

I want to apply for a Premises licence

Are you an agent? No - I'm applying for myself

Does the premises have a name? Yes

What is the name of the premises? pasticcio

What is the address or location? 16 Northways Parade
Finchley Road
NW3 5EN
London

What is the type of premises? restaurant

Describe the area it is situated in residential,highstreet.

Describe the layout of the premises small unit , kitchen, dining area same room .

Copy of the premises plans

- NorthwaysParadeDrawings.pdf
- FLOORPLANPASTICCIO.pdf

Tell us about the premises business hours

Day	Start time	End time
Monday	09:00	23:00
Tuesday	09:00	23:00
Wednesday	09:00	23:00
Thursday	09:00	23:00
Friday	09:00	23:00
Saturday	09:00	23:00
Sunday	Closed	

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?	20500
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 an individual or group of individuals
Individual details	
First name	Mehmet
Last name	Mehmet
Name and address	██ ██████████ ██████████
Email address	██
Telephone number	████████████████████
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

j. Supply of alcohol

Alcohol supply

Day	Start time	End time
Monday	12:00	23:00
Tuesday	12:00	23:00
Wednesday	12:00	23:00
Thursday	12:00	23:00
Friday	12:00	23:00
Saturday	12:00	23:00
Sunday	12:00	23:00

Where will the supplied alcohol be consumed?

On the premises

Are there any seasonal variations for the activity?

No

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

No

DPS details

Does your designated premises supervisor (DPS) currently hold a personal licence?

Yes

Was their personal licence issued by Camden?

No

Personal licence number

██████████

Issuing local authority

██████████

First name

██████████

Last name

██████████

Address

[REDACTED]
[REDACTED]
[REDACTED]

Signed Copy of the Designated Premises Supervisor (DPS) consent form

- BlankConsent_of_individual_to_being_specif pdf

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

CCTV should be installed inside and outside the premises. The cameras should cover all internal areas accessible to the public and areas immediately outside the premises.

Public safety

A full risk assessment taking into account public safety should be carried out at the premises to identify potential hazards posed to staff or customers and setting out precautions to manage the hazards.

The prevention of public nuisance

A noise management policy should be in place that speech noise breakout from the Premises sets out sound attenuation measures to prevent or control music, singing and speech noise breakout from the premises.

The prevention of children from harm

Operate a strict 'No ID – No Sale' policy. alcohol 'Challenge 21' scheme serves as a reminder to staff of the need to be vigilant in preventing underage sales and to customers that it is against the law for anyone under 18 to purchase alcohol.

