

Wendy's

I want to apply for a
Are you an agent?

Does the premises have a name?
What is the name of the premises?
What is the address or location?

What is the type of premises?
Describe the area it is situated in
Describe the layout of the premises

Copy of the premises plans

Tell us about the premises business hours

Premises licence
No - I'm applying for myself

Yes
Wendy's
189191 Camden High Street
NW1 7BP
London
Restaurant
Restaurant in residential area
2 floors, no outside area

- Premisesplan.pdf

| Day | Start time | End time |
| :--- | :--- | :--- |
| Monday | $08: 00$ | $00: 00$ |
| Tuesday | $08: 00$ | $00: 00$ |
| Wednesday | $08: 00$ | $00: 00$ |
| Thursday | $08: 00$ | $00: 00$ |
| Friday | $08: 00$ | $02: 00$ |
| Saturday | $08: 00$ | $02: 00$ |
| Sunday | $08: 00$ | $00: 00$ |

Are there any seasonal variations for the No premises opening times?


#### Abstract

Is the premises open to the public at times No other than those listed? Is the premises an open space? Yes


How many people are expected to attend the
Less than 5000 people premises at any one time?

Will the premises be exclusively or primarily No used to sell alcohol?

How are you applying for a premises licence? As a limited company

Business details

What is the company registration number

Name of business

Name and address

Email address

Telephone number

How long do you want your premises licence for?

When do you want your licence to start?
12260740

WENDY'S RESTAURANTS OF U.K.
LIMITED
189191 Camden High Street
NW1 7BP
London


Permanently

As soon as possible
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

Late refreshments

Where will refreshments be provided?

Tell us about the specifics of the activity

Are there any seasonal variations for the activity?

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

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

The prevention of crime and disorder

Indoors

Preparing, cooking and serving hot food and beverages
No

| Day | Start time | End time |
| :--- | :--- | :--- |
| Monday | $23: 00$ | $00: 00$ |
| Tuesday | $23: 00$ | $00: 00$ |
| Wednesday | $23: 00$ | $00: 00$ |
| Thursday | $23: 00$ | $00: 00$ |
| Friday | $23: 00$ | $02: 00$ |
| Saturday | $23: 00$ | $02: 00$ |
| Sunday | $23: 00$ | $00: 00$ |

No

Our establishment uses CCTV surveillance systems placed strategically to cover key areas of our premises. This monitoring helps prevent and detect incidents,

## Public safety

## The prevention of children from harm

ensuring the safety and security of our customers and staff. CCTV is placed to capture patrons head and shoulders as they enter the building, and throughout. CCTV is stored for 30 days. There are security personnel present at the restaurant from 8pm on Fridays and Saturdays until close At least one member of staff on duty whilst this licence is being used shall be trained in the requirements of the Licensing Act 2003 in terms of the licensing objectives, offences committed under the Act and conditions of the premises licence. Such person shall be competent to ensure offences are not committed and that the premises shall be run in accordance with the licence.
Our push-pull restaurant doors self-close, and we try to encourage our customers to be considerate to our neighbors and to limit noise both when ordering their food and on leaving the local area. Notices shall be prominently displayed at each exit from the premises asking customers to be considerate to neighbors when leaving. Policies and procedures shall be put in place for collection of street litter generated by the premises and such policies shall be implemented by staff whenever the premises are being used under the terms of this licence.
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.

## About this form

## Issued by

Contact phone

Camden Town Hall<br>Judd Street<br>London<br>WC1H 9JE

Form reference
Ref. no. 119184

## 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.








 CONTRACTOR CONSULTANTS ARE TO MAKE THE
ARCHITECT AWARE OF ANY DEVIATIONS, DESIGN

 NOTE: AREAS HIGHLIGHTED HAVE NOT BEEN
SURVEYED AND MAY NOT REFLECT TRUE







Sym, Phoebe $<$
Steven Dormer [Steven.Dormer@camden.gov.uk](mailto:Steven.Dormer@camden.gov.uk)
Hi Steven,

Thanks for collating and sending over the below!
I have added comments to each condition.
1.

