



Crown copyright and database rights 2024 OS 100019726



I want to apply for a	Premises licence
Are you an agent?	Yes - I am an agent
Agent Details	
First name	Reba
Last name	Danson
Name of business	TL Guys Ltd T/A The Licensing Guys
Name and address	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Email address	[REDACTED]
Telephone number	[REDACTED]
Does the premises have a name?	Yes
What is the name of the premises?	Humdingers
What is the address or location?	39 Brecknock Road N7 0BT London
What is the type of premises?	Cafe/Restaurant
Describe the area it is situated in	Urban mix of commercial/residential
Describe the layout of the premises	Ground floor and upper mezzanine level.
Copy of the premises plans	<ul style="list-style-type: none"> • 101-24-PremisesPlan.pdf

Tell us about the premises business hours

Day	Start time	End time
Monday	07:00	22:00
Tuesday	07:00	22:00
Wednesday	07:00	22:00
Thursday	07:00	22:00
Friday	07:00	22:00
Saturday	07:00	22:00
Sunday	07:00	22:00

Are there any seasonal variations for the premises opening times?

No

Is the premises open to the public at times other than those listed?

No

Is the premises an open space?

No

Is the premises currently under construction?

No

What is the non-domestic rateable value (NDRV) of the premises?

16750

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

Less than 5000 people

Will the premises be exclusively or primarily used to sell alcohol?

No

How are you applying for a premises licence?

As a limited company

Business details**What is the company registration number**

[REDACTED]

Name of business

Humdingers Catering Limited

Name and address

[REDACTED]

[REDACTED]

[REDACTED]

Email address

[REDACTED]

Telephone number

[REDACTED]

How long do you want your premises licence for?

Permanently

When do you want your licence to start?

As soon as possible

Activity you wish to licence

j. Supply of alcohol

Alcohol supply

Day	Start time	End time
Monday	12:00	22:00
Tuesday	12:00	22:00
Wednesday	12:00	22:00
Thursday	12:00	22:00
Friday	12:00	22:00
Saturday	12:00	22:00
Sunday	12:00	22:00

Where will the supplied alcohol be consumed? Both

Are there any seasonal variations for the activity? No

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

DPS details

Does your designated premises supervisor (DPS) currently hold a personal licence? Yes

Was their personal licence issued by Camden? No

Personal licence number [REDACTED]

Issuing local authority [REDACTED]

First name [REDACTED]

Last name [REDACTED]

Address [REDACTED]
[REDACTED]
[REDACTED]

Signed Copy of the Designated Premises Supervisor (DPS) consent form • 101-24-DPSConsent-BillMARSDEN.pdf

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

The prevention of crime and disorder CCTV A suitable closed-circuit television

(CCTV) system shall be in operation whilst members of the public are in attendance. The CCTV system will provide clear images in all levels of lighting, enabling facial-recognition, of all areas of the licensed site to which the public have access (save for toilets/showers/changing areas). The CCTV system camera coverage shall include external areas used by customers. At least one member of staff shall be on duty at the premises who can operate the system and download recorded images. These images will be downloaded and provided immediately, or where this is not possible as soon as practicable, on request to an officer of a Responsible Authority. Staff must be trained to operate the CCTV. The CCTV system shall be capable of retaining images for a minimum of 31 days, will be of good quality and will contain the correct time and date stamp information. The CCTV system and images will be kept in a secure environment to which members of the public will not be permitted access. Last Entry There shall be no admittance or re-admittance to the premises after 21:30 hrs except for patrons permitted to temporarily leave the premises to smoke. Staff Training All staff responsible for selling alcohol shall receive induction and/or refresher training (at least annually) commensurate with their role and responsibilities in relation to the sale of alcohol and the times and conditions of the premises licence. Training shall include Challenge 25, the requirement and process for completing both the incident log and refusal log (detailed below), and the operation of the CCTV system in the event of a request by Police or an officer of a

Responsible Authority. Training will be documented, kept at the premises for at least 12 months from the last entry, and made available to the Police and/or Local Authority upon request. Written Delegated Authority Where alcohol sales are made under a Personal Licence Holder's delegated authority, a written record of the delegation of authority must be maintained on the premises and available for inspection. The record must include: a. The name of the personal licence holder delegating their authority. b. The personal licence number and issuing authority c. The name(s) of the person being authorised d. The date the delegated person received training on their responsibilities under the Licensing Act 2003 e. The signatures of the personal licence holder delegating their authority, Alcohol Off Sales Alcohol for consumption OFF the premises may only be provided in sealed containers. Alcohol On Sales Alcohol sales for consumption ON the premises must be by table service to customers seated in the restaurant, with the exception of booked private hire events. Alcohol sales for consumption ON the premises must end at 21:30hrs, 30 mins before closing to allow adequate drinking up time for alcohol already purchased. Alcohol in open containers may not be taken outside the premises. Refusal Log There shall be a register for the recording of all alcohol sale refusals, including attempted under-age sales, proxy sales and refusals to those who appear intoxicated. Details to be recorded shall include the date, time, name (if known), physical description of the person, the reason for the refusal, names of

staff involved, and whether the refusal was captured on CCTV. Any identification document coming into the possession of a member of staff, including security staff, shall be recorded in the register, including the name of the person/name on the identification document. The register shall be available for immediate inspection by any authorised officer of the responsible authorities and shall be securely retained by the licence holder for a for a period of 12 months from the date of the last entry.

Incident Log An incident log shall be maintained on the premises. Records should include occurrences of: anti-social behaviour, admission refusals, ejections, seizure of prohibited items, welfare and safeguarding matters, accidents, and safety incidents. The record must also include all noise or disturbance complaints received by telephone, email, or in person, together with the outcome of investigation to establish the source of the disturbance, findings, and actions taken. The records shall include the date, time, and location of the incident or complaint, personal details and contact information for all people involved including any witnesses, any crime number, and details of police officers attending. Incident and accident records must be kept in a bound register with consecutively numbered pages or electronically on a secure digital system. In each case, the information recorded must be processed, stored, and handled in compliance with The General Data Protection Regulation. The records shall be available for inspection by any authorised officer of the responsible authorities and shall be securely retained by

Public safety

the licence holder for a period of 12 months after the last entry. Police must be called to incidents of violence/disorder. The capacity of the premises may not exceed 50.

A current Fire Risk Assessment will be kept on the premises and produced for inspection by an officer of a Responsible Authority on request.

The prevention of public nuisance

General The premises licence holder will operate the business with general consideration in respect of the neighbouring properties. Contact Number Neighbours in the immediate vicinity of the premises must be furnished with the direct name and contact number of the Café Manager/SPOC (Single Point of Contact) for ease of making contact to highlight any issues, should the need arise. Signage Clear and prominent notices requesting patrons speak quietly and with consideration for neighbouring properties will be displayed: • in the area of the seating (benches) immediately outside the premises • within the WCs • and at the exit. The licence holder shall ensure no noise or vibration emanates from the premises so as to cause a nuisance.

Alleyway Staff will be vigilant and regularly check the outside area to ensure the alleyway remains clear, unobstructed by both customers and staff at all times. Toilet Window The WC window will be locked at all times.

The prevention of children from harm

Age Verification Scheme A challenge 25 age verification scheme will operate at the premises whereby any person who appears to be under 25 years of age, and unknown to the staff member serving as a person over 18 years of age, shall not be served alcohol unless they provide identification to

prove they are over 18 years of age.
Acceptable forms of identification will be a valid passport, a valid photo ID driving license or a valid proof of age scheme card with the PASS approved hologram.
Appropriate signage advertising the operation of the Challenge 25 scheme must be displayed in the vicinity of all points of sale for alcohol.

About this form

Issued by	Camden Town Hall Judd Street London WC1H 9JE
Contact phone	020 7974 4444
Form reference	Ref. no. 121766

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.

How are you making a representation: As an individual

Grounds of representation:

-prevention of public nuisance

As a resident living in the same building as Humdingers I just have some further questions I would like answered. It's disappointing that Humdingers didn't spend any time consulting with and discussing these things with the residents prior to making this application.

The

questions are

- Soundproofing: The residents sharing the building have not been consulted on this. There was no noise testing carried out from within our properties - so I am just interested to know how they determined the level/ type of soundproofing required and whether this is sufficient.

- Licence applied for. I would appreciate clarification on whether the licence is for alcohol with food only or also without food, whether there will be drinking (and eating) on the street outside, and whether you will or will not be holding live music/ or drum n'bass nights at the venue.

- Alleyway obstructions: As the residents, we share an alleyway with Humdingers - this is the only entranceway to our flats. At present there are boxes, bins, and staff smoking in the alleyway. This is really unpleasant as an entranceway to our homes and will decrease the value of our flats. Please confirm if you will be putting in a gate at the entrance to the alley (as previously offered).

- Fire safety: At the last

hearing, the Council asked whether sufficient fire safety checks had been completed ??? they noted it was not reasonable to suggest the only fire escape was a window. We are also just keen to ensure fire safety regulations have been met as our flats are obviously above the premises, and the only way out for us in the event of a fire is the adjoining alleyway. Could we please have confirmation of the position on this.

I have lived in this flat for 10 years now and love my home and the area I live very much. There are families in the building and it is a very peaceful and calm area to live. I'm delighted that a nice cafe has opened on the road and very much want to help support the business grow - I'm not opposing an alcohol licence, I just want to understand a bit more about what is actually being proposed and would have been grateful for Humdingers to have consulted with the residents a bit more on this process to make sure that our lives and homes aren't disturbed in any negative way.

Caroline Lobsang

Flat 3 39 Brecknock Road

London

N7 0BT

[REDACTED]

Dear Reba

Following on from the hearing on the 4th April 2024 (the “**Hearing**”) and Camden Council’s Panel decision notice dated 17th April 2024 (“**Decision Notice**”) - we thank Humdingers for their letter dated 7th June 2024, received on the 11th June 2024 (served by hand, not post) - the contents of which are noted. We attach a copy of this letter.

