

THE LONDON BOROUGH OF CAMDEN

At a hearing of **LICENSING PANEL E** held on **THURSDAY, 11TH DECEMBER, 2025** at 10.00 am, which was held remotely via Microsoft Teams

MEMBERS OF THE PANEL PRESENT

Councillors Sylvia McNamara (Chair) and Meric Apak

MEMBERS OF THE PANEL ABSENT

Councillor Pat Callaghan

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

MINUTES

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

RESOLVED –

THAT the guidance on remote meetings be noted.

2. APOLOGIES

Apologies for absence were received from Councillor Patricia Callaghan.

3. DECLARATIONS BY MEMBERS OF STATUTORY DISCLOSABLE PECUNIARY INTERESTS, COMPULSORY REGISTERABLE NON-PECUNIARY INTERESTS AND VOLUNTARY REGISTERABLE NON-PECUNIARY INTERESTS IN MATTERS ON THIS AGENDA

There were no declarations of interest.

4. ANNOUNCEMENTS

Webcasting of the Meeting

The Chair announced that the meeting was being broadcast live to the internet and would be recorded and later made available on the website. Those participating in the meeting were deemed to be consenting to having their contributions broadcast and recorded.

Report Withdrawn

The Chair announced that the application for 77 Gloucester Avenue, listed under Agenda Item 7, had been withdrawn and would therefore not be considered by the Panel.

Supplementary Agenda

The Chair also announced that a supplementary agenda had been published, which contained documents regarding Agenda Item 8 in respect of the application for Fifth Element - Italian - Bar and Kitchen, 96 Cleveland Street, London, W1T 6NP and Agenda Item 9 in respect of the application for London Kiosk, Shop And Premises At Basement Ground Right, 111 Kingsway, London, WC2B 6PP.

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

Elysee Restaurant, 13 Percy Street, London, W1T 1DP

The Chair announced that notification of an urgent item of business had been given with a report included in the Supplementary Agenda but the application for a Temporary Event Notice had since been withdrawn and would not be considered by the Panel.

6. MINUTES

RESOLVED –

THAT the minutes of the meetings held on 3 July and 18 September 2025 be agreed and signed as a correct record.

7. 77 GLOUCESTER AVENUE, LONDON NW1 8LD

The report was withdrawn ahead of the meeting and was therefore not considered.

8. FIFTH ELEMENT - ITALIAN - BAR AND KITCHEN, 96 CLEVELAND STREET, LONDON, W1T 6NP

Consideration was given to a report of the Executive Director Investment, Place and Opportunity detailing an application for a premises licence under Section 17 of the Licensing Act 2003.

The Licensing Officer outlined the report and advised that the application was for the supply of alcohol for consumption on and off the premises. The requested hours were Monday-Wednesday 12:00-22:30, Thursday-Saturday 12:00-23:00, Sunday 12:00-22:00, with an additional 30 minutes for opening hours. The application has been amended following communication with a Resident Association, local residents, Police, and Licensing Responsible Authority. The agreed conditions were detailed in

Appendix 4 of the report. Six relevant representations opposing the application were received from local residents. A late submission from an interested party was circulated in the supplementary agenda.

An interested party, Tony Meadows, explained that the supplementary papers summarised current resident thinking, addressing contradictory and ambiguous elements in previous submissions, and sought clarity given that residents often monitored compliance. The applicant's agent, Oisin Daley, objected to the late paper, citing that they were submitted less than two working days in advance, that it appeared to come from a Residents Association that did not make an initial representation and that some names on the document had not made representations or had withdrawn them. The Legal Advisor clarified that four of the names listed on the document (Conor Cassidy, Tony Meadows, Valerie Deruelle, Lucia Ruggiero) had made relevant representations and had not withdrawn them. They had submitted this further information to summarise their views and did not introduce new information. The Panel was able to consider whether to accept late papers from those who had submitted relevant representations and determine what weight to give to it, subject to having heard the views of those in attendance.

The Panel agreed to accept the supplementary paper, noting that it did not introduce new information and did not prejudice the applicant who had sight of the document prior to the hearing and who could make their submission on its content in due course. The Chair noted that the licensing of external areas was not pertinent to the application before the Panel.

