

I want to apply for a

Premises licence

Are you an agent?

No - I'm applying for myself

Does the premises have a name?

No

What is the address or location?

Shop And Premises At Ground Floor
256 Kilburn High Road
NW6 2BY
London

What is the type of premises?

Delivery only kitchen

Describe the area it is situated in

shopping area

Describe the layout of the premises

One floor (ground floor), on the main road,
entrance on the pavement

Copy of the premises plans

- Floorplan.pdf

Tell us about the premises business hours

Day	Start time	End time
Monday	10:00	23:00
Tuesday	10:00	23:00
Wednesday	10:00	23:00
Thursday	10:00	23:00
Friday	10:00	23:00
Saturday	10:00	23:00
Sunday	10:00	23:00

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?	14000
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	10188849
Name of business	Pasta Evangelists Ltd
Name and address	PART FIRST FLOOR NORTH 14 BONHILL STREET EC2A 4BX LONDON
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	23:00	02:00
Tuesday	23:00	02:00
Wednesday	23:00	02:00
Thursday	23:00	02:00
Friday	23:00	02:00
Saturday	23:00	02:00
Sunday	23:00	02:00

Where will refreshments be provided?

Outdoors

Tell us about the specifics of the activity

Delivery only kitchen. The team will cook fresh pasta in 4 mins using only induction hobs and oven, no gas in use. Rider will ring the bell and collect the goods which is handed by the team right on the door.

Are there any seasonal variations for the activity?

No

Will the activity take place at times other than those listed?

No

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

All CCTV recordings made by the CCTV system shall be retained and stored in a suitable and secure manner for a minimum of 30 days. There shall be at least one camera positioned at each entry and exit point to monitor any external areas to the premises and of such quality to enable identification of the recorded person in any light.

Public safety

The business will arrange for the telephone number for the premises and/or a member of the management team to be provided to residents upon request in order that any complaints can be made direct.

The prevention of public nuisance

The premises will encourage all riders involved in deliveries to use their vehicles in a responsible manner so as not to cause a nuisance to any residents or generally gather outside the premises; (where vehicles have engines) not to leave engines running when the vehicles are parked; and not to obstruct the highway. Displayed a signage stating that all riders who do not behave or cause any nuisance will be not entitle to collect the food

The prevention of children from harm

The business will arrange for the telephone number for the premises and/or a member of the management team to be provided to residents upon request in order that any complaints can be made direct

