



Crown copyright and database rights 2024 OS 100019726

**I want to apply for a**

Premises licence

**Are you an agent?**

Yes - I am an agent

**Agent Details**

**First name**

Sumin

**Last name**

Ng

**Name of business**

Man & Man Planning and Construction  
Compliance Ltd

**Name and address**

3 CROFT LANE  
TN8 5BA  
EDENBRIDGE

**Email address**

[REDACTED]

**Telephone number**

[REDACTED]

**Does the premises have a name?**

Yes

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

Ning's fresh beef hotpot and Cantonese  
Sashimi

**What is the address or location?**

5 7 Tottenham Street  
W1T 2AG  
London

**What is the type of premises?**

Restaurant Class E

**Describe the area it is situated in**

Commercial

**Describe the layout of the premises**

Ground floor restaurant

**Copy of the premises plans**

- NingLicensing001.pdf

**Tell us about the premises business hours**

Day	Start time	End time
Monday	11:00	22:00
Tuesday	11:00	22:00
Wednesday	11:00	22:00
Thursday	11:00	22:00
Friday	11:00	22:00
Saturday	11:00	22:00
Sunday	11:00	22:00

**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?**

Yes

**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**

15067931

**Name of business**

Ning Season Ltd

**Name and address** 5 7 Tottenham Street  
W1T 2AG  
London

**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	11:00	22:00
Tuesday	11:00	22:00
Wednesday	11:00	22:00
Thursday	11:00	22:00
Friday	11:00	22:00
Saturday	11:00	22:00
Sunday	11:00	22:00

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

Royal Borough of Greenwich

**First name**

Lei

**Last name**

Shi

**Address**[REDACTED]  
[REDACTED]  
[REDACTED]**Signed Copy of the Designated Premises Supervisor (DPS) consent form**

- DPSformfor5-7tottenhamstreet.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**

Installation of CCTV in premises to cover all entrances and exits and public area. Display notices to inform customers that they will be subject to recording by means of CCTV. All CCTV systems shall be well maintained and all recordings made must be continuous and shall be retained and stored securely for a minimum of 30 day period. Specific requirement about recording CCTV must be sought from policy authority. The last time of entry for taking a

**Public safety**

table meal shall be no later than 30 minutes before closing time.

All fire fighting/safety equipment to be maintained and checked annually. All emergency exits shall be indicated by suitable signage. All means of escape shall be checked before the admission of the public. All employees shall be given appropriate instruction, training and supervision and must be familiar with all current operational policies.

**The prevention of public nuisance**

Prominent notices to be displayed at all exits requesting customers to respect the needs of local residents and leave the premises and area quietly. Adequate number of waste receptacles shall be provided to patrons and any litter dropped or discarded shall be retrieved by member of staff to prevent nuisance. Maximum of 10 persons for forecourt smoking at all time.

**The prevention of children from harm**

Anyone who appears to be under 21 and is attempting to purchase alcohol in the licence premises or is consuming alcohol in the licence premises shall be requested to show "acceptable proof of age"

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

Camden Town Hall  
Judd Street  
London  
WC1H 9JE

**Contact phone**

020 7974 4444




















**Form reference**

Ref. no. 119796

## **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.

LEGEND

-  Fire Blanket in a cupboard
-  9 litre water based fire extinguisher tube
-  CO2 ( 2 Kg Carbon dioxide ) fire extinguisher tube
-  min. 1/2 hr fire resistant - self-closing timber door with intumescent strip
-  min. 1/2 hr fire check , self-closing door cup-board doors - with "keep shut" sign
-  emergency lighting to BS 5266 pt 1 see the Notes
-  doors free from all fastenings except a ball or roller
-  self-closing door with auto release
-  Break Glass Call Point
-  Fire Exit Door with simple fastening and "Fire Exit" sign
-  Audible Alarm Bell see the Notes
-  Auto. heat detector mains operated and linked
-  Auto. heat detector mains operated and linked with beacon
-  Auto. smoke detector mains operated and linked
-  Auto. smoke detector mains operated and linked with beacon
-  Maintained emergency lighting to BS 5266 pt 1 see the Notes
-  Fire exit sign
-  Auto. CO detector mains operated and linked
-  Auto. smoke detector mains operated and linked inside ceiling void

