

## **THE LONDON BOROUGH OF CAMDEN**

At a hearing of **LICENSING PANEL D** held on **THURSDAY, 15TH MAY, 2025** at 7.00 pm, which was held remotely via Microsoft Teams

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

Councillors Joseph Ball (Chair) and Sabrina Francis and Matthew Kirk (substitute)

### **MEMBERS OF THE PANEL ABSENT**

Councillors Matt Cooper

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

## **MINUTES**

### **1. ELECTION OF CHAIR**

The Principal Democratic Services Officer opened the meeting and invited nominations for the election of Chair of the Licensing Panel.

Councillor Francis nominated Councillor Ball which was seconded by Councillor Kirk.

#### **RESOLVED –**

THAT Councillor Joseph Ball be elected Chair of the Panel for this hearing only.

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

#### **RESOLVED –**

THAT the guidance on remote meetings be noted.

### **3. APOLOGIES**

Apologies were received from Councillor Cooper who was substituted by Councillor Kirk.

**4. 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.

**5. 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.

**Supplementary agendas**

The Chair also announced that 2 supplementary agendas had been circulated since the main agenda was published.

The first Supplementary Agenda was published on Tuesday 13<sup>th</sup> May and contained additional information provided by the applicant's solicitors for Item 9 Monarchy and item 11 Wheatsheaf.

The second Supplementary Agenda was published on Wednesday 14<sup>th</sup> May and contained conditions agreed with the Police and Environmental Health Responsible Authorities in relation to item 10 (WNGZ Camden); and additional information from the interested party in respect of Item 11 (Wheatsheaf). The information from the interested party was a notification of attendance form indicating he would not be attending and an email trail which would be disregarded as it concerned an ongoing complaint currently being investigated by Licensing.

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

There was none.

**7. TERMS OF REFERENCE**

**RESOLVED –**

THAT the Terms of Reference of the Licensing Panel be noted.

## **8. MINUTES**

### **RESOLVED –**

THAT the minutes of the meeting held on the 30 January 2025 be approved and signed as a correct record.

## **9. MONARCHY, 40-42 CHALK FARM ROAD, LONDON NW1 8BG**

Consideration was given to a report of the Executive Director Supporting Communities detailing an application to vary a premises licence under Section 34 of the Licensing Act 2003.

Paru Bhudia, Licensing Officer took the Panel through the report advising that the application was to extend the licensable hours for sale of alcohol for consumption both on and off the premises and recorded music only, Monday to Thursday 10.00am to 1.30am, Friday to Saturday 10am to 2.30am and Sunday 12.00pm to 12.30am. Opening hours Monday to Thursday 10.00am to 2.00am and Friday to Saturday 10.00am to 3.00am and Sunday 12.00pm to 1.00am. The premises was located in the Camden Town Cumulative Impact Policy Area (CIA) where there was a presumption to refuse all new and variation applications.

The Licensing Officer advised that three representations had been received opposing the application, one from the Licensing Authority Responsible Authority and two from resident associations. The licensing objectives engaged were the prevention of crime and disorder, the prevention of public nuisance and public safety. The hours policy was engaged by the application and the premises policy was engaged by the application. The application included women safety principles.

In response to a member's question about statements in Supplementary Agenda 1, from Myths & Flames and My Village Haw Raman Cafe, the Panel was informed that these were letters in support of the application rather than representations.

The applicant's representative confirmed that there were no amendments to the application.

The Licensing Authority Responsible Authority, outlined their objection to the application which could be found on pages 97-99 of the main agenda, stating that the premises was located within the CIA area and breached Camden's adopted policy on Framework hours, noting however that the premises had operated extensions to the licensable activity hours via TENs without receiving any complaints during and after the events.

There were no questions asked of the Licensing Authority.

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Interested Party Kate Gemmell from TRACT also speaking on behalf of Pat Thomas from Harmood Clarence Hartland Residents Association outlined their objection to the application which could be found on pages 100-104 of the main agenda.

Kate Gemmell made the following points:

- Local residents remained unhappy with the proposed extended hours, which they believed would add to cumulative impact in the area by increasing late-night footfall.
- While live music would finish at 00:00 hours, residents were concerned that the premises could become a magnet for late-night drinkers.
- She was opposed to off sales, especially during late hours, questioning who the customers would be and how their off-sale consumption would be monitored or controlled.

