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Electric Ballroom, 184 Camden High Street, London, NW1 8QP

Scale = 1:721,980
23-August-2023



Application for full variations to a licensed premises - Ref no. 115539

Are you able to return the existing premises licence or club certificate?	Yes
What do you want to vary?	Premises licence : PREM-LIC\1979
Who is making the variation?	An authorised agent

Agent details

First name	niall
Last name	forde
Name of business (optional)	Niall Forde Licensing Consultant
Address	71 WALDECK ROAD N15 3EL LONDON
Email address	[REDACTED]
Telephone number	[REDACTED]

Correspondence details

Who should we correspond with in regards to this application?	Agent
What type of variation are you applying for?	Full variation
What is the non-domestic rateable value (NDRV) of the premises?	402500
Will the variations mean the premises is used exclusively or primarily to sell or supply alcohol?	No

Application for full variations to a licensed premises - Ref no. 115539

Will the variations change the expected attendance?	Yes
Will the increase be more than 5,000 attendees at any one time?	No
When do you want the variations to take effect?	As soon as possible
What changes do you want to make?	<ul style="list-style-type: none">• Amend premises information and premises business hours• Amend activities• Amend conditions
Amend seasonal variations to business hours?	No
Amend times the premises open to the public at times other than those listed?	No

Application for full variations to a licensed premises - Ref no. 115539

Upload revised premises plans (optional)

- ElectricBallroomvariationapplicationCoverlette.pdf
- 5917-02A-A1.pdf
- ElectricBallroomnewconditons.docx
- 5917-01B-A1.pdf

Make changes to your business hours below

Day	Start time	End time
Monday	11:00	03:00
Tuesday	11:00	03:00
Wednesday	11:00	03:00
Thursday	11:00	04:00
Friday	11:00	06:00
Saturday	11:00	06:00
Sunday	12:00	04:00

Activities on your licence

- j. Supply of alcohol

Application for full variations to a licensed premises - Ref no. 115539

Supply of alcohol

Day	Start time	End time
Monday	11:00	02:00
Tuesday	11:00	02:00
Wednesday	11:00	02:00
Thursday	11:00	03:00
Friday	11:00	04:30
Saturday	11:00	04:30
Sunday	12:00	02:00

Revise the location (optional)

On the premises

Are there changes to seasonal variations of the activity?

No

Are there changes to the activity taking place at other times?

No

Amended conditions**Will any of the changes made give rise to concerns in respect of children?**

No

The prevention of crime and disorder

No

Public safety

Yes : See attached conditions

The prevention of public nuisance

No

The prevention of children from harm

No

About this form

Issued by	Camden Town Hall Judd Street London WC1H 9JE
Contact phone	020 7974 4444
Form reference	Ref. no. 115539

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.



Introduction

This is an application on behalf of the Electric Ballroom.

The aim of the application is to embrace Camden Council's business friendly licensing policies and realign our premises licence to enable a more resilient business model to project the cultural venue for future Camden residents and tourists alike.

History

The Electric Ballroom is an iconic music venue at the heart of Camden Town's bustling community and has been a key part of it since its early days over 75 years ago.

It began as a busy Irish club playing host to a wide variety of performers including the likes of Jim Reeves. In the past decades acts such as Sid Vicious, Madness, The Clash, Richard Ashcroft, Snow Patrol, The Killers, Stereophonics, U2, Phil Lynott, The Boomtown Rats, Joy Division, Red Hot Chilli Peppers, Public Enemy, Blur, Supergrass, Garbage, and the Smiths have drawn enthusiastic crowds to the venue.

Past performers have included Harry Styles, Gary Numan, The Vaccines, Future Islands, Black Rebel Motorcycle Club, Razorlight, The Pet Shop Boys, Dinosaur Jr, Parquet Courts, Les Savy Fav, Interpol, Ocean Colour Scene, Of Monsters and Men, Foals, Sir Paul McCartney, Alt-J, Megadeth, Kaiser Chiefs, Nero, Muse, Prince and many many more.....

In addition we host promoted clubs every Friday and Saturday, these are indie, disco, goth, LGBT friendly cabaret, rock, geek, pop, funk, salsa hip hop and R&B, as such appealing to all communities.

Pre – covid the hospitality industry in Camden provided 8% of jobs, so allowing flexibility to purpose built existing venues should be a borough priority and focus.

We are an equal opportunity employer and operate a policy to provide equality, fairness and respect for all in our employment, whether temporary, part-time or full-time regardless of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race (including colour, nationality, and ethnic or national origin), religion or belief, sex and sexual orientation.

We believe that the venue provides a safe space for hire for audience groups ignored by mainstream culture and hopefully with your help it will continue to be able to do so for many years to come.

Licensing History

The Electric Ballroom has a licence that mostly dates back to pre 2005 when the Council held the Public Entertainment licence and the local magistrates courts held the alcohol

justices licence.

As such the existing licence is old and outdated. For example the current licence extends to around 90 pages of which most these pages refer the public entertainment premises standard conditions that we doubt any current officers in the licensing team were in post when they were being used.

The only recent amendment to the licence was one made in 2017 when the capacity for live gigs was increased to the existing capacity.

This capacity although it had been approved by both Camden Council's Health and Safety Authority and the London Fire Brigade was refused by the Council licensing Committee on policy grounds so had to be overturned on appeal to the magistrate's court.

Since this application was amended there have been no concerns about the venue impact on the licensing objectives and so the venue itself stands a case study of how a venue can be granted a licence in a cumulative impact policy area without having an impact.

In addition we have recently had three temporary event notices to extend alcohol to application hours. Two of which have already taken place without any impact on the licensing objectives.

The application itself seeks to update the current licence.

It should be noted that the Camden Council licensing register has not been updated since the consent order in 2017 so the attached conditions submitted with this application might not be the current numbering

We did apply for a duplicate licence in May but this has yet to be issued.

Cumulative Impact

The venue are very experienced independent operators of a live music venue and late-night club premises, and who have run the premises without any complaint from residents or statutory authorities.

Stated frankly, the venue is now facing a difficult future since Covid 19.

The Electric Ballroom itself has the highest ratable value for any licensed premises in Camden. It is also a member of CILLA and pays into the Council Late Night Levy team.

The owners consider that they could help to stabilise the situation to a degree if they are permitted one extra hour and half on Friday and Saturday.

They are of course, conscious that the premises lie in the Camden Town Centre Cumulative Impact Area, and so have tailored the application accordingly.

In return for that, we are willing to forego three hours of trade during the week, i.e. one hour on Monday, Tuesday and Wednesday. In addition, there would be no amendment to opening hours during this period so we are proposing an amendment to an activity within the confines of the hours already permitted and granted by the licence issued by Camden Council.

So, there would be no net increase in sale of alcohol at the venue as part of this application.

We already pay into the Town Centre Policing team. We are aware that the deployment of most of these resources are on the weekend so by moving our alcohol hours into this period would help with this resourcing and management.

Since this application was granted, there is now also a night tube services from Camden Town Centre on the nights the variation would have effect.

As part of these amendments, we also wish to regulate the capacity, and update the current premises licence plans.

The original club capacity stemmed from the ventilation requirement for air flow before the Public Health Act 2005 and based on the air flow changes required when persons were allowed to smoke inside venues so is due a review and to be modernised.

The post covid world has affected some of the longer running club nights at the venue. The newer club promoters want a greater flexibility to have slightly longer hours and the actual fire capacity for the premises would help stabilise the business model for the venue.

Similarly, to the evidence and reasons presented to the Magistrate Court for the variation application in 2018, club nights have varying popularities, so our club nights are rarely at capacity. Therefore, being able to have slightly longer hours and larger numbers on the nights that the venue is busy, this will attract new promoters to the venue. This will be vital to our long-term business model.

Crime and disorder

The application already has a robust operating schedule and is run to highest standards as required by the Metropolitan Police licensing team in Camden.

In addition, we have years of experience of running a licensed venue in Camden so are aware of how to manage a premises within Camden's unique cultural environment.

We are willing look at the existing conditions as part of this application and work with Police licensing team to update any existing conditions to new wordings where appropriate.

Our external security has body cam and can provide additional help and resource outside the premises in the location near the tube station.

The Police will be able to confirm that persons in the late-night economy are more likely to be victims of crime in Camden Town Centre than cause it, so having our venue open with SIA security in this location makes the area safer and prevents crime.

Finally there is no intension to change the nature or styles of the club nights and we are happy to provide authorities with risk assessment and details before engaging any new promoters if this application is granted.

Public Nuisance

The premises will continue to comply with the terms and conditions of its current licence.

The measures the premises employ at closing time include a carefully devised exit procedure, involving a gradual release of patrons, signage requesting that customers remain quiet as they leave, the deployment of security personnel in the street to reinforce the message, together with a senior manager on the street monitoring egress.

Public Safety

The premises is kept to the highest standards and fully complies with all health and safety and current Fire Safety Legislation.

Annual certification and Fire Risk Assessment are available on request.

Protection of children from harm

The premises already has robust policies and procedures in place. This application will have no impact of this licensing objective.

Safe capacities guidance

The Guidance to licensing authorities states that “safe capacities” should only be imposed where necessary for the promotion of public safety or the prevention of disorder on the relevant premises.

Guidance explains that if a capacity has been imposed through other legislation, for instance the Regulatory Reform (Fire Safety) Order 2005, then it would be inappropriate to reproduce it in a premises licence.

The guidance states that, if no safe capacity has been imposed through other legislation, a responsible authority may consider it appropriate for a new capacity to be attached to the premises which would apply at any material time when the licensable activities are taking place and make representations to that effect.

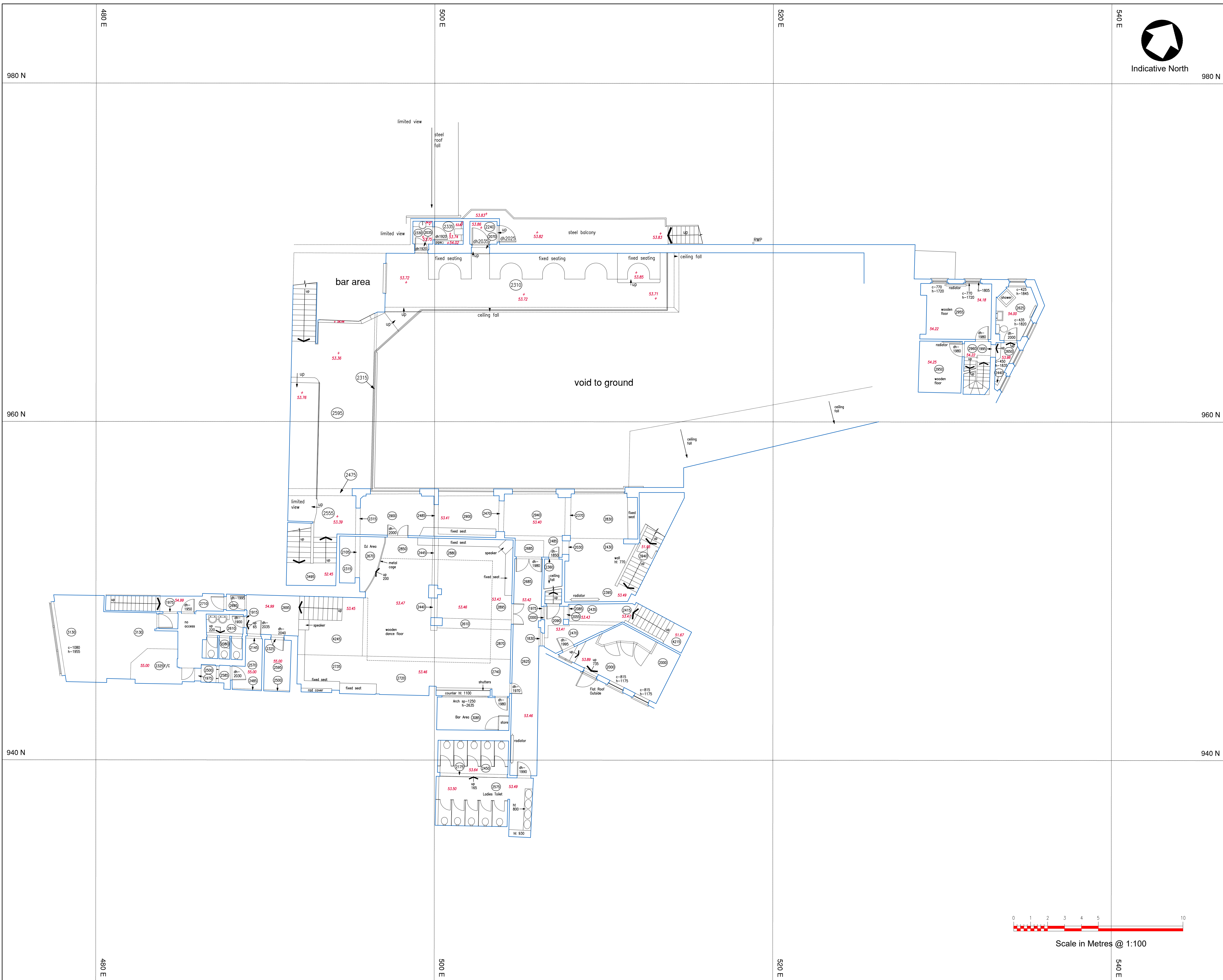
In respect of this application the capacities have been set in accordance with the Regulatory Reform (Fire Safety) Order 2005 so it could be argued that the capacity for premises should not be placed on the licence at all.

Summary










This is an application that amends the hours for the sale of alcohol at the premises from days of the weeks which are under resourced into the period which now covered by the council's Late Night Levy.

As the money generated from these funds is used to contribute to the costs of policing the late-night economy it makes sense and promotes the licensing objectives to operate within the hours where the resources are concentrated.

In addition, the application will update the existing licence and remove the capacity figure on club nights that were only imposed at time to regulate air flow when persons were permitted to smoke inside the premises.



Abbreviations			
AB	Air Brick	i/R	Iron Railings
AV	Air Valve	JB	Junction Box
BB	Beltisha Beacon	KB	Kerb Outlet
BGP	Bright Glass Point	LB	Letter Bin
BK	Brock	LP	Lamp Post
BS	Bollard	LW	Light Well
SS	Stop Sign	MH	Manhole
BT	British Telecom cover	MY	Marker
C	Cl	MT	Meter
CS	Close Board	MV	Machinery
CL	Cover Level	OH	Overhead
CL	Chain Link	PM	Parking Meter
CO	Column	PB	Post Box
CONC	Concrete	P/P	Post & Rail
CP	Catch Pit	PT	Post
CPL	Coping Level	P/W	Post & Wire
CPS	Concrete Paving Slabs	RET	Retaining Edge
CTV	Cable Television Cover	RF	Roof
DK	Drop Kerb	RSS	Roofed Steel Staircase
DH	Door Height	RSSJ	Roofed Steel Joist
EP	Electricity Pole	RS	Road Sign
EW	Electric Water	SC	Stop Cock
FB	Flower Bed	SVP	Soft Vent Pipe
FC	False Ceiling	TE	Telephone Cable
FE	Fire Escape	TBM	Temp. Bench Mark
FI	Fire Hydrant	TP	Telegraph Pole
FHR	Fire Hose Reel	TL	Traffic Light
FL	Flower Level	Tk	Tank
FP	Flag Pole	UTL	Unable To Lift
GP	Gate Post	V	Vent
GV	Gate Valve	VP	Vent Pipe
H	Height	WM	Water Meter
H	Gate To Head height	WP	Waste Pipe
HT	Height	WW	Water Stop Valve
I	Inspection Cover	WSC	Water Stop Valve
IL	Invert Level		

Notes		
Ceiling Height		Arch 
Level	+20.00	Radiator 
Floor Level	+20.00 FL	Station 
Ceiling Level	+20.00 CL	Hedge 
Soffit Level	+20.00 SL	Steep slope 
False Ceiling Level	+20.00 FCL	
Floor to cill height	c-1234	Fence 
Cill to head height	h-1234	Foul pipe 
Door height	DH 2000	Storm pipe 

Survey Coordinates and Grid

Please note that the grid shown on this drawing is as follows;

- ☐ Arbitrary
- ☒ Arbitrary but related to building line
- ☐ Arbitrary but approx. related to North
- ☐ Best fit to an Ordnance Survey Digital Sheet
- ☐ Related to the Ordnance Survey National Grid

Levels

Please note that the levels shown on this drawing are as follows;

- ☒ Arbitrary and related to a temporary bench mark
- ☐ Related to an Ordnance Survey Bench Mark
- ☐ Related to the Ordnance Survey National GPS Network

Level positions are indicated by a cross or the decimal point

Bench Mark	
Type	<i>Survey Station One Nail</i>
Position	<i>Far Pavement of Kentish Town Road Opposite Electric Ballroom Yard</i>
Value	<i>50.00m</i>

Trees


All trees sizes are approximate and should be checked on site before using information. Where guaranteed tree species become important the services of a tree expert should be employed

Notation : diameter of trunk / Height / Spread

Drainage

Where drainage covers have been lifted data has been recorded for each individual manhole from the surface and connections to other manholes, pipes or gullies are assumed. Where information is required by accessing the manhole or tracing to other manholes then a services trace will be needed.

[illegible]

 **CADPLAN**
PRECISION • MEASUREMENTS

Land Surveys • Measured Building Surveys • 3D Laser Scanning
Utility Surveys • Lease Plans • 3D Models • Rights of Light Surveys

Cob Tree House Oldbury Lane Ighiteam Kent TN15 9DA
Tel: 01732 469100 Fax: 01732 469101 E: post@cadplan.co.uk

Client

Electric Ballroom

Project
Electric Ballroom
184 Camden High Street
London NW1 8QP

First Floor Plan

Sheet/Scale	Date	Drawn	Checked
A1@1:100	17/02/15	D.R.A.N.	G.J.E.
Project No.	Drawing No.	Preliminary	Revision
5917	02		A

Trees

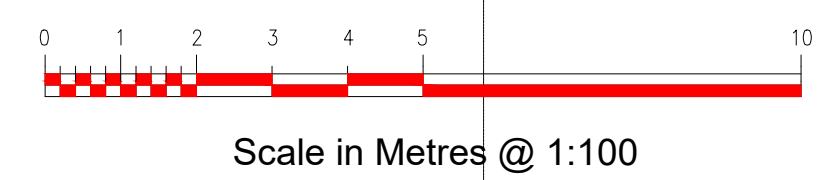
All trees sizes are approximate and should be checked on site before using information. Where guaranteed tree species become important the services of a tree expert should be employed

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Sheet/Scale	Date	Drawn	Checked
A1@1:100	17/02/15	D.R.A.N.	G.J.E.
Project No.	Drawing No.	Preliminary	Revision
5917	01		B



London Borough of Camden, Town Hall,
Judd Street, London, WC1H 9JE

Premises Licence
London Borough of Camden Licensing Authority

Premises licence number PREM-LIC\1979

Part 1 – Premises details

Postal address of premises, or if none, ordnance survey map reference or description

Electric Ballroom
184 CAMDEN HIGH STREET
LONDON
NW1 8QP

Telephone number



Where the licence is time limited the dates

N/A

Licensable activities authorised by the licence

Sale by Retail of Alcohol
Recorded Music
Live Music
Performance of dance
Provision of Facilities for Dancing

The times the licence authorises the carrying out of licensable activities

Sale by Retail of Alcohol:

Monday - Saturday: 11.00-03.00
Sunday: 12.00-02.00
and until 05.00 on New Years Day

Recorded Music:

Monday - Wednesday: 18.00-03.00
Thursday 18.00-04.00
Friday - Saturday 18.00-06.00
Sunday 12.00-04.00

and until 04.00 on the day following Bank Holiday Mondays and until 06.00 on the day following New Years Eve.

Live Music:

Monday - Friday 18.00-01.00
Saturday - Sunday 19.00-01.00
Saturday 27th and Sunday 28th April 2013 12:00 to 19:00

Performance of Dance

Monday - Wednesday 18:00 - 03:00

Thursday 18:00 - 04:00

Friday - Saturday 18:00 - 06:00

Sunday 12:00 - 04:00

New Year's Eve/Day until 05:00, Bank Holidays Mondays until 04:00**Provision of facilities for dancing**

Monday -Wednesday 18.00-03.00

Thursday 18.00-04.00

Friday - Saturday 18.00-06.00

Sunday 12.00-04.00

and until 04.00 on the day following Bank Holiday Mondays and until 06.00 on the day following New Years Eve.**The opening hours of the premises**

Monday - Wednesday 11.00-03.00

Thursday 11.00-04.00

Friday - Saturday 11.00-06.00

Sunday 12.00-04.00

and until 04.00 on the day following Bank Holiday Mondays and until 06.00 on the day following New Years Eve.**Where the licence authorises supplies of alcohol whether these are on and/or off supplies**

Sale by retail of alcohol is permitted for consumption ON the premises.

