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**I want to apply for a** Premises licence

**Are you an agent?** No - I'm applying for myself

**Does the premises have a name?** Yes

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

**What is the address or location?** 55 South End Road  
NW3 2QB  
London

**What is the type of premises?** A Gelato/Ice Cream Shop

**Describe the area it is situated in** Residential Area

**Describe the layout of the premises** Ground floor only , with a Front of house including the ice cream display / coffee bar area with seating for customers towards the rear of the store

**Copy of the premises plans**

- Badiani-55southendroad,NW32QB(1).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	10:00	23:00
Saturday	10:00	23:00
Sunday	11:00	22:00

<b>Are there any seasonal variations for the premises opening times?</b>	No
<b>Is the premises open to the public at times other than those listed?</b>	Yes
<b>What are the other times?</b>	Bank Holidays
<b>Is the premises an open space?</b>	No
<b>Is the premises currently under construction?</b>	No
<b>What is the non-domestic rateable value (NDRV) of the premises?</b>	30000
<b>How many people are expected to attend the premises at any one time?</b>	Less than 5000 people
<b>Will the premises be exclusively or primarily used to sell alcohol?</b>	No
<b>How are you applying for a premises licence?</b>	As a limited company

**Business details**

<b>What is the company registration number</b>	09303465
<b>Name of business</b>	Badiani Limited
<b>Name and address</b>	████████████████████ ██████████ ██████████
<b>Email address</b>	████████████████████
<b>Telephone number</b>	██████████

**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** f. Recorded music  
j. Supply of alcohol

**Recorded Music**

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	23:00
Saturday	11:00	23:00
Sunday	11:00	22:00

**Where will performances take place?** Indoors

**Tell us about the specifics of the activity** Only recorded music to be played for customer ambience

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

**Will the activity take place at times other than those listed?** Yes : Bank Holidays

**Alcohol supply**

<b>Day</b>	<b>Start time</b>	<b>End time</b>
Monday	12:00	21:30
Tuesday	12:00	21:00
Wednesday	12:00	21:00
Thursday	12:00	21:00
Friday	12:00	21:00
Saturday	12:00	22:30
Sunday	12:00	22:30

**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?**

Yes : Bank Holidays

**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**

██████████

**Issuing local authority**

████████████████████

**First name**

Faraj

**Last name**

Faraj

**Address**

[REDACTED]  
[REDACTED]  
[REDACTED]

**Signed Copy of the Designated Premises Supervisor (DPS) consent form**

- Schedule\_15\_-\_6\_3\_17\_Consent\_of\_individual\_to\_being\_spec doc

**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**

Security Measures: Install CCTV cameras covering all public areas, entrances, and exits. Ensure footage is stored for a minimum period (e.g., 30 days) and is accessible to the police on request. Staff Training: Train all staff in responsible alcohol sales, including recognizing signs of intoxication and handling difficult situations. Incident Log: Maintain an incident log to record any occurrences of crime or disorder, which can be reviewed by management and authorities.

**Public safety**

Health and Safety Policies: Implement comprehensive health and safety policies, including regular risk assessments and staff training on emergency procedures. Capacity Limits: Adhere to a maximum capacity limit of 50 to prevent overcrowding and ensure safe evacuation in case of an emergency. Fire Safety: Install and maintain fire safety equipment (e.g., alarms, extinguishers) and conduct regular fire drills. Clear Signage: Ensure clear signage for emergency exits, toilets, and areas where caution is needed (e.g., wet floors).

**The prevention of public nuisance**

Waste Management: A waste management plan to ensure timely and proper disposal of waste, reducing litter and unpleasant odors.

Delivery and Collection Times: Schedule deliveries and waste collections during daytime hours to minimize disturbance to neighbors.

**The prevention of children from harm**

Age Verification: Implement a strict Challenge 25 policy to prevent underage sales of alcohol. Use age verification devices and train staff on age verification procedures. Parental Supervision: Require children to be accompanied by a responsible adult at all times.

