed within the premises boundary. The premises shall operate as a restaurant: (i) where the supply of alcohol for consumption on the premises is by waiter or waitress service only; (ii) which provides food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table or breakfast bar; and (iii) where alcohol shall not be sold, supplied, or consumed on the premises otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there and provided always that the consumption of alcohol by such persons is ancillary to taking such meals Alcohol sold for consumption off the premises shall be sold in sealed containers only. Alcohol sold for consumption off the premises shall only be sold to customers who have ordered substantial food, either directly from the premises or by way of delivery following an order placed via telephone or internet. Alcohol delivered as part of an off sale shall only be delivered to a residential or business address, and not to a public place. Customers ordering alcohol as part of their order will be advised that ID will be requested at the point of

delivery if the customer appears to be under the age of 25 years. This will be carried out verbally if ordering by telephone, or by a warning on any website used to make such orders. All deliveries of alcohol for consumption off the premises shall only be made by recognised food and drink delivery companies who have written terms and conditions in respect of age restrictive products. Such terms and conditions shall include the following information: a) a requirement that persons ordering alcohol are over the age of 18 years b) that the delivery company shall operate a Challenge 25 age verification policy whereby customers who look under 25 will be asked by the delivery driver to provide proof that they are over 18. The premises licence holder shall adopt Camden's "Ask for Angela" initiative. No alcohol shall be consumed on the premises from 01.30hrs until the commencement of permitted hours, on any day the premises is open after 01.30 hrs. All alcohol products and drinking vessels shall be cleared from all tables from 01.30hrs on any day the premises is open after this time. Customers shall not be permitted to bring their own alcohol for consumption on the premises.

**Public safety**

Adequate and appropriate supply of first aid equipment must be available on the premises at all times. Staff shall be trained in respect of the fire risk assessment for the premises and a record of such training shall be maintained at the premises. The record shall be made available for inspection by Authorised Officers.

**The prevention of public nuisance**

Prominent, clear and legible notices shall be displayed at the exit requesting

customers to respect the needs of local residents and to leave the premises and the area quietly. Prominent, clear and legible notices shall be displayed at the external area at the front of the premises requesting that they use this area quietly. Refuse, such as bottles must be placed into receptacles outside the premises at times that will minimise the disturbance to neighbouring properties. Deliveries to the premises will be arranged so as to cause minimum disturbance to neighbouring properties. The provision of live and recorded music at the premises shall not be a source of disturbance to noise sensitive premises in the vicinity of the premises. Tables and chairs if placed outside by the premises shall not obstruct the public pathway such that members of the public are not able to use the pavements. Patrols of the area outside the premises shall be undertaken every 60 minutes during the use of the licence and any litter attributable to the premises shall be cleared.

### **The prevention of children from harm**

A 'Challenge 25' scheme will be implemented and maintained, whereby any person that appears under 25 years of age has to prove they are over 18 by providing acceptable identification (as per the Home Office Guidance on acceptable ID – ID must contain a photograph, date of birth, holographic mark or ultra violet feature). A notice shall be displayed in a prominent position at the premises to advise customers that Challenge 25 is in operation at the premises. A refusals log / electronic till record shall be kept detailing all refused sales of age related products including alcohol. The log should include the date

and time of the refused sale and the name of the member of staff who refused the sale. The log shall be available for inspection at the premises by the Police, and authorised officers of the licensing authority at all times whilst the premises are open. Customers ordering alcohol as part of their order will be advised that ID will be requested at the point of delivery if the customer appears to be under the age of 25 years. This will be carried out verbally if ordering by telephone, or by a warning on any website used to make such orders. All deliveries of alcohol for consumption off the premises shall only be made by recognised food and drink delivery companies who have written terms and conditions in respect of age restrictive products. Such terms and conditions shall include the following information: a) a requirement that persons ordering alcohol are over the age of 18 years b) that the delivery company shall operate a Challenge 25 age verification policy whereby customers who look under 25 will be asked by the delivery driver to provide proof that they are over 18.

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

Camden Town Hall  
Judd Street  
London  
WC1H 9JE

**Contact phone**

020 7974 4444

**Form reference**

Ref. no. 119662

**Data protection**

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From: Joel Francis

Sent: Tuesday, March 19, 2024 3:07 PM

To: licensing inbox

Subject: \*Police Representation\* - Application for I Am Doner, 44 Chalk Farm Road NW1 8AJ, Application NEW\119662

[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.