We further note that a notice of a premises licence application was put on the front fascia to the premises on Thursday 12th June.

Overridingly, it’s great that Humdingers are engaging with us. However, there are a few things that we need to just iron out.

Sound proofing, sound testing and working with the residents

We note that Humdingers have done some sound proofing (“SP”) and that they say they’ve done some sound testing.

This is very positive and we are grateful for this - this is as per the Decision Notice’s request.

Camden Council also asked in the decision notice that Humdingers cooperate and work more closely with the residents moving forwards - unfortunately there was no discussion prior to the installation of the sound proofing; and there’s been no correspondence or discussion of any nature from Humdingers with any of the residents since the Hearing. And certainly, there was no testing noise testing carried out from within the residents’ properties, which the Council suggested be required.

We became aware of the SP installation because we could hear all the works being carried out through the party walls (please see an example video attached) and we noted that Humdingers stored all of the materials for this installation in the alleyway to our flats and used the alleyway, causing blockages – the use and blockage of which Humdingers do not have a right to do (please see photos attached of the blockages and materials in the alleyway). Flat 1 had to literally lift and carry a buggy over the materials left in the alleyway.

We would have been grateful if Humdingers could have consulted with us before doing this because that is our only access to and from our flats and it created access issues and serious nuisance to all residents. Please can Humdingers refrain from doing such things in the future or at the very least please speak to us if they would like to do that before blocking the alleyway.

We then received Humdingers’ letter dated 7th June but which was not delivered to us until the 11th June.

And finally we saw the notice of Humdingers recent new licence application in the shop front fascia on the 12th June.

We would have really appreciated the opportunity to discuss the application, efforts to reduce social nuisance and the sound proofing with Humdingers, before they submitted the new licence application but given their letter was received a day before the notice went up there was no such opportunity unfortunately.

Sound proofing

As you may or may not be aware, Humdingers share a building with the residential tenants, including share Party Walls, a window that is a meter away from a baby's bedroom, a window that opens into a communal lightwell (which abuts all residents' bedrooms) and are immediately adjacent to the alleyway which is the tenants' only means of access to and egress from their flats – and the entrance to the flats being in close proximity, 10 meters away.

Given that there has been no discussion with the residents prior to the SP installation, we would like to understand:

1. what does the SP that's been installed comprise of?;
2. what is the design Db rating of this additional insulation?;
3. What is intended to be done about the window that is less than a meter from a baby's bedroom window and which opens into the lightwell which goes into all residents bedroom windows (please see attached photograph showing the proximity of Humdingers window attached). We note that you say it will be "closed". However, if it is not permanently sealed and the glass further sound proofed there's nothing to: (a) stop sound coming through the glass and (b) stop customers opening the window in the evening (and especially after the baby's bedtime (7pm). Please confirm that the window will be sealed and further sound proofed; and
4. Has some alternative ventilation been installed in the bathroom because the window must be kept sealed and closed?

Sound testing

Addressing the sound testing – overridingly, and worryingly there's been no sound testing done from within any residents' flats to see what type of sound proofing was needed **pre-** installation; nor has there been any sound testing down from within any of the residents' flats **post-**installation to see if the sound proofing that has been done is sufficient / effective.

And so:

1. We are not sure how Humdingers can be satisfied (or know) that there will be no noise that comes through the Party Walls, window, shared lightwell and alleyway – please can you provide us with a copy of the professional Noise Survey you mention in your letter?
2. Please can you confirm where the noise levels were tested for sounds, and confirm where the noise levels were tested going from and going to?
3. Humdingers mention that the Environmental Health Department will be scrutinising the Noise Survey – please can you confirm when this will be done and provide us with the contact information of the people conducting this at the EHD?

Alcohol service / outside of the premises

We note that in the Application for Premises Licence Ref no. 121766 (the "**New Application**"), where it asks the question: "*Where will alcohol be consumed*" the reply is "*Both.*"

We are unsure as to what this means and so for the avoidance of doubt, and as per Humdingers previous letter from the 14th March 2024, please confirm that alcohol will not be:

1. served or consumed immediately outside / at the frontage / on the benches outside the premises; nor
2. for standing purposes (alcohol only to be served whilst customers are seated, with food, as per your letter – but we would just be grateful for further confirmation).

Intended use of premises

Please can you confirm what the intended use of the premises with the sale of alcohol is now.

In Humdingers letter dated 7th June 2024 it refers to modifying the application to 'only alcohol sales'.

Initially (in February / March) Humdingers said that the licence would be used for an occasional fine wine evening; then the last premises licence application was for live music and mic nights with the sale of alcohol; then Humdingers told us about the drum and bass raves they were going to hold with temporary licences; and now it looks like alcohol on and off the premises Monday to Friday, 12 until midnight – although we note that there are references to private hire events.

We have concerns that on the last occasion Humdingers made threats to the residents about "holding drum and bass raves and making our lives hell" - and we have seen the social media posts where the Managing Director of Humdingers laughs in front of Islington Town Hall about holding raves (please see video from Instagram attached).

In our email dated the 18th March 2024, we had offered to work with Humdingers on the fine wine evenings but this offer has been ignored – so we assume that this is no longer the intention.

There have been various different things mentioned and said about what is going to happen at the premises (as above) and so, hopefully understandably, given the comments made and the social media posts, we have concerns and worries about the use - especially given the shared building, lightwell, window and alleyway - and alleyway that Humdingers staff have been smoking at the entrance to and been blocking with your equipment (please see further photos attached of staff smoking).

And so we would be really grateful if you could please detail what the intention now is moving forwards for this licence with the sale of alcohol?

Live music / private hire events

Noted that Humdingers say that they are now 'only' applying for alcohol.

However, we also note that there has been a change in regulations which Humdingers may or may not be aware which imply that you no longer need to specify live music events with a premises licence as it will be incorporated - Entertainment Licensing - GOV.UK (www.gov.uk)

Please can you confirm the intention for the Private Hire Events that are briefly mentioned in your letter to us?

Smoking Area

We note that you are providing allowance for people to leave the premises to smoke (including after 930pm, 30 minutes before closing).

In your letter from 14th March 2024 , prior to the 4th April hearing, Humdingers stated that they had created a designated smoking area. Please can you confirm where that is?

At present you've put the smoking bin/ash tray at the entrance to our alleyway – which is less than 2 meters from the alleyway. Our flats are less than 10 metres away from there and since the last application we can smell the smoke in the alleyway and our flats. It's not fair reasonable or acceptable. Please see photos attached of Humdingers staff using the entrance to the alleyway to smoke.

Please can you:

1. confirm where the designated smoking area is;
2. move the smoking bin / ash tray to the other side of your premises (so that it is not next to the alleyway)?; and
3. immediately ask all staff and customers not to smoke at the entrance to the alleyway.

Gate at entrance to alleyway

Humdingers previously suggested a gate could be installed at the entrance to the alleyway - please can you confirm whether this has been agreed / discussed with the landlord? Particularly in light of issues with Humdingers staff using storing equipment in and blocking the alleyway, without permission - as detailed in this reply. It would be good to discuss this option further.

Social nuisance

In addition to the issues with Humdingers staff smoking at the alleyway entrance, there have also been multiple times when crates, boxes and other equipment has been left blocking the entrance to, and access within, the alleyway – please see photographs of such incidents attached. This is not fair reasonable or acceptable and is a real social nuisance. Please can you stop creating blockages with your crates and equipment to the alleyway.

Designated supervisor

Please could we have a copy of the designated supervisor form – which has reference *101-24-DPSConsent-BillMARSDEN.pd*

Manager contact details in the event of public nuisance

The application states that we will be provided with the direct name and contact number of the Café Manager/SPOC (Single Point of Contact) – please can we have those details.

Number of people at the premises

We just also wanted to understand why the New Application refers to the number of people at the premises being 'less than 5000' – whereas in Humdingers letter dated 7th June the Schedule refers to capacity as 50. We'd be grateful if you could please confirm what the maximum number of people allowed is (including for private hire events)?

Working more closely with the residents

As per our email dated the 18th March 2024, we very much want to work with you so that we can have a peaceful coexistence in the event that you are granted a licence to serve alcohol.

Despite the Council's panel decision notice asking that Humdingers work closely with us, sadly and upsettingly, we note that Humdingers (aside from the list of issues detailed herein) have been posting videos on social media mocking Camden Council's request for sound proofing along with mocking the residents. Please see videos from Instagram attached.

It is upsetting because Humdingers have also been discussing this with other shop occupiers on the street – the owners of Best One and the owners of Salvinos. We have lived here for 12 years and they have let us know Humdingers say that we are being unreasonable and complaining. We do not feel we are being unreasonable or complaining – we would just like Humdingers to have more consideration and respect for our living here and sharing facilities with them.

The Council in the last hearing and in the decision notice raised concerns about the attitude of Humdingers and it seems that this attitude has been maintained rather than reflected on and adjusted.

Fire Safety

At the last hearing, the Council asked whether sufficient fire safety checks had been completed – they noted it was not reasonable to suggest the only fire escape was a window. We are also just keen to ensure fire safety regulations have been met as our flats are obviously above the premises, and the only way out for us in the event of a fire is the adjoining alleyway. Could we please have confirmation of the position on this.

