



## London Borough of Camden

## Application to vary a premises licence under the Licensing Act 2003

## PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.  
 If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.  
 You may wish to keep a copy of the completed form for your records.

We Outernet venue Limited

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

<b>Premises licence number</b> PREM-LIC\110306
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## Part 1 – Premises Details

<b>Postal address of premises or, if none, ordnance survey map reference or description</b>  The Lower Third 26 Denmark Street
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<b>Post town</b>	London	<b>Post code</b>	WC2H 8NL
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Telephone number at premises (if any)	N/A
Non-domestic rateable value of premises	Rates have not yet been set. The applicant will therefore pay the application fee based on Band C.

## Part 2 – Applicant details

<b>Daytime contact telephone number</b>			
<b>E-mail address (optional)</b>			
<b>Current residential address if different from premises address</b>			
<b>Post Town</b>		<b>Postcode</b>	

**Part 3 - Variation**

Please tick yes

Do you want the proposed variation to have effect as soon as possible?

☒

If not, from what date do you want the variation to take effect?

Day		Month		Year	

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1)

☐ Yes☒ No**Please describe briefly the nature of the proposed variation** (Please read guidance note 2)

1. To extend all permitted activities until 04:00 the following day on Thursdays, Fridays, and Saturdays, with opening hours to be extended until 04:30.
2. As set out in the schedule of conditions submitted with this application and following pre-application advice, the applicant seeks to (a) amend under conditions 26 (b), 40, 41, 44, 49, 54, 55, 57, 58, 60; and (b) proposes the additional conditions at 62, 63 and 64 be added to the licence.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend

N/A

**Part 4 Operating Schedule**

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

**Provision of regulated entertainment** (Please read guidance note 3)**Please tick all that apply**

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

☐☐☐☐☒☒☒☒**Provision of late night refreshment** (if ticking yes, fill in box I)☒**Sale by retail of alcohol** (if ticking yes, fill in box J)☒**In all cases complete boxes K, L and M**

**A**

<b>Plays</b> Standard days and timings (please read guidance note 8)			<b>Will the performance of a play take place indoors or outdoors or both – please tick</b> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			<b>Please give further details here</b> (please read guidance note 5)		
Tue					
Wed			<b>State any seasonal variations for performing plays</b> (please read guidance note 6)		
Thur					
Fri			<b>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</b> (please read guidance note 7)		
Sat					
Sun					

**B**

<b>Films</b> Standard days and timings (please read guidance note 8)			<b>Will the exhibition of films take place indoors or outdoors or both – please tick</b> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			<b>Please give further details here</b> (please read guidance note 5)		
Tue					
Wed			<b>State any seasonal variations for the exhibition of films</b> (please read guidance note 6)		
Thur					
Fri			<b>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</b> (please read guidance note 7)		
Sat					
Sun					



**C**

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 8)			<b><u>Please give further details</u></b> (please read guidance note 5)
Day	Start	Finish	
Mon			<b><u>State any seasonal variations for indoor sporting events</u></b> (please read guidance note 6)
Tue			
Wed			
Thur			<b><u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u></b> (please read guidance note 7)
Fri			
Sat			
Sun			

**D**

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 8)			<b><u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 4)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 5)			
Mon			<b><u>State any seasonal variations for boxing or wrestling entertainment</u></b> (please read guidance note 6)			
Tue						
Wed						
Thur			<b><u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u></b> (please read guidance note 7)			
Fri						
Sat						
Sun						

**E**

<b>Live music</b> Standard days and timings (please read guidance note 8)			<b><u>Will the performance of live music take place indoors or outdoors or both – please tick</u></b> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 5)  As existing		
Mon	NO CHANGE				
Tue	NO CHANGE				
Wed	NO CHANGE		<b><u>State any seasonal variations for the performance of live music</u></b> (please read guidance note 6)		
Thur	10:00	04:00			
Fri	10:00	04:00	<b><u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u></b> (please read guidance note 7)		
Sat	10:00	04:00			
Sun	NO CHANGE				

**F**

<b>Recorded music</b> Standard days and timings (please read guidance note 8)			<b><u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u></b> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 5)  As existing		
Mon	NO CHANGE				
Tue	NO CHANGE				
Wed	NO CHANGE		<b><u>State any seasonal variations for the playing of recorded music</u></b> (please read guidance note 6)		
Thur	10:00	04:00			
Fri	10:00	04:00	<b><u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u></b> (please read guidance note 7)		
Sat	10:00	04:00			
Sun	NO CHANGE				

**G**

<b>Performances of dance</b> Standard days and timings (please read guidance note 8)			<b><u>Will the performance of dance take place indoors or outdoors or both – please tick</u></b> (please read guidance note 4)		Indoors	<input checked="" type="checkbox"/>
					Outdoors	<input type="checkbox"/>
Day	Start	Finish			Both	<input type="checkbox"/>
Mon	NO CHANGE		<b><u>Please give further details here</u></b> (please read guidance note 5)  As existing			
Tue	NO CHANGE					
Wed	NO CHANGE		<b><u>State any seasonal variations for the performance of dance</u></b> (please read guidance note 6)			
Thur	10:00	04:00				
Fri	10:00	04:00	<b><u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u></b> (please read guidance note 7)			
Sat	10:00	04:00				
Sun	NO CHANGE		(As existing) On the morning that British Summer Time begins, licensable activities shall be extended by one hour.			

**H**

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 8)			<b><u>Please give a description of the type of entertainment you will be providing</u></b>  As existing			
Day	Start	Finish	<b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 4)		Indoors	<input checked="" type="checkbox"/>
Mon	NO CHANGE				Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Tue	NO CHANGE		<b><u>Please give further details here</u></b> (please read guidance note 5)  As existing			
Wed	NO CHANGE					
Thur	10:00	04:00	<b><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u></b> (please read guidance note 6)			
Fri	10:00	04:00				
Sat	10:00	04:00	<b><u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u></b> (please read guidance note 7)			
Sun	NO CHANGE					
			(As existing) On the morning that British Summer Time begins, licensable activities shall be extended by one hour.			

I

<b>Late night refreshment</b> Standard days and timings (please read guidance note 8)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 4)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
Day	Start	Finish			Both	<input checked="" type="checkbox"/>
Mon	NO CHANGE		<b>Please give further details here</b> (please read guidance note 5)  As existing			
Tue	NO CHANGE					
Wed	NO CHANGE		<b>State any seasonal variations for the provision of late night refreshment</b> (please read guidance note 6)			
Thur	23:00	04:00				
Fri	23:00	04:00	<b>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</b> (please read guidance note 7)  (As existing) On the morning that British Summer Time begins, licensable activities shall be extended by one hour.			
Sat	23:00	04:00				
Sun	NO CHANGE					

J

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 8)			<b>Will the supply of alcohol be for consumption (Please tick box)</b> (please read guidance note 9)		On the premises	<input type="checkbox"/>
					Off the premises	<input type="checkbox"/>
Day	Start	Finish			Both	<input checked="" type="checkbox"/>
Mon	NO CHANGE		<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 6)			
Tue	NO CHANGE					
Wed	NO CHANGE					
Thur	10:00	04:00	<b>Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</b> (please read guidance note 7)  (As existing) On the morning that British Summer Time begins, licensable activities shall be extended by one hour.			
Fri	10:00	04:00				
Sat	10:00	04:00				
Sun	NO CHANGE					

K

<b>Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children</b> (please read guidance note 8)
NONE

**L**

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 8)			<b>State any seasonal variations</b> (please read guidance note 6)
Day	Start	Finish	
Mon	NO CHANGE		
Tue	NO CHANGE		
Wed	NO CHANGE		
Thur	10:00	04:30	
Fri	10:00	04:30	
Sat	10:00	04:30	<b>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</b> (please read guidance note 7)  On the morning that British Summer Time begins, licensable activities shall be extended by one hour.
Sun	NO CHANGE		

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

None – the applicant is proposing amendments to the existing conditions and offering new conditions as set out in the schedule of conditions submitted with the application.

Please tick yes

- I have enclosed the premises licence ☒
- I have enclosed the relevant part of the premises licence ☒

If you have not ticked one of these boxes please fill in reasons for not including the licence, or part of it, below

Reasons why I have failed to enclose the premises licence or relevant part of premises licence

**M** Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

**a) General – all four licensing objectives (b,c,d,e)** (please read guidance note 11)

**Informative:** The applicant understands that the premises are located in Camden's Seven Dials Cumulative Impact Policy Area. The application is confident that the later hours will be a benefit to the area and allow:

- A broader spectrum of cultural programming (hosting live music nights followed by a DJ) to be accommodated within the venue.

- Mitigate the loss of amenity and diversity in the area as a result of late / live music venues which have ceased to operate in the area and in London generally.
- Enable the applicant to better support more live music and live events industry activities during the week to off-set the lower revenues by having later events on the weekend.
- Result in more hours to employ staff and more jobs available.
- More activity in the area creating a feel of safety and vibrancy.
- The income generated would enable them to better support non-profitable entertainment cultural programming, together with charitable and outreach work which the premises currently supports.
- The applicant delivers a diverse and broad spectrum of programming from comedy, theatre, film, DJs and live bands to product launches and private events/functions.

The applicant has found that the current permitted hours have restricted business opportunities and have been a barrier to accommodating and hosting a variety of events and shows, which in turn help support creative and cultural events. The later hours will allow the applicant to accommodate certain events where there is demand for later entertainment and supports them to offer a more diverse entertainment and event offering.

The premises currently operate under robust licence conditions imposed following a hearing before the Licensing Committee. The applicant believes that these, together with the amended and additional conditions proposed in the schedule of conditions being submitted will ensure that the later hours will not add to cumulative impact, or adversely affect the promotion of the licensing objectives.

**b) The prevention of crime and disorder**

See schedule of conditions being submitted.

**c) Public safety**

See schedule of conditions being submitted.

**d) The prevention of public nuisance**

See schedule of conditions being submitted.

**e) The protection of children from harm**

See schedule of conditions being submitted.

**Please tick yes**

- I have made or enclosed payment of the fee or




- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy ☐
- I have sent copies of this application and the plan to responsible authorities and others where applicable ☒
- I understand that I must now advertise my application ☒
- I have enclosed the premises licence or relevant part of it or explanation ☒
- I understand that if I do not comply with the above requirements my application will be rejected ☒

**IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.**

**Part 5 – Signatures** (please read guidance note 12)

**Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent** (please read guidance note 13). **If signing on behalf of the applicant please state in what capacity.**

Signature	
Date	08/06/2023
Capacity	Poppleston Allen – Solicitors for & on behalf of the applicant

**Where the premises licence is jointly held signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent** (please read guidance note 14). **If signing on behalf of the applicant please state in what capacity.**

Signature	
Date	
Capacity	



<b>Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 15)</b>			
[REDACTED]			
<b>Post town</b>		Nottingham	<b>Post code</b>
			[REDACTED]
<b>Telephone number (if any)</b>		[REDACTED]	
<b>If you would prefer us to correspond with you by e-mail your e-mail address (optional)</b>			
[REDACTED]			

### Notes for Guidance

**This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence you should make a new premises licence application under section 17 of the Licensing Act 2003.**

1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable for the late night levy
2. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.
3. In terms of specific regulated entertainments please note that:
  - Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
  - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
  - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
  - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
  - Live music: no licence permission is required for:
    - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
    - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
    - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
    - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.



- a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
  - Recorded Music: no licence permission is required for:
    - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
    - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
    - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
  - Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
  - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
    - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
    - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
    - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
    - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
4. Where taking place in a building or other structure please tick as appropriate.  
Indoors may include a tent.
  5. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
  6. For example (but not exclusively), where the activity will occur on additional days during the summer months.
  7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
  8. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
  9. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
  10. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
  11. Please list here steps you will take to promote all four licensing objectives together.
  12. The application form must be signed.

13. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
14. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
15. This is the address which we shall use to correspond with you about this application.
- 16.

## The Lower Third

### Annex 2 - Conditions consistent with the operating schedule

#### Existing Conditions – Amended Conditions in Bold

15. The premises licence holder shall ensure that CCTV cameras and recorders are installed at the premises and are of a standard acceptable to and approved by the Police.
16. The CCTV 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.
17. The CCTV camera views are not to be obstructed.
18. At least one CCTV camera is to be placed no more than seven feet above floor level; near to the exits to capture clear facial images of all persons leaving the premises.
19. 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.
20. 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.
21. The facility to transfer the images to a compatible, removable format shall be held on the premises.
22. Notices shall be displayed within the premises warning customers about personal thefts; and to be vigilant.
23. The venue shall supply and fit to every static table or counter, suitable anti-theft devices, such as table/counter clips, in order that customers may secure their bags.
24. When the venue is open for licensable activities, the toilets are to be checked by staff at least every two (2) hours and these checks are to be documented on each visit.
25. All flat surfaces in toilet cubicles, including any toilet roll holder eclipses, are to be designed out' in order to prevent drug misuse.
26. In relation to any event involving a promoter, their associates, DJ(s) or artist(s), or one where the venue has been booked by an outside agent with a view to selling tickets to the public for a profit then:
  - a. The licensee shall complete a full risk assessment via open source material, reference checks from previous venues performed and if there are concerns following all these checks, to inform Camden Police Licensing at least 7 days before the event occurs on email EK-Licensing@met.police.uk.
  - b. The licensee shall notify Camden Police Licensing Team via the same email if there are any high risk events or any unusual or large scale events (due to occur within less than 7 days) as soon as reasonably practicable. The Police will have the right of absolute refusal of any such events for reason of late notification.**
  - c. Where the venue runs a promoted event using a DJ or MC who performs to background music then they should risk assess the need to search every customer upon entry taking cognizance of Police advice. If the risk assessment determines that searching will be conducted, then if a customer refuses to being searched this will result in NO ENTRY.

27. No persons carrying visibly open alcohol vessels shall be admitted to the premises at any time that the premises are open for any licensable activity.
28. "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, military ID cards or proof of age card bearing the PASS hologram."
29. A sign shall be displayed at the point of sale stating No Proof of Age - No Sale.
30. The venue shall not engage the service of street promoters to encourage clientele to attend the venue.
31. Regular glass collection shall be undertaken by staff where the sale of alcohol is occurring at the premises.
32. Police must be called to incidents of violence and /or disorder.
33. Signage shall be displayed in a prominent position on the premises requesting that customers leave quietly.
34. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
35. The need for door supervisors shall be risk assessed taking cognizance of Police advice. Where door supervisors are employed then a register shall be maintained which shall be available for inspection by the Police and/or Licensing Authority. Details to show: • Full Name. • Date of Birth. • SIA Registration Number. • Date and Hours Worked; and • Contact telephone number and email address. A colour photocopy of each door supervisors SIA badge shall be taken by the DPS and retained at the premises. 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.
36. Subject to any relevant consents which may be required from the Local Authority, the designated queuing area shall be enclosed within appropriate barriers to ensure that the public footway is kept clear.
37. The licence holder shall ensure that any queue to enter the premises which forms outside the premises is orderly and supervised by door staff to ensure that there is no public nuisance or obstruction to the public highway.
38. Details of instances of disorder, damage to property or personal injury shall be recorded in an incident book kept at the premises. Such details shall be made available for inspection by the Police and other responsible authorities upon request.
39. The premises shall operate a system whereby a record is maintained of refusals to serve alcohol. Details to be produced for inspection to the Police and other responsible authorities upon request.
40. The licensee shall ensure that staff are trained as appropriate, in respect of relevant licensing law, crime scene best practice and upon the sale of alcohol to drunks and persons underage. This training is to be clearly documented **and signed** and any training for future staff must also be organised at the appropriate time. **Refresher training shall be carried out every 6 months** and details of training are to be made available for inspection by Police or other Responsible Authorities, upon request.

41. Where any illegal substance is found within the premises then a record shall be made in the incident book **by a duty manager**. Any illegal substance shall be stored securely pending collection by the Police unless they are present on site and this is handed to them. Any seizure of drugs and weapons shall be recorded in the incident book **by a duty manager**.
42. Where available, a responsible member of staff shall join the local pub watch or other such local crime reduction scheme approved by the Police.
43. All security staff and management will be connected by a secure-channel handheld radio system or similar communications device.
44. Staff shall be fully trained on safety issues, including fire safety and management shall carry out regular **safety** inspections of the premises **before members of the public are allowed on to the premises and after close of business**.
45. Amplified sound shall not be audible at 1 metre from the facade of any noise sensitive premises.
46. That if deemed appropriate by the Environmental Health Team prior to the premises trading under this licence then a noise limiter be installed, located in a separate and remote lockable cabinet from the volume column must be fitted to any musical amplification system and set at a level determined by and to the satisfaction of the Noise Team. The limiter shall not be altered without prior agreement.
47. A Notice shall be fixed in a prominent position near exits reminding customers that this is a residential area and requesting patrons to leave quickly and quietly.
48. The premises will use the central waste collection point provided as part of the development.

### **Annex 3 - Conditions attached after a hearing by the licensing authority Conditions agreed with the CGCA**

49. The premises will implement a dispersal policy and all relevant staff will be trained in its implementation. The policy shall contain measures intended to encourage patrons leaving the club after 23:00 to disperse West along Denmark St towards Charing Cross **Road and / or towards Tottenham Court Road tube and Oxford Street** and then to disperse North or South. It will contain measures actively to discourage patrons from dispersing into the Piazza areas to the North and East of the premises. The policy will be reviewed regularly and whenever the licensee becomes aware of issues associated with dispersal.
50. Servicing will take place between 08:00 and 20:00 hours Monday to Sunday and Public/Bank Holidays and will be from the Denmark Street loading bays. (This shall not apply to event equipment and refuse storage and collection which is dealt with by the Service Management Plan approved as part of the S106 agreement and developed to the satisfaction of the Environment Health Team).
51. That a 'Service Management Plan' be developed to the satisfaction of the Environmental Health Team, and detail the management of deliveries and servicing which shall include arrangements for the collection and delivery of event equipment, refuse storage and collection; that the Service Management Plan be updated by the Premises Licence Holder from time to time as appropriate. The Premises Licence Holder shall be bound by the Service Management Plan. A copy of the plan shall be retained at the premises and made available for inspection by the relevant authorities.

**Further additional conditions**

52. Maximum capacity shall not exceed 350 persons (excluding staff).
53. Where the premises are open for licensable activities beyond midnight on Thursday, Friday and Saturday then from 22:00 hours, a minimum of 2 (two) SIA registered door supervisors shall be employed at the premises at a ratio of 1 (one) SIA door supervisors to 75 (seventy-five). [The ratio of 1:75 will apply when only two floors are open for the licensable activities. If all four floors are open for licensable activities, then the ratio will be increased to 1:50].
54. **\*A duty manager, head door and core staff** working on said night or event shall stay 30 minutes after close to actively help with dispersal **and to ensure that the premises is completely devoid of members of the public.**
55. **\*When door supervisors are required, there will be a minimum of 1 (one) SIA registered door supervisor permanently working on the main entrance. There will be a minimum of 1 (one) female SIA registered door supervisor on duty when security are required.**
56. From 22:00 hours, the smoking area shall be monitored by premises staff and/or an SIA registered door supervisor to monitor capacity and restrict access when necessary.
57. At least 2 (two) SIA door supervisors (to include the door supervisor working on the main entrance) who are on duty as required by the licence conditions shall wear body worn cameras. Management of the venue to ensure these cameras are working before deployment. In the event of an incident, **body worn camera footage shall be stored for a minimum of 14 days** and must be made available to police upon request. The licence holder shall ensure that a suitable, expeditious playback/downloading system is in place to enable the police to obtain any evidential footage.
58. All permanent staff working in the evening and security staff to undertake welfare of and vulnerability engagement (WAVE) training and a record to be kept of this. **The premises to ensure this before operating under this new licence if granted.**
59. The premises will in the late evenings operate predominantly as an entertainment venue, providing a mix of musical entertainment; performances; events and screenings linked to music and/or artists; and entertainment of a similar nature, (which could include products launches; exhibitions; fashion shows; retail events, and the like kind).
60. There shall be no new admissions to the premises after **02:30** hours with the exception of **VIPs**, guest list and/or pre-sold ticket holders. A record of such entries after **02:30** hours shall be maintained and made available for inspection by Responsible Authorities.
61. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.

**New Conditions proposed for the variation**

62. **The premises shall maintain a complaints log detailing the nature of the complaint, complainant (if known) and any action taken. The log to be made available for inspection by Environmental Health upon reasonable request.**
63. **The premises shall ensure that an enhanced Risk Assessment shall be carried out to determine how many disabled customers they can safely accommodate and vacate in the event of an emergency.**
64. **Safety Inspection Certificates (which shall be maintained up to date) shall be available on site for inspection by Authorised Officers**



**METROPOLITAN  
POLICE**

**TOTAL POLICING**

Camden Licensing Authority

Town Hall Extension  
Argyle St  
London

WC1H 8EQ

**EK - Camden Borough**

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

Telephone: [REDACTED]

Email: [REDACTED]

Your ref: **VARY\115496**

Dear Sir/Madam

**RE: Application VARY\115496**

**The Lower Third, 26 Denmark Street, WC2H 8NJ**

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)

**This Application is based within the Camden Town Cumulative Impact Zone (CIZ) and therefore there is a presumption, based on the Borough Council's own Licensing Policy, that any New or Variation Application will be refused; due to the effects of cumulative impact. The MPS supports the Policy, especially in respect of the impact to Alcohol Harm.**

**Camden Borough has the 4th largest Night Time Economy in the UK** (source: *Night Mix Index, Make Associates*)

#### **UNIQUE APPLICATION ISSUES:**

The venue is two storeys with the ground floor designed as a smaller cocktail style bar and the basement is a larger area which provides live music to customers. There is a number of residential properties in close proximity to this venue and the MPS must emphasise it is important that this application does not have a negative impact on the local residents.

This application refers to a variation for an amendment of operating hours and licensable activities for PREM-LIC\110306.

The applicant is requesting to extend the hours of sale of alcohol and regulated entertainment until 0400 hours each Thursday, Friday and Saturday.

This extension of hours would be in direct conflict of the prevention of crime and disorder and preventing a public nuisance licensing objectives.

It is crime and disorder on the street involving visitors who have been and left the late night venues, which causes the majority of the issues in this part of Camden and our neighbouring borough, Westminster.

This premises is situated within walking distance of Tottenham Court Road, Covent Garden and Oxford Street where there is a high volume of crime reported particularly in the early hours of the morning.

If necessary the Police can provide in depth statistics showing the crimes that occur within the immediate area of this venue.

### **Conditions Offered/Recommended**

For clarity, the MPS supports Camden Council's Licensing Policy with regards to the presumption to refuse new or variation applications within a cumulative impact zone.

However the MPS appreciate that this is a well-run venue with a detailed dispersal policy. The applicant offered numerous conditions and the applicant is working with the MPS to adapt and add further conditions in order for the venue to ensure they meet the Licensing objectives.

In particular the Applicant has proposed a condition that there will be no new entry into the venue after 0230 hours, except for VIP guests and those on the guest list. The MPS believe it is important to ensure that there is no new entry into the venue after 0200 hours.

At this stage the MPS and the Applicant have not been able to come to a definite agreement.

The MPS would then strongly recommend the Panel consider imposing the below conditions on any granted application.

### **Conclusion**

The MPS do not object to this application wholly, however we would like to see certain conditions changed in order to ensure the applicant upholds the licensing objectives.

The MPS would therefore recommend that the following conditions are added or amended to the existing conditions –

- 1) CCTV to be made available within 48 hours of request by the Police or relevant Authority.
- 2) CCTV to cover all areas where public have access to (except toilets and changing areas).
- 3) A minimum of 2 SIA from 2200 on all nights where both floors are open to the public.
- 4) No new admissions after 0200.
- 5) No drinks to be allowed in the smoking area.
- 6) SIA to ensure all patrons are dispersed from the immediate area outside the venue at the end of operating hours.



Kind regards,

**PC Rachel Aldis** [REDACTED] – Camden Licensing Team  
Kentish Town Police Station, 12a Holmes Road, NW5 3AE



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**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](#)

**From:** [Rachel.Aldis](#) [REDACTED]  
**To:** [licensing.inbox](#)  
**Cc:** [REDACTED]; [REDACTED]; [REDACTED]  
**Subject:** \*Withdrawal of Police Representation\* - Application for The Lower Third, 26 Denmark Street, WC2H 8NJ; VARY\115496,  
**Date:** 19 July 2023 13:08:12  
**Attachments:** [image001.jpg](#)

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**[EXTERNAL EMAIL]** Beware – This email originated outside Camden Council and may be malicious Please take extra care with any links, attachments, requests to take action or for you to verify your password etc. Please note there have been reports of emails purporting to be about Covid 19 being used as cover for scams so extra vigilance is required.

**RE: Application\VARY\115496, The Lower Third, 26 Denmark Street, WC2H 8NJ**

Dear Camden Council,

Police and the Applicant for The Lower Third have now agreed terms.

Please therefore take this email as notice of my withdrawal of the Police Representations on the proviso the below agreed terms are appended to any Licence granted.

**Opening hours:**

Monday to Wednesday 10.00 – 02.30

Thursday to Saturday 10.00 – 04.30

Sunday 12.00 - 01.00

**Regulated Entertainment**

Monday to Wednesday 10.00 – 02.00

Thursday to Saturday 10.00 – 04.00

Sunday 12.00 – 00.30

**Late Night Refreshment:**

Monday to Wednesday 23.00 – 02.00

Thursday to Saturday 23.00 – 4.00

Sunday 23.00 – 01.00

**Sale of alcohol:**

Monday to Wednesday 10.00 - 02.00

Thursday to Saturday 10.00 – 04.00

Sunday 12.00 – 00.30

**Proposed conditions:**

15. The premises licence holder shall ensure that CCTV cameras and recorders are installed at the premises and are of a standard acceptable to and approved by the Police. CCTV to cover all areas where the public have access to (except toilets and changing areas).
16. The CCTV 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.
17. The CCTV camera views are not to be obstructed.
18. At least one CCTV camera is to be placed no more than seven feet above floor level; near to the exits to capture clear facial images of all persons leaving the premises.
19. 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 within 48 hours of request.
- 20 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.
- 21 The facility to transfer the images to a compatible, removable format shall be held on the premises.
22. Notices shall be displayed within the premises warning customers about personal thefts; and to be vigilant.
23. The venue shall supply and fit to every static table or counter, suitable anti-theft devices, such as table/counter clips, in order that customers may secure their bags.
24. When the venue is open for licensable activities, the toilets are to be checked by staff at least every two (2) hours and these checks are to be documented on each visit.
25. All flat surfaces in toilet cubicles, including any toilet roll holder eclipses, are to be 'designed out' in order to prevent drug misuse.
26. In relation to any event involving a promoter, their associates, DJ(s) or artist(s), or one where the venue has been booked by an outside agent with a view to selling tickets to the public for a profit then:
- The licensee shall complete a full risk assessment via open source material, reference checks from previous venues performed and if there are concerns following all these checks, to inform Camden Police Licensing at least 7 days before the event occurs on email [EK-Licensing@met.police.uk](mailto:EK-Licensing@met.police.uk).
  - The licensee shall notify Camden Police Licensing Team via the same email if there are any high-risk events or any unusual or large scale events (due to occur within less than 7 days) as soon as reasonably practicable. The Police will have the right of absolute refusal of any such events for reason of late notification.
  - Where the venue runs a promoted event using a DJ or MC who performs to background music then they should risk assess the need to search every customer upon entry taking cognizance of Police advice. If the risk assessment determines that searching will be conducted, then if a customer refuses to being searched this will result in NO ENTRY.
27. No persons carrying visibly open alcohol vessels shall be admitted to the premises at any time that the premises are open for any licensable activity.
28. "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, military ID cards or proof of age card bearing the PASS hologram."
29. A sign shall be displayed at the point of sale stating No Proof of Age - No Sale.
30. The venue shall not engage the service of street promoters to encourage clientele to attend the venue.