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

Camden Town Hall  
Judd Street  
London  
WC1H 9JE

**Contact phone**

020 7974 4444

**Form reference**

Ref. no. 121361

**Data protection**

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# Badiani - 55 south end road , NW3 2QB



Emergency Light



Edge lit glass illuminated running man sign



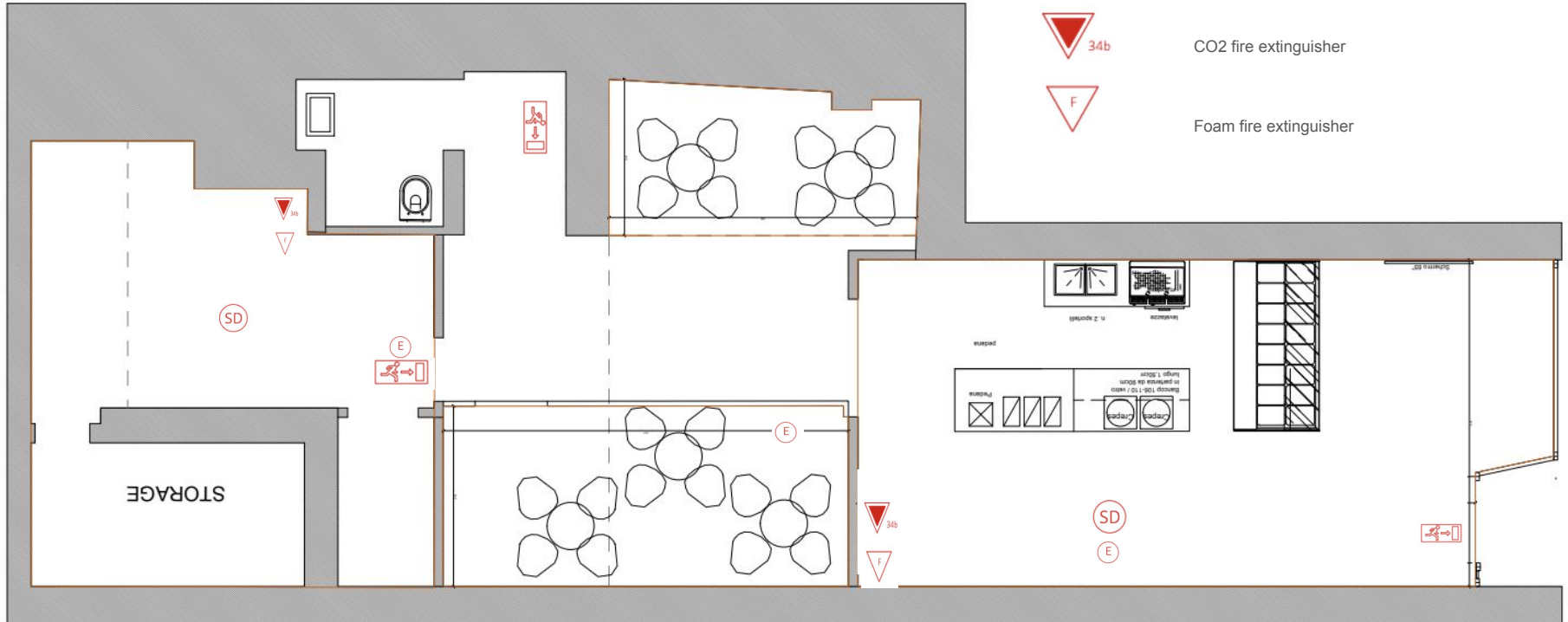
Smoke detector



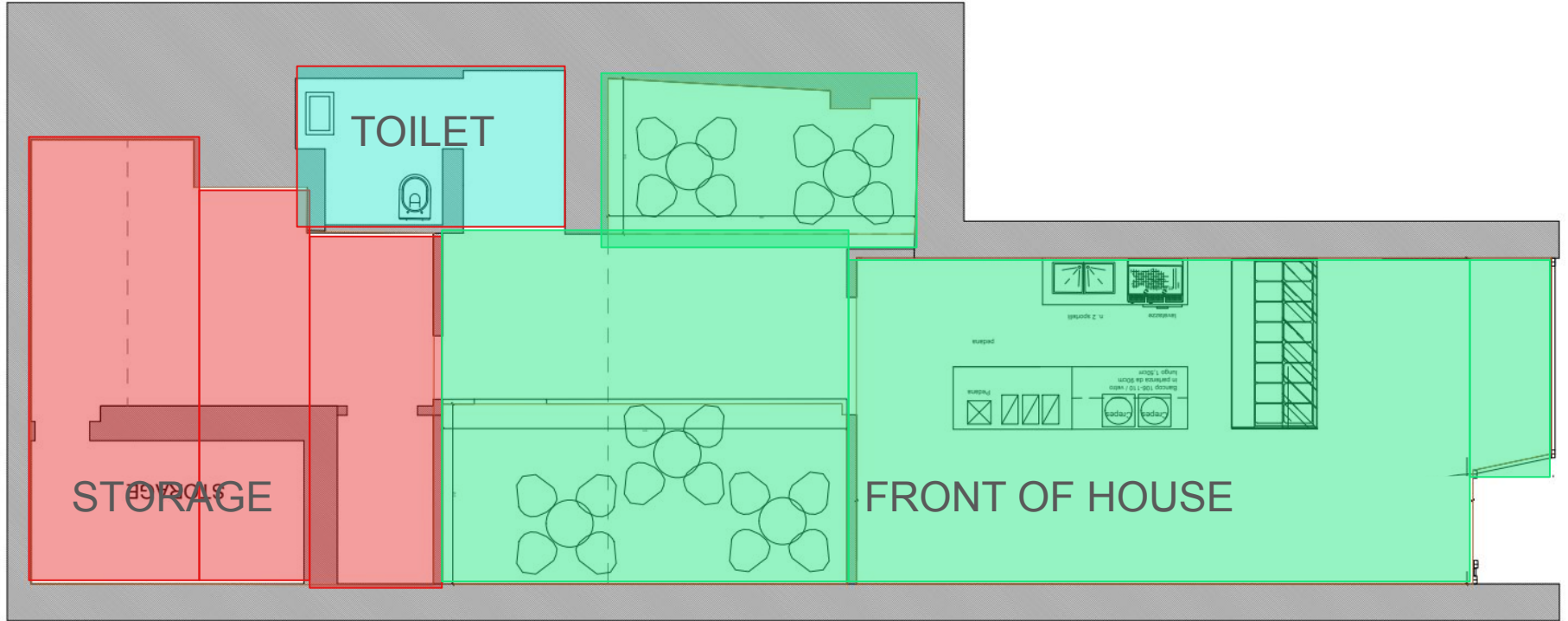
CO2 fire extinguisher



Foam fire extinguisher







<b>Representation</b>	
Premises name	Badiani Hampstead
Application reference number	APP\PREMISES-NEW\121361
Last date for representation	26/06/2024

**Making a representation as**

As an individual

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

Amir

**Last name**

Ghassemi

**Telephone number (optional)**

[REDACTED]

**Email address**

[REDACTED]

**Address**

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

**Remain anonymous**

No

**Grounds of representation**

- prevention of crime and disorder
- prevention of public nuisance

**Details of representation**

1 - Alcohol Serving: The serving of alcohol at this establishment is likely to result in increased noise levels and may contribute to antisocial behaviour, negatively impacting the local residents. Given the abundance of pubs and bars in the area, it is unnecessary for an ice cream shop to offer alcohol. It is essential for residents and local businesses to collaborate and coexist peacefully, maintaining a harmonious community environment. 3 - Music Hours:

music should not be audible within the residential properties located above the commercial premises AT ANY TIME OF THE DAY. This measure is crucial to ensure the residents' right to a peaceful living environment is respected.

