

## **THE LONDON BOROUGH OF CAMDEN**

At a hearing of **LICENSING PANEL B** held on **THURSDAY, 12TH DECEMBER, 2024** at 7.00 pm in a Remote meeting via Microsoft Teams.

### **MEMBERS OF THE PANEL PRESENT**

Councillors Lorna Greenwood (Chair), Steve Adams and Jenny Headlam-Wells

**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 B and any corrections approved at that hearing will be recorded in those minutes.**

### **MINUTES**

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

##### **RESOLVED –**

THAT the guidance on remote meetings be agreed.

#### **2. APOLOGIES**

There were none.

#### **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 none.

#### **4. ANNOUNCEMENTS**

##### **Webcasting**

The Chair announced that the meeting was being broadcast live to the internet and would be capable of repeated viewing and copies of the recording could be made available to those that requested them. 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 were no notifications of items of urgent business.

**6. MINUTES**

Consideration was given to the minutes of the previous meeting.

**RESOLVED –**

THAT the minutes of the meeting held on 7 November 2024 be approved and signed as a correct record.

**7. FLEET NEWS, 90 FLEET ROAD, LONDON, NW3 2QX**

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

The Licensing Officer introduced the report and stated that one relevant representation has been received from a local resident group. The Licensing Officer clarified that the hours policy was engaged on Sunday as the proposed terminal hour was 23:00hrs, which was 30 mins beyond framework hours.

The applicant, represented by Surendra Panchal, reported that amendments had been made to the hours requested, as follows:

**Off Sales**

08:00hrs – 23:00hrs Monday to Saturday

10:00hrs – 22:30hrs Sunday

The interested party, Marc Hutchinson representing the Heath and Hampsted Society, summarised their written submissions, as set out in the agenda.

The interested party responded to questions as follows:

- During the week, sale of alcohol should not be permitted before 10:00hrs because of the nuisance drinking on Southend Green.
- Any restrictions on early morning sales would make a difference to public nuisance from street drinking, as people had been observed drinking in the area as early as 08:00hrs, having purchased alcohol from shops which were licensed to sell alcohol in the morning.
- In relation to street drinking, late hours did not seem to be such an issue, as the people street drinking had usually dispersed by the evening.

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Surendra Panchal, representing the applicant, provided an overview of the application and responded to questions as follows:

- The premises licence holder was an experienced operator who ran licenced premises in another London Borough. All premises were run responsibly and promoted the licensing objectives.
- The CCTV would be operated responsibly, and footage will be made available to the police or other responsible authority on request.
- The shop had been operating for 10 years already without issue, however the owner wanted to expand the shops offering and so had applied for a premises licence.
- The applicant had been in touch with the objector and had attempted to compromise.
- If the licence holder did not operate the premises responsibly there could be a review and a risk that the licence was revoked.
- The applicant was agreeable to adding a condition that stated the premises would not offer for sale any high strength beers, lager and ciders above 6.5%.
- As a responsible business owner, the applicant would abide by any conditions or amended timings that the panel imposed, including conditions that promoted the safety of women and girls.
- It was expected that only around 10% of the shop's stock would be alcohol.

The interested party and applicant made some closing remarks.

### **Deliberation and Reasons**

Panel Members confirmed that they had been able to follow and understand the submissions and discussions in relation to the application.

In deliberation, the Panel considered the representations by the interested party and the information provided by the applicant's representative.

The Panel noted that the premises was not situated in a cumulative impact policy area and due to the amended timings, was now within the council's framework hours policy. It was also considered significant that the Responsible Authority's had not submitted representations.

The Panel discussed adding additional conditions relating to women's safety and the 'Ask for Angela' scheme and preventing the sale of strong beer and cider above 5.5% ABV as highlighted in the council's statement of licensing policy instead of the 6.5% offered by the applicant. The Panel considered these additional conditions would be appropriate and would uphold the licensing objections.

Overall, the Panel were satisfied that, with the amended hours and additional conditions, the application would uphold the licensing objectives and could be granted.

Therefore, it was

**RESOLVED –**

THAT the application for a new premises licence be granted as follows:

**a) Supply of Alcohol (For consumption off the premises only)**

08:00hrs – 23:00hrs Monday to Saturday  
10:00hrs – 22:30hrs Sunday

**b) Opening hours**

06:00 – 23:00 Monday to Sunday

With the following conditions:

1. CCTV shall be installed to Home Office Guidance standards and maintained in a good working condition and recordings shall be kept for 31 days and shall be made available to police and authorised Officers from the council.
2. The CCTV system shall be capable of obtaining clear facial recognition images and a clear head and shoulders image of every person entering or leaving the premises.
3. The CCTV system shall display on any recordings, the correct date and time of the recording.
4. A member of staff trained in the use of the CCTV system shall be available at the premise at all times that the premises are open to the public.
5. A CCTV camera shall be installed to cover the entrance of the premises and further cameras installed to cover the internal area and servery counter.
6. The CCTV shall be working at all times.
7. A suitable intruder alarm complete with panic button shall be fitted and maintained.
8. An incident log shall be kept at the premises, and made available for Inspection on request to an authorised officer of the council or the Police, 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) all seizures of drugs or offensive weapons
  - (f) any faults in the CCTV system
  - (g) any refusal of the sale of alcohol