31. Regular glass collection shall be undertaken by staff where the sale of alcohol is occurring at the premises.
32. Police must be called to incidents of violence and /or disorder.
33. Signage shall be displayed in a prominent position on the premises requesting that customers leave quietly.
34. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
35. The need for door supervisors shall be risk assessed taking cognizance of Police advice. Where door supervisors are employed then a register shall be maintained which shall be available for inspection by the Police and/or Licensing Authority. Details to show: • Full Name. • Date of Birth. • SIA Registration Number. • Date and Hours Worked; and • Contact telephone number and email address. A colour photocopy of each door supervisors SIA badge shall be taken by the DPS and retained at the premises. 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.
36. Subject to any relevant consents which may be required from the Local Authority, the designated queuing area shall be enclosed within appropriate barriers to ensure that the public footway is kept clear.
37. The licence holder shall ensure that any queue to enter the premises which forms outside the premises is orderly and supervised by door staff to ensure that there is no public nuisance or obstruction to the public highway.
38. Details of instances of disorder, damage to property or personal injury shall be recorded in an incident book kept at the premises. Such details shall be made available for inspection by the Police and other responsible authorities upon request.
39. The premises shall operate a system whereby a record is maintained of refusals to serve alcohol. Details to be produced for inspection to the Police and other responsible authorities upon request.
40. The licensee shall ensure that staff are trained as appropriate, in respect of relevant licensing law, crime scene best practice and upon the sale of alcohol to drunks and persons underage. This training is to be clearly documented and signed and any training for future staff must also be organised at the appropriate time. Refresher training shall be carried out every 6 months and details of training are to be made available for inspection by Police or other Responsible Authorities, upon request.
41. Where any illegal substance is found within the premises then a record shall be made in the incident book by a duty manager. Any illegal substance shall be stored securely pending collection by the Police unless they are present on site, and this is handed to them. Any seizure of drugs and weapons shall be recorded in the incident book by a duty manager.
42. Where available, a responsible member of staff shall join the local pub watch or other such local crime reduction scheme approved by the Police.
43. All security staff and management will be connected by a secure-channel handheld radio system or similar communications device.

44. Staff shall be fully trained on safety issues, including fire safety and management shall carry out regular safety inspections of the premises before members of the public are allowed on to the premises and after close of business.
45. Amplified sound shall not be audible at 1 metre from the facade of any noise sensitive premises.
46. That if deemed appropriate by the Environmental Health Team prior to the premises trading under this licence then a noise limiter be installed, located in a separate and remote lockable cabinet from the volume column must be fitted to any musical amplification system and set at a level determined by and to the satisfaction of the Noise Team. The limiter shall not be altered without prior agreement.
47. A Notice shall be fixed in a prominent position near exits reminding customers that this is a residential area and requesting patrons to leave quickly and quietly.
48. The premises will use the central waste collection point provided as part of the development.
49. The premises will implement a dispersal policy and all relevant staff will be trained in its implementation. The policy shall contain measures intended to encourage patrons leaving the club after 23:00 to disperse West along Denmark St towards Charing Cross Road and / or towards Tottenham Court Road tube and Oxford Street and then to disperse North or South. It will contain measures actively to discourage patrons from dispersing into the Piazza areas to the North and East of the premises. The policy will be reviewed regularly and whenever the licensee becomes aware of issues associated with dispersal.
50. Servicing will take place between 08:00 and 20:00 hours Monday to Sunday and Public/Bank Holidays and will be from the Denmark Street loading bays. (This shall not apply to event equipment and refuse storage and collection which is dealt with by the Service Management Plan approved as part of the S106 agreement and developed to the satisfaction of the Environment Health Team).
51. That a 'Service Management Plan' be developed to the satisfaction of the Environmental Health Team and detail the management of deliveries and servicing which shall include arrangements for the collection and delivery of event equipment, refuse storage and collection; that the Service Management Plan be updated by the Premises Licence Holder from time to time as appropriate. The Premises Licence Holder shall be bound by the Service Management Plan. A copy of the plan shall be retained at the premises and made available for inspection by the relevant authorities.
52. Maximum capacity shall not exceed 350 persons (excluding staff).
53. A minimum of 2 SIA shall be on duty from 22:00 hours on all nights where both floors are open for licensable activities beyond midnight. SIA shall ensure all patrons are dispersed from the immediate area outside the venue at the end of operating hours and, to aid the swift and effective dispersal of customers away from the venue, the head of security will communicate and liaise with CCTV operatives within the Outernet central security control room.
54. A duty manager, head door and core staff working on said night or event shall stay 30 minutes after close to actively help with dispersal and to ensure that the premises

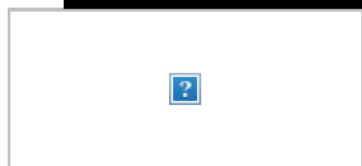
is completely devoid of members of the public.

55. When door supervisors are required, there will be a minimum of 1 (one) SIA registered door supervisor permanently working on the main entrance. There will be a minimum of 1 (one) female SIA registered door supervisor on duty when security is required.
56. From 22:00 hours, no drinks shall be allowed in the smoking area and the area shall be monitored by premises staff and/or an SIA registered door supervisor to monitor capacity and restrict access when necessary.
57. At least 2 (two) SIA door supervisors (to include the door supervisor working on the main entrance) who are on duty as required by the licence conditions shall wear body worn cameras. Management of the venue to ensure these cameras are working before deployment. In the event of an incident, body worn camera footage shall be stored for a minimum of 31 days and must be made available to police upon request. The licence holder shall ensure that a suitable, expeditious playback/downloading system is in place to enable the police to obtain any evidential footage.
58. All permanent staff working in the evening and security staff to undertake welfare of and vulnerability engagement (WAVE) training and a record to be kept of this. The premises to ensure this before operating under this new licence if granted.
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61. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
62. The premises shall maintain a complaints log detailing the nature of the complaint, complainant (if known) and any action taken. The log to be made available for inspection by Environmental Health upon reasonable request.
63. The premises shall ensure that an enhanced Risk Assessment shall be carried out to determine how many disabled customers they can safely accommodate and vacate in the event of an emergency.
64. Safety Inspection Certificates (which shall be maintained up to date) shall be available on site for inspection by Authorised Officers.

Many thanks

**PC Rachel Aldis** [REDACTED] – Camden Licensing Team

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



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HERE, St Giles Circus Site, Denmark Place, London, WC2H 8NL

And

The Lower Third, 26 Denmark Street, London, WC2H 8NL

Licensing Panel Hearing – 21<sup>st</sup> September 2023 at 7pm

Index of Additional Evidence

1. Statement of Michael Watson, Better Compliance and Licensing Compliance Audits for HERE and The Lower Third.
2. Licensing Observation Report of Brian Hunter, Patriot Licensing.
3. Letter from Andy Hickey.
4. Letter from Jamie Franklin.
5. Letter from Andy Rowberry.
6. Amended Conditions on HERE.
7. Conditions agreed with Police on The Lower Third.
8. Link to Petition in Support of Applications.
9. Schedule of Late-Night Entertainment Venues which have ceased trading due to the Crossrail Development.
10. CV of Robbie Naish, Security Director, Outernet Venues.





**HERE  
St Giles Circus Site, Denmark Place London WC2H 8LH  
&  
The Lower Third  
26 Denmark Street London WC2H 8NL**

**Introduction**

1. I, Michael Watson, of Better Compliance, make this statement to provide additional relevant supporting information regarding the variation applications of the premises licences for HERE to permit licensable activities until 04:00 on 154 occasions per year and The Lower Third to permit licensable activities until 04:00 Thursday to Saturday the following days.
2. I have been a licensing consultant since 2004. My consultancy service has a respected reputation amongst the Police, local authorities, and our private clients.
3. Previously, I was:
  - a. a civilian licensing officer with the Metropolitan Police Clubs and Vice Unit (CO14) from 1994 to 2001; and
  - b. a licensing officer at the London Borough of Islington from February 2001 to June 2004.
4. I have attained the Certificate of Higher Education in Licensing Law from Birmingham University and I am a member of the Institute of Licensing (MIoL). I am also an Associate of the Chartered Institute of Environmental Health (ACIEH). My role as a consultant is to work in partnership with the statutory authorities. I have given evidence at

Licensing Committees, planning appeals, and licensing appeals before Magistrates and the Crown Court.

5. I have been an independent licensing consultant for over nineteen years. I have worked with a wide variety of premises including nightclubs, bars, restaurants, and hotels. My retainer clients include The London Park Lane Hilton (Westminster), the Truman Brewery complex (Tower Hamlets), The Outernet – HERE and The Lower Third (Camden), The Piano Works (Islington and Westminster), The Windmill Theatre Soho (Westminster), Tape London (Westminster), The Box Soho (Westminster), Cirque Le Soir (Westminster), Reign (Westminster), Raffles (Royal Borough of Kensington and Chelsea), Tabu (Westminster), Swingers Golf (City of London and Westminster), Lio London (Westminster), Mothership Group – Queen of Hoxton, Colours and The Book Club (Hackney) and The Night Group – Night Tales and NTs Loft (Hackney).
6. I am the co-author of the book, *“Staying Open – An Essential Guide for Managers of Licensed Premises”*.
7. I have worked with many venues, in many different environments, to design successful management procedures to ensure the promotion of the Four Licensing Objectives, current best practice and compliance with legislation and regulations.

#### **Instructions and Scope of Work**

8. I have worked as a licensing consultant with HERE and The Lower Third since they opened in 2022.
9. My role is to provide support and guidance in relation to compliance with the Licensing Act 2003, premises licence conditions and best practice operational policies and procedures for the promotion of the four Licensing Objectives.

10. I confirm that, notwithstanding that I have been engaged as a consultant by Outernet Venue Ltd, I have prepared this Witness Statement together with all opinions expressed herein, as an independent professional licensing consultant.

### **Licensing Compliance Audits**

11. Comprehensive licensing audits of the premises are conducted by qualified consultants, including myself, to ensure compliance with the Licensing Act 2003, the promotion of the Four Licensing Objectives and any specific conditions attached to the premises licence.

12. The audits also measure the success and effectiveness of operational procedures and aim to build a body of positive due diligence evidence for the premises. They also serve as a management tool; giving confidence that the premises is compliant and acts as an early warning system if issues are identified.

13. The audits cover the following areas:

- Licences and Signage
- Licensing Compliance
- Door Supervisors
- Outside Management
- Fire Safety
- Record Keeping
- Internal Management
- Toilets
- CCTV & Body Worn Video Cameras

14. The audits are conducted once a calendar month.

15. The audits are unannounced and carried out whilst the venue is trading at peak times.

16. I attach copies of the licensing compliance audits for the last month.

17. It is not a requirement of either premises licence that these monthly audits be conducted. The premises licence holders took it upon themselves to instruct that these audits be carried out.

18. This type of licensing compliance audit has previously been imposed as a premises licence condition by a Licensing Sub-Committee in Camden.

19. One of my clients had the following condition imposed by a Camden Licensing Sub-Committee in October 2022: -

*Unannounced monthly audits of the premises during trading hours shall be conducted by an independent accredited auditor, and records retained for inspection by the police and local authority.*

### **Online Compliance System**

20. Both venues also operate the Report Support online licensing compliance system.

21. Report Support is a unique system for licensed premises. It has been designed by a team of experts with vast experience in licensing enforcement, working with leading night-time economy operators.

22. Report is a secure digital system for licensing due diligence, providing a centralised platform for recording all compliance activities.

23. Key features of Report Support include a digital daily records system for compliance checks including opening safety checklists, capacity counts, door supervisor logs, ejections and refusals, positive guest welfare interventions, and incident reports.

### **Conclusions**

24. The measures detailed in this statement give the businesses a highly effective means of managing licensing compliance.

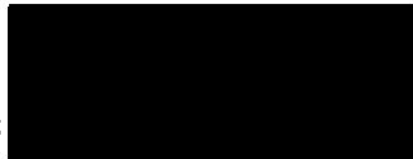
25. These measures demonstrate a clear commitment from the leadership of the businesses to go beyond minimum standards of compliance to

achieve best possible practices. I have seen that the businesses have been fully committed to implementing and enthusiastically maintaining these measures since before opening.

26. It is my professional opinion that HERE and The Lower Third have a highly effective compliance infrastructure in place to ensure an increase to permit licensable activities does not have an adverse effect on the promotion of the four licensing objectives.

27. I confirm that I have made clear which facts and matters referred to in this report are within my own knowledge and which are not. Those that are within my own knowledge I confirm to be true. The opinions I have expressed represent my true and complete professional opinions on the matters to which they refer.

Signed:



Dated: 7<sup>th</sup> September 2023

Michael Watson



## Licensing Compliance Audit

Improve compliance | Safeguard your business | Enjoy peace of mind



## HERE

24 Aug 2023

**Complete**

Score **7,570 / 7,570 (100%)** Flagged items

**0** Actions

**0**

**Conducted on**

24 Aug 2023 10:32 PM BST

**Name of auditor**

Nad Valaydon

**Client / Site**

Outernet Venue Limited

**Name of premises**

HERE

**Location**

St Giles Circus  
Denmark Place  
London  
WC2H 8LH

**Disclaimer**

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**Confidentiality Statement**

In order to maintain the integrity and credibility of the audit process and to protect the parties involved, it is understood that the auditor will not divulge to unauthorised persons any information obtained during this risk audit unless legally obligated to do so.



**General**

**Current Premises Licence number** PREM-LIC\110349

**Name of Designated Premises Supervisor (DPS)** Tristan Hoffman

**Number of customers inside premises** 645

**Number of customers queuing** 0

**Number of customers drinking/smoking outside** 6

**Name of person in charge** Mark Ellicott

**Number of door supervisors employed at premises** **19**  
From 0 to 50

**What is the premises search policy** All persons physical searched

All persons wanted

All bags searched

**Number of IDs scanned** N/A

**Number of persons refused entry** 0

**Number of persons ejected / refused re-entry / refused service** 0

**Licences & Signage** 150 / 150 (100%)

**Premises Licence summary, Part B, correctly displayed**

Yes

**Section 57, custody of Licence notice, correctly displayed**

Yes

**CCTV warning signs displayed**

Yes

**ID scanning equipment warning signs displayed**

N/A

**Search policy notice displayed**

Yes

**Anti-drug signage displayed**

Yes

**Age verification policy displayed**

Yes

**Please leave quietly, or similar, notices displayed**

Yes

**Licence Compliance** 1,930 / 1,930 (100%)

## Licensable activities being provided

Sale by retail of alcohol

Regulated entertainment

Premises compliant with Licence conditions

Yes

Premises Licensee / delegated person on the premises

Yes

Current Premises Licence available

Yes

Personal Licence Holder able to produce their original Licence

Yes



Photo 1

Staff authorised to make alcohol sales by Personal Licence Holder

Yes

Premises does not have any irresponsible drinks promotions

Yes

Tap water available on request

Yes

Mandatory minimum prescribed measures available and advertised to customers

Yes

At least one Personal Licence Holder on duty

Yes

## Door Supervisors

210 / 210 (100%)

Adequate number of door supervisors employed at the entrance

Yes

Door supervisors clearly identifiable

Yes

All door supervisors' SIA registration badges correctly displayed

Yes

Door supervisor log completed and correct

Yes

All door supervisor SIA registrations current

Yes

Adequate security provision within the premises

Yes

Door supervisors alert and vigilant

Yes

Door supervisor roles and responsibilities clearly defined

Yes

<b>Outside Managment</b>	90 / 90 (100%)
Outside areas clearly defined (queues, smoking area etc.)	Yes
Queue management sufficient	Yes
Queue adequately supervised	Yes
Smokers adequately supervised	Yes
Outside area clear of bottles and glasses	Yes
Outside area clear of cigarette butts and litter	Yes
Entrance adequately managed	Yes
Customers properly vetted prior to entry	Yes
Customers searched in line with premises' policy	Yes
<b>Fire Safety</b>	3,710 / 3,710 (100%)
Escape routes clearly signed	Yes
Escape routes adequately lit	Yes
Escape routes unobstructed	Yes
Escape doors available and open freely	Yes
Fire extinguishers / safety equipment properly positioned	Yes
Fire extinguishers / safety equipment within test date	Yes
All fire doors closed or fitted with automatic closers	Yes
Fire alarm panel free of faults	Yes
Fire marshal on duty	Yes
Fire action notices displayed	Yes
Emergency lighting working	Yes
Walls/floors/ceilings in good state of repair	Yes
<b>Record Keeping</b>	150 / 150 (100%)
Written record of daily safety checks	Yes

**Written record of occupancy numbers**

Yes

**Written record of split capacity occupancy numbers**

Yes

**Reportable incidents recorded**

Yes

**Refusals of entry recorded**

Yes

**Customer ejections recorded**

Yes

**Record of staff on duty**

Yes

### **Internal Management**

870 / 870 (100%)

**Premises is not overcrowded**

Yes

**Cloakroom available for customer use**

Yes

**Premises clear of unattended property**

Yes

**Store cupboards locked and secure**

Yes

**Adequate lighting in customer areas**

Yes

**Empty drinking vessels and bottles being collected**

Yes

**Floor dry and any spillages being cleared**

Yes

**Floor clear of trip hazards**

Yes

**Intoxication levels adequately managed**

Yes

**No underage customers on premises**

Yes

**Sufficient number of first aiders on duty**

Yes

**Sufficient first aid facilities available**

Yes

**Polycarbonate / plastic bottles and drink vessels used**

Yes

Mixture of glass and  
polycarbonate

**Food available**

N/A

### **Toilets**

370 / 370 (100%)

**Attendant employed in the toilets**

Yes

**Toilets clean and floor dry**

Yes

**Toilets free of any evidence of suspected drug use**

Yes

**Toilets checked regularly by staff**

Yes

**Written record of toilet checks**

Yes

**Store cupboards within toilets locked and/or secure**

Yes

**Toilets and wash basins available for use**

Yes

**Toilets free of uncollected drinking vessels and bottles**

Yes

**CCTV & ID Scanning Equipment**

90 / 90 (100%)

**CCTV installed in the premises**

Yes

**CCTV system working correctly**

Yes

**CCTV date and time correct**

Yes

**Minimum of 31 days CCTV footage available**

Yes

**Adequate CCTV coverage of premises**

Yes

**Sufficient stock of CCTV recording media**

Yes

**At least one member of staff on duty able to fully operate CCTV system**

Yes

**Written record of routine CCTV checks**

Yes

**ID scanning equipment working correctly**

N/A

**Appropriate staff issued with operational radios**

Yes

**How many staff issued with Body Worn Cameras**

**0**  
From 0 to 20

**Are Body Worn Camera recordings retained for 31 days**

N/A

**Media summary**

Photo 1



## Licensing Compliance Audit

Improve compliance | Safeguard your business | Enjoy peace of mind



## The Lower Third

9 Aug 2023

Complete

Score **7,580 / 7,580 (100%)** Flagged items

0 Actions

0

**Conducted on**

9 Aug 2023 10:31 PM BST

**Name of auditor**

Nad Valaydon

**Client / Site**

Outernet Venue Limited

**Name of premises**

The Lower Third

**Location**

26 Denmark Street  
London  
WC2H 8NN



**Disclaimer**

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**Confidentiality Statement**

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## General

Current Premises Licence number	PREM-LIC\110306
Name of Designated Premises Supervisor (DPS)	Tristan Hoffman
Number of customers inside premises	15 bar 96 basement
Number of customers queuing	0 bar 8 basement
Number of customers drinking/smoking outside	0 bar 7 basement
Name of person in charge	Zaeinab Ibrahim
Number of door supervisors employed at premises	4 From 0 to 50
What is the premises search policy	All persons physical searched All bags searched
Number of IDs scanned	N/A
Number of persons refused entry	0 bar 0 basement
Number of persons ejected / refused re-entry / refused service	0 bar 0 basement
Licences & Signage	150 / 150 (100%)
Premises Licence summary, Part B, correctly displayed	Yes
Section 57, custody of Licence notice, correctly displayed	Yes
CCTV warning signs displayed	Yes
ID scanning equipment warning signs displayed	N/A
Search policy notice displayed	Yes
Anti-drug signage displayed	Yes
Age verification policy displayed	Yes
Please leave quietly, or similar, notices displayed	Yes
Licence Compliance	1,930 / 1,930 (100%)
Licensable activities being provided	Sale by retail of alcohol Regulated entertainment

**Premises compliant with Licence conditions**

Yes

**Premises Licensee / delegated person on the premises**

Yes

**Current Premises Licence available**

Yes

**Personal Licence Holder able to produce their original Licence**

Yes



Photo 1

**Staff authorised to make alcohol sales by Personal Licence Holder**

Yes

**Premises does not have any irresponsible drinks promotions**

Yes

**Tap water available on request**

Yes

**Mandatory minimum prescribed measures available and advertised to customers**

Yes

**At least one Personal Licence Holder on duty**

Yes

**Door Supervisors**

210 / 210 (100%)

**Adequate number of door supervisors employed at the entrance**

Yes

**Door supervisors clearly identifiable**

Yes

**All door supervisors' SIA registration badges correctly displayed**

Yes

**Door supervisor log completed and correct**

Yes

**All door supervisor SIA registrations current**

Yes

**Adequate security provision within the premises**

Yes

**Door supervisors alert and vigilant**

Yes

**Door supervisor roles and responsibilities clearly defined**

Yes

**Outside Management**

90 / 90 (100%)

**Outside areas clearly defined (queues, smoking area etc.)**

Yes

<b>Queue management sufficient</b>	Yes
<b>Queue adequately supervised</b>	Yes
<b>Smokers adequately supervised</b>	Yes
<b>Outside area clear of bottles and glasses</b>	Yes
<b>Outside area clear of cigarette butts and litter</b>	Yes
<b>Entrance adequately managed</b>	Yes
<b>Customers properly vetted prior to entry</b>	Yes
<b>Customers searched in line with premises' policy</b>	Yes
<b>Fire Safety</b>	3,710 / 3,710 (100%)
<b>Escape routes clearly signed</b>	Yes
<b>Escape routes adequately lit</b>	Yes
<b>Escape routes unobstructed</b>	Yes
<b>Escape doors available and open freely</b>	Yes
<b>Fire extinguishers / safety equipment properly positioned</b>	Yes
<b>Fire extinguishers / safety equipment within test date</b>	Yes
<b>All fire doors closed or fitted with automatic closers</b>	Yes
<b>Fire alarm panel free of faults</b>	Yes
<b>Fire marshal on duty</b>	Yes
<b>Fire action notices displayed</b>	Yes
<b>Emergency lighting working</b>	Yes
<b>Walls/floors/ceilings in good state of repair</b>	Yes
<b>Record Keeping</b>	150 / 150 (100%)
<b>Written record of daily safety checks</b>	Yes
<b>Written record of occupancy numbers</b>	Yes
<b>Written record of split capacity occupancy numbers</b>	Yes

<b>Reportable incidents recorded</b>	Yes
<b>Refusals of entry recorded</b>	Yes
<b>Customer ejections recorded</b>	Yes
<b>Record of staff on duty</b>	Yes
<b>Internal Management</b>	870 / 870 (100%)
<b>Premises is not overcrowded</b>	Yes
<b>Cloakroom available for customer use</b>	Yes
<b>Premises clear of unattended property</b>	Yes
<b>Store cupboards locked and secure</b>	Yes
<b>Adequate lighting in customer areas</b>	Yes
<b>Empty drinking vessels and bottles being collected</b>	Yes
<b>Floor dry and any spillages being cleared</b>	Yes
<b>Floor clear of trip hazards</b>	Yes
<b>Intoxication levels adequately managed</b>	Yes
<b>No underage customers on premises</b>	Yes
<b>Sufficient number of first aiders on duty</b>	Yes
<b>Sufficient first aid facilities available</b>	Yes
<b>Polycarbonate / plastic bottles and drink vessels used</b>	Yes
	Mixture of glass and polycarbonate
<b>Food available</b>	N/A
<b>Toilets</b>	370 / 370 (100%)
<b>Attendant employed in the toilets</b>	Yes
<b>Toilets clean and floor dry</b>	Yes
<b>Toilets free of any evidence of suspected drug use</b>	Yes
<b>Toilets checked regularly by staff</b>	Yes

**Written record of toilet checks**

Yes

**Store cupboards within toilets locked and/or secure**

Yes

**Toilets and wash basins available for use**

Yes

**Toilets free of uncollected drinking vessels and bottles**

Yes

**CCTV & ID Scanning Equipment**

100 / 100 (100%)

**CCTV installed in the premises**

Yes

**CCTV system working correctly**

Yes

**CCTV date and time correct**

Yes

**Minimum of 31 days CCTV footage available**

Yes

**Adequate CCTV coverage of premises**

Yes

**Sufficient stock of CCTV recording media**

Yes

**At least one member of staff on duty able to fully operate CCTV system**

Yes

**Written record of routine CCTV checks**

Yes

**ID scanning equipment working correctly**

N/A

**Appropriate staff issued with operational radios**

Yes

**How many staff issued with Body Worn Cameras**

**1**  
From 0 to 20

**Are Body Worn Camera recordings retained for 31 days**

Yes

**Media summary**

Photo 1



## **1. PERSONAL SUMMARY - Brian Hunter**

I retired from the Metropolitan Police Service as a Police Officer on the 11<sup>th</sup> of September 2022, having completed 30 years exemplary Service.