NOTES

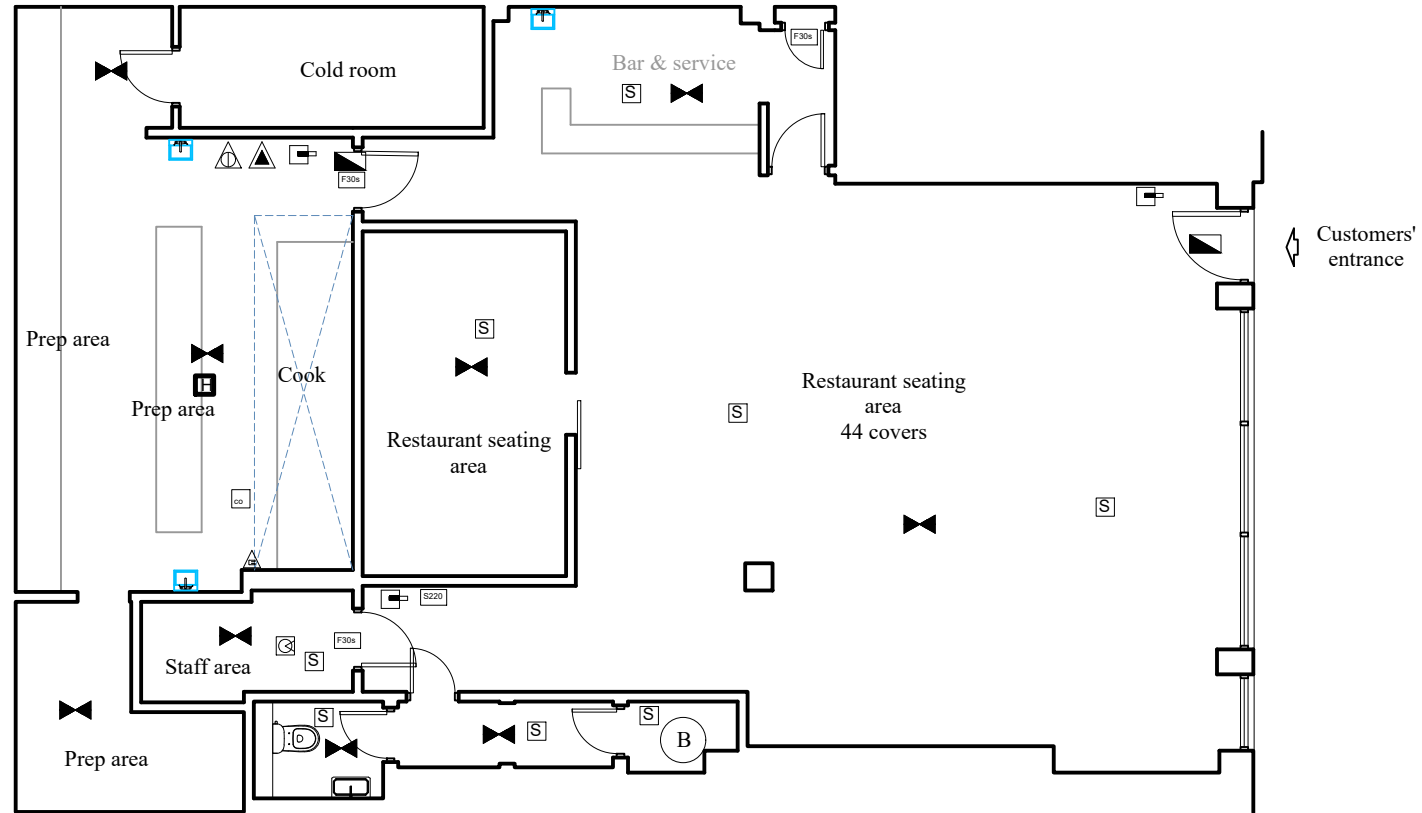
FIRE ALARM SYSTEM

Shall be designed and installed in accordance with BS 5839 - Part 1, and by a qualified specialist.

Smoke detectors within the area shall be installed by a specialist to Fire Authority's (FA) satisfaction. Distribution of emergency lighting is as indicated or as to be designed by a specialist. Where existing, the system shall be retained or modified as may be found necessary. All detectors are incorporated with sounders.

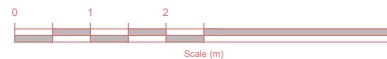
The number and positions of alarm bells shall be determined according to the type used and tested to complete satisfaction of the FA.

Fire fighting equipment shall be provided as indicated, maintained and serviced to satisfaction of the Fire Authority. Commissioning Certificate to be issued on completion, all to complete satisfaction of the FA.



GROUND FLOOR PLAN

All dimensions and levels shown are to be verified on site. This drawing is for the purpose of licensing application only. All rights reserved.



**MMPCC**

Unit 20, Angerstein  
Business Park  
Horn Lane  
London SE10 0RT

PROJECT:  
5 - 7 TOTTENHAM STREET  
LONDON  
W1T 2AG

TITLE:  
LAYOUT OF RESTAURANT

SCALE:  
1:100@A4

DRAWN BY:  
SNG

DATE:  
FEBRUARY 2024

DRAWING NO:  
2402 - 101 - 001

Premises Licence



**Date:** 22/03/2024  
**Application Reference:** APP\PREM-NEW/119796  
**Direct Phone Number:** 0207 974 8016  
**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:** Ning's fresh beef hotpot and Cantonese Sashimi, 5-7 Tottenham Street, London, W1T 2AG

### **LICENSING AUTHORITY REPRESENTATION**

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

- The Prevention of Children from Harm
- Prevention of public nuisance

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

The application is to permit the provision of the following:-

- Alcohol (on the premises)

### **The operational times being applied for are as follows: -**

#### **Alcohol – Both (Indoors and Outdoors)**

Monday to Sunday 11:00 – 22:00

#### **The opening hours of the premises**

Monday to Sunday 11:00 – 22:00

**Volunteered conditions in the operating schedule.**

### Prevention of crime and disorder

Installation of CCTV in premises to cover all entrances and exits and public area.

