

ATG LONDON LIMITED

APPLICATION FOR GRANT OF PREMISES LICENCE

LONDON BOROUGH OF CAMDEN

Reference APPIPREMISES-NEW114604

STATEMENT OF ANDREW RAWLINSON

1. I, **Andrew Rawlinson** of the Ambassador Theatre Group Limited (**ATG**), make this statement in support of an application for the grant of a new premises licence at 104 – 110 Charing Cross Road (with an entrance to the theatre on Phoenix Street) WC2H 0JP
2. This statement is true to the best of my knowledge, information and belief, and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Introduction

3. I am the Business Director of Ambassador Theatre Group's (ATG) London and West End Theatres, comprising of The Lyceum Theatre (*Lion King*), The Apollo Victoria (*Wicked*), Savoy Theatre (*Pretty Woman*), Piccadilly Theatre (*Moulin Rouge*), Fortune Theatre (*Operation Mincemeat*), Harold Pinter Theatre (*My Little Life*), Duke of York's Theatre (*Shirley Valentine*), The Playhouse Theatre (*Cabaret*), The Ambassador's Theatre (*Rose*), and The Phoenix Theatre (*Spitting Image*).
4. I have worked for ATG for over 17 years, original leading large-scale regional theatres, including the Palace Theatre in Manchester, The Empire Theatre in Sunderland, and the Empire Theatre in Liverpool, before taking up more senior roles covering groups of theatres, from Edinburgh and Glasgow to Bristol and Brighton, and everywhere in between.
5. I was appointed into my current role in 2020 and, after working continuously through the pandemic for ATG, focused on supporting the London venues, and wider industry, to return from closure, and deliver the outstanding productions, service, and standards the West End is known for throughout the world.

6. ATG's ambition is to bring the very best in live entertainment to our venues, engaging with our audiences and providing the highest quality customer service possible. Attracting visitors to London is at the core of what we do, not only encouraging attendance at our venues, but supporting the local and national economy, providing employment, and contributing to the wider cultural landscape that benefits us all, enriching lives, communicating messages, challenging norms, and bringing people together for a shared, unique experience.
7. To be custodian of these outstanding, historic venues is a tremendous honour, and my role is to lead these iconic theatres in a challenging and changing environment, to elevate customer experience, attract producers and productions, and to be inclusive and accessible to all of our customers.
8. I am ultimately responsible for all my venues, but focus is brought to ensuring the venues operate safely, are financially successful, our teams are supported and trained, our producers and productions are accommodated, and that our customers and visitors feel welcomed, and have the best experience possible when attending our theatres.

ATG

9. ATG was founded in the UK in 1992. Since then, it has strived to bring the very best in live entertainment to the largest possible number of people. By covering every discipline in the theatre industry, we have grown into the world's premier live-entertainment company.
10. We operate 58 venues across Britain (10 of which are in London), the United States & Germany. Some of our UK venues include historic West End theatres (such as the Duke of York's and Savoy theatres); the Apollo Victoria and the Lyceum- home of *Wicked* and *The Lion King* respectively. Within Camden we operate **The Phoenix Theatre** and **The Ambassadors Theatre** in West Street.
11. We are also proud of our significant investment into the restoration of forgotten theatres, such as the Globe in Stockton and the Hudson Theatre in the United States, to their former architectural and trading glory. Within these arenas we offer an extraordinarily diverse range of live entertainment working alongside the world's leading producers and creative artists. These include the award-winning *Harry Potter & The Cursed Child* and classic musicals such as *Les Misérables*, *Mamma Mia* and *The Jersey Boys*. The entertainment offering is topped off with the very best music from world renowned artists, dance, opera and much more which continues to delight our audiences and impress our peers.
12. Beyond our extensive theatre portfolio, we are the world leader in theatre ticketing, processing more than 16 million tickets a year. We have been acknowledged by our peers as the best

ticketing agency and the UK market leader for group sales through one of our associated brands, Group Line, as well as being awarded numerous Olivier and Tony awards for our world-leading production team.