Further should the application be granted, additional conditions should be added to the licence, including:

- A dispersal policy designed to minimise public nuisance and crime and disorder during dispersal, to be reviewed at least annually and whenever dispersal issues became apparent.
- No more than 10 customers in the external smoking area at any time, supervised by at least one door supervisor when licensable activities were taking place, with no food or drink allowed in that area.
- A condition prohibiting admittance or readmittance to the premises after midnight.
- A condition preventing any sound from the premises from being audible in any noise-sensitive premises between 23:00 and 07:00.

Kate Gemmell responded to questions by providing the following information:

- The problems with the premises occurred under the previous ownership, there had been no issues with the premises since the new owners took over in October 2024.
- The proposed conditions had not been discussed with the applicant, however having looked at all the conditions and comparing these to the model conditions there were a few that could be added to the licence which were not covered by the conditions already agreed.
- There should be no flexibility on admittance or readmittance after midnight with this made clear by signage and security on the door.

Mr Leigh Schelvis the applicant's solicitor presented the Applicant's application, informing the Panel that the application was to vary the premises licence to extend hours for recorded music and alcohol sales (on and off the premises), as well as to extend opening hours. All other licensable activities (e.g. films, live music) would remain unchanged.

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He stated that the aim of the application was to:

- Improve business viability.
- Address challenges facing the hospitality sector.
- Remove competitive disadvantage compared to other venues.
- Retain a loyal and respectful customer base longer into the evening.

The applicant's representative stated that failure to extend hours might impact the venue's viability but emphasised that public safety and the licensing objectives would continue to be prioritised.

The venue's current licence was described as heavily conditioned with 42 conditions, including: Zero tolerance drug policy, Challenge 25, CCTV and SIA requirements. Use of body-worn cameras, noise management measures, staff training, and cooperation with police.

Additional voluntary measures included:

- A last entry policy, ASK for Angela scheme, and Safe Haven participation.
- Provision of sanitary products and plans to join PubWatch.
- A managed dispersal procedure 30 minutes before closing.

The venue was described as community-focused, offering premium food and drink, and supporting grassroots live music. Pricing was cited as evidence of a premium venue, for example £9.50 for spritzers, £30–£40 for wine, and £10–£12 for cocktails. The venue was supported by local businesses and had a professional and loyal clientele, including visitors from outside the borough.

Since trading under current ownership from October 2024, 15 Temporary Event Notices (TENs) had been submitted, 14 of which had been used and operated until 03:00. No objections had been received to any TENs from the police or environmental health, and no enforcement action or complaints had been recorded. The TENs were described as a test for the later hours and were all deemed successful in upholding licensing objectives.

The three main individuals behind the application were introduced:

- Ben Hudson (Designated Premises Supervisor): 30 years in hospitality, 15 years managing a 04:00 venue, with no enforcement history.
- Ben Smart: Local business owner responsible for venue maintenance and customer safety.
- Jacques Vavlia: Expert in sound systems and noise management, previously worked for Disney and in high-end yacht entertainment systems.

The team was described as highly experienced, with complementary skill sets and a strong commitment to the venue and live music.

Regarding the representations, no objections were received from the Police or Environmental Health. The Licensing Authority had submitted a representation, citing the Camden Town Cumulative Impact Area (CIA) and exceeding framework hours.

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Mr Schelvis argued this did not amount to opposition to the variation application and did not provide evidence of potential harm.

He referenced Camden's Licensing Policy: Indicating that Framework hours were stated as guidance (not a red line) in para 5.6.

Para 5.8 required risk consideration, which the applicant believed they had adequately addressed through compliance and TEN history.

Para 6.2 introduced a rebuttable presumption to refuse applications in CIA, but para 6.21 stated such policies could not be rigidly applied.

Para 6.22 allowed for exceptions, which the applicant argued were met through lack of enforcement, positive TEN track record, and responsible operation.

Mr Schelvis concluded that the venue was not a magnet for late-night drinking but sought to reward its loyal customers. He asked the Panel to consider the premises' clean record, responsible management, and lack of Responsible Authority objections, as favourable reasons of granting the application.