Part 2**Name, (registered) address, telephone number and e-mail (where relevant) of holder of premises licence**

Castle Rock Properties Limited

4th Floor

4 Tabernacle Street

London

EC2A 4LU

Registered number of holder, for example company number, charity number (where applicable)

656814

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol

[REDACTED]

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises the supply of alcohol

Personal Licence Number:

Issuing Authority: London

[REDACTED]

For Supporting Communities, on behalf of the Licensing Authority

[REDACTED]

Date Licence Amended: 10/05/2023 - APP\PREMISES-C-LIC\115073

Date Licence Amended: 26/01/2017 - APP\PREMISES-VARY\001004

Date Licence Amended: 22/03/2014 - APP\PREMISES-MVARY\00423

Date Licence Amended: 18/02/2013 - APP\PREMISES-MVARY\00354

Date Licence Amended: 12/03/2012 - APP\PREMISES-MVARY\00298

Date Licence Amended: 16/06/2011 - APP\PREMISES-MVARY\00256

Date Licence issued: 24/11/2005

Annex 1 - Mandatory conditions

1. The supply of alcohol is prohibited at a time when there is no designated premises supervisor in respect of the premises.
2. The supply of alcohol is prohibited at a time when the designated premises supervisor does not hold a personal licence or his/her licence is suspended.
3. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
4. Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, the licence must include a condition that each such individual must
 - (a) be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or
 - (b) be entitled to carry out that activity by virtue of section 4 of that Act.
5. But nothing in subsection (4) requires such a condition to be imposed -
 - (a) in respect of premises within paragraph 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001 (c. 12) (premises with premises licences authorising plays or films), or
 - (b) in respect of premises in relation to -
 - (i) any occasion mentioned in paragraph 8(3)(b) or (c) of that Schedule (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or
 - (ii) any occasion within paragraph 8(3)(d) of that Schedule (occasions prescribed by regulations under that Act).
6. For the purposes of this section
 - (a) “security activity” means an activity to which paragraph 2(1)(a) of that Schedule applies[and which is licensable conduct for the purposes of that Act (see section 3(2) of that Act)], and
 - (b) paragraph 8(5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of that Schedule.
7. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
- (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the

purpose of encouraging the sale or supply of alcohol for consumption on the premises

(a) games or other activities which require or encourage, or are designed to require or encourage, individuals to

(i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or

(ii) drink as much alcohol as possible (whether within a time limit or otherwise);

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;

(d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;

(e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

8. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
9.
 - (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
 - (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
 - (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either

(a) a holographic mark, or

(b) an ultraviolet feature.

10. The responsible person must ensure that

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures

(i) beer or cider: $\frac{1}{2}$ pint;

(ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and

(iii) still wine in a glass: 125 ml;

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

11. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

12. For the purposes of the condition set out in paragraph 11

(a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979

(b) "permitted price" is the price found by applying the formula

$$P = D + (D \times V)$$

where

(i) P is the permitted price,

(ii) D is the rate of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence

(i) the holder of the premises licence,

(ii) the designated premises supervisor (if any) in respect of such a licence, or

(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) “valued added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.

13. Where the permitted price given by Paragraph (b) of 12 above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
14. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.
(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Annex 2 - Conditions consistent with the Operating Schedule

15. Alcohol shall not be sold or supplied except during the permitted hours. In this condition, permitted hours means:

11.00-03.00 Monday to Saturday

12.00-02.00 Sunday

11.00-05.00 New Years Eve

16. (1) Subject to the following paragraphs, the permitted hours on weekdays shall extend until two o'clock in the morning following [three o'clock in the metropolis][or, if an earlier hour is specified in the special hours certificate, that hour], except that—

- i. the permitted hours shall end at midnight . . . on any day on which music and dancing is not provided after midnight; and
- ii. on any day that gaming ends between midnight and two o'clock in the morning [three o'clock in the metropolis], the permitted hours shall end when the music and dancing end

(2) In relation to the morning on which summer time begins, paragraph (1) of this condition shall have effect with the substitution of references to three o'clock in the morning [four o'clock in the metropolis] for references to two o'clock in the morning [three o'clock in the metropolis] [or one hour following the hour actually specified in the certificate where the certificate currently requires closure between 1 a.m. and 2 a.m.]

(3) Except on Sundays immediately before bank holidays, the permitted hours on Sundays shall extend until thirty minutes past midnight in the morning following [or, if an earlier hour is specified in the special hours certificate, that hour], except that—

- (a) the permitted hours shall end at midnight on any Sunday on which music and dancing is not provided after midnight;
- (b) where music and dancing ends between midnight on any Sunday and thirty minutes past midnight, the permitted hours on that Sunday shall end when the music and dancing end

(4) On Sundays immediately before bank holidays, the permitted hours shall extend until 2 a.m. in the morning following [3 a.m. in the metropolis], except that—

- (a) the permitted hours shall end at midnight on any Sunday on which music and dancing is not provided after midnight;
- (b) where music and dancing ends between midnight on any Sunday and 2 a.m. [3 a.m. in the metropolis], the permitted hours on that Sunday shall end when the music and dancing end

(5) The sale of alcohol must be ancillary to the use of the premises for music and dancing and substantial refreshment.

iii. The “Metropolis” means the area designated in The Licensing (Metropolitan Special Hours Area) Order 1961

17. Public entertainment may only be provided on the Ground and First floor. The total number of people accommodated at the premises at any one time shall not exceed 1100 (with the exception of Live Music with a terminal hour of 23:00 Monday to Sunday only) in accordance with the following layout.

Ground floor - 850

First floor - 250

The exception to the total number of people to be accommodated at the premises is for Live Music with a terminal hour of 23:00 Monday to Sunday only. The total number of people accommodated for Live Music at any one time shall not exceed 1200.

- 18. The number of persons permitted in the dressing rooms at 23 Kentish Town Road shall not be more than 15 persons in total.
- 19. 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.
- 20. There shall be no amplified music or dancing in the first floor area.
- 21. There shall be no new admissions of the public to the premises after 2.30am
- 22. Whilst the premises are in use under this licence there shall be no live music beyond 1.00am.

23. Smoke machines shall not be used with the exception of the following to provide short bursts
 - (a) Ground floor, DJ Booth J.E.M 20 Mark 3
 - (b) First floor, DJ Booth in Bar 3 J.E.M Fogger.
24. The lower foyer and the second floor offices shall not be used for any purpose without the prior consent of the Council.
25. Attendants shall be on duty in the ladies and gentlemen's cloakroom, during the whole time they are in use.
26. The exit doors from the premises to Dewsbury Terrace shall be kept closed except when actually in use.
27. When the premises are in use, under this licence the pair of gates between the rear entrance and Kentish Town Rd shall be kept locked back in such a manner that a key will be needed to release them.
28. The loud speakers in the main room must be kept mounted on the concrete plinths which are isolated from the structure, to prevent structural transmission of sound.
29. Under no circumstances shall speaker systems provided to amplify music and/or voices for entertainment purposes be positioned off the acoustic supporting plinths.
30. The Aims Minns Sound Level Controller shall be maintained and calibrated to the satisfaction of the Council to ensure suitable maximum volumes are maintained within the premises.
31. Where the entertainment provided consists, to a significant degree, of dancing by customers, the licensee shall ensure an adequate supply of wholesome, cool, fresh drinking water is available for the use of the customers. This water must be readily available throughout the time the entertainment is provided, and is to be supplied free of charge.

Acoustic Criteria

32. 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 (L_{Aeq}) 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 (L_{eq}) 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.

33. 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 (L_{Aeq}) 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.

The unweighted equivalent noise level (L_{eq}) 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.

34. After 2300hrs Applicable To All Entertainment Premises

The noise climate of the surrounding area shall be protected such that the A-weighted equivalent continuous noise level (L_{Aeq}) 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 (L_{eq}) 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. No sound emanating from the establishment should be audible within any noise sensitive premises between 23.00 and 07.00 hours.
36. The licensee shall, in consultation with the Council and Metropolitan Police, develop a crime prevention strategy for the premises and in particular shall carry out a risk assessment in respect of the possibility of assaults to customers and staff."

37. "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."
38. "The licensee shall take all reasonable steps to ensure that there is no unauthorised advertising of events to be held at the premises."
39. "The licensee shall carry out a risk assessment in respect of the potential harm to customers of the use of illegal drugs, whether taken on the premises or taken by a customer prior to entering the premises, and shall put in place appropriate measures to mitigate any such harm."
40. A comprehensive staff training programme is to be put together which will cover the Licensing Act 2003, Fire Evacuation procedures, Critical incident best practice, crime scene best practice and illegal drug taking. This training is to be clearly documented and any training for future staff must also be organised at the appropriate time. Training shall be written into a program of on-going review and will be made available for inspection by the Police and other responsible authorities upon request.
41. For 8 weekends per year, the licensable hours for live music may be extended to begin at midday and end at 23:00. The licence holder shall notify the Licensing authority and the Police 28 days prior to these weekends. The event shall not go ahead without the written approval of both the Licensing Authority and the Police.
42. The premises licence holder shall ensure that CCTV cameras and recorders are installed at the premises and are of standard acceptable to and approved by the Police.
43. The system shall be maintained in good working order and at all times the premises is open to the public, be fully operational covering both internal and external areas of the premises to which the public have access.
44. The CCTV camera views are not to be obstructed.
45. At least one CCTV camera is to be placed no more than seven feet above floor level; near to the exit in order to capture clear facial images of all persons leaving the premises.
46. The medium on which CCTV images are recorded shall be of evidential quality; stored securely; shall be retained for a period of 31 days; and be available for inspection by the Police or Local Authority upon request.
47. At all times when the premises are open for the purposes of licensable activities, a suitably trained member of staff shall be present to assist the Police or an authorised officer in obtaining the CCTV footage.

48. Copies shall be made available within 48 hours to the Police or Local Authority, upon request.
49. The facility to transfer the images to a compatible, removable format shall be held on the premises.
50. Staff working at the premises shall be trained in the use of CCTV and a log will be kept to verify this.
51. Signs must be displayed in the customer areas to advise that CCTV is in operation.
52. If the CCTV is inoperative or not installed and working to the satisfaction of the Police, then within 48 hours the Police shall be notified and estimate given of the repair timescale. The premises shall comply with all reasonable requests from the Police.
53. A management document is to be drawn up, maintained and amended as required which will deal with the following:
 - a) Definition of promotions, events and bookings
 - b) Procedure for the management of each category
 - c) Security procedures including the reporting of incidents
 - d) Procedure for ensuring promoters are informed of and are managed in such a way as to promote the Licensing Objectives and ensure compliance with the conditions on the premises licence.
 - e) Response plan and management structure in the event of an emergency
54. For any event involving a promoter, their associates, DJ or artist (e), or one where the venue has been booked by an outside agent with a view to selling tickets to the public for profit; the licensee shall complete a risk assessment Form 696 and email it to SCD9Proact1velicensingIntelligence@met.pnn.police.uk, and copied to EK- Licensing@met.police.uk at least 14 days prior to the event. The Licensee shall notify the Metropolitan Police using the same emails if there are any short-notice bookings of events or any unusual or large scale event as soon as reasonable practicable. The police will have the right of absolute refusal of any such events for reason of late notification.
55. The venue must employ and document a dispersal policy to the satisfaction of the Police and Licensing Authority, for the patrons leaving the venue at the end of an event. These documents must be made available on request to any responsible authority and be reviewed on a monthly basis.
56. No persons carrying visibly open or sealed alcohol vessels shall be admitted to the premises at any time that the premises are open for any licensable activity.

57. No patron shall be allowed to leave the premises whilst in the possession of any drinking vessel or bottle whether empty or containing any beverage.
58. A Challenge 25 policy will be enforced, where any person reasonably looking under the age of 25 shall be asked to prove their age when attempting to purchase alcohol and signs to this effect will be displayed at the premises. The only acceptable forms of identity will be those with photographic Identification documents recognised in the Home Office guidance; including passports, photo-card driving licence or proof of age card bearing the PASS hologram.
59. The venue shall not engage the services of street promoters to encourage clientele to attend the venue.
60. All Alcohol must be served in plastic or polycarbonate receptacles.
61. Venue is to start to increase lighting at least 30 minutes before the end time the venue is permitted to supply alcohol; with full lighting no later than 15 minutes before that point.
62. Consumption of alcohol on the premises shall cease 30 minutes after the permitted hours for the sale of alcohol.
63. Venue is to start 'softening' the music style, In order to assist with a controlled dispersal policy at least 30 minutes before the end time the venue is permitted to supply alcohol.
64. Police must be called to incidents of violence and/or disorder.
65. An incident log shall be kept at the premises, and made available on request to an authorised officer or the Police, which will record the following:
 - a) all crimes reported to the venue
 - b) all ejections of patrons
 - c) any complaints received
 - d) any Incidents of disorder and violence
 - e) all seizures of drugs or offensive weapons
 - f) any faults in the CCTV system or searching equipment
 - g) any refusal of the sale of alcohol to Include date, time, and staff member
 - h) any visit by a relevant authority or emergency service.
 - i) CAD reference numbers where Police are called.
66. Where the premises are open for licensable activities on Fridays and Saturday from 22:00 hours, a minimum of fifteen (15) SIA-registered door supervisors shall be employed at the premises until 30 minutes after close.

67. A door supervisor's register shall be updated on occasions when supervisors are employed. The register is to be made available for inspection by the Police and/or Licensing Authority. Details to show:
 - a) full name;
 - b) date of birth;
 - c) SIA Registration Number; and
 - d) date and hours worked.
 - e) Contact telephone number and email address
68. A coloured photocopy of each door supervisor's SIA badge shall be taken by the DPS and retained at the premises.
69. Where the venue runs promoted events, or when recommended by Police; and in any case, after 2100 hours on Thursday, Friday and Saturday; every customer is to be subjected to a search, including of the person, wallets, bags, purses, and any other items carried on or by the customer. All searches are to be conducted by authorised door staff and must be carried out within an area covered by the venue's CCTV system. Refusal to being searched will result in No Entry.
70. All door supervisors will wear high-visibility jackets or vests or high-visibility arm bands whilst working at entry/exit points and around the exterior of the building.
71. All Door supervisors are to use body worn cameras. In the event of an incident, the footage must be made available to Police upon request. The venue will ensure that a suitable, expeditious playback/ downloading system is in place for Police to be able to obtain any evidential footage.
72. Door supervisors and appropriate staff shall be provided with two-way" radios or similar systems capable of ensuring continuous communication between each other at all times that the premises are open for a licensable activity.
73. The designated queuing area shall be enclosed within appropriate barriers to ensure that the footway is kept clear.
74. The smoking area to be constantly supervised by an SIA registered door supervisor who will monitor the capacity and restrict access when necessary.
75. The licence holder shall ensure that any queue to enter the premises which forms outside the premises is orderly and supervised by door staff so as to ensure that there is no public nuisance or obstruction to the public highway.
76. The Security Company that is employed by the venue must inform Camden Police Licensing Team, if the venue disregard the Security Company entry/exit protocol or recommendations by the security company. For example when a large group of men are turned away by security due to a risk of violence, but the venue ask them back and into the venue.
77. Venue to Inform Police if they change their Security Company.

78. Signage shall be displayed in a prominent position on the premises requesting that customers leave quietly.
79. No lagers or ciders in cans or plastic bottles over 5.5% ABV to be sold or stored on the premises.
80. No white cider products above 5.5% ABV to be sold or stored on the premises.
81. A personal licence holder to be present at the venue at all times when the venue is open during licensed hours.
82. A visible sign to be in place reminding customers that Camden Borough is a Controlled Drinking Zone and alcohol must not be consumed in the street.
83. The Premises Licence Holder and/or Designated Premises Supervisor shall not purchase any alcohol goods from door to door sellers.
84. The Premises Licence Holder and Designated Premises Licence Holder shall ensure alcohol is only purchased from an authorised wholesaler and shall produce receipts for the same upon request for Inspection. (An authorised wholesaler means an established warehouse or trade outlet with a fixed address and not a van or street trader, even if they claim they are part of, or acting on behalf of, an authorised wholesaler who provides full itemised VAT receipts).
85. The Premises Licence Holder and Designated Premises Supervisor shall ensure persons responsible for purchasing alcohol do not take part in any stock swaps or lend or borrow any alcoholic goods from any other source unless the source is another venue owned and operated by the same company who also purchase their stock from an authorised wholesaler.
86. Prominent signs shall be displayed at all entrances to the premises stating the premises will not buy goods from any caller to the premises. The signs shall be displayed regardless of whether public access is permitted at that entrance.
87. The premises licence holder shall ensure all receipts for alcohol goods purchased include the following details:
 - a) seller's name and address
 - b) sellers company details, if applicable
 - c) seller's Vat details, if applicable
 - d) vehicle registration details, if applicable
88. Legible copies of the documents referred to in condition 88 shall be retained on the premises and made available for inspection by Police and authorised Council Officers on request.
89. Copies of the documents referred to in Condition 88 above shall be retained on the premises for a period of not less than twelve months.

90. Notices shall be displayed within the premises warning customers about personal thefts, and to be vigilant.
91. Security staff make sure all customers are ware by verbally telling them to keep items safe and a cloakroom is available.
92. The venue will use, to the satisfaction of Police Licensing, an electronic 'scanning' identification system in order that the identity of all persons entering the venue can be confirmed. This will be used at all times.

93. Model Standard Conditions

CONTENTS

STANDARD CONDITIONS that apply to all premises

Part

I	General, including Definitions	Conditions 1 – 6
	page 4	
II	Activities for which a specific consent or waiver is required	Conditions 7 – 10
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III	Particular responsibilities of the Licensee	Conditions 11 – 18
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IV	Conditions relating to safety including fire safety	Conditions 19 – 31
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V	Sanitary arrangements, heating, lighting, and ventilation	Conditions 32 – 41
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	together with	
	Appendix 1.	Technical Regulations
	Appendix 2.	Specimen form of licence
	Appendix 3.	Staff training
	Appendix 4.	Fire log-book
	Appendix 5.	Specimen staff duty register
	Appendix 6.	Maintenance of fire-fighting equipment, fire alarm warning system and smoke ventilators
	Appendix 7.	Specimen check list
	Appendix 8.	Certificates to be submitted to the Council
		and an index which includes all Additional Conditions whether or
	not attached	

**The following Additional Conditions will also be supplied
as appropriate to the use of the premises:**

- Additional Conditions A: Premises used for closely seated audiences
- Additional Conditions C: Premises used for film exhibitions,
with Appendix C1: Model Membership Rules for club cinemas
showing RESTRICTED (18) films, where appropriate
- Additional Conditions D: Premises using Door Supervisors
with Appendix D1: Specimen Door Supervisor log-book
- Additional Conditions FX: Use of special effects
with Appendix FX1: Application form and check list
- Additional Condition GO: The keeping of good order
- Additional Conditions H: Entertainment involving hypnotism
with Appendix H1: Application procedure for consent for
entertainment involving hypnotism
- Additional Conditions K: Performances especially for children
- Additional Conditions S: Use of scenery and properties
- Additional Conditions SE: Premises used for indoor sports entertainment
- Additional Conditions SX: Sex-related entertainment
with Appendix SX1: Definition of sex establishment
- Additional Conditions T: Premises used for performances on a stage
with Appendix T1: Guidance note: Children in performances

Notification periods for particular Conditions

Condition	Notification required	Period
9 (b)	Proposed use of special effects	At least 10 days before
10	Proposed use of storage cylinders	At least 10 days before
28	Loss of water	As soon as possible
38 (a)	Temporary electrical wiring or distribution system	At least 10 days before
38 (c)	Certificate for temporary electrical wiring, etc	As soon as possible
41	Certificates	Annually
C8	Showing of unclassified films	At least 28 days before
C15 (f)	Membership rule(s) for club cinema	At least 10 days before
C15 (f)	Change of membership rule(s) of club cinema	Within 10 days after
H1.2	Application for consent for hypnotism	At least 28 days before
SE1	Use for indoor sports entertainment	At least 10 days before
T1 (b)	Change of production	At least 10 days before
T3 (e)	Safety curtain out of order	As soon as possible
T7 (b)	Proposal for pop concert	At least 28 days before
T8	Proposal to use live animal, bird or fish	At least 10 days before

Nothing in this table shall be taken to imply that the Council's consent will be granted for any activity or action that requires consent merely because the appropriate notification was made.

INTRODUCTION

1. The Council may dispense with or modify any Condition in any particular case. The Council may also impose additional Special Conditions in any particular case.
2. Any Licensee may apply to the Council in writing for any of the terms of the licence to be varied and, within London, if the Council so requires, the application must be advertised.
3. Licensees and prospective Licensees are advised to obtain any necessary planning consents before applying for a licence or a variation of a licence.
4. Licensees are advised to study carefully all of the Conditions attached to the licence, including any Special Conditions, and especially the definitions contained in Condition 2. In order to reduce the length of this document, many Conditions rely upon the use of words precisely defined in Condition 2; such words are indicated by *italics*.
5. Licensees should be aware that possession of a licence, to which these Conditions apply, does not in any way relieve employers of the statutory duty to comply with the requirements of other legislation including the Health and Safety at Work etc Act 1974, associated regulations and especially the requirements under the Management of the Health and Safety at Work Regulations and the Fire Precautions (Workplace) Regulations to undertake risk assessments. Employers should assess the risks, including the risks from fire, and take the measures necessary to avoid or control these risks. These assessments should be considered together with these Conditions by those managing health and safety at the premises.

STANDARD CONDITIONS WHICH APPLY TO ALL PREMISES

- NOTE:**
- (1) The Council has adopted Technical Regulations concerning the necessary standards for licensed premises that have to be satisfied before the issue of a licence. It is a Condition of the licence that there is continued compliance with these Regulations, which are set out in full in Appendix 1. They form the basis of the approved arrangements for the issue of the licence.
 - (2) The contents list, timetable, marginal headings and index are for ease of reference and do not form part of these Conditions.
 - (3) Notes are provided for guidance and do not form part of these Conditions.

**PART I
GENERAL**

Application

- 1** These Conditions and Definitions shall apply whenever the *premises* are in use under the terms of a licence issued by the *Council*.

Note: In order to ensure the safety of *staff* and performers, it is generally advisable to extend the operation of arrangements provided for the safety of the *public* to all times when the *premises* are occupied.

Definitions

2 In these Conditions the following words have the meanings indicated. Except where the context demands otherwise the singular includes the plural and the masculine includes the feminine. Words in *italics* throughout these Conditions denote words defined below.

Accommodation limit

the maximum number of people, not being *staff* or performers, permitted by the *Council* to be within the *premises* or a designated area of the *premises* when they are in use under the terms of a licence issued by the *Council*.

Note:

(1) Experience has shown that where *accommodation limits* include *staff*, *Licensees* may reduce the number of *staff* present as the *entertainment area* becomes more crowded in order to comply with the *accommodation limits* on the licence. Such reduction is undesirable. Therefore *accommodation limits* exclude *staff* and performers.

(2) In exceptional circumstances the *Council* may also limit the numbers of *staff* and performers.

Approved

permitted in advance by the *Council* in writing.

