



I want to apply for a

Premises licence

Are you an agent?

Yes - I am an agent

Agent Details**First name**

Paul

Last name

Uren

Name of business

TLT SOLICITORS

Name and address

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Email address

[REDACTED]

Telephone number

[REDACTED]

Does the premises have a name?

Yes

What is the name of the premises?

The Phoenix Theatre and Bar

What is the address or location?

Phoenix Theatre
112 Charing Cross Road
WC2H 0JP
London

What is the type of premises?

Theatre with ancillary bar, catering, ticket
office and merchandise facility.

Describe the area it is situated in

Mixed

Describe the layout of the premises

3 floors (street level, stalls, upper circle)

Copy of the premises plans

- 559-PWL-ZZ-ZZ-DR-A-
LIC_090_StallsFloorLicencePlan_P1.pdf

- 559-PWL-ZZ-ZZ-DR-A-
LIC_100_StreetLevelLicencePlan_P1.pdf
- 559-PWL-ZZ-ZZ-DR-A-
LIC_120_UpperCircleLowerLicencePlanP1.
pdf
- 559-PWL-ZZ-ZZ-DR-A-
LIC_110_DressCircleLicencePlanP1.pdf
- 559-PWL-ZZ-ZZ-DR-A-
LIC_130_UpperCircleLicencePlan_P1.pdf

Tell us about the premises business hours

Day	Start time	End time
Monday	08:00	00:00
Tuesday	08:00	00:00
Wednesday	08:00	00:00
Thursday	08:00	00:00
Friday	08:00	00:00
Saturday	08:00	00:00
Sunday	08:00	00:00

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

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 03902727

Name of business ATG London Limited

Name and address SECOND FLOOR ALEXANDER HOUSE
55A-61A COMMERCIAL WAY
GU21 6EJ
WOKING

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

- a. Plays
- e. Live music
- f. Recorded music
- g. Performances of dance
- h. Similar to e f or g - For example karaoke

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

j. Supply of alcohol

Plays

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

Where will performances take place?

Indoors

Tell us about the specifics of the activity

Plays

Are there any seasonal variations for the activity?

No

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

No

Live Music

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

Where will performances take place?

Indoors

Tell us about the specifics of the activity

live music

Are there any seasonal variations for the activity?

No

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

No

Recorded Music

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

Where will performances take place? Indoors

Tell us about the specifics of the activity recorded music

Are there any seasonal variations for the activity? No

Will the activity take place at times other than those listed? No

Dance

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

Where will performances take place? Indoors

Tell us about the specifics of the activity performance of dance

Are there any seasonal variations for the activity? No

Will the activity take place at times other than those listed? No

Similar to EFG

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

Describe the type of activity to be held

entertainment similar to live/recorded music
/performance of dance

Where will performances take place?

Indoors

Tell us about the specifics of the activity

entertainment similar to live/recorded music
/performance of dance

Are there any seasonal variations for the activity?

No

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

No

Late refreshments

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

Where will refreshments be provided?

Indoors

Tell us about the specifics of the activity

hot food/drink after 11pm

Are there any seasonal variations for the activity?

No

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

No

Alcohol supply

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

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? No

First name TBC

Last name TBC

Address
[Redacted]
[Redacted]
[Redacted]

Email address [Redacted]

Telephone number [Redacted]

Signed Copy of the Designated Premises Supervisor (DPS) consent form • ATGPhoenixTheatreBar-NPL&OS.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 See attached

Public safety See attached

The prevention of public nuisance See attached

The prevention of children from harm See attached

About this form

Issued by Camden Town Hall
Judd Street
London
WC1H 9JE

Contact phone 020 7974 4444

Form reference Ref. no. 114604

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.