13. ATG is proud to have won many Olivier and Tony awards, most recently for the critically acclaimed production of Cabaret, Pinter and the Pinter, 9 to 5 the Musical, and Ian at 80 celebrating Sir Ian McKellen's 80th birthday with an 80 date UK tour and West End season

The Background to the Phoenix

14. Built in 1930, the Phoenix Theatre is a beautiful venue steeped in rich history; originally built on the site of an old music hall called The Alcazar, it's been the home of serious drama, comedy and musicals for over 92 years. We have a neoclassical exterior and an interior designed in an Italianate style by Theodore Komisarjevsky and a wonderful safety curtain that holds Jacopo del Sellaio's The Triumph of Love.
15. The theatre opened with the premiere of Noel Coward's Private Lives, starring Coward himself, along with Gertrude Lawrence, Adrienne Allen and a young Laurence Olivier. This was the start of a long association between Noel Coward and the Phoenix Theatre which we are proud to remember. Following a refurbishment programme in 1966, the theatre was home to over 2,000 performances of Chaucer's Canterbury Tales and the eighties and nineties saw many award-winning shows such as Alan Bleasdale's musical about Elvis Presley, and Brian Friel's play Dancing at Lughnasa, along with productions of Shakespearean titles with directors such as Sir Peter Hall. In 1991, Willy Russell's Blood Brothers started what would become the venue's longest running show, performing through to 2012.
16. In 2000, ATG became the owners of the Phoenix Theatre and since Blood Brothers left, recent productions have included Goodnight Mr. Tom, Once: The Musical, Bend It Like Beckham, Guys and Dolls, Dirty Dancing, Evita, Chicago, Come From Away and Streetcar Named Desire.
17. In November 2023, the Phoenix Theatre will be the home to Netflix's first stage-adaptation of one of their major TV brands – Stranger Things: The First Shadow. Working with internationally renowned producer Sonia Friedman, this will be a show with a huge draw for local audiences and the national and international tourist market alike.
18. The Phoenix Theatre, in its current configuration, has a severely challenged provision for access patrons who use a wheelchair and require level access. The current provision is an entrance through a fire exit on Flitcroft Street to access seats at the side of the dress circle. While we operate safely, it is difficult to maintain the same premium, equal experience that we aim to offer every one of our customers.

19. A copy of the existing premises licence for the Phoenix is attached at **AR 1**.

The Redevelopment

20. Attached to this statement at **AR 2** is a brochure, with visuals, that sets out how the redeveloped area at The Phoenix Theatre will look.
21. A critical part of the Phoenix Theatre's strategic plan to attract the best producers and world-class productions, is to increase its positive presence on Charing Cross Road and improve the accessibility of the venue for all users. Due to the layout of the listed building and being intertwined with residential blocks and a thin alleyway in Flitcroft Street, there is minimal scope to redevelop our existing customer entrances for the purposes of improving access.
22. In late 2022, the opportunity arose to take on the master lease for the 5 shop units on Charing Cross Road (one of which was already being leased by ATG as a small box office) and the basement club (Phoenix Artists Club). This offered the chance to incorporate an accessible entrance that could connect directly to the back of the theatre auditorium wall.
23. The master lease was acquired in early 2023, and subsequently the tenants of the Stub Hub, Vape Shop, Fantasia (Massage and Reflexology) and the Corner Shop vacated the units by the end of March 2023.
24. The redevelopment aims to combine the footprint of the existing shop units by creating one larger space, and build back across the lightwell, at ground level, that divides Phoenix House and Phoenix Theatre to incorporate a lift for wheelchair users that elevates to the first floor and meets the back of the dress circle.
25. Crucially, this new space can be accessed from Charing Cross Road and will be configured as a typical, modern theatre foyer that incorporates a box office, seating positions, a bar, a small food prep area, a VIP lounge and a merchandise sales point as well as additional toilets for the theatre.
26. The existing square footage of the premises is 3,335.9 sq/m. The ground floor redevelopment comprises 165.86 sq/m. This represents an increase in the total area to be covered by the licence of just under 5%.
27. The redevelopment will see an investment of in the region of £4million from ATG to meet the investment that has been seen across the Charing Cross Road over the past few years.