The applicant's legal representative provided the following information in response to questions:

- Licence conditions must be proportionate and evidence based. He emphasised that the current operating schedule complied with licensing objectives and there was no evidence to justify imposing new conditions.
- The venue had previously operated under similar conditions without complaints or enforcement. He pointed to the absence of concerns from Responsible Authorities on crime, disorder, and nuisance.
- Smoking was minimal, the area was covered to reduce noise, no music was played outside, and there were no food tables. People tended to leave gradually rather than all at once.
- There was no dispersal policy, stating they had not needed one due to the mature and orderly behaviour of patrons indicating that staggered departures at later hours had actually led to quieter dispersal.
- The applicant indicated they had no objection to adding a standard dispersal policy condition in principle but asked to review a draft of the proposed conditions first.
- With regards to the capacity of the venue and of the outside smoking area, the official capacity was 180 but they typically operated at 120–150. The garden could not accommodate 100 people, and they preferred not to have a fixed limit of 10 smokers, though usage was always small.

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- The applicant attributed no complaints to experienced management, careful noise control, a respectful and long-established clientele, and the sense of community the venue fostered.
- With regards to readmittance the applicant stated that readmittance was managed on a case-by-case basis. Generally, patrons were advised there was no readmittance late at night, clarifying that late entry was typically limited to hospitality workers or people who had briefly left and returned, not friends being let in.
- The venue had been vacant and occupied by squatters for over a year prior to their involvement, which may have caused some previous problems unrelated to their management.
- The applicant stated they had little interest in off sales, and confirmed they were happy to remove off sales from the licence, as it did not fit their business model and they did not want to encourage takeaway drinking.

The Licensing Authority advised that reaching an agreement on re-entry and dispersal policies could be beneficial given the venue was in a cumulative impact area. and

The applicant confirmed they had reached out to Kate Gemmell earlier that day to discuss concerns.

The Council's legal officer reminded the Panel that the premises already operated beyond framework hours and that it was for Members to decide what conditions were necessary.

The Council's legal officer summarised the interested party's proposed conditions for Members' consideration:

- A dispersal policy (unspecified in detail, but for Members to consider imposing).
- No more than 10 people (smokers or not) allowed outside the premises at one time, with supervision, and no food or drink permitted outside. Timing of this condition needed clarification.
- No off sales (the applicant had agreed to withdraw any variation permitting this).
- No re-admittance after midnight.
- No noise audible in noise-sensitive premises between 23:00 and 07:00 or 08:00.

All parties to the hearing made closing remarks summing up their representations.

## **Decision and reasons**

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

In deliberation, the Panel expressed support for extending the hours, noting the absence of Police objections and the reassuring testimony from the operator. However, concerns about potential noise and dispersal of customers late at night were raised suggesting that a dispersal policy be added as a condition, modelled on the policy conditions, and recommended limiting the smoking area to 15 people to manage noise and disturbance.

The Panel were reluctant to impose a strict no-readmission policy after midnight but wanted noise restrictions to address residents' concerns.

The Panel highlighted that the premises had yet to be tested during peak summer periods but agreed a dispersal policy and smoking limit were sensible.

The Panel was of the view that the existing noise conditions were adequate for noise inside the premises but requested an additional condition for a dispersal policy.

There was discussion over the smoking area limits and timing: members agreed to limit smokers to 15 outside after midnight Monday to Thursday, and after 1am on Friday and Saturday, to reflect current and proposed operating hours.

Some members considered it would be unreasonable to reduce the smoking area capacity below what currently existed but supported restricting smoking outside during the later hours to reduce noise and disturbance.

It was acknowledged that this was a variation application, not a review, so any existing issues under current hours could be addressed later if necessary.

The panel confirmed their decision to approve the variation application, subject to conditions including the dispersal policy, the smoking area limit, and the applicant's voluntary withdrawal of the off-sales extension.

With all Panel Members in agreement, it was

## **RESOLVED –**

- i) THAT the application to vary a premises licence under Section 34 of the Licensing Act 2003 be granted for:

- a) **Supply of Alcohol (For consumption on the premises) and Recorded Music**

Monday – Thursday	10:00-01:30
Friday – Saturday	10:00-02:30
Sunday	12:00-00:30



**b) Opening Hours**

Monday – Thursday	10:00-02:00
Friday – Saturday	10:00-03:00
Sunday	12:00-01:00

- ii) THAT the following conditions be imposed on the licence:

Conditions consistent with the operating schedule

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 shall not be obstructed.
4. At least one CCTV camera shall be placed no more than seven feet above floor level near to each point of entry and exit in order to capture clear facial images of all persons entering and 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 authorised officers on request.
6. 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 authorised officers in obtaining the CCTV footage.
7. Copies of any CCTV image shall be made available within 48 hours of the request to the police or local authority.
8. The facility to transfer the images to a compatible, removable format shall be held on the premises.
9. Staff working at the premises shall be trained in the use of CCTV and a log must be kept to verify this.
10. Signs must be displayed in the customer areas to advise that CCTV is in operation.
11. If the CCTV is inoperative or not installed and working to the satisfaction of the police, the licence holder shall notify the Police within 48 hours and give an estimate of the repair timescale. The licence holder and staff shall comply with all reasonable requests from the police.