Date: 14/04/2023
Application Reference: APP\PREMISES-NEW114604
Direct Phone Number:
Contact: Esther Jones
E-mail: [REDACTED]



Public Protection
 Supporting Communities
 London Borough of Camden
 5 Pancras Square
 LONDON
 N1C 1AG

Tel: 020 7974 4444 (switchboard)

London Borough of Camden
 Fax: 020 7974 6955 / 6940
 Textphone: 020 7974 6866

DX: 2106 Euston

www.camden.gov.uk

Please quote our reference in any correspondence

Licensing (Contact Camden)
 Crowndale Centre
 218 Eversholt Street
 London
 NW1 1BD

Licensing Act 2003

Re: The Phoenix Theatre and Bar, 104 – 110 Charing Cross Road WC2H 0JP

LICENSING AUTHORITY REPRESENTATION

This representation is made by the Licensing Authority and it relates to the following licensing objectives:-

- The prevention crime and disorder
- Protection of children from harm

The Premises and Summary of Application

The application is for a new premises licence to permit the sale of retail of alcohol and provision of entertainment and late night refreshment. The premises operates primarily as a theatre with an ancillary bar, catering office and merchandise facility and is in a well-established commercial area with a high concentration of licensed premises. Although the premises' postal address is on Charing Cross Road, its entrance doors are on Phoenix Street. The area is well served by public transport and within a walking distance of both the Leicester Square, Covent Garden and Tottenham Court Road Underground Stations. There is a theatre by the same name occupying the site of the premises since 1930.

The application is to permit the provision of the following licensable activity:

- Alcohol
- Plays
- Live music
- Recorded music
- Performances of dance
- Similar to e f or g - For example karaoke
- Late night refreshments – Hot food or hot drinks

The times being applied for the licensable activity Sale of Alcohol (Indoors) are:

Alcohol (On)

Monday to Sunday	10:00 – 23:00
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Late Night Refreshment (Indoors)

Monday to Sunday	23:00 – 00:00 (Midnight)
------------------	--------------------------

Live & Recorded Music (Indoors)

Monday to Sunday	09:00 – 00:00 (Midnight)
------------------	--------------------------

Dance (Indoors)

Monday to Sunday	09:00 – 00:00 (Midnight)
------------------	--------------------------

Similar to E, F and G (Indoors)

Monday to Sunday	09:00 – 00:00 (Midnight)
------------------	--------------------------

Plays (Indoors)

Monday to Sunday	09:00 – 00:00 (Midnight)
------------------	--------------------------

There are no seasonal variations for any of the activities applied for and all the activities will take place indoors.

The premises business hours are as follows:-

Monday to Sunday	08:00 - 00:00 (Midnight)
------------------	--------------------------

There are no seasonal variations for the opening hours.

Framework Hours – Pages 36 of The Licensing Policy

The hours being applied for are within the framework hours for Monday to Saturday but outside the framework hours on Sunday by 30 minutes.

The framework hours are:-

On- Licence:

- Monday to Thursday 1000 hours until 2330 hours
- Friday and Saturday 1000 hours until midnight
- Sunday 1100 hours until 2230 hours

Off- Licence:

- Monday to Saturday 0800 hours until 2300 hours
- Sunday 1000 hours until 2230 hours

Cumulative Impact Areas

The premises is situated in the Seven Dials Cumulative Impact Area, where there is a presumption to refuse all new and variation applications in its entirety, as set out in Chapter 6 of the Licensing Policy (Cumulative Impact Policies). While this presumption is rebuttable, this is only in exceptional circumstances where the applicant has successfully demonstrated that the granting of their application would not contribute or exacerbate the existing impact of licensed premises in that area.

Complaint History

I have checked the Council's records for the past 2 years and can confirm that no noise complaint has been received against the premises.

Conclusion

The application is for a new premises licence and its main business would be as a theatre, with an ancillary bar. They are yet to appoint a designated premisses supervisor as at the time of this report, which means should their application be granted; they would not be able to immediately offer sale by retail of alcohol.

The applicants have shown willingness to work with officers in that they have submitted an above average set of conditions to be imposed on the premises licence should the council be minded to grant the licence. There are no residential premises immediately above, opposite, or either side of the premises.

However, they have omitted any mention of how they intend to ensure the safety of women on the premises especially those who may be vulnerable as there was no mention in their application or conditions of the "Ask for Angela" scheme.

I would therefore ask that should members are minded to grant the application, they consider the improved conditions under the headings CCTV and Reporting Procedures and Incident Management under the conditions that the premises itself have offered, and to require the premises sign up for the Ask for Angela Scheme.

