

Crown copyright and database rights 2025 OS AC0000849991

| | |
|--|--|
| I want to apply for a | Premises licence |
| Are you an agent? | No - I'm applying for myself |
| Does the premises have a name? | Yes |
| What is the name of the premises? | McDonalds |
| What is the address or location? | RHS 4 Harben Parade Finchley Road NW3 6JP London |
| What is the type of premises? | Quick service restaurant |
| Describe the area it is situated in | Commercial and residential |
| Describe the layout of the premises | The restaurant is situated on the ground floor, both the kitchen and dining area is located on this level. It does have storage areas below the ground floor and a plant room above it |
| Copy of the premises plans | <ul style="list-style-type: none">• 42Swisscottagemcdonalds.docx |

Tell us about the premises business hours

| Day | Start time | End time |
|-----------|------------|----------|
| Monday | 06:00 | 00:30 |
| Tuesday | 06:00 | 00:30 |
| Wednesday | 06:00 | 00:30 |
| Thursday | 06:00 | 00:30 |
| Friday | 06:00 | 00:30 |
| Saturday | 06:00 | 00:30 |
| Sunday | 06:00 | 00:30 |

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?

76986

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**

10905611

Name of business

KYLU limited

Name and addressMC DONALDS SHAFTESBURY CIRCLE
HA2 0AE
HARROW**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

i. Late night refreshments - Hot food or hot drinks only between 11pm and 5am.
Refreshments outside of these times do not need to be licenced

Late refreshments

| Day | Start time | End time |
|-----------|------------|----------|
| Monday | 06:00 | 02:00 |
| Tuesday | 06:00 | 02:00 |
| Wednesday | 06:00 | 02:00 |
| Thursday | 06:00 | 02:00 |
| Friday | 06:00 | 02:00 |
| Saturday | 06:00 | 02:00 |
| Sunday | 06:00 | 02:00 |

| | |
|---|---|
| Where will refreshments be provided? | Indoors |
| Tell us about the specifics of the activity | Late night refreshment hot food and beverages from the McDonalds menu to be available from the restaurant and McDelivery facilities. |
| Are there any seasonal variations for the activity? | No |
| Will the activity take place at times other than those listed? | Yes : From the terminal Hour on New Years eve until 05:00 on New Years Day. |
| 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 head unit (recorder) for storing CCTV images must be located in a secure cabinet or other secure area out of the sight and reach of the public. 2 - The CCTV system to be maintained and operated in good order and to the satisfaction of the Metropolitan Police reasonable requests. The medium upon which the images are recorded will be clearly identifiable, stored securely and retained for a period of not less than 31 days. Footage and screenshots shall be made available to the Police and Licensing Authority Officers immediately upon request in accordance with the Data Protection Act 2018. 3 - Such footage must be provided in an immediately viewable format and must include any software etc. which is required to view the footage. Any discs, portable drives or other storage media onto which the footage is |

transferred must be provided by the Premises. 4 - A member of staff who is trained to operate the system and supply the footage must be present at the Premises at all times when licensable activities are taking place. 5 - Signage shall be displayed warning that CCTV is in operation for the detection and prevention of crime and disorder.

Public safety

6 - There shall be a fully trained manager deployed at the premises between 23:00 and the terminal hour.

The prevention of public nuisance

7 - Signage shall be displayed requesting customers to respect local residents to leave the premises quietly. 8 - The placing of waste, including bottles, into receptacles outside the Premises shall only take place between the hours of 07:00 and 23:00 to minimise disturbance to nearby properties.

The prevention of children from harm

No conditions are offered under this licensing objective as none were raised in the applicants risk assessment for late night refreshment however the applicant would consider conditions if they are required by the responsible authorities or interested parties subject to those conditions being relevant and proportionate to this application.

About this form**Issued by**

Camden Town Hall
Judd Street
London
WC1H 9JE

Contact phone

020 7974 4444

Form reference

Ref. no. 127600

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.