Approved arrangements

the arrangement of the *premises*, (including the layout, fittings, installations and all other things in connection therewith) as *approved* by the *Council*.

Attendant

a member of *staff* on duty to assist the *public* entering or leaving auditoria and to assist in the event of fire or other emergency.

Authorised Officer

any police or fire officer or any person authorised in writing by the *Council*.

Balcony front

the barrier at the front edge of a balcony which prevents people from falling on to the floor or tier beneath the balcony.

BS

the appropriate British Standard, which may be an equivalent harmonised European Standard. All references to British Standards are to the current edition unless a date is shown.

Certificate

a written report or reports of *inspection* and satisfactory condition completed by an appropriately qualified engineer or other *competent person* and normally submitted to the *Council* within one month of *inspection*.

Note:

The *competent person*, when completing the *certificate*, may indicate the period of validity of the *certificate*, which will

	normally be accepted by the <i>Council</i> .
<i>Competent person</i>	a person who has such practical and theoretical knowledge and such experience as is necessary to carry out the work and who is aware of the limits of his own ability, expertise and knowledge.
<i>Consent</i>	permission given in advance by the <i>Council</i> in writing.
<i>Council</i>	the licensing authority named on the licence.
<i>Door Supervisor</i>	any person employed at or near the entrance to the <i>premises</i> to ascertain or satisfy himself as to the suitability of members of the <i>public</i> to be allowed on the <i>premises</i> or any person employed to maintain order on the <i>premises</i> . Note: The <i>Council</i> will not normally consider the <i>Licensee</i> or <i>Duty Manager</i> to be a Door Supervisor.
<i>Duty Fire Officer</i>	a member of <i>staff</i> who has been adequately trained in fire prevention and fire-fighting to the satisfaction of the <i>Council</i> .
<i>Duty Manager</i>	a person appointed by the <i>Licensee</i> in writing to be in charge of the <i>premises</i> .
<i>Durably-treated flame-retarded fabric</i>	see under <i>Flame-retarded fabric</i>
<i>Emergency lighting</i>	see under <i>Lighting</i>
<i>Entertainment area</i>	that part of the <i>premises</i> which is constructed and arranged for use for entertainments including any <i>stage</i> or auditorium.
<i>Escape lighting</i>	see under <i>Lighting</i>
<i>Film exhibition</i>	any exhibition of moving pictures which is produced otherwise than by the simultaneous reception and exhibition of programmes included in a programme service within the meaning of the Broadcasting Act 1990.
<i>Flame-retarded fabric</i>	a fabric that has been tested using the methods in <i>BS 5438: 1989</i> Tests 2A (face ignition) and 2B (bottom ignition) using a 10 second flame application time in each case. The results of tests on the fabric shall show that no part of any hole nor the lowest boundary of any flaming reached the upper or either vertical edge of the specimen and that there was no separation of any flaming debris. (This performance standard is akin to that set out in <i>BS 5867-2: 1980</i> Type B.)

<i>Durably-treated flame-retarded fabric</i>	a fabric that has been chemically treated to render it flame-retarded. Prior to the ignitability tests set out above the fabric is subjected to the appropriate wetting or cleansing procedure set out in <i>BS 5651: 1989</i> . After this washing or cleansing procedure, the fabric shall meet the performance standard for <i>flame-retarded fabric</i> set out above.
<i>Inherently flame-retarded fabric</i>	a fabric which, although not non-combustible and not subjected to any flame-retarding process or finish, meets the performance standard for <i>flame-retarded fabric</i> set out above throughout its thickness. The <i>BS 5651</i> 'durability' procedure can be omitted before testing fabrics composed entirely of thermoplastic materials such as nylon, polyester or modacrylic, to which a flame-retarding treatment has not been applied.
<i>Indoor sports</i>	see under <i>Sports entertainment</i>
<i>Inherently flame-retarded fabric</i>	see under <i>Flame-retarded fabric</i>
<i>Inspect/inspection</i>	to carry out a visual inspection accompanied by such other test as may be necessary, in the opinion of the <i>competent person</i> carrying out the inspection, to enable the completion of a <i>certificate</i> of (satisfactory) condition.
<i>Licensee</i>	the person (or body) to whom the <i>Council</i> has granted the licence or who is deemed to be the holder of the licence under the relevant statutory provision.
<i>Lighting</i>	
<i>Emergency lighting</i>	lighting provided for use in the event of the failure of the <i>normal lighting</i> system. Emergency lighting includes <i>escape lighting</i> . Any reference in these Conditions to an emergency lighting battery shall be taken to apply to all batteries provided as part of the emergency lighting installation.
<i>Escape lighting</i>	that part of the <i>emergency lighting</i> which is provided to ensure that the escape routes are illuminated at all material times. In these Conditions any reference to <i>emergency lighting</i> shall be taken to apply likewise to any escape lighting not provided as part of an <i>emergency lighting</i> installation.
<i>Management lighting</i>	the combination of the <i>emergency lighting</i> and that part of the <i>normal lighting</i> which, in the absence of adequate daylight, is intended to facilitate safe movement about the <i>premises</i> .

Note:	In closely-seated auditoria this would be the usual performance mode.
<i>Normal lighting</i>	all permanently installed electric lighting operating from the normal supply which, in the absence of adequate daylight, is intended for use during the whole time that the <i>premises</i> are occupied.
Note:	Normal lighting does not include <i>emergency lighting</i> , purely decorative lighting and stage or performance lighting.
<i>Local Fire Control Centre</i>	the address and telephone number which the <i>Licensee</i> has confirmed with the Fire Authority as appropriate for the <i>Licensee</i> to use in order to make contact with the fire brigade in a non-emergency but immediate manner.
<i>Log-book</i>	(i) Any log-book <i>required</i> under these Conditions shall be: accurate and up to date; bound and consecutively numbered; retained in a safe and secure place on the <i>premises</i> for a minimum of 5 years after the date of last entry or for such longer period as <i>required</i> ; and readily available for examination by an <i>Authorised Officer</i> .
Note:	Log-books may be kept in a manual form. The <i>Council</i> will accept records in electronic form provided the <i>Licensee</i> can demonstrate adequate security and integrity of the information. Specimen Fire log-books are provided in Appendix 4.
<i>Management lighting</i>	see under <i>Lighting</i>
<i>Normal lighting</i>	see under <i>Lighting</i>
<i>Open stage Pop concert</i>	see under <i>Stage</i> an event at which live or recorded amplified music is played and which could reasonably be expected to attract an audience of such a nature as could lead to problems with crowd control, over-excitement and/or unruly behaviour.
<i>Premises</i>	all parts of the premises as licensed by the <i>Council</i> including the ancillary parts of the building such as offices, changing rooms, workshops, stores etc which are used in connection with the <i>entertainment area</i> .
<i>Public</i>	persons, other than <i>staff</i> or performers, who are on the <i>premises</i> , whether or not they are members of a club and irrespective of payment.
<i>Required</i>	specified by the <i>Council</i> in writing.

Scenery	includes cloths, drapes, gauzes, artificial foliage and fabric decorations.
Separated stage	see under Stage
Special effects	any device or effect which was not included in the original licensing risk assessment for the <i>premises</i> which, if not properly controlled, may present a hazard. Examples include the use of dry ice machines, cryogenic fogs, smoke machines, fog generators, pyrotechnics and fireworks, real flame, firearms, motor vehicles, strobe lighting and lasers.
Special risks	any entertainment which falls outside the normal use of the <i>premises</i> and which, if not properly controlled, may present a hazard. Examples include foam parties, skating to music and performances especially for children.
Sports entertainment	contests, exhibitions or displays of any sport where physical skill is the predominant factor (except dancing in any form) held indoors to which the <i>public</i> are invited as spectators.
Staff	any person, whether or not employed by the <i>Licensee</i> , concerned in the management, control or supervision of the <i>premises</i> who has been given specific responsibilities by the <i>Licensee</i> or <i>Duty Manager</i> .
Staff alerting system	a system (whether electronically operated or otherwise) for immediately alerting <i>staff</i> to take appropriate action in the event of fire or other emergency.
Stage	the specific part of an <i>entertainment area</i> on which performers perform which is distinct from the area occupied by the <i>public</i> , often elevated above level of the adjacent floor; includes, where the context permits, platform, dais or rostrum.
Open stage	a <i>stage</i> which is not separated from the auditorium by a safety curtain. An <i>open stage</i> should, however, be separated from the rest of the <i>premises</i> , other than the <i>stage fire risk area</i> , by fire-resisting construction.
Separated stage	a <i>stage</i> that is separated from the rest of the <i>premises</i> , other than the <i>stage fire risk area</i> , by fire-resisting construction and provided with a safety curtain, which affords smoke separation between the <i>stage</i> and the auditorium. The safety curtain is normally installed to close off a proscenium opening.
Stage fire risk area	the <i>stage</i> and the auditorium together with any scene dock, workshop, stage basement, staff or other room associated

with the *stage*. The *stage fire risk area* is separated from the rest of the *premises* by fire-resisting construction.

Trailer

a film advertising a *film exhibition*.

Standard hours of opening	3	The <i>premises</i> shall not open to the <i>public</i> before 9.00 a.m. On Sundays, Good Fridays and Christmas Day the <i>premises</i> shall not open before 2.00 p.m. for the performance of plays.
Standard hours of closing	4	<p>The <i>premises</i> shall not be kept open after 11.00 p.m. for music, music and dancing, boxing, wrestling or indoor sports or after midnight for plays and <i>film exhibitions</i>.</p> <p>Note: This is the standard terminal hour, which may be varied in particular cases.</p>
Licence	5	<p>(a) The relevant licence or a clear copy of it shall be prominently exhibited in a position where the <i>public</i> can easily read it. For the purpose of this Condition the licence shall be interpreted to mean the licence document containing conditions specific to the <i>premises</i>, including any <i>accommodation limits</i>.</p> <p>Note: Appendix 2 illustrates an example of the licence which should be displayed; this normally consists of one or two pages.</p> <p>(b) A copy of any Standard Conditions shall be readily available to the <i>Duty Manager</i>.</p> <p>Note: This will include any Additional Conditions attached to the licence.</p> <p>(c) The <i>premises</i> shall not be used for any purpose for which a licence is <i>required</i> unless specifically licensed for that purpose.</p> <p>Note: If the <i>premises</i> are licensed for several types of entertainment but are regularly used for one type of entertainment, the <i>Council</i> should be informed of any change to a different type of entertainment.</p>
Admission of Authorised Officers	6	<p><i>Authorised Officers</i> who carry written authorisations and proof of identity, which they will produce on request, shall be admitted immediately to all parts of the <i>premises</i> at all reasonable times.</p> <p>Note: <i>Authorised Officers</i> examining <i>entertainment areas</i> whilst a performance is in progress should take care not to interrupt the performance and to respect privacy.</p> <p>The <i>Licensee</i> should ensure that reasonable assistance is given to <i>Authorised Officers</i> to enable them to discharge their functions.</p>

PART II

ACTIVITIES FOR WHICH A SPECIFIC CONSENT OR WAIVER IS REQUIRED

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|--|-----------|---|
| Hypnotism | 7 | <p>(a) The <i>Licensee</i> shall not permit any exhibition, demonstration or performance of hypnotism, mesmerism or any similar act or process which produces or is intended to produce in any person any form of induced sleep or trance in which susceptibility of the mind of that person to suggestion or direction is increased or intended to be increased. This Condition does not apply to exhibitions given under the provisions of Section 2(1A) and 5 of the Hypnotism Act 1952.</p> <p>Note: Any waiver of this Condition by the <i>Council</i> will be subject to Additional Conditions H. The procedure for application to waive this Condition is set out in Appendix H1, which will be sent to the <i>Licensee</i> on request.</p> |
| Entertainment involving special risks | 8 | <p>(a) The <i>Licensee</i> shall not permit an entertainment that involves <i>special risks</i> except with <i>consent</i>. Any <i>approved</i> performances especially for children shall comply with Additional Conditions K.</p> <p>(b) The <i>Licensee</i> shall not permit explosives or highly flammable substances to be brought onto the <i>premises</i> except with <i>consent</i>. Any storage of explosives or highly flammable substances shall comply with Additional Condition FX10.</p> |
| Entertainment using special effects | 9 | <p>(a) The <i>Licensee</i> shall not permit the use of <i>special effects</i>, except with <i>consent</i>. Any <i>approved</i> use of <i>special effects</i> shall comply with Additional Conditions FX.</p> <p>(b) The <i>Licensee</i> shall give the <i>Council</i> at least 10 days' notice in writing of any proposal to use <i>special effects</i>. The notice shall include, save in exceptional circumstances, exact details of the proposal including the date and time when the <i>special effects</i> can be demonstrated.</p> |
| Compressed gases | 10 | <p>Compressed or liquefied gases shall not be used except with <i>consent</i>. At least 10 days' notice in writing shall be given to the <i>Council</i> of any proposal to bring storage cylinders into the <i>premises</i>.</p> <p>Note: This Condition does not normally apply to gas cylinders used in connection with the dispensing of beverages.</p> |

PART III PARTICULAR RESPONSIBILITIES OF THE LICENSEE

Overall responsibility of Licensee	11	<p>(a) The <i>Licensee</i> shall ensure that the <i>premises</i> continue to comply with the Technical Regulations as set out in Appendix 1. No alterations shall be made to the <i>approved arrangements</i> except with <i>consent</i>.</p> <p>(b) The <i>Licensee</i> shall, except with <i>consent</i>, retain control over all parts of the <i>premises</i>.</p> <p>(c) Either the <i>Licensee</i> or the <i>Duty Manager</i> shall be in charge of and within the <i>premises</i> whenever the <i>public</i> are present. However the <i>Licensee</i> remains responsible for the observance of all licensing conditions.</p>
Duty Manager	12	<p>The <i>Licensee</i> may authorise in writing a <i>Duty Manager</i>, who shall be at least 18 years old, to deputise for him. This written authorisation shall be kept on the <i>premises</i> and be readily available for examination by any <i>Authorised Officer</i>. The <i>Licensee</i> must be satisfied that anyone appointed as a <i>Duty Manager</i> understands the need to comply with the Conditions of the licence and is competent to perform the function of <i>Duty Manager</i>.</p> <p>Note:(1) Hereafter in these Conditions the term <i>Licensee/Duty Manager</i> will mean the <i>Licensee</i> or the <i>Duty Manager</i> as appropriate.</p> <p>(2) The <i>Licensee</i> may appoint a hirer of the <i>premises</i> to be <i>Duty Manager</i> if appropriate.</p>
Qualifications of Licensee and Duty Manager	13	<p>The <i>Licensee</i> (if an individual) and any <i>Duty Manager</i> shall:</p> <p>(ii) have undertaken an <i>approved</i> training course leading to the possession of the BIIAB Level 2 National Certificate for Entertainment Licensees; or</p> <p>(iii) possess an equivalent qualification, for example for concert halls, the National Vocational Qualification in Cultural Venue Administration (Level 3); or</p> <p>(iv) be able to demonstrate to the satisfaction of the <i>Council</i> that he possesses all relevant knowledge and experience.</p> <p>Note:(1) This Condition does not apply to theatres or cinemas.</p> <p>(2) This Condition does not apply to the <i>Duty Managers</i> of village halls or similar <i>premises</i>, or to other <i>premises</i> where the <i>Council</i> considers the</p>

requirement to be unnecessary.

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| Staff | <p>14 (a) The <i>Licensee/Duty Manager</i> shall ensure that he has sufficient trained <i>staff</i> on duty to ensure the safe evacuation of the <i>premises</i> in the event of emergency. Such <i>staff</i> shall have been specifically instructed on their duties in the event of an emergency by the <i>Licensee</i> or by a person nominated by him. The instruction given to <i>staff</i> shall include training on the safe and efficient running of the <i>premises</i> and the safe evacuation of the <i>premises</i>.</p> <p>Note: It is important that the evacuation procedures are fully understood by all <i>staff</i>, especially where a two-stage fire alarm warning system is operated during performances.</p> <p>(b) A nominated member of <i>staff</i> in addition to the <i>Duty Manager</i> shall have responsibility for fire prevention measures and for ensuring that all escape routes including exit doors are fully available.</p> <p>Note: This person should be the <i>Duty Fire Officer</i> where one is employed.</p> <p>(c) No <i>Door Supervisor</i> shall be employed at <i>premises</i> outside London except with <i>consent</i>. Any employment shall be in accordance with Additional Conditions D.</p> <p>(d) <i>Staff</i> with specific responsibilities in the event of fire or other emergency, together with deputies, shall receive training and written instruction appropriate to their role as set out in Appendix 3. The <i>Licensee/Duty Manager</i> shall, once he is satisfied as to the competence of each member of <i>staff</i>, record this in the Fire <i>log-book</i>.</p> |
| Fire log-book | <p>15 (a) The <i>Licensee</i> shall cause a Fire <i>log-book</i> to be kept which shall comply with Appendix 4.</p> <p>Note: <i>Licensees</i> are advised that it is good practice to keep a general incident <i>log-book</i> in which are recorded details of each day's events. This may be combined with the Fire <i>log-book</i>. Appendix 4 includes an example of this approach.</p> <p>(b) Any <i>Authorised Officer</i> shall be entitled to obtain a photocopy of any page(s) of any <i>log-book</i>.</p> |
| Staff register | <p>16 The <i>Licensee/Duty Manager</i> shall maintain a register indicating the numbers of <i>staff</i>, including any <i>Door Supervisors</i> and all performers, who are present when the <i>public</i> are present. This register shall be produced immediately on the request of an <i>Authorised Officer</i>. This Condition does not apply to any <i>premises</i> that are being used for a closely seated audience.</p> <p>Note: (1) A sample register is set out in Appendix 5.</p> |

(2) As *accommodation limits* exclude *staff* and performers, this register may be used by *Authorised Officers* to assist in deciding how many *staff* and performers are present in the *premises* at a given time. The register will also be used in the event of an emergency evacuation of the *premises*. It is essential, therefore, that the register is properly maintained and that it is readily available.

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| Dancing | 17 | Dancing shall be restricted to the areas designated by the <i>Council</i> . |
| Prevention of nuisance | 18 | <p>(a) The <i>Licensee/Duty Manager</i> shall ensure that no nuisance is caused by noise emanating from the <i>premises</i> or by vibration transmitted through the structure of the <i>premises</i>.</p> <p>(b) If <i>required</i>, clearly legible notices shall be displayed at all exits requesting the <i>public</i> to respect the needs of local residents and to leave the <i>premises</i> and area quietly.</p> |

PART IV

CONDITIONS RELATING TO SAFETY INCLUDING FIRE SAFETY

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|------------------------------|-----------|---|
| Approved arrangements | 19 | <p>(a) The <i>approved arrangements</i> shall be maintained in good condition and full working order. Fire-fighting equipment, the fire alarm warning system and any smoke ventilators shall be maintained in accordance with Appendix 6.</p> <p>(b) No alterations (including temporary alterations) shall be made except with <i>consent</i>.</p> |
| Minimising danger | 20 | The <i>Licensee</i> shall ensure that all performances or activities minimise any danger to the <i>public</i> . |
| Disabled people | 21 | <p>The <i>Licensee/Duty Manager</i> shall ensure that, whenever disabled people are present, adequate arrangements are made to enable their safe evacuation in the event of an emergency and that they are made aware of these arrangements.</p> <p>Note: <i>Licensees</i> are advised to obtain details of and seek to address any special needs when approached by organisers of parties of disabled people.</p> |
| Safety checks | 22 | <p>The <i>Licensee/Duty Manager</i> shall ensure that all necessary safety checks have been carried out before the admission of the <i>public</i>. Details of the checks shall be entered in the <i>Fire log-book</i>; this may be by use of a separate check list.</p> <p>Note: A specimen check list is provided in Appendix 7.</p> |
| Escape routes | 23 | (a) All escape routes and exits including external exits shall be maintained unobstructed, in good order with non-slippery and even surfaces, free of trip hazards and clearly identified in accordance with the <i>approved arrangements</i> . |

Note: In restaurants and other *premises* where chairs and tables are provided care should be taken that clear gangways are maintained.

- (b) All exit doors shall be available and easily openable without the use of a key, card, code or similar means. Only *approved* fastenings shall be used.

Note: Doors that are not in regular use should be opened in order to ensure they function satisfactorily.

- (c) Any removable security fastenings shall be removed from the doors prior to opening the *premises* to the *public*. All such fastenings shall be kept in the *approved* position(s).

- (d) If *required*, exit doors shall be secured in the fully open position when the *public* are present.

- (e) All fire doors shall be maintained effectively self-closing and shall not be held open other than by *approved* devices.

- (f) Fire-resisting doors to ducts, service shafts and cupboards shall be kept locked shut.

- (g) The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.

**Curtains,
hangings,
decorations,
upholstery**

24

- (a) Hangings, curtains, and temporary decorations shall be maintained *flame-retarded*.

- (b) Any upholstered seating shall continue to meet the pass criteria for smouldering ignition source 0, flaming ignition source 1 and crib ignition source 5 when tested in accordance with section 5 of *BS 5852:1990*.

Scenery

- (c) Any *scenery* shall be maintained *flame-retarded* in accordance with Additional Conditions S.

- (e) Temporary decorations shall not be provided except with *consent*. When seeking *consent* for temporary decorations the *Licensee* shall advise the *Council* of the period for which it is desired to retain them.

- (f) Curtains, hangings and temporary decorations shall be arranged so as not to obstruct exits, fire safety signs or fire-fighting equipment.

**Accommodation
limits** 25

The *Licensee/Duty Manager* shall ensure that the *accommodation limit(s)* specified on the licence are not exceeded and shall be aware of the number of the *public*

on the *premises*. This information shall be provided to any *Authorised Officer* immediately on request.

Note: Where there is an unusually large number of performers the *Council* should be consulted.