CCTV –

c) The cctv system shall be able to capture a minimum of 24 frames per second and all recorded footage must be securely retained for a minimum of 31 days.

Reporting procedures and incident management

The Challenge 25 scheme must be operated to ensure that any person who appears to be under the age of 25 shall provide documented proof that he/she is over 18 years of age. Proof of age shall only comprise a passport, photo card driving licence, an EU/EEA national ID card or similar document, an HM Forces warrant card, a card bearing the PASS hologram, or any electronic or biometric age verification technology approved by the licensing authority

"Ask for Angela" Scheme

That the premises sign up for the scheme and its staff undergo the training being provided by the Council and the Police.

Yours sincerely
Esther Jones
Licensing Team Leader

From: [REDACTED]
To: [REDACTED]
Subject: FW: Licensing representation phoenix theatre 112 CHARING CROSS ROAD
Date: 02 May 2023 16:24:26
Attachments: [NewPremises_2023-03-31_14_57.pdf](#)

FYA

From: Lee Perella [REDACTED]
Sent: 28 April 2023 17:30
To: Licensing Representation <licensing.representations@camden.gov.uk>
Cc: [REDACTED]; [REDACTED]; [REDACTED]
 <[REDACTED]>
Subject: Licensing representation phoenix theatre 112 CHARING CROSS ROAD

Dear Licensing

Licensing Representation

Phoenix Theatre

112 Charring Cross Road

I make the following representation following discussions on a pre app with this application. It is understood that the applicant wishes to develop and improve the premises and update and condense the conditions in the Licence. It does appear this is an old style and wordy licence document.

It was pointed out that the applicant could carry over the licence conditions that related specifically to noise which currently sit in the existing licence and these would be further supported in greater detail in the Theatre Management Plan, rather than just rely on a "live" fluid document such as the Theatre Management Plan itself. The Theatre Management Plan did comprise of a list of documents including

Noise Management Plan

Access, egress Dispersal Plan

I do not recall having sight of these as they are likely to be a work in progress.

It is expected there will be some clear conditions around public nuisance that will sit on the licence itself. This should not be prohibitive to the nature or running of the business as it is managed and operates currently. They are not going to lead to an expansive licence document. The following comment was made during the PRE APP to this application referring to the current licence **PREM LIC 1264**. These conditions refer to public nuisance and noise levels.

The proposed operating schedule provided with the Pre Application Advice does not include a number of the current numbered licence conditions 30, 31, 32 and 35. It is recommended that further clarification is provided on the decision not to include the above conditions.

New further condition to be added to any grant of licence

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

I have copied in the applicant directly as I expect this minor matter can be brought to a conclusion prior to the Licence Panel.

There is no history of complaint with the premises and I welcome the proposed improvements to the theatre. I have no objection to the changes with the theatre with the redevelopment itself, although seeking some reassurance of licence conditions on the licence as a minimum. This being supported by the "live" management plans.

Regards

Lee Perella

Pollution EHT
Place Management
Supporting Communities
London Borough of Camden

Web: camden.gov.uk
8th floor
5 Pancras Square
London N1C 4AG

Please consider the environment before printing this email.

Licensing Representation from the Covent Garden Community Association

Application No.: APP\PREMISES-NEW\114604

Premises: The Phoenix Theatre and Bar

Address: 112 Charing Cross Road WC2H 0JP

This is an application for a new premises licence for the Phoenix Theatre. This is required because of significant changes on the ground floor incorporating a number of existing shop units into a bar and foyer area.

The Operating Schedule states that the Licence Holder will produce a Theatre Management Plan (TMP) which will be shared with the RA's on request and lists the topic which will be covered by this. It seems that these are similar to the topics covered by the "Rules of Management" on the existing licence for the premises (PREM-LIC\1264). However the detailed TMP is not included in the conditions and without this it is not possible to be confident that the grant of the licence will support ANY of the 4 Licensing Objectives. The CGCA therefore objects to the application and ask that it is refused.

It may be that as the TMP may be different per show put on at the theatre and so the applicant does not wish to have it form part of the licence. However, if this is the case then there are some minimum requirements that the plan needs to include in order to support the Licensing Objectives. We have set these out in the list attached (from the CGCA's point of view). We ask that the Licensing Committee includes these as conditions on the Licence or include a condition that requires that they are included as the minimum standard in the TMP.