- [illegible]

All drawings to be read in conjunction with

- RofE Design, Supply, Construct Manual
- McDonald's Generic Intermediate NBS Specification
- CDM Partnership M, E & D/S performance specifications

| AREAS SCHEDULE | | EXISTING | PROPOSED |
|--|----------------------|----------------------|----------|
| 3F COVERS | 114 | 128 | |
| IF COVERS | N/A | N/A | |
| 10AL COVERS | 114 | 128 | |
| INPROX WING AREA GJA (m ²) | 180.1 m ² | 180.1 m ² | |
| INPROX GJA (m ²) | 22.8 m ² | 22.8 m ² | |
| INPROX CREW ROOM GJA (m ²) | 32.8 m ² | 32.9 m ² | |

RAWINGS BASED UPON

146697_HAK K1 Kitchen_Rev.D

DESIGN HAZARD IDENTIFICATION

- No significant Hazards have been identified in the drawing

PROPOSED GENERAL ARRANGEMENT

LIMMOMENTS RoTF COMPLEX

GALAMAST

FINAL CONSTRUCTION ISSUE

THE INFORMATION CONTAINED IN THIS DRAWING IS GIVEN IN ACCORDANCE WITH THE REQUIREMENTS OF THE NATIONAL BUREAU OF STANDARDS (NBS) DRAWING STANDARD 101-1. THE INFORMATION IS NOT TO BE USED FOR ANY OTHER PURPOSES WITHOUT THE WRITTEN PERMISSION OF THE NATIONAL BUREAU OF STANDARDS.

[illegible]

| GENERAL INFORMATION | | SPECIFICATIONS | | REMARKS | |
|--|--|--|--|--|--|
| ITEM NO. 1 DESCRIPTION 1.000 LITERS OF WATER UNIT 1000 LITERS QTY 1000 LITERS PRICE 1000 LITERS TOTAL 1000 LITERS | | ITEM NO. 2 DESCRIPTION 2.000 LITERS OF WATER UNIT 2000 LITERS QTY 2000 LITERS PRICE 2000 LITERS TOTAL 2000 LITERS | | ITEM NO. 3 DESCRIPTION 3.000 LITERS OF WATER UNIT 3000 LITERS QTY 3000 LITERS PRICE 3000 LITERS TOTAL 3000 LITERS | |
| ITEM NO. 4 DESCRIPTION 4.000 LITERS OF WATER UNIT 4000 LITERS QTY 4000 LITERS PRICE 4000 LITERS TOTAL 4000 LITERS | | ITEM NO. 5 DESCRIPTION 5.000 LITERS OF WATER UNIT 5000 LITERS QTY 5000 LITERS PRICE 5000 LITERS TOTAL 5000 LITERS | | ITEM NO. 6 DESCRIPTION 6.000 LITERS OF WATER UNIT 6000 LITERS QTY 6000 LITERS PRICE 6000 LITERS TOTAL 6000 LITERS | |

PROCESSES OF THE PROJECT

1. **Start**
The project is initiated and the project manager is appointed.

