

ATG LONDON LIMITED

APPLICATION FOR GRANT OF PREMISES LICENCE

LONDON BOROUGH OF CAMDEN

Reference APP\PREMISES-NEW\114604

ATTACHMENT TO THE STATEMENT OF ANDREW RAWLINSON

AR 8 – Revised Operating Schedule

The Phoenix Theatre and Bar
104 – 110 Charing Cross Road (with an entrance on Phoenix Street)
London
WC2H 0JP

PROPOSED 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

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

- 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

In the ground floor foyer bar (hatched pink on the deposited plan) - from 0900 to 2300 (2230 on Sunday)

- Late Night refreshment (on the premises only)

On each day of the week – 2300 to 0000

Schedule of Proposed 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 **31** 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

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:

- 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

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 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

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

Conditions offered to the EHO

23. 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.

24. All amplified music equipment should be controlled by a sound limiter which should be set and locked preventing unauthorised access. Authorised access only by the licence holder or nominated engineer. The sound limiter should be set and locked by a qualified engineer and/or acoustic consultant so that public nuisance will not arise
25. Post installation report to be provided on the agreed noise levels and frequencies of the sound limiter settings and details of the limiter itself, along with the effective testing of any sound insulation scheme to be provided to Camden Council
26. All windows and external doors shall be kept closed, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons.
27. 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
28. Up to 2300hrs applicable to entertainment premises which adjoin or are adjacent to noise sensitive properties:
 - (a) 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
29. Up to 2300hrs applicable to entertainment premises which do not adjoin and are not immediately adjacent to noise sensitive properties:
 - (a) 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.

30. After 2300hrs applicable to all entertainment premises:

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

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

32. 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.

Conditions added following engagement with the Residents and CGCA

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

34. 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

35. 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