Display notices to inform customers that they will be subject to recording by means of CCTV.

All CCTV systems shall be well maintained, and all recordings made must be continuous and shall be retained and stored securely for a minimum of 30 day period.

Specific requirement about recording CCTV must be sought from policy authority.

The last time of entry for taking a table meal shall be no later than 30 minutes before closing time.

### Prevention of a Public Nuisance

Prominent notices to be displayed at all exits requesting customers to respect the needs of local residents and leave the premises and area quietly.

Adequate number of waste receptacles shall be provided to patrons and any litter dropped or discarded shall be retrieved by member of staff to prevent nuisance.

Maximum of 10 persons for forecourt smoking at all time.

### Public safety

All firefighting/safety equipment to be maintained and checked annually.

All emergency exits shall be indicated by suitable signage.

All means of escape shall be checked before the admission of the public.

All employees shall be given appropriate instruction, training and supervision and must be familiar with all current operational policies.

### The prevention of children from harm

Anyone who appears to be under 21 and is attempting to purchase alcohol in the licence premises or is consuming alcohol in the licence premises shall be requested to show "acceptable proof of age"

### **Complaint History**

I have checked the Council's records for the past 2 years and can confirm that no complaint has been received against the premises whilst it has been a restaurant. The premises was previously a sofa shop which received complaints. None related to noise.

### **Background**

This premises wishes to sell alcohol alongside table meals. The premises does not plan on selling alcohol for consumption off the premises.

## **Current Application**

The venue has submitted a previous application. This was withdrawn due to resident objections.

## **Conclusion**

This premises is within the adopted policy on framework hours. It does not reside in a Cumulative Impact Area. However, in order to satisfy the four licensing objectives I recommend the following conditions.

### Prevention of a Public Nuisance

The Disposing of glass bottles should not be carried out between 21:00 to 08:00 every day of the week.

A suitable waste contract must be in place.

The premises must ensure that all waste is disposed of in a suitable receptacle.

The area surrounding the premises must be kept clear of litter.

### Prevention of Children from Harm

Challenge 25 age policy must be fully implemented.

Staff to be fully trained in Challenge 25

Records of training to be kept and made available for inspection by authorised officers of the council or the Metropolitan Police.

These conditions alongside recommendations made by other Responsible Authorities should be considered and adopted by the applicant.

Yours sincerely



Steven Dormer  
Licensing Officer

**From:** [Steven Dormer](#)  
**To:** [Paru Bhudia](#)  
**Subject:** RE: new/119796, 5 - 7 Tottenham Street, London W1T 2AG  
**Date:** 10 May 2024 10:03:53  
**Attachments:** [Rep - Licensing Authority.docx](#)  
[image001.png](#)  
[image002.png](#)  
[image004.png](#)

---

Dear Paru,

I formally withdraw my rep to the above application.

Steven Dormer  
Licensing Officer

Steven Dormer  
Licensing Officer

Public Safety  
Supporting Communities  
London Borough of Camden

Web: [camden.gov.uk](https://www.camden.gov.uk)

5 Pancras Square  
London N1C 4AG



Please consider the environment before printing this email.



Camden Licensing Authority

Town Hall Extension  
Argyle St  
London

WC1H 8EQ

**EK - Camden Borough**

Licensing Unit  
Room 1.22  
Kentish Town Police Station  
12a Holmes Rd  
London  
NW5 3AE

Your ref: **NEW/119796**

11/03/2024

Dear Sir/Madam

**RE: Application NEW/119796**

**Ning's fresh beef hotpot and Cantonese Sashimi 57 Tottenham Street W1T 2AG London**

With reference to the above Application, the **Metropolitan Police Service (MPS) wishes to make a Representation**.

Within the Licensing Act 2003, and contained in the notes for 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.

I certify that I have considered the application above, and my representation is based on the likely effect of the grant of the application being detrimental to Camden Council's Licensing Objectives for the reasons contained within the content of this document. I am of the opinion that the risk to Camden Council's objectives can be mitigated by the MPS' recommended times/conditions being appended onto any granted premises licence.

### **Health, Crime and Social Impacts**

The Institute of Alcohol Studies brings together evidence and policy to promote an informed debate on alcohol's impact on society.