During my last 5 years' service, I had the privilege of serving on the Westminster Police Licensing Team, as the dedicated partnership and engagement officer. This involved delegated authority for over 5000 licensed premises, one of the largest night-time economies in Europe. I identified and mitigated risk and engaged with stakeholders to make improvements in support of the licensing objectives and to drive down crime trends.

During my time on the Team, I have dealt with many licensing applications, committee hearings and reviews. I would sit on the monthly Senior Leadership Taskforce meetings relating to Violence Against Woman and Girls (VAWG) within the night-time economy and helped drive the implementation of the policies.

I also attended many cross-border meetings to discuss and where appropriate, implement best practice. I attended the Licensing Operations Safety Planning Group (LOSPG) along with all other relevant agencies. I was the Police Licensing point of contact for both public order events and events such as Pride, St Patricks Day and the Summertime concerts to name a few, and had input to the event management plans around alcohol licensing and compliance to ensure the safe delivery of those events.

I delivered Welfare and Vulnerability Engagement (WAVE) and 'Ask for Angela' training across the night-time economy in order to enhance and promote learning and best equip operators to identify vulnerability and to implement a positive action policy.

I further had the privilege on behalf of the Metropolitan Police Service, to be the nominated licensing officer managing the Fan Zone in Trafalgar Square for its safe delivery of the Euro Football tournament, dealing with all interested parties, and applications for a premises licence to ensure the event was delivered safely.

I hold a BIIAB Level 2 award for licensing and practitioners (Alcohol) and I am also a member of the Institute of Licensing.

## **2. INSTRUCTIONS**

I have been instructed by Lisa Sharkey of Poppleston Allen Solicitors, to provide my independent opinion and recommendations to ensure the premises licence



applications for HERE, St Giles Circus Site and The Lower Third Cocktail Bar, Denmark Street, Central London, are promoting the four licensing objectives, specifically during Ingress and Egress to the venues.

I conducted my observations on two dates: Thursday 6<sup>th</sup> July - 18:30 - 02:30 hours and Saturday 8<sup>th</sup> July – 23.00 - 02:30 hours, to monitor the dispersal of customers.

I have been provided with documentation relating to these applications, which consists of the proposed licence application, conditions and a copy of the event management plans. I will refer to them during my report for ease and to assist the licensing committee. I have been made aware of representations to the submission, relating to noise concerns and the movement of customers.

I have been instructed to provide an independent written assessment as to the local area and to provide any recommendations that can promote the four licensing objectives.

#### (a) **Licensing Objectives**

- The prevention of Crime and Disorder
- Public Safety
- The prevention of Public Nuisance
- The Protection of Children from Harm

#### (b) **Premises**

- (i) **HERE** - St Giles Circus Site, Denmark Place, London, WC2H 8LH is a 1500-1800 capacity venue, hosting a broad range of live entertainment such as concerts, club nights, comedy shows, as well as private and corporate events, fashion Shows, product launches, conferences, and film premiers.

The venue operates under premises license **PREM-LIC\110349** issued by the London Borough of Camden. The current hours for retail sale of alcohol are **Mon-Thu 10:00-23:30. Fri-Sat 10:00-00:00 and Sun 11:00-22:30.**

The license contains a seasonal variation that on 104 occasions per calendar year, the terminal hour shall be extended until **02:00** the following morning.

The venue has applied for a variation to extend the seasonal variation from **02:00 to 04:00**, on 154 occasions per year.

- (ii) **The Lower Third Cocktail Bar & Venue** 26 Denmark Street, London WC2H 8LH is described as a 350 Capacity venue, split over two floors, comprising a 15 seated/25 standing capacity ground floor Cocktail bar, with 25 seated/75 standing capacity performance space, and additionally has a 250-capacity basement venue.

The venue operates under premises license **PREM-LIC\110306** issued by London Borough of Camden.

The license current hours for retail sale of alcohol are **Mon-Sat 10:00-02:00 and Sun 12:00-00:30.**

The venue has submitted a variation to extend the hours **Thu-Sat 10:00-04:00.**

### **3. LOCAL AREA**

(As described on <https://www.burohappold.com/projects/st-giles-circus/#>)

Located close to Tottenham Court Road, St Giles Circus is home to several famous West End music shops and venues.

*The site includes 'Outernet London' a multi-media centre and 2000-person capacity underground venue, which has been dubbed a "contemporary amphitheatre", with a focus on providing space for commercial product launches. The mix of uses across the wider site also includes residential units, a hotel, office space, restaurants, bars, and shops.*

*The semi-internal, semi-external event space in the 16m-high gallery is designed to be fully immersive, with 2,000m<sup>2</sup> of high-quality LED screens covering all the walls and the ceiling. Those on the ceiling and two of the walls are fixed, and there are two retractable screens that can slide into place as required.*

*The brass-coloured louvres that form the two key facade walls are 9.5m high and each weigh 2.5 tonnes. They are designed to pivot and open along tracks to reveal the space within, like theatrical curtains. LED screens are embedded within the facade itself to allow for the projection of imagery on the outside and inside of the space.*

*Within Denmark Street there are various residences and recording studios, within St Giles Square is the Centre Point Building. To the East of the Square there are various food outlets, including the Arcade Food Hall and additional residential premises.*

#### **Transport Links to facilitate dispersal.**

The venue is well supported by public transport links via Tottenham Court Road and Oxford Street underground stations. It is also enhanced by the night tube on Fridays and Saturdays as well as the night bus network.

On Thursdays there are multiple bus routes in operation as shown on the below map.



### (a) Parking

There are 6 parking spaces in Denmark Street on the North footway and 2 parking spaces in Flitcroft Street, 8 in total. See map below.

Number of spaces: 8

Tariff: £6.63 (non-diesel) / £8.06 (diesel), per hour

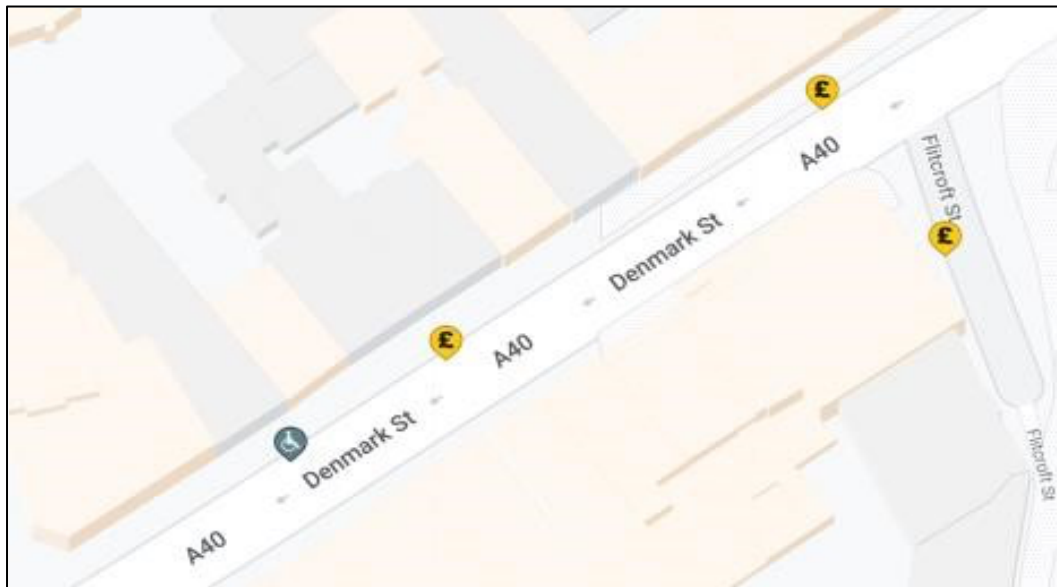
Duration: 2 hours

Controlled parking zone:

CA-C Controlled hours:

Mon-sat 08:30-18:30

**Outside of these hours anyone** can park in these bays for free.



Source:

<https://maps.camden.gov.uk/parking.aspx?area=Denmark%20Street&type=All>

## 4. POLICY CONSIDERATIONS

- The premises are situated within the Seven Dials Cumulative Impact Zone (CIZ)
- Hours Policy
- The Licensing Objectives - Measures to address Crime and Disorder Risks
- Public Nuisance

## 5. OBSERVATIONS

Thursday 6<sup>th</sup> July 2023 18:30 to 02:30 hours

The weather was fine, dry and sunny, the area was busy with people going about their business and the atmosphere was relaxed. The large 'Outernet' screens as described above, were in operation and attracting people to watch the light shows and background music was being played.

St Giles High Street itself, had a steady stream of people walking towards Tottenham Court Road. Additionally, there were also small groups of people sitting on the provided static seating and benches, enjoying the warm evening. They were not engaged in any anti-social behaviour but were chatting with friends or on their mobile devices. This was the case throughout my observation period.

### **HERE - St Giles Circus, Denmark Place, London WC2H 8LH**

I attended HERE and spoke to Tristian Hoffman (DPS), Joe Richards (Venue Manager) and Robbie Nash (Director of Security) to establish what events were on that evening. It was explained to me that it was a ticketed event for a DJ Called James Blake and the capacity for the evening was 1,300 persons.

#### **(a) Venue/Event Security**

At 18:45 hours when I observed the management team, Robbie Nash begins to brief the security team regarding the statement of expectations and how the event was to be run. I also witnessed the check of the SIA badges making sure they were in order and displayed correctly. Additionally, high visibility jackets were being worn and all personnel were equipped with radio Link. The venues 'Event Management Plan' was in operation.

I was provided a copy of the venues 'upcoming events', which are risked assessed in advance by the security director, allowing for appropriate staffing levels to be implemented. This also allows for the effective and proportionate management of the event including ingress and egress from the venue, for each event.

The staffing numbers on this event were as follows:

Head of Security (HOS) =1  
 Security Supervisors =2  
 SIA Operatives = 18  
 CCTV-Command & Control  
 operator =1 Medic = 1  
 23 in total.

This is in excess of the accepted industry standard of the ratio 1-100 customers, and in excess of condition shown at Annex 1- Mandatory conditions no 4,5 and 6 within the premises licence.

Additionally, the venue / event security team is supplemented by the landlord's district Outernet security team who are on site 24/7. The site, which contains HERE

and the Lower Third has extensive CCTV coverage and a dedicated control room, and is compliant to the CCTV conditions within its premises licence.

At around 19:00 hrs I saw the ingress operation being set up as follows:

### **(b) Event Ingress**

The venues standard ingress route is via Denmark Street, running through the 'Arcade' and along Denmark Place to the front doors of the venue. It is demarked by pedestrian (PED) barriers and has a section of what I refer to as 'Snake' barriers, to slow down any queuing and allow further monitoring, this is managed by a team of security operatives. A supervisor monitors the length and movement of the queue, deploying staff where necessary to ensure an organised and swift ingress.

Additionally, I witnessed the ground teams, both from the venue and the district security CCTV operators monitoring the crowd dynamics from independent security operations control centre (SOC).

All attendees are physically engaged at three separate points before entering the venue:

### **(i) Screening**

Guests are 'screened' at the entrance to the 'Arcade' on Denmark St, where age verification checks and suitability checks are performed. Guests who are intoxicated or present themselves in a way not conducive to the standards of the venue, will not be admitted.

I found this system to be effective. This would be the first point of contact/risk and it would be at this point that the licensing objectives of 'Protection of children from harm' and 'The Prevention of Crime and disorder' would be implemented. Any associated risk would be mitigated at this point.

### **(ii) Accreditation**

Upon completing the initial screening, guests move forward to have their tickets scanned before entering the secure section of the queue through the 'Arcade', to the front doors, which is patrolled by venue and district security team to assess crowd dynamics and mood of those within the queue.

Again, I observed the tickets being physically scanned into hand-held devices by venue staff to ensure the tickets were purchased through the approved site. This along with the continued monitoring of persons, by the venue security as to conduct, in my view were supporting the Licensing objectives, namely "Prevention of crime and Disorder" and "Protection of children from harm" via the age verification scheme operated by the venue.

### (iii) Search

At the door entrance to the venue, the guests are processed through a security search, where all bags are checked as standard, and a personal search process is followed, depending on the risk assessment of the crowd.

Searching is NOT conditioned within the premises license, however it has been adopted by the venue as best practice. Attendees are therefore subject to search as a condition of entry. There are clear signs displayed at the entrance to the search area of prohibited items and the fact the venue operates a zero-drug policy.

I consider the adopted searching system, as well as the signage to be proactive measures in the promotion of the Licensing Objective  
“Prevention of Crime and

Disorder.” Please see the

diagram below.



I monitored the ingress process continuously and found it to be highly effective. The checks being conducted during points a-c, in my opinion promote the Licensing objectives. Whilst monitoring, there were no issues, no signs of intoxication, the customer mood was good humoured and there was no formation of queues.



### **(c) Noise**

Whilst the event was in operation I walked the circumference of the building line, to check for noise escape from the venues. I could not hear anything from Denmark Street in the South, St Giles High Street to the East, or Charing Cross Road to the West. The venue is “Cocooned” within the building line and this appears to form a noise barrier.

Additionally, I saw that the venue management team were deploying a noise monitoring machine. I spoke to the venue Manager, Joe Richardson who stated they had a noise policy, and that every 30 minutes from midnight to 0230hrs they conduct checks using an approved noise checking device. These checks are video recorded as well as called into the control room, who log them.

I also observed that the venue was displaying “Please respect our neighbours and leave quietly” signage.

### **(d) Smoking area**

This barriered smoking area is located directly outside the front doors to the venue and no drinks are allowed outside. The area is monitored by Security. There was some noise from this, however when I checked outside the building line as previously described regarding noise, it diminished significantly.

### **(e) Egress**

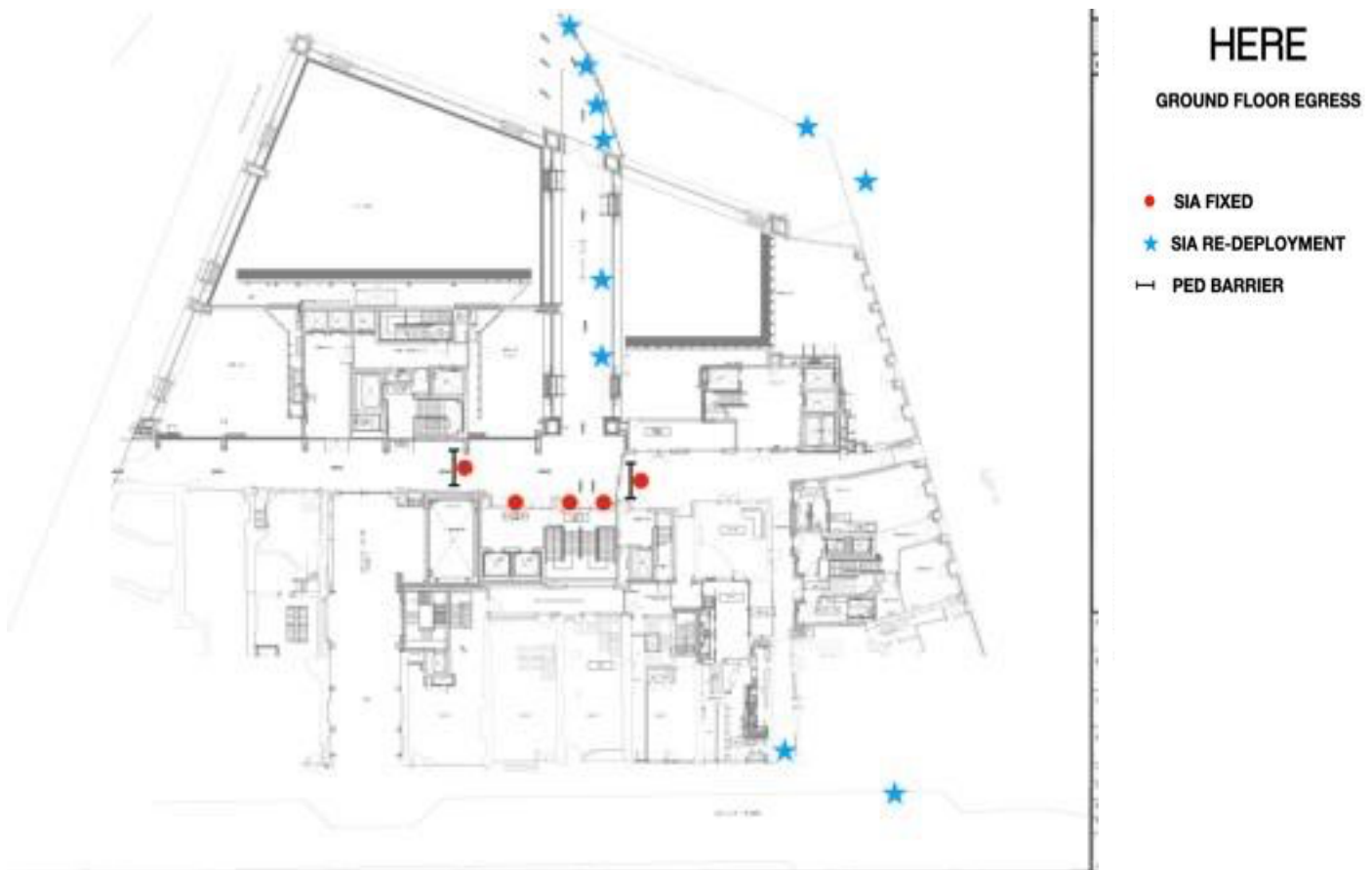
Late-Night events currently disperse a crowd on egress towards Tottenham Court Road tube station and Oxford Street between 02:00-02:30 hours.

Prior to the event finish time, a series of pedestrian barriers (PED) were placed at the Northern end of Denmark Place, creating a directional crowd flow towards Tottenham Court Road Tube and Oxford Street, away from the residences in St Giles Square comprising Centre Point and Centre Point House.

A team of operatives are deployed from the front doors of the venue, along Denmark Place and around the PED barrier outside of the station, to proactively direct the crowd towards the tube station or towards Oxford Street for night buses and the Elizabeth Line.

In addition, a roaming team is deployed to patrol St Giles Square where there are neighbouring residents, to ensure where possible that patrons of the venue are not congregating, by politely asking them to move on or keep noise to a minimum. The district security team also aid in encouraging the dispersal of guests, coordinating with the venue team and the night manager from local residences at Centre Point to minimise public nuisance and engaging with local authorities’ where necessary.





At 01:00hrs I positioned myself to the North of the venue in order to observe the Egress of customers as described in the venue management plan above. I observed that the building line created a natural walkway, with the only direction of travel being North away from the venue. PED barriers had been placed out as shown on the diagram.

During dispersal times I noticed the group comprised of a diverse mix of male and females, in the age range I believe to be late twenties to mid-thirties. They were well behaved and engaging with the security in a good-natured manner, which was replicated in return.

The Security team had two body worn cameras deployed at the exit point, as well as Security from the venue and Outernet security and they were asking persons to leave quietly, as per the plan above.

The entrance to Tottenham Court Road underground, on the East side and directly opposite the venue was closed for maintenance, but this appeared to have negligible impact on persons leaving the area. I noticed there was a small group of street drinkers present who were not associated to the venue, but they were chatting and not behaving in an anti-social manner.

The persons who had been at the venue, in the main dispersed towards Oxford Street with no anti-social behaviour or excessive noise that I witnessed.

**The Lower Third Cocktail Bar & Venue - 26 Denmark Street, London WC2H 8LH****(f) Event Ingress**

The venues standard ingress route is along Denmark Street, running through 'Hanks Alley' by the side of the Cocktail Bar, and left along Denmark Place to the front doors of the venue. It is demarked by PED barrier and managed by a security team.

A supervisor monitors the length and movement of the queue, deploying staff where necessary to ensure an organised and swift ingress. The Lower Third Cocktail bar operates ingress and egress from its front doors on Denmark St. In addition to the ground teams, both the Venue and the district security CCTV operators monitor the crowd dynamics from independent SOC rooms when in operation.

All guests are physically engaged at three separate points before entering the venue:

**(i) Screening**

Guests are 'screened' at the entrance to TLT club entrance on Denmark Place where age verification checks and suitability checks are performed. Guests that are intoxicated or present themselves in a way not conducive to the standards of the venue will not be admitted.

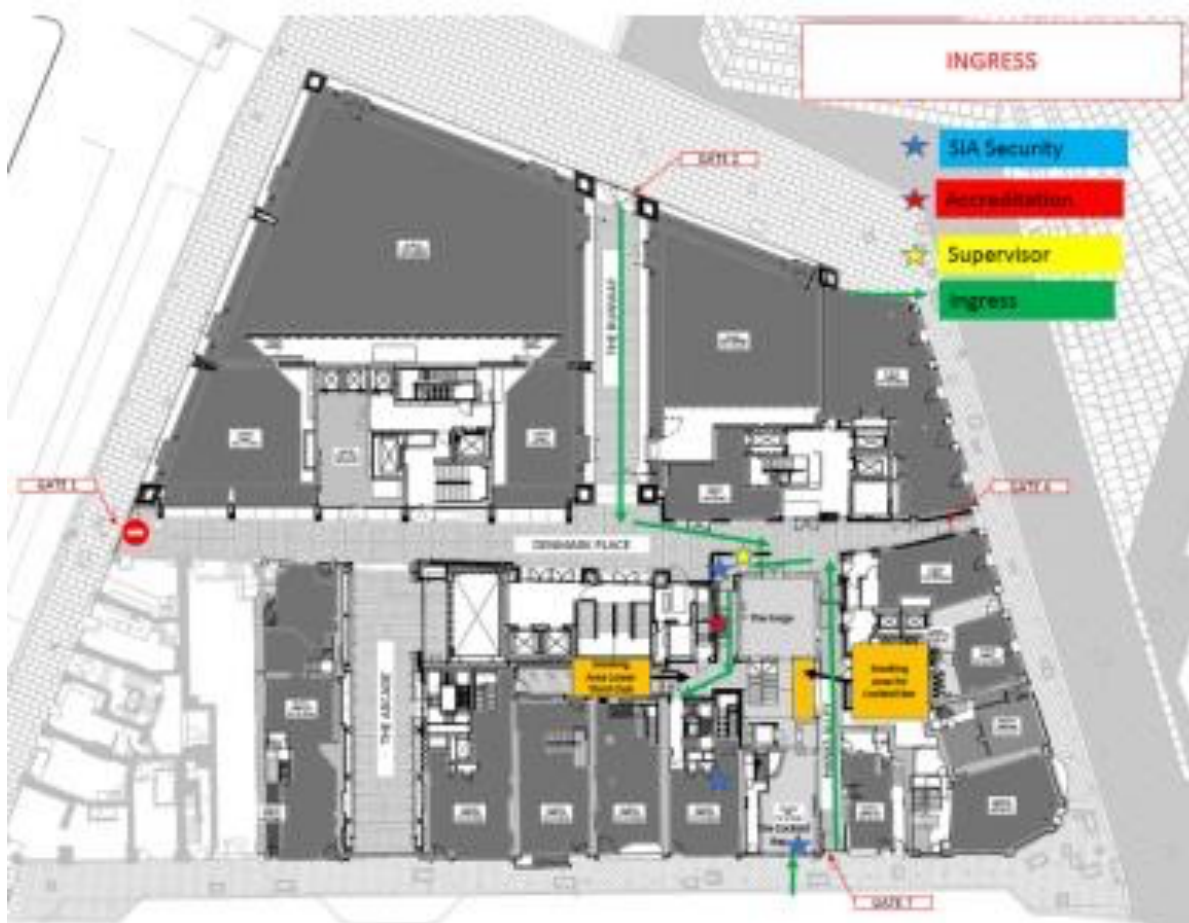
**(ii) Accreditation.**

Upon completion of the initial screening, guest checks are scanned before entering the secure section of the queue through the entry point to the Club Room entrance, which is patrolled by venue security to assess crowd dynamics in the queue.

**(iii) Search**

At entrance doors, guests are processed through a security search, where all bags are checked as standard, and a personal search process is followed depending on the risk assessment of the crowd.

This operation in effect replicates that of HERE.



Again, I observed the ingress to the venue, as described above, security wear wearing body worn video, for the reasons I give at point 11 above this actively promotes the licensing objectives of “Prevention of crime and disorder” and “Protection of children from harm”.

I observed that the Cocktail Bar closed just before midnight, there was no impact from this venue as numbers in attendance were very low, The Lower Third itself was low in numbers and certainly below 80 persons, the dispersal was via “Hanks Alley”, this again did not impact on the community in terms of noise or any anti-social behaviour/noise.

### **Egress Observation conducted on Saturday 8<sup>th</sup> July 2023 23:00 to 02:30 hours**

As I walked to the venue, I noticed the West End was much busier with a noticeable increase in footfall, than on Thursday. People were walking between locations, including the underground stations.

I arrived just after 22:30 hours and saw the same ingress barrier system in place as I observed on Thursday, described above at point 11. There was no queuing, but small numbers were still arriving and going through the same ingress procedures as previously described from Thursday.

The “Outernet” screens and recorded music were again in operation, with a steady flow of people within the attractions of the Now and Now Trending buildings.

The weather was fine, dry and warm with a breeze. The street lighting was in operation providing clear visibility.

I was asked to observe the Egress from the venue between the times shown, the event was ticketed for an artist called “Hitty” a house music event, with a capacity of 1,600.

The staffing numbers on this event were as follows:

Head of Security (HOS) =1  
 Security Supervisors =3  
 Security - Private SIA =2  
 SIA Operatives = 18  
 CCTV-Command & Control  
 operator = 1 Medic = 1

26 in total.

I spoke to The Head of Security Robbie Nash and requested a capacity check at 22:55hrs, this was recorded as 823.

At 23:30 hours I saw the Now and Now Trending venues being closed for the night and those in attendance self-dispersed towards Tottenham Court Road and Charing Cross Road.

The Lower Third cocktail bar closed at 23:45 hours. I did not witness any anti-social behaviour when the low numbers of customers left the venue via Denmark Street.

The basement venue within the Lower third was in operation until 02:00 hours, at the time of my visit around midnight there were about fifteen persons inside.

At the **HERE** venue and as previously described from Thursday’s observation, the smoking area was in operation with no drinks witnessed outside. There were about 60 persons inside the barriered area which was monitored by security from the venue. There was noise emanating from it, but again I checked from outside the building line, and this was barely audible.

From Midnight, I observed the same sound checks being conducted, by the venue management, as described at point 12 from Thursday's observations.

At around 00:20 hours, I returned to the front of the venue and again spoke to Robbie Nash regarding capacity numbers and was informed there was now 1,212 inside and that the last entry would be 01:00 hours. I conducted a walk of the building perimeter and noticed there were small mixed groups of males and females standing chatting and some sitting on the static seating in St Giles High Street/Square, these persons were not associated with the venue. I also saw that cars were parked on both sides of Denmark Street, but I could not state if they were attributable to any person attending the venue. I spoke to the district security supervisor, who was standing on Denmark Street at the junction with St Giles High Street who was observing the parking. He stated that they normally inform Camden Council Parking unit who would normally attend to ticket the vehicles, if appropriate.