RE: Application NEW\119662

I Am Doner, 44 Chalk Farm Road NW1 8AJ

Dear Camden Council and Mr Fender,

I am the Police Licensing Officer looking at the Application for I Am Doner, 44 Chalk Farm Road NW1 8AJ, Application NEW\119662,

Police respectfully propose some further conditions, please find attached my Police Representation Letter – I will send a follow up email to withdraw my Representation if an agreement is reached,

Kind regards,

Joel

Joel Francis Camden Police Licensing Team, Central North BCU

**METROPOLITAN  
POLICE****TOTAL POLICING**

Camden Licensing Authority

Town Hall Extension  
Argyle St  
London

WC1H 8EQ

**PC Joel Francis 2601CN  
CN - Camden Borough**Licensing Unit  
Room 1.22  
Kentish Town Police Station  
12a Holmes Rd  
London  
NW5 3AE

Telephone: [REDACTED]

Email: [REDACTED]

Your ref: **NEW119662****Tuesday 19<sup>th</sup> March 2024**

Dear Sir/Madam,

**RE: Application NEW\119662**  
**I Am Doner, 44 Chalk Farm Road NW1 8AJ****With reference to the above Application, the Metropolitan Police Service (MPS) wishes to make a Representation.**

I certify that I have considered this application on its own merit, and the Representation is based on the likely indirect impact the grant may have on the locality. I provide a basis for my concerns within this document in the hope the Applicant and I can facilitate a compromise, as it is not the intention of the MPS to restrict any commercial ambition. As contained within the notes of guidance for the Licensing Act 2003, it is the responsibility of the Police and Local Authority to promote the Prevention of Crime and Disorder, Promote Public Safety, Prevent Public Nuisance and Protect Children from Harm.

**Policing Camden**

Police in Camden value our diverse and vibrant night time economy and seek to provide a safer environment for our residents, workers and visitors. The London Borough of Camden attracts a high number of visitors and has a high concentration of valued licensed venues. Naturally, during busier times, emergency service resources can become heavily drained, undermining our effective response to incidents that can often have huge personal impact on victims.

**Gender violence**

Women have told us they feel unsafe being alone in Camden's streets during later hours and that they suffer from verbal harassment, unwanted staring and some are even followed. These incidents are especially more prevalent where there are higher concentrations of late night venues. The Camden Safety Hub has been set up to contribute in making Camden Town safer

**Drink spiking**

Defined as applying a noxious substance to a drink with intent to cause harm. Such incidents in Camden have averaged one per week and are more likely to happen inside late night venues. Women are more likely to be targeted and these incidents are difficult for Police to prove and therefore tackle. Police provide Welfare and Vulnerability Engagement (WAVE) training to licensed venues and provide advice on spotting the



signs of vulnerability and suggestions on how to make venues more hostile to perpetrators.

### **Street violence**

The main issues the emergency services encounter are on the street once the alcohol purchased has been consumed. Late night refreshment venues, off licences, public spaces can become flash points of violence when groups from different venues congregate together. Indeed, alcohol related violence with injury inside pubs, bars and clubs is now overshadowed by what occurs in the street. Street robbery where intoxicated customers leaving night clubs and other late night venues are a regular occurrence and one Police Robbery teams are currently trying to tackle. Camden has two Police Tasking teams who patrol hot spot areas for violence. Regrettably, during the weekends the tasking teams are quickly diminished due to high demand and the high concentration of late night venues

### **Drug dealing**

Drug dealing is pervasive in town centres such as Camden Town, Kings Cross and St Giles. The anti-social behaviour and crime linked to the drug trade impacts innocent people and creates a permissible environment for other anti-social behaviour. The suspects who offer to supply people drugs often target customers of late night venues and the streets nearby, especially as venues have improved search regimes making it harder to deal drugs inside venues.

### **Public nuisance**

Camden Council Licensing Officers and the Environmental Noise Teams usually handle complaints arising from public nuisance. However, quite often the Police also have to respond to such complaints and we regularly provide assistance to Council teams

### **Addiction**

More poignantly, another concern is the impact alcohol has on the community; especially the homeless and those who are wholly dependent on alcohol. Camden Borough and its responsible authorities are doing their utmost to alleviate the issue of street drinkers, alcoholism and homelessness – therefore any new grants should be considered with sympathy for this ongoing community challenge

## **Unique Application Issues**

This premises is based within the Camden Town policing ward within the Camden Town Cumulative Impact Area. Metcall (999 Call Despatch) will primarily be tasking Police Officers parading out of Kentish Town Police Station to this location. Kentish Town Police Station is 0.8 miles away or a 7 minute car journey on Google Maps.

Of concern to the MPS is the venue's wish to apply for its late night refreshment licence into the early hours of the morning. Police licensing are recommending an additional condition to limit customer collection.

The real terms increase of footfall this Application will cause during the early hours – and I note the relatively low level of covers, can still frustrate the egress of intoxicated visitors from the area and therefore prolong the negative impact of the late night economy

This venue is situated in close proximity to residents that with these later hours will endure noise from drunk and rowdy people in the early hours of the morning, either coming or going from the venue.

Late Night Refreshment venues attract people from different pubs and clubs and sometimes during their brief encounters in the fast food venues it ignites something between them and causes an altercation or fight when outside or further down the road. The MPS have noted over the years that the majority of alcohol related crime, especially in the early hours of the morning does not occur inside venues but on the streets, therefore these type of venues keep people on the streets for longer causing incidents in the general vicinity.