We have set out the reason for each condition in the table.

We also ask that a condition is included that the existing licence must be surrendered for any new licence to take effect.

We hope that this representation is clear and ask that you advise us well in advance of any meeting at which this application will be discussed.

Yours faithfully,

David Kaner
CGCA Licensing Sub-Committee

[REDACTED]
[REDACTED]

The CGCA is recognised by both Camden and Westminster as the Amenity Society for the Covent Garden area (defined as the area bounded by High Holborn, New Oxford Street, Charing Cross Road, St. Martin's Place, Northumberland Avenue, Victoria Embankment, Lancaster Place, Aldwych and Kingsway) and so represents the interests of those who live and work in this area. The CGCA's Licensing Subcommittee is authorised by the Association to make Representations on any

Licensing Applications which the Subcommittee believes may have an effect on local residents or other members of the community through likely impact on one or more of the Licensing Objectives. This authorisation was last renewed at a meeting of the Executive Committee of the CGCA on 5th December 2017.

#	Condition	Reason	
1	The sale of alcohol to people not holding a ticket for a performance or registered to attend a private event shall end at 21:00	This is a theatre bar, daytime use is acceptable but should end at 21:00 except for customers holding tickets. It is not appropriate to add a late evening venue in the CIA.	
2	No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.	This is to prevent noise from performances and the bar causing an issue. The building surrounding the theatre is residential and it is important that residents are not disturbed.	
3	Collections of waste from the premises shall not take place between 22:00 and 08:00	This is to ensure that waste collection does not disturb residents	
4	Deliveries to the premises shall not take place between 22:00 and 08:00.	This is to ensure that deliveries do not disturb residents	
5	Collection of waste and deliveries to the premises will not take place from Stacey Street, except for get in and get out of productions for which specific arrangements will be made	Stacey Street is residential and a dead end. Deliveries and collections on Stacey Street cause significant disturbance to residents.	

From: [licensing inbox](#)
To: [REDACTED]
Subject: FW: 114604: ATG Phoenix Theatre and bar: OBJECTION
Date: 02 May 2023 09:50:43

fyi

From: Ian Morley [REDACTED]
Sent: Sunday, April 30, 2023 2:49 PM
To: licensing inbox <licensing@camden.gov.uk>
Subject: 114604: ATG Phoenix Theatre and bar: OBJECTION

[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.

Dear Camden Council,

Re: 114604: ATG Phoenix Theatre and Bar: OBJECTION

I have found out by word of mouth about the licencing application by the ATG Phoenix Theatre and Bar. Despite numerous attempts, I have been unable to access your portal to raise my objection so I am therefore sending my objection by email. I live at 23 Phoenix House which is directly above the proposed venue and both myself and all the other residents of Phoenix House have received no communication from the council regarding this application. It is important that all residents of Phoenix House are directly contacted about this application and given ample chance to respond as this will affect everyone.

The application is for "Recorded music, performance for dance, performance of plays or anything of a similar description" Each day between 0900 to 0000. It is also for late night refreshment 2300-0000.

We already have a large number of late night drinking/entertainment establishments in this area which already results in increased crime and public nuisance. We do not need anymore.

This venue is directly below the windows of Phoenix House residents. I am deeply concerned about the noise this proposed establishment will have on residents, namely:

1. The back of the premises backs on to our open stairwells and our front doors. This is a closed stairwell with buildings on every side and as such is deadly quiet. Any noise from this venue will carry. I had to complain to the manager of Fantasia (who occupied one of the shops which is now part of the proposed venue) for playing music too loud. This was just a normal radio during the daytime, however the sound travelled up the stairwell. I am on the fifth floor and it was audible in my living room.
2. People wishing to step outside to smoke whilst drinking at this venue will be stood on the street right underneath our windows. In addition to the noise this will cause, residents of Phoenix House often keep their windows open in

the summer months due to the heat. None of us should have to put up with smoke from cigarettes wafting into our flats.