About this form**Issued by**

Camden Town Hall
Judd Street

London
WC1H 9JE

Contact phone

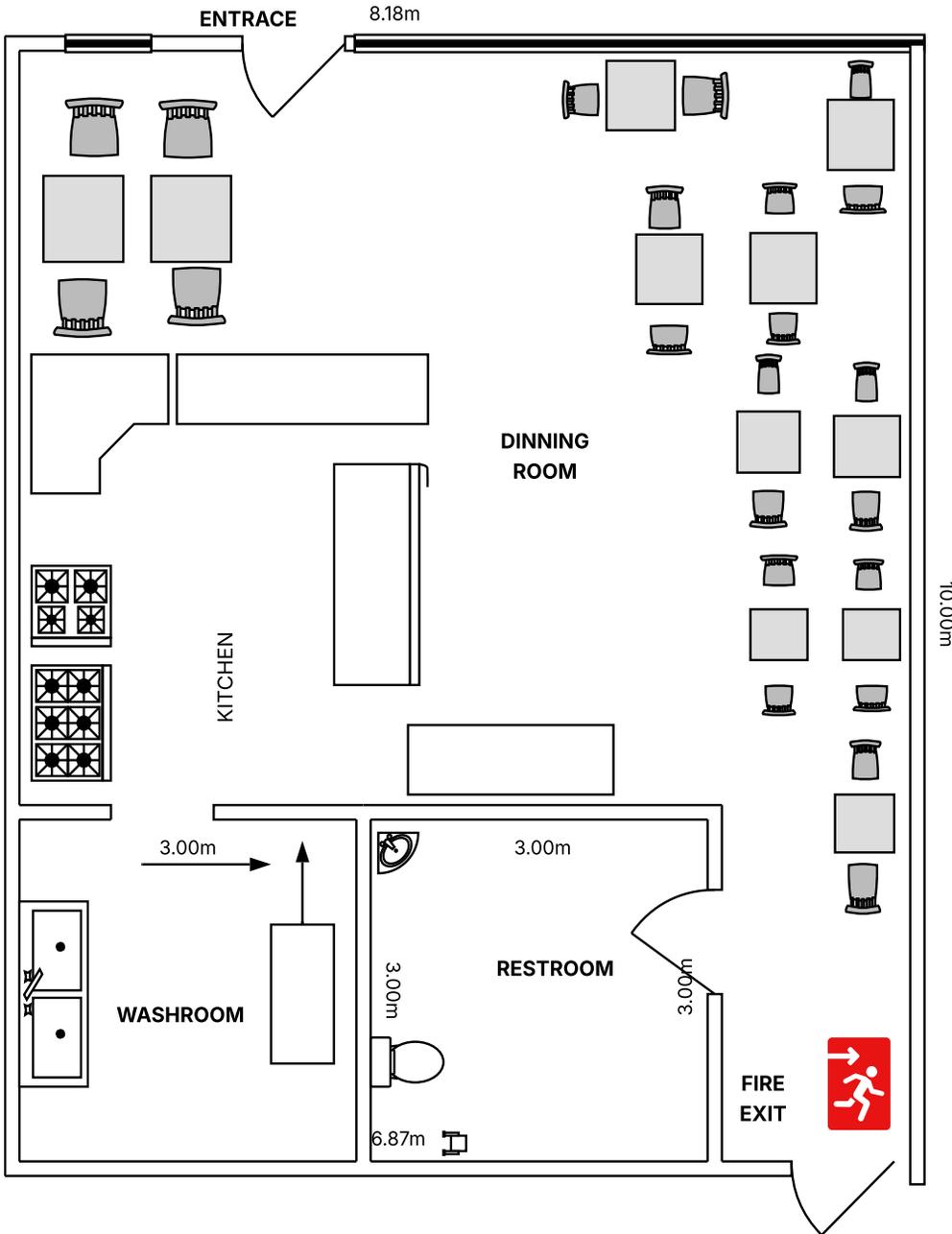
020 7974 4444

Form reference

Ref. no. 132753

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.



Scale 1:64



1.00m 2.00m 3.00m 4.00m 5.00m 6.00m



**METROPOLITAN
POLICE**

TOTAL POLICING

Camden Licensing Authority

Town Hall Extension
Argyle St
London

WC1H 8EQ

EK - Camden Borough

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

Telephone: [REDACTED]

Email: [REDACTED]

Your ref: **NEW132753**

Dear Sir/Madam

RE: Application NEW132753

Pasticcio, 16 Northways Parade, NW3 5EN.

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

In its current format, this application for a new premises licence will not uphold the Licensing Objectives, primarily the prevention of crime and disorder.

Day	Start time	End time
Monday	12:00	23:00
Tuesday	12:00	23:00
Wednesday	12:00	23:00
Thursday	12:00	23:00
Friday	12:00	23:00
Saturday	12:00	23:00
Sunday	12:00	23:00

The venue is applying for the sale of alcohol for the above hours, it is within the framework hours set out by the council. The business hours are shown as the same.

The application does not have enough information in terms of conditions and how it will address the licensing objectives. The conditions provided are far too generic and need to be given more consideration by the applicant.

I recommended conditions to the applicant for consideration, however, upon further investigation it appears that the applicant/proposed DPS is currently under investigation for a serious offence. This offence is relevant to the licensable activities they are applying for, due to the nature of this alleged offence it cannot be disclosed in this letter.

Conclusion

This application should be rejected in its entirety, the applicant/DPS is currently under investigation for a serious offence and it would not be appropriate to authorise a licence under these circumstances.. Any hearing held as a result of this letter would be required to be held under a private session.

Kind regards,

PC Dominic Hallam 1908 CN – Camden Licensing Team

Kentish Town Police Station, 12a Holmes Road, NW5 3AE



[REDACTED]



[REDACTED]



CENTRAL NORTH
Policing Camden & Islington

WAVE PROGRAMME
Welfare And Vulnerability Engagement

WAVE **ASK FOR ANGELA**

[Click to see what we are doing for you on Twitter @MPSCamden](#)

[Click here to see what we are doing for you @MPSIslington](#)

Conditions agrees with the Licensing Authority.

1. The supply of alcohol at the premises shall only be to a person seated taking a substantial table meal served by waiter/waitress service and for consumption by such a person as ancillary to their meal.
2. All front-of-house staff shall be trained in Welfare and Vulnerability Engagement (WAVE), “Ask for Angela,” and drink spiking awareness. Records of staff training shall be provided to an authorised officer upon request.
3. CCTV shall be installed, operated, and maintained, to function all times that the premises is open for licensable activities. Said CCTV will comply with the following criteria:
 - a. The licensee will ensure that the system is checked every two weeks to ensure that the system is working properly and that the date and time are correct;
 - b. A record of these checks, showing the date and name of the person checking, will be kept and made available to the police or other authorised officer on request;
 - c. The Police will be informed if the system will not be operating for longer than one day of business for any reason;
 - d. The system will record in real time and recordings will be date and time stamped;
 - e. Recordings will be kept for a minimum of 31 days and downloaded footage will be provided free of charge to the police or other authorised officers on request (subject to the Data Protection Act requirements) within 24 hours of any request.
 - f. CCTV to cover at least all entry and exit points of the building and also the area the delivery drivers park their vehicles. CCTV will also cover areas to which members of the public have access (excluding toilets) to the extent agreed with the Police/Council Licensing.
 - g. CCTV will be of good quality to a standard approved by the Police/Council Licensing officers.
4. Staff working at the premises shall be trained in the use of CCTV and a log will be kept to verify this.
5. A Challenge 25 policy will be enforced, where any person reasonably looking under the age of 25 shall be asked to prove their age when attempting to purchase alcohol and signs to this effect will be displayed at the premises. The only acceptable forms of identity will be those with photographic identification documents recognised in the Home Office guidance; including passports, photo-card driving licence or proof of age card bearing the PASS hologram.
6. Customers smoking on the public footway shall not be permitted to cause obstruction of the highway to passers by.

7. An incident book/refusal book to be maintained and ready for immediate Police and Council inspection, upon request.

8. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and leave the area quietly.

9. No fumes, steam, smoke or odours shall be emitted from the licensed premises so as to cause a nuisance to any persons living or carrying on business in the area where the premises are situated.

Conditions Consistent with the Operating Schedule

10 A noise management policy should be in place that speech noise breakout from the Premises sets out sound attenuation measures to prevent or control music, singing and speech noise breakout from the premises.

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.