Benefits

28. Over the past five years, the Tottenham Court Road area has seen the realisation of significant investment. Our redevelopment project will aim to match that investment and will see an uplift in the cleanliness and presentation aesthetic of the frontage of the current shop fronts.
29. Whilst under previous ownership we are aware that the revolving door nature of the tenants in the four retail units has caused some disruption to the residents in the flats above, with noise created by workmen with each change in tenants. With ownership, and occupation with ATG this disruption will cease.
30. Comment is also made in one letter of representation from a resident of the flats above that they have, on occasion, suffered disturbance from the tenants of Fantasia, one of the occupiers of the retail units, in no small part I suspect caused by the lack of sound insulation. As part of the redevelopment, we will be installing a whole new scheme of sound insulation between the ground floor and flats above.
31. The Phoenix Theatre, having opened in 1930, has little opportunity within its current configuration to improve its offering for customers with access requirements, especially those patrons who require level access. In incorporating a lift into the new foyer space on Charing Cross Road, we will be able to cater to an increased number of customers who require level access so that all patrons have the same premium experience in our theatre, elevating theatre access as a priority within Camden.
32. Due to the positioning of the shop units, the addition of this space to the theatre operation will not have a significant impact on the emergency egress plans for the auditorium. Our seated and standing capacity within the auditorium is remaining the same, and existing fire exits will not be impacted. Egress from this new space will be via the main front doors onto Charing Cross Road, or via the crossover into the Phoenix House fire exit, or via the existing Rotunda fire exit of the Phoenix Theatre.
33. The current operation of the Phoenix Theatre includes CCTV coverage of all of our entrances and exits. In having an entrance on Charing Cross Road, we will be able to install CCTV coverage that includes this new part of the building. We work closely with the local MET services whenever they need relevant CCTV footage, and we hope that this improved coverage will go some way to combating local crime. We are actively committed to meeting the local authority's quality requirements of our CCTV footage.
34. During performance periods we have a security presence of trained SIA staff on our entrances. This would be the case for the new Charing Cross Road entrance and would make

for an increased provision of security staffing on this portion of the road during theatre performance times. Hitherto, there had been no security presence on Charing Cross Road

35. The redevelopment will also see an increased toilet provision within the premises with 3 Female cubicles, 2 male cubicles, 2 male urinals, 1 accessible w/c at ground, 1 accessible w/c at 1st floor and one further staff toilet.
36. The redevelopment will also see the creation of at least 6 new jobs – 3 bar roles, 1 supervisor and 2 security staff.

Phone and Vape, 104 Charing Cross Road

37. When ATG acquired the master lease in March 2023 one of the units was occupied by Phone and Vape. These premises had the benefit of a premises licence. The licence stated that the premises were open from 0700 to 0300 on each day of the week and authorised the sale of alcohol from 1200 to 2300 (2230 on a Sunday). In discussions with the police, it was disclosed that these had been problem premises in the past, and it is believed that they had been the subject of review proceedings in the past, and they intimated that they were happy to see this licence being surrendered.
38. When we met with the police on site as part of the pre-application consultation, they confirmed to me that they were pleased to note that the licence was due to be transferred to ATG and would be subsequently surrendered as part of this process.
39. A copy of the transferred licence is attached at **AR 3**. I can confirm that this licence will be surrendered prior to any new licence granted being brought into operation.

Pre-Application consultation

40. ATG has engaged in significant pre-application consultation in advance of submitting the application with a broad range of stakeholders. This consultation has continued during the statutory consultation process, and even post the end of the consultation period for the licence application.
41. Those who were part of the consultation process include
 - London Borough of Camden Licensing Department
 - Metropolitan Police
 - Environmental Health Officer, London Borough of Camden
 - Cllr Sabrina Francis
 - Residents of Phoenix House
 - Phoenix Artists Club

- Central District Alliance
- Theatres Trust
- Covent Garden Community Association
- Covent Garden Trust