This venue is being touted as an extension to the Theatre bar already operating at the Theatre for those with tickets to one of their shows. However in reality this is going to be just another later night drinking establishment that we do not want or need. We already have the Phoenix Arts club and Bar Salsa that caters for that. Allowing this licence is going to have nothing but a negative effect on residents and the area in general.

I therefore OBJECT

Ian Morley

[REDACTED]
[REDACTED]
[REDACTED]

From: [licensing inbox](#)
To: [REDACTED]; [Licensing Representation](#)
Subject: FW: Phoenix Theatre licensing application: 114604
Date: 02 May 2023 15:55:46

FYA

-----Original Message-----

From: Natthaphon Phatara [REDACTED]
Sent: 01 May 2023 10:57
To: licensing inbox <licensing@camden.gov.uk>
Subject: Phoenix Theatre licensing application: 114604

[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.

OBJECTION

I wish to object to the licensing application by the ATG group, Phoenix Theatre to turn their new venue on Charing Cross Road into a late night drinking establishment where live music can be played.

I live in Phoenix House which is situated above this establishment. Noise and vibrations travel through the building and no amount of soundproofing is going to change that. We simply cannot be expected to put up with what is being proposed.

We already suffer from anti-social behaviour in this area. People urinate in our doorway, fights break out and allowing another venue such as this to operate is not going to improve matters.

I will be writing to the counsellors who represent my area to make clear my objections to what is being proposed and the adverse effect it will have on the area and the flats above.

Natthaphon Phatara

26 April 2023

RE: ATG Licensing Application 114604

Dear Sir/Madam

There is already a licence issued and in force for The Phoenix Theatre listed as 112 Charing Cross Road (not 104 to 110 Charing Cross Road). The new licence application differs very little in operating hours and the offer of late-night refreshment from the current one.

However, by including the word "bar" in the new application it can be inferred that the sale of alcohol in what is a completely new building to the existing theatre footprint, requiring extensive building modifications, is for a **wholly new bar operation**, with an increased number of people being served alcohol, over and above existing theatre refreshments. This is in direct contradiction with the Seven Dials Licensing protocol that refuses to grant any new licence in this area.

There already exists an establishment directly beneath and using the same licenced address 104-110 Charing Cross Road (The Phoenix Artist Club Ltd). This late-night venue licence operates within and beyond the same time periods as that applied for, serving exactly the same clientele and within the same building footprint. There can be no justification for another venue to operate an identical business in this high stress area. The new licence application does not refer to the current restrictions imposed on the Phoenix Theatre and listed at Annex 2. 12 of their licence PREM/LIC/1264; *"Sale of alcohol within the auditorium must be by staff with trays attending the ticketed events only, restricted to thirty minutes before the event commences and during intervals of event."*

The new licence application is a blatant attempt to increase footfall, revenue by sale of alcohol and use of part of a building never associated with the theatre in its past and one that is already home to an identical licenced venue which has traded at the address requested to be licenced for 35 years. This will increase crime and disorder, risk public safety and increase public nuisance. This is not in keeping with the licensing objectives of Camden Council, and its remit to forbid new licenced operations within the Seven Dials area.

Ken Wright
Director and Licensee
The Phoenix Artist Club Ltd



Representation	
Premises name	The Phoenix Theatre and Bar
Application reference number	APP\PREMISES-NEW\114604
Last date for representation	28/04/2023

Making a representation as

As a business

Your details**Business name**

Phoenix Artist Club Ltd

First name

Colin

Last name

Savage

Telephone number (optional)

[REDACTED]

Email address

[REDACTED]

Address

[REDACTED]

[REDACTED]

[REDACTED]

Remain anonymous

No

Grounds of representation

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

Details of representation

ATG already have a Premises Licence which covers all of the activities mentioned in this NEW or VARIED application. The Licence is activate and specifies on the plan the areas where alcohol can be sold, and consumed. This NEW plan - is a NEW licence application in the restricted Seven Dials Special Policy |Area where no new or varied licenses are to be granted. This

NEW licence will increase crime and disorder, put public safety in danger and cause a public nuisance. Also this licence is applied for at exactly the same address as The Phoenix Arts Club Ltd licence which covers this premises already. We recently had a TENS refused because the Police said they could not police the extra hours in this Special Policy Area. Why would you then add another licence in a restricted area?