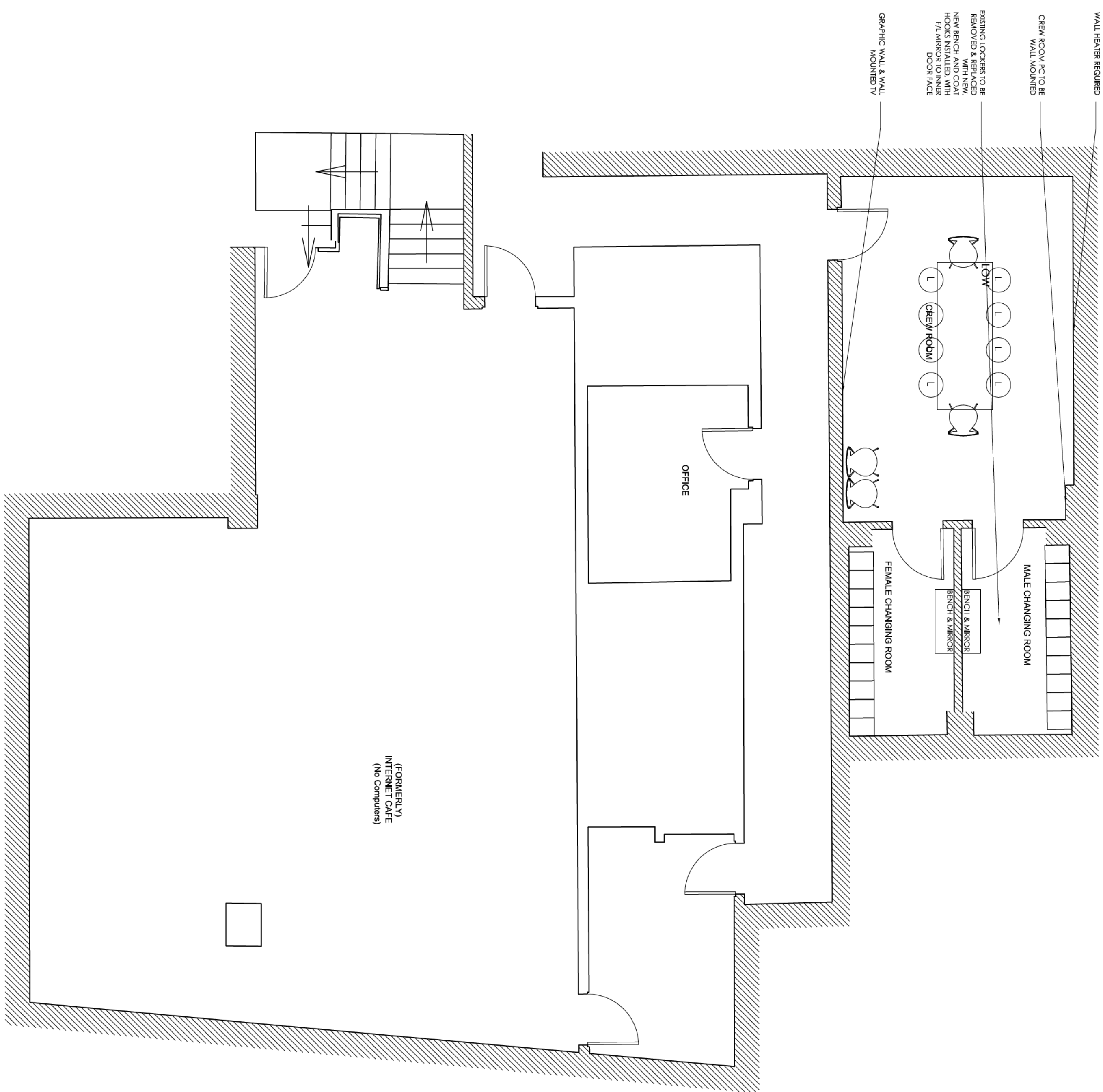
2. **Planning**
The project manager defines the project's scope, objectives, and deliverables. The project manager also identifies the project's risks and develops a risk management plan.

3. **Execution**
The project manager implements the project plan and manages the project's resources. The project manager also communicates with the project's stakeholders and reports on the project's progress.

4. **Monitoring and Control**
The project manager monitors the project's progress and ensures that the project is on track. The project manager also identifies and manages the project's risks.

5. **Closing**
The project manager completes the project and ensures that all project objectives have been met. The project manager also documents the project's lessons learned and provides a final report to the project's stakeholders.

6. **End**
The project is completed and the project manager is no longer involved in the project.

[illegible]

PROPOSED GENERAL ARRANGEMENT PLAN

From: Russell Thomas [FS]
Sent: 06 May 2025 19:36
To: Christopher Malone; licensing inbox
Cc: Russell Thomas [FS] ; Mavani Reema [F]
Subject: Re: Police Recommendations

Dear Licencing,

After discussion with Chrisopher Malone (Metropolitan Police) we would like the following two conditions added to the application of our licence

1. From 01:00 hours, the premises shall operate strictly as a delivery only facility. The premises shall remain closed to the public and shall be used solely for the preparation and dispatch of delivery orders. Public collection of orders from the premises is strictly prohibited.
2. All deliveries made after 01:00 hours must be to a verifiable residential or commercial address. No deliveries shall be made to any individual located on public demise within a 100 meter radius of the premises or its immediate vicinity.

Kind regards,

Thom Russell

On 6 May 2025, at 17:55, Chrisopher Malone wrote:

Dear Thom, I spoke to you earlier regarding your application. The MPS would agree to McDonalds Finchley Road opening until 2am. However deliveries only from 1am. If you would add the following condition to your application, the MPS will not

Dear Thom,

I spoke to you earlier regarding your application. The MPS would agree to McDonalds Finchley Road opening until 2am. However deliveries only from 1am.