About this form**Issued by**

Camden Town Hall
Judd Street
London
WC1H 9JE

Contact phone

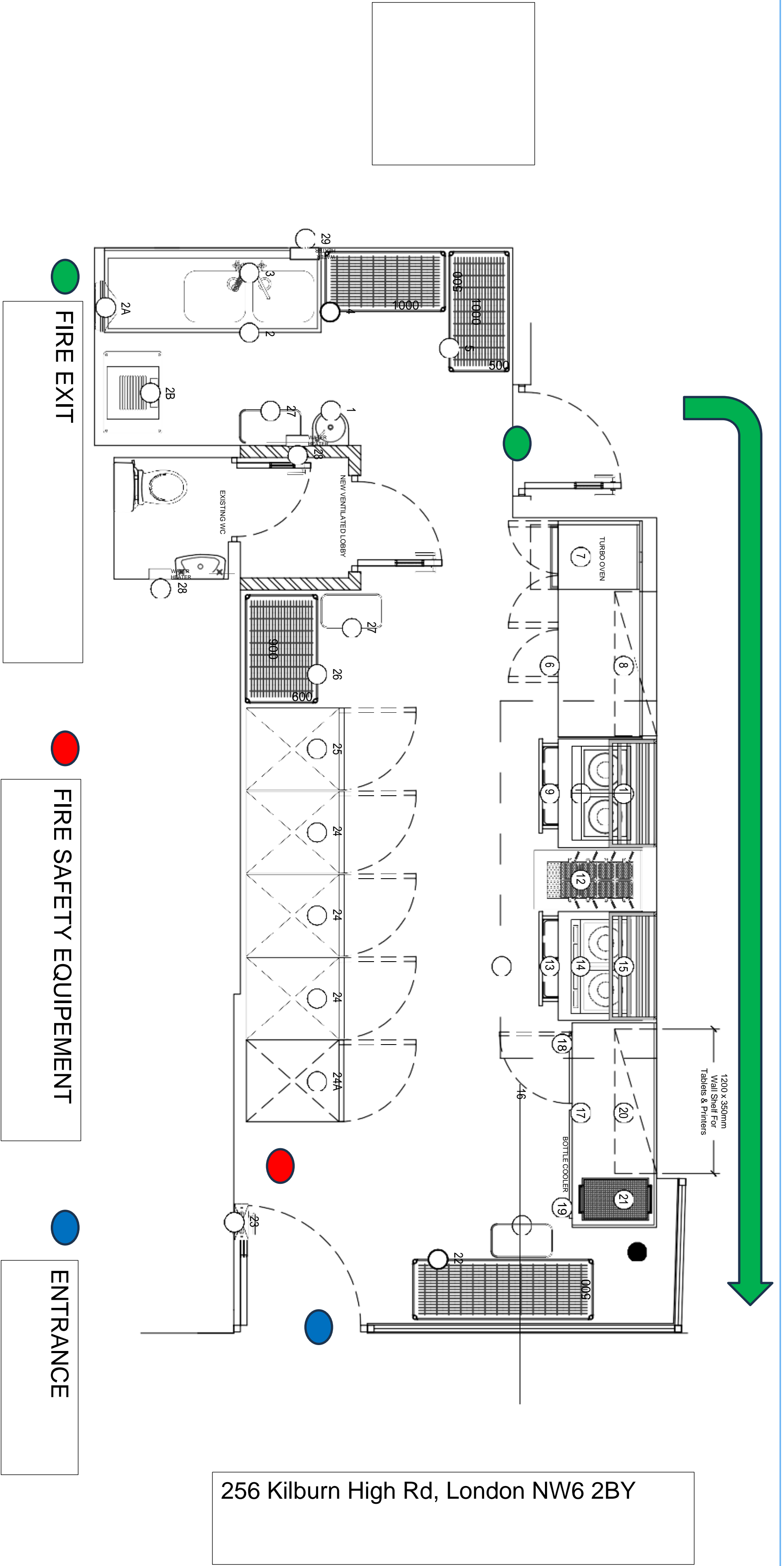
020 7974 4444

Form reference

Ref. no. 115887

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.



EQUIPMENT LEGEND

KITCHEN AREA (1:25 @ A2):

Item:	Qty:	Description:
1	1	Knee Operated Wash Hand Basin.
2	1	Twin Bowl Sink Unit c/w Splashback (1800 x 700mm).
2A	1	Wall Mounted Bio Remediation Unit.
2B	1	Floor Standing Grease Trap System.
3	1	Overhead Sprayam c/w Bowl Filler (A/RCA-ST-ER-2S).
4	1	Four Tier Storage Racking (1000 x 500mm).
5	1	Four Tier Storage Racking (1000 x 500mm).
6	1	Three Door Refrigerated Counter c/w Upstand (DL915).
7	1	Counter Top Turbo Oven (By Client).
8	2	Wall Shelf (1200 x 350mm).
9	1	Two Drawer Dual Temp Counter (DA996).
10	2	Counter Top Heavy Duty Induction Top (CP799).
11	1	Rodded Pan Shelf (900 x 400mm).
12	1	Freestanding Pasta Cooker (By Client).
13	1	Two Drawer Dual Temp Counter (DA996).
14	2	Counter Top Heavy Duty Induction Top (CP799).
15	1	Rodded Pan Shelf (900 x 400mm).
16	1	Ventilation Canopy (3000 x 1300mm).
17	1	Wall Bench (1700 x 700mm).
18	1	Single Door Undercounter Freezer (CD081).
19	1	Twin Sliding Door Bottle Cooler (GLD10).
20	1	Wall Shelf (1200 x 350mm).

Item:	Qty:	Description:
21	1	Counter Top Hot Plate (CD562).
22	1	Four Tier Storage Racking (1500 x 500mm).
23	1	Flying Insect Exterminator.
24	3	Single Door Upright Refrigerator - 2/1GN (G592).
24A	1	FUTURE PROOF Single Door Upright Refrigerator - 2/1GN (G592).
25	1	Single Door Upright Freezer - 2/1GN (G593).
26	1	Four Tier Storage Racking (900 x 600mm).
27	3	87Line Polymer Waste Bin c/w Swing Top Lid.
28	2	Inline Instantaneous Water Heater (ES3).
29	1	Inline Instantaneous Water Heater (DEX12).

FIRE EXIT

FIRE SAFETY EQUIPMENT

ENTRANCE

REV DATE REVISION NOTES

A	15.06.2023	Drain Maintenance System Upgraded.
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Client: **Pasta Evangelists**

Site: **Kilburn**

Drawing Title: **Kitchen Area - General Arrangement Layout**

Issue Date: **31.05.2023** Scale: **1:25 @ A2**

Drawn By: **SH** Checked By: **Marcio**

Doc. REF: **FDS 5957.001 Rev A**

Drawing No. **FDS 5957.001 Rev A**



**METROPOLITAN
POLICE**

TOTAL POLICING

Camden Licensing Authority

Town Hall Extension
Argyle St
London

WC1H 8EQ

**PC Joel Francis 2601CN
EK - Camden Borough**

Licensing Unit
Room 1.22
Kentish Town Police Station
12a Holmes Rd
London
NW5 3AE

Telephone: [REDACTED]

Email: [REDACTED]

Your ref: **NEW115887**

Tuesday 25th July 2023

Dear Sir/Madam,

RE: Application NEW\115887
Pasta Evangelists, 256 Kilburn High Road NW6 2BY

With reference to the above Application, the Metropolitan Police Service (MPS) wishes to make a Representation.