The applicant's agent confirmed that the amendments to the application were included in the report with agreed conditions in Appendix 4.

Tony Meadows and Valery Deruelle, interested parties, highlighted the points made in their written submissions and representations. Panel Members summarised their points raised as concerning:

- Clarification about use of fire doors.
- Issues regarding the noise and smells from the extractor fan.
- Concern over the clarity on who to report breaches to, given the residents' role in monitoring compliance.
- Clarification on permitted hours for internal and external operations.
- Use of external space.

The Legal Adviser noted that the Panel was not considering external areas used by the premises but the premises licence application before it regarding the internal use. The Chair confirmed that the requested hours pertained to the internal area with capacity upstairs and downstairs for 52 people.

The applicant, represented by Oisin Daley summarised the application and, with the applicant Ajanthan Vigneswarajah, responded to questions as follows:

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- It was confirmed that fire doors had not been used for deliveries or bin collections during the month of trading and willingness was expressed to accept a condition restricting their use to emergencies only.
- Regarding the extractor fan, the applicant explained the nature of the Italian restaurant's cooking methods compared to the previous Greek restaurant resulting in comparatively limited fumes but committed to investigating and resolving any issues.
- It was confirmed a separate pavement licence application had been made on 1 December 2025 for external areas, with the deadline for representations on 12 December.

It was noted that the extractor fan was not under consideration as part of the application before the Panel as this was dealt with under different legislation.

There was a brief discussion about the separate licence application for the external areas and it was confirmed that residents would need to resubmit representations on that application. The Licensing Officer agreed to contact interested parties with details on the external areas application following the hearing. Information would also be shared on how residents could report breaches of conditions.

ACTION: Licensing Officer

The interested parties and the applicant's representative made closing remarks.

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 considered the representations by the interested parties and the information provided by the applicant.

The Panel Members noted the thorough consultation and the applicant's willingness to engage, leading to agreed amendments and conditions. The Panel was minded to grant the application with two additional conditions to address further specific concerns raised by residents:

- 1) The fire exit is to be used solely for emergency purposes.
- 2) The applicant is required to provide a staffed telephone number and an email address for residents to communicate on issues regarding the premises' operation.

The Panel noted that having engaged with Responsible Authorities and residents to iron out issues, the application would promote the licensing objectives. Therefore, it was:

RESOLVED –

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

1. Supply of Alcohol (For consumption ON & OFF the premises)

12:00 – 22:30 Monday to Wednesday

12:00 – 23:00 Thursday to Saturday

12:00 – 22:00 Sunday

2. Opening hours

12:00 – 23:00 Monday to Wednesday

12:00 – 23:30 Thursday to Saturday

12:00 – 22:30 Sunday

- ii) THAT the following conditions be applied to the licence:

1. All staff will receive training on responsible service, identifying and handling antisocial behaviour, and how to deal with potentially violent situations. Regular refresher training will be scheduled to ensure staff stay up-to-date with policies.
2. Cooperation with Authorities Liaise with local police and licensing authorities on security matters. Participate in Pubwatch or similar schemes if available. Report any suspicious activity promptly.
3. Policies and Procedures Have a written policy for handling incidents of crime or disorder. Display signage indicating zero tolerance for violence or anti-social behavior.
 - a) Fire Safety Install and maintain smoke detectors, fire alarms, and fire extinguishers. Conduct regular fire risk assessments. Clearly mark all fire exits and ensure they are kept unobstructed. Train staff in emergency evacuation procedures.
 - b) Health & Safety Measures Keep floors, stairs, and other surfaces safe and slip-free. Ensure all electrical and gas equipment is properly maintained. Implement cleaning and hygiene procedures to prevent accidents and illness.
 - c) Capacity and Crowd Management Limit the number of patrons to the maximum safe occupancy. Have a clear plan for safe entry, exit, and movement of customers. Use staff to manage queues or crowded areas during busy times.
 - d) Lighting and Signage Ensure adequate lighting inside and outside the premises. Display clear safety signage, including fire exits, first aid, and hazard warnings.
 - e) First Aid Keep a stocked first aid kit accessible. Ensure at least one staff member trained in first aid is on duty at all times.
 - f) Policies and Procedures Have a written health and safety policy. Record any accidents or incidents and take action to prevent recurrence