Patrols of the area outside the premises shall be undertaken every 1 hour during the use of the licence and any litter attributable to the premises cleared. Agree
2. At least one member of staff on duty whilst this licence is being used shall be trained in the requirements of the Licensing Act 2003 in terms of the licensing objectives, offences committed under the Act and conditions of the premises licence. Such person shall be competent to ensure offences are not committed and that the premises shall be run in accordance with the licence. Agree - will train management team
3. No alcohol is allowed to be served or sold on the premises Already in place
4. Where the premises are open for licensable activities on Fridays, Saturdays and Bank Holiday Sundays from 2200 hours, a minimum of two (2) SIA-registered door supervisor shall be employed at the premises until 30 minutes after close with a log sheet to be kept (and available immediately to the Police upon request) showing who was working on any given night that the Police visit the venue. Agree
5. A minimum of one (1) SIA will be on the first floor seating area at all times that licensable activities take place. Can have this in place Friday's \& Saturday's after 22:00?
6. A minimum of one (1) SIA will be situated at the main entrance of the venue at all times that licensable activities take place. Can have this in place Friday's \& Saturday's after 22:00?
7. The venue shall not engage the services of street promoters to encourage clientele to attend the venue. Agree
8. No persons carrying visibly open or sealed alcohol vessels shall be admitted to the premises at any time that the premises are open for licensable activities. Already in place
9. Police must be called to incidents of violence and/or disorder. Already in place
10. 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 incidents of disorder and violence
d. all seizures of drugs or offensive weapons
e. any faults in the CCTV system or searching equipment or scanning equipment
f. any refusal of the sale of alcohol to include date, time, and staff member
g. any visit by a relevant authority or emergency service.
h. CAD reference numbers where Police are called. Already in place- we use an online portal to log incidents
11. The licensee will ensure that staff are trained, as appropriate, in respect of relevant Licensing Law; crime scene best practice. Training shall be written into a programme of going review and will be made available for inspection by Police or other responsible authority, upon request. Agree however we may need some guidance on this training, as it seems to vary council to council and we want to ensure we are compliant with Camden's asks.
12. The premises licence holder shall ensure that CCTV cameras and recorders are installed at the premises and are of a standard acceptable to and approved by the Police. Already in place
13. 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. Internal already in place, will be adding external cameras
14. The CCTV camera views shall not be obstructed. Already in place
15. At least one CCTV camera shall be placed no more than seven feet above floor level near to each point of entry and exit in order to capture clear facial images of all persons entering and leaving the premises. Already in place
16. The medium on which CCTV images are recorded shall be of evidential quality; stored securely; shall be retained for a period of 31 days; and be available for inspection by the police or authorised officers on request. Agree, currently hold recordings for 30 days, will increase to 31
17. 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 authorised officers in obtaining the CCTV footage. Already in place, will ensure new managers are trained in CCTV
18. Copies of any CCTV image shall be made available within 48 hours of the request to the police or local authority. Agree
19. The facility to transfer the images to a compatible, removable format shall be held on the premises. Agree
20. Staff working at the premises shall be trained in the use of CCTV and a log must be kept to verify this. Agree
21. Signs must be displayed in the customer areas to advise that CCTV is in operation. Agree
22. If the CCTV is inoperative or not installed and working to the satisfaction of the police, the licence holder shall notify the Police within 48 hours and give an estimate of the repair timescale. The licence holder and staff shall comply with all reasonable requests from the police. Agree
23. Notices shall be prominently displayed at each exit from the premises asking customers to be considerate to neighbours when leaving. Agree

1) Deliveries to the premises shall not take place between 23:00 and 08:00. This may be difficult as waste gets collected normally 6am and Deliveries occur after we close most nights (we took this approach as day deliveries were causing disruption to the local florists and public walking by.
24. Collections of waste from the premises shall not take place between 23:00and 08:00. This may be difficult as waste gets collected normally 6am and Deliveries occur after we close most nights (we took this approach as day deliveries were causing disruption to the local florists and public walking by.
25. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business. This may be difficult due to the area but we can put litter picks outside the premises in place?
26. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance. Already in place

28 The operating hours be knocked back to framework hours. Respectfully disagree with this condition

29 The cctv storage period shall be for 31 days rather than the 30 days stipulated in the application. Agree

30 The premises shall ensure their staff are trained in WAVE, details of this are available on our website or they could contact my colleague Ms Sarah Williams for further details on licensing@camden.gov.uk mark the email for the attention of Ms Sarah Williams. Agree, we reached out to Sarah Williams 21 ${ }^{\text {st }}$ March 2024

31 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. Agree, may need some guidance on which bins are acceptable

It would be great to hear your thoughts!
Please could you also confirm next steps - are you comfortable with me submitting another TENs for the $12^{\text {th }} \& 13^{\text {th }}$ of April? Also, could you let us know how long we have to put the agreed conditions in place.