- **According to the World Health Organisation (WHO), the harmful use of alcohol results in 3.3 million deaths every year. Overall, 5.1% of the global burden of disease and injury is attributable to alcohol.**
- **Alcohol consumption causes death and disability relatively early in life. In the age groups of 20-39 year olds, approximately 25% of deaths are alcohol attributable. (Updated February 2018)**
- **Alcohol related crime makes up a substantial portion of violent offences across the UK (47% in England and Wales in 2014/15)**
- **An IAS study found 75% of Police Officers and 50% of Paramedics have been injured in alcohol related incidents. Furthermore, 43% of service personnel have suffered sexual harassment or abuse at the hands of intoxicated members of the public.**

*(Source: Institute of Alcohol Studies, Economic Impacts of Alcohol Factsheet, October 2015)*

### **Unique Application Issues**

Whilst the MPS acknowledges that the applicant has taken into consideration many conditions around the prevention of crime and disorder, it is thought that an adjustment is required in terms of the conditions offered that will further enhance the licencing objectives of prevention of crime and disorder.

The applicant has applied for the supply of alcohol. The timings the applicant has applied for are as follows; Monday through to Sunday 1100 hours until 2200 hours. The MPS have no objection to the proposed business hours or the timings for the supply of alcohol, but would recommend further conditions around the prevention of crime and disorder to maintain its primary function as a restaurant.

The area itself is a busy street located next to Tottenham Court Road where there is a heavy presence of retail, pubs, clubs and bars. Footfall in this area is extremely busy and anti-social behaviour is common, especially alcohol related incidents. The area is also relatively close to a St Mungos hostel commonly frequented by alcohol and drug users dependent on alcohol, and also a University and the student accommodation. Both of these locations increase the risk of becoming a victim or suspect due to the availability of easy access alcohol if suitable conditions are not put in place.

### **Research and Intelligence**

A review of crime figures, shows that there have been 28 crimes reported within the area of Tottenham Street between 11/03/2023 and 11/03/2024. The crimes that have occurred here over the last year range from minor assaults and theft, to criminal damage and Burglary

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 Offered/Recommended:**

The MPS does acknowledge the various Conditions offered by the Applicant. However, Police Licensing is not convinced that these Conditions alone will adequately uphold the Licensing objectives.

**The MPS would look to replace existing CCTV conditions with MPS approved conditions under the prevention of crime and disorder:**

1/ CCTV shall be installed, operated, and maintained, to function all times that the premises is open for licensable activities. Said CCTV will comply with the following criteria:

- (a) The licensee will ensure that the system is checked every two weeks to ensure that the system is working properly and that the date and time are correct;
- (b) A record of these checks, showing the date and name of the person checking, will be kept and made available to the police or other authorised officer on request;
- (c) The Police will be informed if the system will not be operating for longer than one day of business for any reason;
- (d) The system will record in real time and recordings will be date and time stamped;
- (e) Recordings will be kept for a minimum of 31 days and downloaded footage will be provided free of charge to the police or other authorised officers on request (subject to the Data Protection Act requirements) within 24 hours of any request.
- (f) CCTV to cover all entry and exit points of the building and also the area the delivery drivers park their vehicles.
- (g) CCTV will be of good quality, a standard approved by the police/council licensing officers.

**The MPS would look to add the following MPS conditions under the prevention of crime and disorder:**

2/ There shall be no vertical drinking.

3/ Alcohol will only be sold by waiter/waitress service to customers seated at tables.

4/ Alcohol sales will be ancillary to a substantial table meal.

5/ Off sales of Alcohol are only permitted alongside food orders. Alcohol only sales are not permitted for consumption off the premises.

6/ The sale of alcohol shall only be legitimate whilst the permitted use of the premises for planning purposes remains that of a Restaurant

7/ 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

(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.

8/ Notices shall be displayed within the premises warning customers about personal thefts; and to be vigilant.

9/ Police must be called to incidents of violence and/or serious disorder.

In summary, the view of the MPS is that this Application should be rejected in its current form, unless the above Conditions are placed upon the Premises Licence.

Yours sincerely

X

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Kevin Nicholls  
Police Constable

PC Kevin Nicholls [REDACTED]

**From:** [licensing inbox](#)  
**To:** [Paru Bhudia](#)  
**Subject:** FW: Police Representations Ning's fresh beef hotpot and Cantonese Sashimi 57 Tottenham Street W1T 2AG London  
**Date:** 25 March 2024 12:37:58  
**Attachments:** [RE\\_Premises\\_licence - 5 - 7 Tottenham Street \(1\).zip](#)  
[Reps Letter Ning's fresh beef hotpot and Cantonese Sashimi.pdf](#)  
[Reps Letter Ning's fresh beef hotpot and Cantonese Sashimi.doc](#)

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FYI...

Kind Regards

[REDACTED]

Gina Demetriou  
Licensing Officer

---

**From:** Kevin.Nicholls@met.police.uk [REDACTED]  
**Sent:** Monday, March 25, 2024 12:05 PM  
**To:** licensing inbox <licensing@camden.gov.uk>; Shelima Ahsan

[REDACTED]  
[REDACTED]

**Subject:** Police Representations Ning's fresh beef hotpot and Cantonese Sashimi 57 Tottenham Street W1T 2AG London

[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.

