

THE LONDON BOROUGH OF CAMDEN

At a hearing of **LICENSING PANEL C** held on **THURSDAY, 14TH NOVEMBER, 2024** at 7.00 pm held as a remote meeting via Microsoft Teams.

MEMBERS OF THE PANEL PRESENT

Councillors Jonathan Simpson (Chair) and Lorna Greenwood (substitute member)

MEMBERS OF THE PANEL ABSENT

Councillors Nina De Ayala Parker and Matthew Kirk

The minutes should be read in conjunction with the agenda for the hearing. They are subject to approval and signature at the next hearing of Licensing Panel C and any corrections approved at that hearing will be recorded in those minutes.

MINUTES

1. GUIDANCE ON REMOTE MEETINGS HELD UNDER THE LICENSING ACT 2003 AND ASSOCIATED REGULATIONS

RESOLVED –

THAT the guidance be agreed.

2. APOLOGIES

Apologies for absence were received from Councillors De Ayala Parker and Kirk. It was noted that Councillor Greenwood was substituting and that the Panel was quorate with two members present.

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

There were no declarations.

4. ANNOUNCEMENTS (IF ANY)

Webcasting

The Chair announced that the meeting as being broadcast live to the internet and would be capable of repeated viewing and copies of the recording could be made available on request. Those participating in the meeting were deemed to be consenting to being filmed.

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

There was no notification.

6. MINUTES

RESOLVED –

THAT the minutes of the meeting held on the 10th October 2024 be approved and signed as a correct record.

7. SHREEJI LOCAL, 167 MALDEN ROAD, LONDON NW5 4HT

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

The Licensing Officer summarised the report and confirmed that the Public Health Responsible Authority had withdrawn its representation.

Oisin Daly, the applicant's representative, confirmed that there had been no changes to the application since the publication of the agenda.

Hitharth Patel, an interested party, then summarised their representation, highlighting that they owned a nearby licensed premises and believed that there had been a recent increase in crime in the area, and that the hours that the applicant wished to sell alcohol for could present a threat to the local community and to school children passing by on their way to and from school.

Stephen R, representing Kate Ashley, an interested party, summarised Kate Ashley's representation, highlighting their concerns about safety in the area and concerns about how well managed any new premises in the area would be.

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In response to a question, Stephen R remarked that they knew the owners of the two existing licensed premises in the area, and knew them to be responsible licensees, but did not know the applicant for this licence.

In response to a question, Hitharth Patel remarked that the premises proposed to be open and selling alcohol when children were passing on their way to school which was a matter of concern, as was the potential impact of another premises on the crime rate in the area.

Oisin Daly presented the application and made the following key points:-

- The applicant had experience of licensed premises and her husband had experience in the retail sector. Both would be on site the majority of the time.
- The application complied with Camden's licensing policy and there would be measures such as Challenge 25, CCTV, regular staff training and restrictions on alcohol strength in place.
- Whether there was a need for an additional licensed premises in an area was not a relevant consideration and there appeared to be a pattern to the representations that suggested they had been solicited by another premises to prevent competition. None of the concerns raised were specific to this application.
- The nearby premises was in fact licensed from 8am to 11pm Monday to Saturday and 12 noon to 10.30pm Sunday, whether or not the licensee chose to open for those hours. That premises also did not have all the conditions on their licence that one might expect to see.
- None of the responsible authorities had any concerns about the application.
- The crime statistics did not show a significant spike in crime and anti-social behaviour in the area.
- If the Panel wished to impose a condition regarding training in relation to vulnerable people and women's safety, this would be acceptable to the applicant.

In their closing remarks, Hitharth Patel remarked that they had not been involved in soliciting representations and had in fact only found out about this application from a customer. They added that their premises only opened from 10am until 10pm Monday to Saturday and 11am to 8pm on Sunday.

In their closing remarks, Stephen R commented that they lived in the area and felt that there had been an increase in safety issues.

In their closing remarks, Oisin Daly reiterated that the application complied with the Council's licensing policy.

Decision and Reasons

Panel Members confirmed that they had been able to see the parties and hear the submissions made by them. They expressed sympathy with residents who felt that

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there had been an increase in anti-social behaviour in the area, but felt that this could not be connected to this premises. They observed that this application had to be considered on its own merits and that there was some significance in the fact that the responsible authority representations had been withdrawn. Members were broadly satisfied with the conditions offered but would like to see the addition of the standard condition relating to women's safety.

