



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**

Ruben

**Last name**

Osie

**Name of business**

Ruben Consultancy

**Name and address**

[REDACTED]

[REDACTED]

[REDACTED]

**Email address**

[REDACTED]

**Telephone number**

[REDACTED]

**Does the premises have a name?**

Yes

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

Cellphone - Vape City & Off - Licence

**What is the address or location?**

258 Kilburn High Road

NW6 2BY

London

**What is the type of premises?**

Shop

**Describe the area it is situated in**

Commercial High Street Shop

**Describe the layout of the premises**

Ground Floor (High Street) Retail Shop

**Copy of the premises plans**

- LicensingFloorPlan.pdf

**Tell us about the premises business hours**

<b>Day</b>	<b>Start time</b>	<b>End time</b>
Monday	08:00	23:00
Tuesday	08:00	23:00
Wednesday	08:00	23:00
Thursday	08:00	23:00
Friday	08:00	23:00
Saturday	08:00	23:00
Sunday	08:00	23:00

**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?**

25500

**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** 12766567

**Name of business** AC VAPE LTD

**Name and address** 258 Kilburn High Road  
NW6 2BY  
London

**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**

<b>Day</b>	<b>Start time</b>	<b>End time</b>
Monday	09:00	23:00
Tuesday	09:00	23:00
Wednesday	09:00	23:00
Thursday	09:00	23:00
Friday	09:00	23:00
Saturday	09:00	23:00
Sunday	09:00	23:00

**Where will the supplied alcohol be consumed?** Off the premises

**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** Lulzim

**Last name** Tafasi

**Address**  
[REDACTED]  
[REDACTED]  
[REDACTED]

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

- RighttoRemain&WorkinUK-PassportofACVapeLtdDirector.pdf
- DPSConsent.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**

1.The premises licence holder shall ensure that CCTV cameras and recorders are installed at the premises and are of a standard acceptable to and approved by the Police. 2.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 arrears of the premises to which the public have access. 3.The CCTV camera views are not to be obstructed. 4.At least one CCTV camera is to be placed no more than seven feet above floor level, near to the exit in order to capture clear facial images of all persons leaving the premises. 5.The medium on which CCTV images are recorded shall be of evidential quality, stored securely, shall be retained for a period of 31 days, and be available for inspection by the Police or Local Authority upon request. 6.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. a)Copies shall be made available within 48 hours to the Police or Local Authority, upon request. b) The facility to transfer the images to a compatible, removable format, shall be held on the premises. 7.Staff working at the premises shall be trained in the use of CCTV and a log shall be kept to verify this. 8.Signs must be displayed in the customer areas to advise that CCTV is in operation. 9. Notices shall be displayed within the premises warning customers about personal thefts, and to be vigilant. 10.At

**Public safety**

least one member of the management team on duty whilst the premises remain open for licensable activities is to hold a Personal Licence under the Licensing Act 2003. 11. The licensee shall 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. 12.No persons carrying visibly open vessels shall be admitted to the premises at any time that the premises are open for licensable activities. 13.Police shall be called to incidents of violence and/or disorder where appropriate. 14.There shall be no vertical drinking at the premises at any time. 15. Highly intoxicated customers will be refused entry and service at the premises. Any refusals will be recorded in an incident record log book and will be available immediately upon request by a police officer or an authorized officer of the council. 16.A personal licence holder shall be on the premises at all times that intoxicating liquor is supplied. 17.The Licensee may authorise in writing a Duty Manager, who shall be at least 18 years old to deputise for him. The written authorisation shall be kept on the premises and shall be readily available for examination by any authorised officer. The Licensee must be satisfied that anyone appointed as duty manager understands the need to comply with the conditions on the licence and it competent to perform the functions of Duty Manager. 18.A refusal of alcohol sales log book and incident log book shall be kept at the premises and be available for inspection by the Police of authorised Council Officer. 19.A fire log