Supporting documents (optional)

- CamdenLicensing.pdf

About this form**Issued by**

Camden Town Hall
Judd Street
London
WC1H 9JE

Contact phone

020 7974 4444

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Representation	
Premises name	The Phoenix Theatre and Bar
Application reference number	APP\PREMISES-NEW\114604
Last date for representation	28/04/2023

Making a representation as

As an individual

Your details**First name**

Rodney

Last name

Steele

Telephone number (optional)

[REDACTED]

Email address

[REDACTED]

Address[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]**Remain anonymous**

Yes

Detail the exceptional circumstances

I have no objection to my identity being shared with the applicant. However, I would ask that it is not put in the public domain as I am a person in vulnerable circumstances. I am 85 years old and in bad health. If these circumstances are not sufficient to count as “exceptional”, I consent to my representation not being anonymous.

Grounds of representation

- prevention of public nuisance

Details of representation

I live in a first floor flat immediately above the proposed new Charing Cross Road bar area covered by this application. I am concerned about the impact of the proposed licence for this new bar on my

residential amenity and that of my fellow residents as well as on the free flow of pedestrian traffic on the Charing Cross Road pavement. In particular, I am concerned about (a) smoking smells, noise and pedestrian obstruction from bar and theatre users smoking on Charing Cross Road outside the premises (b) noise and pedestrian obstruction from people queuing for and leaving the venue, including but not limited to additional noise from pedicabs potentially attracted by these crowds. To the best of my knowledge, there are no planning or licensing conditions proposed which would limit users of the new bar to people also attending theatre performances and so this impact could be greater than if it is indeed just “ancillary” to the theatre. As well as individual non-theatre goers, the bar might also be used for external events either now or in the future. Whether or not the theatre plans such uses currently is not material to whether or not they should be taken into account in licensing conditions as these intentions may change over time. I understand that the theatre plans to develop a “living” management plan which it will share with Camden and with the police. However, there seems to be nothing in the licensing application which suggest that Camden will have any powers of veto or formal approval over this plan. Therefore, if this proposal is accepted, local residents will be totally dependent on the theatre’s own judgement of what is acceptable. The theoretical ability to seek a licensing review in the future is not adequate protection against putting this much power over residential amenity and the prevention of

public nuisance in the hands of the theatre's management. I therefore wish to see Camden impose enforceable conditions on the management of the premises, particularly of the new Charing Cross Road bar entrances, to protect residential amenity and prevent public nuisance. This should include a requirement that bar users should be prevented from smoking or loitering on Charing Cross Road. I understand that the theatre management plans to direct smokers to its existing smoking area in Phoenix St. This should be made an enforceable requirement rather than just a statement of intention on their part. If it is not possible for Camden to impose enforceable conditions to prevent public nuisance on Charing Cross Road then this application should be refused.

About this form

Issued by

Camden Town Hall
Judd Street
London
WC1H 9JE

Contact phone

020 7974 4444

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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.



To Whom It May Concern,

Re. ATG London Limited - The Phoenix Theatre and Bar 104 – 110 Charing Cross Road (with an entrance of Phoenix Street) Application for Premises Licence

I am writing on behalf of Sonia Friedman Productions Limited (“SFP”), the world’s leading commercial theatre producing company based in the West End of London, to express our support of abovementioned application.

Since 1990, SFP has developed, initiated, and produced over 185 new productions and together the company has won 61 Olivier Awards, 34 Tonys and 3 BAFTAs. In 2019, Sonia Friedman CBE was awarded ‘Producer of the Year’ at the Stage Awards for a record-breaking fourth time. In 2018, Friedman was also featured in TIME 100, a list of Time Magazine’s 100 Most Influential People in the World.

SFP has produced some of London’s most successful and critically-acclaimed theatrical productions including *Harry Potter and the Cursed Child*, *The Book of Mormon*, *Jerusalem*, *To Kill a Mockingbird*, *The Ferryman* and *Dreamgirls* and has produced shows in the vast majority of theatres in the West End.