RESOLVED –

- (i) THAT supply of alcohol off the premises be permitted Monday to Saturday from 08:00 to 23:00 and Sunday 08:00 to 23:30;
- (ii) THAT the premises be permitted to open from 07:00 to 23:00 Monday to Saturday and 07:00 to 22:30 Sunday;
- (iii) THAT the following conditions be imposed on the licence:

Conditions consistent with the operating schedule

1. No single sales of any cans, or bottles under 660ml, of beer, lager, cider or perry with an ABV over 6% shall be sold at the premises save that this shall not apply to premium beer, lager, cider or perry with an ABV over 6% such as craft or speciality brands or brands produced by a micro-brewery, or brands produced to commemorate a national or local event.
2. All alcohol in the public parts of the premises shall be kept in display units. All display units for alcohol will be covered fully. Covers will be placed at the end of permitted hours for the sale of alcohol and shall not be removed again until the start of permitted hours the following day.
3. All staff responsible for selling alcohol shall receive regular training in the Licensing Act 2003 in terms of the licensing objectives, offences committed under the Act and conditions of the Premises Licence.
4. Written records of staff training in the Licensing Act 2003 shall be retained and made available to police and authorised officers of the Licensing Authority on request.
5. Staff shall receive refresher training in the Licensing Act 2003 at intervals of no more than 6 months.
6. Signed and dated records shall be kept of all staff training and such records kept available for inspection at the premises for a period of at least one calendar year from the last date of entry.
7. There shall be CCTV in operation at the premises and
 - a) a member of staff who has been nominated in writing and who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public.
 - b) if the premises are not open, and subject to the tests set out by virtue of the Data Protection Act, within 24 hours of a request for access to the CCTV system from either the police or licensing authority, this staff member must be able to show a Police, HMRC or authorised council officer recent data or footage with the absolute minimum of delay when requested.

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8. c) CCTV shall record continuously and be retained for not less than 31 days.
A daily incident log shall be kept at the premises for a period of at least 12 months from the date of last entry, which will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received
 - (d) any incidents of disorder
 - (e) any faults in the CCTV repaired within 24hrs
 - (f) any refusal of the sale of alcohol
 - (g) any visit by a relevant authority or emergency service.
 - (h) any lost property found or handed to staff at the premises.
 - (i) any other relevant incidents to be recorded.
9. The premises licence holder shall not sell super strength beer, lager or cider with an alcohol content above 5.5% ABV or greater.
10. 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.
11. Alcohol shall not be sold in an open container, be opened in the premises, or be consumed in the premises.
12. All alcohol in the public parts of the premises shall be kept in display units. No alcohol is to be kept under the counter.
13. A "Challenge 25" age verification policy shall be operated at the Premises during the permitted hours for the sale of alcohol and staff shall be trained in respect of the policy. Staff shall ask for proof of age from anyone they suspect of being less than 25 years of age.
14. The only acceptable forms of identification shall be a photo style driving licence, a passport, a photo identification card bearing the PASS logo in a hologram format, military ID or recognised national photographic identity cards from member countries of the European Union.
15. Posters shall be displayed in prominent positions around the premises advising customers of the Challenge 25 policy in force at the premises.

Police conditions

16. No single sales of any cans, or bottles under 660ml, of beer, lager, cider or perry with an ABV over 6% shall be sold at the premises save that this shall not apply to premium beer, lager, cider or perry with an ABV over 6% such as craft or speciality brands or brands produced by a micro-brewery, or brands produced to commemorate a national or local event.
17. All alcohol in the public parts of the premises shall be kept in display units. All display units for alcohol will be covered fully. Covers will be placed at the end of permitted hours for the sale of alcohol and shall not be removed again until the start of permitted hours the following day.

Condition imposed by Licensing Panel C

18. The premises shall adhere at all times to Camden's Women's safety principles including the "Ask for Angela" initiative to ensure safety and support for all patrons and staff.

8. ANY OTHER BUSINESS THAT THE CHAIR CONSIDERS URGENT

There was no urgent business.

The hearing ended at 7.35pm.

CHAIR

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MINUTES END