The area around Tottenham Court Road underground by Centre Point was busy with pedestrians using the underground network. Additionally, there were people standing chatting or sat on the concrete seating eating takeaway food. Some street drinking was taking place, but these activities were not associated with the venue.

At 01:00 hours the venue began to set up the egress barrier system as shown in the diagram as previously mentioned at 14. From around 01:45 hours small numbers of customers began to leave the venue, travelling North towards Tottenham Court Road, these were good natured.

I spoke to Joe Richards, the venue manager, who pointed to a large screen at the top of the venue staircase, this I would say measured about 3 x 5 metres and is well positioned for those leaving to see, it displayed the following message:

**HERE**

**"THANK YOU FOR ATTENDING HERE AT OUTERNET. WE HOPE YOU HAVE  
ENJOYED YOUR EVENING.**

**PLEASE MAKE YOUR WAY TO THE NEAREST EXIT**

**PLEASE LEAVE THE AREA QUIETLY AND RESPECT OUR NEARBY  
RESIDENTS"**

From 01:45 hours, I saw several males NOT associated with the venue appear in Denmark Street from the direction of Charing Cross Road with nitrous oxide cannisters and balloons. They attempted to gain entry to the site via Denmark street "Arcade" entrance but were denied entry and directed away from the venue by the site security team.

At about 01:30 hours at the front of Tottenham Court Road entrance and opposite the exit to the venue, a male began to set up a sound system, again he came from the direction of Charing Cross Road (Soho). I saw the head of Security Robbie Nash approach him; a conversation took place which I could not hear, and the male packed up and moved back towards Soho.

There was now a steady stream of persons leaving the venue, the demographic I would describe as an 80/20 split of black males and females aged between early twenties to thirties. The venue and site security were asking them to leave quietly which they did, whilst in conversation with each other.

The security set up was as described in the venue's Egress Dispersal plan, which was further enhanced by the Outernet security team. The security was engaging with those leaving and pointing them away from the venue towards the underground station. I saw several nitrous oxide balloon sellers on the St Giles Square Side of the barriers and a small number of venue attendees managed to go through a small gap in the barrier line and went over to them, security acted quickly and managed to bring them back towards the barriered area.

As described in the Egress plan the security team formed a line and walked forward encouraging some people to move away North from the exit and away from St Giles Square towards the underground network and main arterial roads. They stopped roughly 40 metres from the exit point of the venue. They continued to monitor the location to ensure there were no incidents and dispersal was completed.

## **(6) CONCLUSION**

I found that overall, the premises were bright, modern and operating to a good standard. The cohesive working of the venue and staff and supported by the Outernet security team and control rooms, provided a safe relaxed atmosphere within a controlled area.

In addition to the premises licence conditions, the premises have an extensive venue management plan in place with its purpose to promote the four licensing objectives. The Dispersal Policy, specifically in relation to the ingress/egress I believe to be effective in the management and movement of persons to and from the venues.

The system deployed for ingress namely:

1. Screening
2. Accreditation
3. Search - see 11(c) comments from Thursday's observation.

This allows for the four licensing objectives to be implemented at the beginning of the event, and any mitigation put in place then to minimise any risk to the event.

The venue is proactive in monitoring noise escape and its possible effects on the local community by conducting its own sound checks on an approved sound device

and is conducted every 30 minutes from midnight to close. These checks are visually recorded and written logs contained within the control room.

The sites have extensive signage at the entrance/exits regarding age verification, no drinks are allowed outside and to respect the venue's neighbours when leaving. In addition, the large LED signage at the exit as described above would be seen by persons leaving due to its position at the top of the staircase on exit.

With reference to the nitrous oxide/balloon sellers and portable sound system, these elements were outside of the venues control, but they acted quickly and decisively in their dispersal and protection of the event attendees.

I acknowledge that the venues are located within the Cumulative Impact Zone (CIZ) and therefore there is a presumption contained within the Camden Statement of Licensing Policy that almost all new or variation applications will be refused if there are representations, because of cumulative impact. However, I acknowledge there are considerations as shown at reference points 6.20, 6.22 & 6.24 Camden Statement of Licensing Policy.

I hope from contents of this report, detailing my observations of the implementation of the venue's extensive proactive management plan and implementation of risk mitigation measures, regarding ingress/egress will assist all interested parties in this application.

Whilst compiling this report, I also considered the Licensing objectives and associated concerns/advice contained within Camden's Statement of Licensing Policy at pages 24 to 31 covering:

- Prevention of Crime and Disorder
- Measures to address Crime and Disorder
- Public Safety
- Public Nuisance and causes/Measures to address.
- Protection of children from harm

Respectfully submitted,

Brian Hunter



Independent Licensing Consultant -  
Patriot Licensing Tuesday 18th July  
2023.



**Brian Hunter**







6 Denmark Street, London, United Kingdom WC2H 8LX

Tel; [REDACTED]

**Letter of Support for Local Traders**  
**Here @ Outernet & The Lower Third**

06/07/23

To whom it may concern,

This letter looks to support the application for an extension of the licensing hours for both Here @ Outernet and The Lower Third.

Any measures that would allow these venues to continue to make the area more of a cultural and social hub can only stand to contribute to the long standing reputation of Denmark St. as a centre for music, arts and culture in London. As a local business in the music retail sector, we would hope that this would only have positive effects for ourselves and fellow music retailers over time.

With thanks,

No.Tom Guitars

Licensing Authority  
 London Borough of Camden  
 5 Pancras Square  
 London  
 N1C 4AG

Email: [REDACTED]

**Letter in Support of Premises Licence Variation Applications**

**PREM-LIC\110306 – The Lower Third, 26 Denmark Street, WC2H 8NL**

**PREM-LIC\110349 – HERE, St Giles Circus Site, Denmark Place, WC2H 8LH**

Dear Camden Licensing Authority,

I, Jamie Franklin from Roland Europe Group, write to you in support of the applications to extend the operating hours on the premises licences for The Lower Third and HERE at the Outernet venue.

Specifically, the applications seek:

- **to extend the hours for licensable activities on The Lower Third premises licence from 02:00am to 04:00am on Thursdays, Fridays and Saturdays;**
- **to extend the hours for licensable activities on the HERE premises licence on 154 occasions per year until 04:00am.**

We understand that additional conditions are being offered concerning security and safety measures and welfare and vulnerability engagement. We, at Roland, support all this as they will promote the licensing objectives of prevention of crime and disorder and prevention of public nuisance.

We strongly contend that the applicant upholds the following licensing objectives and will continue to do so if these applications are granted:

1. The prevention of crime and disorder;
2. Public safety;
3. Prevention of public nuisance; and
4. Protection of children from harm.

Late night venues have always been a cornerstone of the UK music and cultural scene. The loss of late night and live music venues across London in recent years has been well publicised and it is tragic to see so many premises, including those in Camden, to be closing or at serious risk following the pandemic and significantly increased costs.

What Outernet have created here is state-of-the-art venues that provide a platform for an incredible breadth of cultural public events. As well as hosting world-renowned musical acts and club nights, the venue provides an important platform for grassroots talent and non-profitable programming across the creative and cultural spectrum. There are few venues in Camden that can offer the kind of cultural richness that these venues can.

We also believe that it is important for well-run venues like this to have the backing and necessary resources for them to continue offering incredible opportunities to grassroots musicians and artists, and marginalised groups in the creative sphere.

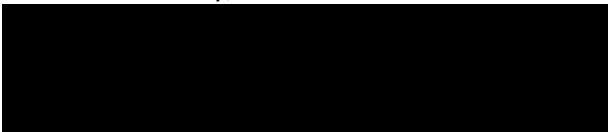
Attending events at HERE and The Lower Third have always been an amazing atmosphere in a safe and well-managed environment. We understand that for venues like these to remain successful that they need to be flexible and to be able to offer certain events that require a late licence.

We have every confidence that the operators of these two venues can operate licensable activities until 04:00am whilst continuing to successfully promote the licensing objectives referred to above.

We, at Roland, support both applications for later licences to provide an excellent, culture-focused late-night hub.

I have been to several events at HERE and The Lower Third and have been blown away by the professionalism, safety measures and attention to providing the best experience for the customer, as well as making sure the neighbours, like Roland, are also fully looked after. I hope we can see more!

Yours sincerely,



Jamie Franklin  
AR manager  
Roland Europe Group

**Sarah Williams**

---

**From:** Lisa Sharkey [REDACTED]  
**Sent:** 07 July 2023 16:56  
**To:** Sue Deacon  
**Subject:** FW: The Lower Third PREM-LIC\110306 - PREM-LIC\110349

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**From:** Tristan Hoffman [REDACTED] >  
**Sent:** Thursday, July 6, 2023 11:33 PM  
**To:** [REDACTED]  
**Subject:** Fwd: The Lower Third PREM-LIC\110306 - PREM-LIC\110349

Westside Sounds

Sent from [Outlook for iOS](#)

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**From:** Hotmail [REDACTED]  
**Sent:** Thursday, July 6, 2023 10:23:16 PM  
**To:** [REDACTED]  
**Subject:** RE: The Lower Third PREM-LIC\110306 - PREM-LIC\110349

**Letter in Support of Premises Licence Variation Applications**

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We support both applications for later licences to provide an excellent, culture-focused late-night hub.

Yours sincerely,

Andy Rowberry

Westside Mi

Sent from my iPhone

HERE**Annex 2 - Conditions consistent with the operating schedule**

19. The sale of alcohol at the premises shall be at all times ancillary to the use of the [premises](#) as a multi-purpose auditorium space. The sale shall be restricted to such occasions as exhibitions; retail events; live pre-recorded music; product launches; fashion shows; film screening; events and conferences, and the like kind.
20. Although the HERE and The Now Building and Now Trending are separate, they shall work in tandem in accordance with the Venue Management Plan and the Event Management Plan to maintain the operational integrity of the site.
21. An event management plan will be prepared for each event and shall be served upon the Police and Environmental Health a minimum of 14 working days ahead of an event for information.
22. The Event Management Plan will include the provision of a designated smoking area and management thereof; provision of a dispersal policy to ensure the safe and quiet movement of people from the area; the provision of additional pop-up toilets (when necessary); provision of a queue management strategy; public safety and security arrangements.
23. The Premises Licence Holder shall provide the Licensing Authority and Police with a list of upcoming events each quarter (or as otherwise agreed with the Licensing Authority and Police) and shall provide such information as is requested by the Licensing Authority and/or Police to assess the potential impact of specific events upon the Licensing Objectives.
24. There shall be no off-sales of alcohol, with the exception of alcohol sold during an exhibition event held at the premises, which is packaged to take home and which is not intended for immediate consumption off the premises.
25. The premises Licence holder shall ensure that CCTV cameras and recorders are installed at the premises and are of a standard acceptable to and approved by the Police.
26. 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 (**except toilets and changing areas**).
27. The CCTV camera views are not to be obstructed.
28. At least one CCTV camera is to be placed no more than seven feet above floor level; near to the exits in order to capture clear facial images of all persons leaving the premises.
29. 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~~ **within 48 hours of** request.

30. 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.
31. The facility to transfer the images to a compatible, removable format shall be held on the premises.
32. Notices shall be displayed within the premises warning customers about personal thefts; and to be vigilant.
33. The venue shall supply and fit to every static table or counter, suitable anti-theft devices, such as table/counter clips, in order that customers may secure their bags.
34. When the venue is open for licensable activities, the toilets are to be checked by staff at least every two (2) hours and these checks are to be documented on each visit.
35. All flat surfaces in toilet cubicles, including any toilet roll holder eclipses, are to be 'designed-out' in order to prevent drug misuse.
36. At least one member of the management team on duty whilst the premises remain open for the sale of alcohol is to hold a personal license under the Licensing Act 2003.
37. 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 incident;
  - 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.
38. In relation to any event involving a promoter, their associates, DJ(s) or artists(s), or one where the venue has been booked by an outside agent with a view to selling tickets to the public for profit then:
  - a) The licensee shall complete a full risk assessment via open source material reference checks from previous venues performed and if there are concerns following all these checks, to inform Camden Police Licensing at least ~~7 days~~ 14 days before the event occurs on email [EK-Licensing@met.police.uk](mailto:EK-Licensing@met.police.uk).
  - b) The licensee shall notify Camden Police Licensing Team via the same email if there are any high risk events or any unusual or large scale events (due to occur within less than ~~7 days~~ 14 days as soon as reasonably practicable. The Police will have the right of absolute refusal of any such events for reason of late notification.

- c) Where the venue runs a promoted event using a DJ or MC who performs to background music then they should risk assess the need to search every customer upon entry taking cognizance of Police advice. If the risk assessment determined that searching will be conducted, then if a customer refuses to being searched this will result in NO ENTRY.
39. In relation to all other musical events, the Local Camden Police Licensing Team shall be contacted no less than 14 days prior to the event to request if, a full Search Policy is required of all customers.
  40. No persons carrying visibly open alcohol vessels shall be admitted to the premises at any time that the premises are open for any licensable activity.
  41. No patron shall be allowed to leave the premises whilst in the possession of any drinking vessel or open glass bottle whether empty or containing any beverage, other than permitted off-sales.
  42. 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, military ID cards or proof of age card bearing the PASS hologram.
  43. A sign shall be displayed at the point of sale stating No Proof of Age - No Sale.
  44. The venue shall not engage the service of street promoters to encourage clientele to attend the venue.
  45. Regular glass collection shall be undertaken by staff where the sale of alcohol is occurring at the premises.
  46. Police must be called to incidents of violence and /or disorder.
  47. Signage shall be displayed in a prominent position on the premises requesting that customers leave quietly.
  48. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
  49. Where the sale of alcohol is occurring after 20:00 hours then door staff shall be present at least 1 hour prior to the commencement of the event.

The door staff shall be employed to a ratio of 1:100. The following additional requirements apply in relation to those door staff:

a) There will be a minimum of one (1) female SIA-registered door supervisor on duty when security are required.

b) A door supervisors register shall be updated on occasions when door supervisors are employed. The Register is to be made available for Inspection by the Police and/or Licensing Authority. Details to show:



- Full Name.
- Date of Birth.
- SIA Registration Number.
- Date and Hours Worked; and
- Contact telephone number and email address.

c) A coloured photocopy of each door supervisors' SIA badge shall be taken by the DPS and retained at the premises.

d) They 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.

e) They shall remain on duty for half an hour after the close of the venue to ensure all patrons are dispersed peacefully from the area.

50. Subject to any relevant consents which may be required from the Local Authority, the designated queuing area shall be enclosed within appropriate barriers to ensure that the public footway is kept **and maintained** clear.
51. Where the premises is in use after 8:00pm and the sale of alcohol is taking place, the smoking area shall be constantly supervised by an SIA registered door supervisor who will monitor the capacity and restrict access when necessary, **and to ensure that customers do not bring drinks into the smoking area.**
52. 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.
53. Details of instances of disorder, damage to property or personal injury shall be recorded in an incident book kept at the premises. Such details shall be made available for inspection by the Police and other Responsible Authorities upon request.
54. The premises shall operate a system whereby a record is maintained of refusals to serve alcohol. Details to be produced for inspection to the Police and other Responsible Authorities upon request.
55. The licensee shall ensure that staff are trained as appropriate, in respect of relevant licensing law, crime scene best practice and upon the sale of alcohol to drunks and persons underage. This training is to be clearly documented **and signed** and any training for future staff must also be organised at the appropriate time. **Refresher training shall be carried out every 6 months.** Details of training are to be made available for inspection by Police or other Responsible Authorities, upon request.
56. Where any illegal substance is found within the premises then a record shall be made in the incident book **by a duty manager.** Any illegal substance shall be stored securely pending collection by the Police unless they are present on site and this is handed to them. Any seizure of drugs and weapons shall be recorded in the incident book **by a duty manager.**

57. Where available, a responsible member of staff shall join the local pubwatch or other such local crime reduction scheme approved by the Police.
58. All security staff, stewards and management will be connected by a secure channel hand-held radio system.
59. Staff shall be fully trained on safety issues, including fire safety and management shall carry out regular inspections of the premises.

**Informative:** The below is for information purposes and is not intended to form a condition of the licence):

If a planned event in the here is likely to result in a maximum attendance event then (following risk assessment) The Now Building and Now Trending may be closed off in order that it may operate as a ticket hall and audience holding area.

60. On completion of the works and before the public are admitted, the premises must comply with the requirements of the District Surveyors Association and the Association of British Theatre Technicians 'Technical standard for Places of Public Entertainment' (if applicable)
61. Patrons wishing to smoke will not be permitted to take drinks outside with them.
62. Amplified sound shall not be audible at 1 meter from the facade of any noise sensitive premises.
63. That an Events Noise Management Plan is developed to the satisfaction of the Noise Team to cover any occasion where there is potential for sound breakout beyond the premises boundary, and where sound equipment is added to the existing in-house equipment for a particular event or function. The Noise Management Plan required by virtue of planning shall be updated by the Premises Licence Holder from time to time as appropriate and the Premises Licence Holder shall be bound by the plan. A copy of the Events Noise Management Plan and the Noise Management Plan shall be retained at the premises and made available for inspection by the relevant authorities.
64. That if deemed appropriate by the Environmental Health Team prior to the premises trading under this licence then a noise limiter be installed, located in a separate and remote lockable cabinet from the volume column must be fitted to any musical amplification system and set at a level determined by and to the satisfaction of the Noise Team. The limiter shall not be altered without prior agreement.
65. A Notice shall be fixed in a prominent position near exits reminding [customers](#) that this is a residential area and requesting patrons to leave quickly and quietly.
66. The Event Management Plan sets out measures to be taken to ensure effective communication with surrounding residents and businesses concerning planned events.
67. The premises will use the central waste collection point provided as part of the development.

68. There is a lost children's policy contained within the Event venue Management Plan.
69. A proof of age scheme shall operate at the premises and staff shall be trained in its use, e.g. Challenge 25.
70. The premises will implement a dispersal policy and all relevant staff will be trained in its implementation. The policy shall contain measures intended to encourage patrons leaving the ~~gallery~~ venue after 23:30 ~~until close of business~~ to disperse towards Tottenham Court Road Station or by travelling North/South on Charing Cross Road or East/West on Oxford Street/New Oxford Street. It will contain measures actively to discourage patrons from dispersing into the Piazza areas to the North and East of the premises. The Policy will be reviewed regularly and whenever the Licensee becomes aware of issues associated with dispersal. **To support effective and swift dispersal of customers away from the premises, the head of security and venue's CCTV operatives shall liaise and consult with the CCTV operatives within the Outernet central control room.**
71. Servicing will take place between 08:00 and 20:00 hours Monday to Sunday and Public/Bank Holidays and will be from the Denmark Street loading bays. (This shall not apply to event equipment and refuse storage and collection which is dealt with by the Service Management Plan approved as part of the S106 agreement and developed to the satisfaction of the Environment Health Team).
72. That a 'Service Management Plan' be developed to the satisfaction of the Environmental Health Team, detailing the management of deliveries and servicing which shall include arrangements for the collection and delivery of event equipment, and refuse storage and collection; that the Service Management Plan be updated by the Premises Licence Holder from time to time as appropriate. The Premises Licence Holder shall be bound by the Service Management Plan. A copy of the plan shall be retained at the premises and made available for inspection by the relevant authorities.
73. ~~At least 2 (two) SIA door supervisors (to include the door supervisor working on the main entrance) who are on duty as required by the licence conditions shall wear body worn cameras. Management of the venue to ensure these cameras are working before deployment. In the event of an incident, the footage must be made available to Police or Local Authority upon request. The licence holder shall ensure that a suitable, expeditious playback/downloading system is in place to enable the Police to obtain any evidential footage. In the event of an incident, body worn camera footage will be stored for a minimum of 44 days~~ **31 days** ~~and must be made available to Police upon request.~~
74. ~~All permanent staff working in the evening and security staff to undertake welfare of and vulnerability engagement (WAVE) training and a record to be kept of this.~~
75. ~~On any occasion the premises operate licensable activities beyond midnight relying upon the seasonal variations permitted then there shall be no new admissions to the premises after 02:30~~ **02:00** ~~hours with the exception of VIPs, guest list and / or pre-sold ticket holders. A record of such entries after 02:30~~ **02:00** ~~hours shall be maintained and made available for inspection by responsible authorities.~~ **There shall**

be no new admissions to the premises after 02:00 hours with the exception of VIPs. A record of such entries after 02:00 hours shall be maintained and made available for inspection by responsible authorities.

76. The premises shall maintain a complaints log detailing the nature of the complaint, complainant (if known), and any action taken. The log to be made available for inspection by Environmental Health upon reasonable request.
77. Safety Inspection Certificates (which shall be maintained up to date) shall be available on site for inspection by Authorised Officers.
78. The premises shall ensure that an enhanced Risk Assessment shall be carried out to determine how many disabled customers they can safely accommodate and vacate in the event of an emergency.

**The Lower Third**

**Amended 18.7.2023**

**Annex 2 - Conditions consistent with the operating schedule**

15. The premises licence holder shall ensure that CCTV cameras and recorders are installed at the premises and are of a standard acceptable to and approved by the Police. **CCTV to cover all areas where the public have access to (except toilets and changing areas).**
16. The CCTV 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.
17. The CCTV camera views are not to be obstructed.
18. At least one CCTV camera is to be placed no more than seven feet above floor level; near to the exits to capture clear facial images of all persons leaving the premises.
19. 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~~ **within 48 hours of** request.
20. 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.
21. The facility to transfer the images to a compatible, removable format shall be held on the premises.
22. Notices shall be displayed within the premises warning customers about personal thefts; and to be vigilant.
23. The venue shall supply and fit to every static table or counter, suitable anti-theft devices, such as table/counter clips, in order that customers may secure their bags.

24. When the venue is open for licensable activities, the toilets are to be checked by staff at least every two (2) hours and these checks are to be documented on each visit.
25. All flat surfaces in toilet cubicles, including any toilet roll holder eclipses, are to be 'designed out' in order to prevent drug misuse.
26. In relation to any event involving a promoter, their associates, DJ(s) or artist(s), or one where the venue has been booked by an outside agent with a view to selling tickets to the public for a profit then:
  - a. The licensee shall complete a full risk assessment via open source material, reference checks from previous venues performed and if there are concerns following all these checks, to inform Camden Police Licensing at least 7 days before the event occurs on email [EK-Licensing](#) [REDACTED].
  - b. The licensee shall notify Camden Police Licensing Team via the same email if there are any high-risk events or any unusual or large scale events (due to occur within less than 7 days) as soon as reasonably practicable. The Police will have the right of absolute refusal of any such events for reason of late notification.
  - c. Where the venue runs a promoted event using a DJ or MC who performs to background music then they should risk assess the need to search every customer upon entry taking cognizance of Police advice. If the risk assessment determines that searching will be conducted, then if a customer refuses to being searched this will result in NO ENTRY.
27. No persons carrying visibly open alcohol vessels shall be admitted to the premises at any time that the premises are open for any licensable activity.
28. "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, military ID cards or proof of age card bearing the PASS hologram."
29. A sign shall be displayed at the point of sale stating No Proof of Age - No Sale.

30. The venue shall not engage the service of street promoters to encourage clientele to attend the venue.-
31. Regular glass collection shall be undertaken by staff where the sale of alcohol is occurring at the premises.
32. Police must be called to incidents of violence and /or disorder.
33. Signage shall be displayed in a prominent position on the premises requesting that customers leave quietly.
34. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
35. The need for door supervisors shall be risk assessed taking cognizance of Police advice. Where door supervisors are employed then a register shall be maintained which shall be available for inspection by the Police and/or Licensing Authority. Details to show: • Full Name. • Date of Birth. • SIA Registration Number. • Date and Hours Worked; and • Contact telephone number and email address. A colour photocopy of each door supervisors SIA badge shall be taken by the DPS and retained at the premises. 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.
36. Subject to any relevant consents which may be required from the Local Authority, the designated queuing area shall be enclosed within appropriate barriers to ensure that the public footway is kept clear.
37. The licence holder shall ensure that any queue to enter the premises which forms outside the premises is orderly and supervised by door staff to ensure that there is no public nuisance or obstruction to the public highway.
38. Details of instances of disorder, damage to property or personal injury shall be recorded in an incident book kept at the premises. Such details shall be made available for inspection by the Police and other responsible authorities upon request.

39. The premises shall operate a system whereby a record is maintained of refusals to serve alcohol. Details to be produced for inspection to the Police and other responsible authorities upon request.
40. The licensee shall ensure that staff are trained as appropriate, in respect of relevant licensing law, crime scene best practice and upon the sale of alcohol to drunks and persons underage. This training is to be clearly documented [and signed](#) and any training for future staff must also be organised at the appropriate time. [Refresher training shall be carried out every 6 months](#) and details of training are to be made available for inspection by Police or other Responsible Authorities, upon request.
41. Where any illegal substance is found within the premises then a record shall be made in the incident book by a [duty manager](#). Any illegal substance shall be stored securely pending collection by the Police unless they are present on site, and this is handed to them. Any seizure of drugs and weapons shall be recorded in the incident book [by a duty manager](#).
42. Where available, a responsible member of staff shall join the local pub watch or other such local crime reduction scheme approved by the Police.
43. All security staff and management will be connected by a secure-channel handheld radio system or similar communications device.
44. Staff shall be fully trained on safety issues, including fire safety and management shall carry out regular [safety](#) inspections of the premises [before members of the public are allowed on to the premises and after close of business](#).
45. Amplified sound shall not be audible at 1 metre from the facade of any noise sensitive premises.
46. That if deemed appropriate by the Environmental Health Team prior to the premises trading under this licence then a noise limiter be installed, located in a separate and remote lockable cabinet from the volume column must be fitted to any musical amplification system and set at a level determined by and to the satisfaction of the Noise Team. The limiter shall not be altered without prior agreement.
47. A Notice shall be fixed in a prominent position near exits reminding customers that this is a residential area and requesting patrons to leave quickly and quietly.