Good morning

Re Application **Police Representations Ning's fresh beef hotpot and Cantonese Sashimi 57 Tottenham Street W1T 2AG London**

As the applicant has accepted the conditions proposed by Police on the below email. – The MPS would now like to withdraw their representations.

Thank you and kind regards

Kevin

---

**From:** Sumin Ng [REDACTED] >  
**Sent:** 22 March 2024 18:12  
**To:** Nicholls Kevin - CN-CU [REDACTED] >  
**Subject:** new/119796, 5 - 7 Tottenham Street, London W1T 2AG

Dear Kevin,



With regard to the above referenced application, our client accepts the conditions recommended by Police authority dated 11/03/2024 and Licensing authority dated 22/03/2024 (please find attached for your reference).

Our client has also confirmed that food delivery service will stop to operate at closing hour of the restaurant. Furthermore, the restaurant forecourt will not form part of dining area.

We trust that police and licensing departments, CSA and neighbouring residents now have reasons to reconsider their objections. Should you have any query, please do not hesitate to contact us.

Regards,

Sumin

MAN & MAN PLANNING & CONSTRUCTION COMPLIANCE LTD

UNIT 20 ANGERSTEIN BUSINESS PARK

HORN LANE

LONDON SE10 0RT



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# Charlotte Street Association

39 Tottenham Street  
London W1T 4RX  
email: [REDACTED]

Licensing Authority,  
London Borough of Camden,  
5 Pancras Square,  
London N1G 4AG.

28<sup>th</sup> March 2024

**letter corrected**

By email to: [licensing.representation@camden.gov.uk](mailto:licensing.representation@camden.gov.uk)  
[REDACTED]

Dear Sir/Madam,

**Re: Licensing Act 2003: Application for a New Premises Licence:  
NING'S Resturant, 5-7 TOTTENHAM STREET, London W1T 2AG  
(Ning's fresh beef hotpot and Cantonese Sashimi)**

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Reference: APP\PREMISES-NEW\119796

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I am writing on behalf of the Charlotte Street Association.

The Charlotte Street Association was formed in 1970. Its area of interest is bounded by the Euston Road on the North, Gower Street on the East; Oxford Street on the South, and Wells Street/Cleveland Street on the West.

Tottenham Street comes within the Association's area of interest.

Among the objectives of the Association are to represent the interests of the residents of the area, with particular regard to its essential character, and scale; and to initiate and publicise positive proposals for the improvement and extension of the area's environment and amenity.

The Association is consulted by both Camden Borough Council and Westminster City Council on planning applications and other matters affecting the area, including licensing matters. It gives evidence in support of its objectives at planning and other inquiries. It took part in the consultation on, and commented upon, the original proposed Statements of Licensing Policy for both Camden and Westminster; and in later years commented on the subsequent Reviews of Camden's Statement of Licensing Policy.

The Association was also actively involved in the preparation of the Area Action Plan for Camden's part of Fitzrovia, and participated in the public consultation & Public Examination in 2013. The Fitzrovia Area Action Plan was adopted by Camden Council in March 2014.

**The Association wishes to object to the proposals for a New Premises Licence for these premises, on the grounds of Public Nuisance, due to the likely detrimental affect they will have on the residential amenity of those living nearby, for the reasons given below.**

Continued ..... 2.

Re: Licensing Act 2003: Application for a New Premises Licence:  
 NING'S Restaurant, 5-7 TOTTENHAM STREET, London W1T 2AG - *continued*:  
 Reference: APP\PREMISES-NEW\119796

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## PROPOSED NEW PREMISES LICENCE

The proposal is for a New Premises Licence, as follows:

### For Monday to Sunday:

**(a). Supply of Alcohol (ON the Premises): 11.00am to 10.00pm**  
**and Open To The Public: 11.00am to 10.00pm**

## THE MAIN ISSUES:

The applicant submitted a previous application earlier this year in January 2024, Camden ref: APP\PREMISES-NEW\118809. Our Association (and neighbouring residents) submitted representations and objections to that application. The application was subsequently withdrawn before a Hearing could take place, but we were not told why.

This current application is a new application for this new restaurant.

### 1. The Premises:

The premises are a Ground Floor premises with a wide frontage on Tottenham Street. Although not indicated on the plan drawing, there is a **large "private" external forecourt area** at the front of the premises, where tables and chairs could potentially be placed. We would be grateful for clarification as to the intended use of the external forecourt.

The **Plan drawing** indicated that there will be some 44 covers.

The Plan also shows a large separate internal room, which has been labelled "Restaurant seating area". Is this room different from the main space for the restaurant seating and customers ?

The Plan drawing does not appear to show which area (usually with a red boundary line) is the "licensable area".

For a good number of years, the premises have generally been used as a cafe-type restaurant; and usually without an alcohol licence; this included a cafe that specialised in teas and coffees only. Also, these establishments tended to close relatively early.