Fire action notices	26	Notices detailing the actions to be taken in the event of fire or other emergencies, including how the fire brigade can be summoned, shall be prominently displayed and shall be protected from damage or deterioration.
Outbreaks of fire	27	The fire brigade shall be called at once to any outbreak or suspected outbreak of fire, however slight, and the details recorded in the Fire <i>log-book</i> .
Loss of water	28	The <i>Licensee/Duty Manager</i> shall have readily available the telephone number of the <i>local Fire Control Centre</i> . The <i>Licensee/Duty Manager</i> shall notify the <i>local Fire Control Centre</i> as soon as possible if he is aware that the water supply to any hydrant, hose reel, sprinkler, drencher or other fire extinguishing installation is cut off or restricted.
Refuse	29	Refuse receptacles shall be emptied regularly.
Access for emergency vehicles	30	Access for emergency vehicles shall be kept clear and free from obstruction.
First aid	31	<p>(a) The <i>Licensee/Duty Manager</i> shall ensure that an adequate and appropriate supply of first aid equipment and materials is available on the <i>premises</i>.</p> <p>(b) If <i>required</i>, at least one suitably trained first-aider shall be on duty when the <i>public</i> are present. If more than one suitably trained first-aider is present, each person's responsibilities shall be clearly identified.</p>

PART V

SANITARY ARRANGEMENTS, HEATING, LIGHTING AND VENTILATION

Toilet accommodation	32	<p>(a) Toilet accommodation shall be provided free of charge and be kept clean and in proper working order.</p> <p>(b) An adequate supply of hot and cold (or warm) water, toilet paper in holders or dispensers, soap and suitable hand and face drying facilities shall be provided in toilet accommodation.</p>
Drinking water	33	Where free drinking water is provided for the <i>public</i> , it shall, except with <i>consent</i> , only be provided in a supervised

area.

- (d) The *public* shall not be re-admitted to the *premises* until the *normal lighting* has been fully restored and the battery fully recharged except where the *emergency lighting* battery has a one hour capacity and if the failure of the *normal lighting* was fully rectified within 20 minutes of failure and the battery is being re-charged; or where the *emergency lighting* battery has a 3 hour capacity and if the failure of the *normal lighting* was fully rectified within one hour of failure and the battery is being re-charged.

Temporary electrical installations

- 38 (a) Temporary electrical wiring and distribution systems shall not be provided without notification being given to the *Council* at least 10 days before the commencement of the work.

Note: This Condition does not normally apply to electrical equipment on a *stage* provided with permanently installed distribution facilities.

- (b) Temporary electrical wiring and distribution systems shall comply with recommendations of *BS 7671* or where applicable *BS 7909*.
- (c) Temporary electrical wiring and distribution systems shall be *inspected* and certified by a *competent person* before they are put into use. A copy of the *certificate* shall be sent to the *Council* as soon as possible.
- (d) Temporary electrical wiring and distribution systems shall be provided only for a period of up to 3 months. This period may be extended subject to a satisfactory electrical test and *inspection* report being submitted to the *Council* at the end of each 3 month period.

Note: The *Council* will normally require temporary electrical wiring and distribution systems to be removed at the end of the 3 month period or to be made permanent during that period.

Ventilation

- 39 (a) The *premises* shall be effectively ventilated.
- (b) Where the ventilation system is designed to maintain a positive air pressure within part of the *premises*, that pressure shall be maintained whenever the *public* are present in that part of the *premises*.

Note: This Condition applies mainly to closely seated auditoria.

Cleansing ventilation

- 40 (a) Ventilation ducting and other shafts shall be kept clean.

**ducting and
filters**

- (b) Any air filters shall be periodically cleaned or replaced so as to maintain a satisfactory air supply.

- (c) All interior surfaces of extract ventilation ducting serving kitchens and serveries shall be thoroughly cleaned as frequently as necessary to prevent the accumulation of grease and fat and at least once per year.
- (d) Grease filters in extract ventilation hoods in kitchens and serveries shall be cleaned weekly or at other intervals as *required*.

Certificates**41**

Certificates shall be submitted to the *Council* as specified in Appendix 8.

APPENDIX 1
See Condition 11

TECHNICAL REGULATIONS

Waiver	1	The <i>Council</i> may modify, waive or dispense with any of the following Regulations provided, in the opinion of the <i>Council</i> , the completed <i>premises</i> meet the intended function of the Regulations.
Site	2	The <i>premises</i> shall have a sufficient frontage to a road or to an open space having sufficient access to a road to ensure the rapid dispersal of people from the <i>premises</i> in emergency.
Emergency access	3	Adequate arrangements shall be provided for access for the fire brigade for fire fighting.
Accommodation limit	4	The maximum number of people permitted within the <i>premises</i> shall be determined by the <i>Council</i> .
Control of numbers	5	The <i>premises</i> shall be provided with adequate facilities to monitor and control the number of people present.
Disabled people	6	Suitable provisions shall be made to enable disabled people to use the <i>premises</i> including the provision of adequate access and means of escape.
Noise nuisance	7	The <i>premises</i> shall be arranged to minimise the risk of noise nuisance to nearby properties.
Means of escape	8	There shall be adequate means of escape from all parts of the <i>premises</i> .
Structural collapse	9	The <i>premises</i> and the fitments therein shall be constructed and maintained so as to minimise any risk of structural failure or collapse.
Guarding	10	Adequate barriers or guarding shall be provided throughout the <i>premises</i> to minimise so far as practicable the risk of any person falling.
Fire resistance	11	The <i>premises</i> shall be adequately protected against the effects of a fire occurring within the building or in any adjacent building.
Smoke control	12	Adequate provision shall be made to control the spread of smoke through the <i>premises</i> in the event of fire.
Safety curtain	13	Where a safety curtain is provided, it shall be arranged so as protect the audience from the effects of a fire or smoke on <i>stage</i> for sufficient time to enable the safe evacuation of the auditorium.

Lightning protection	14 Adequate protection against lightning shall be provided.
Fire control measures	15 Details of any fire control measures incorporated in the <i>premises</i> shall be provided for the fire brigade.
Electrical installation	16 The electrical installation shall be mechanically and electrically safe and suitable for the intended use of the <i>premises</i> .
Lighting	17 All parts of the <i>premises</i> shall be provided with adequate illumination. All routes of escape and all parts of the <i>premises</i> to which the <i>public</i> have access shall be provided with adequate and assured illumination from two independent supplies and systems.
Ventilation	18 Adequate ventilation shall be provided to all parts of the <i>premises</i> so as to maintain healthy conditions.
Heating	19 Permanent means of heating all regularly occupied parts of the <i>premises</i> shall be provided and shall be arranged so as not to cause a safety or fire hazard.
Water & drainage	20 The <i>premises</i> shall be provided with a permanent water supply and adequate drainage.
Sanitary accommodation	21 Adequate and free sanitary accommodation shall be provided, having regard to the type of entertainment to be given at the <i>premises</i> .
Cloakrooms	22 Adequate cloakrooms for patrons together with adequate changing rooms for <i>staff</i> including performers shall be provided, having regard to the operation of the <i>premises</i> .
Food hygiene	23 Facilities for the preparation, cooking or sale of food shall prevent any risk of contamination of the food.
Drinking water	24 An adequate supply of free drinking water shall be provided for all <i>staff</i> including performers, together with free drinking water for patrons if <i>required</i> .
Refuse	25 Adequate provision shall be made for the safe storage and ready removal of refuse.
Fire alarm	26 A fire alarm warning system and efficient means of communication in case of emergency shall be provided throughout the <i>premises</i> .
Summoning the fire brigade	27 Efficient means shall be provided for calling the fire brigade in the event of fire.

Fire-fighting equipment	28	Adequate fire-fighting equipment shall be provided for the <i>premises</i> .
Generator safety	29	Where a generator is installed it shall not present any fire or electrical hazard to the rest of the <i>premises</i> .
Generator capacity	30	Where a generator is installed to provide an alternative electricity supply to emergency equipment or to <i>emergency lighting</i> it shall have sufficient capacity and be able to start operating sufficiently quickly to ensure safety in the event of the failure of the normal electricity supply.
First aid room	31	A First Aid Room shall be provided in any <i>premises</i> with an <i>accommodation limit</i> of 1000 or more people (or 1500 or more people in the case of a closely-seated auditorium.)
Communication	32	The <i>premises</i> shall have adequate facilities for communication with the <i>staff</i> and the <i>public</i> .
Safety signs	33	Adequate safety signs shall be provided throughout the <i>premises</i> .
Information signs	34	All facilities intended for use by the <i>public</i> shall be clearly indicated.
Mechanical installations	35	Any mechanical installation shall be arranged so as to minimise any risk to the safety of the <i>public</i> , performers and <i>staff</i> .
Special effects	36	Any <i>special effects</i> shall be arranged so as to minimise any risk to the <i>public</i> , performers and <i>staff</i> .
Certificates	37	Appropriate <i>certificates</i> shall be provided as evidence to the <i>Council</i> that the <i>premises</i> may be safely opened to the <i>public</i> .

Note: Advice on how these technical requirements may be met can be found in *Technical Standards for Places of Entertainment*, produced jointly by the Association of British Theatre Technicians and the District Surveyors Association.

APPENDIX 2
See Condition 5

SPECIMEN FORM OF LICENCE

Shire District Council

LICENCE NUMBER

007

**WEEKDAY LICENCE FOR MUSIC AND DANCING AND
ENTERTAINMENT OF A LIKE KIND**

SHIRE DISTRICT council under the provisions of Schedule 1 to the Local Government (Miscellaneous Provisions) Act 1982

hereby licenses:

BILBO BAGGINS

to use the premises: The Prancing Pony, (Public Bar & Saloon Bar),
Rivendale Road, Bree

for public MUSIC AND DANCING AND ENTERTAINMENT OF A LIKE KIND.

This licence is in force up to 30 September 3001 and is granted subject to the Standard Conditions of the Council annexed hereto and to any special conditions set out below:

- (i) Notwithstanding the provisions of Standard Condition 4 the premises may be kept open from 11pm on each of the days Wednesday to Saturday to 2am on the day following.
- (ii) Whilst the premises are in use under this licence after 11pm the main entrance doors to the Saloon Bar shall be kept closed except for immediate entrance or exit.
- (iii) The number accommodated at any one time in the areas of the premises listed below shall not exceed (excluding staff):
Public Bar: 200
Saloon Bar : 250.

Date: 13 October 3000

Licensing and Safety Team
Shire District Council
Rivendale Town Hall,
Rohan Road,
Rivendale

Head of Licensing

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APPENDIX 3
See Condition 14

STAFF TRAINING

- 1 Initial training of all *staff* shall include instruction in the action to be taken in the event of an emergency and in basic fire prevention including the rules concerning smoking. The training shall be repeated at least once every 6 months.
 - 2 Instruction and training shall include:
the action to be taken on discovering a fire;
the action to be taken on hearing an alarm alert or alarm evacuation signal;
how to raise an alarm;
how to call the fire brigade;
knowledge of escape routes;
appreciation of the importance of fire doors;
the location of the assembly point(s) in case of evacuation
 - 3 *Staff* with specific responsibilities for fire-fighting shall receive instruction and practical training in the location and use of the fire-fighting equipment.
 - 4 The duties of *staff* with specific responsibilities in the case of fire and other emergencies shall be reviewed from time to time as changes in *staff* or other circumstances occur.
 - 5 A fire drill and instruction on emergency procedure shall be held at least once a month or as agreed with the *Council*, under the direction of the *Duty Fire Officer* or the *Duty Manager*.
- Note:** The *Council* may *consent* to the variation of frequency of fire drills where the *premises* are used infrequently and this will not endanger safety. However fire drills should be carried out at least every 6 months for permanent *staff* or when the arrangements at the *premises* have been altered, for example after a change of seating layout or a change of production.
- 6 Details of training sessions and fire drills shall be entered in the Fire *log-book*.

Note: *Licensees* should consider whether it is necessary to employ specially trained first-aiders to administer first aid to the *public*.

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APPENDIX 4
See Condition 15

FIRE LOG-BOOK

- | | | |
|-------------------------------------|----------|---|
| | 1 | Full details of the following shall be recorded in the Fire <i>log-book</i> : |
| Initial training | (a) | <i>Staff</i> training in respect of fire precautions and fire evacuation procedures. |
| Prior to admission of public | (b) | The <i>inspection</i> of all escape routes, all exits and <i>emergency lighting</i> prior to the use of the <i>premises</i> on any day for any entertainment. |
| Weekly | (c) | The weekly testing of the fire alarm warning system and the weekly check of fire-fighting equipment. |
| Monthly | (d) | The monthly fire drills. |
| Three monthly | (e) | The testing of any smoke ventilators. |
| Six monthly | (f) | Refresher <i>staff</i> training. |
| Annual | (g) | The maintenance and <i>inspection</i> of all fire-fighting equipment and the fire alarm warning system. |
| Emergencies | (h) | Any outbreak of fire or calling of the fire brigade. |
- 2** All entries shall include the name and position of the person making the entry.
- 3** The *Licensee* shall check and confirm the Fire *log-book* weekly.
- Note:** (1) The Fire *log-book* may form part of the general incident *log-book* for the *premises*.
 (2) The *Council* may *consent* to the variation of frequency of fire drills and other checks where the *premises* are used infrequently and this will not endanger safety. However fire drills should be carried out at least every 6 months for permanent *staff* or when the arrangements at the *premises* have been altered, for example after a change of seating layout or a change of production.
 (3) Specimen Fire *log-books* are shown overleaf.

SPECIMEN FIRE LOG-BOOK**This example assumes a day a page approach**

Date	Details	Name and position of person making the entry
Initial staff training: give names of staff and training given		
Pre-performance inspection of escape routes, exits and emergency lighting		
Weekly testing of fire alarm warning system		
Weekly check of fire-fighting equipment		
Monthly fire drills: give names of staff and person holding the drill		
Three monthly test of smoke ventilators		
Refresher staff training: give names of staff and training given		
Maintenance and annual inspection of fire-fighting equipment		
Maintenance and annual inspection of fire alarm warning system		
Outbreak of fire or calling of fire brigade		
Time outbreak noticed, time fire brigade called and name of person contacting fire brigade		
Licensee's confirmation of entry		

NOTE: In larger *premises* a different form of Fire *log-book* may be appropriate (which may be combined with the general incident *log-book* for the *premises*) provided all the *required* information is included.

An example of this approach is shown overleaf.

SPECIMEN FIRE LOG-BOOK

NOTE: This example gives an indication of the type of information that should be recorded in the Fire log-book. The events detailed are unlikely all to occur on any one day. Different premises will have different procedures. This type of Fire log-book may be kept in a bound A4-size diary.

Littletown Theatre
Fire Log-Book
936

Page

Thursday 1 April 2020

Performances of LITTLE EUSTACE and HAMLET

Fred Smith Duty Fire Officer

Mr Jones Duty Manager

- 9.00 *Opened premises; checked no obvious causes for concern.*
- 9.30 *Fire alarm test call to central exchange - all OK.*
- 10.00 to 12.00 *Inspected all escape routes, checked all doors to be free hanging and self-closing where required.
 Replaced one defective door closer.
 Visual check on all fire extinguishers.
 All emergency lights working.
 Haystack ventilator tested.*
- 12.00 *Lunch break - Mrs Biggs left in charge of premises.*
- 12.30 *Firecheck serviced fire hose reel on stage.*
- 13.00 *Returned to duty.*
13. 30 *Accompanied fire crew from local fire station on familiarisation visit.*
- 14.30 *Accompanied Duty Manager on check of premises, as per check-list. Removed chains from auditorium doors. Gave clearance to open house.*
- 15.00 *Performance of LITTLE EUSTACE*
- 15.30 *On stage to witness lighting of candle and putting out of candle.
 All ok.*
- 17.00 *Inspected premises at end of performance. All clear except one water extinguisher vandalised.*
- 17.15 *Witnessed test of flaming torches.*

17.30 *Recharged one water extinguisher. Note nearly out of cartridges.*

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18.00 *Tea break. Mr Jones left in charge.*

19.00 *Returned to duty. Accompanied Duty Manager on check of premises as per check-list.*

19.15 *Induction and fire training for new attendant with Mr Jones. Isabelle Walters. Confirmed Marcus Jones, Duty Manager*

19.25 *Staff fire drill. Confirmed Marcus Jones, Duty Manager*

19.35 *Removed chains from auditorium doors. Gave clearance to open house.*

19.45 *Performance of HAMLET*

20.15 *Called to small fire in FOH men's toilet. Called fire brigade. Extinguished fire and agreed with Mr Jones no need to evacuate premises. Waited on fire brigade. Left all ok.*

20.45 *On stage to witness lighting of flaming torches and putting out. All ok.*

22.45 *Inspected premises at end of performance. All clear.*

23.30 *Locked up.*

Signed: Fred Smith, Duty Fire Officer

00.15 *Called back to theatre - reported smell of gas. Turned off gas main and called Gas Board to attend 08.00 Friday.*

Confirmed Marcus Jones, Duty Manager

APPENDIX 5
See Condition 16

SPECIMEN STAFF DUTY REGISTER

PREMISES:

[illegible]

* NOTE: It may assist good management if key staff functions are indicated such as *Duty Manager, Duty Fire Officer*, First-aider where appropriate.

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APPENDIX 6
See Condition 19

MAINTENANCE OF FIRE-FIGHTING EQUIPMENT, FIRE ALARM WARNING SYSTEMS & SMOKE VENTILATORS

FIRE-FIGHTING EQUIPMENT

1. (a) The *approved* fire-fighting equipment shall be kept in the *approved* positions and be maintained in satisfactory working order, unobstructed and available for immediate use.

- (b) All fire-fighting equipment shall be visually checked weekly.

Note: The *Council* may *consent* to the variation of frequency of checks where the *premises* are used infrequently and this will not endanger safety.

- (c) Portable fire-fighting equipment shall be *inspected* at least once a year in accordance with *BS 5306-3* and recharged where necessary in compliance with the manufacturer's instructions. The date of the *inspection* shall be clearly marked on the appliance or on a stout tab securely attached to it and recorded in the Fire *log-book*.

- (d) Hose reels, drenchers and sprinklers shall be *inspected* in accordance with *BS 5306* once a year to ensure that they are in working order. The date of the *inspection* shall be clearly marked on the control valves and recorded in the Fire *log-book*.

- (e) For details of the *certificates required* see Appendix 8.

FIRE ALARM WARNING SYSTEM

2. (a) Any fire alarm warning system shall be maintained in satisfactory working order.

- (b) The system shall be tested weekly.

Note: The *Council* may *consent* to the variation of frequency of tests where the *premises* are used infrequently and this will not endanger safety.

- (c) All checks, tests and *inspections* shall be recorded in the Fire *log-book*.

- (d) For details of the *certificates required* see Appendix 8.

SMOKE VENTILATORS

3. (a) Any smoke ventilators shall be maintained in satisfactory working order.

- (b) Any smoke ventilators shall be tested at least once every 3 months.

(c) For details of the *certificates required* see Appendix 8.

APPENDIX 7
See Condition 22

SPECIMEN CHECK LIST

To be used as a guide by the Duty Manager or other persons carrying out a safety check on each occasion before the public are admitted.

Date _____ Time _____

Name of person carrying out inspection _____

Job title of person carrying out inspection _____

Do not open the premises until any problems have been rectified everything

Tick only if
in order

1. Exit doors are available for use.
2. Chains or other removable fastenings are removed from exit doors and hung in their approved storage position.
3. Panic bolts and panic latches are in working order.
4. Doors, gates or shutters that should be locked open are locked in the open position.
5. All internal and external escape routes and all exit doors are clear and free from obstruction.
6. Fire doors are shut unless held open by fully operational approved devices.
7. All escape routes including stairways and all escape route signs are adequately illuminated (by 2 sources where provided.)
8. Where 2 power supplies are provided e.g. mains and battery, both are fully operative.
9. There are no obvious fire hazards such as combustible waste or litter.
10. Fire-fighting equipment is in position and available for use.
11. The required number of trained staff is present.
12. First aid equipment is available for use.
13. Any public address system is in working order.

14. Any fire alarm warning system is in working order and is set to performance mode (where applicable).
15. Any evacuation facilities for disabled people are in working order.

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APPENDIX 8
See Condition 41

CERTIFICATES TO BE SUBMITTED TO THE COUNCIL

- 1** *Certificates* shall be submitted to the *Council* at least once every year as detailed below.

Note: Where a *certificate* covers a period of more than one year it will be sufficient to submit a photocopy of the *certificate* each year that the *certificate* remains valid.

Battery

- (a)** The *emergency lighting* battery (including any self-contained units) and associated control equipment. The *inspection* of the battery and control equipment shall be in accordance with *BS 5266-1*. The *certificate* shall be signed by a Corporate Member of the Institution of Electrical Engineers or a member of the Electrical Contractors Association or by a contractor enrolled with the National Inspection Council for Electrical Installation Contracting or, with *consent*, another *competent person*.

Note:(1) A *competent person* could, for example, be from a battery manufacturer.

(2) This Condition does not apply to *premises* licensed only for *film exhibitions*. At such *premises* the Cinematograph (Safety) Regulations 1955 require that any battery used to supply *escape lighting* shall be capacity tested every 6 months and the date and result of the test entered in a register which shall be available for examination by *Authorised Officers*.

(3) A *certificate* is *required* in respect of any battery installed as part of a generator installation providing emergency power to the *premises* or for other stand-by emergency power supplies.

Electrical installation

- (b)** The entire electrical installation (including the *emergency lighting* installation but excluding any battery.) The *inspection* shall be in accordance with Guidance Note 3 to *BS 7671*. In large or complex *premises* the electrical installation shall be visually *inspected* once a year and at least 20% of the installation tested in accordance with a programme *approved* by the *Council* such that the whole installation is tested every 5 years. The *certificate* shall be signed by a Corporate Member of the Institution of Electrical Engineers or a member of the Electrical Contractors Association or by a contractor currently enrolled with the National Inspection Council for Electrical Installation Contracting or, with *consent*, another *competent person*.

Note:(1) This Condition does not apply to *premises* licensed only for *film exhibitions*. At such *premises* a *certificate* which accords with the Cinematograph (Safety) Regulations 1955 will suffice.