Waste Management

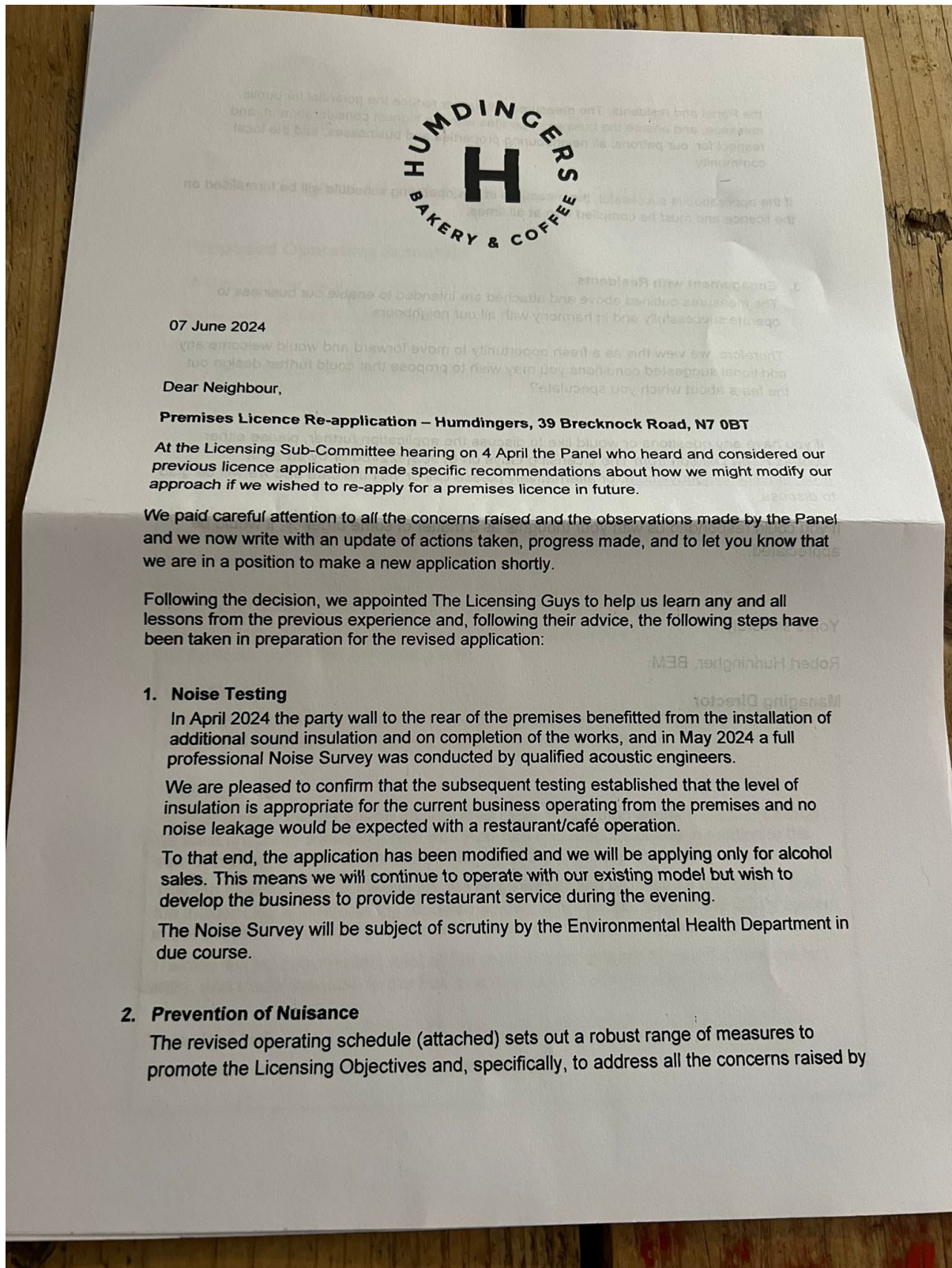
Finally, please see my brother Alex's email sent to regarding this is Humdingers could please look to work with us on this front as well.

Yours sincerely,

Flats 1, 2 and 3, 39b Brecknock Road

cc Camden Council - [REDACTED]

Humdingers letter to residents 7th June/photos of Humdingers use of alleway/videos of Humdingers social media posts



the Panel and residents. The measures will further reduce the potential for public nuisance, and ensure the business operates with the highest consideration of, and respect for, our patrons, all neighbouring properties and businesses, and the local community.

If the application is successful, the measures in this operating schedule will be formalised on the licence and must be complied with at all times.

3. Engagement with Residents

The measures outlined above and attached are intended to enable our business to operate successfully and in harmony with all our neighbours.

Therefore, we view this as a fresh opportunity to move forward and would welcome any additional suggested conditions you may wish to propose that could further design out the fears about which you speculate?

If you have any questions or would like to discuss the application further, please either contact Reba Danson from The Licensing Guys on 07983 922180 or by email at reba@thelicensingguys.com, or alternatively please call or visit the café and we will be glad to discuss.

If you could respond to us with your thoughts as a matter of some urgency, it would be appreciated.

Yours sincerely,

Robert Hunningher, BEM

Managing Director



THE LICENSING GUYS
KEEPING YOU LEGAL AND TRADING

Humdingers, 39 Brecknock Road, LONDON, N7 0PT

Proposed Operating Schedule

M Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives

CCTV

A suitable closed-circuit television (CCTV) system shall be in operation whilst members of the public are in attendance.

The CCTV system will provide clear images in all levels of lighting, enabling facial-recognition, of all areas of the licensed site to which the public have access (save for toilets/showers/changing areas).

The CCTV system camera coverage shall include external areas used by customers. At least one member of staff shall be on duty at the premises who can operate the system and download recorded images.

These images will be downloaded and provided immediately, or where this is not possible as soon as practicable, on request to an officer of a Responsible Authority.

Staff must be trained to operate the CCTV.

The CCTV system shall be capable of retaining images for a minimum of 31 days, will be of good quality and will contain the correct time and date stamp information.

The CCTV system and images will be kept in a secure environment to which members of the public will not be permitted access.

Last Entry

There shall be no admittance or re-admittance to the premises after 21:30 hrs except for patrons permitted to temporarily leave the premises to smoke.

Staff Training

All staff responsible for selling alcohol shall receive induction and/or refresher training (at least annually) commensurate with their role and responsibilities in relation to the sale of alcohol and the times and conditions of the premises licence.

Training shall include Challenge 25, the requirement and process for completing both the incident log and refusal log (detailed below), and the operation of the CCTV system in the event of a request by Police or an officer of a Responsible Authority.

Training will be documented, kept at the premises for at least 12 months from the last entry, and made available to the Police and/or Local Authority upon request.

Capacity Limit

The capacity of the premises may not exceed 50.

Written Delegated Authority

Where alcohol sales are made under a Personal Licence Holder's delegated authority, a written record of the delegation of authority must be maintained on the premises and available for inspection.

The record must include:

- a. The name of the personal licence holder delegating their authority.
- b. The personal licence number and issuing authority
- c. The name(s) of the person duly authorised
- d. The date the delegated person received training on their responsibilities under the Licensing Act 2003
- e. The signatures of both persons

Alcohol Off Sales

Alcohol for consumption OFF the premises may only be provided in sealed containers.

Alcohol in open containers may not be taken outside the premises.

Alcohol On Sales

Alcohol sales for consumption ON the premises must be by table service to customers seated in the restaurant, with the exception of booked private hire events.

Alcohol sales for consumption ON the premises must end at 21:30hrs, 30 mins before closing to allow adequate drinking up time for alcohol already purchased.

b) The prevention of crime and disorder**Refusal Log**

There shall be a register for the recording of all alcohol sale refusals, including attempted under-age sales, proxy sales and refusals to those who appear intoxicated.

Details to be recorded shall include the date, time, name (if known), physical description of the person, the reason for the refusal, names of staff involved, and whether the refusal was captured on CCTV.

Any identification document coming into the possession of a member of staff, including security staff, shall be recorded in the register, including the name of the person/name on the identification document.

The register shall be available for immediate inspection by any authorised officer of the responsible authorities and shall be securely retained by the licence holder for a for a period of 12 months from the date of the last entry.

Incident Log

An incident log shall be maintained on the premises to record all incidents and accidents.

Records should include occurrences of: anti-social behaviour, admission refusals, ejections, seizure of prohibited items, welfare and safeguarding matters, accidents, and safety incidents.

The record must also include all noise or disturbance complaints received by telephone, email, or in person, together with the outcome of investigation, findings, and actions taken.

The records shall include the date, time, and location of the incident; personal details and contact information for all people involved including any witnesses, any crime number and details of police officers attending.

Incident and accident records may be kept in a bound register with consecutively numbered pages or electronically on a secure digital system. In each case, the information recorded must be processed, stored, and handled in compliance with The General Data Protection Regulation.

The records shall be available for inspection by any authorised officer of the responsible authorities and shall be securely retained by the licence holder for a period of 12 months after the last entry.

Police must be called to incidents of violence/disorder.

c) Public safety

A current Fire Risk Assessment will be kept on the premises and produced for inspection by an officer of a Responsible Authority on request.

d) The prevention of public nuisance

General

The premises licence holder will operate the business with general consideration in respect of the neighbouring properties.

Contact Number

Neighbours in the immediate vicinity of the premises must be furnished with the direct name and contact number of the Café Manager/SPOC (Single Point of Contact) for ease of making contact to highlight any issues, should the need arise.

Signage

Clear and prominent notices requesting patrons speak quietly and with consideration for neighbouring properties will be displayed:

- in the area of the seating (benches) immediately outside the premises
- within the WCs
- and at the exit.

The licence holder shall ensure no noise or vibration emanates from the premises so as to cause a nuisance.

Alleyway

Staff will be vigilant and regularly check the outside area to ensure the alleyway remains clear, unobstructed by both customers and staff at all times.

Toilet Window

The WC window must remain locked at all times.

e) The protection of children from harm

Age Verification Scheme – Challenge 25

A challenge 25 age verification scheme will operate at the premises whereby any person who appears to be under 25 years of age, and unknown to the staff member serving as a person over 18 years of age, shall not be served alcohol unless they provide identification to prove they are over 18 years of age.

Acceptable forms of identification will be a valid passport, a valid photo ID driving license or a valid proof of age scheme card with the PASS approved hologram.

Appropriate signage advertising the operation of the Challenge 25 scheme must be displayed in the vicinity of all points of sale for alcohol.