Thanks again for your help.

Kind regards,
Phoebe

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
Telephone
Email:
Your ref: 119184

Dear Sir/Madam

## RE: Application MNEW119184

## Wendy's, 189 Camden High Street, NW1 7BP.

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

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.

## Case Law

Daniel Thwaites PLC v Wirral Magistrates' Court and Others
This case, referred to as 'the Thwaites case', is important because it emphasises the important role that Responsible Authorities have in providing information to decision makers to contextualise the issue before them. This case is sometimes misconstrued as requiring decisions to be based on 'real evidence', and that conditions cannot be imposed until problems have actually occurred. This is wrong. The purpose of the Act is to prevent problems from happening. Decisions can and should be based on well-informed common sense. The case recognises that Responsible Authorities are experts in their fields, and that weight should be attached to their representations.
The Honourable Mrs Justice Black said:
'Drawing on local knowledge, at least the local knowledge of local licensing authorities, is an important feature of the Act's approach. There can be little doubt that local magistrates are also entitled to take into account their own knowledge but, in my judgment, they must measure their own views against the evidence presented to them. In some cases, the evidence presented will require them to adjust their own impression. This is particularly likely to be so where it is given by a Responsible Authority such as the police.'
Source: Alcohol licensing: using case law - GOV.UK (www.gov.uk)

This Application is based within the Camden Town Cumulative Impact Zone (CIZ) and therefore there is a presumption, based on the Borough Council's own Licensing Policy, that any New or Variation Application will be refused; due to the effects of cumulative impact. The MPS supports the Policy, especially in respect of the impact to Alcohol Harm.

Camden Borough has the 4th largest Night Time Economy in the UK (source: Night Mix Index, Make Associates)

## UNIQUE APPLICATION ISSUES

Of concern to the MPS is the venue's wish to apply for a late night refreshment licence. The applicant is requesting to operate late night refreshments Sunday to Thursday 2300 - 0000 and 2300 - 0200 every Saturday and Sunday Morning.

The operation of late night refreshments will make it more difficult for the venue to mitigate against crime and disorder and ensuring public safety. Staff will have to contend with intoxicated customers who can be difficult to manage. Late Night Refreshment venues can become flashpoints even if they do not themselves sell alcohol.

A venue that opens into the early hours of the morning will contribute further in the challenges already being faced in this area of Camden Town. There are 24 licenced venues within Camden Town's Cumulative impact area which are open until 0200 hours on Saturday and Sunday mornings. Therefore a venue serving late night refreshments until 0200 hours will attract visitors from various other venues and then there is a strong likelihood of tension arising between intoxicated people.

The only available seating area for this venue is located on the first floor. This area of the venue is not often staffed and the MPS are concerned that a number of intoxicated customers from a variety of venues that may not usually mix could be together in an unstaffed area until 0200 at the weekend.

The operation of late night refreshments within this venue would also slow down the egress of visitors and have further impact on local residents.

If this venue remains open later this will increase footfall immensely and will result in many more congregating outside the venue which will in turn likely result in issues with drug dealing and violent crime along with drunken fights and general anti-social behaviour.

The venue is situated within Camden Town's 'Cumulative Impact Zone', an intense area of crime and anti-social behaviour, particularly in relation to the Night Time Economy. An extension to the hours for this premise will add to the cumulative impact of footfall in the area and is likely to contribute to alcoholrelated crime and disorder, whether by suspects or victims.

In Camden Council's Licensing Policy under the cumulative impact policy, it states the cumulative impact is the potential negative effect on the promotion of the licensing objectives of a significant number of licenced premises concentrated in one area. The MPS feel that if these licensing times are granted then it will add to cumulative impact and keep people on the streets of Camden for longer who are generally under the influence of alcohol. Camden is a very busy area containing numerous licensed venues, whether it be alcohol led or late night refreshments.