As a result, the combination of the relatively early closing time and the nature of these premises meant that there was little noise and disturbance to the local residents.

Thus the concern is that the proposed new restaurant could be noisy and for later hours, affecting the residential amenity of the immediate residents.

In addition, it is not clear if there is good and satisfactory **sound insulation between the ceiling of the restaurant premises and the First Floor residential flats** immediately above.

### 2. The Residential Context

The applicant says that this is a "commercial" area - this is not so, as can be seen from our **enclosed Map Showing Residential**, and our **enclosed Photographs**.

This is a mixed-use area including much residential in Tottenham Street itself and in the immediate area, which is characteristic of much of Fitzrovia.

This includes 4 stories of residential flats (Maxcliff House) immediately above the premises, and also next door, and further residential flats opposite the premises. The main street entrance door to the Maxcliff House flats is next to the premises.

Continued ..... 3.

Re: Licensing Act 2003: Application for a New Premises Licence:

NING'S Restaurant, 5-7 TOTTENHAM STREET, London W1T 2AG - *continued*:

Reference: APP\PREMISES-NEW\119796

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### **3. Reasons for our objections:**

(a). Residents are greatly concerned at the proposal for these premises to become licensed. These premises at no. 5-7 Tottenham Street have never been a licensed premises before. There is already a concentration of licensed premises in this part of Tottenham Street, with licensed premises next door at No. 9-11 Tottenham Street; and at Gigs fish & chips bar opposite; and the nearby Hope pub. The granting of a licence will create a further concentration of licensed premises in this part of Tottenham Street, which will be much to the detriment of the residential amenity of those living in the many residential flats in this immediate part of Tottenham Street.

#### **(b). Supply of Alcohol and Bar-type activity:**

(1). Camden's Statement of Licensing Policy states that Restaurants and Cafes are treated differently from Bars. The Policy states that:

*"... premises are restaurant or cafe if the sale of alcohol is only made to seated customers who are taking a meal on premises. If alcohol is sold to any other person, we will regard the premises as a pub or bar."*

The Policy goes on to say that *"... We expect all restaurants to volunteer the condition that alcohol shall only be sold to persons seated and taking table meals at the premises"*.

(2). Unfortunately, no such "restaurant" Condition has been volunteered by the Applicant in this case, and thus Camden will, in licensing terms, regard the premises as a Bar.

We would strongly object to the premises being regarded as a Bar and to Bar-type activities, on the grounds of Public Nuisance due to the very likely detrimental affect on the residential amenity of the many people living nearby in this part of Tottenham Street.

#### **(c). Hours, and the Supply of Alcohol:**

We recognise that the proposed Hours for the licensable activities are within Camden's Framework Hours.

But, with regard to the proposed Supply of Alcohol, we have objections about some of the timings.

For each day, the proposed **terminal hour for the Supply of Alcohol** is the same as the **Closing Time** of the premises. Camden expects the terminal hour for the Supply of Alcohol to be half-an-hour before the Closing time, to allow for drinking-up time.

**Thus, we would ask that the Terminal Hour for the Supply of Alcohol is: 9.30pm for Monday to Sunday.**

Customers will still be able to continue to drink up to the Closing Time (10.00pm) of the premises, because actual drinking is not a licensable activity.

### **4. Other issues:**

#### **(a). External front "private" forecourt area:**

As mentioned above, there is a large "private" external forecourt area at the front of the premises, where tables and chairs could potentially be placed – the applicant has not indicated if the forecourt will be used, and if so, how many tables & chairs and during what hours. Its use could be detrimental to the residential amenity of the immediate flats in terms of noise and disturbance. We would be grateful for clarification of the intended use of the external "private" forecourt area.

Continued ..... 4.

Re: Licensing Act 2003: Application for a New Premises Licence:  
 NING'S Restaurant, 5-7 TOTTENHAM STREET, London W1T 2AG - *continued*:  
 Reference: APP\PREMISES-NEW\119796

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#### 4. Other issues - continued:

##### (b). Resturant already open, and issues re. queuing etc:

The Ning's restaurant opened a few days ago, and large numbers of customers have been attending. We understand from immediate residents that they have been experiencing considerable noise disturbance including in the evenings, due to noisy groups standing around outside, as well as there being queues to get into the restaurant.

##### (c). Smokers:

The Applicant has proposed a "*... maximum of 10 persons on the forecourt for smoking at all times.*" We think that this number is too many at any one time, and would suggest a maximum of 3 smokers at any one time, and that smokers cannot bring to outside their alcoholic drinks.

##### (d). Courier collections:

The Applicant has made no reference to courier collections, but, like many local restaurants now, we assume that collection of meals by couriers is likely to take place. Courier collections, especially by scooters, has become an issue in Fitzrovia due to causing noise and disturbance to local residents – we would suggest a suitable Condition is in place.