book shall be kept at the premises and details of any outbreak of fire at the premises and any subsequent action taken shall be recorded in the fire log book. The fire log book shall be made available to officers of the council, police or fire brigade on request. 20. Fire extinguishers shall be checked annually. Sufficient portable fire fight equipment of a type suitable in respect of the operation of the premises shall be kept at the premises in unobstructed and easily accessible locations. 21. Staff shall be trained in the use of fire fighting equipment and a record of such training and the names and signatures of the trainee and trainer shall be kept in the fire log book. 22. Any fire alarm system shall be maintained in full working order. The system shall be tested weekly and the details of any checks, tests and inspections shall be recorded in the fire log book. 23. The Licensee/Duty manager shall ensure that all necessary safety checks have been carried out before the admission of the public. 24. All escape routes and exits including external exits shall be maintained, unobstructed, in good order with non-slippery and even surfaces, free of trip hazards and clearly identified in accordance with the approved arrangements. 25. Security lighting shall be in operation at the front of the premises whilst licensable activities are taking place at the premises. The security lighting will be at a level which does not cause light pollution.

### **The prevention of public nuisance**

26. A duty manager's mobile telephone number shall be visible and on display to members of the public to raise any complaints in relation to the operation of the



premises. 27. Clearly legible notices shall be prominently displayed at all exits and doors leading to external areas of the premises requesting that customers behave and/or leave the premises in a quiet and orderly manner or a statement to that effect. 28. No drinking or smoking shall be permitted at any time at the front entrance of the premises. 29. No parts of the outside exterior area of the premises shall be used for the purpose of entertainment. 30. Delivery of goods and removal of waste shall not take place between the hours of 23:00 and 08:00hrs. 31. The licensees shall ensure that a suitable person will be designated with the duty and responsibility to inspect the immediate vicinity of the premises and neighbourhood at regular periods for any Anti-Social Behaviour (ASB). 32. The licensee shall take all reasonable steps to ensure patrons of the premises do not cause ASB to the detriment of local residents.

### **The prevention of children from harm**

33. A Challenge 21 policy shall be enforced, where any person reasonably looking under the age of 21 shall be asked to prove their age when attempting to purchase alcohol and signs to this effect shall be displayed at the premises. The only acceptable forms of identity shall be those with photographic documents recognised in the Home Office guidance, including passports, photo-card driving licence or proof of age card bearing the PASS hologram. 34. Public Health directed initiatives will be incorporated within the operational business delivery of the premises. 35. Alcohol on

display / sale on the shop floor which is accessible by members of the public / patrons will be in a lockable fridge cabinet.

## About this form

<b>Issued by</b>	Camden Town Hall Judd Street London WC1H 9JE
<b>Contact phone</b>	020 7974 4444
<b>Form reference</b>	Ref. no. 122385

## 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.

**Sent:** Friday, August 02, 2024 at 3:27 PM

**From:** [REDACTED]

**To:** [REDACTED]

**Cc:**

**Subject:** RE: 258 (Ground Floor) Kilburn High Road, London, NW6 2BY - Application Validation - (Newspaper Advert & Public Notice)

Afternoon,

Thanks for responding.

Steven, in light of the below are you happy to take email confirmation or would you like me to submit a representation?

Many Thanks,



**PC Korbinian Cox**

Police Constable (1212CN)

**Camden Police Licensing Team (CN)**

Metropolitan Police Service

**From:** Ruben Osie <[REDACTED]>

**Sent:** 02 August 2024 10:03

**To:** Cox Korbinian - CN-CU [REDACTED]

**Subject:** RE: 258 (Ground Floor) Kilburn High Road, London, NW6 2BY - Application Validation - (Newspaper Advert & Public Notice)

Dear **PC Korbinian Cox**

Good morning, hope you are well.

I can confirm the suggested hours proposed by the Metropolitan Police Service are agreed & accepted.

Close consideration has been given to the amendments and proposed Metropolitan Police Service conditions. I can confirm that these amendments & conditions are agreed as they will ultimately provide operational resilience for the business.

Steve, happy for the application and Operating Schedule to be amended to reflect **ALL** agreements.

If I can be of further assistance, please do not hesitate to contact me.

Regards

Ruben Osie

**Sent:** Thursday, August 01, 2024 at 3:35 PM

**From:**

**Subject:** RE: 258 (Ground Floor) Kilburn High Road, London, NW6 2BY - Application Validation - (Newspaper Advert & Public Notice)

Good Afternoon All,

Please see below 4 amendments to the proposed conditions, alongside 6 additional conditions for your consideration. These are mostly based on what you have already proposed, just more standardised, less ambiguous and therefore easier to follow. I have also added some slight variations to the times to bring the sale of alcohol within Camden Council's recommended framework hours.