If you would add the following condition to your application, the MPS will not submit a representation.

Condition:

1. From 0100 hours The premises will operate as a delivery only business. The premises will not open to the public and will be used for dispatch only. There shall be no collection by the public from the premises.
2. Deliveries after 0100 hours must be to a residential or business address only.

If you agree, please email the council on the following email licensing@camden.gov.uk ,saying you would like to add these 2 conditions to your application. Can you also CC me into the email please.

Kind Regards

Chris

From: Lee Perella
Sent: 06 May 2025 22:51
To: Licensing Representation
Subject: EH Representation application 127600 Macdonalds 4 Harben Road

Dear Licensing

ENVIRONMENTAL HEALTH REPRESENTATION

Application Reference: 127600

Premises Name: McDonalds

Premises address: RHS 4 Harben Parade, Finchley Road, London, NW3 6JP

Attached

Current licence conditions

New application

Image of location

Prevention of public nuisance licensing objective

The premises currently holds a licence PREM LIC 2580 for the hours 0600 to 0030 hours across the week.

I have attached the current licence conditions 2580 which covers matters in 7 conditions.

Maintain public order to minimise nuisance to residents (1)

Signage to leave quietly (2a)

Signage to use refuse bins (2b)

Provision of refuse bins (3)

Litter patrol (4)

CCTV (5)

CCTV (6)

Limitation on childrens parties during the licenced period (7)

Note the NEW application seeks early hours late night refreshment till 2am across the week.

The NEW application offers conditions on

CCTV

Management presence after 23.00 till closing

Leave quietly signage

Placement of waste outside between 07.00 and 23.00 hours.

Comment on application

The premises sits in on Finchley Road, Swiss Cottage between Swiss Cottage Station and Finchley Road Station. There is residential premises in the area and flats directly above the applicants McDonalds Premises, that potentially will be subject to nuisance issues in the street. Attached image of street location.

There are no complaints received about McDonalds current trading operations. I am aware representation was made by residents objecting to this application.

There is potential for further public nuisance where late-night premises remain open to trade from noise of pedestrian coming and goings, vehicle movements, loitering on street, food and waste litter. Emergency services are usually involved to deal with matters on the street including public disturbance, where groups congregate outside licenced premises, which also happen to be trading extended hours. Staff may have little influence over congregation and behaviour outside the premises.

The application seeks to increase trading hours in this location in the later hours up to 2am for “walk in” customers. The application will likely encourage increased activity on the street. This includes those inebriated customers who have enjoyed local or distant venues to visit and stay in the area and reduce effective dispersal from the area.

It is expected that applicants/ licence holders present a strong case to extend licenced activities into the early hours of the morning and beyond the Camden framework hours.

The applicant has not presented a strong case to support the application.

The applicant has not offered anything on the following matters;

1. Security staff to maintain order and intervene on nuisance issues.
2. Consider age and times limits for customers being served on the premises. To prevent youths loitering in the area late at night.

3. Waste measures including refuse provision and litter patrol and a litter patrol to support the application.
4. Offer reasonable servicing times for store deliveries and waste collections.
5. Consideration of a customer delivery-based offer later in the evening only as opposed to a walk-in and delivery service.
6. Provision of a customer delivery policy to promote the licensing objectives.
7. Provide condition on ensuring no plant equipment used during late night refreshment gives rise to public nuisance.

Summary

The application is likely to undermine the public nuisance licensing objective and therefore should be refused.