42. There are 25 flats in Phoenix House. In so far as these residents are concerned, in advance of submitting the application for the licence an open invitation was sent to all of the residents to attend a meeting at the theatre on the 24 January and the 25 January (one meeting being scheduled for the afternoon and the other for the evening to try and capture as many residents as possible and give everyone an opportunity to attend). None of the residents attended these meetings
43. A further invitation was sent out to the residents, to attend a meeting on the 10 May to update the residents on the progress of the project. Six residents (covering 4 of the flats) attended this meeting. They were provided with a tour of the theatre and given an update on our plans and proposals. Concern was raised at this meeting by a couple of the residents about music and entertainment being provided in the new foyer area after 2300. Given the feedback a proposal was made to the residents (see below)
44. We also took advantage of the Council's pre-application advice service. An initial zoom call took place on 3 March 2023, with officers (Julia Peterson Licensing Officer from Camden Council, Lee Perella (EHO from Camden Council), Ailsa Nash and Rachel Aldis from the Metropolitan Police).
45. We subsequently met with Julia Peterson on site on the 17 March, providing her with a tour of the premises and discussing the application
46. A further site meeting was arranged for the 27 March when Ailsa Nash, Rachel Aldis and Kev Clark from the Metropolitan Police attended. Kev Clark is from the Bloomsbury Town Centre Team and someone who the theatre has a good relationship with and discuss any local issues with as and when needed.
47. The police (who have not made a representation to the application) made some suggestions about small changes to the operating schedule (which were incorporated into the application). Two comments that are worthy of note from this meeting were that the police, as stated above, were pleased to see that the licence for Phone and Vape would be surrendered. We were also told that pedicabs, which can be an issue in other parts of London, were not an issue for the police.
48. It was made clear to the responsible authorities from the outset that the structure of the licence would be based around a Theatre Management Plan (TMP) which would be a living document and to which the authority (and other responsible authorities) would have access

should they so wish. We have offered a condition that the operation of the premises will be in line with the Theatre Management Plan.

49. I have included as appendices to this document some of the policies that sit within the TMP (see below). These are living documents and are unpinned by a Business Continuity Plan (BCP). An index to the BCP can be found at **AR 4** which gives an indication of the range of matters that are contained in this document.
50. ATG has sought to engage with not only the statutory authorities but as wide a range for stakeholders as possible in the run up to the application being submitted, and we have continued to engage with the local residents post the submission of the application, at the end for the consultation process. We will continue this engagement throughout the course of the redevelopment and beyond.

Operation of new Foyer and Bar

51. The primary operation of our new foyer space will be that of a typical, traditional theatre foyer. This will include a reception area, increased toilet and access facilities, lift access, and a bar area, where patrons can purchase refreshments before a performance or during the interval. Part of this offering may include a VIP lounge area, depending on the requirements of the resident production on available space.
52. There will be a box office provision, as there has been previously on Charing Cross Road, for customers to buy tickets throughout the day in line with resident productions, there will be the facility to purchase merchandise in this foyer space. Whilst the new space would normally be open throughout the day for the purchase of tickets and merchandise, it would then revert to a traditional theatre environment circa. 90 minutes before performance time, meaning that ticket holders only (or those wishing to purchase tickets) would be admitted by theatre/SIA trained staff. Customers would then be able to purchase drinks and refreshments from this and any other bar in the theatre, and any VIP/Lounge or package customers would be able to access the Lounge area where they could be served a limited food offering consisting of cheese, pastries, and charcuterie from the small kitchen.
53. Perhaps of greatest significance as part of the application process ATG is not seeking to extend the existing capacity of the premises nor are we seeking to extend the permitted hours for licensable activities throughout the premises. The hours for the sale of alcohol are, I understand, consistent with, and in fact within, the Council's Core Hours licensing policy and consistent with what is permitted on our current licence. We have also offered a condition restricting the sale of alcohol in the new Foyer to customers who are attending a performance in the Phoenix Theatre (see below).

54. Save for a proposed reduction in hours of regulated entertainment in the ground floor foyer area, the hours requested for the provision of regulated entertainment are consistent with what is authorised on the existing licence.