If you have any questions or want to discuss these further on the phone please don't hesitate to ask.

<b><u>Days</u></b>	<b><u>Current Application</u></b>	<b><u>Police Proposal</u></b>
Mon-Thurs	09:00 – 23:00	09:00 – 23:00
Fri – Sat	09:00 – 23:00	09:00 – 23:00
Sunday	09:00 – 23:00	10:00 – 22:30

## Amendments

### **1) Conditions 1 – 7:**

1. The premises licence holder shall ensure that CCTV cameras and recorders are installed at the premises and are of a standard acceptable to and approved by the Police.
2. 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.
3. The CCTV camera views are not to be obstructed.
4. At least one CCTV camera is to be placed no more than seven feet above floor level, near the exit, in order to capture clear facial images of all persons leaving the premises.
5. The medium on which CCTV images are recorded shall be of evidential quality, stored securely, retained for a period of 31 days, and be available for inspection by the Police or Local Authority upon request.
6. 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.

a) Copies shall be made available within 48 hours to the Police or Local Authority, upon request.

b) The facility to transfer the images to a compatible, removable format, shall be held on the premises.

7. Staff working at the premises shall be trained in the use of CCTV and a log shall be kept to verify this.

### **To be amended to:**

*"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. *CCTV will be of good quality and of a standard approved by the police/council licensing officers*
- b. *The system will record in real time and recordings will be date and time stamped;*
- c. *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.*
- d. *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.*
- e. *The CCTV camera views are not to be obstructed.*
- f. *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."*
- g. *At least one CCTV camera is to be placed no more than seven feet above floor level, near the exit, in order to capture clear facial images of all persons leaving the premises.*

- 2) Condition 33.** "A Challenge 21 policy shall be enforced, where any person reasonably looking under the age of 21 shall be asked to prove their age when attempting to purchase alcohol and signs to this effect shall be displayed at the premises. The only acceptable forms of identity shall be those with photographic documents recognised in the Home Office guidance, including passports, photocard driving licences, or proof of age card bearing the PASS hologram."

**To be amended to:**

*"A Challenge 25 policy shall be enforced, where any person reasonably looking under the age of 21 shall be asked to prove their age when attempting to purchase alcohol and signs to this effect shall be displayed at the premises. The only acceptable forms of identity shall be those with photographic documents recognised in the Home Office guidance, including passports, photo card driving licences, or proof of age card bearing the PASS hologram."*

- 3) Condition 18.** "A refusal of alcohol sales log book and incident log book shall be kept at the premises and be available for inspection by the Police or authorised Council Officer."

**To be amended to:**

*"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 (including a description of the customer, the name of the staff member who refused the sale, and the reason the sale was refused.)*
- 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"*

- 4) Condition 35.** "Alcohol on display/sale on the shop floor which is accessible by members of the public/patrons will be in a lockable fridge cabinet."

**To be amended to:**

*"All alcohol is to be covered and locked behind secure metal shutters when the premises remain open outside the permitted hours for the supply of alcohol."*

#### **Additional Conditions**

1. The premises licence holder shall not sell super strength beer, lager or cider with an alcohol content above 5.5% ABV or greater. This restriction shall not apply in respect of specialist branded premium priced products, for example Craft ales, local or micro-brewery specialist products, boxed gifts or national celebratory/commemorative beer, lager or cider with alcohol content of 5.5% ABV or greater.

2. No miniature bottles of spirits of 20 cl or below shall be sold from the premises.
3. No alcohol to be stored beneath the serving counters at any time.
4. All products to be paid for in full at the point of sale. No `credit` to be offered to any customers.
5. A minimum of two members of staff to be present at all times after 18:00 hours.
6. All staff that sell or supply alcohol shall receive appropriate training in relation to undertaking appropriate age checks, before being allowed to sell or supply any alcohol. Staff training records shall be available for inspection by authorised officers of the licensing authority, officers of the trading standards service and officers of the Police.