Regards

Lee Perella

Environmental Health Responsible Authority

Pollution Team

L.B.CAMDEN

Attached below;

Macdonalds 4 Harben Parade IMAGE (002)

MCDONALDS HARBEN PARADE current licence conditions 2580

EH REP - McDONALDS, 4 HARBEN PARADE, FINCHLEY ROAD



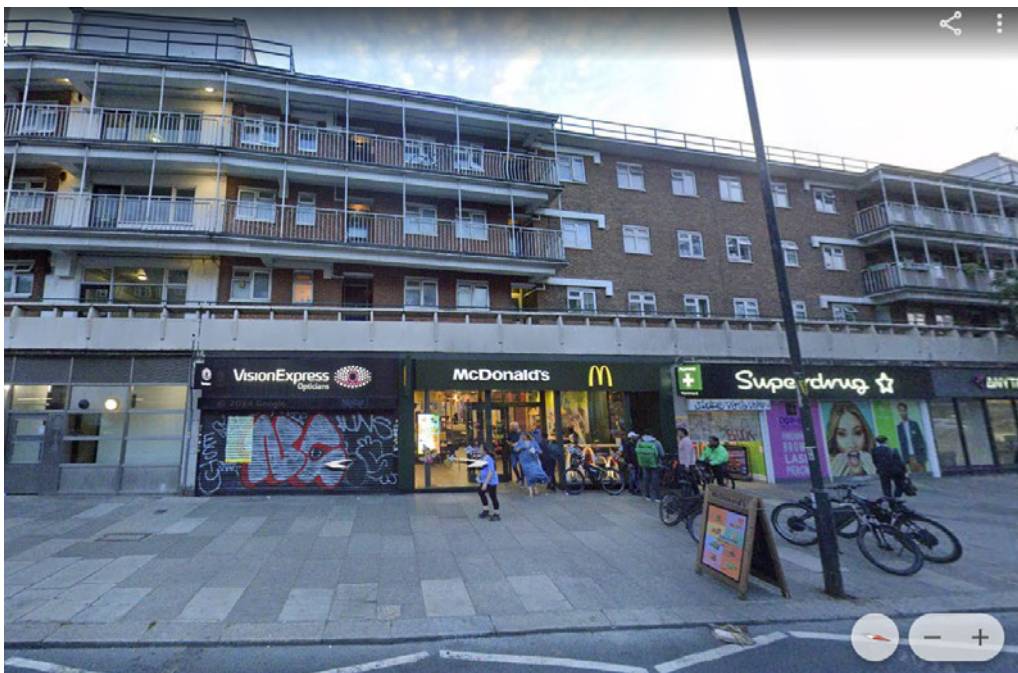
McDONALDS SEEN ON LEFT OF PHOTO.

RED ROUTE 7AM - 7PM NO STOPPING

RESTRICTED STOPPING DUE TO CROSSING.

BUS STOP FURTHER NORTH

FLATS ABOVE RESTAURANT.



**Annex 1 - Mandatory conditions**

N/A

Annex 2 - Conditions consistent with the Operating Schedule

- 1 All reasonable precautions shall be taken by the licensee to maintain public order in the licensed premises and to minimise any nuisance or annoyance to residents in the neighbourhood.
- 2 Clear and legible notices in a form approved by the Licensing Authority shall be prominently displayed by the licensee at the premises in an approved position:
 - (a) requesting customers to leave the premises in a quiet and orderly fashion; and
 - (b) drawing customers' attention to the availability of refuse containers and requesting that customers use them.
- 3 Suitable and sufficient refuse containers for the use of customers shall be supplied and maintained by the licensee.
4. The licensee shall arrange for litter resulting from the business to be removed from the forecourt of the premises and adjacent areas at the end of each trading session.
5. The CCTV system shall be kept in operation while the premises are open and maintained in working order.
6. The CCTV footage must be kept for 31 days.
7. Children's parties shall not be held during the licensed period.

Annex 3 - Conditions attached after a hearing by the licensing authority

N/A

Annex 4 - Plans



London Borough of Camden, Town Hall, Judd Street, London, WC1H 9JE

Premises licence summary

| | |
|--------------------------------|---------------|
| Premises licence number | PREM-LIC\2580 |
|--------------------------------|---------------|

Premises details

| |
|---|
| Postal address of premises, or if none, ordnance survey map reference or description |
| McDonalds 4 HARBEN PARADE FINCHLEY ROAD LONDON NW3 6JP |
| Telephone number 020 7722 7084 |

| |
|--|
| Where the licence is time limited the dates |
| N/A |

| |
|--|
| Licensable Activities authorised by the licence |
| Late Night Refreshment |

| |
|---|
| The times the licence authorises the carrying out of licensable activities |
| 23.00 to 00.30 Monday to Sunday |

| |
|--|
| The opening hours of the premises |
| 06.00 to 01.00 Monday to Sunday |

| |
|--|
| Where the licence authorises supplies of alcohol whether these are on and/or off supplies |
| N/A |