Submission of the Application

55. The application was submitted to the licensing authority on the 31 March 2023.
56. Five blue notices were displayed on the exterior of the premises, no more than 50m apart at the following points
- Phoenix Street – Grand Circle Entrance
 - Charing Cross Road - entrance to Fantasia on
 - Charing Cross Road - Box office entrance
 - Flitcroft Street – tied to a grill halfway down
 - Stacey Street - Stage door
57. The notices were placed on the 31 March and remained in place up to, and beyond the end of the consultation period on the 28 April 2023.
58. The application was advertised in the Camden New journal on Thursday 6 April.

Comment on Representations

The Responsible Authorities

59. As stated above ATG carried out significant pre application consultation with the responsible authorities.
60. The following representations were received from the responsible authorities

(a) Licensing Authority as a responsible authority

The representation acknowledges that having checked the Council records for the past two years no noise complaints against the Phoenix and that ATG has “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.” This willingness to co-operate and engage will of course continue.

The Licensing Authority asked for two changes to the proposed operating schedule as follows:

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

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

Through our solicitors we have confirmed that both of these changes are acceptable and are reflected in the revised operating schedule attached at **AR 8** to this statement

The Licensing Authority has also asked that the premises sign up for the "Ask Angela" scheme and that staff undergo training being provided by the Police and the Council. I can confirm that through the theatre manager, Matthew Turbett, we have signed up to this training. The requirement to fulfil this will be incorporated into the Children and Vulnerable Persons section of the TMP, and ATG will of course engage in any additional training that may be developed over time in relation to these issues.

A copy of the ATG Company Safeguarding Policy and the draft Phoenix Theatre Safeguarding Policy can be found at **AR 5** and **AR 6** respectively

(b) Environmental Health Officer (EHO)

The EHO has requested, and ATG has agreed, that the following condition be added to the operating schedule

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.

The EHO has asked for confirmation as to the status of the following conditions which appear on the existing premises licence.

30. Up to 2300hrs applicable to entertainment premises which adjoin or are adjacent to noise sensitive properties:

The noise climate of the surrounding area shall be protected such that the A-weighted equivalent continuous noise level (LAeq) emanating from the application site, as measured 1 metre from any facade of any noise sensitive premises over any 5 minute period with entertainment taking place shall not increase by more than 5dB as compared to the same measure, from the same position, and over a comparable period, with no entertainment taking place; and the unweighted equivalent noise level (Leq) in the 63Hz Octave band, measured using the "fast" time constant, inside any living room of any noise sensitive premises, with the windows open or closed, over any 5 minute period with entertainment taking place, should show no increase as compared to the same measure, from the same location(s), and over a comparable period, with no entertainment taking place

31. Up to 2300hrs applicable to entertainment premises which do not adjoin and are not immediately adjacent to noise sensitive properties:

The noise climate of the surrounding area shall be protected such that the A-weighted equivalent continuous noise level (LAeq) emanating from the application site, as measured 1 metre from any facade of any noise sensitive premises over any 5 minute period with entertainment taking place shall not increase by more than 5dB as compared to the same measure, from the same position, and over a comparable period, with no entertainment taking place; and the unweighted equivalent noise level (Leq) in the 63Hz Octave band, similarly measured, should not increase by more than 5dB as compared to the same measure, from the same position, and over a comparable period, with no entertainment taking place.

32. After 2300hrs applicable to all entertainment premises:

No sound emanating from the establishment should be audible within any noise sensitive premises between 23.00 and 07.00 hours.

The noise climate of the surrounding area shall be protected such that the A-weighted equivalent continuous noise level (LAeq) emanating from the application site, as measured 1 metre from any facade of any noise sensitive premises over any 5 minute period with entertainment taking place shall not increase by more than 3dB as compared to the same measure, from the same position, and over a comparable period, with no entertainment taking place; and The unweighted equivalent noise level (Leq) in the 63Hz Octave band, measured using the "fast"

time constant, inside any living room of any noise sensitive premises, with the windows open or closed, over any 5 minute period with entertainment taking place, should show no increase as compared to the same measure, from the same location(s), and over a comparable period, with no entertainment taking place

35. Whilst the premises are being used under the licence the licensee shall ensure that all litter and waste outside the premises is removed and disposed of with other waste from the premises.