Many Thanks,



**PC Korbinian Cox**

Police Constable (1212CN)

**Camden Police Licensing Team (CN)**

Metropolitan Police Service

<b>Representation</b>	
Premises name	Cellphone - Vape City
Application reference number	APP\PREMISES-NEW\122385
Last date for representation	08/08/2024

**Making a representation as**

As an individual

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

Ignacio

**Last name**

Gonzalez

**Telephone number (optional)**

[REDACTED]

**Email address**

[REDACTED]

**Address**

Apartment 604  
 1 Espalier Gardens  
 London  
 NW6 2DQ

**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**

There are already enough places in this area of Kilbun High Road selling alcohol. This sort of business are the reason why violence and antisocial behaviors are increasing within the area. No need, no demand, no reason to have another off licence place in the area.



## About this form

**Issued by**

Camden Town Hall  
Judd Street  
London  
WC1H 9JE

**Contact phone**

020 7974 4444

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<b>Representation</b>	
Premises name	Cellphone - Vape City
Application reference number	APP\PREMISES-NEW\122385
Last date for representation	08/08/2024

**Making a representation as**

As an individual

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

Anna

**Last name**

Furness

**Telephone number (optional)**

[REDACTED]

**Email address**

[REDACTED]

**Address**

Apartment 606  
 1 Espalier Gardens  
 London  
 NW6 2DQ

**Remain anonymous**

No

**Grounds of representation**

- prevention of crime and disorder
- ensuring public safety
- prevention of public nuisance

**Details of representation**

There are already numerous off-licence retailers and licensed premises in the immediately adjacent blocks of Kilburn High Road, despite proximity to schools, children's playground, medical centre & mosque. The area has a lot of antisocial behaviour, problems with public drunkenness, violence littering & unsavoury individuals. There is no need to bring additional supply of alcohol into the

neighbourhood and make these problems worse.

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<b>Representation</b>	
Premises name	Cellphone - Vape City
Application reference number	APP\PREMISES-NEW\122385
Last date for representation	08/08/2024

**Making a representation as**

As an individual

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

[REDACTED]

**Last name**

[REDACTED]

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

[REDACTED]

**Address**

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

**Remain anonymous**

Yes

**Detail the exceptional circumstances**

[REDACTED]

**Grounds of representation**

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

**Details of representation**

Allowing additional selling points of alcohol in neighbourhood will make it less easier to prevent public nuisance, crime and disorder

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<b>Representation</b>	
Premises name	Cellphone - Vape City
Application reference number	APP\PREMISES-NEW\122385
Last date for representation	08/08/2024

**Making a representation as**

As an individual

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

[REDACTED]

**Last name**

[REDACTED]

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

[REDACTED]

**Address**

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

**Remain anonymous**

Yes

**Detail the exceptional circumstances**

[REDACTED]

**Grounds of representation**

- prevention of crime and disorder
- ensuring public safety
- prevention of public nuisance

**Details of representation**

Dear Camden I am writing to formally object to the issuance of an alcohol license to this vape shop. The shop currently attracts groups of individuals who gather outside smoking weed, cat calling women and being loud. Granting an alcohol license is likely to exacerbate this issue, leading to increased noise public nuisance.

Additionally, the pavement in front of the shop is narrow, and further congestion could pose safety risks for pedestrians. I urge you to consider these concerns and deny the application for an alcohol license. Thank you for your attention to this matter. Sincerely, Michel Pelisser

## About this form

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Judd Street  
London  
WC1H 9JE

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<b>Representation</b>	
Premises name	Cellphone - Vape City
Application reference number	APP\PREMISES-NEW\122385
Last date for representation	08/08/2024

**Making a representation as**

As an individual

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

[REDACTED]

**Last name**

[REDACTED]

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

[REDACTED]

**Address**

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

**Remain anonymous**

Yes

**Detail the exceptional circumstances**

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



[REDACTED]

[REDACTED]

[REDACTED]

**Grounds of representation**

- prevention of crime and disorder
- ensuring public safety
- prevention of public nuisance

**Details of representation**

Prevents people breaking into the shop to steal alcohol. Prevents drunkards from harrassing / sexually assaulting women on their return home late at night. Prevents drunkards from harassing people in the nearby park.