Within the Licensing Act 2003, and contained in the notes for guidance for the Licensing Act 2003, it is the responsibility of the Police and Local Authority to promote the Prevention of Crime and Disorder, Promote Public Safety, Prevent Public Nuisance and Protect Children from Harm.

I certify that I have considered the application above on its own merit, and my Representation is based on the likely effect of the grant of the application being detrimental to Camden Council's Licensing Objectives.

Looking at Case law, during the case of Daniel Thwaites PLC v Wirral Magistrates' Court and Others, The Honourable Mrs Justice Black said:

"Drawing on local knowledge, at least the local knowledge of local licensing authorities, is an important feature of the Act's approach. There can be little doubt that local magistrates are also entitled to take into account their own knowledge but, in my judgment, they must measure their own views against the evidence presented to them. In some cases, the evidence presented will require them to adjust their own impression. This is particularly likely to be so where it is given by a Responsible Authority such as the police."

This case is sometimes misconstrued as requiring decisions to be based on 'real evidence', and that conditions cannot be imposed until problems have actually occurred. This is wrong. The purpose of the Act is to prevent problems from happening. Decisions can and should be based on well-informed common sense. The case recognises that Responsible Authorities are experts in their fields, and that weight should be attached to their representations.

Source: www.gov.uk/government/publications/alcohol-licensing-using-case-law

Policing Challenges in Camden

The London Borough of Camden is an intense area of crime and anti-social behaviour, particularly in relation to the Night Time Economy. Police resources become heavily drained during the relevant times. There is an increment of violence in Camden during later hours. For clarity, the MPS supports Camden Council's Licensing Policy with regards to Recommended Framework Hours and the Special Policy Areas (also referred to as the Cumulative Impact Areas).

Unique Application Issues:

This venue is situated within a busy commercial district with numerous other licensed venues. The Kilburn High Road corridor is significantly affected by thefts. The thefts appear to be committed by organised thieves using a number of distraction techniques to steal belongings from shops and visitors

It is worth noting that food only venues tend to have a lower impact on crime and disorder; particularly violence, when compared to public houses, bars and night clubs.

Delivery businesses tend to suffer more from resident complaints over noise, delivery rider ASB and public nuisance issues. Late night refreshment venues generate crime indirectly. With people buying food and standing about on the streets, this helps drug dealers and robbers blend into the background. People hanging around the streets eating their food can be easy targets for people bent on fighting or stealing from vulnerable people. Another flash point is that these venues attract people from different pubs and clubs and sometimes during their brief encounter in the fast food venues, it will sometimes cause issues on the street once they have left the venue. Therefore, prohibiting customer collections will reduce the likelihood of such incidents.

In considering this application I have assessed current policing resources and the ability for Police to respond to incidents if they arise. MetCall (999 Despatch) will primarily be tasking Police Officers parading out of Kentish Town Police Station to this location. Kentish Town Police Station is 2.9 miles away or a 14 minute car journey on Google Maps.

Police licensing are hopeful the Applicant can agree to a limited number of extra Conditions to ensure their operation has a minimal impact on the current crime and disorder in this part of Camden.

Mediation & Discussion

The Applicant Representative and Police licensing are in discussions to find a compromise on Conditions but no agreement has currently been reached.

Research and Intelligence

There were a total of 43 complaints made to Police involving incidents at **licensed venues** in the NW6 postcode so far in 2023. Violence is generally low in the NW6 post code area due to licensed venues having more of a food and dining focus.

Any Licensing Hearing held as a result of this Representation may be supplied with further, specific, crime figures and intelligence reports relating to the venue or the area in which it is located.

Conditions Proposed By Police Licensing

1. There will be no customer collection and the premises will only be used for the dispatch of meal orders only.
2. CCTV system shall be installed, operated, and maintained, to function all times that the premises is open for licensable activities and are of a standard acceptable to and approved by the Police. Said CCTV will comply with the following criteria:
 - a. The system will record in real time and recordings will be date and time stamped;
 - b. The CCTV camera views are not to be obstructed.
 - c. The facility to transfer the images to a compatible, removable format, shall be held on the premises
 - d. 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 Local Authority upon request.
 - e. Copies shall be made available within 24 hours to the Police or an authorised officer of the Licensing Authority, upon request;
 - f. A staff member working at the premises shall be trained in the use of CCTV and a log will be kept to verify this.
3. An incident log shall be kept at the premises and be made available upon request to the Police or the Local Authority. The book will record the date, time and whom is making the entry. The following must be recorded:
 - a. All refused sales
 - b. Any complaints received
 - c. Any faults in the CCTV system
 - d. Any visit by a relevant authority or emergency service
 - e. CAD reference numbers where Police are called.
4. All incidents of violence and/or disorder will be reported to the police by the venue.
5. All delivery drivers and riders must allow any Police Constable or Local Authority Officer to inspect any alcohol or order details on request.
6. The premises will encourage all riders involved in deliveries to use their vehicles in a responsible manner so as not to cause a nuisance to any residents or generally gather outside the premises; (where vehicles have engines) not to leave engines running when the vehicles are parked; and not to obstruct the highway.
7. The business will arrange for the telephone number for the premises and/or a member of the management team to be provided to residents upon request in order that any complaints can be made direct.
8. Prominent, clear, and legible notices must be displayed at all exits requesting staff to respect the needs of local residents to leave the premises quietly.