(2) A *certificate* is *required* in respect of any generator installation providing emergency power to the *premises*.

Boilers and calorifiers

- (c) Any steam boiler, any electrode boiler working on a closed water system or any calorifier incorporating a steam receiver. A boiler insurance company shall issue the *certificate* of thorough examination and test.

Fire alarm warning system

- (d) Confirmation from a fire alarm company or, with *consent*, another *competent person* that the fire alarm warning system continues to satisfy the requirements of *BS 5839*.

Fire fighting equipment

- (e) All portable fire-fighting equipment together with any hose reels or sprinklers in accordance with *BS 5306*.

Mechanical installations

- (f) (vi) Any passenger lifts or escalators.

All lifting equipment and any permanently suspended equipment. These *certificates* should be copies of the records of examination provided under the Lifting Operations and Lifting Equipment Regulations 1998 (LOLER). Any permanently suspended loads, such as permanently installed stage lighting luminaires or loudspeakers or flown cinema screens, shall be treated as forming part of the lifting equipment installation and be examined by the *competent person* making the examination.

The safety curtain, its operating gear and controls, the smoke ventilators and drencher.

Any other mechanical installation (for example, stage, orchestra or organ lifts, revolving or moving platforms) if *required*.

Note:

Where a complex mechanical installation has been provided for a production the *Council* may require *certificates* to be submitted at three monthly intervals.

Lasers

- (g) Any permanently installed lasers, other than Class 1 and Class 2 lasers.

Special effects

- (h) Permanently installed smoke machines, fog generators and strobe lighting.

Ceilings

- (i) Ceilings and ornamental plasterwork, if *required*.

Gas installation

- (j) Any gas installation and any gas appliances, if *required*. A member of the Council for Registered Gas Installers (CORGI) shall complete the *certificate*.

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ADDITIONAL CONDITIONS D:

APPLICABLE TO PREMISES USING DOOR SUPERVISORS

These Conditions do not apply to cinemas or to theatres.

Identity Badge Condition D1 does not apply in London Boroughs that have adopted the provisions of Part V of the London Local Authorities Act 1995; they should use the Log Book Condition D2 only.

All other councils should use Conditions D1 and D2.

ADDITIONAL CONDITIONS D:
APPLICABLE TO PREMISES USING DOOR SUPERVISORS

These Conditions do not apply to cinemas or to theatres.

Note: The *Council* will not normally give *consent* to the employment of anyone as a *Door Supervisor* unless it has been able to check the criminal record of the person concerned. See Condition 14 (c).

D1 Not applicable

Log-book **D2** (vii) The *Licensee* shall maintain an accurate and up-to-date *log-book* in respect of all *Door Supervisors* employed on the *premises*. This shall comprise three distinct parts recording:
the name, address, telephone number and any registration number of each *Door Supervisor* (whether employed directly by the *Licensee* or through an agency); the name, address and telephone number of the agency providing the supervisor where the supervisor is not employed directly by the *Licensee*; and
the name and any registration number of each *Door Supervisor*; the dates and times of commencement and finishing of work; the signature of the *Door Supervisor* in respect of both entries; and
details of any incident in which the *Door Supervisor* is involved, including any calling of the police and any police action taken.

Note: This could form part of the general incident or Fire *log-book* for the *premises*.

Note: (1) A specimen *Door Supervisor log-book* is shown in Appendix D1.
(2) *Licensees* are referred to BS 7960 (*Door supervisors/stewards – Code of practice*) for guidance.

APPENDIX D1**SPECIMEN DOOR SUPERVISOR LOG-BOOK****PART 1**

Name of Door Supervisor			
Address of Door Supervisor			
Telephone number of Door Supervisor			
Registration number of Door Supervisor			
Name of Agency (if Door Supervisor not directly employed by the Licensee)			
Address of the Agency			
Telephone number of the Agency			

PART 2

Name of Door Supervisor			
Registration number of Door Supervisor			
Date and time of commencing work			
Signature of Door Supervisor to confirm entry			
Date and time of finishing work			
Signature of Door Supervisor to confirm entry			

PART 3

Name of Door Supervisor			
Date of incident			
Time of incident			
Details of incident			
Were the police called?			
Details of any police action taken			

NOTE: This part of the *Door Supervisor log-book* may be combined with the general incident *log-book* for the *premises* (on which see Appendix 4.)

ADDITIONAL CONDITIONS D:
APPLICABLE TO PREMISES USING DOOR SUPERVISORS

These Conditions do not apply to cinemas or to theatres.

Note: The *Council* will not normally give *consent* to the employment of anyone as a *Door Supervisor* unless it has been able to check the criminal record of the person concerned. See Condition 14 (c).

Identity badge **D1** The *Licensee* shall ensure that all *Door Supervisors*, when on duty, display a conspicuous identity badge on the left or right breast. The badge shall show: the words 'Door Supervisor', a photograph of the *Door Supervisor* and the registration number, if any, of the *Door Supervisor*.

Log-book **D2** (viii) The *Licensee* shall maintain an accurate and up-to-date *log-book* in respect of all *Door Supervisors* employed on the *premises*. This shall comprise three distinct parts recording:
the name, address, telephone number and any registration number of each *Door Supervisor* (whether employed directly by the *Licensee* or through an agency); the name, address and telephone number of the agency providing the supervisor where the supervisor is not employed directly by the *Licensee*; and
the name and any registration number of each *Door Supervisor*; the dates and times of commencement and finishing of work; the signature of the *Door Supervisor* in respect of both entries; and
details of any incident in which the *Door Supervisor* is involved, including any calling of the police and any police action taken.

Note: This could form part of the general incident or Fire *log-book* for the *premises*.

Note: (1) A specimen *Door Supervisor log-book* is shown in Appendix D1.
(2) *Licensees* are referred to BS 7960 (*Door supervisors/stewards – Code of practice*) for guidance.

APPENDIX D1**SPECIMEN DOOR SUPERVISOR LOG-BOOK****PART 1**

Name of Door Supervisor			
Address of Door Supervisor			
Telephone number of Door Supervisor			
Registration number of Door Supervisor			
Name of Agency (if Door Supervisor not directly employed by the Licensee)			
Address of the Agency			
Telephone number of the Agency			

PART 2

Name of Door Supervisor			
Registration number of Door Supervisor			
Date and time of commencing work			
Signature of Door Supervisor to confirm entry			
Date and time of finishing work			
Signature of Door Supervisor to confirm entry			

PART 3

Name of Door Supervisor			
Date of incident			
Time of incident			
Details of incident			
Were the police called?			
Details of any police action taken			

NOTE: This part of the *Door Supervisor log-book* may be combined with the general incident *log-book* for the *premises* (on which see Appendix 4.)

ADDITIONAL CONDITIONS FX:
APPLICABLE TO THE USE OF SPECIAL EFFECTS

GENERAL CONDITIONS APPLICABLE TO ALL SPECIAL EFFECTS

- FX1** (a) The *Council* may refuse *consent* or impose specific requirements for the use of any *special effect(s)*.
- (b) The *Council* may require the proposed effect(s) to be demonstrated before *consent* can be given.
- (c) *Special effects* shall be operated only by a responsible person who has received appropriate instruction.
- (d) Where warning notices are *required* they shall be conspicuously displayed at all *public* entrances to the *premises* (or auditorium, where appropriate) so that the *public* may read them before entering.

Note:(1) Appendix FX1 provides a specimen approval form and check lists for the assistance of both inspecting officers and Licensees.
Additional advice on the use of *special effects* may be found in *The Event Safety Guide*, published by the Health and Safety Executive.

SPECIFIC CONDITIONS APPLICABLE TO PARTICULAR SPECIAL EFFECTS

DRY ICE MACHINES AND CRYOGENIC FOG

- FX2** (a) The *Council* may require approval of the type of fog generator proposed and may require documentary evidence of the non-toxicity and non-flammability of the fog.
- (b) The volume of fog shall be limited so that it does not seriously affect means of escape or obscure escape route signs. The penetration of fog into areas where the *public* are admitted shall be restricted as far as is possible.
- (c) Warning notices shall be displayed stating that fog is used as part of the effects on the *premises*.

Note: Cryogenic (low temperature) fogs are produced using dry ice (solid carbon dioxide) or liquefied gas (generally liquid nitrogen or liquid synthetic air). The gases released by conversion from the solid or liquid form can displace the normal atmosphere, including the oxygen in the air, to become an asphyxiant (except liquid synthetic air, which includes oxygen). Good ventilation is essential to ensure that the gas disperses in order to prevent hazardous concentrations. This applies particularly to carbon dioxide from dry ice, which is heavier than air and can gather in low places. Particular care is necessary in respect of basements, under-stage areas, orchestra pits and auditorium stalls. Stores in which dry ice is kept should be well ventilated. If there is any doubt about the safety of the carbon dioxide vapour present, oxygen levels must be measured during a test of the effect before its use in performance. Specialist advice should be sought particularly on the siting and appropriate detection levels for oxygen meters. Meters to monitor oxygen levels should be provided if there is any doubt about the gas concentrations present. Fog may cause irritation to those with respiratory sensitivity, including asthmatics. For further guidance on the use of dry ice machines see the ABTT *Code of Practice for Pyrotechnics and Smoke Effects*.

Smoke Machines & FOG GENERATORS

- FX3** (a) The *Council* may require approval of the type of fog generator or smoke machine proposed and may require documentary evidence of the non-toxicity and non-flammability of the fog or smoke before the effect can be used. Only smoke machines or fog generators listed on the *Council's approved* list shall be used unless adequate technical information is provided to the *Council* in sufficient time to enable it to determine whether the type of smoke machine or fog generator proposed is acceptable.
- (b) Smoke machines and fog generators shall be sited and controlled so that they do not obstruct exit routes nor cause a hazard to surrounding curtains or fabrics.
- (c) The volume of smoke and/or fog shall be limited so that it does not seriously affect means of escape or obscure

escape route signs. The penetration of smoke and/or fog into areas where the *public* are admitted shall be restricted as far as is possible.

- (d) Warning notices shall be displayed stating that fog or smoke is used as part of the effects on the *premises*.

Note: Smoke is the product of combustion and is made up of small, solid particles. Fog is composed of liquid droplets. This difference is important. Apart from as a by-product of the use of pyrotechnics, smoke is rarely used as an effect, whilst fog or vapour effects are relatively frequent. Most “smoke machines” should more properly be known as “fog generators”. Fog or smoke may cause irritation to those with respiratory sensitivity, including asthmatics. The HSE leaflet *Smoke and vapour effects in entertainment* provides guidance. For further guidance on the use of smoke machines see the ABTT *Code of Practice for Pyrotechnics and Smoke Effects*.

**PYRO-
TECHNICS
including
Fireworks**

- FX4** (a) All pyrotechnics shall be used strictly in accordance with the manufacturer's instructions.

- (b) Pyrotechnics shall only be fired from an *approved* key-protected control/firing box (and never directly from the mains electricity supply.) The key shall be kept in the possession of the operator responsible for firing the devices. The control firing box shall only be energised immediately before firing the pyrotechnic devices.

- (c) The operator shall have a clear view of the pyrotechnic device and its immediate vicinity from the firing point.

Note: This may be achieved by the use of an appropriate closed circuit television system.

- (d) The device shall not be operated if there is any risk to anyone. In the event of a mis-fire the circuit shall be switched off until after the performance.

- (e) Maroons shall only be used in suitable bomb tanks in *approved* locations.

- (f) When appropriate warning notices shall be displayed stating that maroons operate as part of the effects on the *premises*.

- (g) Only sufficient pyrotechnic supplies for one performance shall be withdrawn from store. At the end of the performance any unused pyrotechnics shall be returned to store.

- (h) Storage arrangements shall comply with Additional Condition FX 10.

Note: All pyrotechnics are potentially dangerous. Only pyrotechnics supplied specifically for *stage* use should be used as part of a *stage* presentation. Specialist manufacturers supply prepacked pyrotechnics which enable strict control of the quantities of components and the easy repetition of pyrotechnic effects.

For further guidance on the use of pyrotechnics on *stage* see the ABTT *Code of Practice for Pyrotechnics and Smoke Effects*.

- REAL FLAME** **FX5** (a) Real flame shall be kept clear of costumes, curtains and drapes. Real flame shall not be taken into areas occupied by the public.
- (b) The lighting and extinguishing of the flame shall be supervised by the *Duty Fire Officer* who shall remain where there is a clear view of the flame and easy access to it until it is extinguished.
- Note:** Additional fire-fighting equipment may be necessary.
- (c) Any candle holders and candelabra shall be robustly constructed, not easily overturned and where practicable fixed in position.
- (d) Hand-held flaming torches shall incorporate fail-safe devices so that if a torch is dropped the flame is automatically extinguished. Fail-safe devices shall be tested prior to each performance.
- (e) Only solid fuel or paraffin shall be used unless otherwise agreed by the *Council*. The amount of fuel in torches shall be limited to the minimum necessary for the effect.
- (e) Storage arrangements for fuel shall comply with Additional Condition FX 10.

Note: The use of real flame will only be *approved* if in the opinion of the *Council* it can be used safely.

- FIREARMS** **FX6** (a) Any firearm, shotgun or ammunition shall be under the direct control of the person holding the appropriate firearms certificate. Firearms and ammunition shall not be left unattended by the responsible person.
- Note:** This does not preclude the use of the firearm by the performer provided it is returned immediately after use to the responsible person.
- (b) All ammunition and firearms including deactivated, replica and imitation firearms shall be stored in a robust locked container in a room which shall be kept locked when not in use. The storage arrangements shall meet the requirements of the *Council* and of the police, where applicable.
- (c) Firearms shall not contain any article or substance which could act as a missile.
- (d) Blank ammunition shall have crimped ends.
- (e) Firearms shall be removed from the store (together with the amount of ammunition necessary for the performance)

immediately prior to the performance and be returned to the store as soon as possible after use. Any unused ammunition shall be returned to store. All discharged cartridges and percussion caps shall also be accounted for at the end of the performance.

- (f) There shall be sufficient rehearsal to ensure that any flame and hot gases are discharged safely.
- (g) Firing mechanisms and barrels shall be cleaned and checked before use.
- (h) No firearm shall be pointed directly at any person or at any readily combustible material.
- (i) Warning notices shall be displayed stating that gunfire occurs as part of the effects on the *premises*.
- (j) Storage arrangements for ammunition shall comply with Additional Condition FX 10.

Note: Guns used on *stage* should generally either be replicas or deactivated firearms; both types may be capable of firing blanks (provided they are not readily convertible to fire live ammunition.) Firearms that have been deactivated to Home Office standard and certified by a Proof House and replica guns which are not readily convertible to fire live ammunition are not treated as firearms for legal purposes and do not at present require a licence. The same security arrangements should, however, be applied to replica guns and deactivated firearms as apply to licensed weapons. The use of a working firearm, including a shotgun, would require the issue of a Firearms Licence or a Shotgun Certificate as appropriate by the police as well as the *consent* of the *Council*. Some firearms, notably automatic weapons and most pistols, are classified as prohibited weapons. The use of any prohibited weapon would require the consent of the Home Secretary and the attendance of a registered firearms dealer whilst such firearms are on the *premises* as well as the *consent* of the *Council*. For further guidance on the use of firearms on *stage* see the *ABTT Code of Practice for Firearms and Ammunition*.

MOTOR VEHICLES

- FX7** (a) If the *Council consents* to the use of a production line motor vehicle on *stage* the following precautions shall be taken:
- (ix) The fuel tank shall be drained so as to retain only the minimum quantity of fuel necessary for the action. The fuel cap shall be (preferably locked) in place. The fuel tank shall not be replenished when the *public* are on the *premises*. A drip tray shall be provided under the engine when the vehicle is not in use. Arrangements shall be made to minimise the hazards of exhaust fumes. A *Duty Fire Officer* shall be present whilst the

public are on the *premises*.
Additional and appropriate fire-fighting equipment shall be provided in the proximity of the vehicle.

1 **Note:**2 Foam extinguishers will usually be *required*.
3 The storage arrangements of any spare fuel shall comply with Additional Condition FX.10.

4 5 If the *Council consents* to a special effect using a
b) vintage motor vehicle or specially constructed engine the following additional precautions shall be observed:
The quantity of flammable liquid in the engine shall not exceed 0.3 litre and shall be wholly taken up by a suitable absorbent material in a detachable container of an *approved* type.
A screen of metal gauze or other suitable means shall be provided between the container and the inlet valve to the engine to prevent backfiring to the container.
The exhaust pipe shall be carried well clear of the engine.

Note: Similar conditions would apply to any other use of an internal combustion engine. Engines fuelled by liquid petroleum gas (LPG) would additionally need to fully meet the requirements of the Gas Safety (Installation and Use) Regulations, 1998, where applicable.

Strobe Lighting **FX8** (a) The *Council* may require approval of the type of stroboscopic lighting units proposed.

(b) Stroboscopic lighting units shall be mounted at high level and wherever appropriate the beams deflected off matt surfaces to reduce the glare. Strobes shall not be sited on escape routes, corridors or stairs or other changes of level.

(c) Where stroboscopic effects are used in *public* areas, the sources shall be synchronised and locked off to operate at a fixed frequency outside the band of 4 to 50 flashes per second.

Note: The above Condition may be relaxed for purely momentary effects in theatrical productions.

(d) Warning notices shall be displayed stating that stroboscopic lighting operates as part of the effects on the *premises*.

Note: Photosensitive people (about 1 in 10,000 of the population according to the Guidance Note published by the Health & Safety Executive (HSE) and the Health & Safety Executive/Local Authority Enforcement Liaison Committee (HELA)) are particularly sensitive to light. Tests have shown that gazing at stroboscopic lighting may induce epileptic attacks in photosensitive individuals. For this reason stroboscopic lighting effects should operate at the lower frequencies which have been shown to be likely to affect only about 5% of the flicker sensitive population. The HSE/HELA Guidance Note *Disco*

lights and flicker sensitive epilepsy contains useful additional guidance.

lasers

- FX9** (a) The installation and operation of any laser shall comply with the HSE Guide *The Radiation safety of lasers used for display purposes* [HS(G)95] and *BS EN 60825: Safety of laser products*.
- (b) Laser beams shall be at least 3 metres above the highest affected floor level at all times and arranged so that they cannot scan onto any member of the *public*, performer or *staff*. Supporting structures shall be rigid to avoid any accidental misalignment of the laser(s). Any mirrors shall be securely fixed in position.
- (c) Laser equipment, including mirrors, shall be placed out of reach of the *public*.
- (d) The alignment of the laser installation including any mirrors shall be checked on a daily basis.

Note:Lasers produce very intense light beams, which could blind, cause skin burns or even start a fire if used improperly. Even reflected beams can be dangerous. These Conditions do not apply to Class 1 or Class 2 lasers (such as are used in CD players, bar-code readers, etc.) The HSE publication *Controlling the radiation safety of laser display installations* [INDG224] gives further guidance.

**STORAGE OF
EXPLOSIVES &
HIGHLY
FLAMMABLE
SUBSTANCES**

- FX10** (a) The storage arrangements for any explosives or highly flammable substances shall be *approved* by the *Council*.

Note:Explosives and highly flammable substances include pyrotechnics, maroons, blank ammunition, petrol, flammable gases and liquids.

- (b) The storage receptacle shall be kept locked shut at all times except when withdrawing material from store. The key shall be kept under the direct control of the person responsible for the safe storage.

Quantities

- (c) Quantities shall be limited to the practicable minimum necessary for the requirements of the presentation.

Note:No more than 0.6 litres of flammable liquid nor 2.3kg gross weight of pyrotechnics will normally be allowed on the *premises* unless kept in a store licensed by the appropriate authority.

**Smoking &
naked flame
prohibited**

- (d) Smoking and naked flame shall be prohibited in areas where any explosives or highly flammable substances are stored and notices or signs shall be displayed both in

rooms and on containers to this effect.

- (e) Storage areas and containers shall be indicated by the explosive or inflammable symbol as appropriate on the door or lid.

Firearms

- (f) All ammunition and firearms including deactivated, replica and imitation firearms shall be stored in a robust locked container in a room, which shall be kept locked when not in use.

Note: The police will also require approval of the storage arrangements for any firearms and ammunition.

Pyrotechnics

- (g) When not in use all pyrotechnics shall be stored in a suitable container, which may be a metal or wooden trunk, box, cupboard or drawer. All exposed metalwork, including any nails or screws, shall be non-ferrous, preferably of copper, brass or zinc, or be otherwise covered with a thick layer of non-ferrous metal, not-easily ignitable material or paint at least 1mm in thickness.

- (h) The opening face of the storage receptacle shall carry the explosives symbol together with a sign reading **Danger – No smoking – No naked flame** in letters no less than 25mm high or the equivalent signs.

- (i) Storage receptacles shall be resealed and replaced in the main storage receptacle and the main storage receptacle relocked.

Note: For further advice on the storage of pyrotechnics see the ABTT *Code of Practice for Pyrotechnics and Smoke Effects*.

Withdrawal from store

- (j) Only the minimum amount of any explosives or highly flammable substances shall be withdrawn from store as is necessary for the particular performance.

APPENDIX FXI**APPLICATION FORM
& CHECK-LIST FOR SPECIAL EFFECTS****1. APPLICATION FOR CONSENT TO USE REAL FLAME/SMOKE/FOG/DRY ICE**

This form is intended to be made up in duplicate pad-form for completion by the inspecting officer on the premises with one copy retained by the Licensee or his representative.

Premises

.....

Address

.....

Licensee

.....

Name of Production

.....

Details of Proposed Use

.....

Dates of Proposed Use**DECISION**

- * Consent is given for the use of REAL FLAME/SMOKE/FOG/DRY ICE as demonstrated at hours on (date) as described below subject to the Conditions overleaf marked as applicable.
- * PERMISSION IS REFUSED FOR THE USE OF REAL FLAME/SMOKE/FOG/DRY ICE for the reason detailed below.

Description of effect/reason for refusal

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I, undersigned, receive and accept the above decision.