VIDEO-2024-06-18-1
5-10-41.mp4























VIDEO-2024-06-18-2
0-20-09.mp4



VIDEO-2024-06-18-2
0-20-59.mp4

Humdingers, 39 Brecknock Road, LONDON, N7 0PT

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Staff Training

All staff responsible for selling alcohol shall receive induction and/or refresher training (at least annually) commensurate with their role and responsibilities in relation to the sale of alcohol and the times and conditions of the premises licence.

Training shall include Challenge 25, the requirement and process for completing both the incident log and refusal log (detailed below), and the operation of the CCTV system in the event of a request by Police or an officer of a Responsible Authority.

Training will be documented, kept at the premises for at least 12 months from the last entry, and made available to the Police and/or Local Authority upon request.

Capacity Limit

The capacity of the premises may not exceed 50.

Written Delegated Authority

Where alcohol sales are made under a Personal Licence Holder's delegated authority, a written record of the delegation of authority must be maintained on the premises and available for inspection.

The record must include:

- a. The name of the personal licence holder delegating their authority.
- b. The personal licence number and issuing authority
- c. The name(s) of the person duly authorised
- d. The date the delegated person received training on their responsibilities under the Licensing Act 2003
- e. The signatures of both persons

Alcohol Off Sales

Alcohol for consumption OFF the premises may only be provided in sealed containers. Alcohol in open containers may not be taken outside the premises.

Alcohol On Sales

Alcohol sales for consumption ON the premises must be by table service to customers seated in the restaurant, with the exception of booked private hire events.

Alcohol sales for consumption ON the premises must end at 21:30hrs, 30 mins before closing to allow adequate drinking up time for alcohol already purchased.

b) The prevention of crime and disorder

Refusal Log

There shall be a register for the recording of all alcohol sale refusals, including attempted under-age sales, proxy sales and refusals to those who appear intoxicated.

Details to be recorded shall include the date, time, name (if known), physical description of the person, the reason for the refusal, names of staff involved, and whether the refusal was captured on CCTV.

Any identification document coming into the possession of a member of staff, including security staff, shall be recorded in the register, including the name of the person/name on the identification document.

The register shall be available for immediate inspection by any authorised officer of the responsible authorities and shall be securely retained by the licence holder for a for a period of 12 months from the date of the last entry.

Incident Log

An incident log shall be maintained on the premises to record all incidents and accidents.

Records should include occurrences of: anti-social behaviour, admission refusals, ejections, seizure of prohibited items, welfare and safeguarding matters, accidents, and safety incidents.

The record must also include all noise or disturbance complaints received by telephone, email, or in person, together with the outcome of investigation, findings, and actions taken.

The records shall include the date, time, and location of the incident; personal details and contact information for all people involved including any witnesses, any crime number and details of police officers attending.

Incident and accident records may be kept in a bound register with consecutively numbered pages or electronically on a secure digital system. In each case, the information recorded must be processed, stored, and handled in compliance with The General Data Protection Regulation.

The records shall be available for inspection by any authorised officer of the responsible authorities and shall be securely retained by the licence holder for a period of 12 months after the last entry.

Police must be called to incidents of violence/disorder.

c) Public safety

A current Fire Risk Assessment will be kept on the premises and produced for inspection by an officer of a Responsible Authority on request.

d) The prevention of public nuisance

General

The premises licence holder will operate the business with general consideration in respect of the neighbouring properties.

Contact Number

Neighbours in the immediate vicinity of the premises must be furnished with the direct name and contact number of the Café Manager/SPOC (Single Point of Contact) for ease of making contact to highlight any issues, should the need arise.

Signage

Clear and prominent notices requesting patrons speak quietly and with consideration for neighbouring properties will be displayed:

- in the area of the seating (benches) immediately outside the premises
- within the WCs
- and at the exit.

The licence holder shall ensure no noise or vibration emanates from the premises so as to cause a nuisance.

Alleyway

Staff will be vigilant and regularly check the outside area to ensure the alleyway remains clear, unobstructed by both customers and staff at all times.

Toilet Window

The WC window must remain locked at all times.

e) The protection of children from harm**Age Verification Scheme – Challenge 25**

A challenge 25 age verification scheme will operate at the premises whereby any person who appears to be under 25 years of age, and unknown to the staff member serving as a person over 18 years of age, shall not be served alcohol unless they provide identification to prove they are over 18 years of age.

Acceptable forms of identification will be a valid passport, a valid photo ID driving license or a valid proof of age scheme card with the PASS approved hologram.

Appropriate signage advertising the operation of the Challenge 25 scheme must be displayed in the vicinity of all points of sale for alcohol.



02 July 2024

Good afternoon Carolina,

Thank you for your letter of 28 June 2024.

If I may begin with some clarification, the letter delivered on 11 June was intended to demonstrate the extent to which the concerns expressed by residents have been listened to and acted upon, evidenced by the measures included in the operating schedule, which forms part of the current application.

In addition to the providing full details of the Operating Schedule, we are happy to provide further clarification below:

Soundproofing and Noise Testing

Following concerns about the potential for noise disturbance caused by live or recorded music entertainment the Licensing Panel did indeed conclude that further due diligence was required before a further application was submitted.

To that end Humdingers Catering Ltd engaged qualified acoustic engineers to make a full and detailed assessment of the fabric of the premises for use as a café/restaurant. The assessment was specific to the nature of the premises and business and concluded that no noise leakage was likely while the premises is used as a café/restaurant.

As the nature and use of the premises will remain unchanged, this provided the necessary reassurance that the current levels of insulation are satisfactory and will protect against potential noise disturbance.

The assessment also took into account the proximity of the toilet window to the premises behind and recommendations have been acted upon.

Please find attached a copy of the noise report as requested.

Had any issues arisen or further dialogue been recommended Humdingers would have engaged further with residents, but the report clearly demonstrates that the assessment was positive and no further issues are expected to arise.

Alleyway

The storage of soundproofing materials by the builders was unfortunate but, as stated in the Operating Schedule delivered with the letter of 11 July, a condition has been added to the

application specifying that staff shall ensure the alleyway remains clear and unobstructed at all times.

Had the concerns about the alleyway been reported at the time Humdingers would have taken steps to resolve the issue. The concern has been heard and the licence application amended to ensure in future the alleyway remains clear and unobstructed at all times.

Toilet Window

Please refer to the Operating Schedule where you will see a condition requiring the window to remain closed at all times.

The application makes clear that the premises will continue to operate as a café/restaurant so no increase in noise levels will be expected should the licence be granted.

The closure of the double-glazed window is considered sufficient to insulate against the voices of patrons using the toilet facilities by the acoustic engineers who tested the building.

Appropriate ventilation will be installed if the licence is granted.

Environmental Health

Under the Licensing Act 2003, the Councils' Environmental Health Team is a statutory consultee for all Premises Licence Applications. The Environmental Health Team will consider the application in respect of noise nuisance and pollution.

The noise survey is available to Officers considering the application, should they request a copy of it.

Should you wish to discuss the application or your concerns of noise leakage or waste management with the Environmental Health team please contact:

[REDACTED]

Fire Safety

The London Fire Brigade is a statutory consultee and will scrutinise the application in relation to the requirements of current Fire Safety legislation.

Should the Fire Officer wish to make recommendations they will be acted upon.

Alcohol Consumption - Both

On the premises

The sale of alcohol for consumption on the premises will be to patrons seated in the restaurant. Drinks purchased for consumption on the premises may not be taken outside or away from the premises, so will not be consumed by customers seated on the benches outside or on the street.

Off the premises

The sale of alcohol for consumption OFF the premises relates to items sold to customers wishing to purchase a sealed product to take away and may only be sold in a sealed container for enjoyment in their own setting.

Nature of the business

The premises will continue to operate as a restaurant/café. Should a private hire catering event be hosted, accompanying alcohol sales must cease at 21:30hrs and the café/restaurant must close 30 minutes thereafter, at 10pm.

Smoking Area

Patrons cannot be prevented from leaving the premises at any time, but if they wish to smoke they will be encouraged to use the dedicated smoking area established to the front of the premises on the furthest side from the alleyway.

Smokers will be asked to use the benches and a sign has been displayed on the entrance to the alleyway requesting that patrons do not use the alleyway to smoke.

Staff will be proactive in directing people away from the alley where need be. If a person standing in the alleyway smoking is not a patron of Humdingers, staff have no authority to intervene.

Private Hire Events

Operating as a restaurant, in the event that the restaurant may host a private hire event any music provision would be 'background music', which is discrete, low-level music to create a pleasant atmosphere and ambience.

Alleyway Gate

The offer has been made to the Landlord and Residents to install a gate to the entrance to the alleyway. Should it be accepted a gate can be installed.

If you wish to discuss the offer with the Landlord further, please do and we will be interested to hear the outcome.

Should the premises licence be granted, a contact number will be provided for the café where the Duty Manager on site may be contacted. No personal numbers of any staff will be shared, but the details will be provided.

DPS Consent Form – Redacted

As requested, the DPS consent form is attached with personal information redacted.

Premises Capacity

The statutory fee for a premises licence is set by Parliament and where the capacity of a premises exceeds 5000 there is an additional fee.



If I may again refer you to the Operating Schedule, the Metropolitan Police Licensing Officer requested a capacity limit of 50 persons on the original application and this condition was automatically included on the re-application.

The capacity of the premises is therefore a maximum of 50 persons at all times.

Videos

Having watched the videos sent by Whatsapp, they appear to evidence the installation of the soundproofing and not licensable activities or customer-related noise.

The last video, referencing Highbury and Islington Council clearly demonstrates a sense of Robert Hunnigher's frustration at the challenges faced in recent months. It has been a frustrating and difficult time – as many people experience when engaging with licensing processes. With references to Highbury and Islington Council we don't believe his comments are relevant to this application.

Summary

We believe the significant measures taken since the events of March/April 2024 clearly demonstrate how residents' concerns have been taken seriously and that, whatever went before, Humdingers wishes to operate in harmony with residents.

We would encourage residents to treat all the information and communications from Humdingers relating to this application as open, honest, and sincere engagement. We would also ask that you respond by giving Humdingers a fair opportunity to operate their business in accordance with the commitments made.