## Research and Intelligence

A review of recent crime figures show that in the last 2 months ( $14^{\mathrm{h}}$ December $2023-14^{\text {th }}$ February 2024) there has been 65 crimes recorded to have taken place within Camden's cumulative area between 0000 hours -0300 hours. This includes 42 thefts, 4 allegations of spiking, 3 robberies, 3 possessions of drugs, 2 public order offences, 1 assault on police and 10 other allegations of assault ranging from common assault to grievous bodily harm.

## Conditions Recommended

For clarity, the MPS supports Camden Council's Licensing Policy with regards to the presumption to refuse New or Variation Applications within a cumulative impact zone. The MPS would therefore recommend that this application be granted for Late Night Refreshments Monday - Sunday from 2300 - 0000 only.

Mindful however, that the Applicant may successfully rebut the policy; or the Panel decides of its own volition to grant the Application, the MPS would then strongly recommend the Panel consider imposing the below conditions on any granted application.

1. Patrols of the area outside the premises shall be undertaken every 1 hour during the use of the licence and any litter attributable to the premises cleared.
2. At least one member of staff on duty whilst this licence is being used shall be trained in the requirements of the Licensing Act 2003 in terms of the licensing objectives, offences committed under the Act and conditions of the premises licence. Such person shall be competent to ensure offences are not committed and that the premises shall be run in accordance with the licence.
3. No alcohol is allowed to be served or sold on the premises
4. Where the premises are open for licensable activities on Fridays, Saturdays and Bank Holiday Sundays from 2200 hours, a minimum of two (2) SIA-registered door supervisor shall be employed at the premises until 30 minutes after close with a log sheet to be kept (and available immediately to the Police upon request) showing who was working on any given night that the Police visit the venue.
5. A minimum of one (1) SIA will be on the first floor seating area at all times that licensable activities take place.
6. A minimum of one (1) SIA will be situated at the main entrance of the venue at all times that licensable activities take place.
7. The venue shall not engage the services of street promoters to encourage clientele to attend the venue.
8. No persons carrying visibly open or sealed alcohol vessels shall be admitted to the premises at any time that the premises are open for licensable activities.
9. Police must be called to incidents of violence and/or disorder.
10. 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 incidents of disorder and violence
d. all seizures of drugs or offensive weapons
e. any faults in the CCTV system or searching equipment or scanning equipment
f. any refusal of the sale of alcohol to include date, time, and staff member
g. any visit by a relevant authority or emergency service.
h. CAD reference numbers where Police are called.
11. The licensee will ensure that staff are trained, as appropriate, in respect of relevant Licensing Law; crime scene best practice. Training shall be written into a programme of going review and will be made available for inspection by Police or other responsible authority, upon request.
12. The premises licence holder shall ensure that CCTV cameras and recorders are installed at the premises and are of a standard acceptable to and approved by the Police.
13. 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.
14. The CCTV camera views shall not be obstructed.
15. At least one CCTV camera shall be placed no more than seven feet above floor level near to each point of entry and exit in order to capture clear facial images of all persons entering and leaving the premises.
16. The medium on which CCTV images are recorded shall be of evidential quality; stored securely; shall be retained for a period of 31 days; and be available for inspection by the police or authorised officers on request.
17. 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 authorised officers in obtaining the CCTV footage.
18. Copies of any CCTV image shall be made available within 48 hours of the request to the police or local authority.
19. The facility to transfer the images to a compatible, removable format shall be held on the premises.
20. Staff working at the premises shall be trained in the use of CCTV and a log must be kept to verify this.
21. Signs must be displayed in the customer areas to advise that CCTV is in operation.
22. If the CCTV is inoperative or not installed and working to the satisfaction of the police, the licence holder shall notify the Police within 48 hours and give an estimate of the repair timescale. The licence holder and staff shall comply with all reasonable requests from the police.
23. Notices shall be prominently displayed at each exit from the premises asking customers to be considerate to neighbours when leaving.
24. Deliveries to the premises shall not take place between 23:00 and 08:00.
25. Collections of waste from the premises shall not take place between 23:00and 08:00.
26. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.
27. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.

## Conclusion

In Summary, the view of the MPS is that this application should be rejected in its current form as per Camden Council's Cumulative Impact Zone policy and consideration for a Late Night Refreshments Licence Monday - Sunday from 2300-0000 to be granted. However, if the panel choose to go against the Camden Council's Licensing policy and grant the application, the above conditions are requested by the MPS to be placed upon the Premises Licence.