MCDONALDS HARBEN PARADE current licence conditions 2580

**Name, (registered) address of holder of premises licence**

McDonald's Restaurants Limited
11-59 High Road
East Finchley
London
N2 8AW

Registered number of holder, for example company number, charity number (where applicable)

01002769

Name of designated premises supervisor where the premises licence authorises the supply of alcohol

N/A

State whether access to the premises by children is restricted or prohibited

N/A

| Representation | |
|------------------------------|-------------------------|
| Premises name | McDonalds |
| Application reference number | APP\PREMISES-NEW\127600 |
| Last date for representation | 06/05/2025 |

Making a representation as

As an organisation

Your details**Organisation name**CRASH - Combined Residents'
Associations of South Hampstead**First name**

Alan

Last name

Mason

Telephone number (optional)

[REDACTED]

Email address

[REDACTED]

Address[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]**Remain anonymous**

No

Grounds of representation

- prevention of crime and disorder
- prevention of public nuisance

Details of representation

Harben Parade has a current history of crime & disorder - some of it violent - and this will only be made worse by the extension of hours into the early hours of the morning when police, security and footfall are at their lowest numbers. Harben Parade has residential accommodation above the retail premises and on the other side of the Finchley Road. The hard-

working residents living in these flats deserve a good night's sleep undisturbed by noisy, often drunk people. If revellers wish to eat and drink into the early hours of the morning they should head to Soho, not Swiss Cottage. CRASH objects to this application.

About this form

Issued by

Camden Town Hall
Judd Street
London
WC1H 9JE

Contact phone

020 7974 4444

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.

From: alan mason
Sent: 09 May 2025 10:29
To: Sarah Williams
Subject: Remain: CRASH: Swiss Cottage McDonald's application - 127600

Dear Sarah

Thanks for the below message.

Our experience - as a residents' association - of delivery riders and drivers is abysmal. They are noisy, inconsiderate and flout the law without a second thought. They ride on pavements, go through red lights and ride the wrong way down one-way streets. We remember, with anger, the unlawful and inconsiderate behaviour of the delivery personnel operating out of the Deliveroo 'dark kitchen' further along the Finchley Road. Thankfully that operation was closed down by the Council. We do not need it replicated on Harben Parade.

CRASH remains opposed to the application for longer opening hours, be it for the general public or restricted to delivery collections.

Kind regards

Alan Mason

CRASH

----- Original Message -----

From: Sarah Williams
To: alan mason
Sent: Friday, May 9th 2025, 09:17
Subject: CRASH: Swiss Cottage McDonald's application - 127600

Hi Alan,

Thank you for your representations on behalf of CRASH - Combined Residents' Associations of South Hampstead.

I can confirm them that the application has been amended following mediation with the Metropolitan Police, with two additional conditions to be added.

1. From 01:00 hours, the premises shall operate strictly as a delivery only facility. The premises shall remain closed to the public and shall be used solely for the preparation and dispatch of delivery orders. Public collection of orders from the premises is strictly prohibited.
2. All deliveries made after 01:00 hours must be to a verifiable residential or commercial address. No deliveries shall be made to any individual located on public demise within a 100 meter radius of the premises or its immediate vicinity.

Please confirm if these conditions now satisfy your concerns, or if you would like your representation to remain. The hearing will then be scheduled and hearing details will be sent.

Kind regards,

Sarah Williams
Licensing Officer

From: Mavani Reema [F] >

Sent: 23 May 2025 12:48

To: Sarah Williams; Licensing Committee

Cc: Russell Thomas [FS]

Subject: FW: Reps Received: Swiss Cottage McDonald's application - 127600 - Action needed

Hi Sarah and Licensing team,

I have noted that Sarah is out of the office until 2nd June, therefore CC Licencing team

We are writing in response to the representation submitted by Mr. Alan Mason, on behalf of CRASH (Combined Residents' Associations of South Hampstead), regarding the premises licence extension for McDonald's Harben Parade.