Whilst each of the above conditions will be replicated in the Noise Management Plan (a draft copy of this can be found at **AR 7**). ATG is happy for these to be reflected on the face of the licence.

The EHO has also asked for a number of additional conditions to be added to the licence and I am pleased to confirm that ATG has agreed to the inclusion of these conditions. As a consequence of this, the EHO confirmed on the 31 May 2023 that his representation to the application was withdrawn.

Details of these conditions are set out in the revised operating schedule which can be found at **AR 8**.

(c) The Police and other responsible authorities

I was pleased to note that the police, with whom ATG engaged with in advance of the submission of the application, do not object to the application.

The remaining responsible authorities (which include Public Health, Child Safeguarding and Planning) have not made representations to the application.

Interested Parties

61. As is set out above ATG has engaged with a broad range of local stakeholders and interested parties, both before, during and after the statutory consultation period. Notwithstanding this, the application has received representations against the application from the following interested parties:

- (a) Covent Garden Community Association (**CGCA**)
- (b) The Phoenix Arts Club
- (c) Mr Rodney Steele
- (d) Mr Ian Morley
- (e) Mr Phatara

62. On receipt of the representations we have, through our solicitors, engaged with all of the interested parties and I have summarised below what I believe are the main issues, with comments on each of these

(a) Sale of Alcohol

The current licence does NOT restrict the sale of alcohol to ticket holders.

However, ATG is willing to offer the following condition with the current application

The sale of alcohol in the Foyer Bar, as shown hatched pink on the ground floor plan, shall be limited to customers who are attending a performance in the Phoenix Theatre

A copy of the plan can be found at **AR 9**.

(b) Entertainment in the Ground floor Foyer

A concern has been raised by the 3 residents from the flats above about the possible noise nuisance caused by any entertainment being provided in the ground floor foyer. Reference has been made to noise that was generated by one of the existing units. As part of the redevelopment of the retail units ATG will be carrying out a significant scheme of noise insulation and we have instructed an acoustician to carry out investigations and produce a report as part of the planning process. A copy of this report is contained at **AR 10**.

Following a residents meeting on the 10 May 2023 (attended by 6 residents, covering 4 of the flats), we offered to restrict the hours for the provision of regulated entertainment in this area to 23:00 (22:30 on a Sunday). I have marked this on a plan that can be found at **AR 9**.

The reality is that any entertainment in this area will be limited, and with the additional acoustic attenuation, and the conditions agreed with the EHO (see above) ATG is confident that we can operate this part of the premises (and indeed the totality of the building) without causing a public nuisance to the residents.

I have attached to this statement a copy of the draft Noise Management Plan (which is included in the Theatre Management Plan) at **AR 7**

(c) Access and Egress

Concern has been expressed about the access and egress of customers as they arrive and depart the theatre.

The current position is that access patrons' access and exit the premises via the fire exit on Flitcroft Street, with all other patrons accessing and egressing the theatre via the main entrance on Phoenix Street. The new arrangements will allow for all patrons to enter and exit the premises via Charing Cross Road (with some access/egress for ambulant patrons on Phoenix Street). On departure, customers will come to the end of Phoenix Street and walk north up Charing Cross Road in the direction of Tottenham Court Road, or southbound towards Leicester Square.

The provision of an additional access and egress point on Charing Cross Road will not only ease, and speed up, access and egress but there will be additional staff and SIA Security presence on Charing Cross Road to ensure that this happens in a timely fashion. It should be noted that we are not looking to increase the overall capacity of the premises from that which is currently permitted.

I have attached at **AR 11** a copy of the draft Access and Egress Policy, which again forms part of the TMP.

(d) Smoking

The current smoking provision is on the south side of Phoenix Street on the opposite side of the street to the entrance to the flats above and adjacent to the theatre.

This is a practice that has operated without issue for many years and will continue. Any patrons leaving the premises from the Charing Cross Road entrance, during an interval for example, or who are waiting for a performance to commence, will be directed away from Charing Cross and towards this area should they wish to leave to smoke.

(e) Deliveries

There is no condition on the existing permission which limits the times at which deliveries should be made to the premises. ATG is however happy to offer the following condition, which reflects the current operating practices at the theatre as part of the operating schedule

With the exception of show turnaround periods (get-out and get-in), deliveries to the premises shall not take place between 22:00 and 08:00.