48. The premises will use the central waste collection point provided as part of the development.
49. The premises will implement a dispersal policy and all relevant staff will be trained in its implementation. The policy shall contain measures intended to encourage patrons leaving the club after 23:00 to disperse West along Denmark St towards Charing Cross Road and / or towards Tottenham Court Road tube and Oxford Street and then to disperse North or South. It will contain measures actively to discourage patrons from dispersing into the Piazza areas to the North and East of the premises. The policy will be reviewed regularly and whenever the licensee becomes aware of issues associated with dispersal.
50. Servicing will take place between 08:00 and 20:00 hours Monday to Sunday and Public/Bank Holidays and will be from the Denmark Street loading bays. (This shall not apply to event equipment and refuse storage and collection which is dealt with by the Service Management Plan approved as part of the S106 agreement and developed to the satisfaction of the Environment Health Team).
51. That a 'Service Management Plan' be developed to the satisfaction of the Environmental Health Team and detail the management of deliveries and servicing which shall include arrangements for the collection and delivery of event equipment, refuse storage and collection; that the Service Management Plan be updated by the Premises Licence Holder from time to time as appropriate. The Premises Licence Holder shall be bound by the Service Management Plan. A copy of the plan shall be retained at the premises and made available for inspection by the relevant authorities.
52. Maximum capacity shall not exceed 350 persons (excluding staff).
53. **A minimum of 2 SIA shall be on duty from 22:00 hours on all nights where both floors are open for licensable activities beyond midnight. SIA shall ensure all patrons are dispersed from the immediate area outside the venue at the end of operating hours and, to aid the swift and effective dispersal of customers away from the venue, the head of security will communicate and liaise with CCTV operatives within the Outernet central security control room.**

54. A duty manager, head door and core staff working on said night or event shall stay 30 minutes after close to actively help with dispersal and to ensure that the premises is completely devoid of members of the public.
55. When door supervisors are required, there will be a minimum of 1 (one) SIA registered door supervisor permanently working on the main entrance. There will be a minimum of 1 (one) female SIA registered door supervisor on duty when security is required.
56. From 22:00 hours, no drinks shall be allowed in the smoking area and the area shall be monitored by premises staff and/or an SIA registered door supervisor to monitor capacity and restrict access when necessary.
57. At least 2 (two) SIA door supervisors (to include the door supervisor working on the main entrance) who are on duty as required by the licence conditions shall wear body worn cameras. Management of the venue to ensure these cameras are working before deployment. In the event of an incident, body worn camera footage shall be stored for a minimum of ~~14~~ 31 days and must be made available to police upon request. The licence holder shall ensure that a suitable, expeditious playback/downloading system is in place to enable the police to obtain any evidential footage.
58. All permanent staff working in the evening and security staff to undertake welfare of and vulnerability engagement (WAVE) training and a record to be kept of this. The premises to ensure this before operating under this new licence if granted.
59. The premises will in the late evenings operate predominantly as an entertainment venue, providing a mix of musical entertainment; performances; events and screenings linked to music and/or artists; and entertainment of a similar nature, (which could include products launches; exhibitions; fashion shows; retail events, and the like kind).
60. There shall be no new admissions to the premises after ~~02:30~~ 02:00 hours.
61. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.

62. The premises shall maintain a complaints log detailing the nature of the complaint, complainant (if known) and any action taken. The log to be made available for inspection by Environmental Health upon reasonable request.
63. The premises shall ensure that an enhanced Risk Assessment shall be carried out to determine how many disabled customers they can safely accommodate and vacate in the event of an emergency.
64. Safety Inspection Certificates (which shall be maintained up to date) shall be available on site for inspection by Authorised Officers.

HERE, St Giles Circus Site, Denmark Place, London, WC2H 8LH  
The Lower Third, 26 Denmark Street, London WC2H 8NL.

Link to petition in support of the variation applications for HERE and The Lower Third to extend hours:-

[https://www.change.org/p/here-at-outernet-the-lower-third-licence-extension?recruiter=1311731244&recruited\\_by\\_id=4dc85140-1b3e-11ee-a3c2-79c1ea52dc43&utm\\_source=share\\_petition&utm\\_medium=copylink&utm\\_campaign=petition\\_dashboard&fbclid=IwAR10G5ClrVgkr5rzVZzR6MlhF2ve4cmCrWmysdWVnc3uA615whFI45bUz6Y](https://www.change.org/p/here-at-outernet-the-lower-third-licence-extension?recruiter=1311731244&recruited_by_id=4dc85140-1b3e-11ee-a3c2-79c1ea52dc43&utm_source=share_petition&utm_medium=copylink&utm_campaign=petition_dashboard&fbclid=IwAR10G5ClrVgkr5rzVZzR6MlhF2ve4cmCrWmysdWVnc3uA615whFI45bUz6Y)

**Schedule of Late Night Entertainment Venues  
which have ceased trading in the locality due  
to the Crossrail Development.**

<p>Sin 144 Charing Cross Road London WC2H 0LB</p> <p>Capacity - 800</p>	<p><u>Alcohol:-</u> Sunday to Wednesday 11:00 to 05:00 Thursday to Saturday – 11:00 to 06:00</p> <p><u>Recorded Music; Live Music; Performance of Dance (also had Facilities for Making Music and Dancing):-</u> Sunday to Thursday 09:00 to 06:00 Friday and Saturday 09:00 to 07:00</p> <p><u>Similar (Burlesque &amp; Nude Dancing):-</u> Monday to Thursday 17:00 to 04:00 Friday and Saturday 17:00 to 07:00 Sunday 21:00 to 04:00</p> <p><u>Opening Hours:-</u> Unrestricted</p>
<p>Austoria Theatre 157 Charing Cross Road London WC2H 0EN</p> <p>Capacity - 2000</p>	<p><u>Alcohol:-</u> Monday to Saturday 10:00 to 03:00 Sunday 12:00 to 22:30</p> <p><u>Performance of Dance, Live Music, Recorded Music, Anything of a Similar Description (also had Facilities for Making Music and Dancing):-</u> Monday to Friday 09:00 to 06:00 Saturday 06:00 to 06:00 Sunday 06:00 to 22:30</p> <p><u>Exhibition of Films:-</u> Monday to Saturday 00:00 to 00:00 Sunday 06:00 to 22:30</p> <p><u>Late Night Refreshment:-</u> Monday to Saturday 23:00 to 05:00</p>

## Schedule of Late Night Entertainment Venues.

	<u>Opening Hours:-</u> Monday to Friday 09:00 to 06:00 Saturday 06:00 to 06:00 Sunday 06:00 to 22:50
Astoria 2 165 Charing Cross Road London WC2H 0HR  Capacity - in Basement - 1000	Performance of Dance, Live Music, Recorded Music, Anything of a Similar Description, <u>(also had Facilities for Making Music and Dancing):-</u>  Saturday to Sunday 06:00 to 06:00 Monday to Friday 09:00 to 06:00  <u>Exhibition of Films:-</u> Monday to Sunday 06:00 to 06:00  <u>Late Night Refreshment:-</u> Monday to Sunday 23:00 to 05:00  <u>Opening Hours:-</u> Saturday to Sunday 06:00 to 06:00 Monday to Friday 09:00 to 06:00



**Robbie Naish**

**Consultant/ Practitioner**

**Outernet Venues London Ltd**

[REDACTED]

[REDACTED]

## **Risk Management & Event Security Solutions**

### **Education & Qualifications**

- FdA Crowd Management and Risk Analysis Bucks University.
- Level 4 Award in Education and Training.
- Qualified SIA Close Protection operative.
- Level 3 Award in First Aid.
- Level 5 diploma in crowd science and risk analysis.
- CSAS Traffic Management Award.
- Risk Management certificate, West Sussex Fire Brigade.
- Counter terrorism certificate – PROTECT.
- Currently Studying for a NEBOSH International Diploma.

### **Professional Profile**

- An international crowd management consultant specializing in large and small-scale gatherings, in built venues and green field site environments.
- Recognized internationally as an authority in crowd safety management.
- An accomplished crowd management and risk teacher and lecturer.
- Senior manager for security and crowd management teams at major events and nighttime economy venues.
- Senior teacher assessor and IQA Security Portfolio.
- Lecturer at the European Safety Advisory Group.
- Former British and UK Firefighter.

Currently, I am the Director of Security and Crowd Management for Outernet Venues London Ltd. My role is to oversee and implement security and crowd management plans and procedures for the safe operation of HERE & The Lower Third, overseeing the deployments, liaising with clients and stakeholders, providing detailed crowd management plans and security reports, when requested. I am also responsible for developing site surveys and dealing with the everyday operational requirements.

My experience started over 20 years ago with my first task working as a Close Protection Operative looking after A list music celebrities. This role involved carrying out site surveys of small and large venues and entertainment spaces globally, carrying out risk assessments and putting in place crowd and security management plans that ensured that each event ran smoothly and that all the stakeholders involved were kept up to date with any intrusions and disruption expected.

Traveling around the world allowed me to master my skills and understanding of event spaces big and small. In 2004, I took up the role as training director for Show and Event Security, who are a London based security events company which had contracts with Somerset House, The Royal Albert Hall, Alexandra Palace, Wembley Stadium to name a few. My role stretched to senior operations manager for some of the UK's biggest events that included, London New Years Eve Fireworks, The IOW, V festival and many other events, such as Royal Weddings and large and small events within Central London. These roles involved me carrying out crowd and security management plans that worked for all those involved or affected by the events.

In 2016, I was employed by the Square Metre Group to deliver the Level 5 Diploma in Crowd Science and Risk Analysis. This role involved me traveling around the world delivering all the aspects of Crowd Science including, site surveys, crowd risk profiling and the implementation of crowd security risk management plans for different clients. They included police forces, festivals and venue event management teams and councils in the UK and abroad. During the Covid lockdowns I continued to deliver these courses online for students from the UK and abroad.

I am currently working on developing a new course for operating music venues. This will provide a more in-depth understanding of how these venues should operate to deliver safe and secure performances, and understanding how these affect the local communities where they take place.

Operationally, I work as the Security Director for Outernet Venues London Ltd. I am also involved in two festivals. I am a Bronze/ Silver sector manager for Glastonbury Festival. My role is to oversee and advise 12 different venues within the Southeast Corner sector of the event. I am Security Director for the Green Man Festival, and my role is working closely with the festival organisers to oversee the security and crowd management operation.

Crowd Profiling every event is one of my most important roles. Profiling allows me to develop an in-depth understanding of each event which I can then use to develop a risk assessment for each event. My risk assessment is broken down into 6 phases that include:

**Arrival** - Understanding how an audience will arrive to a venue, i.e., public transport, car, on foot etc.

**Last Mile** - The route from arrival to venue.

**Ingress** - How the audience enters the venue.

**Circulation** - How the audience moves around the different spaces of an event.

**Egress** - How an audience leaves a venue.

**Dispersal** - What happens and how an audience disperses away from a venue.



## **Experience & Overview of Major Projects and Current positions**

- Outernet Venues London (Current)
- Glastonbury Festival Venues (Current)
- The Green Man Festival (Current)
- Level 5 Crowd Science and Risk Analysis Lecturer (Current)
- Security and Crowd Management auditor (Current)
- The IOW Festival (Current)
- Splendour Venue and Festival Events Australia (Current)
- Tour De France UK (2006 & 2012)
- London New Years Eve Fireworks (2003-2017)
- Fall Festival Byron Bay/ Perth Australia (Current)
- Major Events Coordinator Hong Kong (2016-2017)
- Queens Royal Events Buckingham Palace (2004- 2017)
- Commonwealth Games Scotland
- Personal Security Close Protection Music Industry A lists Advance and venue specialist.
- Back Stage Security for UK and international events advisor (current)

## **Summary**

My knowledge backed up with years of operational experience makes me one of the leaders in the security and crowd management industry. Working with venue and event organisers as their eyes and ears for security & crowd management operations to ensure that licensing law is adhered to on all levels of operations of the venue.

## **Specialities:**

Crowd Dynamics and Risk Analysis, Leadership and Management and Quality assurance.





London Borough of Camden, 5 Pancras Square, London N1C 4AG

### Premises Licence

London Borough of Camden Licensing Authority

#### Premises licence number

PREM-LIC\110306

#### Part 1 – Premises details

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

Lower Third  
26 Denmark Street  
London  
WC2H 8NL

Telephone number N/A

#### Where the licence is time limited the dates

N/A

#### Licensable activities authorised by the licence

Retail of Alcohol:	Yes
Late Night Refreshment:	Yes
e)Live Music:	Yes
f)Recorded Music:	Yes
g)Performance of Dance:	Yes
h) Similar to e), f) or g)	Yes

#### The times the licence authorises the carrying out of licensable activities

Retail of Alcohol:	
Monday - Saturday	10:00 - 02:00
Sunday	12:00 - 00:30
Late Night Refreshment:	
Monday - Saturday	23:00 - 02:00
e)Live Music:	
Monday - Saturday	10:00 - 02:00
Sunday	12:00 - 00:30
f)Recorded Music:	
Monday - Saturday	10:00 - 02:00
Sunday	12:00 - 00:30



g) Performance of Dance:	
Monday - Saturday	10:00 - 02:00
Sunday	12:00 - 00:30
h) Similar to e), f) or g)	
Monday - Saturday	10:00 - 02:00
Sunday	12:00 - 00:30

#### Seasonal Variations

On the morning that British Summertime begins, Licensable Activities shall be extended by one hour.

#### The opening hours of the premises

Monday - Saturday: 10:00 - 02:30  
 Sunday: 12:00 - 01:00

#### Where the licence authorises supplies of alcohol whether these are on and/or off supplies:

ON & OFF

## Part 2

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

Outernet Venue Limited  
 3<sup>rd</sup> Floor  
 114a Cromwell Road  
 London  
 SW7 4AG

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

13381794

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

Tristan John Howard Hoffman

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



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

[REDACTED]

**For Supporting Communities, on behalf of the Licensing Authority**

[REDACTED]

**Date Licence Amended: 26/09/2022 - APP\PREMISES-M\VARY\111674**

**Date Licence Amended: 10/05/2022 - APP\PREMISES-TRANS\109983**

**Date Licence Granted: 15/04/2021 - APP\PREMISES-NEW\104243**



## **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: ½ 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. The premises licence holder shall ensure that CCTV cameras and recorders are installed at the premises and are of a standard acceptable to and approved by the Police.
16. The CCTV 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.
17. The CCTV camera views are not to be obstructed.
18. At least one CCTV camera is to be placed no more than seven feet above floor level; near to the exits to capture clear facial images of all persons leaving the premises.
19. 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.
20. 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.
21. The facility to transfer the images to a compatible, removable format shall be held on the premises.
22. Notices shall be displayed within the premises warning customers about personal thefts; and to be vigilant.
23. The venue shall supply and fit to every static table or counter, suitable anti-theft devices, such as table/counter clips, in order that customers may secure their bags.
24. When the venue is open for licensable activities, the toilets are to be checked by staff at least every two (2) hours and these checks are to be documented on each visit.



25. All flat surfaces in toilet cubicles, including any toilet roll holder eclipses, are to be 'designedout' in order to prevent drug misuse.
26. In relation to any event involving a promoter, their associates, DJ(s) or artist(s), or one where the venue has been booked by an outside agent with a view to selling tickets to the public for a profit then:
  - a. The licensee shall complete a full risk assessment via open source material, reference checks from previous venues performed and if there are concerns following all these checks, to inform Camden Police Licensing at least 7 days before the event occurs on email EK-Licensing@met.police.uk.
  - b. The licensee shall notify Camden Police Licensing Team via the same email if there are any short notice booking events or any unusual or large scale events (due to occur within less than 7 days) as soon as reasonably practicable. The police will have the right of absolute refusal of any such events for reason of late notification.
  - c. Where the venue runs a promoted event using a DJ or MC who performs to background music then they should risk assess the need to search every customer upon entry taking cognizance of Police advice. If the risk assessment determines that searching will be conducted, then if a customer refuses to being searched this will result in NO ENTRY.
27. No persons carrying visibly open alcohol vessels shall be admitted to the premises at any time that the premises are open for any licensable activity.
28. "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, military ID cards or proof of age card bearing the PASS hologram."
29. A sign shall be displayed at the point of sale stating No Proof of Age - No Sale.
30. The venue shall not engage the service of street promoters to encourage clientele to attend the venue.
31. Regular glass collection shall be undertaken by staff where the sale of alcohol is occurring at the premises.
32. Police must be called to incidents of violence and /or disorder.
33. Signage shall be displayed in a prominent position on the premises requesting that customers leave quietly.
34. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.



35. The need for door supervisors shall be risk assessed taking cognizance of Police advice. Where door supervisors are employed then a register shall be maintained which shall be available for inspection by the Police and/or Licensing Authority. Details to show: • Full Name. • Date of Birth. • SIA Registration Number. • Date and Hours Worked; and • Contact telephone number and email address. A colour photocopy of each door supervisors SIA badge shall be taken by the DPS and retained at the premises. 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.
36. Subject to any relevant consents which may be required from the Local Authority, the designated queuing area shall be enclosed within appropriate barriers to ensure that the public footway is kept clear.
37. The licence holder shall ensure that any queue to enter the premises which forms outside the premises is orderly and supervised by door staff to ensure that there is no public nuisance or obstruction to the public highway.
38. Details of instances of disorder, damage to property or personal injury shall be recorded in an incident book kept at the premises. Such details shall be made available for inspection by the Police and other Responsible Authorities upon request.
39. The premises shall operate a system whereby a record is maintained of refusals to serve alcohol. Details to be produced for inspection to the Police and other Responsible Authorities upon request.
40. The licensee shall ensure that staff are trained as appropriate, in respect of relevant licensing law, crime scene best practice and upon the sale of alcohol to drunks and persons underage. This training is to be clearly documented and any training for future staff must also be organised at the appropriate time. Details of training are to be made available for inspection by Police or other Responsible Authorities, upon request.
41. Where any illegal substance is found within the premises then a record shall be made in the incident book. Any illegal substance shall be stored securely pending collection by the Police unless they are present on site and this is handed to them. Any seizure of drugs and weapons shall be recorded in the incident book.
42. Where available, a responsible member of staff shall join the local pub watch or other such local crime reduction scheme approved by the Police.
43. All security staff and management will be connected by a secure- channel handheld radio system or similar communications device.
44. Staff shall be fully trained on safety issues, including fire safety and management shall carry out regular inspections of the premises.



45. Amplified sound shall not be audible at 1 metre from the facade of any noise sensitive premises.
46. That if deemed appropriate by the Environmental Health Team prior to the premises trading under this licence then a noise limiter be installed, located in a separate and remote lockable cabinet from the volume column must be fitted to any musical amplification system and set at a level determined by and to the satisfaction of the Noise Team. The limiter shall not be altered without prior agreement.
47. A Notice shall be fixed in a prominent position near exits reminding customers that this is a residential area and requesting patrons to leave quickly and quietly.
48. The premises will use the central waste collection point provided as part of the development.

### **Annex 3 - Conditions attached after a hearing by the licensing authority**

#### **Conditions agreed with the CGCA**

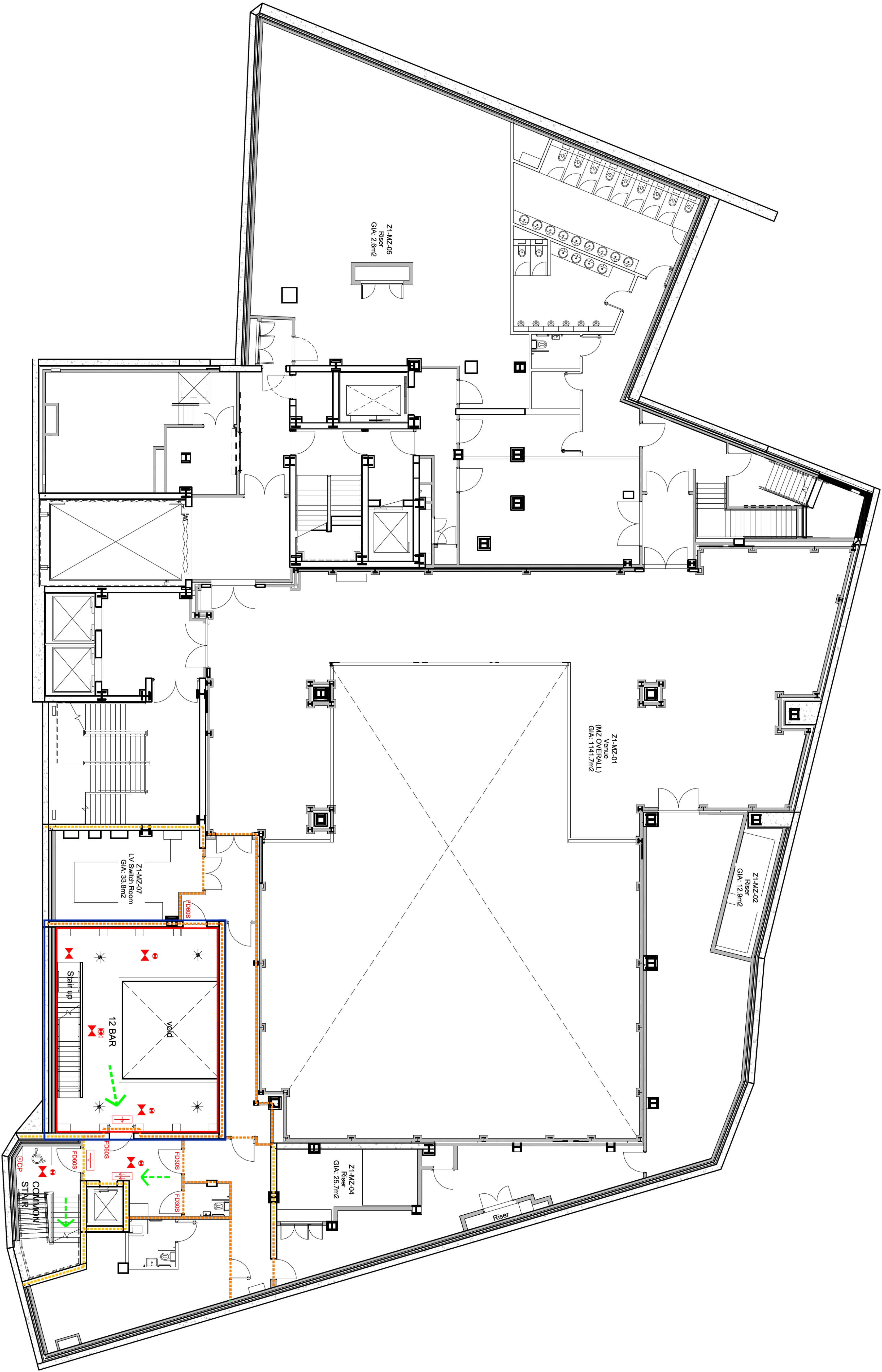
49. The premises will implement a dispersal policy and all relevant staff will be trained in its implementation. The policy shall contain measures intended to encourage patrons leaving the club after 23:00 to disperse West along Denmark St towards Charing Cross road and then to disperse North or South. It will contain measures actively to discourage patrons from dispersing into the Piazza areas to the North and East of the premises. The policy will be reviewed regularly and whenever the licensee becomes aware of issues associated with dispersal.
50. Servicing will take place between 08:00 and 20:00 hours Monday to Sunday and Public/Bank Holidays and will be from the Denmark Street loading bays. (This shall not apply to event equipment and refuse storage and collection which is dealt with by the Service Management Plan approved as part of the S106 agreement and developed to the satisfaction of the Environment Health Team).
51. That a 'Service Management Plan' be developed to the satisfaction of the Environmental Health Team, detailing the management of deliveries and servicing which shall include arrangements for the collection and delivery of event equipment, and refuse storage and collection; that the Service Management Plan be updated by the Premises Licence Holder from time to time as appropriate. The Premises Licence Holder shall be bound by the Service Management Plan. A copy of the plan shall be retained at the premises and made available for inspection by the relevant authorities.



### Further additional conditions

52. Maximum capacity shall not exceed 350 persons (excluding staff).
53. Where the premises are open for licensable activities beyond midnight on Thursday, Friday and Saturday then from 22:00 hours, a minimum of 2 (two) SIA registered door supervisors shall be employed at the premises at a ratio of 1 (one) SIA door supervisors to 75 (seventy-five). [The ratio of 1:75 will apply when only two floors are open for the licensable activities. If all four floors are open for licensable activities, then the ratio will be increased to 1:50].
54. All staff working on said night or event shall stay 30 minutes after close to actively help with dispersal.
55. When door supervisors are required, there will be a minimum of 1 (one) SIA registered door supervisor permanently working on the main entrance.
56. From 22:00 hours, the smoking area shall be monitored by premises staff and/or an SIA registered door supervisor to monitor capacity and restrict access when necessary.
57. At least 2 (two) SIA door supervisors (to include the door supervisor working on the main entrance) who are on duty as required by the licence conditions shall wear body worn cameras. Management of the venue to ensure these cameras are working before deployment. In the event of an incident, the footage must be made available to police upon request. The licence holder shall ensure that a suitable, expeditious playback/downloading system is in place to enable the police to obtain any evidential footage.
58. All permanent staff working in the evening and security staff to undertake welfare of and vulnerability engagement (WAVE) training and a record to be kept of this.
59. The premises will in the late evenings operate predominantly as an entertainment venue, providing a mix of musical entertainment; performances; events and screenings linked to music and/or artists; and entertainment of a similar nature, (which could include products launches; exhibitions; fashion shows; retails events, and the like kind).
60. There shall be no new admissions to the premises after 01:30 hours with the exception of VIP's, guest list and/or pre-sold ticket holders. A record of such entries after 01:30 hours shall be maintained and made available for inspection by Responsible Authorities.
61. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.