.....
LICENSEE/LICENSEE'S REPRESENTATIVE

.....
A REPRESENTATIVE OF THE FORMTEXT COUNCIL

Date

* Delete as appropriate

STANDARD CONDITIONS: REAL FLAME/SMOKE/FOG/DRY ICE

1. The effect shall remain as demonstrated
2. The Duty Fire Officer shall supervise the lighting and extinguishing of the flame.
3. The Duty Fire Officer shall remain where there is a clear view of the flame and easy access to it until it is extinguished.
4. Additional fire-fighting equipment shall be provided as specified on this consent and shall be maintained available for use in the stage area.
5. Real flame shall be confined to the stage area and shall not be taken into areas occupied by the public.
6. Properties such as candelabra shall be robustly constructed, not be easily overturned and where practicable fixed in position.
7. Hand-held torches shall incorporate fail-safe devices so that if the torch is dropped the flame is automatically extinguished.
8. Torches shall be examined before each performance and fail-safe devices shall be tested. Any damage or deterioration shall be made good. Each examination and test is to be recorded in the Fire log-book.
9. The amount of fuel in the torch shall be the minimum necessary for its use on any one occasion.
10. Only solid fuel or paraffin as demonstrated shall be used.
11. The stock of fuel shall be kept to the minimum and stored in an approved store for flammable materials.
12. The volume of smoke and/or fog entering the auditorium shall be restricted and shall not seriously affect the means of escape or obscure the escape route signs.
13. Ventilation plant shall be running whilst the smoke/fog effects are in use.
14. Clear notices shall be displayed at the main entrance(s) or within the foyer for the public to read before entering stating, as appropriate, that dry ice, smoke or fog effects operate as part of the entertainment.

NOTE: In case of doubt consult the *ABTT Code of Practice for Pyrotechnics and Smoke Effects*.

Additional Conditions

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APPLICATION FORM & CHECK-LIST FOR SPECIAL EFFECTS

2. APPLICATION FOR CONSENT TO USE PYROTECHNICS/FIREARMS

This form is intended to be made up in duplicate pad-form for completion by the inspecting officer on the premises with one copy retained by the Licensee or his representative.

Premises

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Address

.....

Licensee

.....

Name of Production

.....

Details of Proposed Use

.....

Dates of Proposed Use

DECISION

* Consent is given for the use of PYROTECHNICS as demonstrated at hours on (date) as described below subject to the Conditions overleaf marked as applicable.

* PERMISSION IS REFUSED FOR THE USE OF PYROTECHNICS for the reason detailed below.

* Consent is given for the use of FIREARMS as demonstrated at hours on (date) as described below subject to the Conditions overleaf marked as applicable.

NOTE: This consent is not issued in lieu of a Police Licence/Certificate

* PERMISSION IS REFUSED FOR THE USE OF FIREARMS for the reason detailed below.

Description of effect/reason for refusal

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I, undersigned, receive and accept the above decision.

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LICENSEE/LICENSEE'S REPRESENTATIVE

.....
A REPRESENTATIVE OF THE FORMTEXTCOUNCIL

Date

* Delete as appropriate

STANDARD CONDITIONS: FIREARMS

1. The effect shall remain as demonstrated
2. No firearm, shotgun or ammunition shall be allowed on the premises unless under the direct control of the person holding the appropriate firearms certificate. This does not preclude the use of the firearm by the performer provided it is returned immediately after use to the responsible person.
3. When not in use all firearms and ammunition shall be stored in a robust container in a part of the premises to which the public do not have entry and shall be secured against access to all but the person holding the appropriate firearms certificate. NOTE: The police will require approval of any storage arrangements for firearms and ammunition.
4. Blank ammunition shall have crimped ends and be stored, handled and transported in accordance with the relevant Explosives Acts.
5. Only sufficient ammunition shall be withdrawn from store for use in one performance. At the end of the performance any unused ammunition shall be returned to store and all used cartridges accounted for.
6. Firearms and ammunition shall not be left unattended by the responsible person.
7. Firearms shall not be pointed directly at any person or any readily combustible material nor fired towards the public.
8. There shall be sufficient rehearsal to ensure that the action can be safely performed having due regard for the flame and hot gases discharged on firing.
9. Firing mechanisms and barrels shall be cleaned and checked before use.
10. All accidents shall be recorded in the Accident Book and investigated.
11. Clear notices shall be displayed at the main entrance(s) or within the foyer for the public to read before entering stating that gun shots operate as part of the entertainment.

NOTE: In case of doubt consult the ABTT *Code of Practice for Firearms & Ammunition*.

STANDARD CONDITIONS: PYROTECHNICS

12. The effect shall remain as demonstrated
13. The Duty Fire Officer shall be present in the stage area on every occasion that pyrotechnics are used.
14. Pyrotechnics shall be confined to the stage area and shall not be taken into areas occupied by the public.
15. Additional fire-fighting equipment shall be provided as specified and shall be maintained available for use in the stage area.
16. Ventilation plant shall be running whilst pyrotechnics are in use.
17. When not in use all pyrotechnics shall be stored in a suitable container, which may be a metal or wooden trunk, box, cupboard or drawer. All exposed metalwork, including any nails or screws, shall be non-ferrous, preferably of copper, brass or zinc, or be otherwise covered with a thick layer of non-ferrous metal, not-easily ignitable material or paint at least 1mm in thickness.
18. The opening face of the storage receptacle shall carry the explosives symbol together with a sign reading **Danger – No smoking – No naked flame** in letters no less than 25mm high or the equivalent signs.
19. The storage receptacle shall be kept locked shut at all times except when withdrawing pyrotechnics from store. The key shall be kept under the direct control of the person responsible for the safe storage of the pyrotechnics. At the end of the performance any unused pyrotechnics shall be returned to store.
20. There shall be no source of possible ignition before withdrawing pyrotechnics from store.
21. Only sufficient pyrotechnic supplies for one performance shall be withdrawn from store. Storage receptacles shall be resealed and replaced in the main storage receptacle and the main storage receptacle relocked.
22. The firing of pyrotechnics shall be from an approved key-protected firing box and the key kept in the possession of the operator responsible for firing the devices.
23. The operator shall have a clear view of each pyrotechnic device and its immediate vicinity from the firing point. This may be by using CCTV.
24. The control firing box shall only be energised immediately before firing the pyrotechnic device(s).
25. The pyrotechnic device(s) shall not be fired if there is any danger to anyone.
26. In the event of a misfire no further attempt shall be made to fire the device and the firing circuit shall be disconnected from the device.
27. Clear notices shall be displayed at the main entrance(s) or within the foyer for the public to read before entering stating that maroons operate as part of the entertainment.

NOTE: In case of doubt consult the ABTT *Code of Practice for Pyrotechnics & Smoke Effects*.

Additional Conditions

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APPLICATION FORM & CHECK-LIST FOR SPECIAL EFFECTS

3. APPLICATION FOR CONSENT TO USE STROBOSCOPIC LIGHTING EFFECTS

This form is intended to be made up in duplicate pad-form for completion by the inspecting officer on the premises with one copy retained by the Licensee or his representative.

Premises

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Address

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Licensee

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Name of Production

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Details of Proposed Use

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Dates of Proposed Use

DECISION

- * Consent is given for the use of STROBOSCOPIC LIGHTING EFFECTS as demonstrated at hours on (date) as described below subject to the Conditions overleaf marked as applicable.
- * PERMISSION IS REFUSED FOR THE USE OF STROBOSCOPIC LIGHTING EFFECTS for the reason detailed below.

Description of effect/reason for refusal

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I, undersigned, receive and accept the above decision.

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LICENSEE/LICENSEE'S REPRESENTATIVE

.....
A REPRESENTATIVE OF THE FORMTEXT COUNCIL

Date

* Delete as appropriate

STANDARD CONDITIONS: STROBES

1. The effect shall remain as demonstrated
2. Where strobe lighting is used in public areas, the sources shall be synchronised to operate at a fixed frequency outside the band of 4 flashes to 50 flashes per second.
3. After setting the equipment the controls shall be locked off so as to prevent alteration during the entertainment.
4. Clear notices shall be displayed at the main entrance(s) or within the foyer for the public to read before entering stating that stroboscopic lighting effects operate as part of the entertainment.
5. Similar notices shall be printed in any programmes produced for the event.

Additional Conditions

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ADDITIONAL CONDITION GO:
APPLICABLE TO THE KEEPING OF GOOD ORDER

Good order

GO1 The *Licensee* shall not permit conduct on the *premises* that is likely to cause disorder or a breach of the peace or drug misuse. In particular the *Licensee* shall ensure that none of the following shall take place:
 indecent behaviour, including sexual intercourse, except as permitted by Theatres Act 1968;
 the offer of any sexual or other indecent service for reward;
 acts of violence against person or property and/or the attempt or threat of such acts;
 unlawful possession and/or supply of drugs controlled by the Misuse of Drugs Act 1971.

Note: In connection with drug misuse *Licensees* are referred to the *Licensee's National Drug Certificate Handbook*, published by the British Institute of Innkeeping.

**Annex 3 - Conditions attached after a hearing by the licensing authority
26/01/2017**

94. Sale of alcohol on the premises shall cease 30 minutes before the terminal hour of the live event.

Annex 4 - Plans

London Borough of Camden, Town Hall,
Judd Street, London, WC1H 9JE

Premises licence summary

Premises licence number	PREM-LIC\1979
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Premises details

Postal address of premises, or if none, ordnance survey map reference or description
Electric Ballroom 184 CAMDEN HIGH STREET LONDON NW1 8QP
Telephone number [REDACTED]

Where the licence is time limited the dates
N/A

Licensable Activities authorised by the licence
Sale by Retail of Alcohol Recorded Music Live Music Performance of Dance Provision of Facilities for Dancing

The times the licence authorises the carrying out of licensable activities
Sale by Retail of Alcohol: Monday - Saturday: 11.00-03.00 Sunday: 12.00-02.00 and until 05.00 on New Years Day
Recorded Music: Monday - Wednesday: 18.00-03.00 Thursday 18.00-04.00 Friday - Saturday 18.00-06.00 Sunday 12.00-04.00 and until 04.00 on the day following Bank Holiday Mondays and until 06.00 on the day following New Years Eve.
Live Music: Monday - Friday 18.00-01.00 Saturday - Sunday 19.00-01.00 Saturday 27th and Sunday 28th April 2013 12:00 to 19:00

Performance of Dance

Monday - Wednesday 18:00 - 03:00

Thursday 18:00 - 04:00

Friday - Saturday 18:00 - 06:00

Sunday 12:00 - 04:00

New Year's Eve/Day until 05:00, Bank Holidays Mondays until 04:00**Provision of facilities for dancing**

Monday -Wednesday 18.00-03.00

Thursday 18.00-04.00

Friday - Saturday 18.00-06.00

Sunday 12.00-04.00

and until 04.00 on the day following Bank Holiday Mondays and until 06.00 on the day following New Years Eve.**The opening hours of the premises**

Monday - Wednesday 11.00-03.00

Thursday 11.00-04.00

Friday - Saturday 11.00-06.00

Sunday 12.00-04.00

and until 04.00 on the day following Bank Holiday Mondays and until 06.00 on the day following New Years Eve.**Where the licence authorises supplies of alcohol whether these are on and/or off supplies**

Sale of alcohol is permitted for consumption ON the premises.

Name, (registered) address of holder of premises licence

Castle Rock Properties Limited

4th Floor

4 Tabernacle Street

London

EC2A 4LU

Registered number of holder, for example company number, charity number (where applicable)

656814

Name of designated premises supervisor where the premises licence authorises the supply of alcohol**State whether access to the premises by children is restricted or prohibited**

Children of 14 years and above must be accompanied by an adult.



**METROPOLITAN
POLICE**

TOTAL POLICING

Camden Licensing Authority

Town Hall Extension
Argyle St
London

WC1H 8EQ

EK - Camden Borough

Licensing Unit
Room [REDACTED]
Kentish Town Police Station
12a Holmes Rd
London
NW5 3AE

Telephone: [REDACTED]

Email: [REDACTED]

Your ref: **VARY\115539**

Dear Sir/Madam

RE: Application VARY\115539

Electric Ballroom, 184 Camden Highstreet NW1 8QP

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

Case Law

Daniel Thwaites PLC v Wirral Magistrates' Court and Others

This case, referred to as 'the Thwaites case', is important because it emphasises the important role that Responsible Authorities have in providing information to decision makers to contextualise the issue before them. This case is sometimes misconstrued as requiring decisions to be based on 'real evidence', and that conditions cannot be imposed until problems have actually occurred. This is wrong. The purpose of the Act is to prevent problems from happening. Decisions can and should be based on well-informed common sense. The case recognises that Responsible Authorities are experts in their fields, and that weight should be attached to their representations.

The Honourable Mrs Justice Black said:

'Drawing on local knowledge, at least the local knowledge of local licensing authorities, is an important feature of the Act's approach. There can be little doubt that local magistrates are also entitled to take into account their own knowledge but, in my judgment, they must measure their own views against the evidence presented to them. In some cases, the evidence presented will require them to adjust their own impression. This is particularly likely to be so where it is given by a Responsible Authority such as the police.'

Source: [Alcohol licensing: using case law - GOV.UK \(www.gov.uk\)](http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/344441/Alcohol_licensing_using_case_law.pdf)

UNIQUE APPLICATION ISSUES:

The Electric Ball room is located on Camden High Street, close to the tube station at Britannia Junction. It currently operates Monday to Sunday serving alcohol until 03:00, 02:00 on Sundays.

The Electric Ballroom is situated in one of the busiest parts of the CIZ, both for footfall and crime. The strip between Camden Town and the top of the canal bridge is often littered with drug dealers, openly offering a variety of drugs. I have personally experienced this, over the course of my career in uniform, but also whilst in plain clothes. It is also Inverness Street, another road that is a target for drug dealers due to it being heavily populated with people and also used as a cut through to evade Police.

Violence is one of the other issues that follows drug dealing, it attracts “turf wars” and over the last few years there have been several attacks involving gang members, some involving knives and guns causing fatal injuries. Incidents like these can quickly escalate involving innocent members of public, especially with firearms being discharged.

Another issue that is more specific to the music venue side of this business are the thefts, and gangs of organised criminals that target music events.

These are just a few of the current issues that plague this area, and will directly affect customers that leave this venue throughout the night.

These issues can be amplified when the hours are extended, the people leaving the venue are more likely to have a higher level of intoxication leaving them more vulnerable to those who would take advantage.

There is another issue regarding street robberies that is already occurring in another part of the CIZ, these robberies are targeting patrons leaving late night venues generally looking to steal phones and money. These gangs will often outnumber the victims and threaten them with violence and will often brandish knives. This is a relatively new issue that has been having an increasingly negative impact on both the CIZ, its patrons and the Police. If this application is granted street robberies in this area will certainly increase.

The applicant has requested an increase on some of the busiest days, Fridays and Saturdays. This is at a time where Police resources are severely depleted, any increase in hours will have an adverse effect on how Police respond to other calls in the borough of Camden.

Any licensing hearing held as a result of this representation letter can be supplied with more specific statistics.

Conclusion

Due to the serious and negative impact this extension would have on crime and disorder within the Camden Town CIZ, the MPS believes this application should be rejected in its entirety.

PC Dominic Hallam 1908 CN – Camden Licensing Team

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



CENTRAL NORTH
Policing Camden & Islington



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

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



**METROPOLITAN
POLICE**

TOTAL POLICING

EK - Camden Borough

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

Telephone: 020 8733 4280

Email: dominic.hallam@met.police.uk

Your ref: **NEW\115539**

Dear Sir/Madam

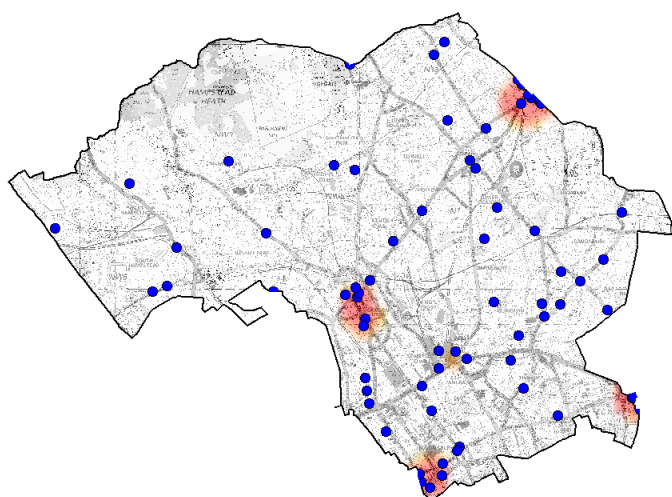
RE: Application Vary\115539

The Electric Ballroom 184 Camden Highstreet NW1 8QP

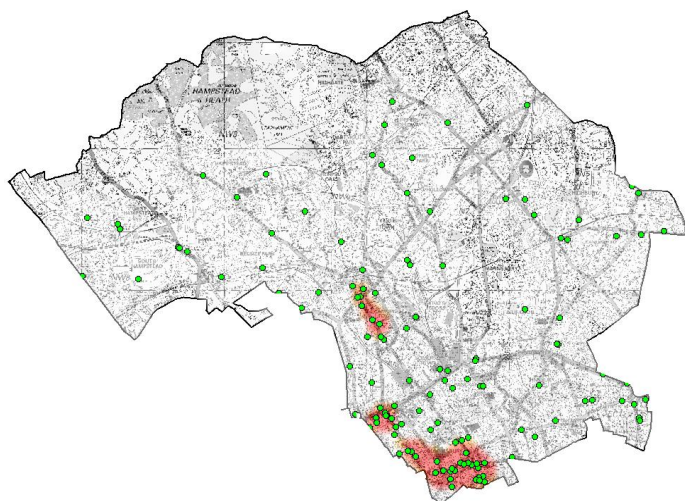
Robbery:

The below maps are referred to as "heat maps" The areas shown as red are considered to be high risk locations for crimes that occur/are likely to occur due to surrounding factors, such as Licenced Venues. These maps are created by our Intelligence Analysts.

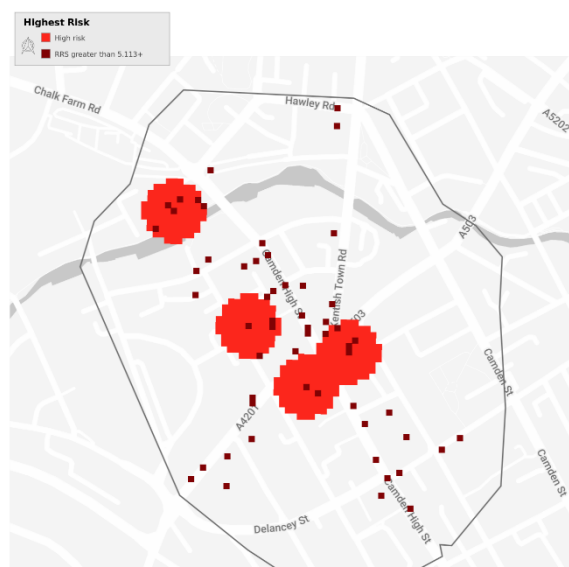
Camden Town (2): 10 offences for the C2W. Offences cluster along/around Camden High Street. Peak day SUN (40%). 6 offences committed within NTE hours. Overall peak timeframe is 00:00-04:00 (60%). MO for NTE robberies and theft snatches (on foot) during NTE hours is similar to that for Angel & Clerkenwell. 2 robberies and 1 theft snatch o/s [REDACTED]. Other bars targeted on the high street include [REDACTED], [REDACTED], The Electric Ballroom, [REDACTED] (Inverness Street). Peak period for NTE robberies is SAT & SUN 01:00-04:00. (Venue names have been redacted)



Camden Town (2) 14 offences for C2W. Offences cluster along Camden High Street and around Camden Town Station. Peak timeframe 00:00-04:00 (42%)



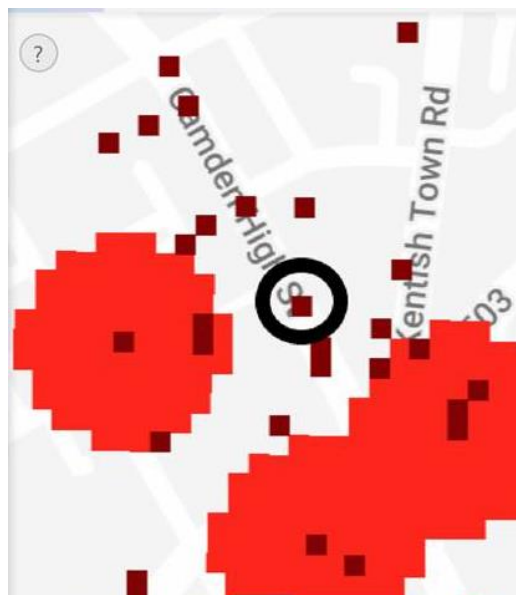
The below map is from another intelligence report that highlights the riskiest areas within Camden Town.



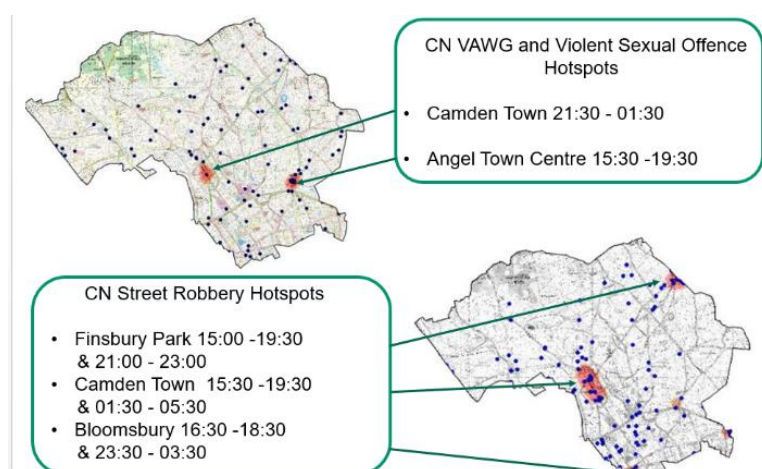
RRS greater than 5.113:

Relative Risk Score, this means that where the dark red spots are shown, crime is 5.113 times more likely to occur than within the brighter red circles, where crime is already at a high risk of occurring.