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12. No super-strength beer, lagers, ciders or spirit mixtures of 5.5% ABV (alcohol by volume) or above shall be sold at the premises, except for premium beers and ciders supplied in glass bottles and cans.
13. No single cans or bottles of beer or cider or spirit mixtures shall be sold at the premises except for premium beers and ciders.
14. A minimum of two members of staff shall be present at all times whilst the premises remain open for the sale of alcohol.
15. No more than 15% of the sales area shall be used at any one time for the sale, exposure for sale, or display of alcohol.
16. There shall be no self-selection of spirits on the premises, save for spirit mixtures less than 5.5% ABV.
17. Outside of the hours authorised for the sale of alcohol and whilst the premises are open to the public, the licence holder shall ensure that all alcohol within the premises (including alcohol behind the counter) is secured in a locked storeroom or behind locked grilles, locked screens or locked cabinet doors so as to prevent access to the alcohol by customers.
18. An incident log shall be kept at the premises and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:
  - (a) all crimes reported to the venue
  - (b) all ejections of patrons
  - (c) any complaints received concerning crime and Disorder
  - (d) any incidents of disorder
  - (e) all seizures of drugs or offensive weapons
  - (f) any faults in the CCTV system, searching equipment or scanning equipment
  - (g) any refusal of the sale of alcohol
  - (h) any visit by a relevant authority or emergency service.
19. No miniature bottles of spirits of 20 cl or below shall be sold from the premises.
20. The licence holder shall ensure that alcohol is not sold in an open container, opened on the premises, or consumed on the premises.
21. Prominent signage indicating the permitted hours for the sale of alcohol shall be displayed so as to be visible before entering the premises, where alcohol is on public display, and at the point of sale.
22. The premises licence holder will risk assess the need for security personnel prior to the opening of the store. Security guarding will be provided as required by the risk assessment. Details of the risk assessment will be made available to the police on request.

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23. The premises licence holder will operate its internal policies relating to vulnerable persons and antisocial behaviour. This policy will be made available, on request, to the Licensing Authority and the Police.
24. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.
25. No deliveries to the premises shall take place between 23.00 and 0700 hours on the following day.
26. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
27. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 2300 hours and 0700 hours on the following day.
28. All staff engaged or to be engaged in the sale of alcohol on the premises shall receive the following training in age restricted sales: • Induction training which must be completed and documented prior to the sale of alcohol by the staff member. • Refresher/reinforcement training at intervals of no more than 6 months. Training records will be kept at the premises available for inspection by a police officer on request.
29. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram or other form or method of identification that complies with any mandatory condition that may apply to this licence.
30. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by the police or an authorised officer of the City Council at all times whilst the premises is open.
31. A minimum of 1 SIA will be on duty on the shop floor at all times during the hours of licensable activities.

Conditions Agreed by the Panel on the night

32. The premises shall operate a dispersal policy to be agreed by the Licensing Authority and all staff shall be trained in its implementation. which shall be reviewed annually and whenever dispersal issues became apparent.
33. No more than 15 customers to be allowed in the external smoking area after midnight on Monday to Thursday, and after 1am on Friday and Saturday. Customers are to be supervised by at least one door supervisor when licensable activities were taking place and are not allowed to have food or drink whilst in that area.

**ACTION: Executive Director, Supporting Communities**

**10. WNGZ CAMDEN, 11 KENTISH TOWN ROAD, LONDON NW1 8NH**

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 took the Panel through the report advising that the application was for a new premises licence for late night refreshment Monday to Thursday 11.00pm to 12.00pm, Friday to Sunday 11.00pm to 2.00am. Opening hours Monday to Thursday 12.30 to 12.00pm, Friday to Sunday 12.30 to 2.00am. The applicant had agreed to reduce the hours for delivery only and had accepted 13 additional conditions agreed with the Police and Environmental Health Responsible Authorities resulting in the withdrawal of their representations.