It will be residents and other workers within the neighbourhood who will have the burden of managing the extra customer egress and dispersal caused by the additional provision of late night off sales. The extra hours being sought effectively prolong the negative impact of the night time economy.

Contrary to popular belief, food does not assist with soaking up the alcohol consumed and/or lower intoxication levels until much later, perhaps even a few hours later. At the time the person is intoxicated it simply keeps them on the street for longer where there is more chance they will be taken advantage of and/or subjected to crime. Common issues just outside late night refreshment venues include vomiting, noisy disturbance, urinating, littering, people needing medical attention due to intoxication and general drunken behaviour.

### **Mediation & Discussion**

In light of this Representation, we commit to an open channel of communication to explore areas of agreement where possible.

### **Research**

There have been a total of 168 crimes at all licensed premises within the NW1 post code area so far in 2024. The majority of crimes taking place at licensed venues are thefts from customers, assaults and public order incidents. There is a higher prevalence of assaults at licensed venues serving alcohol only. We do know that when some Late Night Refreshment venues operate within busy NTE areas, we get robbery suspects loitering outside and following victims

**Any Licensing Hearing held as a result of this Representation may be supplied with further, specific, crime figures and intelligence reports relating to the venue or the area in which it is located.**

### **Conditions Proposed By Police Licensing**

The MPS are grateful to the Applicant for the extensive Conditions offered. However, it is the proposal for very late hours that causes the concern and therefore we propose the following Condition:

- **There shall be no customer collection of alcohol or late night refreshment from the premises beyond midnight**

### **Times Proposed By Applicant**

The Applicant has applied to conduct Late Night Refreshments until 4am on Friday and Saturdays, during what are key times of stress for Police. The proposed hours are beyond Recommended Framework Hours, which increases the likelihood of nuisance, ASB and crime caused by intoxicated customers visiting the premises later at night and after midnight.

**The MPS ask the Applicant to consider reducing the terminal hours to 2am and limiting the Late Night Refreshment to delivery only from midnight.**

### **Conclusion**

The MPS would strongly recommend the Panel consider imposing delivery only service from midnight to cut down on the impact customers would have visiting the premises.


The Applicant wishes to provide Late Night Refreshments up to 4am on Friday and Saturdays. Police licensing propose to compromise with the Applicant to reduce the risk of cumulative related crime and disorder in this part of Camden.

**In summary, the view of the MPS is that this Application should be rejected in its current form, unless the proposals from Police are appended to any Licence granted. This is suggested as the most effective way of allowing the venue to operate whilst minimising any indirect harm.**

If you have any additional questions please contact me

Yours sincerely,

**Joel Francis [REDACTED], Camden Police Licensing Team**

 Kentish Town Police Station, 12A Holmes Road, NW5 3AE

[REDACTED]

[REDACTED]

[REDACTED]



**METROPOLITAN  
POLICE****TOTAL POLICING**

Camden Licensing Authority

Town Hall Extension  
Argyle St  
London

WC1H 8EQ

**PC Joel Francis** [REDACTED]  
**CN - Camden Borough**Licensing Unit  
Kentish Town Police Station  
12a Holmes Rd  
NW5 3AE

Telephone: [REDACTED]

Email: [REDACTED]

Your ref: **NEW\119662****Wednesday 27<sup>th</sup> March 2024**

Dear Sir/Madam,

**RE: Application NEW\119662**  
**I Am Doner, 44 Chalk Farm Road NW1 8AJ****With reference to the above Application, the Metropolitan Police Service (MPS) wishes to withdraw a Representation.**

I certify that I have considered the application above on its own merit, and my Representation was based on the likely effect of the grant of the application being detrimental to Camden Council's Licensing Objectives.

**Conditions AGREED between Police Licensing and Applicant:**

Additional to the conditions already proposed by the applicant, the following have also been agreed:

1. The terminal hour for late night refreshment on a Friday and Saturday would be amended to read from 23.00hrs to 02.00hrs the following day.
2. Late night refreshment will be limited to 'deliveries only' from 01.00hrs to 02.00hrs on a Friday and Saturday.
3. Deliveries of late night refreshment from 01.00hrs to 02.00hrs on a Friday and Saturday will only be made to a residential or business address, and not to a public place.

**Conclusion**

The MPS and applicant have agreed to conditions and respectfully ask that the agreed conditions and amendment to times are appended to any licence granted.