Again, as demonstrated with the commitment to provide a contact number for the Duty Manager, ongoing conversations will be welcomed to reach a happy balance in the long term.

If we can assist with further information, please let us know.

Kindest regards

Reba Danson
Senior Licensing Consultant

[Redacted contact information]

Reba Danson | The Licensing Guys

From: Reba Danson | The Licensing Guys
Sent: 12 July 2024 08:20
To: [REDACTED]
Cc: [REDACTED]
Subject: 101-24 - Humdingers - Further Questions

Good morning Gerald, [REDACTED]

Further to our email of 10 July 2024, we have carefully considered the information requested.

The information referred to in questions 1, 2, 4, and 5 has already been provided within the Application Operating Schedule, letters of 11 June 2024 and 02 July 2024, and full Noise Survey, so may we refer you back to the information in those documents?

Point 3 – in relation to amending the Licensing Plan, the plan submitted with the application complies with the plan requirements prescribed within the Licensing Act 2003. For clarity, may we refer you to the labelled plans included in the noise survey report for details of the sound insulating properties of the premises?

Point 6 – we are unaware of an approved contractor scheme but can confirm that professional certification and/or qualification applies to the individual conducting the assessment and not the company. In this regard, the engineer conducting the Survey, Paul Schmitz, is a Chartered Engineer and member of the Institute of Acousticians with 28 years’ experience. Prior to conducting the noise survey, Mr Schmitz contacted Camden Council for confirmation of the Council’s requirement, specific details of the testing required, and confirmation that his assessment would be accepted.

Kindest regards,



Reba Danson

[REDACTED]



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Please consider the environment before printing

From: gez doran <gezdoran@hotmail.com>

Sent: Tuesday, July 9, 2024 8:27 PM

To: Reba Danson | [REDACTED]

Cc: [REDACTED]

Subject: Re: 101-24 - Residents' Letter - Humdingers, Brecknock Rd.

Reba,

Many thanks for your Noise Survey Report as requested, can I please ask for the following clarifications:

1. There is a statement where the current level of sound insulation is adequate. Is this statement based on the resident party wall being just the double brick construction ?
2. The report mentions the noise currently in the retail unit demonstrates is not excessive and that with increased noise levels there will be no impact on the residents if sound mitigation measures are implemented. Can you please clarify this latter statement is in reference to possible future application seeking greater noise levels from live music?
3. There is a later statement of the options to improve the wall with a double layer of plasterboard on 50mm cavity. We have been advised by Humdingers that they have already carried out improvements to the party wall. Is it this option that has already been carried out? Perhaps this can be indicated on the said plans you provided for clarity.
4. The recorded noise level readings is based on music playing over the sound system, recorded by a meter. The meter readings applicable for analysis are the noise levels that passes through the party wall. Flat nor 1 tenant has had no Engineer enter their premises to takes meter readings of the noise level that passes through the party wall . Please clarify?
5. For further clarity to the above, there is no mention what the survey result are based; is the solid wall or indeed the solid wall with the alterations.
6. In regards to Environmentally Sound, is this practice on Camden Borough list of approved Consultants?

Kind Regards

Gerald Doran

On behalf of flats 1,2 & 3, 39b Brecknock Road

Sent from my iPad

On 4 Jul 2024, at 14:39, Reba Danson | The Licensing Guys

<[REDACTED]>

Good afternoon all,

We hope this email finds you well.

Further to Caroline Lobsang's request of 28 June 2024 please find attached a letter answering the questions raised, a copy of the noise report, and a redacted copy of the DPS Consent Form as requested.

Please also be aware the redacted information on the DPS Consent form is private and falls outside the public domain.

We are pleased to be able to provide this additional information and hope it goes to reassure you and removes concerns about the current licence application and direction of the business.

If you have any further queries please let us know.

Kindest regards,

<image001.png>

Reba Danson



<image002.png>

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<Letter 04.07.2024.pdf>

<Noise Survey Report 30.05.2024.pdf>

<101-24 - DPS Consent - REDACTED.pdf>



Sound Mitigation Report

Sound Mitigation Report

for

Humdingers

at

39 Brecknock Road
London
N7 0BT

written on
24 May 2024

by

Environmentally Sound Limited



Report authorised by

A handwritten signature in black ink, appearing to read 'P. A. Schmitz', written over a light pink rectangular background.

P. A. Schmitz MBA CEng MIOA

24 May 2024

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1. Introduction

Humdingers at 39 Brecknock Road, London applied for a new premises license to cover live music and an alcohol serving license, but it was rejected due to the possible noise impact on residents; see Appendix A for the decision notice from Camden Borough Council.

This report demonstrates that the noise currently in the retail unit is not excessive and that with increased noise levels there will be no impact on the neighbours if sound mitigation measures are implemented.

2. Retail Unit - 39 Brecknock Road

2.1. Outdoors

Figure 1 shows the location of 39 Brecknock Road and its proximity to the residents.

Adjacent to the premises is one shop, open during day time trading hours. On the over side of the retail unit, is a walkway and a main road in front of the building, with residents on the opposite side of the road.

The rear of the premises borders onto a residential dwelling and therefore shares a party wall, which is discussed in detail in this noise report.

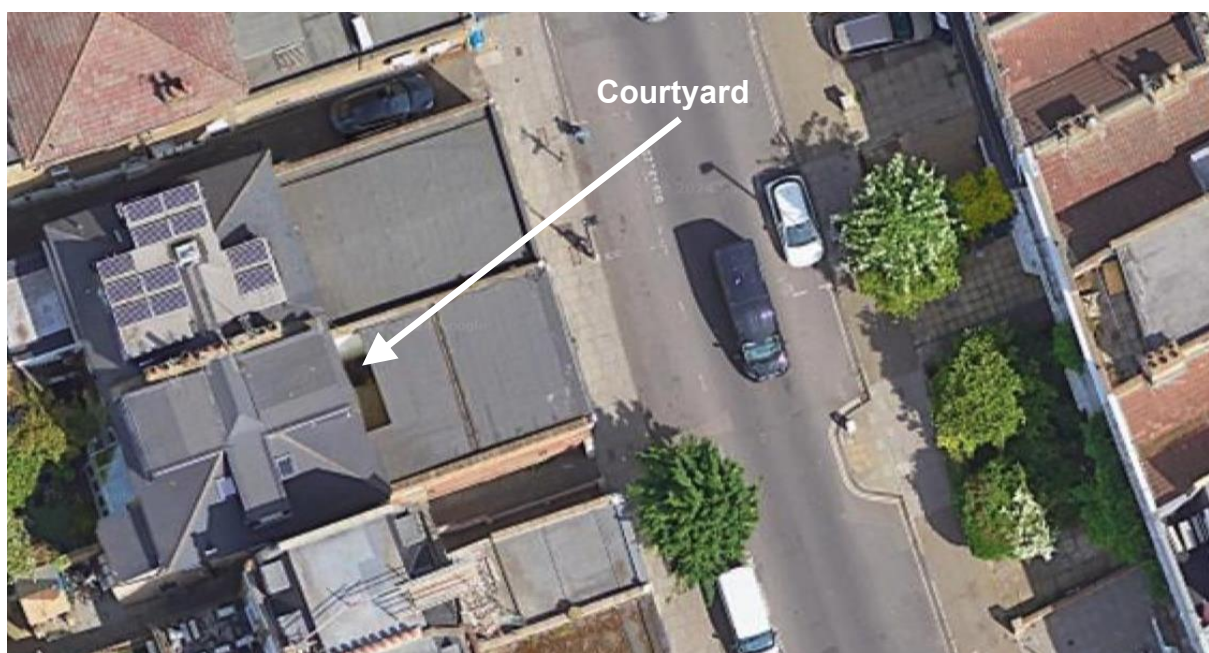


Figure 1: The location of the premises and the surrounding buildings.

2.2. Indoors

The floor plans for both the ground level and the mezzanine are shown in Figure 2.

On the left is the ground floor, showing the location of the stairs to the mezzanine, the toilets and the courtyard between the retail unit and the residential dwelling at the rear. The courtyard is also indicated in Figure 1.

The wall between the retail unit and the residential dwelling, better known as a party wall, is between the toilets and the staircase; however, the toilets have no music, and acts as a buffer for noise reaching the neighbours.

Therefore, the noise in the retail unit that will affect the neighbours, will pass through the party wall at the staircase, as the toilets act as a double wall with a room as the gap between the walls.