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- (h) any visit by a relevant authority or emergency service.
9. Staff training must be documented and based on legislation and operating procedures.
  10. All training shall be signed and dated, and a copy of such records will be available for inspection by Police and local authority enforcement officers.
  11. All staff employed at the premises will have their right to work in the UK status checked, applicants shall only be offered employment once their legal status is confirmed.
  12. All alcohol shall be purchased from AWRS registered cash & carry and wholesalers.
  13. There shall be no self-service of spirits on the premises.
  14. Appropriate safety equipment shall be installed at the premises.
  15. Fire exit signs shall be displayed.
  16. There shall be a notice displayed asking customers to leave quietly from premises, customers will also be told in person to leave quietly and not to disturb the local neighbourhood.
  17. Strict policy in place requiring staff to refuse service of alcohol to those suspected to be intoxicated.
  18. Appropriate signage will be displayed in a prominent position informing customers they are being recorded on CCTV.
  19. A challenge 25 policy will be in force, where any person looking under the age of 25 shall be asked to prove their age when attempting to purchase alcohol and signs to this effect will be displayed at the premises. Challenge 25 posters will be displayed where alcohol is sold.
  20. The only acceptable ID will be those with photographic identification documents, including passport, photo-card, driving license or proof of age card bearing the PASS hologram.
  21. A refusal book shall be kept at the premises and updated as and when required and made available for inspection on request to a Licensing Officer, Police or other responsible authority.
  22. The licensee will ensure that staff are trained regularly as appropriate in respect of the Licensing Act 2003 legislation, and staff to be trained regularly in underage sales prevention.
  23. A sign stating “No proof of age – No sale” shall be displayed at the point of sale.

24. The premises will sign up to the 'Ask for Angela' scheme.
25. No strong beer and cider above 5.5% ABV shall be available for sale at the premises.

**8. BLUE GARDEN, BASEMENT AND GROUND FLOOR, 74 CHANCERY LANE, LONDON, WC2A 1AA**

The Chair moved a resolution to enter confidential session to consider the review application because it involved information relating to action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

**RESOLVED –**

THAT the press and public be excluded from the proceedings of the Licensing Panel on 12 December 2024 during consideration of the respective item on the agenda on the grounds that it is likely, in view of the nature of the business to be transacted, that were members of the public to be present, there would be disclosure of exempt information as defined in Schedule 12A to the Local Government Act 1972 (as amended) and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Specifically –

Publicity in respect of item 7 would be likely to lead to the disclosure of information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime by virtue of Category 7 of Schedule 12A of the Local Government Act 1972 (as amended).

**Part II**

Consideration was given to a report of the Executive Director Supporting Communities relating to a review of a premises licence under Section 53A of the Licensing Act 2003.

The Police as applicant for the review, the Licencing Responsible Authority, and the Premises Licence Holder set out their case to the Panel.

**Part I**

Members returned to public session at to announce their decision.

**Deliberation and Reasons**

Panel Members confirmed that they had been able to follow and understand the submissions and discussions in relation to the application for review of a premises licence in respect of Blue Garden.

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In deliberation, the Panel noted the representations made by the Licensing Responsible Authority, and the information provided by both the Police and Licence Holder.

The Panel then considered all the options available to them and whether:

- a) Allow the licence to continue operating as before.
- b) Modify the conditions of the licence.
- c) Exclude a licensable activity from the scope of the licence.
- d) To remove the designated premises supervisor.
- e) To suspend the licence for a period not exceeding three months.
- f) To revoke the licence.

Panel Members agreed, having deliberated on all evidence available to them, that the incidents leading up to the review were very serious matters that breached the prevention of crime and disorder licensing objective. Members were of the view that despite the conditions suggested by the Police and those offered by the licence holder it would not be possible to:

- a) Allow the licence to continue operating as before.
- b) Modify the conditions of the licence.
- c) Exclude a licensable activity from the scope of the licence.
- d) To remove the designated premises supervisor.
- e) To suspend the licence for a period not exceeding three months.

Further Panel Members were not confident that the Premises Licence Holder was able to uphold the licensing objectives or prevent any further crime and disorder at the premises.

The Panel also reviewed the interim steps taken at the summary review hearing that took place on 7 November 2024 when the Panel resolved to suspend the premises licence. Having regard to the evidence presented before them today Panel Members were minded to vary the interim steps to overturn the suspension and impose that the premises licence be revoked.

Therefore, it was

**RESOLVED –**

- i) THAT the premises licence in respect of Blue Garden be revoked pursuant to Section 53 of the Licensing Act 2003; and
- ii) THAT the interim steps to suspend the premises licence imposed on 7 November 2024 to vary the interim steps to overturn the suspension and impose that the premises licence be revoked.

**9. ANY OTHER BUSINESS THAT THE CHAIR DECIDES TO TAKE AS URGENT**

There was none.

The hearing ended at 9.46 pm.

**CHAIR**

**Contact Officer: Rebecca Taylor**

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**MINUTES END**