Times Proposed By Applicant:

The proposed hours are outside the Recommended Framework Hours, but this Application relates to a delivery only operation, making crime and disorder less likely. On this basis, Police Licensing would not be seeking any change to the hours proposed

Conclusion

The Venue is not within a Special Treatment/Cumulative Impact Area and similar operation have not been a source of crime and disorder. The Applicant proposes conducting licensable activities through deliveries only. Police licensing have asked the Applicant to consider imposing extra Conditions to mitigate common issues with delivery venues in Camden.

In summary, the view of the MPS is that this Application should be rejected in its current form, unless the proposed Conditions from Police are appended to any Licence granted.

This is suggested as the most effective way of allowing the venue to operate whilst minimising any indirect harm.

If you have any additional questions please contact me

Yours sincerely,

PC Joel Francis
Licensing Constable

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



From: [licensing inbox](#)
To: [Samina Khan](#)
Subject: FW: *Withdrawal of Police Reps* - Application for Pasta Evangelists, 256 Kilburn High Road NW6 2BY, Application Reference NEW\115887
Date: 27 July 2023 11:33:25
Attachments: [image001.jpg](#)
[Police Withdrawal of Representation - Pasta Evangelists, 256 Kilburn High Road NW6 2BY.pdf](#)
[Police Withdrawal of Representation - Pasta Evangelists, 256 Kilburn High Road NW6 2BY.doc](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.jpg](#)
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[image013.png](#)
[image014.png](#)
[image015.png](#)

Mohammed Rahman
Licensing Support Officer

Telephone: [REDACTED]



From: [REDACTED]
Sent: 26 July 2023 16:37
To: licensing inbox <licensing@camden.gov.uk>; Samina Khan [REDACTED]
[REDACTED]
Subject: *Withdrawal of Police Reps* - Application for Pasta Evangelists, 256 Kilburn High Road NW6 2BY, Application Reference NEW\115887

[EXTERNAL EMAIL] Beware – This email originated outside Camden Council and may be malicious Please take extra care with any links, attachments, requests to take action or for you to verify your password etc. Please note there have been reports of emails purporting to be about Covid 19 being used as cover for scams so extra vigilance is required.

[RE: Application NEW\115887](#)
[Pasta Evangelists, 256 Kilburn High Road NW6 2BY](#)

Dear all,

Police and the Applicant for Pasta Evangelists, 256 Kilburn High Road NW6 2BY, Application Reference NEW\115887 have agreed terms.

-

Please therefore take this email as notice of my withdrawal of the Police Representations on the proviso the agreed terms are appended to any Licence granted.

Conditions AGREED between Police Licensing and Applicant:

-

1. There will be no customer collection and the premises will only be used for the dispatch of meal orders only.
2. CCTV system shall be installed, operated, and maintained, to function all times that the premises is open for licensable activities and are of a standard acceptable to and approved by the Police. Said CCTV will comply with the following criteria:
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 - d. 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 Local Authority upon request.
 - e. Copies shall be made available within 24 hours to the Police or an authorised officer of the Licensing Authority, upon request;
 - f. A staff member working at the premises shall be trained in the use of CCTV and a log will be kept to verify this.
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8. Prominent, clear, and legible notices must be displayed at all exits requesting staff to respect the needs of local residents to leave the premises quietly.

-

Times

-

No change to times applied for

Warmest regards,

Joel

PC Joel Francis [REDACTED] – Camden Police Licensing Team

[REDACTED]

 [REDACTED]

 [REDACTED]

 [REDACTED]

www.met.police.uk

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From: Piertommaso Lisi [REDACTED]

Sent: 26 July 2023 14:50

To: Francis Joel P.E - CN-CU <[REDACTED]>

Subject: Re: *Police Representation* - Application for Pasta Evangelists, 256 Kilburn High Road NW6 2BY, Application Reference NEW\115887

Good afternoon Joel,

I can confirm all proposed conditions are accepted and will be met.

Kind regards,

PL

On Wed, 26 Jul 2023 at 2:25 PM, <[REDACTED]> wrote:

Good afternoon Piertommaso,

Thanks for the quick response to my email and for clarifying the nature of your business,

If you can confirm acceptance of the conditions I can withdraw my Representation and will notify Camden Council

If there are some Conditions you wish to remove or amend let me know so we can discuss,

Thank you,

Joel

From: Piertommaso Lisi <[REDACTED]>
Sent: 25 July 2023 18:05
To: Francis Joel P.E - CN-CU <[REDACTED]>
Cc: licensing.representation@camden.gov.uk; [REDACTED]
Subject: Re: *Police Representation* - Application for Pasta Evangelists, [256 Kilburn High Road NW6 2BY](#), Application Reference NEW\115887

Hi Joel,

Thanks for bringing this to my attention.