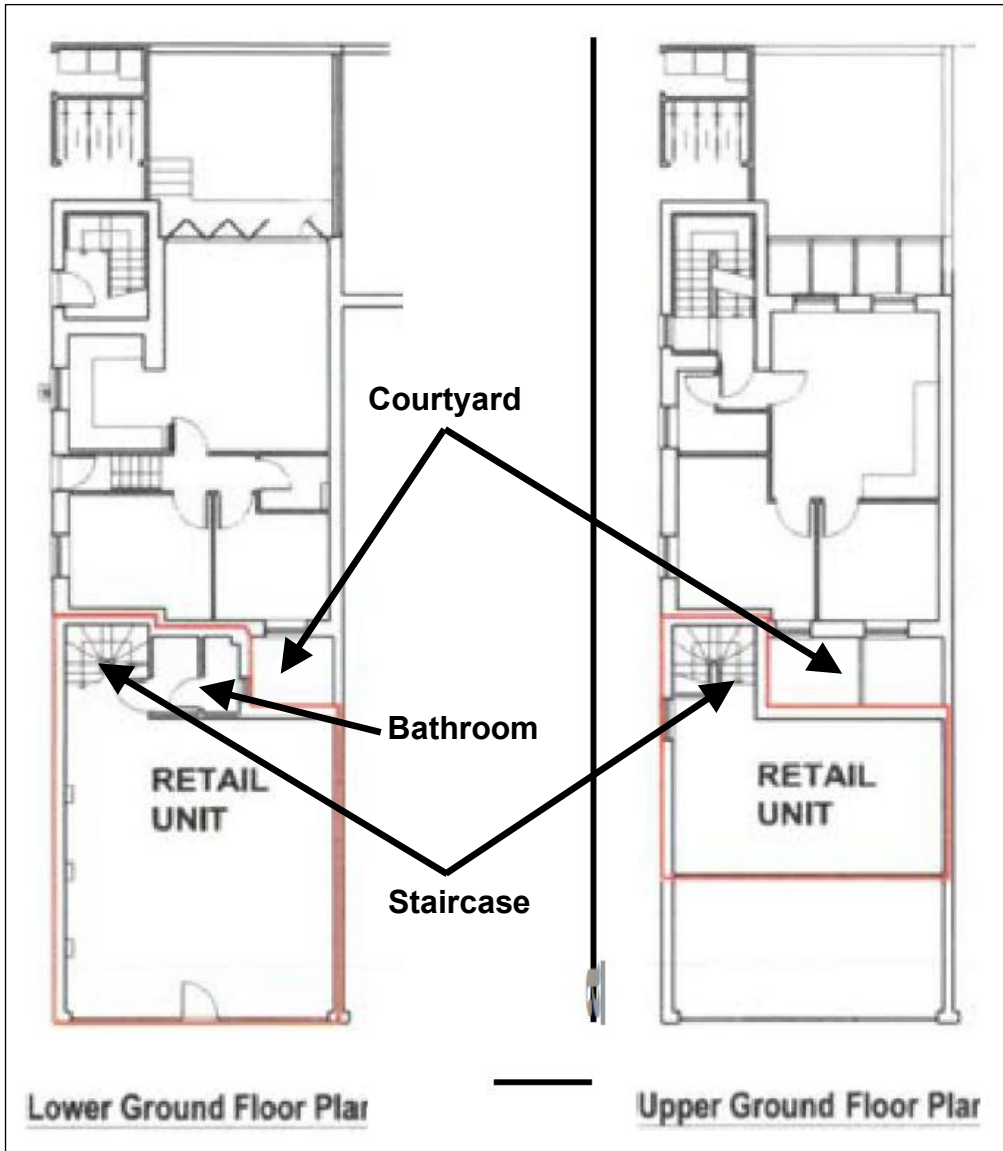


Figure 2: The floor plan for 39 Brecknock Road

In Figure 2, on the right, is the mezzanine floor, showing the location of the stairs to the ground floor, and the courtyard between the retail unit and the residential dwelling at the rear.

The courtyard is also indicated in Figure 1.

The party wall is only between the wall at the stairs and residential building.

How this noise can be mitigated is discussed later in this report.

3. Recorded noise level in the retail unit

With the music playing over the sound system, the sound in the retail unit was recorded with a calibrated sound meter. The calibration certificate is in Appendix B.

The third octaves for the 30 minutes recording is shown in Figure 3. This shows the maximum and minimum, and the L_{Aeq} and the L_{A90} sound level.

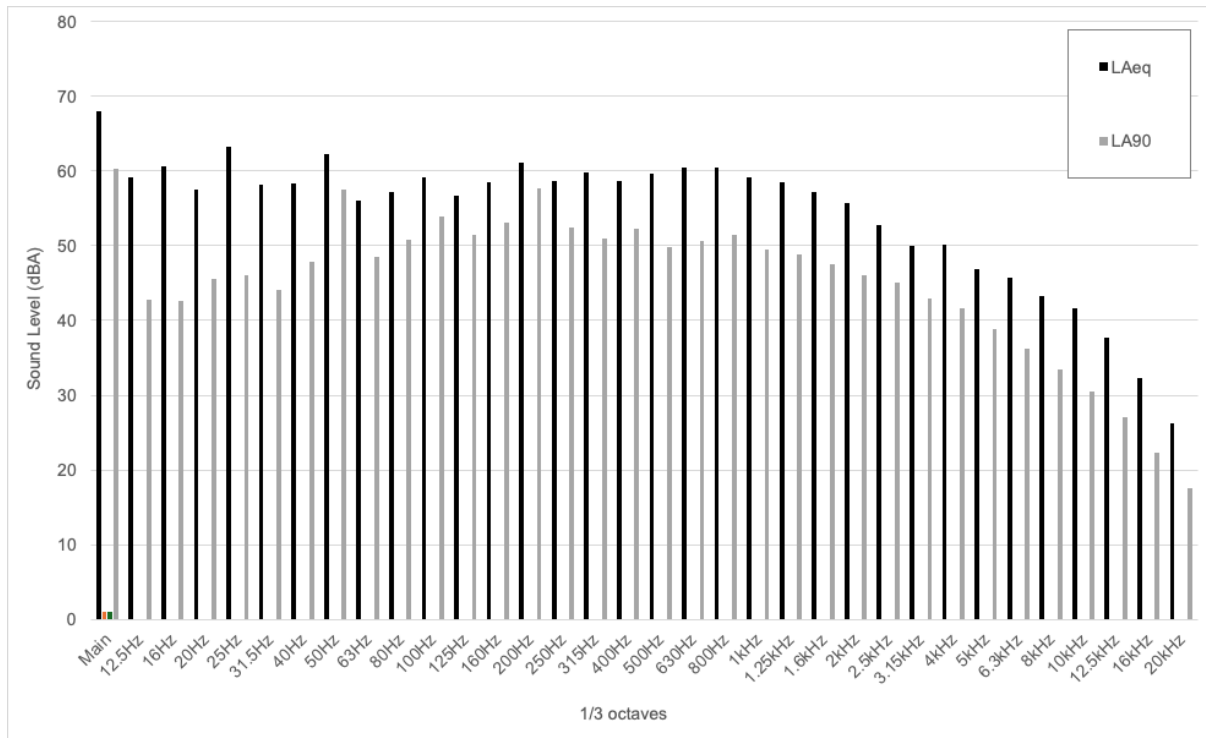


Figure 3: 1/3 octave noise levels recorded over 30 minutes in the retail unit

For this report, the maximum sound levels are applicable for analysis of the noise level that passes through the party wall.

4. BS8233 - Guidance on sound insulation and noise reduction for buildings

4.1. Acceptable bedroom sound levels

The BS8233 British Standard document is used to calculate the sound reduction through various building elements and provides guidance on what the acceptable sound level is in a room during daytime and nighttime.

Table 1 shows the acceptable sound levels for various rooms in a residential dwelling – the sound level values for the bedroom is applicable to this report.

Activity	Location	07:00 to 23:00	23:00 to 07:00
Resting	Living room	35 dB $L_{Aeq,16hour}$	—
Dining	Dining room/area	40 dB $L_{Aeq,16hour}$	—
Sleeping (daytime resting)	Bedroom	35 dB $L_{Aeq,16hour}$	30 dB $L_{Aeq,8hour}$

Table 1: The indoor sound levels for rooms in residential dwellings

4.2. Wall sound reduction

The party wall between the unit and the bedroom of the residential dwelling is a double brick construction.

The sound reduction of this construction is approximately 50dBA, as shown in Table 2.

Description	Single figure rating	125 Hz	250 Hz	500 Hz	1000 Hz	2000 Hz
brick and block external wall	50	40	44	47	51	56

Table 2: The sound reduction across a double brick wall

Considering the $L_{Aeq, 30 \text{ minutes}} = 68\text{dBA}$, the sound on the opposite side of the party wall is $68\text{dBA} - 50\text{dB} = 18\text{dBA} < 30\text{dBA} = L_{Aeq, 8 \text{ hour}}$ – see see Table 1.

This is below the acceptable level in a bedroom before and after 23:00 – see Table 1 for acceptable bedroom sound levels.

4.3. Sound level outdoors

The retail unit has access at the front via a single door. With the door open the sound level at the opposite side buildings will be 48dBA. The background sound level between 22:00 and 23:00 in a quiet neighbourhood in London, i.e. Holland Park, is approximately 50dBA; therefore, the sound will not have an adverse impact.

5. Discussion

5.1. Current sound mitigation

The sound level currently present in the retail unit is acceptable as it does not have an adverse impact on the neighbours.

Therefore, the current level of sound insulation is adequate.

5.2. Future license applications

If an application is submitted for a variation on the current license, i.e. involving live music, alcohol license etc., it is recommended to install further sound insulation at the stairs only, as this is where the noise passes through to the neighbouring bedroom.

There are two options to improve the sound insulation, one is an extension of the other.

Stairwell

The area around the stairs and toilet is shown in Figure 4 with additional sound mitigation measures.

It is recommended to construct a plasterboard wall and door to reduce the noise level in the stairwell that borders onto the neighbouring bedroom.

This will increase the sound insulation significantly.

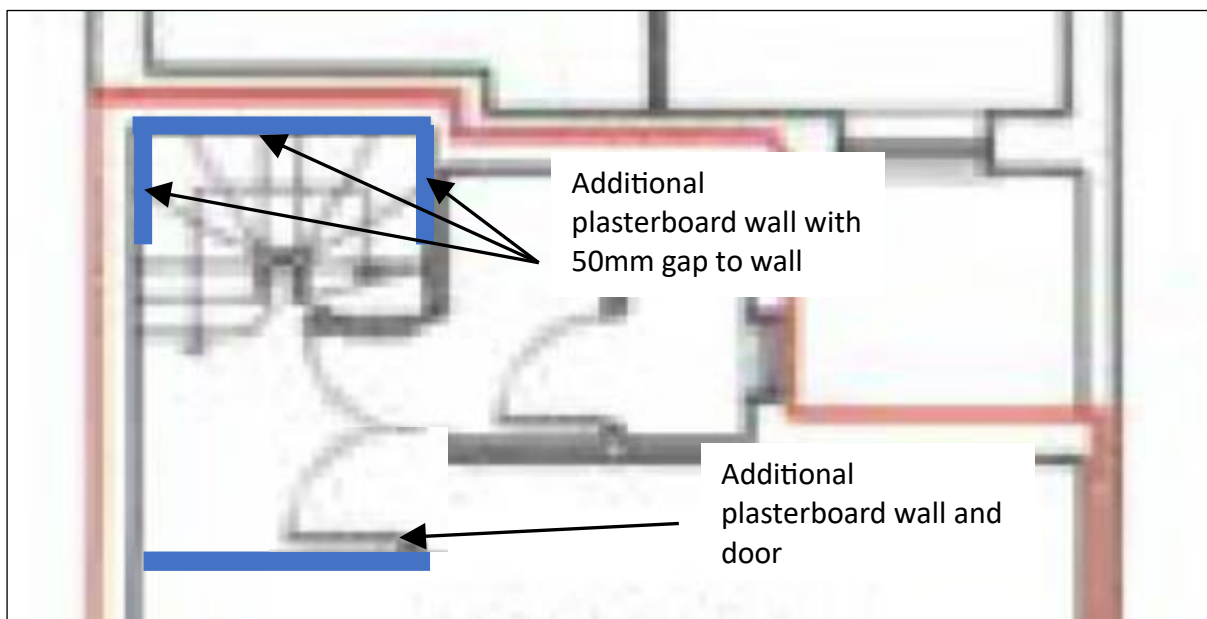


Figure 4: Area at the stairs with proposed additional sound insulation.

