

THE LONDON BOROUGH OF CAMDEN

At a hearing of **LICENSING PANEL D** held on **THURSDAY, 21ST MARCH, 2024** at 7.00 pm in a remote meeting via Microsoft Teams.

MEMBERS OF THE PANEL PRESENT

Councillors Eddie Hanson (Chair), Matt Cooper and Sabrina Francis

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 on remote meetings be agreed.

2. APOLOGIES

There were no apologies.

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

There were no declarations of interest.

4. ANNOUNCEMENTS

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 twelve 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’.

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

There was no notification of items of urgent business.

6. MINUTES

Consideration was given to the minutes of the meetings held on 14th December 2023 and 11th January 2024.

RESOLVED –

THAT the minutes of the meetings held on 14th December 2023 and 11th January 2024 be approved and signed as a correct record.

7. TIPSY DOG, UNIT 4, 12 HEATH STREET, NW3 6TE

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

The Licensing Officer introduced the report and confirmed that the Metropolitan Police representation had been withdrawn following the Applicant negotiating agreed conditions with them. The meeting was also informed that the premises was not located in a cumulative impact special policy area and was only proposing to operate within framework hours.

An Interested Party, Edelle Carr, addressed the meeting on behalf of Red Carpet Estates who were the managing agents for the building adjacent to the courtyard situated at the rear of the premises. She made the following points in her submission:

- The bedrooms of flats in the block backed onto the courtyard where the Applicant’s business was located;
- Residents were concerned about people drinking and smoking in the courtyard;
- If the premises was to be primarily take-away, there were concerns about people queuing outside and the gathering of delivery drivers in the area;
- The area was residential and was not suitable for a retail premises where customers would be arriving and leaving at a range of times;
- There had previously been a coffee shop operating from the premises, and there had been noise nuisance from staff and customers chatting, clattering cups, gathering outside and smoking.

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Members asked whether any conditions could be imposed which would allay Ms Carr's concerns. She said that she was of the view that conditions could be difficult to enforce, for the staff of the premises and for licensing officers. She added that her preference was to limit the number of people and to restrict customers congregating outside.

The Panel heard from the Applicant, Raimonds Skarubo, and his partner Yuka Potkins. The key points made in their submission were:

- There would only be a maximum of about 6 or 7 people seated inside the premises. This would normally be when a whisky-tasting or similar event was being held.
- The main business of the premises would be to sell alcohol to individuals for off-sales;
- They would not permit customers to drink outside;
- They would also tell customers not to smoke outside after 7pm;
- The operating hours in practice might be shorter than applied for, as they would probably chose to close early on quiet days;
- There would be CCTV coverage, as agreed with the Police;
- The recorded music being played would be background music only;
- They would be less noisy then the café that had formerly been on the site;
- Other 'wine shops' in the area had similar hours.

Questions were asked of the Applicant by the Panel, and the key points discussed were:

- The maximum capacity for persons seated inside was 8;
- There would be no outdoor seating;
- There would be no queueing of customers in the courtyard;
- The price point of products would be about £5 - £6 for beer and up to £80 for some premium whiskies;
- Deliveries would take place between 12 noon and 6pm, and be on the street not in the courtyard.
- They would liaise with the Council about suitable times to put rubbish out and would not put any rubbish out at night to avoid causing noise nuisance;
- The Applicant had 15 years of experience in the hospitality sector;
- A contact number would be given to residents to contact the Applicant if they had any concerns.

Ms Carr summed up to state that she was pleased with the clarification and measures given by the Applicant, and that residents would wait and see how matters progressed. The Applicant made final submissions confirming the measures to be offered if the application was granted.

Deliberation and Reasons

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Following concluding remarks by both Parties, Members commenced deliberation and confirmed they had seen and heard the submissions made.

They welcomed the agreed conditions between the Applicant and the Police. They were also of the view that it would be appropriate to impose additional conditions to provide contact details to residents and requiring rubbish disposal not to take place after 8pm.

Members agreed to grant the licence as applied for subject to the conditions in the operating schedule, those agreed with the Police and the additional ones the Panel had agreed. Members considered that granting the licence subject to these conditions would uphold the licensing objectives.