Yours sincerely,  
Joel**Joel Francis** [REDACTED], **Camden Police Licensing Team**

[REDACTED] Kentish Town Police Station, 12A Holmes Road, NW5 3AE

[REDACTED]

[REDACTED]

[REDACTED] [\[REDACTED\]@met.police.uk](mailto:[REDACTED]@met.police.uk)

**Date:** 18/03/2024  
**Application Reference:** APP\PREM-NEW/119662  
**Direct Phone Number:**  
**Contact:** Steven Dormer  
**E-mail:** [REDACTED]



**Public Protection**  
Supporting Communities  
London Borough of Camden  
5 Pancras Square  
LONDON  
N1C 1AG

Tel: 020 7974 4444 (switchboard)

London Borough of Camden  
Fax: 020 7974 6955 / 6940  
Textphone: 020 7974 6866

DX: 2106 Euston

[www.camden.gov.uk](http://www.camden.gov.uk)

*Please quote our reference in any correspondence*

Licensing (Contact Camden)  
Crowndale Centre  
218 Eversholt Street  
London  
NW1 1BD

## **Licensing Act 2003 – SECTION 17**

**Re: I AM DONOR, 44 CHALK FARM ROAD, LONDON, NW1 8AJ**

### **LICENSING AUTHORITY REPRESENTATION**

This representation is made by the Licensing Authority, and it relates to the following licensing objectives: -

- Prevention of public nuisance

### **The Premises and Summary of Application**

The application is made by FJF Solutions on the behalf of M Forte Ltd for a premises to provide late night refreshment in the form of a fast-food premises. There is no current premises licence in this venue.

The activity and hours applied for are as follows: -

#### **Late Night Refreshments**

Monday to Thursday	23:00 – 23:59 (midnight)
Friday to Saturday	23:00 – 04:00 (day following)
Sunday	23:00 – 23:59

#### **Sale of Alcohol**

Monday to Sunday	10:00 – 23:59
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#### **The opening hours of the premises**

The opening hours of the premises are as follows:-

Monday to Thursday	10:00 – 00:30 (midnight)
Friday to Saturday	08:00 – 04:30 (day following)
Sunday	10:00 – 00:30

## **Volunteered conditions in the operating schedule**

### Prevention of Crime and Disorder

Staff will be trained with regard to their responsibilities in the retail sale of alcohol and licence conditions and the measures necessary for compliance with those conditions.

A record shall be made of the training provided and this record shall be made available to Police and authorised officers upon reasonable request.

CCTV shall be installed and maintained at the premises in an efficient working order.

Any area of the premises to which the public have access (except toilets) will be covered by CCTV and shall operate at all times when the premises are open to the public.

The quality and standard of recorded images must meet the requirements of the Police and Local Authority, to enable positive identification of individuals.

Recorded images shall be retained by the venue for a period of no less than 31 days.

Recorded images shall be supplied to the Police, Fire Service and Licensing Authority upon reasonable request in a format so it can be played back on a standard personal computer or standard DVD player. (e.g. Memory stick/CD/DVD). Authorised staff shall be trained in the operation and usage of the CCTV system including the viewing and downloading of images in order that they can be made available to the Police or an authorised officer of a responsible authority upon reasonable request.

An incident log shall be maintained and kept at the premises, and made available on request to the Police, Fire Service and Licensing Authority. The log will record the following:

- (a) All crimes which occur within the venue.
- (b) All ejections of patrons.
- (c) Any incidents of disorder.
- (d) Seizures of drugs or offensive weapons. Alcoholic drinks which are sold for consumption on the premises will only be consumed within the premises boundary.

The premises shall operate as a restaurant:

- (i) where the supply of alcohol for consumption on the premises is by waiter or waitress service only;
- (ii) which provides food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table or breakfast bar; and
- (iii) where alcohol shall not be sold, supplied, or consumed on the premises otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there and provided always that the consumption of alcohol by

such persons is ancillary to taking such meals.

Alcohol sold for consumption off the premises shall be sold in sealed containers only. Alcohol sold for consumption off the premises shall only be sold to customers who have ordered substantial food, either directly from the premises or by way of delivery following an order placed via telephone or internet. Alcohol delivered as part of an off sale shall only be delivered to a residential or business address, and not to a public place.

Customers ordering alcohol as part of their order will be advised that ID will be requested at the point of delivery if the customer appears to be under the age of 25 years. This will be carried out verbally if ordering by telephone, or by a warning on any website used to make such orders.

All deliveries of alcohol for consumption off the premises shall only be made by recognised food and drink delivery companies who have written terms and conditions in respect of age restrictive products.

Such terms and conditions shall include the following information:

a) a requirement that persons ordering alcohol are over the age of 18 years

b) that the delivery company shall operate a Challenge 25 age verification policy whereby customers who look under 25 will be asked by the delivery driver to provide proof that they are over 18.

The premises licence holder shall adopt Camden's "Ask for Angela" initiative. No alcohol shall be consumed on the premises from 01.30hrs until the commencement of permitted hours, on any day the premises is open after 01.30hrs. All alcohol products and drinking vessels shall be cleared from all tables from 01.30hrs on any day the premises is open after this time. Customers shall not be permitted to bring their own alcohol for consumption on the premises.

### Public Safety

Adequate and appropriate supply of first aid equipment must be available on the premises at all times. Staff shall be trained in respect of the fire risk assessment for the premises and a record of such training shall be maintained at the premises. The record shall be made available for inspection by Authorised Officers.