In reference to Figure 5, the same approach can be taken for the mezzanine at the stairs.

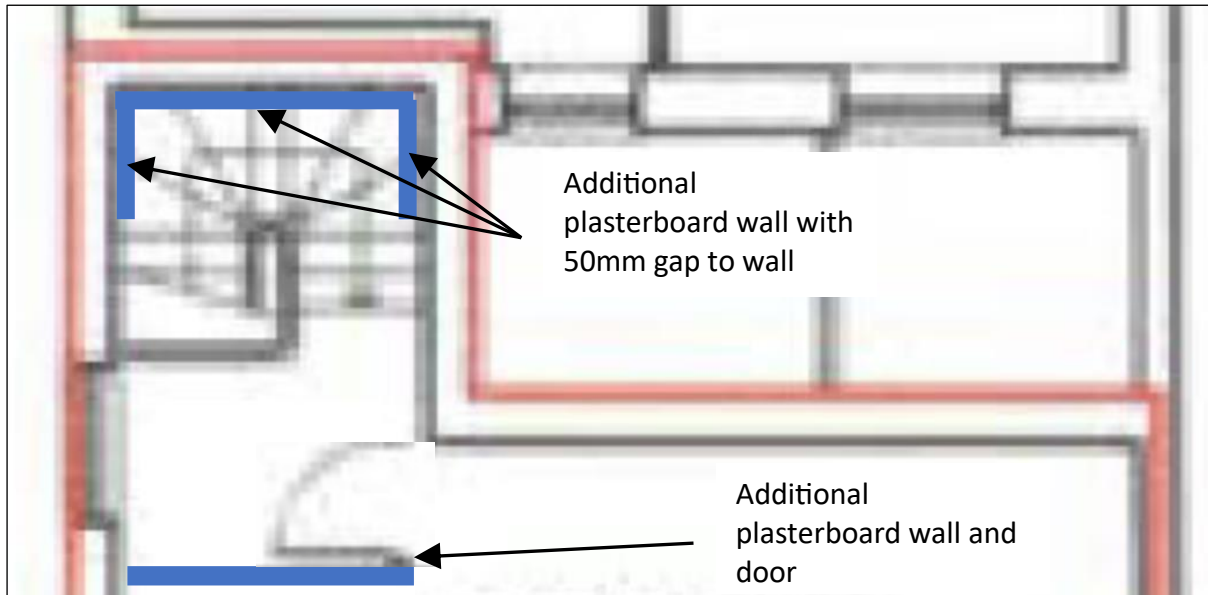


Figure 5: Area at the stairs on the mezzanine level

Additional insulation

If a noise assessment of the live music determines the sound level is excessive, further insulation can be installed.

Additional sound insulation is shown in Figure 4 and Figure 5.

This additional insulation is a double layer of acoustic plasterboard of 2x12.5mm thick mounted on a resilient frame at 50 mm from the wall, and with sound insulation wool directly between the plasterboard and the wall.

This configuration of plasterboard and insulation wool can reduce the sound level by approximately 40dB.

Main entrance

If an application is submitted for a live music permit, it is also proposed to modify the main entrance to mitigate the sound breakout into the street and impact on the residential dwellings across the street.

Figure 6 shows a glass entrance hall and an additional door. This entrance hall should be door height, closed at the top with glass or other sound insulation material as the ceiling.

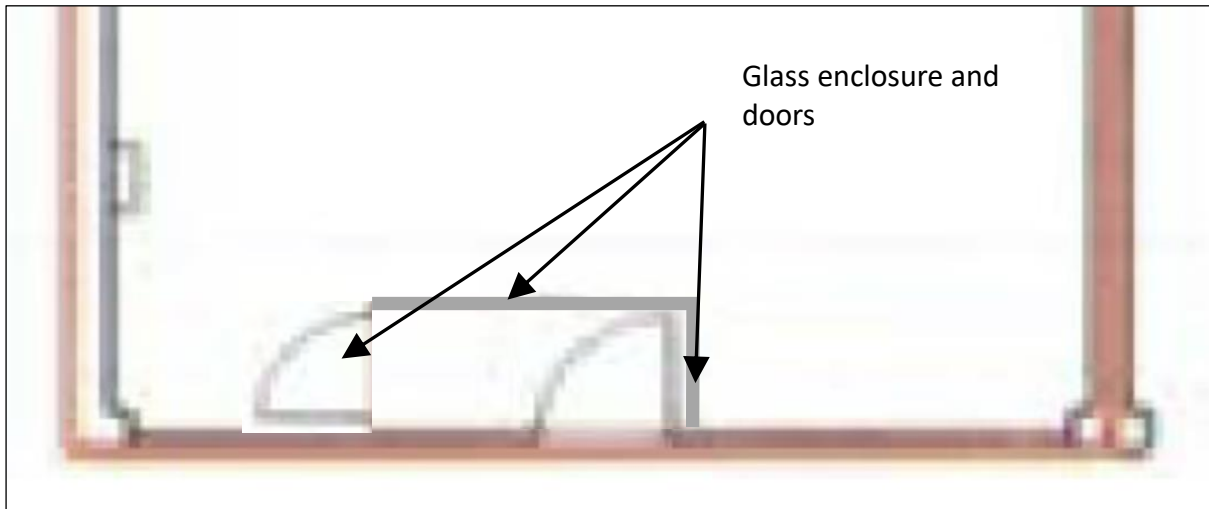


Figure 6: A glass entrance room with an additional door to mitigate breakout

5.3. Further mitigation

Further sound mitigation can be controlled by the staff at the retail unit, by installing a sound limiter and having a noise management plan, i.e. patrons leaving premises quietly late at night.

6. Conclusion

It is possible to host live music in the retail unit without having an adverse impact on the neighbours.

To determine the level of sound with a live band present, a temporary license could be issued.

Appendix A: Decision notice from Camden Borough Council

Date: 17th April 2024
Our Reference: APP\PREMISES-119252
Direct Phone Number: 0207 974 5507
Contact: Peter Agbley



Contact
 London Borough of
 Camden
 5 Pancras Square
 London
 N1C 4AG

Please quote our reference in any correspondence

Applicant/Agent
 Humdingers Catering Ltd
 234-236 Hoxton Street
 London
 N1 5LX

Tel: 020 7974 4444
 Web:
www.camden.gov.uk/licensing

Dear Sirs,

Licensing Act 2003
New Premises Licence Application
Re: HUMDINGERS CAMDEN: 39 BRECKNOCK ROAD, LONDON, N7 0BT

I refer to the public hearing held on 4th April 2024 to determine the application for a new licence for the above premises.

The panel's full decision was as follows:

Panel Decision and Reasons

In their deliberations, Panel Members stated that they were concerned about the potential noise disturbance from the premises to residents. The shared party wall between the premises and a number of residents meant a greater risk of noise disturbance which would be particularly intensified by alcohol consumption late into the evening and live music events.

Panel Members were concerned about the attitude of the operator due to Humdingers having written to residents reassuring them they were actively taking steps to minimise the noise, however in reality they had not given any serious consideration to remedial work. Panel Members stated that Humdingers were an experienced operator, but when applying for this licence it was clear from their responses at the hearing they had not performed due diligence ahead of the hearing in relation to noise reduction, for example using sound engineers. Until noise testing had been completed, the Panel could not support live music at the venue.

Panel Members stated the application was not ready and there were a number of issues that needed to be resolved before it should return for consideration by a Licensing Panel. As it currently stood, there were not sufficient measures in place to

address potential noise and public nuisance created by the venue if the application for an alcohol and live music licence was to be granted and the Applicant needed to work closer with the local residents. A future application should include details of the noise mitigating measures. The Panel suggested that to test noise levels during live music events Humdingers could apply for Temporary Event Notices and build evidence they would not be creating public nuisance to residents.

RESOLVED –

THAT the application for a new premises licence be rejected in its entirety.

The full text of the minutes can be found on the Camden website via the Diary listing of Council meetings at: <http://democracy.camden.gov.uk>

As an applicant, you are entitled to appeal against the Authority's decision. Notice of the appeal must be given to Highbury Corner Magistrates Court within 21 days of being notified of this decision.

Please contact us on the above number or via our enquiry form camden.gov.uk/licensing if you require any further advice or assistance.

Yours sincerely



Peter Agbley
Licensing Officer.