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<b>Representation</b>	
Premises name	Badiani Hampstead
Application reference number	APP\PREMISES-NEW\121361
Last date for representation	26/06/2024

**Making a representation as**

As an individual

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

Charlotte

**Last name**

Markham

**Telephone number (optional)**

[REDACTED]

**Email address**

[REDACTED]

**Address**

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

**Remain anonymous**

No

**Grounds of representation**

- prevention of public nuisance

**Details of representation**

Noise. As a resident of Wentworth Mansions and director of Wentworth Mansions Ltd, I am fully supportive of a thriving high street. However it is key that this does not come at the expense of residents in flats above the shops, who have the right to enjoy their properties free from nuisance noise. I therefore ask that any music played in the shop be set at a sound level that cannot be heard in the property above the shop, at any hour.

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# *The Heath & Hampstead Society*

*President Lord Hoffmann Vice Presidents Martin Humphery, Helen Marcus Chair Marc Hutchinson  
Patrons: Lady Hopkins, Gerry Isaaman OBE, Sir Simon Jenkins, Bill Oddie, Tom Oliver,  
Sir John Tusa, Christopher Wade*

**25 June 2024**

**Dear Licensing Team**

***Badiani – PREM-LIC\121360 (APP\PREMISES-NEW\121361)***

**I am writing to you regarding licensing application PREM-LIC\121360, for a licensing application by Badiani at 55 South End Road NW3 2QB.**

**Whilst we understand there are reasons for an ice cream parlour to want to offer alcohol, we find the hours applied for objectionable. We have been informed the extended hours are to ‘allow a complete application in case we decide to flex our operating hours’. Given the number of licensed premises in the area, offering on and off premises alcohol sales, we object in the strongest possible terms to a carte blanche for an operator to serve alcohol later should they unilaterally decide to do so.**

**We are also deeply concerned at the application to sell alcohol to take off premises. As you will know, there are already a number of premises doing this and indeed lodged an objection at MUST wine bar (NEW/104978) doing so until reassurances were provided. I’m sure you are also aware that the Heath Constabulary have been overwhelmed by the number of drinkers at this corner of the heath. Allowing yet another premises to do this will only exacerbate the problem.**

**The applicant says they are committed to not ‘exacerbating these problems’ that exist; we suggest that not allowing off-sales is the only way to do so.**

**The application also seeks to play recorded music in the venue. Residents who live above these premises, in Wentworth Mansions, have complained about excessive noise from the venues below. We would seek written guarantees that recorded music will be kept to a tolerable level.**

**There is also concern locally regarding the private events the applicant says they would have in the venue. We seek further information on this, including how frequently and how many people they expect to attend.**

**We are willing to withdraw our objection if the application for alcohol sales mirrors that of the venue’s opening times (for private events, they can apply for a temporary license as and when it’s needed), they apply only for a on-sales license with no off-sales at the premises, and with a written guarantee regarding noise levels for recorded music,**

**We hope you take the concerns we have presented on behalf of local residents into account when considering this application.**

**Yours sincerely,**

**Madhavan Raman  
Trustee**

**To: Licensing Team  
London Borough of Camden**

<b>Representation</b>	
Premises name	Badiani Hampstead
Application reference number	APP\PREMISES-NEW\121361
Last date for representation	26/06/2024

**Making a representation as**

As an organisation

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

Heath and Hampstead Society

**First name**

Madhavan

**Last name**

Raman

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

[REDACTED]

**Address**

[REDACTED]

[REDACTED]

[REDACTED]

**Remain anonymous**

No

**Grounds of representation**

- prevention of crime and disorder
- prevention of public nuisance

**Details of representation**

The application will potentially exacerbate excessive drinking around South End Green and fringes of the heath. There are already a number of places selling alcohol off premises. We have concerns regarding recorded music and need reassurances.