(f) Waste Collection

The current practices will continue and ATG is happy to offer the following condition as part of the operating schedule

Collections of waste from the premises shall not take place between 22:00 and 08:00

(g) Third Party Hirings

We have confirmed that we will not let out the new foyer bar for third party promoted events

The theatre will continue to operate in the same way as is it has since ATG took the premises over.

ATG contracts with production companies to put shows on in the theatre, we as a business promote the event and run the venue.

We have suggested the following condition in so far as production companies are concerned to ensure that our production company partners are aware of, and comply with any conditions on our licence (this is a practice that we already adopt across our estate):

The Licence holder shall ensure that production companies will be aware of the licensing conditions, and have direct control of staff from the production company on site

63. A copy of the revised, proposed, operating schedule, which was sent, on the 31 May 2023, to all parties who have made a representation to the application can be found at **AR 8**.

64. ATG is sensitive to the concerns of the local community and has sought to accommodate the concerns of the local community with the revisions that it has made to the operating schedule. Whilst ATG is respectful of the fact that the interested parties may wish to pursue their representations to the hearing of the application we sincerely believe that what we have offered is a proportionate response to the concerns raised given the type and style of operation proposed.

65. ATG will continue to work with the local community, as well as the responsible authorities, as it does at all of their premises across the country to ensure that the licensing objectives continue to be promoted at these premises.

Conclusions

66. A theatre has been in this location since the 1930s
67. ATG has operated the Phoenix Theatre since 2000 and if the application is granted the premises will continue to operate primarily as a theatre
68. ATG has not been the subject of any licence reviews at any of their theatres.
69. There have been no reported issues from statutory authorities about the safe operation of the venue.
70. There have been no resident complaints made against the venue since ATG took over the operation of the theatre in 2000.
71. In advance of submitting the application ATG were sensitive to the location of the premises and the interest that the application may draw from the responsible authorities and interested parties. As a consequence of this they engaged in a significant process of pre-application consultation with a wide range of stakeholders.
72. The application is supported by a significant and substantial suite of conditions, underpinned by the Theatre Management Plan. The conditions have been refined following receipt, and taking into account, the concerns raised by those who have made representations to the application
73. If the current application is granted, then the existing licence will be offered for surrender before any new licence granted is exercised. There will be no additional licence in force at this particular part of Charing Cross Road. In fact, the opposite is true, as part of the acquisition of these units included the transfer of the premises licence for Phone and Vape into the name of ATG London Limited. This licence will also be offered for surrender on any new licence being exercised, resulting in one less licence being in place.
74. The granting of the application will bring with it a number of benefits to the local area
- Significant investment by ATG in this part of Charing Cross Road, benefitting the overall welcome and aesthetic of Camden to visitors and residents
 - Incorporating a number of former retail units within the theatre
 - Avoids the revolving door of tenants in the ground floor units

- Improvement in access and egress to and from the theatre
- Improved access and egress arrangements for disabled customers
- Improved facilities for disabled customers within the theatre
- Improved toilet provision inside the theatre
- Improved security on Charing Cross Road including additional CCTV
- Creation of at least 6 new jobs

75. ATG is confident that it can operate the extended premises, continuing to promote the licensing objectives as we have done at these (and other) premises across London (and beyond). ATG has shown a commitment in the run up to the submission of the application to engage and consult with all local stakeholders and, as a responsible operator of licensed premises, will continue to do so.



Andrew Rawlinson

Dated the 1st day of June 2023

Attachments

- AR 1** Existing Premises Licence
- AR 2** Brochure
- AR 3** Phone and Vape Premises Licence
- AR 4** Index to Business Continuity Plan
- AR 5** ATG Safeguarding Policy
- AR 6** Phoenix Theatre Safeguarding Plan
- AR 7** Noise Management Plan
- AR 8** Revised Operating Schedule
- AR 9** Revised Ground Floor Plan
- AR 10** Sandy Brown Acoustic Report
- AR 11** Access and Egress Plan