We would like to discuss this further, and if it can help speak directly with you.

Please allow me to give you more information about the business and our operations.

- Based on an accurate analysis of our business company, which includes 36 premises (delivery only kitchens) across London, we are not looking at a high order volume instead at a high order value. This means, after 11pm we are expecting to do one order every 29 mins which leads at 2 orders per hour. Despite the small amount of orders we could get in late hours, it is crucial for our business to increase the sales of £50 per hour (as the average order value is around £25) which means £150 until 2am or £1050 weekly.

- The shop is on the main road with no flat above or next to it. Drivers can park right in front of the premises (on a designated parking area next to the premises) without disturbing any neighbors.

The neighbors are our first customers and we do not want to cause any nuisance. We are a very stable business, very strong brand with immaculate relations with all neighborhoods we are in.

- The shop is always locked and drivers have to ring the bell when they want to collect

orders.

- We are not selling any alcohol
- There is no "click and collect" option but only an online delivery option which means there won't be any member of the public allowed to enter the premises and consumption right in front of the premises.
- CCTV in operations with 30 days recording.
- All other proposed conditions such as Accident book, telephone number, encourage driver to behave etc. are accepted and already met.

I'm pretty sure there are businesses in the area which are allowed to operate this late.

I am confident we can get the licence as per our application to allow a sustainable growth.

Kind regards,
PL

On Tue, Jul 25, 2023 at 4:28 PM [REDACTED] wrote:

[RE: Application NEW\115887](#)

[Pasta Evangelists, 256 Kilburn High Road NW6 2BY](#)

Dear Camden Council and Applicant,

I am the Police Licensing Officer looking at the Application for Pasta Evangelists, [256 Kilburn High Road NW6 2BY](#), Application Reference NEW\115887,

Please find attached my Police Representations Letter. There will be a follow up email to withdraw my Representation where applicable,

Kind regards,

Joel

PC Joel Francis [REDACTED] – Camden Police Licensing Team

Kentish Town Police Station, [REDACTED]



[REDACTED]



[REDACTED]



[REDACTED]



www.met.police.uk

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--



Piertommaso Lisi
Expansion Manager
Pasta Evangelists Ltd



[REDACTED]



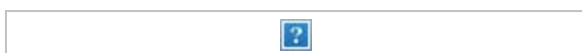
[REDACTED]



[REDACTED]




[REDACTED]



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--

Piertommaso Lisi
Expansion Manager 
Pasta Evangelists Ltd

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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**METROPOLITAN
POLICE**

TOTAL POLICING

Camden Licensing Authority

Town Hall Extension
Argyle St
London

WC1H 8EQ

**PC Joel Francis 2601CN
EK - Camden Borough**

Licensing Unit
Room 1.22
Kentish Town Police Station
12a Holmes Rd
London
NW5 3AE

Telephone: [REDACTED]

Email: [REDACTED]

Your ref: **NEW115887**

Wednesday 26th July 2023

Dear Sir/Madam,

RE: Application NEW\115887
Pasta Evangelists, 256 Kilburn High Road NW6 2BY

With reference to the above Application, the Metropolitan Police Service (MPS) wishes to withdraw a Representation.

Within the Licensing Act 2003, and contained in the notes for guidance for the Licensing Act 2003, it is the responsibility of the Police and Local Authority to promote the Prevention of Crime and Disorder, Promote Public Safety, Prevent Public Nuisance and Protect Children from Harm.

I certify that I have considered the application above on its own merit, and my Representation was based on the likely effect of the grant of the application being detrimental to Camden Council's Licensing Objectives.

Conditions AGREED between Police Licensing and Applicant:

1. There will be no customer collection and the premises will only be used for the dispatch of meal orders only.
2. CCTV system shall be installed, operated, and maintained, to function all times that the premises is open for licensable activities and are of a standard acceptable to and approved by the Police. Said CCTV will comply with the following criteria:
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8. Prominent, clear, and legible notices must be displayed at all exits requesting staff to respect the needs of local residents to leave the premises quietly.

Times

No change to times applied for

Conclusion

Police licensing are thankful to the Applicant for agreeing to some very minimal Conditions relating to alcohol sales to mitigate any potential harm.

The MPS and applicant have agreed to a number of Conditions and respectfully ask that the agreed conditions are appended to any licence granted.