The Licensing Officer advised that two representations had been received objecting to the application, one from the Licensing Authority Responsible Authority and one from a resident association. The licensing objectives engaged by this application were the prevention of crime and disorder and the prevention of public nuisance. The premises were situated in the Camden Town Cumulative Impact Policy Area where there was a presumption to refuse all new or variation applications, the presumption was rebuttable. The hours policy was engaged by the application in relation to the proposed end times for late night refreshment. The premises policy engaged by the application were restaurants, cafes, premises supplying hot food and drink between 11.00pm and 5.00am. The application did not include women safety principles.

The applicant confirmed that there were no amendments to the application.

Licensing Authority Responsible Authority, outlined their objection to the application which could be found on pages 146-147 of the main agenda, stating that the premises was located within the CIA area, breached Camden's adopted policy on Framework hours.

The Licensing Authority also noted that:

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- The initial application lacked substantial conditions or measures to satisfy the licensing objectives.
- It required multiple interventions from other responsible authorities to introduce conditions that would uphold the licensing objectives, which was welcomed.
- The applicant originally claimed existing health and safety measures were adequate and that no further steps were necessary for preventing public nuisance or crime and disorder.
- There was concern that the applicant had not engaged with the licensing authority regarding women's safety measures, which was a relevant policy consideration.
- There was concern about the applicant's disregard for the framework hours policy and the cumulative impact area, which also reflected local residents' representations.

The following information in response to questions:

The venue's classification was unclear, it could be a takeaway or quick service restaurant, raising further concerns about the need for safety measures.

The applicant clarified that the venue was classified as a quick service restaurant, not a takeaway or full restaurant, apologising for the lack of detail on the application.

Interested Party Kate Gemmell from TRACT outlined their objection to the application which could be found on pages 148-150 of the main agenda.

Kate Gemmell made the following points:

- concerns about the proposed later operating hours, particularly regarding delivery, staff congregating outside, causing noise and public nuisance, lack of toilet facilities, and associated antisocial behaviour such as urination in streets.
- While welcoming the applicant's agreement to delivery-only service after 11:00 pm and use of electric or push bikes, she maintained concerns about noise and nuisance from both pick-up and drop-off points.

In response to a question about engagement with the applicant Kate Gemmell confirmed that no contact had been made with the applicant's team.

Mr Jamal Hussain (applicant) and Mr Arif Ahmed (Director of WNGZ) were in attendance and indicated their willingness to collaborate with interested parties, acknowledging the difficulties faced by quick service restaurants (QSR) under current operating constraints. They stated that they had cooperated with police and noise teams and were willing to make further amendments to ensure community safety.

In response to questions the applicant provided the following information:

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- The intention was to operate as a high-end take-away with options to dine in or take away, catering to various dietary needs.
- The venue currently operated exclusively via Uber Eats, highlighting Uber's better driver management and reporting no resident complaints to date.
- It was a change of ownership aimed at improving business viability.
- Measures put in place to promote the licensing objectives included incentives to encourage drivers to minimise waiting times, provide good behaviour cards, and that no driver congregation had been observed; the applicant also provided rest areas and refreshments for drivers.
- Staff received ongoing training to handle harassment and maintain control over noise and disturbances.
- It was acknowledged that this was a learning experience regarding lack of engagement. It was also due to inexperience that there was the absence of legal representation at the meeting.
- Arif Ahmed explained his background in real estate and running four similar restaurants, noting good relations with local councils and police, with high food safety and health & safety standards.
- Jamal Hussain described his background managing a care agency, emphasizing customer service and passion for hospitality.
- Arif Ahmed noted that for their previous restaurants they had not applied for late licences and that the current application was due to Camden's late-night economy to improve sales and viability.
- With regards to previous engagement with responsible authorities, the applicant recounted two incidents involving theft and break-ins at other locations, both resolved by cooperating with the police and providing CCTV evidence.
- The applicant emphasised the desire for close community engagement, charity support, and good relations with emergency services.

All parties to the hearing made closing remarks summing up their representations.

### **Decision and reasons**

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

In deliberation, the Panel expressed initial disappointment at the lack of communication between the applicant with the Responsible Authorities and local residents but acknowledged that this was the applicant's first time applying for a licence to operate late in the night, which provided some explanation for the lack of engagement.