### Prevention of public nuisance

Prominent, clear and legible notices shall be displayed at the exit requesting customers to respect the needs of local residents and to leave the premises and the area quietly.

Prominent, clear and legible notices shall be displayed at the external area at the front of the premises requesting that they use this area quietly.

Refuse, such as bottles must be placed into receptacles outside the premises at times that will minimise the disturbance to neighbouring properties.

Deliveries to the premises will be arranged so as to cause minimum disturbance to neighbouring properties.

The provision of live and recorded music at the premises shall not be a source of disturbance to noise sensitive premises in the vicinity of the premises.

Tables and chairs if placed outside by the premises shall not obstruct the public pathway such that members of the public are not able to use the pavements.

All staff members are required to complete a late-night security module upon commencing their employment. This course outlines essential guidelines, including specific instructions for late-night shifts, emphasizing what not to do to maintain a secure environment.

Patrols of the area outside the premises shall be undertaken every 60 minutes during the use of the licence and any litter attributable to the premises shall be cleared.

### Prevention of Children from Harm

A 'Challenge 25' scheme will be implemented and maintained, whereby any person that appears under 25 years of age has to prove they are over 18 by providing acceptable identification

(as per the Home Office Guidance on acceptable ID – ID must contain a photograph, date of birth, holographic mark or ultra violet feature).

A notice shall be displayed in a prominent position at the premises to advise customers that Challenge 25 is in operation at the premises.

A refusal log / electronic till record shall be kept detailing all refused sales of age related products including alcohol.

The log should include the date and time of the refused sale and the name of the member of staff who refused the sale.

The log shall be available for inspection at the premises by the Police, and authorised officers of the licensing authority at all times whilst the premises are open. Customers ordering alcohol as part of their order will be advised that ID will be requested at the point of delivery if the customer appears to be under the age of 25 years.

This will be carried out verbally if ordering by telephone, or by a warning on any website used to make such orders.

All deliveries of alcohol for consumption off the premises shall only be made by recognised food and drink delivery companies who have written terms and conditions in respect of age restrictive products.

Such terms and conditions shall include the following information:

a) a requirement that persons ordering alcohol are over the age of 18 years

b) that the delivery company shall operate a Challenge 25 age verification policy whereby customers who look under 25 will be asked by the delivery driver to provide proof that they are over 18.



### **Framework Hours – Pages 36 of The Licensing Policy**

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

Monday to Thursday 10:00 am until 11:30 pm  
 Friday and Saturday 10:00 am until midnight  
 Sunday 11:00 am until 10:30 pm

For licences authorising the sale of alcohol for consumption off the premises:

Monday to Saturday 08:00 am until 11:00 pm  
 Sunday 10:00 am until 10:30 pm

The application proposes to exceed all of the framework hours in relation to the sale of alcohol.

### **Cumulative Impact Areas**

The premises is situated in the Camden Town Cumulative Impact Area, where there is a presumption to refuse all new and variation applications in its entirety, as set out in Chapter 6 of the Licensing Policy (Cumulative Impact Policies). While this presumption is rebuttable, this is only in exceptional circumstances where the applicant has successfully demonstrated that the granting of their application would not contribute or exacerbate the existing impact of licensed premises in that area.

### **Complaint History**

I have checked the Council's records for the past 2 years and can confirm that no noise complaint has been received against the premises.

### **Conclusion**

The application has applied to operate well outside the framework hours. The venue is placed within the Cumulative Impact Zone of Camden Town. I must prove that I would ask the panel to reject this application in its entirety in line with the council's licensing policy cited above. The measures in place regarding our policy are there to keep the number of complaints down in this area. As stated above in this representation no complaints have been received for this venue.

There is currently a premises licence in place. The opening hours are.

Monday – Thursday 10:00 –23:59  
 Friday – Saturday 10:00 –00:30  
 Sunday 11:00 –23:00

If, however, the council is minded to grant this licence, I would ask that the following conditions are imposed on the licence.

- The operating hours be knocked back to framework hours.
- The CCTV storage period shall be for 31 days.
- Suitable and sufficient refuse receptacles shall be provided to the premises such that they are capable of accommodating all the waste that may be generated by the

premises and collection, storage and disposal of refuse can be done in a timely manner. This should be incorporated into the policy referred to in the application for the collection of street litter.