### Annex 4 – Plans



12 Bar - Basement Mezzanine Floor - Licensing Plan  
Scale 1:100



KEY:	
	Boundary of premises
	Escape routes
	Denotes area to be used for licensable activities
	60 min fire rating
	90 min fire rating
	120 min fire rating
	Fire & smoke curtain
	Area covered by emergency lighting (to BS5266)
	Fire Exit Internally Illuminated
	Directional Arrow (green) Internally Illuminated
	Sprinkler
	Smoke detector
	Smoke detector and sounder
	Smoke detector, sounder, beacon and speaker
	Call point
	Fire alarm panel
	Water extinguisher
	CO2 extinguisher
	Foam extinguisher
	Fire blanket

NOTES:  
- ALL INTERNAL LAYOUTS SUBJECT TO CHANGE  
- ALL SMOKE DETECTION, FIRE RATED ELEMENTS, ESCAPE ROUTES AND SIGNAGE ARE INDICATIVE ONLY AND TO BE CONFIRMED BY BUILDING CONTROL OFFICIALS USED FOR LICENSING PURPOSES ONLY  
REFER TO APPROVED BUILDING REGULATION  
- Smoke detection in accordance with building regulations  
- Smoke detection in accordance with building regulations  
- Emergency lighting in accordance with building regulations

## LICENSING

Client: /

Project: 12 Bar  
26 Denmark Place

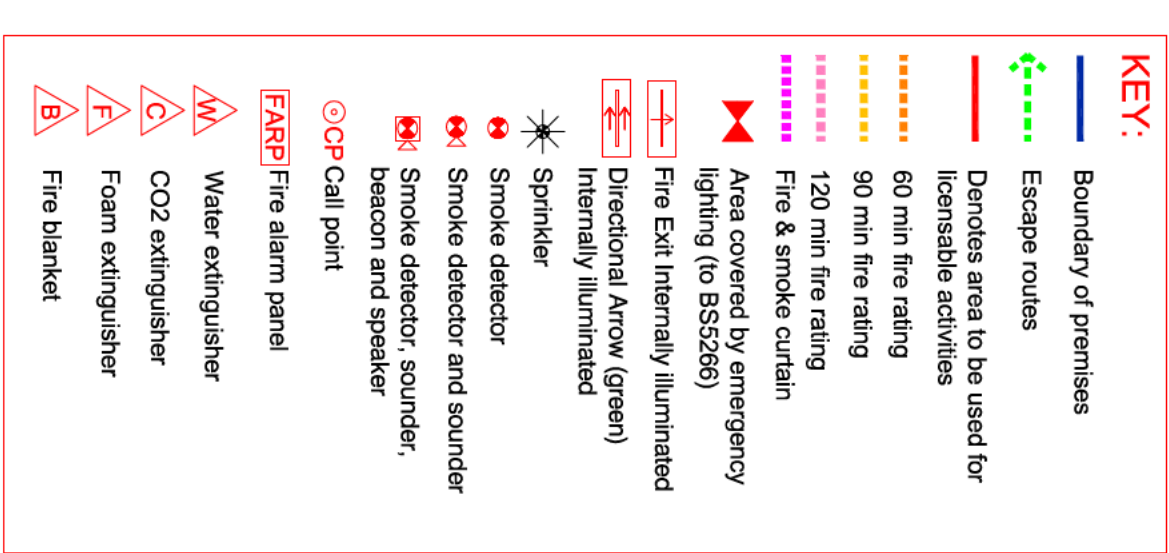
Title: Basement Mezzanine Floor  
Licensing Plan

Drawing No: SMA/304/002

Scale: 1:100      Size: A1

Date: Dec 2020      Rev:





REFER TO APPROVED BUILDING REGULATION DOCUMENTATION FOR DETAILS OF:

- Sprinkler locations in line with building control and fire brigade requirements
- Smoke detection in accordance with building regulations
- Emergency lighting in accordance with building regulations

<u>Date:</u> Dec 2020	<u>Rev:</u>
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12 Bar - Ground Floor Licensing Plan  
Scale 1:100

DENMARK STREET

DENMARK PLACE

ST. GILES HIGH STREET

KEY:

Boundary of premises

Escape routes

Demonstrates area to be used for licensable activities

60 min fire rating

90 min fire rating

120 min fire rating

Fire & smoke curtain

Area covered by emergency lighting (to BS5266)

Fire Exit Internally Illuminated

Directional Arrow (green)

Intensely Illuminated

Sprinkler

Smoke detector

Smoke detector and sounder

Smoke selecta, sounder, beacon and speaker

CP Call point

FAPA Fire alarm panel

Water extinguisher

CO2 extinguisher

Foam extinguisher

Fire blanket

REFERS TO APPROVED BUILDING REGULATION DOCUMENTATION FOR DETAILS OF:

Sprinkler locations in line with building control and fire brigade requirements

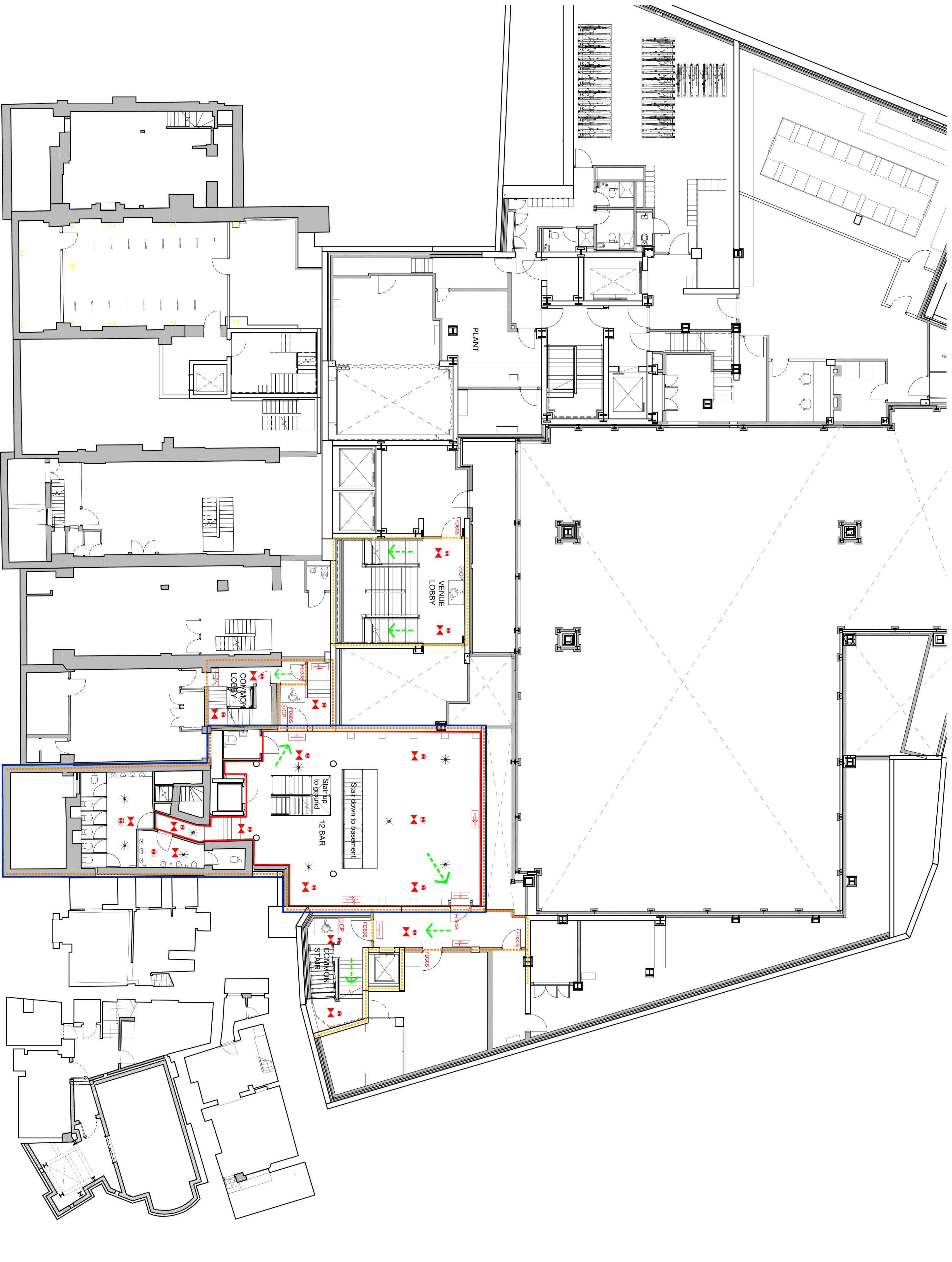
Smoke detection in accordance with building regulations

Emergency lighting in accordance with building regulations

NOTES:  
- ALL INTERNAL LAYOUTS SUBJECT TO CHANGE  
- ALL SMOKE DETECTION, FIRE RATED ELEMENTS, ESCAPE ROUTES AND SIGNAGE ARE INDICATIVE ONLY AND TO BE CONFIRMED BY THE DRAWING TO BE USED FOR LICENSING PURPOSES ONLY

LICENSING			
Client:			
Project:	12 Bar 26 Denmark Place		
Title:	Grnd. Floor Licensing Plan		
Drawing No:	SMA/304/004		
Scale:	1:100	Size:	A1
Date:	Dec 2020	Rev:	





- KEY:**
- Boundary of premises
  - Escape routes
  - Denotes area to be used for licensable activities
  - 60 min fire rating
  - 60 min fire rating
  - 90 min fire rating
  - 120 min fire rating
  - Fire & smoke curtain
  - Area covered by emergency lighting (to BS5266)
  - Fire Exit Internally Illuminated
  - Directional Arrow (green)
  - Internally Illuminated
  - Sprinkler
  - Smoke detector
  - Smoke detector and sounder
  - Smoke detector, sounder, beacon and speaker
  - Call point
  - Fire alarm panel
  - Water extinguisher
  - CO2 extinguisher
  - Foam extinguisher
  - Fire blanket

**NOTES:**

- ALL INTERNAL LAYOUTS SUBJECT TO CHANGE
- ALL SMOKE DETECTION, FIRE RATED ELEMENTS, ESCAPE ROUTES AND SIGNAGE ARE INDICATIVE ONLY AND TO BE CONFIRMED BY BUILDING CONTROL
- FIRE RATED ELEMENTS TO BE USED FOR LICENSING PURPOSES ONLY

REFER TO APPROVED BUILDING REGULATION DOCUMENTS FOR:

- Sprinkler locations in line with building control and fire brigade requirements
- Smoke detection in accordance with building regulations
- Emergency lighting in accordance with building regulations

LICENSING	
Client: /	
Project: 12 Bar 26 Denmark Place	
Title: Lower Grnd Licensing Plan	
Drawing No: SMA/304/003	
Scale: 1:100	Size: A1
Date: Dec 2020	Rev:





**METROPOLITAN  
POLICE**

**TOTAL POLICING**

Camden Licensing Authority

Town Hall Extension  
Argyle St  
London

WC1H 8EQ

**EK - Camden Borough**

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

Telephone: [REDACTED]

Email: [REDACTED]

Your ref: **VARY\115496**

Dear Sir/Madam

**RE: Application VARY\115496**

**The Lower Third, 26 Denmark Street, WC2H 8NJ**

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)

**This Application is based within the Camden Town Cumulative Impact Zone (CIZ) and therefore there is a presumption, based on the Borough Council's own Licensing Policy, that any New or Variation Application will be refused; due to the effects of cumulative impact. The MPS supports the Policy, especially in respect of the impact to Alcohol Harm.**

**Camden Borough has the 4th largest Night Time Economy in the UK** (*source: Night Mix Index, Make Associates*)

#### **UNIQUE APPLICATION ISSUES:**

The venue is two storeys with the ground floor designed as a smaller cocktail style bar and the basement is a larger area which provides live music to customers. There is a number of residential properties in close proximity to this venue and the MPS must emphasise it is important that this application does not have a negative impact on the local residents.

This application refers to a variation for an amendment of operating hours and licensable activities for PREM-LIC\110306.

The applicant is requesting to extend the hours of sale of alcohol and regulated entertainment until 0400 hours each Thursday, Friday and Saturday.

This extension of hours would be in direct conflict of the prevention of crime and disorder and preventing a public nuisance licensing objectives.

It is crime and disorder on the street involving visitors who have been and left the late night venues, which causes the majority of the issues in this part of Camden and our neighbouring borough, Westminster.

This premises is situated within walking distance of Tottenham Court Road, Covent Garden and Oxford Street where there is a high volume of crime reported particularly in the early hours of the morning.

If necessary the Police can provide in depth statistics showing the crimes that occur within the immediate area of this venue.

### **Conditions Offered/Recommended**

For clarity, the MPS supports Camden Council's Licensing Policy with regards to the presumption to refuse new or variation applications within a cumulative impact zone.

However the MPS appreciate that this is a well-run venue with a detailed dispersal policy. The applicant offered numerous conditions and the applicant is working with the MPS to adapt and add further conditions in order for the venue to ensure they meet the Licensing objectives.

In particular the Applicant has proposed a condition that there will be no new entry into the venue after 0230 hours, except for VIP guests and those on the guest list. The MPS believe it is important to ensure that there is no new entry into the venue after 0200 hours.

At this stage the MPS and the Applicant have not been able to come to a definite agreement.

The MPS would then strongly recommend the Panel consider imposing the below conditions on any granted application.

### **Conclusion**

The MPS do not object to this application wholly, however we would like to see certain conditions changed in order to ensure the applicant upholds the licensing objectives.

The MPS would therefore recommend that the following conditions are added or amended to the existing conditions –

- 1) CCTV to be made available within 48 hours of request by the Police or relevant Authority.
- 2) CCTV to cover all areas where public have access to (except toilets and changing areas).
- 3) A minimum of 2 SIA from 2200 on all nights where both floors are open to the public.
- 4) No new admissions after 0200.
- 5) No drinks to be allowed in the smoking area.
- 6) SIA to ensure all patrons are dispersed from the immediate area outside the venue at the end of operating hours.

Kind regards,

PC Rachel Aldis [REDACTED] 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](#)

**From:** [REDACTED]  
**To:** [licensing inbox](#)  
**Cc:** [REDACTED]  
**Subject:** \*Withdrawal of Police Representation\* - Application for The Lower Third, 26 Denmark Street, WC2H 8NJ; VARY\115496,  
**Date:** 19 July 2023 13:08:12  
**Attachments:** [image001.jpg](#)

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**[EXTERNAL EMAIL]** Beware – This email originated outside Camden Council and may be malicious Please take extra care with any links, attachments, requests to take action or for you to verify your password etc. Please note there have been reports of emails purporting to be about Covid 19 being used as cover for scams so extra vigilance is required.

**RE: Application\VARY\115496, The Lower Third, 26 Denmark Street, WC2H 8NJ**

Dear Camden Council,

Police and the Applicant for The Lower Third have now agreed terms.

Please therefore take this email as notice of my withdrawal of the Police Representations on the proviso the below agreed terms are appended to any Licence granted.

**Opening hours:**

Monday to Wednesday 10.00 – 02.30

Thursday to Saturday 10.00 – 04.30

Sunday 12.00 - 01.00

**Regulated Entertainment**

Monday to Wednesday 10.00 – 02.00

Thursday to Saturday 10.00 – 04.00

Sunday 12.00 – 00.30

**Late Night Refreshment:**

Monday to Wednesday 23.00 – 02.00

Thursday to Saturday 23.00 – 4.00

Sunday 23.00 – 01.00

**Sale of alcohol:**

Monday to Wednesday 10.00 - 02.00

Thursday to Saturday 10.00 – 04.00

Sunday 12.00 – 00.30

**Proposed conditions:**

15. The premises licence holder shall ensure that CCTV cameras and recorders are installed at the premises and are of a standard acceptable to and approved by the Police. CCTV to cover all areas where the public have access to (except toilets and changing areas).
16. The CCTV 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.
17. The CCTV camera views are not to be obstructed.
18. At least one CCTV camera is to be placed no more than seven feet above floor level; near to the exits to capture clear facial images of all persons leaving the premises.
19. 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 within 48 hours of request.

- 20 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.
- 21 The facility to transfer the images to a compatible, removable format shall be held on the premises.
22. Notices shall be displayed within the premises warning customers about personal thefts; and to be vigilant.
23. The venue shall supply and fit to every static table or counter, suitable anti-theft devices, such as table/counter clips, in order that customers may secure their bags.
24. When the venue is open for licensable activities, the toilets are to be checked by staff at least every two (2) hours and these checks are to be documented on each visit.
25. All flat surfaces in toilet cubicles, including any toilet roll holder eclipses, are to be 'designed out' in order to prevent drug misuse.
26. In relation to any event involving a promoter, their associates, DJ(s) or artist(s), or one where the venue has been booked by an outside agent with a view to selling tickets to the public for a profit then:
  - a. The licensee shall complete a full risk assessment via open source material, reference checks from previous venues performed and if there are concerns following all these checks, to inform Camden Police Licensing at least 7 days before the event occurs on email [EK-Licensing@met.police.uk](mailto:EK-Licensing@met.police.uk).
  - b. The licensee shall notify Camden Police Licensing Team via the same email if there are any high-risk events or any unusual or large scale events (due to occur within less than 7 days) as soon as reasonably practicable. The Police will have the right of absolute refusal of any such events for reason of late notification.
  - c. Where the venue runs a promoted event using a DJ or MC who performs to background music then they should risk assess the need to search every customer upon entry taking cognizance of Police advice. If the risk assessment determines that searching will be conducted, then if a customer refuses to being searched this will result in NO ENTRY.
27. No persons carrying visibly open alcohol vessels shall be admitted to the premises at any time that the premises are open for any licensable activity.
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29. A sign shall be displayed at the point of sale stating No Proof of Age - No Sale.
30. The venue shall not engage the service of street promoters to encourage clientele to attend the venue.

31. Regular glass collection shall be undertaken by staff where the sale of alcohol is occurring at the premises.
32. Police must be called to incidents of violence and /or disorder.
33. Signage shall be displayed in a prominent position on the premises requesting that customers leave quietly.
34. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
35. The need for door supervisors shall be risk assessed taking cognizance of Police advice. Where door supervisors are employed then a register shall be maintained which shall be available for inspection by the Police and/or Licensing Authority. Details to show: • Full Name. • Date of Birth. • SIA Registration Number. • Date and Hours Worked; and • Contact telephone number and email address. A colour photocopy of each door supervisors SIA badge shall be taken by the DPS and retained at the premises. 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.
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37. The licence holder shall ensure that any queue to enter the premises which forms outside the premises is orderly and supervised by door staff to ensure that there is no public nuisance or obstruction to the public highway.
38. Details of instances of disorder, damage to property or personal injury shall be recorded in an incident book kept at the premises. Such details shall be made available for inspection by the Police and other responsible authorities upon request.
39. The premises shall operate a system whereby a record is maintained of refusals to serve alcohol. Details to be produced for inspection to the Police and other responsible authorities upon request.
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41. Where any illegal substance is found within the premises then a record shall be made in the incident book by a duty manager. Any illegal substance shall be stored securely pending collection by the Police unless they are present on site, and this is handed to them. Any seizure of drugs and weapons shall be recorded in the incident book by a duty manager.
42. Where available, a responsible member of staff shall join the local pub watch or other such local crime reduction scheme approved by the Police.
43. All security staff and management will be connected by a secure-channel handheld radio system or similar communications device.

44. Staff shall be fully trained on safety issues, including fire safety and management shall carry out regular safety inspections of the premises before members of the public are allowed on to the premises and after close of business.
45. Amplified sound shall not be audible at 1 metre from the facade of any noise sensitive premises.
46. That if deemed appropriate by the Environmental Health Team prior to the premises trading under this licence then a noise limiter be installed, located in a separate and remote lockable cabinet from the volume column must be fitted to any musical amplification system and set at a level determined by and to the satisfaction of the Noise Team. The limiter shall not be altered without prior agreement.
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50. Servicing will take place between 08:00 and 20:00 hours Monday to Sunday and Public/Bank Holidays and will be from the Denmark Street loading bays. (This shall not apply to event equipment and refuse storage and collection which is dealt with by the Service Management Plan approved as part of the S106 agreement and developed to the satisfaction of the Environment Health Team).
51. That a 'Service Management Plan' be developed to the satisfaction of the Environmental Health Team and detail the management of deliveries and servicing which shall include arrangements for the collection and delivery of event equipment, refuse storage and collection; that the Service Management Plan be updated by the Premises Licence Holder from time to time as appropriate. The Premises Licence Holder shall be bound by the Service Management Plan. A copy of the plan shall be retained at the premises and made available for inspection by the relevant authorities.
52. Maximum capacity shall not exceed 350 persons (excluding staff).
53. A minimum of 2 SIA shall be on duty from 22:00 hours on all nights where both floors are open for licensable activities beyond midnight. SIA shall ensure all patrons are dispersed from the immediate area outside the venue at the end of operating hours and, to aid the swift and effective dispersal of customers away from the venue, the head of security will communicate and liaise with CCTV operatives within the Outernet central security control room.
54. A duty manager, head door and core staff working on said night or event shall stay 30 minutes after close to actively help with dispersal and to ensure that the premises



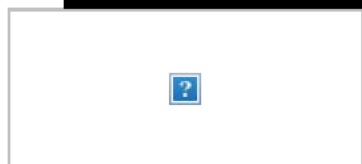
is completely devoid of members of the public.

55. When door supervisors are required, there will be a minimum of 1 (one) SIA registered door supervisor permanently working on the main entrance. There will be a minimum of 1 (one) female SIA registered door supervisor on duty when security is required.
56. From 22:00 hours, no drinks shall be allowed in the smoking area and the area shall be monitored by premises staff and/or an SIA registered door supervisor to monitor capacity and restrict access when necessary.
57. At least 2 (two) SIA door supervisors (to include the door supervisor working on the main entrance) who are on duty as required by the licence conditions shall wear body worn cameras. Management of the venue to ensure these cameras are working before deployment. In the event of an incident, body worn camera footage shall be stored for a minimum of 31 days and must be made available to police upon request. The licence holder shall ensure that a suitable, expeditious playback/downloading system is in place to enable the police to obtain any evidential footage.
58. All permanent staff working in the evening and security staff to undertake welfare of and vulnerability engagement (WAVE) training and a record to be kept of this. The premises to ensure this before operating under this new licence if granted.
59. The premises will in the late evenings operate predominantly as an entertainment venue, providing a mix of musical entertainment; performances; events and screenings linked to music and/or artists; and entertainment of a similar nature, (which could include products launches; exhibitions; fashion shows; retail events, and the like kind).
60. There shall be no new admissions to the premises after 02:00 hours.
61. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
62. The premises shall maintain a complaints log detailing the nature of the complaint, complainant (if known) and any action taken. The log to be made available for inspection by Environmental Health upon reasonable request.
63. The premises shall ensure that an enhanced Risk Assessment shall be carried out to determine how many disabled customers they can safely accommodate and vacate in the event of an emergency.
64. Safety Inspection Certificates (which shall be maintained up to date) shall be available on site for inspection by Authorised Officers.

Many thanks

**PC Rachel Aldis** [REDACTED] – Camden Licensing Team

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



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**From:** [Sue Vincent \(Cllr\)](#)  
**To:** [Mohammed Rahman](#); [Julian Fulbrook \(Cllr\)](#); [Awale Olad \(Cllr\)](#)  
**Cc:** [Jonathan Simpson \(Cllr\)](#)  
**Subject:** Re: Variation application for Lower Third 26 Denmark Street WC2H 8NL 115496  
**Date:** 18 June 2023 13:22:37  
**Attachments:** [image001.jpg](#)

---

Dear Mohammed

Please lodge a strong objection to this proposed application to extend all permitted activities to 4/4:30am. The extended hours will cause considerable noise nuisance and disturbance to neighbouring residential homes, already causing problems for residents on Denmark Street.

Please can you clarify what amendments to the conditions are being applied for, as set out in bold, para 2 below.

note 2)

**1. To extend all permitted activities until 04:00 the following day on Thursdays, Fridays, and Saturdays, with opening hours to be extended until 04:30.**

2. As set out in the schedule of conditions submitted with this application and following pre-application advice, the applicant seeks to (a) amend under conditions **26 (b), 40, 41, 44, 49, 54, 55, 57, 58, 60; and (b) proposes the additional conditions at 62, 63 and 64 be added to the licence.**

Best  
Sue

Cllr Sue Vincent  
Holborn & Covent Garden Ward

---

**From:** Mohammed Rahman [REDACTED]  
**Sent:** Friday, June 9, 2023 11:57:44 AM  
**To:** Julian Fulbrook (Cllr) [REDACTED]; Awale Olad (Cllr) [REDACTED]  
 Sue Vincent (Cllr) [REDACTED]  
**Cc:** Jonathan Simpson (Cllr) [REDACTED]  
**Subject:** Variation application for Lower Third 26 Denmark Street WC2H 8NL 115496

Dear Councillors

Please see attached variation application for Lower Third 26 Denmark Street WC2H 8NL

Regards

Mohammed Rahman  
Licensing Support Officer  
Culture and Customers  
Culture and Environment  
London Borough of Camden

Telephone: 020 7974 4444

Web: [camden.gov.uk](https://camden.gov.uk)

5 Pancras Square  
London N1G 4AG



Please consider the environment before printing this email.

**Date:** 19/06/2023  
**Application Reference:** APP\PREMISES-VARY\115496  
**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)

London Borough of Camden  
 Fax: 020 7974 6955 / 6940  
 Textphone: [REDACTED]

DX: 2106 Euston

[www.camden.gov.uk](http://www.camden.gov.uk)

**Licensing Act 2003 -PREM-LIC\110306**

**Re: THE LOWER THIRD, 26 DENMARK STREET, LONDON WC2H 8NL**

### **LICENSING AUTHORITY REPRESENTATION**

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

- Prevention of public nuisance

### **The Premises and Summary of Application**

The application is for a full variation of the premises licence to vary the operational hours currently applicable on the premises licence. The premises is located in a well-established commercial area with a high concentration of licensed premises. The area is well served by public transport and within a walking distance of both the Leicester Square, Covent Garden and Tottenham Court Road Underground. The premises is a recently renovated modern event and entertainment venue in the heart of London.

The application is to vary the premises licence along the following lines: -

1. To extend all permitted activities until 04:00 the following day on Thursdays, Fridays, and Saturdays, with opening hours to be extended until 04:30.
2. As set out in the schedule of conditions submitted with this application and following pre-application advice, the applicant seeks to (a) amend under conditions 26 (b), 40, 41, 44, 49, 54, 55, 57, 58, 60; and (b) proposes the additional conditions at 62, 63 and 64 be added to the licence.

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

- Alcohol
- Live music
- Recorded music

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

The operating hours for all of the above activities and entertainment except for late night refreshment are: -

Monday to Saturday	10:00 – 02:00
Sunday	11:00 – 00:30

Late Night Refreshment – the operating hours are: -

Monday to Saturday	23:00 – 02:00 (Day following)
--------------------	-------------------------------

The premises current business hours are as follows: -

Monday to Saturday	10:00 – 02:30
Sunday	12:00 – 01:00

#### Seasonal Variations

On the morning that British Summertime begins, Licensable Activities shall be extended by one hour.

The conditions on the current premises licence under Annex 2 are as follows: -

15. The premises licence holder shall ensure that CCTV cameras and recorders are installed at the premises and are of a standard acceptable to and approved by the Police.

16. The CCTV 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.

17. The CCTV camera views are not to be obstructed.

18. At least one CCTV camera is to be placed no more than seven feet above floor level; near to the exits to capture clear facial images of all persons leaving the premises.

19. 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.

20. 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.

21. The facility to transfer the images to a compatible, removable format shall be held on the premises.

22. Notices shall be displayed within the premises warning customers about personal thefts; and to be vigilant.

23. The venue shall supply and fit to every static table or counter, suitable anti-theft devices, such as table/counter clips, in order that customers may secure their bags.

24. When the venue is open for licensable activities, the toilets are to be checked by staff at least every two (2) hours and these checks are to be documented on each visit.