It is of utmost importance that the application is approved for numerous reasons, including:

- To improve access to the building particularly for patrons in wheelchairs with the addition of a wheelchair lift so that high-quality seats can be accessed by all;
- To improve queue management due to an additional foyer entrance, to complement the theatre’s existing Phoenix Street entrance;
- To create a new, integrated theatre entrance on Charing Cross Road that clearly signposts the theatre to the public and matches the recent level of investment in the area;
- To allow increased security presence during performance hours.

We do not believe the application will impact any of the licencing objectives, including:

- Public safety;
- Prevention of crime and disorder;
- Prevention of public nuisance;
- Protection of children from harm.

Please do not hesitate to let me know if you have any questions or require further information.

With kind regards.

Yours faithfully,



Ben Canning
General Manager



T: [REDACTED] ■ E: [REDACTED] ■ W: [REDACTED]

Registered Office: The Ambassador Theatre Group, 2nd Floor, Alexandra House, Church Path, Woking, GU21 6EJ ■ Registered in England and Wales Company Number 4302464 ■ An Ambassador Theatre Company



Gary Beestone Ltd,
[REDACTED],
[REDACTED]
[REDACTED]
[REDACTED]

5th April 2023

ATG London Limited - The Phoenix Theatre and Bar 104 – 110 Charing Cross Road (with an entrance on Phoenix Street) Application for Premises Licence

Dear Councillor,

I am writing in support of the application for a premises licence for ATG London Limited - The Phoenix Theatre and Bar 104 – 110 Charing Cross Road (with an entrance on Phoenix Street).

As the Director of Gary Beestone Ltd (Trading as GBA) and the Technical Director on this project, I believe that this application will have a positive impact on the theatre and the community.

The proposed improvements to the theatre will make it more accessible to all, with the addition of a wheelchair lift to ensure that high-quality seats can be accessed by everyone. The new, amalgamated theatre entrance on Charing Cross Road will clearly signpost the theatre to the public and match the recent level of investment in the area. Additionally, the new foyer entrance will improve queue management and complement the existing Phoenix St entrance.

I am pleased to note that the application will also increase security presence during performance hours, which will enhance public safety and support the prevention of crime and disorder.

Furthermore, I am confident that this application will not have a negative impact on any of the licensing objectives, specifically; the prevention of crime and disorder, public safety, prevention of public nuisance and the protection of children from harm.

In conclusion, I strongly support the application for a premises licence for ATG London Limited - The Phoenix Theatre and Bar 104 – 110 Charing Cross Road.

Thank you for your consideration.

Sincerely,

[REDACTED]

Gary Beestone

Director of Gary Beestone Ltd



[REDACTED]
[REDACTED]

The Phoenix Theatre and Bar, 112 Charing Cross Road WC2H 0JP

Conditions consistent with the operating schedule

Opening Hours

On each day of the week – 0800 to 0000

Hours for the provision of licensable activities

Sale of alcohol (on the premises only)

Monday to Saturday – 1000 to 2300

Sunday – 1100 to 2230

Regulated entertainment (Recorded music, live music, performance for dance, performance of plays, anything of a similar description)

On each day of the week – 0900 to 0000

Late Night refreshment (on the premises only)

On each day of the week – 2300 to 0000

Schedule of Conditions

1. The premises will operate primarily as a theatre with ancillary bar, catering, ticket office and merchandise facility

Theatre Management Plan (TMP)

2. A Theatre Management Plan will be maintained and shared with the Licensing Authority, Police and other responsible authorities as requested
3. **The TMP will include details on subjects such as, (but not limited to)**

- Site plan
- Layout plans
- Risk Assessments
- Artists/Show profile
- Counter terrorism measures
- Fire Risk Assessment,
- Security Management Plan
- Capacity control
- Special effects
- The use of glass drinking vessels
- Drugs Policy
- Alcohol Management Plan
- Medical Management Plan
- Crisis Communication Plan
- Noise Management Plan
- Access, egress and dispersal Plan
- Child Welfare/Vulnerable Persons Policy

4. The TMP (and appendices) will be 'living' documents which will be reviewed and revised in the planning phases of events/shows at the premises.
5. The TMP will be shared with the Licensing Authority, and responsible authorities on request
6. The Premises Licence Holder must comply with the TMP