Yours sincerely

Steven Dormer  
Licensing Officer

<b>Representation</b>	
Premises name	I Am Donor
Application reference number	APP\PREMISES-NEW\119662
Last date for representation	20/03/2024

**Making a representation as**

As an organisation

**Your details****Organisation name**

TRACT

**First name**

Kathryn Anne

**Last name**

Gemmell

**Telephone number (optional)****Email address**

[REDACTED]

**Address**

3 Ivor Street  
 London  
 NW1 9PL

**Remain anonymous**

No

**Grounds of representation**

- prevention of public nuisance

**Details of representation**

This premises is seeking a new licence yet it already holds one PREM-LIC\117001 that was granted in January 2024. Why are they not seeking a variation? This new application seeks off sales, completely unacceptable hours and is located in the cumulative impact area. We would not object to this application if they were seeking framework hours and off sales as part of pre-paid home deliveries were to finish at 10pm. No walk-out off sales should be allowed. The extract should not be in use after midnight. Camdens current

licencing policy item 6.17 extract: We area satisfied that the two cumulative impact policy aeras contain an high number, type and density of premises selling alcohol..... and that serious problems of nuisance and disorder occur outside or some distance from those premesis. It is our view that the impact on surrounding areas of the premises taken together has a negative impact on the promotion of the licensing objectives..... Item 6.20 states that Applicants should also state why they consider the application should be an exception to the policy. The applicant has not made a case for exception. Item 6.22 states that we would only depart from the policy in respect of cumulative impact in exceptional circumstance. The applicant has not made a case for exceptional circumstances. Item 6.29 states that factors that may be considered as exceptional include, though are not limited to: capacity of less than 50 persons, operating within framework hours, not alcohol led. The applicant has a limited capacity of 50 which would be a factor in them being granted a licence but not outside framework hours. There is nothing in the content of the application that should be considered an exception within the cumulative impact area. We ask that you reject this application and require the applicant to operate under the recently granted existing licence. In Force Licence : Annex 2 - Conditions consistent with the operating schedule should be retained 15. Staff will be trained in all areas of licensing and compliance. A record shall be made of the training provided and this record shall be made

available to Police and authorised officers upon reasonable request 16.CCTV shall be installed and maintained at the premises in an efficient working order. Any area of the premises to which the public have access (except toilets) will be covered by CCTV and shall operate at all times when the premises are open to the Public.The quality and standard of recorded images must meet the requirements of the Police and Local Authority, to enable positive identification of individuals. 17.Recorded images shall be retained by the venue for a period of no less than 31 days. Recorded images shall be supplied to the Police, Fire Service and Licensing Authority upon reasonable request in a format so it can be played back on a standard personal computer or standard DVD player. (e.g. Memory stick/CD/DVD). 18.Authorised staff shall be trained in the operation and usage of the CCTV system including the viewing and downloading of images in order that they can be made available to the Police or an authorised officer of a responsible authority upon reasonable request. 19.An incident log shall be maintained and kept at the premises, and made available on request to the Police, Fire Service and Licensing Authority. The log will record the following: (a) All crimes which occur within the venue. (b) All ejections of patrons. (c) Any incidents of disorder. (d) Seizures of drugs or offensive weapons. 20. Alcoholic drinks which are sold for consumption on the premises will only be consumed within the premises boundary. 21.The premises shall operate as a restaurant: (i) where the supply of alcohol

for consumption on the premises is by waiter or waitress service only; (ii) which provides food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table or breakfast bar; and (iii) where alcohol shall not be sold, supplied, or consumed on the premises otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there and provided always that the consumption of alcohol by such persons is ancillary to taking such meal. 22. Adequate and appropriate supply of first aid equipment must be available on the premises at all times. 23. Staff shall be trained in respect of the fire risk assessment for the premises and a record of such training shall be maintained at the premises. The record shall be made available for inspection by Authorised Officers. 24. Prominent, clear and legible notices shall be displayed at the exit requesting customers to respect the needs of local residents and to leave the premises and the area quietly. Prominent, clear and legible notices shall be displayed at the external area at the front of the premises requesting that they use this area quietly. 25. The external area at the front of the premises shall not be used by customers after 21.00hrs on any given day, with the exception of persons who are smoking. 26. No refreshments shall be consumed in, or taken to, the external area at the front of the premises after 21.00hrs on any given day. 27. Refuse, such as bottles must be placed into receptacles outside the premises at times that will minimise the disturbance to

neighbouring properties. 28.Deliveries to the premises will be arranged so as to cause minimum disturbance to neighbouring properties. 29.A 'Challenge 25' scheme will be implemented and maintained, whereby any person that appears under 25 years of age has to prove they are over 18 by providing acceptable identification (as per the Home Office Guidance on acceptable ID – ID must contain a photograph, date of birth, holographic mark or ultra violet feature). A notice shall be displayed in a prominent position at the premises to advise customers that Challenge 25 is in operation at the premises. 30.Customers ordering alcohol as part of their order will be advised that ID will be requested at the point of delivery if the customer appears to be under the age of 25 years. This will be carried out verbally if ordering by telephone, or by a warning on any website used to make such orders. 31.A refusals log / electronic till record shall be kept detailing all refused sales of age related products including alcohol. The log should include the date and time of the refused sale and the name of the member of staff who refused the sale. The log shall be available for inspection at the premises by the Police, and authorised officers of the licensing authority at all times whilst the premises are open. 32.The provision of live and recorded music at the premises shall not be a source of disturbance to noise sensitive premises in the vicinity of the premises. 33.Tables and chairs if placed outside by the premises shall not obstruct the public pathway such that members of the public are not able to

use the pavements. 34.Suitable and sufficient refuse receptacles shall be provided to the premises and arrangements put in place to ensure that all waste and refuse generated at the premises are collected, stored and disposed off efficiently such that it is not a source of disturbance to residents or attract vermin to the neighbouring vicinity. 35.The premises licence holder shall adopt Camden's "Ask for Angela" initiative