We acknowledge that part of the original submission refers to two of the four licensing objectives - specifically (1st Attachment)

- **The prevention of crime and disorder**
- **The prevention of public nuisance**

We respect the right of residents and organisations to raise such concerns, and as previously detailed, we have taken extensive measures to mitigate these issues, including transitioning to a delivery-only model after 1:00 am as advised by the police, enhanced CCTV and staff training, regular litter patrols, and ongoing collaboration with the local Safer Neighbourhood Team.

Request for Representation to Be Given Limited Weight

However, we respectfully request that Mr. Mason's representation be given limited weight on the following grounds

1. Refusal to Engage Constructively:

We have reached out to Mr. Mason directly (attachment 2) and in good faith, offering to meet and explore constructive solutions to the concerns raised. Mr. Mason explicitly declined this offer and stated that such a meeting would be a "dialogue of the deaf." His refusal to engage undermines the cooperative spirit of the Licensing Act, which encourages dialogue between applicants and residents to resolve concerns where possible. This refusal to engage constructively undermines the cooperative intention of the Licensing Act, which encourages applicants and objectors to work together to find reasonable solutions. It also suggests that the representation may not be grounded in a genuine attempt to address specific operational concerns.

2. Inclusion of Irrelevant Personal and Political Commentary:

In a follow-up communication (22 May 2025), Mr. Mason introduced political views and generalised anti-corporate sentiment, including a call to boycott American businesses based on international political matters. These comments fall entirely outside the scope of the Licensing Act 2003 and are not relevant to the assessment of this application.

3. **Lack of Evidence Supporting Licensing Concerns:**

While general concerns around crime and nuisance are noted, the representation does not provide supporting data, incidents, or clear links between our premises and the issues cited. This weakens the weight that can be assigned to the objection under licensing guidance

Our Ongoing Commitment

We remain open and committed to addressing genuine community concerns in line with the four licensing objectives

- **Crime and Disorder:** Operating on a delivery-only basis after 1:00 a.m. eliminates late-night customer footfall.
- **Public Nuisance:** With no on-site customers after 1:00 a.m., and litter patrols in place, we significantly reduce disruption.
- **Public Safety:** The site is fully equipped with CCTV and managed by trained staff.
- **Protection of Children from Harm:** This objective is not raised in the representation and is fully upheld under our current practices.

We trust this information will support a fair and evidence based review of the representation. Please let us know if further clarification or documentation is needed.

Regards,

Reema

Reema Mavani

Franchisee

Attachment 1 – REPRESENTATION from Alan Mason

Attachment 2 - Below

From: Alan Mason

Date: 22 May 2025 at 10:03:22 BST

To: "Russell Thomas [FS]" >

Cc: "Russell Thomas [FS]"

Subject: Re: license extension in Swiss Cottage McDonalds

Dear Mr Russell

Thank you for your communication and your invitation to visit the branch on Harben Parade - both appreciated.

However, I will decline the invitation. I have lived in Swiss Cottage/South Hampstead for 45 years, and over that time I have seen a once-pleasant neighbourhood degraded, in part, by the litter, crime and anti-social behaviour linked to fast-food outlets such as McDonalds, KFC etc etc. Any meeting would simply be a 'dialogue of the deaf'.

On a personal note - not wearing my CRASH hat - I would just add that as Donald Trump (and the American people who have elected him, twice) insists on insulting and denigrating this country and its most staunch allies (Canada, Ukraine etc) it behoves every UK citizen to boycott all American enterprises operating in the UK.

Regards

Alan Mason

----- Original Message -----

From: Thom Russell

To: Alan Mason Cc:

Sent: Wednesday, May 21st 2025, 16:56

Subject: license extension in Swiss Cottage McDonalds

Dear Mr Mason,

Thank you for your recent representation regarding our application to extend the licensing hours at McDonald's Harben Parade. We fully recognise and respect the views expressed on behalf of the Combined Residents Associations of South Hampstead (CRASH), and we're grateful that you've taken the time to engage with this process.

We absolutely understand that Harben Parade, and the wider South Hampstead area, is a residential neighbourhood, and concerns around anti-social behaviour, crime, and noise during unsociable hours are entirely valid. These are not issues we take lightly.