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4. Keep music and entertainment at a reasonable level. Install soundproofing or acoustic measures where appropriate. Regularly check noise levels, particularly during late-night hours. Ensure staff monitor outdoor areas for noise disturbances.
5. Supervise customers leaving the premises to avoid loud or disruptive behavior. Encourage patrons to leave quietly, especially late at night. Provide clear guidance on acceptable behavior in and around the premises.
6. Ensure that litter, bottles, and other waste are regularly cleared from the premises and surrounding area. Provide appropriate bins for customers to dispose of waste safely.
7. Delivery and Collection Hours Schedule deliveries, collections, or refuse disposal during hours that minimize disturbance to neighbors.
8. Designate smoking areas away from residential areas. Ensure customers do not gather in a way that causes noise or obstruction.
9. Maintain a written policy to address complaints from local residents.
10. Age Verification Implement a robust Challenge 25 or Challenge 21 policy to prevent underage sales of alcohol. Train all staff to ask for and check photographic ID (passport, driving license, or proof-of-age card). Refuse service to anyone who cannot provide valid identification.
11. Prevent unaccompanied children from accessing areas where alcohol is served. Limit children's presence in late-night hours or during events not suitable for minors. Clearly mark areas restricted to adults if necessary.
12. Ensure entertainment or events are appropriate for children if they are allowed on the premises. Avoid exposure to adult content, gambling, or other unsuitable material.
13. Train staff on child protection policies and recognising signs of potential harm or exploitation. Ensure staff know how to handle situations where a child may be at risk.
14. Maintain a written safeguarding policy for children. Keep records of incidents involving minors and report serious concerns to the authorities as required.

Agreed Conditions with Met Police:

15. CCTV shall be installed, operated, and maintained, to function all times that the premises is open for licensable activities. CCTV will comply with the following:
 - a) The system will record in real time and recordings will be date and time stamped;
 - b) 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 request (subject to the Data Protection Act requirements) within 48 hours of any request.
 - c) The CCTV system shall be maintained in good working order and at all times the premises is open to the public, be fully operational

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covering both internal and external areas of the premises to which the public have access.

- d) The CCTV camera views are not to be obstructed.
 - e) At all times 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 an authorised officer in obtaining the CCTV footage.
16. There shall be no vertical drinking and all alcohol sales shall be ancillary to a substantial table meal.
17. Police must be called to incidents of violence and/or serious disorder.
18. 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 crime reported to the venue
 - b) All refused sales
 - c) Any complaints received
 - d) Any faults in the CCTV system
 - e) Any visit by a relevant authority or emergency service
 - f) CAD reference numbers where Police are called
19. The venue shall not engage the services of street promoters to encourage clientele to attend the venue.
20. No patron shall be permitted to leave the premises whilst in the possession of any drinking vessel or open glass bottle whether empty or containing any beverage. This includes patrons using the smoking area(s).
21. Consumption of alcohol on the premises shall cease 30mins after the permitted hours for the sale of alcohol.
22. Regular glass collection shall be undertaken by staff.
23. The venue must employ and document a dispersal policy to the satisfaction of the Police and Licensing Authority, for the patrons leaving the venue at the end of an event. These documents must be made available on request to any responsible authority.
24. The licensee will ensure that staff are trained, as appropriate, in respect of relevant Licensing Law; crime scene best practice and upon the sale of alcohol to drunks and to persons underage. Training shall be written into a programme, on-going review and will be made available for inspection by Police or other responsible authority, upon request.
25. Management will ensure that patrons utilising the external area, remain within the curtilage of the venue when consuming alcohol.