**Supporting documents (optional)**

- 121360.docx

## About this form

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London  
WC1H 9JE

**Contact phone**

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**From:** nigel steward <[REDACTED]>  
**Sent:** Friday, June 14, 2024 1:59 PM  
**To:** licensing inbox <[licensing@camden.gov.uk](mailto:licensing@camden.gov.uk)>  
**Subject:** Application ref : APP/PREMISES-NEW/ 121361

You don't often get email from [nigelsteward86@gmail.com](mailto:nigelsteward86@gmail.com). [Learn why this is important](#)

**[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.

Licence ref: PREM-LIC/121360

Badiani Hampstead 55 South End Road NW3 2QB

As Chair of Keats Grove RA , I object to this Licence Application & would like to confirm the objections put in by Steven Bobasch on 1st June in their entirety now that I have had an opportunity to visit the ice cream parlour . I concur with his views .

There are so many licensed premises in South End Green already ...so many that it attracts beggars & street drinkers all the day & night as the Met Police will confirm . Please inform me of any hearing .

Nigel Steward

<b>Representation</b>	
Premises name	Badiani Hampstead
Application reference number	APP\PREMISES-NEW\121361
Last date for representation	26/06/2024

**Making a representation as**

As an individual

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

Steven

**Last name**

Bobasch

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

[REDACTED]

**Address**

[REDACTED]

[REDACTED]

[REDACTED]

**Remain anonymous**

No

**Grounds of representation**

- prevention of crime and disorder
- ensuring public safety
- prevention of public nuisance
- protection of children from harm

**Details of representation**

We object to the application on the grounds attached

**Supporting documents (optional)**

- BadianiLicenceapplication.docx

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London  
WC1H 9JE

**Contact phone** 020 7974 4444

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Application reference APP\PREMISES-NEW\121361

Licence reference PREM-LIC\121360

Premises name Badiani Hampstead

Premises address 55 South End Road NW3 2QB

We are delighted to see another upmarket ice-cream parlour is coming to our street.

However the application for a Licence for the parlour raises 3 issues:

- 1 Why does an ice-cream parlour need a licence at all?
  - a. Given it will be aimed at much at children and vulnerable people as anyone else, is it appropriate to serve alcohol?
- 2 The licencing hours requested appears strange for an ice-cream parlour.
  - a. They ask to go onto 22.00 weekdays and Sundays while Friday and Saturday go on to 23.00.
  - b. Given that the sale of ice-cream would appear to be highly improbable late at night, we can only assume that the late night will be for sale of alcohol only.
- 3 The layout could mean that there would be a drinking "den" in the rear in the evenings.

**Accordingly absent proper explanation, I would OPPOSE the licence totally for this ice-cream parlour.**

In the event that an explanation is available on point 1 above and licence is considered a reasonable request, I would however OPPOSE the late night hours requested and ask that they be limited to a shop time, say 19.00 ?

Thank you.

1. CCTV shall be installed, operated, and maintained, to function all times that the premises is open for licensable activities. CCTV will 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.
2. There shall be no vertical drinking and all alcohol sales shall be ancillary to food.
3. The capacity of the venue inside the premises will not exceed 50 persons.
4. Police must be called to incidents of violence and/or serious disorder.
5. 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:
  - a. All crime reported to the venue.
  - b. All refused sales
  - c. Any complaints received.
  - d. Any faults in the CCTV system
  - e. Any visit by a relevant authority or emergency service
  - f. CAD reference numbers where Police are called.
6. 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
7. The licensee will ensure that staff are trained, as appropriate, in respect of relevant Licensing Law; crime scene best practice and upon the sale of alcohol to drunks and to persons underage. Training shall be written into a programme, on-going review and will be made available for inspection by Police or other responsible authority, upon request.
8. The venue shall not engage the services of street promoters to encourage clientele to attend the venue.
9. No patron shall be permitted to leave the premises whilst in the possession of any drinking vessel or open glass bottle whether empty or containing any beverage. This includes patrons using the smoking area(s).
10. Consumption of alcohol on the premises shall cease 30mins after the permitted hours for the sale of alcohol.

11. Waste Management: A waste management plan to ensure timely and proper disposal of waste, reducing litter and unpleasant odours.
12. Delivery and Collection Times: Schedule deliveries and waste collections during daytime hours to minimize disturbance to neighbours.

## 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.