The Panel welcomed the applicant's commitment to keeping the area outside the premises clean, their efforts to manage street presence and noted that the applicant was listed only on one delivery app, and not on other delivery platforms which was viewed positively. The Panel also noted that strict adherence to the Women's Safety

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Charter was not essential for the nature of the business (a chicken shop) but emphasised the importance of fair and respectful treatment of all customers.

The Panel were inclined to grant the licence, welcoming the proposed condition relating to a 'rest area' for delivery drivers and the applicant's offer to maintain the area outside the premises clear of litter. Although this would not be conditioned Members welcomed the applicant's willingness to do this.

Members welcomed the adoption of a condition requiring use of e-bike delivery services.

The Panel agreed in principle to approve the licence with conditions covering use of a single delivery platform, ensuring the outside area was kept clean, and providing facilities for delivery drivers.

The Panel

- Recommended adding a condition specifying use of one delivery platform at a time without naming a specific company, to allow flexibility if platforms changed in the future.
- Suggested that wording for the litter condition could include a requirement for the business to sweep waste attributable to them as part of their closing routine, while acknowledging responsibility could not extend beyond their own business waste.

Licensing officers agreed to draft appropriate conditions reflecting members' concerns and consult the Chair before final approval.

The panel concluded they were happy to approve the licence with the specified conditions.

With all Panel Members in agreement, it was

#### **RESOLVED –**

i) THAT the application for a new premises licence under Section 17 of the Licensing Act 2003 be granted for:

#### **Late Night Refreshment**

23:00 – 00:00 Monday to Thursday  
23:00 – 02:00 Friday to Sunday

#### **Opening hours**

12:30 – 00:00 Monday to Thursday  
12:30 – 02:00 Friday to Sunday

ii) THAT the following conditions be imposed on the licence:

**Conditions consistent with the operating schedule**

1. The store employs staff members who are experienced in dealing with the public and de-escalating matters when necessary.
2. The premises already has in place adequate resources in regard to the prevention of smells and the removal of waste products
3. The premises operates a no-smoking policy, in line with the relevant legislation and does not display any explicit content nor serve any alcohol or other prohibited substances.

**Agreed Police conditions**

4. No customers allowed in the venue from 00:30 hours on Friday and Saturday.
5. Deliveries only from 00:30 hours on Friday and Saturday. Deliveries only from 00:00 hours on Sunday.
6. Deliveries shall only be made to business and/or private residences and not to any public/open spaces.
7. Police to be called to all incidents of violence.
8. From 2300 hours, no wifi or phone charging to be available to people attending the venue.
9. CCTV shall be installed, operated, and maintained, to function all times that the premises is open for licensable activities. Said CCTV will comply with the following criteria:
  - (a) The licensee will ensure that the system is checked every two weeks to ensure that the system is working properly and that the date and time are correct;
  - (b) A record of these checks, showing the date and name of the person checking, will be kept and made available to the police or other authorised officer on request;
  - (c) The Police will be informed if the system will not be operating for longer than one day of business for any reason;
  - (d) The system will record in real time and recordings will be date and time stamped;
  - (e) 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



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request (subject to the Data Protection Act requirements) within 24 hours of any request.

(f) CCTV to cover all entry, exit points and the customer seating and serving area of the building and also the area the delivery drivers park their vehicles.

(g) CCTV will be of good quality, a standard approved by the police/council licensing officers.

10. The venue shall not engage the services of street promoters to encourage clientele to attend the venue.

**Agreed Environmental Health conditions**

- 11 Deliveries to the premises shall not take place between (07.00) and (21.00).
- 12 Collections of waste from the premises shall not take place between (07.00) and (21.00).
- 13 Collections of waste from the premises which include glass shall not take place between (09.00) and (21.00).
- 14 Waste to be placed outside ready for collection 30 minutes prior to that collection.
- 15 Regular litter and glass collections shall be carried out in all customer areas and to the immediate vicinity outside the premises.
- 16 Licence holder shall use only quiet customer delivery vehicles “electrical, non-combustion engine vehicles” in the hours midnight onwards.

**Conditions Agreed by the Panel on the night**

17. Patrols of the area outside the premises shall be undertaken during the use of the licence and any litter attributable to the premises cleared.
18. A rest area and facilities to be provided for delivery drivers.
19. The premises will use a single delivery platform.