This specific analysis used 12 weeks of violence with injury crime data. It considered the following risk factors; London Underground entrances, Nightclubs, Stage Venues, Screening Venues, Bus Stops, Fast Food and Takeaway Outlets, Pubs, Bars and Inns as crime generating locations.



The intelligence team has confirmed that the circle shows The Electric Ballroom sits within one of these higher risk areas.



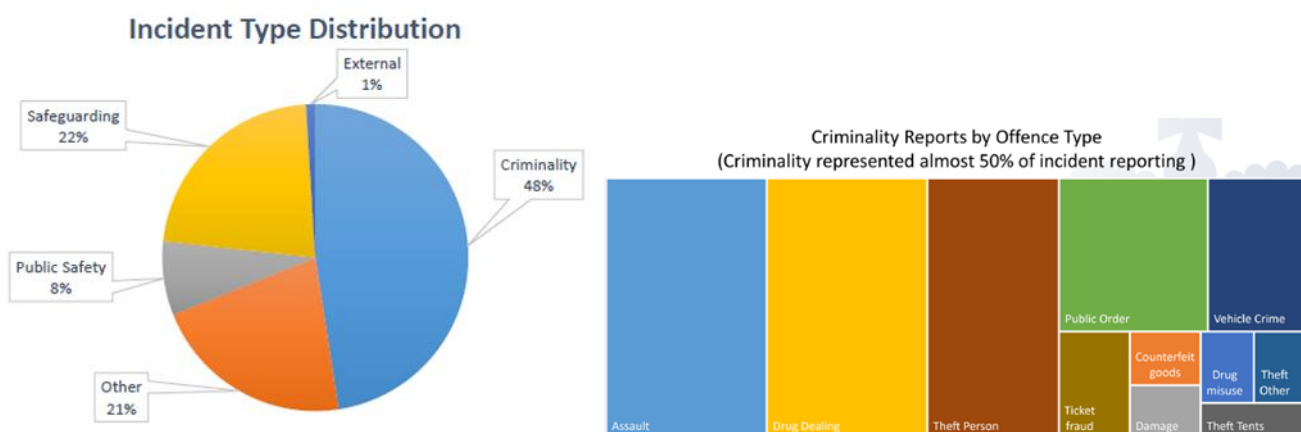
These two maps show the riskiest areas across both Camden and Islington, and as you can see the entire CIZ of Camden Town is shown as a hotspot for these two specific crimes. As shown by the times, they have an impact into the early hours of the morning.

Information from the National Public Safety Events Assessment:

This national assessment found the following:

Music concerts are considered to be high risk events, due to the dynamics of the crowd's offences such as thefts and sexual assaults or more likely to occur. Due to concerts attracting a large amount of people in a smaller space, non-consensual is made much easier due to the fact a suspect can easily move in a way to avoid detection. Some of these sexual assaults include incidents of rape occurring, it is typically linked to vulnerabilities such as intoxication levels, drug use and age. Venues will always apply a 0 tolerance towards drugs and underage drinking, but these incidents still occur and are difficult for venues to manage completely.

It has been acknowledged that drug use continues to plague these types of events and can be extremely difficult to manage for security teams and venue staff alike. The area the venue sits in is heavily saturated with drug dealers and they will certainly target this venue when a music concert is being hosted as crowds typically queue along the pavement, I have witnessed these long queues on several occasions during night shift duties.



The pie chart shows the percentages of reports made at multiple music events. The chart on the right shows a breakdown of crimes reported.

Incidents of spiking continue to plague the NTE and in Camden there is generally at least one spiking incident a week, many involving sexual assault. And these statistics are exacerbated during the summer months due to footfall/attendance being higher.

Recent Incidents:

+++++

Assault:

Time of Incident – 23:00

Date of Incident – 05/03/2023

Details of Incident – A male has been racially abusive inside and a physical altercation has occurred with security whereby the victim has alleged injuries. The force used by the security staff was on the border of being unreasonable and arrests were made, following interviews the suspects were released agreeing the force was on the border of being unreasonable and no formal charges were brought forward. The licensing team spoke with the venue and issued words of advice. The venue was also instructed that they should be calling Police to incidents of violence and disorder. (This was reported by the victim online)

+++++

Assault:

Time of Incident - 01:00

Date of Incident - 16/07/2023

Details of Incident - Male allegedly beaten up inside the venue and has a broken ankle. Not sure of details due to being intoxicated. Victim states he felt being punched in the back of the head and thinks his ankle was kicked. CCTV has been viewed and confirms that an assault took place. The venue did not call Police at the time nor did they make any attempt to detain the suspect.

The victim has received a broken ankle and was punched repeatedly whilst on the floor.

The venue received a “notification of alleged breaches” on 15/08/2023.

These are the last two reported Incidents, on both occasions Police should have been called but were not.

Since the beginning of the year there have been 6 crime reports (including the two mentioned above):

- 4 involved violence with injury.
- 1 theft was reported.
- 1 was a public order offence that involved a bouncer allegedly intimidating a customer.

+++++

Public Order Crime:

Time of incident – 23:50

Date of incident – 18/02/2023

Details of incident – A male has attended the venue with prescription pills, he claims he was surrounded by several bouncers and intimidated to the point where he felt physically threatened. Victim did not want to support a Police prosecution. (No call to Police, online report by victim)

+++++

Violence with injury:

Time of incident – 22:50

Date of incident – 05/05/2023

Details of incident – The initial complaint was that the victim was removed by security along with a group of females using unreasonable force. Following CCTV enquiries it shows the security did not use unreasonable force and the report was closed. (This was reported online by the victim)

+++++

Theft:

Time of incident – 21:58

Date of incident – 04/05/2023

Details of incident – An allegation that the victim’s phone had been stolen whilst inside the club, after a week or so it had been reported to the Police that the phone had been left in an Uber and returned to the victim. (This was reported online by the victim)

+++++

Violence with injury:

Time of incident – 22:11

Date of incident – 16/06/2023

Details of the incident – Victim states that following an interaction with performers, one of them slapped him. This then caused the security to intervene and violently remove the victim causing him injury.

The investigation was not completed as the victim decided to withdraw their allegation, no call to Police made. The victim attended a Police station to make the report.

+++++

PC Dominic Hallam 1908 CN – Camden Licensing Team

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

☎ 0208 733 4280

✉ Dominic.Hallam@met.police.uk



CENTRAL NORTH
Policing Camden & Islington



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Date: 16/06/2023
Application Reference: APP\PREM-VARY\115539
Direct Phone Number:
Contact: Esther Jones
E-mail: [REDACTED]

Please quote our reference in any correspondence

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



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

Tel: 020 7974 4444 (switchboard)

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www.camden.gov.uk

Licensing Act 2003 – PREM-LIC\1979

Re: The Electric Ballroom, 184 Camden High Street, London NW1 8QP

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 variation of the current premises licence to: -

Amend premises information
 Amend business hours
 Amend activities and
 Amend conditions.

The current premises licence permits the following entertainment and activities: -

- Alcohol
- Recorded Music
- Live music
- Performances of dance
- Provision of facilities for dancing

The times the licence authorises the carrying out of licensable activities

Sale by Retail of Alcohol:

Monday - Saturday: 11.00-03.00

Sunday: 12.00-02.00

and until 05.00 on New Year's Day

Recorded Music:

Monday - Wednesday:	18.00-03.00
Thursday	18.00-04.00
Friday - Saturday	18.00-06.00
Sunday	12.00-04.00

and until 04.00 on the day following Bank Holiday Mondays and until 06.00 on the day following New Year's Eve.

Live Music:

Monday - Friday	18.00-01.00
Saturday - Sunday	19.00-01.00
Saturday 27th and Sunday 28th April 2013 12:00 to 19:00	

Performance of Dance

Monday - Wednesday	18:00-03:00
Thursday	18:00-04:00
Friday - Saturday	18:00-06:00
Sunday	12:00-04:00

New Year's Eve/Day until 05:00, Bank Holidays Mondays until 04:00

Provision of facilities for dancing

Monday -Wednesday	18.00-03.00
Thursday	18.00-04.00
Friday - Saturday	18.00-06.00
Sunday	12.00-04.00

and until 04.00 on the day following Bank Holiday Mondays and until 06.00 on the day following New Year's Eve

The opening hours of the premises

Monday - Wednesday	11.00-03.00
Thursday	11.00-04.00
Friday - Saturday	11.00-06.00
Sunday	12.00-04.00

and until 04.00 on the day following Bank Holiday Mondays and until 06.00 on the day following New Year's Eve.

Conditions under Annex 2 of the current conditions.

15. Alcohol shall not be sold or supplied except during the permitted hours. In this condition, permitted hours means:

11.00-03.00 Monday to Saturday
 12.00-02.00 Sunday
 11.00-05.00 New Years Eve

16. (1) Subject to the following paragraphs, the permitted hours on weekdays shall extend until two o'clock in the morning following [three o'clock in the metropolis][or, if an earlier hour is specified in the special hours certificate, that hour], except that—

- i. the permitted hours shall end at midnight on any day on which music and dancing is not provided after midnight; and
- ii. on any day that gaming ends between midnight and two o'clock in the morning [three o'clock in the metropolis], the permitted hours shall end when the music and dancing end

(2) In relation to the morning on which summer time begins, paragraph (1) of this condition shall have effect with the substitution of references to three o'clock in the morning [four o'clock in the metropolis] for references to two o'clock in the morning [three o'clock in the metropolis] [or one hour following the hour actually specified in the certificate where the certificate currently requires closure between 1 a.m. and 2 a.m.]

(3) Except on Sundays immediately before bank holidays, the permitted hours on Sundays shall extend until thirty minutes past midnight in the morning following [or, if an earlier hour is specified in the special hours certificate, that hour], except that—

(a) the permitted hours shall end at midnight on any Sunday on which music and dancing is not provided after midnight;

(b) where music and dancing ends between midnight on any Sunday and thirty minutes past midnight, the permitted hours on that Sunday shall end when the music and dancing end

(4) On Sundays immediately before bank holidays, the permitted hours shall extend until 2 a.m. in the morning following [3 a.m. in the metropolis], except that—

(a) the permitted hours shall end at midnight on any Sunday on which music and dancing is not provided after midnight;

(b) where music and dancing ends between midnight on any Sunday and 2 a.m. [3 a.m. in the metropolis], the permitted hours on that Sunday shall end when the music and dancing end

(5) The sale of alcohol must be ancillary to the use of the premises for music and dancing and substantial refreshment.

iii. The “Metropolis” means the area designated in The Licensing (Metropolitan Special Hours Area) Order 1961

17. Public entertainment may only be provided on the Ground and First floor. The total number of people accommodated at the premises at any one time shall not exceed 1100 (with the exception of Live Music with a terminal hour of 23:00 Monday to Sunday only) in accordance with the following layout.

Ground floor - 850

First floor - 250

The exception to the total number of people to be accommodated at the premises is for Live Music with a terminal hour of 23:00 Monday to Sunday only. The total number of people accommodated for Live Music at any one time shall not exceed 1200.

18. The number of persons permitted in the dressing rooms at 23 Kentish Town Road shall not be more than 15 persons in total.

19. 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.

20. There shall be no amplified music or dancing in the first floor area.

21. There shall be no new admissions of the public to the premises after

2.30am

22. Whilst the premises are in use under this licence there shall be no live music beyond 1.00am.
23. Smoke machines shall not be used with the exception of the following to provide short bursts
 - (a) Ground floor, DJ Booth J.E.M 20 Mark 3
 - (b) First floor, DJ Booth in Bar 3 J.E.M Fogger.
24. The lower foyer and the second floor offices shall not be used for any purpose without the prior consent of the Council.
25. Attendants shall be on duty in the ladies and gentlemen's cloakroom, during the whole time they are in use.
26. The exit doors from the premises to Dewsbury Terrace shall be kept closed except when actually in use.
27. When the premises are in use, under this licence the pair of gates between the rear entrance and Kentish Town Rd shall be kept locked back in such a manner that a key will be needed to release them.
28. The loud speakers in the main room must be kept mounted on the concrete plinths which are isolated from the structure, to prevent structural transmission of sound.
29. Under no circumstances shall speaker systems provided to amplify music and/or voices for entertainment purposes be positioned off the acoustic supporting plinths.
30. The Aims Minns Sound Level Controller shall be maintained and calibrated to the satisfaction of the Council to ensure suitable maximum volumes are maintained within the premises.
31. Where the entertainment provided consists, to a significant degree, of dancing by customers, the licensee shall ensure an adequate supply of wholesome, cool, fresh drinking water is available for the use of the customers. This water must be readily available throughout the time the entertainment is provided, and is to be supplied free of charge.

Acoustic Criteria

32. 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.

33. 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.

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.

34. After 2300hrs Applicable To All Entertainment Premises

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

36. The licensee shall, in consultation with the Council and Metropolitan Police, develop a crime prevention strategy for the premises and in particular shall carry out a risk assessment in respect of the possibility of assaults to customers and staff."

37. "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."

38. "The licensee shall take all reasonable steps to ensure that there is no unauthorised advertising of events to be held at the premises."

39. "The licensee shall carry out a risk assessment in respect of the potential harm to customers of the use of illegal drugs, whether taken on the premises or taken by a customer prior to entering the premises, and shall put in place appropriate measures to mitigate any such harm."
40. A comprehensive staff training programme is to be put together which will cover the Licensing Act 2003, Fire Evacuation procedures, Critical incident best practice, crime scene best practice and illegal drug taking. This training is to be clearly documented and any training for future staff must also be organised at the appropriate time. Training shall be written into a program of on-going review and will be made available for inspection by the Police and other responsible authorities upon request.
41. For 8 weekends per year, the licensable hours for live music may be extended to begin at midday and end at 23:00. The licence holder shall notify the Licensing authority and the Police 28 days prior to these weekends. The event shall not go ahead without the written approval of both the Licensing Authority and the Police.
42. The premises licence holder shall ensure that CCTV cameras and recorders are installed at the premises and are of standard acceptable to and approved by the Police.
43. The system shall be maintained in good working order and at all times the premises is open to the public, be fully operational covering both internal and external areas of the premises to which the public have access.
44. The CCTV camera views are not to be obstructed.
45. At least one CCTV camera is to be placed no more than seven feet above floor level; near to the exit in order to capture clear facial images of all persons leaving the premises.
46. The medium on which CCTV images are recorded shall be of evidential quality; stored securely; shall be retained for a period of 31 days; and be available for inspection by the Police or Local Authority upon request.
47. At all times when the premises are open for the purposes of licensable activities, a suitably trained member of staff shall be present to assist the Police or an authorised officer in obtaining the CCTV footage.
48. Copies shall be made available within 48 hours to the Police or Local Authority, upon request.
49. The facility to transfer the images to a compatible, removable format shall be held on the premises.
50. Staff working at the premises shall be trained in the use of CCTV and a log will be kept to verify this.
51. Signs must be displayed in the customer areas to advise that CCTV is in operation.

52. If the CCTV is inoperative or not installed and working to the satisfaction of the Police, then within 48 hours the Police shall be notified and estimate given of the repair timescale. The premises shall comply with all reasonable requests from the Police.
53. A management document is to be drawn up, maintained and amended as required which will deal with the following:
 - a) Definition of promotions, events and bookings
 - b) Procedure for the management of each category
 - c) Security procedures including the reporting of incidents
 - d) Procedure for ensuring promoters are informed of and are managed in such a way as to promote the Licensing Objectives and ensure compliance with the conditions on the premises licence.
 - e) Response plan and management structure in the event of an emergency
54. For any event involving a promoter, their associates, DJ or artist (e), or one where the venue has been booked by an outside agent with a view to selling tickets to the public for profit; the licensee shall complete a risk assessment Form 696 and email it to SCD9Proact1velicensingIntelligence@met.pnn.police.uk, and copied to EK- Licensing@met.police.uk at least 14 days prior to the event. The Licensee shall notify the Metropolitan Police using the same emails if there are any short-notice bookings of events or any unusual or large scale event as soon as reasonable practicable. The police will have the right of absolute refusal of any such events for reason of late notification.
55. The venue must employ and document a dispersal policy to the satisfaction of the Police and Licensing Authority, for the patrons leaving the venue at the end of an event. These documents must be made available on request to any responsible authority and be reviewed on a monthly basis.
56. No persons carrying visibly open or sealed alcohol vessels shall be admitted to the premises at any time that the premises are open for any licensable activity.
57. No patron shall be allowed to leave the premises whilst in the possession of any drinking vessel or bottle whether empty or containing any beverage.
58. A Challenge 25 policy will be enforced, where any person reasonably looking under the age of 25 shall be asked to prove their age when attempting to purchase alcohol and signs to this effect will be displayed at the premises. The only acceptable forms of identity will be those with photographic Identification documents recognised in the Home Office guidance; including passports, photo-card driving licence or proof of age card bearing the PASS hologram.
59. The venue shall not engage the services of street promoters to encourage clientele to attend the venue.
60. All Alcohol must be served in plastic or polycarbonate receptacles.
61. Venue is to start to increase lighting at least 30 minutes before the end time the venue is permitted to supply alcohol; with full lighting no later than 15 minutes before that point.

62. Consumption of alcohol on the premises shall cease 30 minutes after the permitted hours for the sale of alcohol.
63. Venue is to start 'softening' the music style, In order to assist with a controlled dispersal policy at least 30 minutes before the end time the venue is permitted to supply alcohol.
64. Police must be called to incidents of violence and/or disorder.
65. An incident log shall be kept at the premises, and made available on request to an authorised officer or the Police, which will record the following:
- a) all crimes reported to the venue
 - b) all ejections of patrons
 - c) any complaints received
 - d) any Incidents of disorder and violence
 - e) all seizures of drugs or offensive weapons
 - f) any faults in the CCTV system or searching equipment
 - g) any refusal of the sale of alcohol to Include date, time, and staff member
 - h) any visit by a relevant authority or emergency service.
 - i) CAD reference numbers where Police are called.
66. Where the premises are open for licensable activities on Fridays and Saturday from 22:00 hours, a minimum of fifteen (15) SIA-registered door supervisors shall be employed at the premises until 30 minutes after close.
67. A door supervisor's register shall be updated on occasions when supervisors are employed. The register is to be made available for inspection by the Police and/or Licensing Authority. Details to show:
- a) full name;
 - b) date of birth;
 - c) SIA Registration Number; and
 - d) date and hours worked.
 - e) Contact telephone number and email address
68. A coloured photocopy of each door supervisor's SIA badge shall be taken by the DPS and retained at the premises.
69. Where the venue runs promoted events, or when recommended by Police; and in any case, after 2100 hours on Thursday, Friday and Saturday; every customer is to be subjected to a search, including of the person, wallets, bags, purses, and any other items carried on or by the customer. All searches are to be conducted by authorised door staff and must be carried out within an area covered by the venue's CCTV system. Refusal to being searched will result in No Entry.
70. All door supervisors will wear high-visibility jackets or vests or high-visibility arm bands whilst working at entry/exit points and around the exterior of the building.
71. All Door supervisors are to use body worn cameras. In the event of an incident, the footage must be made available to Police upon request. The venue will ensure that a suitable, expeditious playback/ downloading system is in place for Police to be able to obtain any evidential footage.

72. Door supervisors and appropriate staff shall be provided with two-way" radios or similar systems capable of ensuring continuous communication between each other at all times that the premises are open for a licensable activity.
73. The designated queuing area shall be enclosed within appropriate barriers to ensure that the footway is kept clear.
74. The smoking area to be constantly supervised by an SIA registered door supervisor who will monitor the capacity and restrict access when necessary.
75. The licence holder shall ensure that any queue to enter the premises which forms outside the premises is orderly and supervised by door staff so as to ensure that there is no public nuisance or obstruction to the public highway.
76. The Security Company that is employed by the venue must inform Camden Police Licensing Team, if the venue disregard the Security Company entry/exit protocol or recommendations by the security company. For example when a large group of men are turned away by security due to a risk of violence, but the venue ask them back and into the venue.
77. Venue to Inform Police if they change their Security Company.
78. Signage shall be displayed in a prominent position on the premises requesting that customers leave quietly.
79. No lagers or ciders in cans or plastic bottles over 5.5% ABV to be sold or stored on the premises.
80. No white cider products above 5.5% ABV to be sold or stored on the premises.
81. A personal licence holder to be present at the venue at all times when the venue is open during licensed hours.
82. A visible sign to be in place reminding customers that Camden Borough is a Controlled Drinking Zone and alcohol must not be consumed in the street.
83. The Premises Licence Holder and/or Designated Premises Supervisor shall not purchase any alcohol goods from door to door sellers.
84. The Premises Licence Holder and Designated Premises Licence Holder shall ensure alcohol is only purchased from an authorised wholesaler and shall produce receipts for the same upon request for Inspection. (An authorised wholesaler means an established warehouse or trade outlet with a fixed address and not a van or street trader, even if they claim they are part of, or acting on behalf of, an authorised wholesaler who provides full itemised VAT receipts).
85. The Premises Licence Holder and Designated Premises Supervisor shall ensure persons responsible for purchasing alcohol do not take part in any stock swaps or lend or borrow any alcoholic goods from any other source unless the source is another venue owned and operated by the same company who also purchase their stock from an authorised wholesaler.

86. Prominent signs shall be displayed at all entrances to the premises stating the premises will not buy goods from any caller to the premises. The signs shall be displayed regardless of whether public access is permitted at that entrance.
87. The premises licence holder shall ensure all receipts for alcohol goods purchased include the following details:
 - a) seller's name and address
 - b) seller's company details, if applicable
 - c) seller's Vat details, if applicable
 - d) vehicle registration details, if applicable
88. Legible copies of the documents referred to in condition 88 shall be retained on the premises and made available for inspection by Police and authorised Council Officers on request.
89. Copies of the documents referred to in Condition 88 above shall be retained on the premises for a period of not less than twelve months.
90. Notices shall be displayed within the premises warning customers about personal thefts, and to be vigilant.
91. Security staff make sure all customers are aware by verbally telling them to keep items safe and a cloakroom is available.
92. The venue will use, to the satisfaction of Police Licensing, an electronic 'scanning' identification system in order that the identity of all persons entering the venue can be confirmed. This will be used at all times.