Appendix B: SLM calibration certificate



CERTIFICATE OF CALIBRATION



0653

Date of Issue: 15 January 2024

Certificate Number: UCRT24/1067

Calibrated at & Certificate issued by:

ANV Measurement Systems

Beaufort Court

17 Roebuck Way

Milton Keynes MK5 8HL

Telephone 01908 642846 Fax 01908 642814

E-Mail: info@noise-and-vibration.co.uk

Web: www.noise-and-vibration.co.uk

Acoustics Noise and Vibration Ltd trading as ANV Measurement Systems

Page 1 of 2 Pages

Approved Signatory

K. Mistry

Customer ANV Measurement Systems
Beaufort Court
17 Roebuck Way
Milton Keynes
MK5 8HL

Order No. ANV MS HIRE

Description Sound Level Meter / Pre-amp / Microphone / Associated Calibrator

Identification	Manufacturer	Instrument	Type	Serial No. / Version
	Rion	Sound Level Meter	NL-53	00730383
	Rion	Firmware		01.00
	Rion	Pre Amplifier	NH-25	33235
	Rion	Microphone	UC-59	23735
	Rion	Calibrator	NC-75	34334830
		Calibrator adaptor type if applicable		NC-75-022

Performance Class 1

Test Procedure TP 10. SLM 61672-3:2013

Procedures from IEC 61672-3:2013 were used to perform the periodic tests.

Type Approved to IEC 61672-1:2013 No

If YES above there is public evidence that the SLM has successfully completed the applicable pattern evaluation tests of IEC 61672-2:2013

Date Received 12 January 2024

ANV Job No. UKAS24/01033

Date Calibrated 15 January 2024

The sound level meter submitted for testing has successfully completed the periodic tests of IEC 61672-3:2013, for the environmental conditions under which the tests were performed. However, no general statement or conclusion can be made about conformance of the sound level meter to the full specifications of IEC 61672-1:2013 because (a) evidence was not publicly available, from an independent testing organisation responsible for pattern approvals, to demonstrate that the model of sound level meter fully conformed to the class 1 specifications in IEC 61672-1:2013 and (b) because the periodic tests of IEC 61672-3:2013 cover only a limited subset of the specifications in IEC 61672-1:2013.

Previous Certificate	Dated	Certificate No.	Laboratory
			Initial Calibration

This certificate is issued in accordance with the laboratory accreditation requirements of the United Kingdom Accreditation Service. It provides traceability of measurement to the SI system of units and/or to units of measurement realised at the National Physical Laboratory or other recognised national metrology institutes. This certificate may not be reproduced other than in full, except with the prior written approval of the issuing laboratory.

CERTIFICATE OF CALIBRATION

Certificate Number

UCRT24/1067

UKAS Accredited Calibration Laboratory No. 0653

Page 2 of 2 Pages

Sound Level Meter Instruction manual and data used to adjust the sound levels indicated.

SLM instruction manual title	NL-53 NL-43 Instruction Manual Technical Guide		
SLM instruction manual ref / issue	66200 23-02		
Date provided or internet download date	11 May 2023	Source	Rion
	Case Corrections	Wind Shield Corrections	Mic Pressure to Free Field Corrections
Uncertainties provided	Yes	Yes	Yes
Total expanded uncertainties within the requirements of IEC 61672-1:2013	YES		
Specified or equivalent Calibrator	Specified		
Customer or Lab Calibrator	Lab Calibrator		
Calibrator adaptor type if applicable	NC-75-022		
Calibrator cal. date	18 December 2023		
Calibrator cert. number	UCRT23/2596		
Calibrator cal cert issued by Lab	0653		
Calibrator SPL @ STP	94.01	dB	Calibration reference sound pressure level
Calibrator frequency	1000.00	Hz	Calibration check frequency
Reference level range	Single	dB	
Accessories used or corrected for during calibration -	Extension Cable & Wind Shield WS-15		
Note - The Extension Cable was used between the SLM and the pre-amp for this calibration.			

Environmental conditions during tests	Start	End	
Temperature	21.60	24.13	± 0.30 °C
Humidity	33.4	32.0	± 3.00 %RH
Ambient Pressure	100.06	100.08	± 0.03 kPa

Indication at the Calibration Check Frequency	Calibration carried out using channel	N/A
Initial indicated level	93.9	dB
Adjusted indicated level	94.0	dB
Uncertainty of calibrator used for Indication at the Calibration Check Frequency ±	0.10	dB

Self Generated Noise

Microphone installed - Less Than 19.9 dB A Weighting

Microphone replaced with electrical input device - UR = Under Range indicated

Weighting	A	C	Z
	11.9 dB UR	14.6 dB UR	20.5 dB UR

Self Generated Noise reported for information only and not used to assess conformance to a requirement

The reported expanded uncertainty is based on a standard uncertainty multiplied by a coverage factor $k=2$, providing a coverage probability of approximately 95%. The uncertainty evaluation has been carried out in accordance with UKAS requirements.

Additional Comments The results on this certificate only relate to the items calibrated as identified above.

None

.....
 Calibrated by: K. Zablocki

..... END
 R 1

Prevention of Crime and Disorder

- 1) A suitable closed-circuit television (CCTV) system shall be in operation whilst members of the public are in attendance.
- 2) The CCTV system will provide clear images in all levels of lighting, enabling facial-recognition, of all areas of the licensed site to which the public have access (save for toilets/showers/changing areas).
- 3) The CCTV system camera coverage shall include external areas used by customers. At least one member of staff shall be on duty at the premises who can operate the system and download recorded images.
- 4) These images will be downloaded and provided immediately, or where this is not possible as soon as practicable, on request to an officer of a Responsible Authority.
- 5) Staff must be trained to operate the CCTV.
- 6) The CCTV system shall be capable of retaining images for a minimum of 31 days, will be of good quality and will contain the correct time and date stamp information.
- 7) The CCTV system and images will be kept in a secure environment to which members of the public will not be permitted access.
- 8) There shall be no admittance or re-admittance to the premises after 21:30 hrs except for patrons permitted to temporarily leave the premises to smoke.
- 9) All staff responsible for selling alcohol shall receive induction and/or refresher training (at least annually) commensurate with their role and responsibilities in relation to the sale of alcohol and the times and conditions of the premises licence.
- 10) Training shall include Challenge 25, the requirement and process for completing both the incident log and refusal log (detailed below), and the operation of the CCTV system in the event of a request by Police or an officer of a Responsible Authority.
- 11) Training will be documented, kept at the premises for at least 12 months from the last entry, and made available to the Police and/or Local Authority upon request.
- 12) Where alcohol sales are made under a Personal Licence Holder's delegated authority, a written record of the delegation of authority must be maintained on the premises and available for inspection.
 - The record must include:
 - The name of the personal licence holder delegating their authority.
 - The personal licence number and issuing authority
 - The name(s) of the person duly authorised
 - The date the delegated person received training on their responsibilities under the Licensing Act 2003
 - The signatures of both persons
- 13) Alcohol for consumption OFF the premises may only be provided in sealed containers.
- 14) Alcohol in open containers may not be taken outside the premises.
- 15) Alcohol sales for consumption ON the premises must be by table service to customers seated in the restaurant, with the exception of booked private hire events.
- 16) Alcohol sales for consumption ON the premises must end at 21:30hrs, 30 mins before closing to allow adequate drinking up time for alcohol already purchased.

- 17) There shall be a register for the recording of all alcohol sale refusals, including attempted under-age sales, proxy sales and refusals to those who appear intoxicated.
- 18) Details to be recorded shall include the date, time, name (if known), physical description of the person, the reason for the refusal, names of staff involved, and whether the refusal was captured on CCTV.
- 19) Any identification document coming into the possession of a member of staff, including security staff, shall be recorded in the register, including the name of the person/name on the identification document.
- 20) The register shall be available for immediate inspection by any authorised officer of the responsible authorities and shall be securely retained by the licence holder for a period of 12 months from the date of the last entry.
- 21) An incident log shall be maintained on the premises to record all incidents and accidents.
- 22) Records should include occurrences of: anti-social behaviour, admission refusals, ejections, seizure of prohibited items, welfare and safeguarding matters, accidents, and safety incidents.
- 23) The record must also include all noise or disturbance complaints received by telephone, email, or in person, together with the outcome of investigation, findings, and actions taken.
- 24) The records shall include the date, time, and location of the incident; personal details and contact information for all people involved including any witnesses, any crime number and details of police officers attending.
- 25) Incident and accident records may be kept in a bound register with consecutively numbered pages or electronically on a secure digital system. In each case, the information recorded must be processed, stored, and handled in compliance with The General Data Protection Regulation.
- 26) The records shall be available for inspection by any authorised officer of the responsible authorities and shall be securely retained by the licence holder for a period of 12 months after the last entry.
- 27) Police must be called to incidents of violence/disorder.

Public Safety

- 28) A current Fire Risk Assessment will be kept on the premises and produced for inspection by an officer of a Responsible Authority on request.
- 29) The premises licence holder will operate the business with general consideration in respect of the neighbouring properties.
- 30) Neighbours in the immediate vicinity of the premises must be furnished with the direct name and contact number of the Café Manager/SPOC (Single Point of Contact) for ease of making contact to highlight any issues, should the need arise.
- 31) Clear and prominent notices requesting patrons speak quietly and with consideration for neighbouring properties will be displayed:
 - in the area of the seating (benches) immediately outside the premises
 - within the WCs
 - and at the exit.

Prevention of a Public Nuisance

- 32) The licence holder shall ensure no noise or vibration emanates from the premises so as to cause a nuisance.
- 33) Staff will be vigilant and regularly check the outside area to ensure the alleyway remains clear, unobstructed by both customers and staff at all times.
- 34) The WC window must remain locked at all times.

Prevention of Children from Harm

- 35) A challenge 25 age verification scheme will operate at the premises whereby any person who appears to be under 25 years of age, and unknown to the staff member serving as a person over 18 years of age, shall not be served alcohol unless they provide identification to prove they are over 18 years of age.
- 36) Acceptable forms of identification will be a valid passport, a valid photo ID driving license or a valid proof of age scheme card with the PASS approved hologram.
- 37) Appropriate signage advertising the operation of the Challenge 25 scheme must be displayed in the vicinity of all points of sale for alcohol.
- 38) The capacity of the premises may not exceed 50.

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.