**ACTION: Executive Director, Supporting Communities**

**11. WHEATSHEAF, 25 RATHBONE PLACE, LONDON W1T 1JB**

Consideration was given to a report of the Executive Director Supporting Communities detailing an application to vary a premises licence under Section 34 of the Licensing Act 2003.

The Licensing Officer took the Panel through the report advising that the variation application was to

- i) change the internal layout of the premises including new fixed seating on the ground floor, removal of raised area on the first floor, relocation of the kitchen from the first floor to the second floor.
- ii) to amend the hours for Friday and Saturday for supply of alcohol for consumption on and off the premises 10.00am to 12.00pm.
- iii) Late night refreshment Friday and Saturday 11.00pm to 12.00pm and
- iv) seasonal variation from the end of permitted hours on New Year's eve to the start of permitted hours on New Year's day.
- v) to remove conditions 16 and 18 as numbered on the premises licence
- vi) The applicant had also agreed to add 30 new conditions requested by the Police and agreed two further conditions with Charlotte Street Association resulting in the withdrawal of their representation.

The Licensing Officer advised that one representation had been received in objection to the application from a local resident. The licensing objectives engaged by this application were the prevention of crime and disorder, the prevention of public nuisance. The hours policy was engaged by the application in relation to the proposed terminal hours for consumption of alcohol off the premises. The premises policy was engaged by the application. The application included women safety principles. The premises was not in a cumulative impact policy area.

The applicant's representative confirmed that there were no amendments to the application.

Members confirmed that although the interested party was not in attendance, they had read the representation which would be fully taken into account during consideration of this item.

The applicant's representative, Suraj Desor provided background information on the application. Informing the Panel that

- Mitchell and Butler had acquired the pub the previous year, taking over from a sitting tenant who had now left.
- The applicant was managing the premises as part of the Nicholson's pub collection, known for classic British pubs offering quality food and drink.
- The pub was undergoing significant refurbishment and was scheduled to reopen next month.
- The building dated from the 19th century, with a pub on the site since 1738, notable for past patrons including George Orwell and Dylan Thomas.

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- The application sought to extend trading hours on Fridays and Saturdays from 11:00pm to midnight, with closing at 12:20 am, alongside approval of internal alterations and updated licence conditions agreed with the police and residents association.
- There were no objections to the internal layout amendments or licence conditions; concerns only related to the proposed later trading hours and their potential impact on use of external areas.
- Only one resident representation was received, despite other residents living closer to the pub raising no objections.
- The representation raised general concerns about noise and management of external areas under the previous operator, but no evidence suggested the variation would worsen these issues.
- The concerns raised were speculative however the proposed conditions would address these concerns and have a positive effect.
- The proposed extension was in line with Camden's core hours policy.
- Responsible authorities, including the police and environmental health, had raised no objections.
- It was noted that consumption of alcohol outside the premises was not a licensable activity, and there were currently no restrictions on outside drinking in the existing licence.
- Imposing conditions restricting outside drinking hours would be legally inappropriate as the application was for a variation, not a review.
- Customers had previously consumed alcohol outside under the former tenant with no recorded complaints beyond those raised in the current representation.
- The applicant, as the new operator, was experienced and committed to working with the local community.
- Additional conditions were offered after consultation with the residents' association, including a restriction on outside consumption of alcohol after 11:00 pm on Fridays and Saturdays.
- This condition was more restrictive than the current licence, which allowed outside drinking until 11:20 pm.
- Further conditions were agreed with the police, including CCTV coverage, enhancing management of external areas.
- A site-specific external area management plan was submitted, including:
  - Signs advising customers not to take drinks into residential areas and to respect neighbours.
  - Staff monitoring of the external area to manage noise and prevent obstruction of neighbours' properties.
  - Enforcement of the no outside drinking after 11:00pm condition, ensuring customers vacated the area accordingly.
  - Regular collection of glasses, bottles, litter, and cleaning of the external area during the day and after closing.
  - CCTV coverage of external areas operating overnight.
- A contact number would be provided to local residents for any issues during trading hours.

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- There was no evidence the variation would undermine licensing objectives.
- It was emphasised that the offered conditions and management plan would promote licensing objectives and minimise any adverse impact.

They noted that if issues arose post-grant, the Licensing Act allowed for a licence review to address substantiated concerns. The Panel was asked to grant the application as submitted.

