

THE LONDON BOROUGH OF CAMDEN

At a hearing of **LICENSING PANEL C** held on **THURSDAY, 24TH JULY, 2025** at 7.00 pm, which was held remotely via Microsoft Teams.

MEMBERS OF THE PANEL PRESENT

Councillors Jonathan Simpson (Chair), Nina De Ayala Parker and Patricia Leman (substitute)

MEMBERS OF THE PANEL ABSENT

Councillor Matthew Kirk

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

MINUTES

1. ELECTION OF CHAIR

Nominated by Councillor Leman and seconded by Councillor de Ayala Parker, Councillor Simpson was elected Chair of Licensing Panel C for the remainder of the 2025/26 municipal year.

RESOLVED –

THAT Councillor Simpson be elected Chair of Licensing Panel C for the remainder of the 2025/26 municipal year.

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

An apology for absence was received from Councillor Kirk. Councillor Leman attended the meeting as a substitute.

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 no declarations.

5. ANNOUNCEMENTS

Webcasting of the Meeting

The Chair announced the following: "I would like to remind everyone that this meeting is being broadcast live by the Council and is recorded and later made available on the website. If you are addressing the meeting, you are deemed to be consenting to having your contributions recorded and broadcast."

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

There was no notification of urgent business.

7. MINUTES

RESOLVED –

THAT the minutes for the meeting on 12 June 2025 be agreed and signed as an accurate record.

8. FIENA CAFE: UNIT 4, MEDWAY COURT JUDD STREET WC1H 9QX

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.

Afshar Ahmad (Licensing Officer) summarised the application.

Marcus Lavell (Legal representative for the Applicant) offered the following additional conditions as an amendment to the application, which they stated were in response to concerns raised in the representations:

- Staff shall monitor the outdoor dining area and ensure that customers do not engage in shouting or other disruptive behaviour that could cause a nuisance to local residents
- All outside tables and chairs shall be rendered unusable by patrons by 9.00pm daily and remain so until the start of business the following day.
- Staff must ensure that outside furniture is not moved in a way that obstructs the public highway.

The Medway Court Tenants and Residents Association (MCTRA) interested party, represented by the Co-Chairs Sarah Friday and Alex Gordon, spoke to the representation. The following points were made:

- The MCTRA strongly opposed the alcohol licence and requested that the application be rejected in full.
- The map on agenda page 67 was incorrect and showed Supersave Supermarket rather than the café, which was in fact located on the opposite side of Medway Court. The café was surrounded on three sides by residential properties and was

Licensing Panel C - Thursday, 24th July, 2025

already occupying public space, with customer seating spreading onto the pavement and into the curtilage of Medway Court.

- Concerns were raised about public nuisance and the impact on neighbouring residents, particularly with later opening hours and further disturbing residents. Specific issues included amplified noise rising up Medway Court, loud conversations from customers leaving the premises, and cigarette smoke drifting into nearby homes. These disturbances were reported to cause stress, sleep disruption, and general noise nuisance.
- MCTRA considered the premises unsuitable as a late-night alcohol venue due to the presence of children, shift workers, and a diverse community. While acknowledging Camden's lively character, it was stressed that a balance was needed to safeguard residents' wellbeing.

Resident interested party, Oliver Josephs, spoke to their representation. The following points were made:

- They lived in the building and that the area was densely residential. They worked at UCL where acoustics formed part of their work.
- They reported being significantly affected by noise, particularly at night, from both restaurant equipment (such as air conditioning and kitchen flues) and from customers, especially towards closing time.
- The resident said the noise levels during the day and night in this location (when not affected by this venue) measured by them were more typical of a residential area than a commercial one. When the venue was operating the noise from the kitchen equipment was described as very loud, especially for people living directly above. There had been times when the equipment was accidentally left on overnight, and from their third-floor flat, this created a constant roaring noise. They said it was the loudest noise in the neighbourhood and compared it to a car running all night. The resident questioned whether the required kitchen ventilation could ever run at an acceptable noise level for this location. Additional disturbances included the sound of unchaining tables at 7.00am, and clearing away and securing furniture when the café closed, even under current daytime operations and would worsen if this noise occurred later at night. They stated it was unclear from the application whether outdoor tables would be used during the licensed hours.
- They proposed the following conditions if the application were to be granted: the operating hours should be restricted to 8.00am-10.30pm seven days a week; there should be no outdoor operation past 10.00pm; the kitchen ventilation system should be properly reworked to meet Camden's environmental health requirements; and there should be no operations or noise outside of licensed hours, ensuring silence during those times.

Panel Members stated that many of the issues raised by Oliver Josephs related to planning rather than licensing, and were therefore outside the panel's control. They advised that Environmental Health could be asked to consider those matters, but representations for this application should focus on noise and nuisance relevant to the licensing objectives. Oliver Josephs emphasised that the relevant concerns included noise from late-night patrons outside the premises and as they were leaving, as well as increased traffic.