25. All flat surfaces in toilet cubicles, including any toilet roll holder eclipses, are to be 'designedout' in order to prevent drug misuse.
26. In relation to any event involving a promoter, their associates, DJ(s) or artist(s), or one where the venue has been booked by an outside agent with a view to selling tickets to the public for a profit then:
  - a. The licensee shall complete a full risk assessment via open source material, reference checks from previous venues performed and if there are concerns following all these checks, to inform Camden Police Licensing at least 7 days before the event occurs on email EK-Licensing@met.police.uk.
  - b. The licensee shall notify Camden Police Licensing Team via the same email if there are any short notice booking events or any unusual or large scale events (due to occur within less than 7 days) as soon as reasonably practicable. The police will have the right of absolute refusal of any such events for reason of late notification.
  - c. Where the venue runs a promoted event using a DJ or MC who performs to background music then they should risk assess the need to search every customer upon entry taking cognizance of Police advice. If the risk assessment determines that searching will be conducted, then if a customer refuses to being searched this will result in NO ENTRY.
27. No persons carrying visibly open alcohol vessels shall be admitted to the premises at any time that the premises are open for any licensable activity.
28. "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, military ID cards or proof of age card bearing the PASS hologram."
29. A sign shall be displayed at the point of sale stating No Proof of Age - No Sale.
30. The venue shall not engage the service of street promoters to encourage clientele to attend the venue.
31. Regular glass collection shall be undertaken by staff where the sale of alcohol is occurring at the premises.
32. Police must be called to incidents of violence and /or disorder.
33. Signage shall be displayed in a prominent position on the premises requesting that customers leave quietly.
34. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area.
35. The need for door supervisors shall be risk assessed taking cognizance of Police advice. Where door supervisors are employed then a register shall be maintained which shall be available for inspection by the Police and/or Licensing Authority. Details to show:
  - Full Name.
  - Date of Birth.
  - SIA Registration Number.
  - Date and Hours Worked; and
  - Contact telephone number and email address.
 A colour photocopy of each door supervisors SIA badge shall be taken by the DPS and retained at the premises. 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.

36. Subject to any relevant consents which may be required from the Local Authority, the designated queuing area shall be enclosed within appropriate barriers to ensure that the public footway is kept clear.

37. The licence holder shall ensure that any queue to enter the premises which forms outside the premises is orderly and supervised by door staff to ensure that there is no public nuisance or obstruction to the public highway.

38. Details of instances of disorder, damage to property or personal injury shall be recorded in an incident book kept at the premises. Such details shall be made available for inspection by the Police and other Responsible Authorities upon request.

39. The premises shall operate a system whereby a record is maintained of refusals to serve alcohol. Details to be produced for inspection to the Police and other Responsible Authorities upon request.

40. The licensee shall ensure that staff are trained as appropriate, in respect of relevant licensing law, crime scene best practice and upon the sale of alcohol to drunks and persons underage. This training is to be clearly documented and any training for future staff must also be organised at the appropriate time. Details of training are to be made available for inspection by Police or other Responsible Authorities, upon request.

41. Where any illegal substance is found within the premises then a record shall be made in the incident book. Any illegal substance shall be stored securely pending collection by the Police unless they are present on site and this is handed to them. Any seizure of drugs and weapons shall be recorded in the incident book.

42. Where available, a responsible member of staff shall join the local pub watch or other such local crime reduction scheme approved by the Police.

43. All security staff and management will be connected by a secure- channel handheld radio system or similar communications device.

44. Staff shall be fully trained on safety issues, including fire safety and management shall carry out regular inspections of the premises.

45. Amplified sound shall not be audible at 1 metre from the facade of any noise sensitive premises.

46. That if deemed appropriate by the Environmental Health Team prior to the premises trading under this licence then a noise limiter be installed, located in a separate and remote lockable cabinet from the volume column must be fitted to any musical amplification system and set at a level determined by and to the satisfaction of the Noise Team. The limiter shall not be altered without prior agreement.

47. A Notice shall be fixed in a prominent position near exits reminding customers that this is a residential area and requesting patrons to leave quickly and quietly.

48. The premises will use the central waste collection point provided as part of the development.

## Annex 3 - Conditions attached after a hearing by the licensing authority

## Conditions agreed with the CGCA

49. The premises will implement a dispersal policy and all relevant staff will be trained in its implementation. The policy shall contain measures intended to encourage patrons leaving the club after 23:00 to disperse West along Denmark St towards Charing Cross road and then to disperse North or South. It will contain measures actively to discourage patrons from dispersing into the Piazza areas to the North and East of the premises. The policy will be reviewed regularly and whenever the licensee becomes aware of issues associated with dispersal.

50. Servicing will take place between 08:00 and 20:00 hours Monday to Sunday and Public/Bank Holidays and will be from the Denmark Street loading bays. (This shall not apply to event equipment and refuse storage and collection which is dealt with by the Service Management Plan approved as part of the S 106 agreement and developed to the satisfaction of the Environment Health Team).

51. That a 'Service Management Plan' be developed to the satisfaction of the Environmental Health Team, detailing the management of deliveries and servicing which shall include arrangements for the collection and delivery of event equipment, and refuse storage and collection; that the Service Management Plan be updated by the Premises Licence Holder from time to time as appropriate. The Premises Licence Holder shall be bound by the Service Management Plan. A copy of the plan -shall be retained at the premises and made available for inspection by the relevant authorities.

52. Maximum capacity shall not exceed 350 persons ( excluding staff).

53. Where the premises are open for licensable activities beyond midnight on Thursday, Friday and Saturday then from 22:00 hours, a minimum of 2 (two) SIA registered door supervisors shall be employed at the premises at a ratio of 1 (one) SIA door supervisors to 75 (seventy-five). [The ratio of 1 :75 will apply when only two floors are open for the licensable activities. If all four floors are open for licensable activities, then the ratio will be increased to 1:50].

54. All staff working on said night or event shall stay 30 minutes after close to actively help with dispersal.

55. When door supervisors are required, there will be a minimum of 1 (one) SIA registered door supervisor permanently working on the main entrance.

56. From 22:00 hours, the smoking area shall be monitored by premises staff and/or an SIA registered door supervisor to monitor capacity and restrict access when necessary.

57. At least 2 (two) SIA door supervisors (to include the door supervisor working on the main entrance) who are on duty as required by the licence conditions shall wear body worn cameras. Management of the venue to ensure these cameras are working before deployment. In the event of an incident, the footage must be made available to police upon request. The licence holder shall ensure that a suitable, expeditious playback/downloading system is in place to enable the police to obtain any evidential footage.



58. All permanent staff working in the evening and security staff to undertake welfare of and vulnerability engagement (WAVE) training and a record to be kept of this.

59. The premises will in the late evenings operate predominantly as an entertainment venue, providing a mix of musical entertainment; performances; events and screenings linked to music and/or artists; and entertainment of a similar nature, (which could include products launches; exhibitions; fashion shows; retail events, and the like kind).

60. There shall be no new admissions to the premises after 01 :30 hours with the exception of V.I.P's, guest list and/or pre-sold ticket holders. A record of such entries after 01 :30 hours shall be maintained and made available for inspection by Responsible Authorities.

61. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.

**The application is to extend the hours for below listed entertainment and activity as follows: -**

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

Monday to Wednesday	10:00 – 02:00 (Day following)
Thursday to Saturday	11:00 – 04:30 (Day following)

Late Night Refreshment – the operating hours are: -

Monday to Wednesday	23:00 – 02:00 (Day following)
Thursday to Saturday	23:00 – 04:00

The premises current business hours are as follows: -

Monday to Wednesday	10:00 – 02:30
Thursday to Saturday	10:00 – 04:30

The applicant has not varied the non-standard timings for all of the above and they intend to remain the same which is: -

On the morning that British Summer Time begins, licensable activities shall be extended by one hour.

**Framework Hours – Pages 36 of The Licensing Policy**

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

The hours applied for under the variation are outside of the framework hours.

The applicant has offered up conditions which they believe would enable them to operate the premises better these are produced below: -

### **Proposed Annex 2 Conditions**

15. The premises licence holder shall ensure that CCTV cameras and recorders are installed at the premises and are of a standard acceptable to and approved by the Police.

16. The CCTV 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.

17. The CCTV camera views are not to be obstructed.

18. At least one CCTV camera is to be placed no more than seven feet above floor level; near to the exits to capture clear facial images of all persons leaving the premises.

19. 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.

20. 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.

21. The facility to transfer the images to a compatible, removable format shall be held on the premises.

22. Notices shall be displayed within the premises warning customers about personal thefts; and to be vigilant.

23. The venue shall supply and fit to every static table or counter, suitable anti-theft devices, such as table/counter clips, in order that customers may secure their bags.

24. When the venue is open for licensable activities, the toilets are to be checked by staff at least every two (2) hours and these checks are to be documented on each visit.

25. All flat surfaces in toilet cubicles, including any toilet roll holder eclipses, are to be 'designed out' in order to prevent drug misuse.

26. In relation to any event involving a promoter, their associates, DJ(s) or artist(s), or one where the venue has been booked by an outside agent with a view to selling tickets to the public for a profit then:

a. The licensee shall complete a full risk assessment via open source material, reference checks from previous venues performed and if there are concerns following all these checks, to inform Camden Police Licensing at least 7 days before the event occurs on email [EK-Licensing@met.police.uk](mailto:EK-Licensing@met.police.uk).

b. The licensee shall notify Camden Police Licensing Team via the same email if there are any high risk events or any unusual or large scale events (due to occur within less than 7 days) as soon as reasonably practicable. The Police will have the right of absolute refusal of any such events for reason of late notification.

c. Where the venue runs a promoted event using a DJ or MC who performs to background music then they should risk assess the need to search every customer upon entry taking cognizance of Police advice. If the risk assessment determines that searching will be conducted, then if a customer refuses to being searched this will result in NO ENTRY.

27. The venue shall not engage the service of street promoters to encourage clientele to attend the venue.

28. Regular glass collection shall be undertaken by staff where the sale of alcohol is occurring at the premises.

29. Police must be called to incidents of violence and /or disorder.

30. Signage shall be displayed in a prominent position on the premises requesting that customers leave quietly.

31. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.

32. The need for door supervisors shall be risk assessed taking cognizance of Police advice. Where door supervisors are employed then a register shall be maintained which shall be available for inspection by the Police and/or Licensing Authority. Details to show: • Full Name. • Date of Birth. • SIA Registration Number. • Date and Hours Worked; and • Contact telephone number and email address. A colour photocopy of each door supervisors SIA badge shall be taken by the DPS and retained at the premises. 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.

33. Subject to any relevant consents which may be required from the Local Authority, the designated queuing area shall be enclosed within appropriate barriers to ensure that the public footway is kept clear.

34. The licence holder shall ensure that any queue to enter the premises which forms outside the premises is orderly and supervised by door staff to ensure that there is no public nuisance or obstruction to the public highway.

35. Details of instances of disorder, damage to property or personal injury shall be recorded in an incident book kept at the premises. Such details shall be made available for inspection by the Police and other responsible authorities upon request.

36. The premises shall operate a system whereby a record is maintained of refusals to serve alcohol. Details to be produced for inspection to the Police and other responsible authorities upon request.

37. The licensee shall ensure that staff are trained as appropriate, in respect of relevant licensing law, crime scene best practice and upon the sale of alcohol to drunks and persons underage. This training is to be clearly documented and signed and any training for future staff must also be organised at the appropriate time. Refresher training

shall be carried out every 6 months and details of training are to be made available for inspection by Police or other Responsible Authorities, upon request.

38. Where any illegal substance is found within the premises then a record shall be made in the incident book by a duty manager. Any illegal substance shall be stored securely pending collection by the Police unless they are present on site, and this is handed to them. Any seizure of drugs and weapons shall be recorded in the incident book by a duty manager.

39. Where available, a responsible member of staff shall join the local pub watch or other such local crime reduction scheme approved by the Police.

40. All security staff and management will be connected by a secure-channel handheld radio system or similar communications device.

41. Staff shall be fully trained on safety issues, including fire safety and management shall carry out regular safety inspections of the premises before members of the public are allowed on to the premises and after close of business.

42. Amplified sound shall not be audible at 1 metre from the facade of any noise sensitive premises.

43. That if deemed appropriate by the Environmental Health Team prior to the premises trading under this licence then a noise limiter be installed, located in a separate and remote lockable cabinet from the volume column must be fitted to any musical amplification system and set at a level determined by and to the satisfaction of the Noise Team. The limiter shall not be altered without prior agreement.

44. A Notice shall be fixed in a prominent position near exits reminding customers that this is a residential area and requesting patrons to leave quickly and quietly.

45. The premises will use the central waste collection point provided as part of the development.

### **Annex 3 - Conditions attached after a hearing by the licensing authority**

#### **Conditions agreed with the CGCA**

46. The premises will implement a dispersal policy and all relevant staff will be trained in its implementation. The policy shall contain measures intended to encourage patrons leaving the club after 23:00 to disperse West along Denmark St towards Charing Cross Road and / or towards Tottenham Court Road tube and Oxford Street and then to disperse North or South. It will contain measures actively to discourage patrons from dispersing into the Piazza areas to the North and East of the premises. The policy will be reviewed regularly and whenever the licensee becomes aware of issues associated with dispersal.

47. Servicing will take place between 08:00 and 20:00 hours Monday to Sunday and Public/Bank Holidays and will be from the Denmark Street loading bays.(This shall not apply to event equipment and refuse storage and collection which is dealt with by the Service Management Plan approved as part of the S106 agreement and developed to the satisfaction of the Environment Health Team).

48. That a 'Service Management Plan' be developed to the satisfaction of the Environmental Health Team, and detail the management of deliveries and servicing which shall include arrangements for the collection and delivery of event equipment, refuse storage and collection; that the Service Management Plan be updated by the Premises Licence Holder from time to time as appropriate. The Premises Licence Holder shall be bound by the Service Management Plan. A copy of the plan shall be retained at the premises and made available for inspection by the relevant authorities.

#### **Further additional conditions**

49. Maximum capacity shall not exceed 350 persons (excluding staff).

50. Where the premises are open for licensable activities beyond midnight on Thursday, Friday and Saturday then from 22:00 hours, a minimum of 2 (two) SIA registered door supervisors shall be employed at the premises at a ratio of 1 (one) SIA door supervisors to 75 (seventy-five). [The ratio of 1:75 will apply when only two floors are open for the licensable activities. If all four floors are open for licensable activities, then the ratio will be increased to 1:50].

51. \*A duty manager, head door and core staff working on said night or event shall stay 30 minutes after close to actively help with dispersal and to ensure that the premises is completely devoid of members of the public.

52. \*When door supervisors are required, there will be a minimum of 1 (one) SIA registered door supervisor permanently working on the main entrance. There will be a minimum of 1 (one) female SIA registered door supervisor on duty when security are required.

53. From 22:00 hours, the smoking area shall be monitored by premises staff and/or an SIA registered door supervisor to monitor capacity and restrict access when necessary.

54. At least 2 (two) SIA door supervisors (to include the door supervisor working on the main entrance) who are on duty as required by the licence conditions shall wear body worn cameras. Management of the venue to ensure these cameras are working before deployment. In the event of an incident, body worn camera footage shall be stored for a minimum of 14 days and must be made available to police upon request. The licence holder shall ensure that a suitable, expeditious playback/downloading system is in place to enable the police to obtain any evidential footage.

55. All permanent staff working in the evening and security staff to undertake welfare of and vulnerability engagement (WAVE) training and a record to be kept of this. The premises to ensure this before operating under this new licence if granted.

56. The premises will in the late evenings operate predominantly as an entertainment venue, providing a mix of musical entertainment; performances; events and screenings linked to music and/or artists; and entertainment of a similar nature, (which could include products launches; exhibitions; fashion shows; retail events, and the like kind).

57. There shall be no new admissions to the premises after 02:30 hours with the exception of VIPs, guest list and/or pre-sold ticket holders. A record of such entries after 02:30 hours shall be maintained and made available for inspection by Responsible Authorities.

58. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.

59. The premises shall maintain a complaints log detailing the nature of the complaint, complainant (if known) and any action taken. The log to be made available for inspection by Environmental Health upon reasonable request.

60. The premises shall ensure that an enhanced Risk Assessment shall be carried out to determine how many disabled customers they can safely accommodate and vacate in the event of an emergency.

61. Safety Inspection Certificates (which shall be maintained up to date) shall be available on site for inspection by Authorised Officers.

### **Cumulative Impact Areas**

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

### **Complaint History**

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

### **Conclusion**

To summarise the applicant's statement in the application the reason for the variation which is to sustain the premises, as it is confident that the later hours will be a benefit to the area and enable the premises to "support and host live music nights," "improve employment opportunities and create a feel of safety and vibrancy in the area".

It also states that the income generated would enable them "better support non-profitable entertainment cultural programming ...."

The applicant engaged with the licensing authority by applying for a pre-app and met with officers to determine conditions which the licensing authority would like to see adopted by the premises.

The representation is therefore in the main, because of the premises being within the cumulative impact area and so elicit an automatic representation in line with our policy. However, I am concerned that in the summer they could open for another extra hour after they have sought permission to open till 4 and so open till 5am.

I would therefore require confirmation from the applicant that the measures put in place should ensure that noise from the premises will not be a source of disturbance to residents in neighbouring premises during the extended operating hours.

That these measures would also extend to the extra one hour operating time during the British summer time as that would take their hours to 5am which in summer is already daylight.

In the absence of any valid representation from members of the public, I am happy to withdraw my representation should the applicant confirm in writing that activities or entertainment from the premises will not be a source of disturbance to residents in nearby premises.

Yours sincerely

A black rectangular box redacting the signature of Esther Jones. A small blue mark is visible below the box.

Esther Jones  
Licensing Team Leader

**From:** [Elizabeth Beaumont](#)  
**To:** [Julia Peterson](#); [Mohammed Rahman](#)  
**Cc:** [Neil McDonald](#); [Bethany Cullen](#)  
**Subject:** License applications - APP\PREMISES-VARY\115502 and 115496.  
**Date:** 27 June 2023 15:22:28  
**Attachments:** [image001.png](#)  
[image003.png](#)  
[image005.png](#)  
[image007.jpg](#)  
[image009.jpg](#)

Good afternoon Julia and Mohammed,

**APP\PREMISES-VARY\115502 and 115496.**

**Address:** St.Giles Circus site including: site of 138-148 (even) Charing Cross Road 4 6 7 9 10 20-28 (inc) Denmark Street 1-6 (inc) 16-23 (inc) Denmark Place 52-59 (inc) St.Giles High Street 4 Flitcroft Street and 1 Book Mews London WC2

Please be advised that there is a planning condition attached to the planning consent for the above development which limits the operational hours of the urban gallery and basement venue (outernet). The proposed licence hours are beyond those permitted via condition and an application has not been submitted to date to amend the condition.

Condition 34 on the planning permission ref: 2012/6858/P states that:

*None of the Sui Generis uses (the urban gallery and basement venue) hereby permitted shall occur outside of the following times: 09:00 - 23:30 Monday to Wednesday, 09:00- midnight Thursday, Friday and Saturday; and 09:00-22:30 Sunday, and no customers shall be permitted within these premises outside of the approved hours of use. Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies CS5 and CS7 of the London Borough of Camden Local Development Framework Core Strategy and policy DP12, DP26 and DP28 of the London Borough of Camden Local Development Framework Development Policies.*

This was varied in 2016 via application reference [2016/5690/P](#):

*Vary condition 34 to allow the Sui Generis uses (the urban gallery and basement venues) to operate between 09:00-23:30 Monday to Thursday, 09:00 - 00:00 Friday and Saturday and 09:00 - 22:30 on Sundays with the ability to operate until 02:00 on 104 occasions per year.*

If the licence is granted we would request an informative is added to any licence decision notice which informs the applicants that they must obtain the necessary planning consents before the hours are implemented.

I would appreciate if you can please pass on the applicant's details so we can contact them to inform them that a variation to the above permission must be sought.

Please don't hesitate to contact me if you have any questions.

Many thanks,

Elizabeth

Elizabeth Beaumont

Appeals and Enforcement Manager

Pronouns: She/Her/Hers

London Borough of Camden

Telephone: [REDACTED]

Web: [camden.gov.uk](https://camden.gov.uk)

London N1C 4AG



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Representation	
Premises name	Lower Third
Application reference number	APP\PREMISES-VARY\115496
Last date for representation	06/07/2023

## Making a representation as

As an organisation

### Your details

**Organisation name**

Covent Garden Community Association

**First name**

David

**Last name**

Kaner

**Telephone number (optional)**

[REDACTED]

**Email address**

[REDACTED]

**Address**

Offices And Premises At Ground And  
Mezzanine Floors Seven Dials Warehouse  
42 Earlham Street  
London  
WC2H 9LA

**Remain anonymous**

No

**Grounds of representation**

- prevention of crime and disorder
- prevention of public nuisance

**Details of representation**

See detailed Rep attached

**Supporting documents (optional)**

- CGCAREp-LowerThird-APP.PREMISES-VARY.115496.pdf

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## **Licensing Representation from the Covent Garden Community Association**

**Application No.:** APP\PREMISES-VARY\115496

**Premises:** Lower Third

**Address:** 26 Denmark Street, London WC2H 8NN

This is an application for ‘Lower Third’, a 350 capacity bar and basement cocktail, music and cultural venue situated at a Ground floor and basement on Denmark Street.

The premises is licenced currently until 02:00 (00:30 on Sunday) but can remain open 30 minutes later than this.

The capacity of the venue is 350. This is a significant size, especially when operating until this time. It is significantly smaller than HERE, the large multipurpose venue in the same area, which can operate until the same time on 104 occasions per year, but still significant and late operation can have a significant impact.

The application is to extend the closing time until 04:00 on Thursday to Saturday. Other days will remain the same.

The CGCA has sought input from residents living in the area as well as other interested parties. Our view is that later operation cannot, despite the applicant’s assertions, do other than add to cumulative impact and fail to promote the Licensing Objectives. The main impacts will be:

Public Nuisance associated with the noise of customers arriving at and leaving the premises. With a capacity of 350 the noise associated with dispersal could be significant but also people arriving up to 02:30 (as envisaged) will be most likely to arrive by PHV or private car. The use of private cars for people arriving at music events at HERE is already causing significant issues in the area.

Later operation of the venue will also lead to an increase in crime and disorder in the vicinity because people leaving the venue late at night, especially if they are under the influence of alcohol, are an attractive target for theft and other crimes.

The applicant has set out in their application the reason why they would like to have a licence extension. The reason boils down to increase revenue by making the venue more attractive to hire because it can open later, and being able to run combination events (such as live music followed by a DJ). The result will be that they can extend their support of lower income events, employ more people and support more charitable activity. The results are, of course, positive. However it is the promotion of the Licensing Objectives that are the paramount consideration. If opening later provides the results whilst supporting the Licencing Objectives then it can be considered. The CGCA’s view is that this cannot be achieved and so the application should be refused.

Denmark Street is on the western edge of the Seven Dials SPA and on the Eastern edge of WCC’s West End Cumulative Impact Area. This area has some of the highest crime rates in the UK, many associated with the Nighttime Economy. The 2 MPS Town Centre Teams (TCT) covering the area (West End TCT and Euston TCT) between them had 30,584 reported crimes in the 12 months to May

23. This is 77% of the total crime in the **whole** Borough of Camden for the same period (39,981 crimes). This demonstrates that there is already a significant crime and disorder issue in the area, and opening the venue for additional hours will add to this.

The applicant has said that they are operating under robust licensing conditions and that they believe that later hours can be operated without adding to cumulative impact and whilst promoting the licensing objectives. We completely disagree with this assertion.

The applicant had a pre-application discussion with the CGCA. They stated that their reason for wanting to have an extension of is that later hours would make it more attractive for people renting the venue for events, and at these hours these will be night-club style events. This is consistent with the statements in their application. This suggests that the venue is not actually operating until the hours already permitted. Therefore the potential impact of the grant of the licence would be even greater than the additional 312 hours of operation after 02:00 being applied for.

Our position is that in order for the application to be granted the applicant has to be able to demonstrate that the grant of the variation **will not add** to the cumulative impact of licenced premises already being experienced in the Seven Dials SPA. Our view is that additional hours will increase the impact and so the licence should be refused, as the presumption has not been rebutted.

Even if the view were to be taken that the presumption is rebutted then the application should be refused because it does not promote the Licensing Objectives. The applicant needs to be able to:

Demonstrate that they will not *unreasonably interfere with the personal comfort or amenity of immediate neighbours or the nearby community (Public Nuisance -Camden SoLP Para 4.39)*

Our view is that operating a venue with a 350 capacity until 04:00 on 3 days a week (on one of which the Night Tube does not run) will interfere with this amenity.

Demonstrate that they will *promote the Licensing Objective of the prevention of crime and disorder (LA2003 Para 4)*. Later operation will very likely give rise to more crime and disorder and certainly not less.