In response to questions the following information was provided by the applicant's representative Suraj Desor, James Gates (applicant's retail business manager) and William Prideaux (applicant's operational director)

- In relation to enforcement of the no external drinking condition between 11 pm and midnight, there were typically five to six staff members that would be on duty at that time.
- Although there was no specific licence condition requiring door supervisors, security staff deployment would be risk assessed and arranged as necessary, especially on Friday and Saturday nights.
- The applicant emphasised the importance of good local relations and safety, noting that all Nicholson's pubs participated in the Best Bar None scheme and maintained close interaction with licensing officers.

### **Decision and reasons**

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

In deliberation, the Panel were minded to grant the variation, noting that the only concern was external behaviour during the extended hour, which had been addressed through agreed conditions with the Charlotte Street Association

The Panel also noted the absence of objections from any of the responsible authorities and they commended the applicant's collaborative approach with the Charlotte Street Association.

The Panel unanimously agreed to grant and approve the application.

It was

### **RESOLVED –**

i) THAT the application to vary the premises licence under Section 34 of the Licensing Act 2003 be granted for:

#### **a) Changes to the internal layout of the premises including: -**

- I. New fixed seating on the ground floor
- II. Change of bar servery shape on the first floor

III. Removal of raised area on the first floor

Iv Relocation of the kitchen from the first floor to the second floor

**b) Amend the hours for Friday and Saturday for Supply of Alcohol (For consumption on/off the premises)**

10.00 - 00.00 Friday and Saturday

**c) Addition of Late-Night Refreshment**

23:00 – 00:00 Friday and Saturday

From the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day

**d) Amend the hours for Recorded Music for Friday and Saturday**

23:00 – 00:00 Friday and Saturday

From the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day

**e) Amend the Opening hours For Friday and Saturday**

10:00 – 00:20 Friday and Saturday

**f) Removal of embedded conditions 16 and 18 as numbered on the premises licence:**

ii) THAT the following conditions be imposed on the licence:

**Conditions consistent with the operating schedule**

1) These hours are extended from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

2) Unless otherwise specified on this licence, no regulated entertainment, other than by way of music and singing only which is provided solely by the reproduction of recorded sound, shall take place at the premises with the exception of pre-booked private events limited to the provision of music and dancing for pre-invited guests.

3) Where alcohol is sold for consumption off the premises it must not be sold in an open container.

**Agreed Police conditions**

4) The Premises Licence Holder shall ensure that CCTV cameras and recorders are installed at 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

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inspection by the Police or Local Authority upon request. Cameras will record for 24 hours.

- 6) At all times when the premises are open for the purpose of licensable activities, a suitably trained member of management shall be present to assist the Police or an authorised officer in obtaining the CCTV footage.
- 7) Copies of CCTV shall be made available within 48 hours to the Police or Local Authority upon request.
- 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) The venue shall supply and fit suitable anti-theft devices, such as table/counter clips, in order that customers may secure their bags.
- 11) A comprehensive staff training programme is to be put together which will cover the core responsibilities around selling alcohol and meeting the licensing objectives. Training shall be written into a programme and will be made available for inspection by Police or other responsible authority upon request.
- 12) A Challenge 21 policy will 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 will be displayed at the premises. The only acceptable forms of identity will be those with photographic identification documents or those approved by the Secretary of State.
- 13) Police must be called to incidents of violence and / or disorder.
- 14) An incident log shall be kept at the premises and made available on request to an authorised officer or the Police, which will record the following:
  - all crimes reported to the venue.
  - all ejections of patrons.
  - any complaints received relating to the licensing objectives.
  - any incidents of disorder and violence.
  - all seizures of drugs or offensive weapons.
  - any faults in the CCTV system or searching equipment or scanning equipment.
  - any refusal of the sale of alcohol, to include date, time and staff member.
  - any visit by a relevant authority or emergency service.
  - CAD reference numbers where Police are called.

**Agreed Charlotte Street Association Conditions**

15) There will be no consumption of alcohol outside on Fridays and Saturdays after 23:00 hours.

16) The premises shall operate the "Ask for Angela" scheme and display relevant signage within the premises advertising the scheme.

**ACTION: Executive Director, Supporting Communities**

**12. ANY OTHER BUSINESS THAT THE CHAIR CONSIDERS URGENT**

There was none.

The hearing ended at 9.33 pm.

**CHAIR**

**Contact Officer: Sola Odusina**

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**MINUTES END**