Agreed with LA and Residents

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26. The supply of alcohol ON the Premises shall only be to customers seated taking a table meal there, and for consumption by such persons as ancillary to their meal.
27. The supply of alcohol and food shall be by waiter and/or waitress service only.
28. The supply of alcohol OFF the Premises shall only be to customers seated and taking a table meal at the external chairs & tables permitted by a Pavement Licence, (on the public pavement and at a streaterie).
29. The Supply of alcohol OFF the Premises shall also allow for customers, who, having had a table meal, wish to take away an unfinished bottle of alcoholic drink.
30. Smokers from inside will not be allowed to take out to outside their alcoholic drink. (Note: this is in addition to any customers who may already be sitting at the tables on the external forecourt area.)
31. Customers smoking on the public highway (public pavements) shall not be permitted to cause obstruction of the highway (pavements) to passers by/members of public.
32. Notices shall be prominently displayed stating that this is also a residential area, and asking patrons to respect to be quiet and considerate to neighbours and residents when leaving.
33. The front door and windows on the street frontage to be kept closed after 9.00pm, to prevent noise break-out to residents.
34. External Forecourt Areas: The terminal hour for the use, by customers, of Chairs and Tables on the forecourt areas (the Chairs & Tables on the public pavement; and the Chairs and Tables in the Streaterie) shall be 9.30pm Monday to Sunday.
35. Courier collections from the premises for take away meal deliveries to customers: To avoid noise and disruption to residents, and congestion in the street, for take away food orders that are being collected by delivery companies using couriers, there shall be the following arrangements:
 - a) to encourage the use of cycle couriers (instead of scooters) in order to cut down on noise disturbance
 - b) If scooter courier, the delivery/collection company will only be called when the order has been prepared and is ready for collection;
 - c) Generally, one collection at a time whenever possible;
 - d) Scooter couriers to turn off their engines, and no prolonged hanging around/waiting.
 - e) There will be no sale of Alcoholic drinks delivered by couriers.
36. The disposal of rubbish, and the disposal of bottles (including any bottling out), outside the Premises shall comply with the hours and regulations, as set down by the Local Authority.
37. Deliveries & Collections: There shall be no deliveries or collections between 8.00pm and 8.00am; and not at all on Sundays and Bank/Public Holidays.

- 38. 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.
- 39. No delivery mopeds, bikes, or drivers will enter or exit via the Mews. All delivery drivers (Uber Eats, Just Eat, etc.) will collect and deliver only via the main Cleveland Street entrance.

Agreed by the Panel

- 40. The fire exit is to be used solely for emergency purposes.
- 41. The applicant is required to provide a staffed telephone number and an email address for residents to communicate on issues regarding the premises' operation.

9. LONDON KIOSK, SHOP AND PREMISES AT BASEMENT, GROUND RIGHT, 111 KINGSWAY, LONDON, WC2B 6PP

Consideration was given to a report of the Executive Director Investment, Place and Opportunity detailing an application for a premises licence under Section 17 of the Licensing Act 2003.

The Licensing Officer outlined the report and advised that the application was for the supply of alcohol for consumption off the premises. Two relevant representations were received from the Licensing Responsible Authority and Trading Standards Responsible Authority. There was an error on page 220 of the agenda pack. It should read "the hours policy is **not** engaged by this application".

The Legal Adviser noted that a submission had been made late on the previous evening from the applicant's representative regarding the submission by Trading Standards in the supplementary agenda. Given the timing, officers had not had time to fully consider or respond to these submissions. The Chair commented that GDPR issues had been raised which were outside the remit of the Panel and it was agreed not to agree to the late paper. The Legal Adviser clarified that the Panel would only have regard to the papers in the main agenda pack and any verbal submissions by the parties in attendance.

Oisin Daley, representing the applicant, confirmed that a set of clarified conditions had been emailed to the Democratic Services Officer during the course of the hearing. The 13 conditions were read out by the representative. The Legal Adviser noted that submitting 13 conditions after the Panel hearing had started was very late.

The applicant's representative then asked for an adjournment and for the hearing to exempt the press and public.

The hearing adjourned from 11:20am to 11:40am.

The Panel considered the request to exempt the press and public from the hearing under exemption category 7: 'Information relating to any action taken or to be taken

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in connection with the prevention, investigation or prosecution of crime'. The applicant's representative cited allegations of a criminal nature in the Trading Standards representation that could prejudice future criminal proceedings. Trading Standards clarified that the PACE interview mentioned had taken place in 2024 with no further ongoing investigations. Based on this clarification, the Panel determined there was no reason to proceed in private and continued the hearing in public.

The applicant's representative then withdrew the late submitted conditions, stating that the conditions detailed in Appendix 4 of the agenda documents were accepted. Therefore, no amendments to the application were formally proposed.