Jin Georgiou, witness to Oliver Josephs, spoke representing Rashleigh House Limited and the residents of Rashleigh House. They stated that any operation

Licensing Panel C - Thursday, 24th July, 2025

beyond 10.30pm was considered unacceptable by residents. Concerns were raised about rubbish storage, noting that the application did not clearly explain the waste management plan or specify whether waste would be kept inside or outside the premises, and it was emphasised that rubbish should not be stored outside during the summer months. They also highlighted that it was unclear whether the café already held a restaurant licence through planning permission and requested clarification on the planning status of the premises. Michael Fox also attended as a witness in the same capacity and indicated they echoed the sentiments of the other interested parties.

The applicants, Marcus Lavell (Legal representative) accompanied by Michael Watson (Licensing Advisor), summarised the application. They made the following points:

- The premises had a maximum capacity of 60 customers inside and 27 outside, though it was unlikely both areas would be full at the same time and usage between those seating areas shifted seasonally.
- The unit was formerly a florist and fell under Use Class E. The premises was owned by the Council, which imposed its own criteria as a landlord. The unit had been vacant and derelict for 2.5 years before the current operators took over and invested £254,000 in the premises. The business was a local food and drink establishment employing 15 people, the third of its kind ran by the owners in the area. The other two similar nearby premises ran by them also had surrounding residents and operated without noise complaints. The applicant had created 50 jobs in the hospitality sector since the pandemic.
- There were no representations from Environmental Health or any other Responsible Authority for this application.
- It was noted that there was no air conditioning and that the noise profile was the same as when the unit operated as a florist.
- They said the area was not entirely residential, where within a 20-second walk was another food and drink venue, the Norfolk Arms which operated as a pub without serving food.
- The proposed conditions were intended to mitigate risks relating to noise and customer behaviour. A range of conditions had been put forward to address concerns, including those additionally proposed earlier in the hearing.
- The applicant stated there was no evidence of a statutory nuisance at the premises and that the application met the requirements of the Licensing Act.
- The founders of the business were also present and explained they started their business during the pandemic, with the aim of improving the area's appearance and supporting the local community. They emphasised willingness to work with local residents and to accept reasonable conditions. They said they worked with local hospitals in the past. They also said that the alcohol licence was sought to enhance the brunch offering and allow slightly extended hours to support staff employment and revenue.

In response to questions, the applicants confirmed and clarified the following points:

- A Member asked whether, given the application to add alcohol and extend operating hours, there were any conditions or policies in place to address women's safety. The applicant confirmed that all their restaurants had such measures in place, that all staff were trained, and that they worked closely with the police. They also confirmed agreement with the licensing authority's

Licensing Panel C - Thursday, 24th July, 2025

requirement for WAVE (Welfare and Vulnerability Engagement) training, which was a condition in their application.

- A Member questioned the use of 27 outdoor seats, noting this seemed excessive for a residential area and that the Norfolk Arms removes its tables before the end of licensable hours. They asked what measures would be taken to prevent noise disturbances. The applicants responded that chairs would not be used after 9.00pm, and staff would ensure the highway was not obstructed. Staff would also monitor the outside area to prevent disruptive behaviour and ensure licensing conditions were not breached. The Member noted that the area was highly residential, with mansion blocks nearby, and that 27 people drinking outside until 9.00pm could still generate noise. They asked whether the number of seats could be reduced. The applicant replied that, if the number was a concern, they would be willing to discuss it with the applicant and suggested a revised limit of 20 seats.
- The applicants confirmed they were willing to reduce the closing hours to 10.30pm.
- A Member asked how the premises would be monitored at closing time to minimise noise and disturbance for residents, and how the exit process would be managed. The applicant explained that at 10.30pm some customers may still be finishing their meals, as alcohol was ancillary to food. Customers would be seated and served in tranches, allowing staff to gradually become available and be redeployed to assist with closing procedures. Customers would be greeted at the door and wished goodnight as they left. Those waiting for an Uber would be encouraged to wait inside, and a staff member would be positioned outside to monitor and guide customer behaviour. The applicants added that this was an effective approach used successfully at other venues across the borough, and emphasised that the premises was food-led, not a drink-led venue.
- Alex Gordon noted that while the applicant proposed ending all activity by 10.30pm and outside use by 9.00pm, these were not guaranteed and did not fully address objections about disruptive noise after closing. They asked what further measures the applicant could propose to prevent noise disturbances caused by closing procedures, such as moving furniture. In response, the applicants said that if noise occurred earlier in the evening it was less likely to cause nuisance than if the same noise happened at 10.00pm or later, when residents were more likely to be asleep. They stated that the absence of outdoor eating, drinking, and smoking after 9.00pm would help minimise disruption. Regarding noise from packing up, the applicant suggested that two staff members could manually handle tables and chairs to avoid dragging. They added that post-closing noise was not typically been an issue for similar bistro-style venues closing at 10.30pm.