#### 5. Conditions:

We appreciate that one or two conditions have put forward within the Application, such as:

- "*Prominent notices to be displayed at all exits, requesting customers to respect the needs of local residents and leave the premises and area quietly.*"
- "*Adequate number of waste receptacles shall be provided ....*" etc.

We understand that the immediate residents wish to object to the granting of a licence for these premises; and we are supportive of their objection.

If the licensing Panel is minded to grant a licence, then we would ask that the Conditions set out below are considered, regarding the issues raised above in our letter, and to protect residential amenity; especially to prevent noise and disturbance to residents.

The suggested Conditions below are generally based on model Conditions concerning restaurants in Camden's Statement of Licensing Policy 2017-2022:

- (a). The supply of alcohol on the premises shall only be to customers seated taking a table meal there, and for consumption by such persons as ancillary to their meal.
- (b). The supply of alcohol and food shall be by waiter and/or waitress service only.
- (c). Smokers from inside will not be allowed to take out to outside their alcoholic drink; and no more than three customers shall be permitted to smoke outside the premises at any one time; and the location for smokers to be agreed.  
 (Note: *this is in addition to any customers who may already be sitting at the tables on the external "private" forecourt area.*)

Continued ..... 5.

Re: Licensing Act 2003: Application for a New Premises Licence:

NING'S Restaurant, 5-7 TOTTENHAM STREET, London W1T 2AG - *continued*:

Reference: APP\PREMISES-NEW\119796

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- (d). Customers smoking on the public highway (public pavements) shall not be permitted to cause obstruction of the highway (pavements) to passers by/members of public.
- (e). Notices shall be prominently displayed stating that this is also a residential area, and asking patrons to respect to be quiet and considerate to neighbours and residents when leaving.
- (f). The door(s) (and any windows) both on the street frontage and at the rear to be kept closed at all times, to prevent noise break-out to residents.
- (g). External "Private" Forecourt Area:  
 (1). Stated number of tables and chairs  
 (2). the terminal hour for the use of Chairs and Tables on the forecourt by customers shall be 9.00pm Monday to Sunday.
- (h). Courier collections from the premises for take away meal deliveries to customers: To avoid noise and disruption to residents, and congestion in the street, for take away food orders that are being collected by delivery companies using couriers, there shall be the following arrangements:
- to encourage the use of cycle couriers (instead of scooters) in order to cut down on noise disturbance
  - If scooter courier, the delivery/collection company will only be called when the order has been prepared and is ready for collection;
  - Generally, one collection at a time whenever possible;
  - Scooter couriers to turn off their engines, and no prolonged hanging around/waiting.
- (i). Disposal of rubbish, and especially noisy disposal of bottles (bottling out), outside the premises  
 - shall not take place between 10.00pm and 9.00am;  
 - and not before midday on Sundays & Bank/Public Holidays.
- (j). Deliveries & Collections:  
 similarly, that there are no deliveries or collections  
 - between 8.00pm and 8.00am;  
 - and not before midday on Sundays and Bank/Public Holidays.
- (k). Adopt Camden's "Ask for Angela" initiative:  
 The premises shall at all times adhere to the three "Women's Safety principles", which are:
- (a). Let's Communicate – Staff need to feel comfortable to speak up and approach colleagues and management about any form of harassment that they may witness or be subjected to themselves and know the processes available to them to express their views and concerns.
- (b). Supporting Each Other – Ensure that you and your staff are aware of the various support campaigns available such as Ask Angela and that these are clearly displayed around your venue.

Continued ..... 6.

Re: Licensing Act 2003: Application for a New Premises Licence:  
NING'S Restaurant, 5-7 TOTTENHAM STREET, London W1T 2AG - *continued*:  
Reference: APP\PREMISES-NEW\119796

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(k). Adopt Camden's "Ask for Angela" initiative - *continued*:

(c). Training for All – Staff training on how to report any issues, what to say and do should they witness or be subject to harassment and how to identify harassment and those who may be vulnerable, make them aware of your internal policies.

**CUMULATIVE IMPACT:**

Camden's Statement of Licensing Policy states that *"The absence of a cumulative impact policy for an area does not prevent a responsible authority or any other persons making representations on the grounds that the premises may give rise to a negative cumulative impact on the area in question."*

There are some 25 Public Houses within the Camden side of Fitzrovia and a further 20 in Westminster. In addition, there are many licensed Restaurants and other licensed premises. This is a relatively small area in which there is a stable residential community. Fitzrovia is a case in point, where it is essential to take account of this cumulative negative impact of such further licensed activities and recognise the detrimental effect this would have on this residential community.

Many people (including residents in social housing flats) live in Tottenham Street and the immediate vicinity, which accords with central Government policy to encourage people to live in central urban areas. Thus, it is very important that the amenity of the residential community here is protected. There is already a concentration of licensed premises in the immediate area.

Yours sincerely,

Clive Henderson,  
On behalf of Charlotte Street Association.

Copy: CSA Committee.