The variation times being applied for are as follows: -

Alcohol (On)

Monday to Wednesday	11:00–02:00
Thursday	11:00-03:00
Friday to Saturday	12:00-04:30
Sunday	12:00-02:00

The opening hours of the premises

Monday - Wednesday	11.00-03.00
Thursday	11.00-04.00
Friday - Saturday	11.00-06.00
Sunday	12.00-04.00

Framework Hours – Pages 36 of The Licensing Policy

The hours being applied for are outside of the framework hours for all the days of the week, however, the premises have been operating under these hours as stipulated within the current premises licence.

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 Camden Town 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 to vary the current premises licence and the applicant has provided conditions premises licence and its main business would be as a theatre, with an ancillary bar. They are yet to appoint a designated premises 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.

I would also like to draw the applicant's attention to the consent order which was issued and signed on 11th September 2017 imposed at the Highbury Magistrates Court following a LSC hearing on the 9th of March 2017. The premises licence has now been updated with the conditions and hours on the consent order.

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

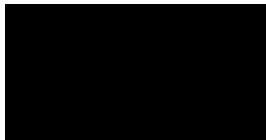
The Challenge 25 scheme must be operated to ensure that any person who appears to be under the age of 25 shall provide documented proof that he/she is over 18 years of age. Proof of age shall only comprise a passport, photo card driving licence, an EU/EEA

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



Claire Mulligan-Ward
Commissioning Officer
Camden Health and Wellbeing
Department/Public Health

(Alternate contact [REDACTED])

27th June 2023

**Representation from Camden Health and Wellbeing Department/Public Health
Department on behalf of health bodies providing health services in Camden**

Electric Ballroom, 84 Camden High Street Camden Town, NW1 8QP

This representation is made on behalf of Camden Health and Wellbeing Department/Public Health as a responsible authority. It relates to the application for a variation on the license of Electric Ballroom, 84 Camden High Street, Camden Town NW1 8QP, with a request to sell alcohol between the hours of 11:00 and 04:30, on a Friday and Saturday (currently until 03.00 on a Friday and Saturday) and an increase in capacity to an extra 400 people.

The grounds for the representation are:

- public safety,
- the prevention of crime and disorder, and
- the prevention of public nuisance.

We are concerned that if this application for extended hours and extended numbers is granted, it will increase the availability of alcohol for consumption and the number of people drinking. This could lead to an increase in public nuisance, crime and disorder, hospital admissions and callouts and impact adversely on the health of those buying and consuming the alcohol as well as the health of others who encounter them.

Alcohol harms

The harms caused by alcohol in the UK are substantial. Recent figures show that alcohol costs the NHS £3.5bn a year, and alcohol related crime costs the country £11.4bn annually. In 2020, 7423 deaths were directly attributable to alcohol in England and Wales¹.

Alcohol use increased during the pandemic. An analysis by the Royal College of Psychiatrists indicates that people who were already heavy drinkers began drinking more, while people in recovery reported a much higher rate of relapse².

Evidence shows that changes in hours or days of trading can have a significant impact on volume of alcohol consumed and rates of alcohol related problems³.

¹ <https://www.bmj.com/content/375/bmj.n2678>

² www.rcpsych.ac.uk/news-and-features/latest-news/detail/2020/09/14/addiction-services-not-equipped-to-treat-the-8-million-people-drinking-at-high-risk-during-pandemic-warns-royal-college.

³ Popova S et al Hour and days of sale and density of alcohol outlets: Impacts on alcohol consumption and damage: A systemic review. Alcohol and Alcoholism 2009, 44(5) 500 – 516. Available at: <https://academic.oup.com/alcalc/article/44/5/500/182556?login=true>

Ambulance callouts

The data on alcohol-related ambulance callouts reflect where the ambulance attended, not where the individual lives. Alcohol-related ambulance callouts highlight the immediate harms of alcohol on health and thus the risk to physical safety that alcohol causes.

The Local Super Output Area (LSOA, a geographical area in which an average 1,500 residents live) that Electric Ballroom, 84 Camden High Street Camden Town is within, records a high level of alcohol related ambulance callouts per resident. Between 1 October 2020 and 30 September 2021 there were 77 alcohol related ambulance callouts (68% of these between 23.00-05.00). This is a higher rate than the average in Camden.

Hospital Admissions

Alcohol-specific admissions refer to the number of residents admitted to a hospital because of a condition that was attributable to alcohol. Alcohol-specific admissions do not include those seen in Accident and Emergency but are then sent home (i.e., those who are seen but not admitted).

There were 144 hospital specific (alcohol related) admissions in the Camden Town with Primrose Hill Ward (where Electric Ballroom is situated) due to alcohol in 2021/22, which is higher than the Camden average of 83 in the same period.

Alcohol Data

The impact of alcohol is particularly great in Camden⁴.

Camden has the ninth highest number of alcohol specific deaths across London (2021/22).

Camden is the London borough with the fourth highest number of deaths due to chronic liver disease (2021-2022).

Camden is the fifth highest London borough for hospital admissions due to alcohol specific conditions (2021/22).

Camden is the eight highest London borough for hospital admissions for cardiovascular disease caused by alcohol (2021/22).

Summary

There is evidence that increased availability of alcohol in terms of the time in which alcohol is available (hours of sale) results in an increase in alcohol-related harm and increases the impact on a number of frontline services and the community as a whole.

Recommendation

Electric ballroom is in a Cumulative Impact area, where the number, type and density of premises selling alcohol for consumption on the premises has a serious negative impact on the local community and local amenities. By increasing the hours of opening and increasing capacity at the Electric Ballroom, will impact on the area.

Camden Health and Wellbeing Department/Public Health Department recommends that the licensed hours of sale to supply alcohol from this premise are not extended to 04.30 on a Friday and a Saturday due to the harms of alcohol on the individual and the community.

⁴ [Local Alcohol Profiles for England \(LAPE\) - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/collections/local-alcohol-profiles-for-england-lape)

From: [Alan Day](#)
To: [licensing inbox](#); [REDACTED]
Subject: Electric Ballroom Licence Extension
Date: 11 July 2023 22:11:51
Attachments: [image001.png](#)
[Electric Ballroom Licence info.pdf](#)

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Hello,

Please find attached some information about why I believe the venue should be able to apply for a license extension.

Many thanks for your time,

Alan.

Alan Day

Promoter



KILIMANJARO

3rd Floor, 16 St Johns Lane, London. EC1M 4BS

[MyTicket.co.uk](#) | [actionpresents.co.uk](#)

Direct: +[REDACTED] | Mobile +4[REDACTED]



To Whom It May Concern,

As a music fan, I have been attending shows and club nights at the Electric Ballroom for 30 years. In my current job as a national UK concert promoter, I have been promoting shows there since 2008.

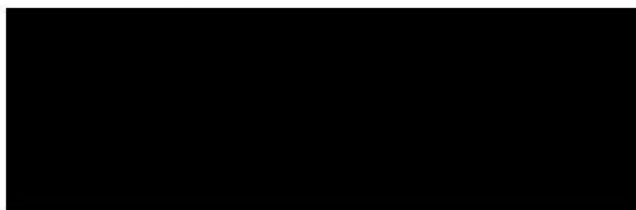
I have forthcoming shows this year at the venue with the likes of Therapy?, Terrorvision, Fear Factory, Atreyu, Symposium and many more.

The venue is one of my favourite rooms in the UK for it's capacity, if not one of my favourite in the world. It's my first choice for an artist when we are looking to sell 900-1400 tickets. It's an important stepping stone that a band must play before they head into the country's theatres and arenas.

As an independent venue, it is incredibly well run, by a team who really cares about every aspect from the security, production, bars, backstage facilities, immediate surroundings including outside queues and backstage equipment load in and out's.

I would definitely support any application for the venue to have increased licensing hours and believe the public would be well served and looked after.

Best,



Alan Day
Promoter

Kilimanjaro Live Limited
Third Floor, 16 St John's Lane, London EC1M 4BS

Registered in England No. 06355160
Registered Office: 64 Beaconsfield Road, London SE3 7LG

From: [licensing inbox](#)
To: [REDACTED]
Subject: FW: APP\PREMISES-VARY\115539, Electric Ballroom PREM-LIC\1979 Fwd to JP 10 Jul 2023
Date: 10 July 2023 16:03:13
Attachments: [Letter from Amy Lamé, Night Czar, re Electric Ballroom licence variation.pdf](#)
[image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.jpg](#)

Julia Peterson
 Licensing Officer

Telephone: [REDACTED]



From: Amy Lamé <[REDACTED]>
Sent: 10 July 2023 14:52
To: licensing inbox <licensing@camden.gov.uk>
Subject: APP\PREMISES-VARY\115539, Electric Ballroom PREM-LIC\1979 Fwd to JP 10 Jul 2023

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Please find attached a letter for Camden's Licensing Team

Kind regards

Amy

Amy Lamé

Night Czar

Office of the Mayor of London

City Hall, Kamal Chumchie Way, London E16 1ZE

Find out what we're doing to make London a fair, sustainable and prosperous [24hr city](#)

NHS health information and advice about coronavirus can be found at
[nhs.uk/coronavirus](https://www.nhs.uk/coronavirus)

The GLA stands against racism. Black Lives Matter.

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MAYOR OF LONDON


BY EMAIL

Date: 10 July 2023

RE: APP\PREMISES-VARY\115539, Electric Ballroom PREM-LIC\1979

I am writing in support of the application to vary the premises licence for the Electric Ballroom.

London's live music venues are a vital part of what makes London an attractive and vibrant city to live and work in. Alongside attracting visitors from around the world boosting our economy and providing vital jobs, they also improve the health and wellbeing of Londoners, supporting social interaction and reducing isolation.

COVID-19 had a severe impact on nightlife venues – wiping out cash reserves and putting many of them into debt. Despite wanting to trade their way back to financial health, venues are now suffering an even harsher financial landscape, with unsustainable energy bills, high inflation and increased supplier costs.

It is vital that we all play our part in supporting cultural businesses and do what we can to help maximise opportunities for them to thrive. Without help, London faces the loss of many late night venues, reducing the number of spaces where diverse communities can come together and risking increased social isolation. Ensuring a healthy late night offer is vital to maintaining London's position as a global leader in culture, creativity, business, tourism and education.

Additional night time trading hours can help businesses trade successfully and survive the additional costs pressures that they are under. The proposal from the Electric Ballroom to readjust their existing hours across the week will allow them to make better use of their resources, enabling the potential for increased trading while addressing its location within a cumulative impact area.

The Electric Ballroom has a proud history as an integral part of Camden's renowned nightlife offer. The team has considerable experience in venue management and a track record of hosting late night events successfully and safely. I am confident that this experience will ensure the safe and successful running of the venue to later operating hours on Friday and Saturday without any undue negative impact on their responsibility to prevent crime and disorder, ensure the safety of the public, prevent public nuisance and protect children from harm.

I welcome the council's recent work to ensure that licensing in the borough is more business friendly. To that end, and as a borough that has a global and local reputation for culture and creativity, I encourage Camden Council to support this application, which I wholeheartedly support.

Best wishes,



Amy Lamé
Night Czar



7th July 2023

Camden Council
5 Pancras Square, London, N1C 4AG

Reference: APP\PREMISES-VARY\115539

Re: Electric Ballroom - Application to vary licence

To whom it may concern,

Music Venue Trust is a UK registered charity established in 2014 that acts to protect, secure and improve the UK's Grassroots Music Venue circuit. Music Venue Trust provides advice to the government, the cultural sector and the music industry on issues impacting the network of venues and is the nominated representative that speaks on behalf of the Music Venues Alliance, an association of over 900 venues from across the UK.

As an important cultural hub, Electric Ballroom is a member of the Music Venue Alliance and we write in support of their extension to the Premises License application referenced above. Music Venue Trust are confident that their application to vary their licence would strengthen the cultural provision of the area and allow the venue to build a more robust and varied operation.

Over the past 20 years 35% of Grassroots Music Venues (GMVs) have closed in the UK and this is still ongoing; at the start of 2023 Music Venue Trust reported that the UK was continuing to lose GMVs at an average rate of one a week. In order for Camden to maintain its reputation as an iconic cultural destination we urge the council to support successful business operators who are working to drive the market, taking risks on grassroots musicians and developing the talent pipeline. This commitment was recently reaffirmed in Camden Council's own 'Evening and Night-time Citizens' Assembly' report where local residents outlined their commitment to GMVs with one of the metrics of success being the ambition of 'doubling of live music venues' in the borough.

GMVs provide new and emerging artists and musicians with a space to hone their craft, develop their fanbase and increase access to cultural opportunities for the local community: MVT makes the case to Government and industry that they are the 'research and development' arm of the music industry. However, in the aftermath of the Covid-19 Pandemic, the economic resilience of Grassroots Music Venues has been pushed to the limit. In our Annual Report we announced at Parliament the startling statistic that the average profit margin of a GMV is 0.2%, and that at its core, the provision purely of live music is a loss-making activity; the national subsidy invested by GMVs in order to provide grassroots music is £79 million. It is other revenue streams, like the often late-night provision of food & beverages, which enable GMVs to provide their cultural activity. Through this cultural heavy-lifting GMVs make an enormous contribution to the national economy. MVT was able to report that the total contribution to the economy was over £500 million, and across the UK over 30,000 are employed by the sector. GMVs create a rich cultural environment for the local community, boost the local economy and increase footfall to the UK's high streets, yearly generating 21.9million individual audience visits. In our role as sector experts Music Venue Trust is happy to support Electric Ballroom's application to vary their licence. We understand and agree that doing so is necessary to ensure that the venue is able to continue to function as a GMV.

Music Venue Trust is also confident that venue operators will continue to work in partnership with the responsible authorities and ensure the venue works professionally and cohesively alongside local businesses and residents. The venue has demonstrated over its long history a commitment to providing a safe space for local residents as well as becoming a destination venue for audiences from around the world. The operators have extensive experience working in the night-time economy, have vigorous operational policies in place, and have successfully and safely delivered events since their opening.

In addition to this as an arts and cultural venue The Electric Ballroom would rarely utilise the majority of their licensable hours or indeed operate at 100% capacity for all programmed performances. So it is important that Camden licensing Committee grant them a premises licence for the full hours specified in the application. Having the flexibility to open for extended hours on evenings and weekends is often the difference that allows GMVs to remain financially resilient. Music Venue Trust are confident that the operators of Electric Ballroom will be able to adhere to all licensing objectives and have a long track record in doing so.

This licence variation presents a genuine opportunity for the local council to take a supportive approach and help Electric Ballroom better able to weather this particularly difficult economic period. The Electric Ballroom is a cornerstone of Camden's cultural provision. In a borough that wishes to retain its reputation as a destination location for live music, Music Venue Trust urges Camden Council to support this application. In doing so the council can help ensure the venue's ability to continue to perform its function as a Grassroots Music Venue can thrive for generations to come. It is the aim of Music Venue Trust to protect, secure and improve grassroots music venues, therefore we offer positive support of the application and hope that it is granted as submitted.

Yours sincerely,



Clara Cullen,
Venue Support Manager, Music Venue Trust



Unit 22, The Nursery
Sutton Courtenay
Abingdon, Oxon
OX14 4UA

Tel : [REDACTED]

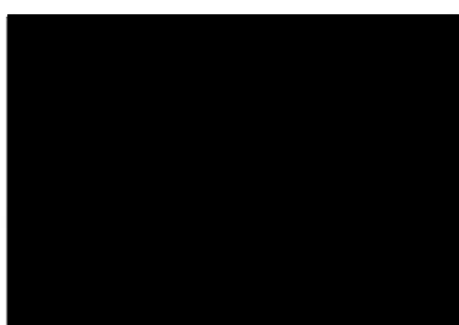
11th July 2023

To whom this may concern

I, Jon Vyner, in various guises have been promoting concerts at The Electric Ballroom since 1998, and for the last 5 years as Transcendence Concerts t/a Born Again Concerts. In this time, I have found The Electric Ballroom to operate at the highest professional standards, and I am 100% comfortable vouching for their good-standing within the local live music venue community and beyond.

Please don't hesitate to contact me if you require any further input from myself.

Kind regards,



TRANSCENDENCE CONCERTS LIMITED

Director : Jonathan Vyner

Tel : [REDACTED] E-mail : [REDACTED]

VAT No. : GB 308 2415 28

Company No. 11616947. Registered in England and Wales.

From: [REDACTED]
To: [REDACTED]
Subject: The Electric Ballroom Testimonial
Date: 11 July 2023 19:41:55
Attachments: [electric ballroom \(born again\).pdf](#)

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Hey Julia,
Hope you are keeping well.
I've been asked to send this testimonial to you, by The Electric Ballroom. See attached.
Yours sincerely,
Jon Vyner
Company Director
Transcendence Concerts Limited t/a Born Again Concerts
Unit 22, The Nursery
Sutton Courtenay
Abingdon
Oxfordshire OX14 4UA
United Kingdom
Mobile: [REDACTED]

From: [REDACTED]
To: [REDACTED]
Subject: The Electric Ballroom Testimonial
Date: 11 July 2023 19:38:49
Attachments: [electric_ballroom_\(underworld\).pdf](#)

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Hey Julia,
Hope you are keeping well.
I've been asked to send this testimonial to you, by The Electric Ballroom. See attached.
Yours sincerely,
Jon Vyner
Bookings Manager
The Underworld
174 Camden High Street
Camden Town
London NW1 0NE
Tel: [REDACTED]
Mobile: [REDACTED]



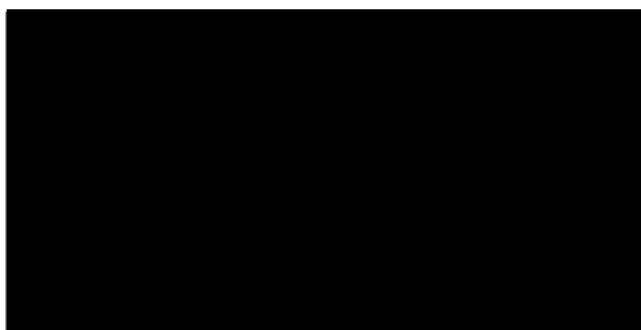
11/07/23

To whom it may concern,

I, Jon Vyner, have been the Bookings Manager of The Underworld since 1998. In that time, The Electric Ballroom have been model neighbours of our venue. The Electric Ballroom take their responsibilities as venue operators very seriously, always acting in the best interests and welfare of their customer-base and the wider community. So, with hand-on-heart, I can say with absolute conviction, that The Electric Ballroom will continue to conduct themselves in a manner only to be expected from venue operators of the highest possible standard.

Please don't hesitate to contact me if you require any further input from myself.

Kind regards,



From: [REDACTED]
To: [REDACTED]
Subject: Electric Ballroom - APP\PREMISES-VARY\115539 -Letter of Support
Date: 03 July 2023 14:07:48
Attachments: [image009.png](#)

From: Liam O'Hare [REDACTED] >
Sent: 20 June 2023 12:08
To: licensing inbox <licensing@camden.gov.uk>
Cc: Electric Ballroom – Admin [REDACTED] >
Subject: Electric Ballroom - APP\PREMISES-VARY\115539 -Letter of Support

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Dear Licensing Authority,

I wish to support this application in its entirety. The Electric Ballroom is a London and Camden Icon. The cover letter in the application as well as the conditions in the Operating Schedule speak of a well run business with an acute understanding of their immediate area and ability to operate skillfully while supporting the 4 key licensing objectives.

Culturally, music venues need to be supported or face extinction. The Ballroom has seen a lot of challenges in its day but what it has experienced recently and what lies ahead requires a diversification in the current model which is what they have explained so eloquently in their cover letter.

With Camden Town Tube station running 24 hours at weekends the premises, by effectively moving the extra hours requested into the weekend when the station is open, is *facilitating* better dispersal and the extra security on the High Street helps reduce nuisance, crime and disorder as S.I.A guards, working for The Electric Ballroom are a force for good.

This is a thoughtful and considered application by an applicant with an excellent history of good operation supporting the 4 key licensing objectives and as such I ask that this application is granted in its entirety.

Kind regards

Liam O 'Hare

--

LABTECH

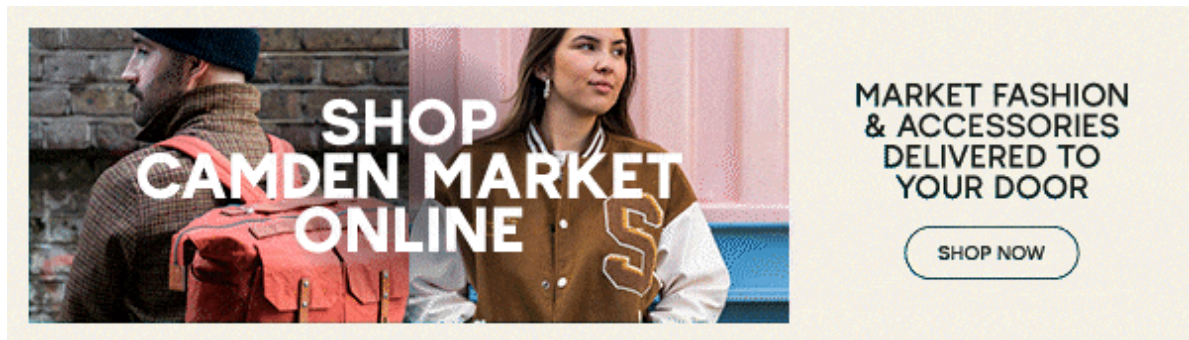
Liam O'Hare

Licensing Strategy & Compliance

E:

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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.