RESOLVED –

(i) THAT a licence be granted for:

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

12:00-21:00 Monday to Saturday

12:00-20:00 Sunday

b) Recorded Music

12:00-21:00 Monday to Saturday

12:00-20:00 Sunday

c) Opening hours

12:00-21:00 Monday to Saturday

12:00-20:00 Sunday

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

Operating schedule

1. Customers must not be served alcohol if they are already intoxicated, and measures should be in place to prevent people from becoming drunk on the premises.
2. Staff must undergo training to recognise the signs of intoxication and understand the effects of alcohol.
3. There is a zero-tolerance policy for any drug-related activities on the premises.
4. Staff members must receive training in conflict management.
5. The "Ask for Angela" program should be implemented to enhance the safety of women.
6. Information sharing with similar businesses is required to identify local troublemakers and address issues effectively.
7. Regular checks of toilets must be conducted, and zero-tolerance for drugs posters should be displayed within the premises.

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8. Staff should be trained to recognise unusual behaviour, particularly to prevent theft, and a clear lost and found policy should be established.
9. Staff members must be trained in first aid and fire marshal duties.
10. A comprehensive risk assessment must be completed.
11. First aid kits and fire extinguishers must be installed on the premises.
12. Wet floor signs and all necessary warnings should be prominently displayed.
13. Temperature levels must be controlled to prevent hazards or health problems associated with extreme temperatures.
14. Measures must be in place to prevent drink spiking.
15. Posters about the dangers of drink driving should be prominently displayed.
16. Consumption of alcohol is strictly prohibited outside the premises.
17. Signage inside the premises should instruct customers to behave quietly and respectfully upon leaving.
18. Smoking is only permitted outside the premises until 7 pm; after this time, customers must smoke on the high street, not in the square.
19. The front doors of the premises must remain closed at all times to minimise noise disturbance outside.
20. Efforts should be made to avoid any queues forming outside the premises.
21. Music should be played at a low volume and solely for ambiance purposes.
22. Deliveries are to be restricted to 12 pm to 6 pm.
23. The outside area around the premises must be kept clean, and littering must be avoided.
24. Implement Challenge 25 and advertise it on the premises. Unsupervised children are not allowed on the premises; children must be accompanied by parents until 7 pm, after which a no-children policy is enforced.

Conditions agreed between Police Licensing and Applicant: -

25. CCTV shall be installed and maintained to function all times that the premises is open for licensable activities. CCTV shall comply with the following:
 - a. The system will record in real time and recordings will be date and time stamped;
 - b. 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 48 hours of any request.
 - c. 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.
 - d. The CCTV camera views are not to be obstructed.
 - e. At all times when the premises are open for the purposes of licensable activities, a suitably trained member of staff shall be present to assist the Police or an authorised officer in obtaining the CCTV footage.
26. Police must be called to incidents of violence and/or disorder where appropriate

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27. An incident log shall be kept at the premises and be made available upon request to the Police or the Local Authority. The book will record the date, time and whom is making the entry. The following must be recorded:
 - f. All crime reported to the venue
 - g. All refused sales
 - h. Any complaints received
 - i. Any faults in the CCTV system
 - j. Any visit by a relevant authority or emergency service
 - k. CAD reference numbers where Police are called
28. All products to be paid for in full at the point of sale. No 'credit' to be offered to any customers.
29. Deliveries of alcohol shall only be delivered to a verified address only
30. Any couriers utilised in the delivery process must operate a Challenge 25 scheme as a safeguard against provision to under age recipients.

Conditions imposed at 21 March 2024 Licensing Panel D meeting

31. The Licence Holder to provide a contact number to local residents.
32. No waste disposal shall take place after 8pm.

8. ANY OTHER BUSINESS THAT THE CHAIR CONSIDERS URGENT

There was no other business.

9. LOCAL GOVERNMENT ACT 1972 - ACCESS TO INFORMATION

The hearing ended at 7.50 pm.

CHAIR

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MINUTES END