As part of our due diligence, and in response to initial concerns, we have proactively consulted with the Metropolitan Police. Following their advice, we have already introduced a key variation to our application: from 1am onwards, McDonald's Harben Parade will operate on a delivery-only basis (McDelivery). This means the restaurant will be closed to walk-in customers during the most sensitive hours. No members of the public will be permitted to enter the premises after 1am, significantly reducing any risk of late-night congregation, noise, or anti-social behaviour in the area.

We would also like to highlight that McDonald's Harben Parade is a major local employer, providing job opportunities for residents of Swiss Cottage, South Hampstead, and beyond. These roles are especially vital for young people, students, carers, and individuals looking for flexible, part-time work. Many of our employees work anti-social hours, and the extended operating window allows us to support their working patterns while also enabling us to meet legitimate customer demand from shift workers in essential services – including NHS staff,

care workers, delivery drivers, and public transport employees – who rely on safe, consistent access to food and refreshment in the early hours.

We are acutely aware of our responsibility to the local community and have already implemented several longstanding measures to ensure we remain a considerate and responsible neighbour. These include:

- A comprehensive CCTV system and trained managers in Conflict resolution and ASB
- A minimum number of staff trained in conflict resolution
- Regular community litter patrols and waste management procedures
- Close working relationships with the local Safer Neighbourhood Team
- Internal communication on noise management during evening and overnight hours

We are also willing to explore additional measures if they would help reassure residents – for example, liaising with local patrol units, updating signage to deter loitering, or sharing key points of contact for escalation.

The intention of this application is not to turn Harben Parade into a late-night hub, but simply to meet the evolving needs of our customers in a safe and managed way. The delivery-only model during the quietest hours ensures that our impact on the local area is minimal, while still supporting local employment, convenience, and the wider night-time economy.

We want to reassure you – and the residents you represent – that we remain fully committed to working with the community. With that in mind, we would like to extend an open invitation to you and any interested members of CRASH to visit the restaurant and meet with our local Franchisee, Reema Mavani. Reema lives and works in the area and is passionate about balancing community needs with responsible business growth. She would be happy to listen to your concerns, walk you through our proposed operation, and discuss how we can work together to maintain a safe and respectful environment for all.

Please do let us know a convenient time, and we'll be happy to arrange a meeting at your earliest convenience. She is available on the below dates. 22nd May between 12pm – 15.00, 23rd May 9am – 4pm, 26th May 9am – 12pm and all day on the 30th and 31st May.

Thank you again for your feedback – we look forward to working collaboratively with you.

Kind regards,

Thom Russell

Conditions consistent with the operating schedule

1. The head unit (recorder) for storing CCTV images must be located in a secure cabinet or other secure area out of the sight and reach of the public.
2. The CCTV system to be maintained and operated in good order and to the satisfaction of the Metropolitan Police reasonable requests.
3. The medium upon which the images are recorded will be clearly identifiable, stored securely and retained for a period of not less than 31 days.
4. Footage and screenshots shall be made available to the Police and Licensing Authority Officers immediately upon request in accordance with the Data Protection Act 2018.
5. Such footage must be provided in an immediately viewable format and must include any software etc. which is required to view the footage. Any discs, portable drives or other storage media onto which the footage is transferred must be provided by the Premises.
6. A member of staff who is trained to operate the system and supply the footage must be present at the Premises at all times when licensable activities are taking place.
7. Signage shall be displayed warning that CCTV is in operation for the detection and prevention of crime and disorder.
8. There shall be a fully trained manager deployed at the premises between 23:00 and the terminal hour.
9. Signage shall be displayed requesting customers to respect local residents to leave the premises quietly.
10. The placing of waste, including bottles, into receptacles outside the Premises shall only take place between the hours of 07:00 and 23:00 to minimise disturbance to nearby properties.

Police agreed conditions

1. From 01:00 hours, the premises shall operate strictly as a delivery only facility. The premises shall remain closed to the public and shall be used solely for the preparation and dispatch of delivery orders. Public collection of orders from the premises is strictly prohibited.
2. All deliveries made after 01:00 hours must be to a verifiable residential or commercial address. No deliveries shall be made to any individual located on public demise within a 100-meter radius of the premises or its immediate vicinity.

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.