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THE LONDON BOROUGH OF CAMDEN

At a hearing of **LICENSING PANEL D** held on **THURSDAY, 14TH DECEMBER, 2023** at 7.00 pm in Remote meeting via Microsoft Teams. This meeting can be watched live at www.camden.gov.uk/webcast

MEMBERS OF THE PANEL PRESENT

Councillors Eddie Hanson (Chair) and Sabrina Francis

MEMBERS OF THE PANEL ABSENT

Councillors Matt Cooper

ALSO PRESENT

Councillors

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

MINUTES

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

RESOLVED –

THAT the guidance be agreed.

2. APOLOGIES

Apologies had been received by Councillor Matt Cooper.

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

There were no declarations.

4. ANNOUNCEMENTS (IF ANY)

Broadcast of the Meeting

The Chair made the following announcement: “In addition to the rights by law that the public and press have to record this meeting, I would like to remind everyone that this meeting is being broadcast live by the Council to the Internet and can be viewed on our website for six months after the meeting.

After that time, webcasts are archived and can be made available upon request. If you have asked to address the meeting, you are deemed to be consenting to having your contributions recorded and broadcast, including video when switched on, and to the use of those sound recordings and images for webcasting and/or training purposes.”

Supplementary agenda and other late papers

A supplementary agenda was circulated for the Kiss the Sky review application which included a submission from the Police, a submission from the Licence Holder’s solicitor, and the Part I and Part II minutes dated 30 November 2023. Additionally, a further submission bundle from the Licence Holder’s solicitor was circulated.

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

There was no urgent business.

6. MINUTES

RESOLVED –

THAT the minutes of the meeting held on 15 June 2023 be approved and signed as a correct record.

7. KISS THE SKY: 11-13 CAMDEN HIGH STREET, LONDON, NW1 7JE

At 7.22pm the Chair moved a resolution to enter confidential session to consider the review application because it involved information relating to action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

RESOLVED –

THAT the press and public be excluded from the proceedings of the Licensing Panel on 14 December 2023 during consideration of the respective item on the agenda on

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the grounds that it is likely, in view of the nature of the business to be transacted, that were members of the public to be present, there would be disclosure of exempt information as defined in Schedule 12A to the Local Government Act 1972 (as amended) and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Specifically –

Publicity in respect of item 7 would be likely to lead to the disclosure of information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime by virtue of Category 7 of Schedule 12A of the Local Government Act 1972 (as amended).

Part II

Consideration was given to a report of the Executive Director Supporting Communities relating to a review of a premises licence under Section 53A of the Licensing Act 2003.

The Police, Environmental Health, and the Licence Holder set out their case to the Panel.

Part I

Members returned to public session at 10.28pm to announce their decision.

Deliberation and Reasons

Having heard and considered the evidence from all parties, Members decided that it was not appropriate for the premises licence to continue to operate as before. Members agreed that on balance it was not proportionate to revoke the premises licence and that a suspension of the licence or to exclude the licensable activity would have the same affect. Members agreed that it order to promote the licencing objects, the Designated Premises Supervisor should be removed and the conditions of the premises licence should be modified. Members also agreed that the interim steps imposed to suspend the premises licence on 21 November 2023 and upheld by Licensing Panel C on 30 November 2023 should cease and the new conditions imposed to take immediate effect.

Members considered that the amended conditions would go some way to safeguard the local community and customers of the premises and further promote the licensing objectives of the prevention of crime and disorder.

Members reiterated that the serious incident that occurred on 18th November 2023 was a terrible situation and hoped that they would not be repeated and that all parties involved would learn from those events.

RESOLVED –

- i) THAT the Designated Premises Supervisor be removed with immediate effect and must not be involved in the management of the premises on a day-to-day basis in the future.
- ii) THAT the following conditions be added to the premises licence:
 - 1. From 14 December 2023 until 31 December 2024 the Premises Licence Holder and DPS shall hold a series of monthly meetings with a representative from the Camden Police Licensing Team. These meetings may be held virtually.
 - 2. The Premises Licence Holder shall keep a log of all staff (including SIA and casual workers) employed in whatever capacity and for whatever duration at the venue. The log must include the following details:
 - a) Role at venue
 - b) Full name
 - c) Given name (if different)
 - d) Home address
 - e) Date of birth
 - f) NI Number
 - g) Mobile Number
 - h) Email Address
 - i) SIA Number (if SIA)

Staff logs shall be kept for a period of 12 months from an individual's last employment at the venue. The staff log shall be kept at the Premises and shall be made available upon request to Responsible Authority Officers.

- 3. The premises will not engage the previous security provider which was operating when the incident which took place on 18th November 2023.
- 4. Where SIA registered door supervisors are used at the Premises, a record shall be kept of their SIA registration number and the dates and times when they are on duty. Records will be kept on a rolling 12-month basis. Records will be kept at the Premises and made available on request to Responsible Authority Officers.
- 5. The former staff members who were involved in the incident which took place on 18th November 2023 are forbidden from working at or entering the venue.
- iii) THAT the following existing conditions on the premises licence be modified as follows:
 - a) Conditions 18 and 19 to be deleted and replaced with the following condition:

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There shall be a minimum of 1 x SIA licensed door supervisor on duty at the Premises each day from 7pm when the Premises is open for Licensable Activities. There shall be a minimum of 2 x SIA licensed door supervisors on duty at the Premises each day when the Premises is open for Licensable Activities after 11pm. The Premises Licence Holder shall risk assess the need for SIA licensed door supervisors at other times/additional SIA licensed door supervisors at the times above.

b) Condition 25 to be deleted and replaced with following condition:

A comprehensive staff training programme is to be put together which will cover the Licensing Act 2003, fire evacuation procedures, critical incident best-practice, crime scene best practice and WAVE training. Conflict management training was compulsory for all staff members. This training is to be clearly documented.

iv) THAT the interim steps to suspend the premises licence imposed on 21 November 2023 and upheld on 30 November 2023 by Licensing Panel C be cease with immediate effect.

ACTION BY: Executive Director Supporting Communities

8. ANY OTHER BUSINESS THAT THE CHAIR CONSIDERS URGENT

There was no other urgent business.

The hearing ended at 10.30 pm.

CHAIR

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MINUTES END

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