PC Rachel Aldis - Camden Licensing Team
Kentish Town Police Station, 12a Holmes Road, NW5 3AE


Click to see what we are doing for you on Twitter @MPSCamden Click here to see what we are doing for you @MPSIslington

| Date: <br> Application <br> Reference: <br> Direct Phone Number: <br> Contact: | 10/02/2024 |
| :--- | :--- |
| E-mail: | Esther Jones |
|  |  |
| Please quote our reference in any correspondence |  |
|  |  |
| Licensing (Contact Camden) |  |
| Crowndale Centre |  |
| 218 Eversholt Street |  |
| London |  |
| NW1 1BD |  |

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

Tel: 02079744444 (switchboard)
London Borough of Camden Fax: 02079746955 / 6940
Textphone: 02079746866
DX: 2106 Euston
www.camden.gov.uk

London

## Licensing Act 2003 - SECTION 17

Re:WENDY'S 189-191 CAMDEN HIGH STREET, LONDON NW1 7BP
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 Wendy's Restaurants of UK Limited for a premises to provide late night refreshment in the form of a fast-food restaurant. There is no current premises licence in this venue.

The activity and hours applied for are as follows: -
Late Night Refreshments
$\begin{array}{ll}\text { Sunday to Thursday } & 23: 00-00: 00 \text { (midnight) } \\ \text { Friday to Saturday } & 23: 00-02: 00 \text { (day following) }\end{array}$
The opening hours of the premises
The opening hours of the premises are as follows:-
Sunday to Thursday
08:00 - 00:00 (midnight)
Friday to Saturday
08:00-02:00 (day following)

The premises does not propose to provide alcoholic beverages.

## Volunteered conditions in the operating schedule

## Prevention of Crime and Disorder

Our establishment uses CCTV surveillance systems placed strategically to cover key areas of our premises. This monitoring helps prevent and detect incidents, ensuring the safety and security of our customers and staff. CCTV is placed to capture patrons head and shoulders as they enter the building, and throughout. CCTV is stored for 30 days. There are security personnel present at the restaurant from 8 pm on Fridays and Saturdays until close.

## Public Safety

At least one member of staff on duty whilst this licence is being used shall be trained in the requirements of the Licensing Act 2003 in terms of the licensing objectives, offences committed under the Act and conditions of the premises licence. Such person shall be competent to ensure offences are not committed and that the premises shall be run in accordance with licence.

## Prevention of public nuisance

Our push-pull restaurant doors self-close, and we try to encourage our customers to be considerate to our neighbours and to limit noise both when ordering their food and on leaving the local area. Notices shall be prominently displayed at each exit from the premises asking customers to be considerate to neighbours when leaving.

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

Prevention of children from harm
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 latenight shifts, emphasizing what not to do to maintain a secure environment.

## Framework Hours - Pages 36 of The Licensing Policy

The premises opening hours for the sale of late-night refreshment is outside of framework hours.

## For licences not including the sale or supply of alcohol:

Monday to Thursday 09:00 am until 11:30 pm
Friday and Saturday 09:00 am until midnight
Sunday 09:00 am until 10:30 pm

## 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 in my opinion, has not satisfied the requirement placed on it by the licensing policy that 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. In that it has not has successfully demonstrated that the granting of their application would not contribute or exacerbate the stressors in the CIA zone. It is a well-known fact in town centres such as Camden that fast food restaurants that open till late at night is a big draw for stragglers late night revellers and visitors that have just left night clubs, causing them to linger in the area and at times to contribute to litter, anti-social behaviour and noise in the area.

The premises could be a good candidate for "Ask for Angela" as it is just the kind of premises a person in distress may approach for support, yet no mention of this was made in the application.

I am sure as a multi-national fast-food venture, they would have a good procedure in place to ensure that adequate and sufficient refuse receptacles are in place to ensure the quick collection, storage and disposal of waste such that it does not lead to increase vermin in the area or small.

Delivery hours was also not mentioned in the application. However, I am certain that there would have been mention of this when the planning application was sought.