Peter Agleby, on behalf of the Licensing Responsible Authority outlined their representation as set out in their written submission as follows:

- The application lacked a sufficiently detailed operating schedule and clear specification of proposed conditions, indicating no proper risk assessment.
- The application stated Mr Aziz Virani had no managerial or financial interest in the business, but Companies House records showed him as a Director of London Kiosk Group Limited (the applicant company), raising concerns about control and accountability.
- Sale of alcohol during late hours presents significant risks to licencing objectives, particularly prevention of crime and disorder, prevention of public nuisance, and protection of children from harm, yet insufficient conditions or risk assessment were proposed.
- The applicant had not engaged with the Licencing Authority since it submitted its representation.
- For the reasons above the application should be refused.

Chris Allen, on behalf of the Trading Standards Responsible Authority outlined their representation as set out in their written submission as follows:

- Investigations since February 2022 had found illicit tobacco and alcohol on the premises. A year later, similar items including illicit alcohol, oversized vapes and illicit tobacco were found. Test purchases resulted in sales of illicit vapes to young people.
- Despite business name changes, behaviour had not changed.
- The premises was next to two nightclubs closing at 03:00, creating an opportunity for illicit alcohol sales.

In response to Licensing Responsible Authority comments about the application lacking a sufficiently detailed operating schedule and clear specification of proposed conditions, the applicant's representative reiterated that the applicant was willing to accept the conditions in Appendix 4. Krish Virani was the sole director and intended to operate lawfully and in line with the Licensing Act. Trading Standards' allegations were disputed, it was argued they lacked supporting evidence and that the Panel should make an evidence-based decision. The representative stated that an email had been sent to Training Standards on 5 November requesting further information

about the visits made to the premises, but had not received a response. Chris Allen confirmed that an email had not been seen prior to the day of the hearing.

The Chair summarised that the applicant's representative considered that inappropriate trading when the applicant's father was in charge, was irrelevant. Chris Allen, Trading Standards Responsible Authority, responded that a warning letter was written on 16th September 2025 to Mr Aziz Virani, the father, because he was registered as the owner with Companies House. The Legal Adviser noted that Mr Aziz Virani was not the applicant. Chris Allen confirmed that the applicant, Mr Krish Virani, was present when the alleged incidents occurred.

The applicant's representative summarised the application and responded to questions as follows:

- The applicant acknowledged the previous problems but was now the sole director of the premises.
- Staff training and signage could be used to prevent consumption of alcohol outside the premises. However, it was acknowledged that it was difficult to control patrons outside a premises.
- It was acknowledged that nearby nightclubs posed a risk but patrons would not be able to take alcohol into a club. The terminal hours for the kiosk was before nightclubs closed.
- There was no access to the kiosk by the public, alcohol could be secured in fridges, a blind used to obscure it from view and it could be sectioned off from soft drinks.

The Licensing Responsible Authority, Trading Standards Responsible Authority, and the applicant made closing remarks.

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 considered the representations by the Licensing Responsible Authority, Trading Standards Responsible Authority and the information provided by the applicant's representative and noted that the applicant had failed to attend the hearing.

The Panel acknowledged that it was very unusual for two Responsible Authorities to make such forceful objections to an application. In considering the application, it was noted that it only included references to model conditions without explanation of which precise ones would be used or how these would help promote the licensing objectives. Without being able to question the applicant it was difficult to ascertain the applicant's understanding of the model conditions put forward. Concerns were expressed about the applicant's understanding of the responsibilities associated with a licence, particularly regarding the prevention of crime and disorder, prevention of

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public nuisance, and protection of children from harm. The Panel considered that the applicant had not demonstrated sufficient preparedness or awareness of the risks involved with sale of alcohol in these types of small premises, with a lack of risk assessment demonstrated. Assurance had not been received that the licensing objectives and conditions were taken seriously by the applicant. It was considered that granting the licence would not uphold the licensing objectives regarding prevention of crime and disorder, prevention of public nuisance, and protection of children from harm.

With all Panel Members in agreement, it was

RESOLVED –

To refuse the new premises licence application.

10. ANY OTHER BUSINESS THAT THE CHAIR CONSIDERS URGENT

There was no urgent business as the application for a Temporary Event Notice published on the Supplementary Agenda had been withdrawn.

The hearing ended at 12.20 pm.

CHAIR

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MINUTES END