## About this form

### Issued by

Camden Town Hall  
Judd Street  
London  
WC1H 9JE

### Contact phone

020 7974 4444

## Data protection

No personal information you have given us will be passed on to third parties for commercial purposes. The Council's policy is that all information will be shared among officers and other agencies where the legal framework allows it, if this will help to improve the service you receive and to develop other services. If you do not wish certain information about you to be exchanged within the Council, you can request that this does not happen.



<b>Representation</b>	
Premises name	I Am Donor
Application reference number	APP\PREMISES-NEW\119662
Last date for representation	20/03/2024

**Making a representation as**

As an organisation

**Your details****Organisation name**

Castlehaven Community Association

**First name**

Brenda

**Last name**

Gardner

**Telephone number (optional)**

[REDACTED]

**Email address**

[REDACTED]

**Address**

Flat First And Second Floor  
 5 Castle Road  
 London  
 NW1 8PR

**Remain anonymous**

No

**Grounds of representation**

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

**Details of representation**

Castlehaven Community Association is located very near I AM DONOR premises and many of our residents will be directly affected by these changes. First of all, this is a Cumulative Impact Area and therefore in principle we are against such a venue serving alcohol with far too many venues already on this stretch of Chalk Farm.

Second, we are astounded that the venue requests a 4.30am opening time for Late Night Refreshments.as well as an alcohol licence until 12am. We are all aware what happens when people who have consumed far too much alcohol and then hang around our streets because they can also get a snack. Often this is accompanied with an off licence bottle of alcohol purchased earlier. All of this leads to anti social and abusive behaviour with fights, vomiting and urinating in residents gardens and streets. When all the venues shut it is dangerous to encourage inebriated revellers to stay in our neighbourhoods. The reduced police presence is already putting pressure on keeping the public safe. It is irresponsible to extend the hours for LNR. We hope that application will be rejected in full and the 4.30am request squashed.

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WC1H 9JE

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<b>Representation</b>	
Premises name	I Am Donor
Application reference number	APP\PREMISES-NEW\119662
Last date for representation	20/03/2024

**Making a representation as**

As an individual

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

Patricia

**Last name**

Thomas

**Telephone number (optional)**

[REDACTED]

**Email address**

[REDACTED]

**Address**

7 Hartland Road  
 London  
 NW1 8DB

**Remain anonymous**

No

**Grounds of representation**

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

**Details of representation**

This is a 'new' application but the applicants already hold a licence for these premises, issued a couple of months ago. The application seems to be made up of the conditions put on the original licence. They are now asking for an alcohol licence to midnight and a licence for Late Night Refreshments until the shockingly late hour of 4am. There have been no such late licences in the area since the notorious Joe's closed some time ago. This is a

Cumulative Impact Area and consequently the assumption is that the application will be refused unless the applicants successfully argue that they are an exception to the policy. I see no such argument in the application. We are against the proliferation of venues in Chalk Farm Road selling alcohol and for that reason oppose that aspect of the application. Even more worrying are the plans for Late Night Refreshments. It is now generally accepted that, far from lessening the effects of alcohol consumption, the sale of food late at night enables drinkers to hang about on the streets longer. (It would be unusual, though not impossible, for a sober customer to look for food at that time of night. Almost all customers will have come from bars and similar venues.) All LNR venues are likely to suffer from litter problems and other issues of public nuisance- not just outside the premises but for some distance - and the chances of vomit and urine adding to the unpleasantness of late-night Chalk Farm Road are very high indeed. In addition the challenges to public safety are obvious as people who have spent the night drinking make their way home. The problem extends far beyond the venue itself. I hope that the application will be rejected and, in particular, that the request for LNR to 4am will be found totally unacceptable.

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### Conditions consistent with the operating schedule