**Attached:** Map Showing Buildings with Residential

Photographs showing the Residential context



Representation	
Premises name	Ning's fresh beef hotpot and Cantonese Sashimi
Application reference number	APP\PREMISES-NEW\119796
Last date for representation	28/03/2024

**Making a representation as**

As an individual

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

█

**Last name**

██████████

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

██

**Address**

██

██████████

██████████

**Remain anonymous**

Yes

**Detail the exceptional circumstances**

We would ask that deliveries are carried out at a more considerate time. Above and opposite the restaurant is a densely residential area and we are being woken up during the very early hours by deliveries to this venue. Sometimes from 02.30am.

**Grounds of representation**

- prevention of public nuisance

**Details of representation**

Noise during the early hours of the morning, Refuse collection and or deliveries sometimes as early in the morning at 02.30 am

**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.

## OPERATING SCHEDULE

Opening hours:

Monday - Sunday: 11:00 – 22:00

Sale of alcohol:

Monday - Sunday: 11:00 – 22:00

Conditions:

1. The sale of alcohol shall only be legitimate whilst the permitted use of the premises for planning purposes remains that of a Restaurant.
2. There shall be no vertical drinking in the Premises.
3. Alcohol will only be sold by waiter/waitress service to customers seated at tables.
4. Alcohol sales will be ancillary to a meal.
5. Police must be called to all incidents of crime and/or serious disorder.
6. Off sales of Alcohol are only permitted alongside food orders. Alcohol only sales are not permitted for consumption off the premises.
7. 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
  - (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.
8. Notices shall be displayed within the premises warning customers about personal thefts; and to be vigilant.
9. CCTV shall be installed, operated, and maintained, to function all times that the premises is open for licensable activities. Said CCTV will comply with the following criteria:
  - (a) The licensee will ensure that the system is checked every two weeks to ensure that the system is working properly and that the date and time are correct;
  - (b) A record of these checks, showing the date and name of the person checking, will be kept and made available to the police or other authorised officer on request;

- (c) The Police will be informed if the system will not be operating for longer than one day of business for any reason;
  - (d) The system will record in real time and recordings will be date and time stamped;
  - (e) Recordings will be kept for a minimum of 31 days and downloaded footage will be provided free of charge to the police or other authorised officers on request (subject to the Data Protection Act requirements) within 24 hours of any request.
  - (f) CCTV to cover all entry and exit points of the building and also the area the delivery drivers park their vehicles.
  - (g) CCTV will be of good quality, a standard approved by the police/council licensing officers.
10. 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.
  11. The CCTV camera views are not to be obstructed.
  12. CCTV recordings must be concurrent with accurate time.
  13. At least one CCTV camera is to be placed no more than seven feet above floor level; near to the exit in order to capture clear facial images of all persons leaving the premises.
  14. 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 with 48 hours.
  15. 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 of the Licensing Authority in obtaining the CCTV footage.
  16. The facility to transfer the images to a compatible, removable format, shall be held on the premises.
  17. At least one Staff working at the premises at any one time shall be trained in the use of CCTV and a log will be kept to verify this.
  18. Signs must be displayed in the customer areas to advise that CCTV is in operation.
  19. If the CCTV is inoperative or not installed and working to the satisfaction of the Police, then within 48 hours the Police shall be notified and an estimate given of the repair timescale. The premises shall comply with all reasonable requests from the Police.
  20. 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.

21. A sign shall be displayed at the point of sale stating No Proof of Age – No Sale.
22. No more than 10 customers shall be permitted to smoke outside the premises at any one time.
23. Staff training records shall be available for inspection by authorised officers of the licensing authority, officers of the trading standards service and officers of the Police.
24. Installation of CCTV in premises to cover all entrances and exits and public area.
25. Display notices to inform customers that they will be subject to recording by means of CCTV.
26. All fire fighting/safety equipment to be maintained and checked annually.
27. All emergency exits shall be indicated by suitable signage. All means of escape shall be checked before the admission of the public.
28. All employees shall be given appropriate instruction, training and supervision and must be familiar with all current operational policies
29. Prominent notices to be displayed at all exits requesting customers to respect the needs of local residents and leave the premises and area quietly.
30. Adequate number of waste receptacles shall be provided to patrons and any litter dropped or discarded shall be retrieved by member of staff to prevent nuisance.
31. The Disposing of glass bottles should not be carried out between 21:00 to 08:00 every day of the week.
32. Suitable measures shall be in place for the disposal of waste from the business.
33. The premises must ensure that all waste is disposed of in a suitable receptacle.
34. The area surrounding the premises must be kept clear of litter.

36. Anyone who appears to be under 21 and is attempting to purchase alcohol in the licence premises or is consuming alcohol in the licence premises shall be requested to show “acceptable proof of age”
37. Food delivery service will stop to operate at closing hour of the restaurant.
38. The restaurant forecourt will not form part of the dining area.
39. The last time of entry for taking a table meal shall be no later than 30 minutes before closing time.

## 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.