If, however, the council is minded to grant this licence in light of the fact that it is a nonalcoholic premises as it intends only to provide late night refreshment, 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 rather than the 30 days stipulated in the application.
- The premises shall ensure their staff are trained in WAVE, details of this are available on our website or they could contact my colleague Ms Sarah Williams for further details on licensing@camden.gov.uk mark the email for the attention of Ms Sarah Williams.
- 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


## Proposed and agreed conditions.

1. Our establishment uses CCTV surveillance systems placed strategically to cover key areas of our premises.
2. This monitoring helps prevent and detect incidents, ensuring the safety and security of our customers and staff.
3. CCTV is placed to capture patrons head and shoulders as they enter the building, and throughout.
4. CCTV is stored for 30 days.
5. There are security personnel present at the restaurant from 8pm on Fridays and Saturdays until close.
6. At least one member of staff on duty whilst this licence is being used shall be trained in the requirements of the Licensing Act 2003 in terms of the licensing objectives, offences committed under the Act and conditions of the premises licence. Such person shall be competent to ensure offences are not committed and that the premises shall be run in accordance with the licence.
7. Our push-pull restaurant doors self-close, and we try to encourage our customers to be considerate to our neighbour's and to limit noise both when ordering their food and on leaving the local area.
8. Notices shall be prominently displayed at each exit from the premises asking customers to be considerate to neighbour's when leaving.
9. Policies and procedures shall be put in place for collection of street litter generated by the premises and such policies shall be implemented by staff whenever the premises are being used under the terms of this licence.
10. All staff members are required to complete a late-night security module upon commencing their employment.
11. This course outlines essential guidelines, including specific instructions for late-night shifts, emphasizing what not to do to maintain a secure environment.
12. Patrols of the area outside the premises shall be undertaken every 1 hour during the use of the licence and any litter attributable to the premises cleared.
13. At least one member of staff on duty whilst this licence is being used shall be trained in the requirements of the Licensing Act 2003 in terms of the licensing objectives, offences committed under the Act and conditions of the premises licence. Such person shall be competent to ensure offences are not committed and that the premises shall be run in accordance with the licence.
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15. Where the premises are open for licensable activities on Fridays, Saturdays and Bank Holiday Sundays from 2200 hours, a minimum of two (2) SIAregistered door supervisor shall be employed at the premises until 30 minutes after close with a log sheet to be kept (and available immediately to the Police upon request) showing who was working on any given night that the Police visit the venue.
16. A minimum of one (1) SIA will be on the first floor seating area at all times that licensable activities take place.
17. A minimum of one (1) SIA will be situated at the main entrance of the venue at all times that licensable activities take place.
18. The venue shall not engage the services of street promoters to encourage clientele to attend the venue.
19. 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 incidents of disorder and violence
d. all seizures of drugs or offensive weapons
e. any faults in the CCTV system or searching equipment or scanning equipment.
f. any refusal of the sale of alcohol to include date, time, and staff member.
g. any visit by a relevant authority or emergency service.
20. CAD reference numbers where Police are called.
21. The licensee will ensure that staff are trained, as appropriate, in respect of relevant Licensing Law; crime scene best practice. Training shall be written into a programme of going review and will be made available for inspection by Police or other responsible authority, upon request.
22. The premises licence holder shall ensure that CCTV cameras and recorders are installed at the premises and are of a standard acceptable to and approved by the Police.
23. 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
24. The CCTV camera views shall not be obstructed.
25. At least one CCTV camera shall be placed no more than seven feet above floor level near to each point of entry and exit in order to capture clear facial images of all persons entering and leaving the premises.
26. 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 authorised officers on request.
27. 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 authorised officers in obtaining the CCTV footage
28. Copies of any CCTV image shall be made available within 48 hours of the request to the police or local authority.
29. The facility to transfer the images to a compatible, removable format shall be held on the premises.
30. Staff working at the premises shall be trained in the use of CCTV and a log must be kept to verify this.
31. Signs must be displayed in the customer areas to advise that CCTV is in operation.
32. If the CCTV is inoperative or not installed and working to the satisfaction of the police, the licence holder shall notify the Police within 48 hours and give an estimate of the repair timescale. The licence holder and staff shall comply with all reasonable requests from the police.
33. Notices shall be prominently displayed at each exit from the premises asking customers to be considerate to neighbours when leaving.
34. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
35. The premises shall ensure their staff are trained in WAVE, details of this are available on our website or they could contact my colleague Ms Sarah

Williams for further details on licensing@camden.gov.uk mark the email for the attention of Ms Sarah Williams.
36. 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.

## 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.