If you have any additional questions please contact me

PC Joel Francis
Licensing Constable

[REDACTED]
[REDACTED]
[REDACTED]



Representation	
Premises name	No Name
Application reference number	APP\PREMISES-NEW\115887
Last date for representation	04/08/2023

Making a representation as

As an individual

Your details**First name**

[REDACTED]

Last name

[REDACTED]

Telephone number (optional)

[REDACTED]

Email address

[REDACTED]

Address

[REDACTED]

[REDACTED] Espalier Gardens

London

NW6 2DQ

Remain anonymous

Yes

Detail the exceptional circumstances

A late license, particularly for a delivery based service is highly likely to make the front of our driveway, the high road and the general area very full of noisy delivery motorbikes and scooters - creating a nuisance factor for residents trying to sleep. There is also likely to be a safety issue for residents entering/ exiting their property at night where they are likely to be tailgated in due to an increased foot/ vehicle traffic congregating in front of the main gate. Finally, late night cooking will be throwing up cooking fumes into resident apartments well into the night - preventing us to leave doors/ windows open for ventilation. This is already an existing problem that will be made worse.

Grounds of representation

- prevention of crime and disorder
- ensuring public safety
- prevention of public nuisance

Details of representation

Main gate to the property takes 20 seconds to open/ close. If there are many delivery drivers (usually mostly male) waiting to get their next order all the way till 2am, it creates a much bigger opportunity for someone to follow residents into the property and enable criminal activity. This can reasonably be expected to be much worse on Friday and Saturday nights. it creates a personal safety issue (incidents have already occurred) or an anti social behaviour issue (people relieving themselves/ using drugs inside the property because it's more private) or enable thefts (bike storage areas become much more easily accessible).

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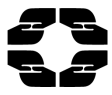
Camden Town Hall
Judd Street
London
WC1H 9JE

Contact phone

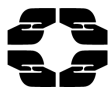
020 7974 4444

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.



Representation	
Premises name	No Name
Application reference number	APP\PREMISES-NEW\115887
Last date for representation	04/08/2023

Making a representation as

As an individual

Your details

First name

[REDACTED]

Last name

[REDACTED]

Telephone number (optional)

[REDACTED]

Email address

[REDACTED]

Address

[REDACTED]

[REDACTED] Espalier Gardens

London

NW6 2DQ

Remain anonymous

Yes

Detail the exceptional circumstances

Concern for the late license, noise, rubbish, motorcyclists and drunken people at our gate, safety concerns of groups hanging around

Grounds of representation

- prevention of crime and disorder
- ensuring public safety
- prevention of public nuisance
- protection of children from harm

Details of representation

Local resident who has already noticed an increase in crime, anti social behaviour, rubbish and noise pollution on the high street and especially around food outlets



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Representation	
Premises name	No Name
Application reference number	APP\PREMISES-NEW\115887
Last date for representation	04/08/2023

Making a representation as

As an individual

Your details

First name

Dino

Last name

Bergagnini

Telephone number (optional)

[REDACTED]

Email address

[REDACTED]

Address

Apartment 603
1 Espalier Gardens
London
NW6 2DQ

Remain anonymous

No

Grounds of representation

- ensuring public safety
- prevention of public nuisance

Details of representation

Kilburn high road is already suffering from a lot of anti-social behaviour due to the nature of the shops and activities on the road. A late take away only restaurant will not improve the situation and will results in an hordes of motorcycle queuing in front of the restaurant and bringing the usual drug addicts and drunk people that the Council refuse to take care of.

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Representation	
Premises name	No Name
Application reference number	APP\PREMISES-NEW\115887
Last date for representation	04/08/2023

Making a representation as

As an individual

Your details

First name

Evi

Last name

Charalampidi

Telephone number (optional)

Email address

[REDACTED]

Address

Apartment 314
1 Espalier Gardens
London
NW6 2DQ

Remain anonymous

No

Grounds of representation

- prevention of crime and disorder
- ensuring public safety
- prevention of public nuisance

Details of representation

The place would be an issue for our public safety given all the incidents happening in Kilburn at late nights. Our main entrance is next to the place and there would be many people that could get inside following residents. Due to late opening as exactly in front from our flats would be very noise till late nights with delivery and take away and would disturb us and the public.



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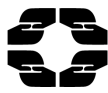
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Representation	
Premises name	No Name
Application reference number	APP\PREMISES-NEW\115887
Last date for representation	04/08/2023

Making a representation as

As an individual

Your details

First name

Helena

Last name

Yovichich

Telephone number (optional)

Email address

[REDACTED]

Address

Apartment 308
1 Espalier Gardens
London
NW6 2DQ

Remain anonymous

No

Grounds of representation

- prevention of crime and disorder
- ensuring public safety
- prevention of public nuisance

Details of representation

That Pasta Evangelists should not be given a late night notice until 2am. We approve of the restaurant being there but not with it being open until 2am, in an area where there is already significant issues with alcohol consumption, with late night noise and, quite evidently, with petty crime (e.g. drugs) which the police are unable to cope with. The late night license will likely pose an additional enhancer of these issues. We



have plenty of late night places to go, just not where alcohol is involved, which is a positive thing. People can also walk to West Hampstead or Queens park for late night options if they wish.