In their closing remarks, Alex Gordon emphasised that the premises was located in a heavily residential area, with only one pub and two restaurants nearby. They contrasted this with more commercial parts of the borough where the applicant operated other venues. They stressed the need to maintain a good living environment for residents, workers, and families, and noted that there was no automatic right for businesses to operate in residential areas.

In their closing remarks, Jin Georgiou thanked the applicant for taking residents' views into account and for reducing the proposed operating hours. They asked that sound levels continue to be monitored going forward. They also raised a concern

that commercial waste had not been fully addressed and requested to see a clear waste collection plan.

In their closing remarks, the applicants responded to Jin Georgiou that waste management would involve a wheelie bin kept inside the premises and put out only at the designated time for commercial waste collection. They suggested that the Panel could include a waste handling conditions for reassurance.

Decision and reasons

Panel Members confirmed that they had been able to follow and understand the discussion.

In their deliberations, Panel Members agreed that the premises was located in a predominantly residential area with a high concentration of nearby residents, and that it differed significantly in character from more commercial parts of the locality. Panel Members acknowledged the concerns raised by residents, particularly in relation to noise disturbance, and expressed a desire to preserve a community environment that supported family life, while also balancing this with the borough's night-time economy.

Panel Members noted that the newly proposed conditions during the course of the meeting - including the initial three additional conditions offered by the applicant, the revised closing time of 10.30pm, and a reduction in outdoor seating to 20 people - had resulted in a substantially revised application more appropriate for the location. Panel Members also supported the inclusion of a standard condition relating to waste disposal, to ensure proper handling and collection of rubbish. They agreed that granting a licence with further conditions was preferable to outright refusal, which would result in less oversight overall.

While this did not form part of their formal decision, as it fell outside the remit of the licensing, Panel Members suggested that Environmental Health should visit the premises within one month to assess noise levels from the kitchen flue and carry out technical readings to determine compliance.

RESOLVED -

1. THAT a licence be granted for:
 - a) **Sale by Retail of Alcohol (on the premises only)**
10:00 – 22:30 Monday to Saturday
11:00 – 22:30 Sunday
 - b) **Opening hours.**
08:00 – 22:30 Monday to Sunday
2. THAT the following conditions be added to the licence:

Conditions consistent with the operating schedule

1. The premises shall only operate as a restaurant,

Licensing Panel C - Thursday, 24th July, 2025

- (a) in which customers are shown to their table, or the customer will select a table themselves,
- (b) where the supply of alcohol is by waiter or waitress service only,
- (c) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table,
- (d) which do not provide any takeaway service of food or drink for immediate consumption of the premises,
- (e) where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.

For the purpose of this condition 'Substantial Table Meal' means – a meal such as might be expected to be served as the main midday or main evening meal, or as a main course at either such meal and is eaten by a person seated at a table, or at a counter or other structure which serves the purposes of a table and is not used for the service of refreshments for consumption by persons not seated at a table or structure servicing the purposes of a table. Notwithstanding this condition customers are permitted to take from the premises part consumed and resealed bottles of wine supplied ancillary to their meal.

2. CCTV

- (a) The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team.
- (b) All entry and exit points will be covered enabling frontal identification of every person entering in any light condition.
- (c) The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises and will include the external area immediately outside the premises entrance.
- (d) All recordings shall be stored for a minimum period of 31 days with date and time stamping.
- (e) Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31-day period.

3. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.

4. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.

5. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.

6. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.

Licensing Panel C - Thursday, 24th July, 2025

7. 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.
8. 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.
9. 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.
10. The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.
11. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.
12. All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.
13. All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device.
14. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
15. All front of house staff shall be trained in Welfare and Vulnerability Engagement (WAVE), "Ask for Angela", drink spiking. Records of staff training shall be provided to an authorised officer upon request.

Additional conditions agreed by Licensing Panel C on 24 July 2025

16. Staff shall monitor the outdoor dining area and ensure that customers do not engage in shouting or other disruptive behaviour that could cause a nuisance to local residents.
17. Outside tables and chairs shall be rendered unusable by 9:00pm each day.
18. Staff shall ensure that outside furniture is not moved in a way that obstructs the public highway.
19. The operator shall ensure that the premises close and all licensable activities cease by 10.30pm.
20. A maximum of 20 patrons may be seated in the outdoor area at any one time.
21. No waste disposal or collection between 8am and 8pm.

ACTION BY: Executive Director Supporting Communities

9. ANY OTHER BUSINESS THAT THE CHAIR CONSIDERS URGENT

There was no urgent business.

The hearing ended at 8.25 pm.

CHAIR

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MINUTES END