CCTV

7. The premises licence holder must ensure that:
 - a. CCTV cameras are located within the premises to cover all public areas including all entrances and exits
 - b. The system records clear images permitting the identification of individuals
 - c. The CCTV system is able to capture a minimum of 24 frames per second and all recorded footage must be securely retained for a minimum of 28 days.
 - d. The CCTV system operates at all times while the premises are open for licensable activities
 - e. All equipment must have a constant and accurate time and date generation.
 - f. The CCTV system is fitted with security functions to prevent recordings being tampered with, i.e. password protected.
 - g. There are members of trained staff at the premises during operating hours able to provide viewable copies on to police or authorised local authority officers within 48 hours in accordance with the Data Protection Act 2018 (or any replacement legislation).

Reporting procedures and incident management

8. An incident log (which may be electronically recorded) shall be kept at the premises for at least six months, and made available on request to the police or an authorised officer of the licensing authority, which will record the following incidents including pertinent details:
 - a. All crimes reported to the venue, or by the venue to the police
 - b. All ejections of patrons
 - c. Any incidents of disorder
 - d. Seizures of drugs, offensive weapons, fraudulent ID or other items
 - e. Any faults in the CCTV system, searching equipment or scanning equipment
 - f. Any refusal of the sale of alcohol
 - g. Any faults in the CCTV system
 - h. Any visit by a relevant authority or emergency service
 - i. The times on duty, names and the licence numbers of all licensed door supervisors employed by the premises
 - a. Relevant age restrictions in respect of age restricted products
 - b. Recognising signs of drunkenness and vulnerability
 - c. How overservice of alcohol impacts on the four objectives of the Licensing Act 2003
 - d. The premises' duty of care policy, understanding and dealing with situations involving vulnerable people
 - e. Action to be taken in the event of an emergency, including the preservation of a crime scene and reporting an incident to the emergency services
 - f. The conditions in force under this licence

9. There must be at the premises a lockable “Drugs Box” to which no members of staff save for the DPS and nominated members of management shall have access. All controlled drugs or items suspected to be or to contain controlled drugs) found at the premises must be placed in this box as soon as reasonably practicable and when emptied of its contents all must be given to the designated officer of the Metropolitan Police for appropriate disposal.

Staff Training

10. Relevant and appropriate staff shall be trained in:
11. Training shall be regularly refreshed, at least every 6 months.
12. Training records shall be made available for inspection upon request by a police officer or an authorised officer of the licensing authority

Underage sales

13. The premises shall display prominent signage indicating at any point of sale, and at the entrance to the premises, that it is an offence to buy, or attempt to buy, alcohol for a person under the age of 18
14. The Challenge 21 scheme must be operated to ensure that any person who appears to be under the age of 21 shall provide documented proof that he/she is over 18 years of age. Proof of age shall only comprise a passport, photo card driving licence, an EU/EEA national ID card or similar document, an HM Forces warrant card, a card bearing the PASS hologram, or any electronic or biometric age verification technology approved by the licensing authority
15. A refusals record must be kept at the premises which details all refusals to sell alcohol.
16. This record must include the date and time of the incident, a description of the customer, the name of the staff member who refused the sale, and the reason the sale was refused. All entries must be made within 24 hours of the refusal. The record must be made available for inspection and copying within 24 hours of a request by an officer of a Responsible Authority.

Door Security

17. The provision of door security on the premises shall be on a risk assessed.
18. A copy of the risk assessment shall be kept on the premises and made available to the Police and Licensing Authority on request.
19. The risk assessment shall be reviewed at least annually
20. When employed, a register of Door supervisor staff shall be kept. The register must show the following details:
 - Full SIA registration number.
 - Date and time that the Door Supervisor commenced duty, countersigned by the Duty Manager
 - Date and time that the Door Supervisor finished work,
 - Any occurrence or incident of interest involving crime & disorder or public safety must be recorded giving names of the Door Supervisor involved.

21. The Door Supervisor register shall be kept at the premises and be available for inspection by an authorised officer from the Licensing Authority and the Police and shall be retained for a period of twelve months.

General

22. The premises shall not be used for striptease or entertainment of a like kind to dancing which involves nudity without the prior consent of the Council

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.