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Representation	
Premises name	No Name
Application reference number	APP\PREMISES-NEW\115887
Last date for representation	04/08/2023

Making a representation as

As an individual

Your details**First name**

Ignacio

Last name

Gonzalez

Telephone number (optional)

[REDACTED]

Email address

[REDACTED]

Address

Apartment 604
1 Espalier Gardens
London
NW6 2DQ

Remain anonymous

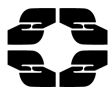
No

Grounds of representation

- ensuring public safety
- prevention of public nuisance

Details of representation

It is proven that this type of only delivery kitchen also called ghost kitchens are very noisy when they are being used and potentially smelly. The biggest concern is the extra traffic on the roads and specially at the main entrance of 1 Espalier Gardens, where the mops and bicycle will be parked by couriers despite the "no parking" signs. How Camden borough is going to prevent this issue and guarantee the couriers will respect and follow the law? It is terrible to



promote this type of business that stall the improvement of the residential life in an area that is already full of fast food restaurants and dozens of mops, cycles and couriers invading sidewalks. Adding more sort of these businesses to an already busy area is a terrible idea that will affect negativity residents' life and well-being. Camden borough should help and promote other type of business to improve the quality of living in the area.

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Representation	
Premises name	No Name
Application reference number	APP\PREMISES-NEW\115887
Last date for representation	04/08/2023

Making a representation as

As an individual

Your details**First name**

Jun

Last name

Park

Telephone number (optional)

[REDACTED]

Email address

[REDACTED]

Address

Apartment 208
1 Espalier Gardens
London
NW6 2DQ

Remain anonymous

No

Grounds of representation

- prevention of crime and disorder
- ensuring public safety
- prevention of public nuisance
- protection of children from harm

Details of representation

I would like to formally convey deep concerns to this application, specifically pertaining to the late night refreshments portion of the license from 11pm to 2am. This establishment is located directly adjacent to the entrance for the Park Place (1 Espalier Gardens) apartment building. As a resident, the entrance is already



complicated and easily obstructed by the flats above Pasta Evangelists, causing potential physical harm. Utilising this space for late night refreshments will cause further obstructions. And at the very least, this will add many more delivery drivers on motorcycles creating a barrier to entrance, late at night, when Kilburn High Road is at its most dangerous period. The noise levels will also be off a nuisance, as there are many families with young children within the apartment complex. Already, sound travels very easily from Kilburn High Road. The shouting of drunken revellers and revved up motorcycles from the road already create disturbances throughout the night. Adding more late night traffic will only cause further harm to families' quality of sleep. Further, Kilburn High Road has had numerous stabbings and late night disorderly behaviour pervasively present. This will add more nuisance and disrupt public safety. Finally, flytipping and littering is at an all time high on Kilburn High Road. With the launch of Fired Away Pizza, Cheat Meals, and other takeaway restaurants, food packaging litters or streets. Adding more rubbish during late night hours, right on our building's doorsteps, for our young children who like to rise early to then trip over or grab and put in their mouths is absolutely unacceptable. I beg you to please remove the late night permissions to this establishments licensing application.



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Representation	
Premises name	No Name
Application reference number	APP\PREMISES-NEW\115887
Last date for representation	04/08/2023

Making a representation as

As an individual

Your details

First name

Juni

Last name

Park

Telephone number (optional)

[REDACTED]

Email address

[REDACTED]

Address

Apartment 208
1 Espalier Gardens
London
NW6 2DQ

Remain anonymous

No

Grounds of representation

- prevention of crime and disorder

Details of representation

FYI -The establishment has already begun serving food with delivery drivers in queue, as observed today, 4 Aug 2023.

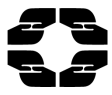
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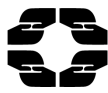
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Representation	
Premises name	No Name
Application reference number	APP\PREMISES-NEW\115887
Last date for representation	04/08/2023

Making a representation as

As an individual

Your details

First name

Maria Cristina

Last name

Regalado Peynetti

Telephone number (optional)

[REDACTED]

Email address

[REDACTED]

Address

Apartment 205
1 Espalier Gardens
London
NW6 2DQ

Remain anonymous

No

Grounds of representation

- ensuring public safety
- prevention of public nuisance

Details of representation

Reason 1: I have a concern regarding the late hours this business is going to be open. I am afraid they will be blocking our building's driveway and access gate with the motorbikes. The fact that they are serving late refreshments comes along with the fact that reckless drivers will be parking in our driveway. These premises do not have good street space to have 10 bikers waiting during midnight for the delivery packs.
Reason 2: If 10 Motorbikes are parked and



people chatting, smoking, eating while waiting. it is going to generate a lot of noise. On top of that the noise of the motobikes starting and stopping would be heard til 2 pm. The place does not have tables for clients either. A lot of people will be making noise outside while waiting for their take away. And to be fair. Food at 1 pm means drunks. We are afraid all these drunks eat just outside and if allowed urinate by our gate

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Representation	
Premises name	No Name
Application reference number	APP\PREMISES-NEW\115887
Last date for representation	04/08/2023

Making a representation as

As an individual

Your details

First name

MEHDI

Last name

JAFFER

Telephone number (optional)

[REDACTED]

Email address

[REDACTED]

Address

Apartment 112
1 Espalier Gardens
London
NW6 2DQ

Remain anonymous

No

Grounds of representation

- prevention of crime and disorder
- ensuring public safety
- prevention of public nuisance

Details of representation

Having a license to serve “late night refreshments” from 11pm to 2am will be very frustrating. The noise from motorcyclists right at our gate entrance, rubbish at our gate for our kids and pets to get into, drunken party-goers at our doorsteps, making it unsafe and disorderly. There's no reason why they can't stop at 11pm or midnight on the weekends.