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## Police agreed conditions

1. The premises licence holder shall ensure that CCTV cameras and recorders are installed at the premises and are of a standard acceptable to and approved by the Police.
2. 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.
3. The CCTV camera views are not to be obstructed.
4. At least one CCTV camera is to be placed no more than seven feet above floor level, near the exit, in order to capture clear facial images of all persons leaving the premises.
5. The medium on which CCTV images are recorded shall be of evidential quality, stored securely, retained for a period of 31 days, and be available for inspection by the Police or Local Authority upon request.
6. 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.
  - a) Copies shall be made available within 48 hours to the Police or Local Authority, upon request.
  - b) The facility to transfer the images to a compatible, removable format, shall be held on the premises.
7. Staff working at the premises shall be trained in the use of CCTV and a log shall be kept to verify this.
8. "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. CCTV will be of good quality and of a standard approved by the police/council licensing officers
  - b. The system will record in real time and recordings will be date and time stamped;
  - c. 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.
  - d. 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.
  - e. The CCTV camera views are not to be obstructed.

f. 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."

g. At least one CCTV camera is to be placed no more than seven feet above floor level, near the exit, in order to capture clear facial images of all persons leaving the premises.

9. "A Challenge 25 policy shall be enforced, where any person reasonably looking under the age of 21 shall be asked to prove their age when attempting to purchase alcohol and signs to this effect shall be displayed at the premises. The only acceptable forms of identity shall be those with photographic documents recognised in the Home Office guidance, including passports, photo card driving licences, or proof of age card bearing the PASS hologram."

10. "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 (including a description of the customer, the name of the staff member who refused the sale, and the reason the sale was refused.)
- 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"

10. All alcohol is to be covered and locked behind secure metal shutters when the premises remain open outside the permitted hours for the supply of alcohol.

11. The premises licence holder shall not sell super strength beer, lager or cider with an alcohol content above 5.5% ABV or greater. This restriction shall not apply in respect of specialist branded premium priced products, for example Craft ales, local or micro-brewery specialist products, boxed gifts or national celebratory/commemorative beer, lager or cider with alcohol content of 5.5% ABV or greater.

12. No miniature bottles of spirits of 20 cl or below shall be sold from the premises.

13. No alcohol to be stored beneath the serving counters at any time.

14 All products to be paid for in full at the point of sale. No 'credit' to be offered to any customers.

15. A minimum of two members of staff to be present at all times after 18:00 hours.

16. All staff that sell or supply alcohol shall receive appropriate training in relation to undertaking appropriate age checks, before being allowed to sell or supply any alcohol. Staff training records shall be available for inspection by authorised officers of the licensing authority, officers of the trading standards service and officers of the Police.

Conditions consistent with the operating schedule

17. A personal licence holder shall be on the premises at all times that intoxicating liquor is supplied.
18. The Licensee may authorise in writing a Duty Manager, who shall be at least 18 years old to deputise for him.
19. The licensee shall 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.
20. No persons carrying visibly open vessels shall be admitted to the premises at any time that the premises are open for licensable activities.
21. Police shall be called to incidents of violence and/or disorder where appropriate.
22. There shall be no vertical drinking at the premises at any time.
23. Highly intoxicated customers will be refused entry and service at the premises.
24. All display / sale on the shop floor which is accessible by members of the public / patrons will be in a lockable fridge cabinet.
25. Clearly legible notices shall be prominently displayed at all exits and doors leading to external areas of the premises requesting that customers behave and/or leave the premises in a quiet and orderly manner or a statement to that effect.
26. No drinking or smoking shall be permitted at any time at the front entrance of the premises.
27. No parts of the outside exterior area of the premises shall be used for the purpose of entertainment.
28. Delivery of goods and removal of waste shall not take place between the hours of 23:00 and 08:00hrs.
29. The licensees shall ensure that a suitable person will be designated with the duty and responsibility to inspect the immediate vicinity of the premises and neighbourhood at regular periods for any Anti-Social Behaviour (ASB).
30. All escape routes and exits including external exits shall be maintained, unobstructed, in good order with non-slippery and even surfaces, free of trip hazards and clearly identified in accordance with the approved arrangements.
31. The security lighting will be at a level which does not cause light pollution.
32. A duty manager's mobile telephone number shall be visible and on display to members of the public to raise any complaints in relation to the operation of the licence.

## 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.