1. Staff will be trained with regard to their responsibilities in the retail sale of alcohol and licence conditions and the measures necessary for compliance with those conditions.
2. A record shall be made of the training provided and this record shall be made available to Police and authorised officers upon reasonable request.
3. CCTV shall be installed and maintained at the premises in an efficient working order.
4. Any area of the premises to which the public have access (except toilets) will be covered by CCTV and shall operate at all times when the premises are open to the public.
5. The quality and standard of recorded images must meet the requirements of the Police and Local Authority, to enable positive identification of individuals.
6. Recorded images shall be retained by the venue for a period of no less than 31 days.
7. Recorded images shall be supplied to the Police, Fire Service and Licensing Authority upon reasonable request in a format so it can be played back on a standard personal computer or standard DVD player. (e.g. Memory stick/CD/DVD). Authorised staff shall be trained in the operation and usage of the CCTV system including the viewing and downloading of images in order that they can be made available to the Police or an authorised officer of a responsible authority upon reasonable request.
8. An incident log shall be maintained and kept at the premises, and made available on request to the Police, Fire Service and Licensing Authority. The log will record the following:
  - (a) All crimes which occur within the venue.
  - (b) All ejections of patrons.
  - (c) Any incidents of disorder.
  - (d) Seizures of drugs or offensive weapons. Alcoholic drinks which are sold for consumption on the premises will only be consumed within the premises boundary.
9. The premises shall operate as a restaurant:
  - (i) where the supply of alcohol for consumption on the premises is by waiter or waitress service only;
  - (ii) which provides food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table or breakfast bar; and
  - (iii) where alcohol shall not be sold, supplied, or consumed on the premises otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.
10. Alcohol sold for consumption off the premises shall be sold in sealed containers

only.

11. Alcohol sold for consumption off the premises shall only be sold to customer who have ordered substantial food, either directly from the premises or by way of delivery following an order placed via telephone or internet.
12. Alcohol delivered as part of an off sale shall only be delivered to a residential or business address, and not to a public place.
13. Customers ordering alcohol as part of their order will be advised that ID will be requested at the point of delivery if the customer appears to be under the age of 25 years. This will be carried out verbally if ordering by telephone, or by a warning on any website used to make such orders.
14. All deliveries of alcohol for consumption off the premises shall only be made by recognised food and drink delivery companies who have written terms and conditions in respect of age restrictive products.  
Such terms and conditions shall include the following information:
  - a) a requirement that persons ordering alcohol are over the age of 18 years
  - b) that the delivery company shall operate a Challenge 25 age verification policy whereby customers who look under 25 will be asked by the delivery driver to provide proof that they are over 18.
15. The premises licence holder shall adopt Camden's "Ask for Angela" initiative.
16. No alcohol shall be consumed on the premises from 01.30hrs until the commencement of permitted hours, on any day the premises is open after 01.30hrs.
17. All alcohol products and drinking vessels shall be cleared from all tables from 01.30hrs on any day the premises is open after this time.
18. Customers shall not be permitted to bring their own alcohol for consumption on the premises.
19. Adequate and appropriate supply of first aid equipment must be available on the premises at all times. Staff shall be trained in respect of the fire risk assessment for the premises and a record of such training shall be maintained at the premises. The record shall be made available for inspection by Authorised Officers.
20. Prominent, clear and legible notices shall be displayed at the exit requesting customers to respect the needs of local residents and to leave the premises and the area quietly.
21. Prominent, clear and legible notices shall be displayed at the external area at the front of the premises requesting that they use this area quietly.



22. Refuse, such as bottles must be placed into receptacles outside the premises at times that will minimise the disturbance to neighbouring properties.
23. Deliveries to the premises will be arranged so as to cause minimum disturbance to neighbouring properties.
24. The provision of live and recorded music at the premises shall not be a source of disturbance to noise sensitive premises in the vicinity of the premises.
25. Tables and chairs if placed outside by the premises shall not obstruct the public pathway such that members of the public are not able to use the pavements.
26. All staff members are required to complete a late-night security module upon commencing their employment. This course outlines essential guidelines, including specific instructions for late-night shifts, emphasizing what not to do to maintain a secure environment.
27. Patrols of the area outside the premises shall be undertaken every 60 minutes during the use of the licence and any litter attributable to the premises shall be cleared.
28. A 'Challenge 25' scheme will be implemented and maintained, whereby any person that appears under 25 years of age has to prove they are over 18 by providing acceptable identification (as per the Home Office Guidance on acceptable ID – ID must contain a photograph, date of birth, holographic mark or ultra violet feature).
29. A notice shall be displayed in a prominent position at the premises to advise, customers that Challenge 25 is in operation at the premises.
30. A refusal log / electronic till record shall be kept detailing all refused sales of age related products including alcohol. The log should include the date and time of the refused sale and the name of the member of staff who refused the sale.
31. The log shall be available for inspection at the premises by the Police, and authorised officers of the licensing authority at all times whilst the premises are open. Customers ordering alcohol as part of their order will be advised that ID will be requested at the point of delivery if the customer appears to be under the age of 25 years. This will be carried out verbally if ordering by telephone, or by a warning on any website used to make such orders.

#### **Additional conditions agreed with Police**

1. The terminal hour for late night refreshment on a Friday and Saturday would be amended to read from 23.00hrs to 02.00hrs the following day.

2. Late night refreshment will be limited to 'deliveries only' from 01.00hrs to 02.00hrs on a Friday and Saturday.
3. Deliveries of late night refreshment from 01.00hrs to 02.00hrs on a Friday and Saturday will only be made to a residential or business address, and not to a public place.

## 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.