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Representation	
Premises name	No Name
Application reference number	APP\PREMISES-NEW\115887
Last date for representation	04/08/2023

Making a representation as

As an individual

Your details

First name

Sara

Last name

Caniggia

Telephone number (optional)

Email address

[REDACTED]

Address

Apartment 603
1 Espalier Gardens
London
NW6 2DQ

Remain anonymous

No

Grounds of representation

- prevention of public nuisance

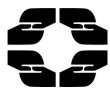
Details of representation

Pasta Evangelist's licence application to serve late night refreshments. This will lead to noise and garbage issues for residents at Espalier Gardens.

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Representation	
Premises name	No Name
Application reference number	APP\PREMISES-NEW\115887
Last date for representation	04/08/2023

Making a representation as

As an individual

Your details**First name**

Seb

Last name

Fernando

Telephone number (optional)**Email address****Address**

Apartment 201
1 Espalier Gardens
London
NW6 2DQ

Remain anonymous

No

Grounds of representation

- prevention of crime and disorder
- ensuring public safety
- prevention of public nuisance
- protection of children from harm

Details of representation

Prevention of crime and disorder + ensuring public safety - There is an alleyway on the side of the restaurant, which is hidden away and out of sight. I believe having delivery drivers waiting there is not safe for residents who walk past in order to open the gate to Espalier Gardens. prevention of public nuisance - This is a delivery kitchen

on a busy high road, there is no area for delivery moped drivers to wait. An influx of delivery drivers will result in the blocking of the entrance to our building causing huge inconvenience for us to enter and exit our own home. protection of children from harm We have a young baby and we therefore use a pram a lot of time. This will be very unsafe for us with delivery drivers parking up and blocking the pavement outside our entrance. The noise and disruption it will cause makes the immediate unsafe for children.

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Officer's summary of conditions consistent with the operating schedule

1. All CCTV recordings made by the CCTV system shall be retained and stored in a suitable and secure manner for a minimum of 30 days.
2. There shall be at least one camera positioned at each entry and exit point to monitor any external areas to the premises and of such quality to enable identification of the recorded person in any light.
3. The business will arrange for the telephone number for the premises and/or a member of the management team to be provided to residents upon request in order that any complaints can be made direct.
4. The premises will encourage all riders involved in deliveries to use their vehicles in a responsible manner so as not to cause a nuisance to any residents or generally gather outside the premises; (where vehicles have engines) not to leave engines running when the vehicles are parked; and not to obstruct the highway.
5. Displayed a signage stating that all riders who do not behave or cause any nuisance will be not entitle to collect the food

Conditions agreed with the Police responsible authority

1. There will be no customer collection and the premises will only be used for the dispatch of meal orders only.
2. CCTV system shall be installed, operated, and maintained, to function all times that the premises is open for licensable activities and are of a standard acceptable to and approved by the Police. Said CCTV will comply with the following criteria:
 - a. The system will record in real time and recordings will be date and time stamped;
 - b. The CCTV camera views are not to be obstructed.
 - c. The facility to transfer the images to a compatible, removable format, shall be held on the premises
 - d. 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 Local Authority upon request.
 - e. Copies shall be made available within 24 hours to the Police or an authorised officer of the Licensing Authority, upon request;
 - f. A staff member working at the premises shall be trained in the use of CCTV and a log will be kept to verify this.
3. An incident log shall be kept at the premises and be made available upon request to the Police or the Local Authority. The book will record the date, time and whom is making the entry. The following must be recorded:
 - a. All refused sales

- b. Any complaints received
 - c. Any faults in the CCTV system
 - d. Any visit by a relevant authority or emergency service
 - e. CAD reference numbers where Police are called.
4. All incidents of violence and/or disorder will be reported to the police by the venue.
 5. All delivery drivers and riders must allow any Police Constable or Local Authority Officer to inspect any alcohol or order details on request.
 6. The premises will encourage all riders involved in deliveries to use their vehicles in a responsible manner so as not to cause a nuisance to any residents or generally gather outside the premises; (where vehicles have engines) not to leave engines running when the vehicles are parked; and not to obstruct the highway.
 7. The business will arrange for the telephone number for the premises and/or a member of the management team to be provided to residents upon request in order that any complaints can be made direct.
 8. Prominent, clear, and legible notices must be displayed at all exits requesting staff to respect the needs of local residents to leave the premises quietly.

Times

No change to times applied for

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.