**The CGCA therefore, in support of local residents, takes the view that this application should be refused outright.**

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

Yours faithfully,

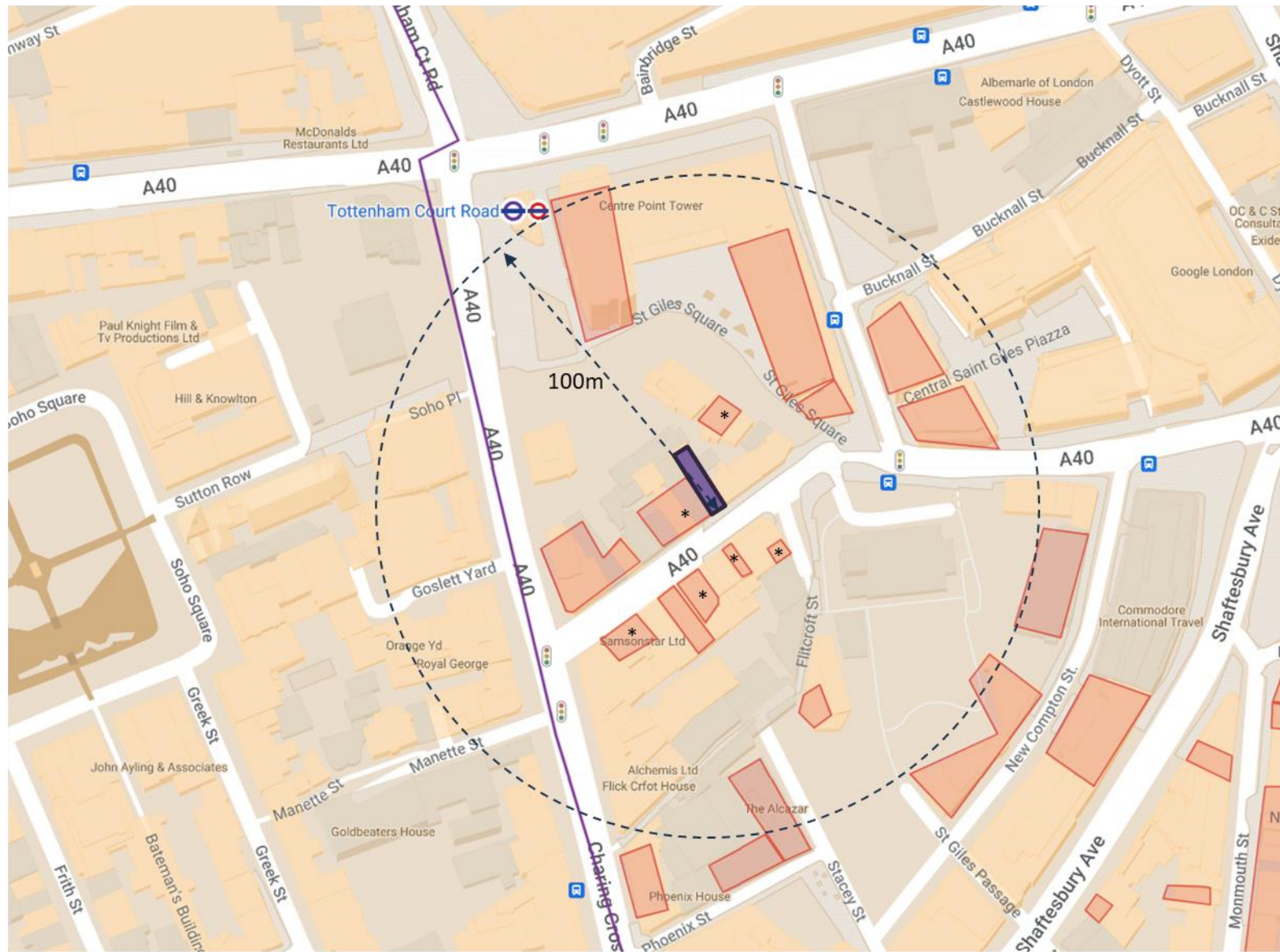
David Kaner  
CGCA Licensing Sub-Committee

[REDACTED]  
[REDACTED]

*The CGCA is recognised by both Camden and Westminster as the Amenity Society for the Covent Garden area (defined as the area bounded by High Holborn, New Oxford Street, Charing Cross Road, St. Martin's Place, Northumberland Avenue,*

*Victoria Embankment, Lancaster Place, Aldwych and Kingsway) and so represents the interests of those who live and work in this area. The CGCA's Licensing Subcommittee is authorised by the Association to make Representations on any Licensing Applications which the Subcommittee believes may have an effect on local residents or other members of the community through likely impact on one or more of the Licensing Objectives. This authorisation was last renewed at a meeting of the Executive Committee of the CGCA on 5th December 2017.*

## Residential Property in vicinity of Lower Third



Lower Third



Residential Properties  
(Camden only)

\* Residential Property owned by Applicant  
(C3 Residential used as "Serviced Apartments")

Representation	
Premises name	Lower Third
Application reference number	APP\PREMISES-VARY\115496
Last date for representation	06/07/2023

**Making a representation as**

As an organisation

**Your details****Organisation name**

Lindsay House Residents Association

**First name**

James

**Last name**

Cannon

**Telephone number (optional)**

[REDACTED]

**Email address**

[REDACTED]

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

No

**Grounds of representation**

- prevention of crime and disorder
- prevention of public nuisance

**Details of representation**

see attached document

**Supporting documents (optional)**

- LHRALowerThirdobjection.docx

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To Whom it may Concern

**‘Lower Third’**

**APP\PREMISES-VARY\115496**

I am writing on behalf on Lindsay House Residents’ Association (30 New Compton Street) concerning the following application. We are concerned that an extension of licence till 04:00 will both create more noise late at night which will be heard from our building, and may also contribute to the rise in anti-social behaviour on New Compton Street, which is already problematic and rising.

Yours faithfully

Dr James Cannon  
Hon. Secretary, Lindsay House Residents’ Association





Representation	
Premises name	Lower Third
Application reference number	APP\PREMISES-VARY\115496
Last date for representation	06/07/2023

## Making a representation as

As an organisation

### Your details

Organisation name

Soho Housing Association

First name

John

Last name

Wallace

Telephone number (optional)

[REDACTED]

Email address

[REDACTED]

Address

[REDACTED]

[REDACTED]

[REDACTED]

Remain anonymous

No

Grounds of representation

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

Details of representation

On behalf of Soho Housing Association I would like to lodge our objection to the proposed premises license application 115596 . We have a significant number of our residents in close proximity and the proposed license extension of trading hours will have a significant negative impact on their lives. Whist we accept that commercial activity and residential residents form part

of the mixed community that reflects life in Soho and Covent Garden and in central London generally, however the proposed use and extended hours of operation, are unacceptable in maintaining the balance of residents living on the upper parts and whose lives will be materially affected, detrimentally, if the application were to be granted. Not only through the extended hours of operation but the associated 'servicing' of the commercial premises with deliveries, refuse and cleaning, and the impact through noise and the potential impact of crime related activity and on public safety all of which would impact hugely on residents and the residential community. With a number of elderly and vulnerable residents this application is of serious concern to the welfare of all residents but particularly older and more vulnerable residents. On the application as proposed, Soho Housing Association strongly object to the application. John Wallace Commercial Director Soho Housing Association

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Representation	
Premises name	Lower Third
Application reference number	APP\PREMISES-VARY\115496
Last date for representation	06/07/2023

**Making a representation as**

As an organisation

**Your details****Organisation name**

Centre Point House Residents Association

**First name**

S Ogilvie

**Last name**

Chair

**Telephone number (optional)****Email address**

[REDACTED]

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

No

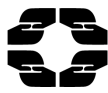
**Grounds of representation**

- prevention of crime and disorder
- ensuring public safety
- prevention of public nuisance
- protection of children from harm

**Details of representation**

I am Chair of the Centre Point House Residents Association representing 36 residential apartments in our block since July 2001 (so 23 years and counting). However my residency in the block and the neighbourhood begun even earlier when I

started renting at the building in 1996 before then buying a flat in 1998. This makes me a resident / owner of some 27 years and counting. Camden Council - give us a break! Anti-social behaviour, demolition works and construction works have blighted our lives now to breaking point since 2009 and it is ongoing. You know this - I have been besieged with planning application and planning application. All have come at a massive cost to our health and well-being and affect our finances and our sleep. I am suffering physical exhaustion and have had two strokes in the past year due to the stress of lack of sleep. I can even hear the Elizabeth line trains start early AM from my bedroom since works were done by our Freeholder cutting out floors below our flats in recent years - none of which we got our voices heard for. It is time to stop this endless permitting of licences around our postcode area and give us a break for A MINIMUM OF 5 YEARS, preferably 10 years. OUTERNET has already received DAYTIME noise complaints from my tenants who say they are unable to use their balcony in the spring and summer months. I know just how loud they are as when I first heard them it was deafening at the top of Charing Cross Road at 7pm of an evening. The fact that 4am closing is even being considered is total madness. Those same tenants who have been at the block 2 years and were about to renew have pulled out and changed their minds late June also citing that drug addicts are regularly now seen in the immediate area between Outernet and our main front entrance and



keep blocking our entrance and exit. I heard at a residents meeting that another female tenant of some 20 years could not get in our building recently and had to get police /security - this should NOT be happening! Conditions on the licences were agreed at the outset to try to enable things to remain liveable. Yet problems with noise, chaotic parking, antisocial behaviour, queues, litter etc. from the customers of these venues, late at night, have already been reported to us by people who live in Charing Cross Road, Denmark Street and the St. Giles area. If the council were to allow more events go on, even later, we do not believe that it could do anything but make things worse. Far from trying to extend things, we believe that the venues should be working with us to make things better, or pull back their existing hours. I own Flats 1, 14, 26 and 30 - so would also like to make additional but duplicate representations for those flats. I very much doubt I will have time to meet the deadline to do it separately as it is 23:51 and I am exhausted having done a 15 hour day with no breaks.

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Representation	
Premises name	Lower Third
Application reference number	APP\PREMISES-VARY\115496
Last date for representation	06/07/2023

## Making a representation as

As a business

## Your details

**Business name**

Harmon Properties

**First name**

Paul

**Last name**

Harmon

**Telephone number (optional)**

**Email address**

[REDACTED]

**Address**

[REDACTED]  
[REDACTED]  
[REDACTED]

**Remain anonymous**

No

**Grounds of representation**

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

**Details of representation**

We feel that this proposal could negatively impact all three of the selected options. Allowing venues to operate even longer than they already do will only lead to an increased window of public nuisance, crime and disorder and risk to public safety. The consumption of alcohol and potentially other substances associated with late night activity could be a catalyst for anti-social

behaviour in the area. It will attract more people to the area at un-social times increasing noise, litter and generally detracting from the general feel. There have been multiple noise complaints as there are already too many late night licences in the area and this establishment already has one! There can not be a justifiable reason to grant a business with a late licence an even later licence just to see it negatively impact the area.

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Representation	
Premises name	Lower Third
Application reference number	APP\PREMISES-VARY\115496
Last date for representation	06/07/2023

**Making a representation as**

As an individual

**Your details****First name**

Adrian

**Last name**

OBrien

**Telephone number (optional)****Email address**

[REDACTED]

**Address**

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

**Remain anonymous**

No

**Grounds of representation**

- prevention of public nuisance

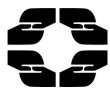
**Details of representation**

Objection as a resident on the grounds of public nuisance.

**Supporting documents (optional)**

- 20230702APPPREMISESVARY115496Camd.pdf

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Representation	
Premises name	Lower Third
Application reference number	APP\PREMISES-VARY\115496
Last date for representation	06/07/2023

**Making a representation as**

As an individual

**Your details****First name**

Ali

**Last name**

Negyal

**Telephone number (optional)****Email address**

[REDACTED]

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

No

**Grounds of representation**

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

**Details of representation**

#1. Prevention of Crime and Disorder. The Applicant says "More activity in the area creating a feel of safety and vibrancy." This is not what I have experienced over the last ten years as a resident in Centre Point House. As more and more music and licensed entertainment and drinking venues open, I have seen an intensification of activity, with much greater incivility (people urinating and even defaecating on the

street), antisocial behaviour and crime. From my balcony and at my front door, people deal drugs openly in St Giles Square – someone even tried to sell crack to my elderly female relative when she visited me recently. People leaving the applicant's venue can be inebriated, and I have seen people leaving gigs in the area and then having very loud arguments. #2. Ensuring Public Safety. The reality is that the rate of crime in the area is much higher as a result of higher footfall. People feel more anonymous in a crowd, and it seems to have emboldened people. We have had tailgating people intruding into our residential block, who sometimes threaten us with violence, and some of whom take drugs on our staircase. When we phone 999 the police do not always have the resources to come. Extending this licence to 2.30am is not going to create more police resources. On the contrary, we can expect more threats to our personal safety. #3. Prevention of Public Nuisance. The noise nuisance that we experience in my residential block is unbelievable. I believe that I am at breaking point with the noise nuisance, and I fear for my mental wellbeing if this license is extended to 2.30 am. I am already overwhelmed. When am I supposed to rest? I work in the charity sector, and the post-pandemic reality is that I work from home 3 or 4 days a week. But the constant intrusion of noise from nearby venues (including music from a rooftop bar about 5 metres from my bedroom, on a similar level and noise from drunk patrons leaving venues) limit my ability to feel at home in my home. Prior to the opening of

this venue, when the large-scale plans for redeveloping our area were discussed at length in the Planning and Licensing processes, Camden Councillors told us that we local residents would be protected from “creeping” and persistent challenges to licensing conditions. But we have seen local businesses chip away at the already generous licences they’ve got, asking for more and more. The balance is already too far in favour of commercial interests, and the processes don’t seem to listen to local residents like myself. The situation is already not sustainable, yet the businesses ask for the opportunity to create more noise nuisance.. I humbly ask that if you extend this license you fund and assign a social worker to deal with fallout to local residents from lack of rest. I am not being facetious with this request: under the Care Act 2014, as a public body you have the responsibility to consider the wellbeing of local people in all local decision-making. The Applicant says there is a loss of late music/live music venues in the area. That is not accurate. The number of live music venues within metres of my home is more than what it was prior to 2012. The cumulative impact from all of the local licensed venues chips away at our peaceful lives. The Local Authority already cannot cope with the volume of noise disturbance in my area. This has disinhibited me from submitting most noise nuisance complaints – it is a hopeless situation. I overcame my habitual lack of hope in the situation by contacting Licensing, Environmental Health (Noise Nuisance Team) and my Ward Councillors last week. There was noise from 6am until

after midnight the following day. After contacting no fewer than 7 officers, and phoning 999 due to the extreme and worsening noise nuisance, I learned after 13 hours that the Events Team at Camden Council saw fit to approve 21 hours of activity just outside my bedroom. To set up an impromptu red carpet venue, to host a Netflix premiere with amplified music and amplified interviews and 500 cheering fans, and also to allow de-rig up to 3 am. This is just a failure of understanding of what it's like to live where we do, and our homes predate the existence of this venue by over half a century. The Council have still not answered Members queries from Cllr Fulbrook about \*why\* this level of noise nuisance was allowed – one week later. So the prospect of getting real time help when people leaving this venue before or at 4am is not realistic. Sometimes people leave local venues singing the songs they've heard their favourite artists sing or play. Sometimes, customers on the way in or out of the venue even bring along portable speakers to play backing tracks which they sing along to, in St Giles's Square. I've been woken up in this way multiple times this year already. If this could happen any later, even up to 4am, I don't think I'll be able to maintain my employment because I'm not going to get adequate rest. The applicant already has a generous license and a thriving business and they don't need an extension.



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Representation	
Premises name	Lower Third
Application reference number	APP\PREMISES-VARY\115496
Last date for representation	06/07/2023

## Making a representation as

As an individual

### Your details

First name

Andrew

Last name

Hunt

Telephone number (optional)

[REDACTED]

Email address

[REDACTED]

Address

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Remain anonymous

No

Grounds of representation

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

Details of representation

Having lived in this building for over ten years now I am well aware of the high levels of crime and disorder in the area. Extending the late night license of this premises until four in the morning will only exacerbate both the levels of drunken behaviour and rowdiness that lead to fighting and general public nuisance. It's bad enough as it currently is with the bicycle taxis / tut tuts that roam the area

late into the night with their incredibly loud sound systems. This will only encourage more of them to the area and they park up underneath our bedroom windows. Given the size of the venue the out pouring of such large numbers en masse can only lead to issues of public safety. I often have to leave early in the morning for my job and to encounter such large numbers of inevitably drunken people is a harrowing experience. The underground station is only open at that time on Friday and Saturday evenings so there is no infrastructure to cope with the evacuation of these numbers of people safely from the area. As it is Denmark Street has been taken over by Consolidated and this venue. There is now no permit parking for residents left on the street since their development of the area, and the number of vehicles servicing this venue takes over both sides of a relatively narrow one way street which is also a bus route.

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Representation	
Premises name	Lower Third
Application reference number	APP\PREMISES-VARY\115496
Last date for representation	06/07/2023

**Making a representation as**

As an individual

**Your details****First name**

David

**Last name**

Ferris

**Telephone number (optional)**

[REDACTED]

**Email address**

[REDACTED]

**Address**

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

**Remain anonymous**

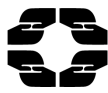
No

**Grounds of representation**

- prevention of crime and disorder
- prevention of public nuisance

**Details of representation**

NIGHT-TIME NOISE. Currently, night time sound levels at 45 New Compton Street, where I live, are low. To illustrate, I normally leave my windows open during the summer. Since New Compton Street is adjacent to Denmark Street, night-time noise levels may increase significantly when the venue comes into full swing. If so, the extension to 4am will make an already deteriorating situation even worse. INCREASE IN CRIME. The number of vulnerable people



who congregate on New Compton Street appears to have increased recently. Later hours may add to public nuisance around me, and increase their numbers. Due to their vulnerability, that will aggravate already high levels of crime and disorder.

## About this form

### Issued by

Camden Town Hall  
Judd Street  
London  
WC1H 9JE

### Contact phone

020 7974 4444

## Data protection

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Representation	
Premises name	Lower Third
Application reference number	APP\PREMISES-VARY\115496
Last date for representation	06/07/2023

**Making a representation as**

As an individual

**Your details****First name**

EDWARD

**Last name**

LAWS

**Telephone number (optional)**

[REDACTED]

**Email address**

[REDACTED]

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

Yes

**Detail the exceptional circumstances**worried about threats from developers,  
owners**Grounds of representation**

- prevention of crime and disorder
- ensuring public safety
- prevention of public nuisance
- protection of children from harm

**Details of representation**

STRONGLY OBJECT #1 Very obvious that at 4am there will be more people who have drunk for longer and crowds of drunk people then attract criminal activity. This area is already witnessing a very serious rise in crime, drugs, abusive/threatening

behaviour and attacks, noise pollution, people urinating, has become homelessness - hub - extending license to 4am just extends the opportunity for criminality and anti social behaviour - its is totally nonsensical for what is now a mixed use residential/commercial area - this is NOT an entertainment zone. If you want 4am license then relocate your business to an area that is zoned accordingly away from residents. #2 Crime activity goes up with later licensing - this area is already becoming VERY UNSAFE to live in due to incompetence of regulating authorities who have the left the area turn into an area of criminality - anyone living here is regularly threatened and accosted by strangers either drunk and disorderly or with mental health issues - do NOT make this even worse by approving any change in the current overly liberal licensing. Camden is notorious for siding with business interests over residents and always falls for the creeping incremental asks of corporates to have more music, outdoor seating, later alcohol licenses - stop doing this and represent the council tax paying residents you have failed so badly in the last 10 years. #3 the Outernet events venue is already a public nuisance - their interests are ultimately to make profit which means more people buying more alcohol - this is totally at odds with residents interests who want the right to a quiet and safe life. More alcohol directly leads to more public disorders, attracts criminality to come into the area and is a massive public threats #4 Children live in this area and late licences are totally incompatible for their well being.





The fact the we are forced to have to protest these repeated attempts to get late licenses is an intrusion - camden please once and for shut the door on these drip drip requests to stay open later and serve more alcohol - its not rocket science. The kind of people who want to be out partying after midnight is not a cohort of people that is suitable for a residential area with children, elderly and families- that should be a different zoning. We need to make this area safe and pleasant and not do thinks to make it yet worse which extending opening hours would clearly do.

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Representation	
Premises name	Lower Third
Application reference number	APP\PREMISES-VARY\115496
Last date for representation	06/07/2023

## Making a representation as

As an individual

## Your details

First name

garrard

Last name

knowles

Telephone number (optional)

[REDACTED]

Email address

[REDACTED]

Address

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Remain anonymous

No

Grounds of representation

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

Details of representation

I wish to make an objection to the 115496 application for the venue Lower Third. Application for licencing were extensively examined here at the time of planning and the current restriction were applied. This small pocket of an area has a diverse usage with both entertainment, retail, food outlet & residential. My home and many of the residential units are in the public sector housing & we did not choose to live in this

area, but were allocated our homes here. A Camden extension will irrevocably change the balance of this area and change the charter, nearly all lost due to the staggering changes to this area over the last five years. Sadly there has been absolutely zero community engagement. from this company, not even tickets to a soft opening, even though we suffered years of disruption during the building works. This demonstrated that they have no interest in contributing to the fragile community. St Giles is on the corner of four police areas: Charring Cross, Holborn, Savile Row & City of London Police, but ironically have poor cover from all as we are at their extremities of their areas. This has led to years of extreme antisocial & criminal behaviour which has left the community feeling under siege. Already in the last eighteen months St Giles Pizza has become a no-go area for local at night due to the unfettered & chaotic behaviour of night users, which has attracted the local homeless & drug using community as they are able to take advantage of these users. A further increase in users & time will encourage further illegal and anti-social behaviour & other criminal behaviour as there is no supervision of the venue's users outside of their immediate premises. The company has not managed the areas outside their venues so far. A change of time will mean that the disturbance of people leaving venue, will disturbed me though out the night till five rather than it being capped at its current time. Also, sundry services such as taxis will be further attracted to the area in the small hours of the morning leading to

more noise & detritus. All these factors are secondary to the fact that I can hear the venue at night from my home, which is just acceptable with an earlier close, but any increase in time is unacceptable.

## About this form

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Representation	
Premises name	Lower Third
Application reference number	APP\PREMISES-VARY\115496
Last date for representation	06/07/2023

## Making a representation as

As an individual

### Your details

First name

Howard

Last name

Jameson

Telephone number (optional)

[REDACTED]

Email address

[REDACTED]

Address

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

Remain anonymous

[REDACTED]

### Grounds of representation

- prevention of crime and disorder
- ensuring public safety
- prevention of public nuisance
- protection of children from harm

### Details of representation

Dear David Kaner Chair – Licensing Sub-Committee Subject: objection to the application Outernet/Denmark Street extension of hours to trade I live at flat [REDACTED]  
[REDACTED]

I AM FORMALLY OBJECTING TO THE Application to extended Outernet extension of trading hours on the following points



NIGHT-TIME NOISE. Currently, night time sound levels at ■■■ New Compton Street, where I live, are low. To illustrate, I normally leave my windows open during the summer. Since New Compton Street is adjacent to Denmark Street, night-time noise levels may increase significantly when the venue comes into full swing. If so, the extension to 4am will make an already deteriorating situation even worse. INCREASE IN CRIME. The number of vulnerable people who congregate on New Compton Street appears to have increased recently. Later hours may add to public nuisance around me, and increase their numbers. Due to their vulnerability, that will aggravate already high levels of crime and disorder. This application should be no granted as it will adversely effect the neighbourhood and the community if this application was approved under no conditions their hours are more then adequate for the purposes of trade Howard Jameson

## About this form

### Issued by

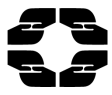
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agencies where the legal framework allows it, if this will help to improve the service you receive and to develop other services. If you do not wish certain information about you to be exchanged within the Council, you can request that this does not happen.

Representation	
Premises name	Lower Third
Application reference number	APP\PREMISES-VARY\115496
Last date for representation	06/07/2023

**Making a representation as**

As an individual

**Your details****First name**

Innes

**Last name**

Catto

**Telephone number (optional)****Email address**

[REDACTED]

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

No

**Grounds of representation**

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

**Details of representation**

1. Prevention of Crime and Disorder. There are too many licensed venues and events in the immediate locality already. The intensity of activity in the area is too much. I've been here for over 3 decades, and it's a choice by Camden Council to allow all of these licensed venues and events right on my doorstep - literally metres from my door. The level of antisocial behaviour in the last year or two is so much higher than it ever



was before. People even go to the toilet in the square. People just aren't public-minded, and a 4am extension isn't going to encourage people to behave in a public-spirited way when they've already had something to drink or even taken some drugs. We see drug dealers in the square from our balcony quite regularly. And the increasing footfall makes this a more and more attractive place to sell drugs. 2.

Ensuring Public Safety. We have seen more crime in the area since the pandemic ended and local entertainment venues started up. The police are overstretched and they do not always attend even when you phone 999, e.g. when we get intruders in the building. 3. Prevention of Public Nuisance. An extension until 4am is too much. It will disturb my sleep. I am 72 years old and I have less good health than I did in my younger years. For example, I will have an operation in a few weeks and I will need my rest to recover. We already experience too much noise from closing time when local venues close, including the venue in this application. People do not go straight to the tube, and they linger in St Giles Square. They talk loudly, they sometimes play music and even if they are moved on by security, the disturbance is already done, and my rest has already been disturbed. I do not regularly complain about the noise because Camden Council does not take action. For example, there was an event taking place in St Giles Square last week, and the workers were setting up from 6am. They were erecting a fence for some celebrity thing. They made a lot of noise, which woke me up at once. We complained to the Council,



and they didn't reply until the evening - some 11 or 12 hours after the noise nuisance started. It's just not an effective service, and they will be even more overwhelmed if you extend the hours. We are local residents and we are the ones who suffer, while local businesses profit.

## About this form

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Representation	
Premises name	Lower Third
Application reference number	APP\PREMISES-VARY\115496
Last date for representation	06/07/2023

**Making a representation as**

As an individual

**Your details****First name**

John

**Last name**

Stedman

**Telephone number (optional)****Email address**

[REDACTED]

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

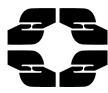
No

**Grounds of representation**

- prevention of crime and disorder
- prevention of public nuisance

**Details of representation**

I am writing to formally object to the proposed planning application referenced above on the grounds of the prevention of crime and disorder. As a concerned resident and member of the local community, I strongly believe that this late night application poses significant risks and may contribute to an increase in crime and disorder in the area. It will become a target for street crime, vandalism, or other forms of illicit activities that could negatively



impact the safety and well-being of the surrounding community and Centre Point House in particular. This could place an additional burden on law enforcement agencies and have a detrimental effect on the quality of life for us residents. It will foster a sense of fear, unease, and social disintegration among local residents, undermining the overall harmony and wellbeing of the community. The noise of the music and the crowds will reverberate through and around the many hard-surface buildings in the square and funnel upward to high levels into our flats where we have many families, workers and students who need a good night's sleep.

## About this form

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Representation	
Premises name	Lower Third
Application reference number	APP\PREMISES-VARY\115496
Last date for representation	06/07/2023

**Making a representation as**

As an individual

**Your details****First name**

Laura

**Last name**

Stedman

**Telephone number (optional)****Email address**

[REDACTED]

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

No

**Grounds of representation**

- prevention of crime and disorder
- prevention of public nuisance

**Details of representation**

I am writing to express my strong objection to the proposed extension of hours till 4am, which is currently under consideration. My concerns primarily revolve around the potential for public nuisance and the negative impact it may have on our block, Centre Point House and the surrounding community. I kindly request that you carefully consider the points outlined below in your decision-making process. Noise Pollution: The proposed development, if

approved, could potentially generate excessive noise levels that would disrupt the peace and tranquility of the area. This disturbance would not only affect the immediate neighbours but also impact the quality of life for the entire community. The increased noise levels from music and crowds would be detrimental to the wellbeing of local residents, including young families and working people who would suffer from lack of sleep. Many people in our block are key workers who need protection from the late night revellers.

## About this form

### Issued by

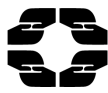
Camden Town Hall  
Judd Street  
London  
WC1H 9JE

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Representation	
Premises name	Lower Third
Application reference number	APP\PREMISES-VARY\115496
Last date for representation	06/07/2023

## Making a representation as

As an individual

## Your details

First name

Penny

Last name

de Valk

Telephone number (optional)

Email address

[REDACTED]

Address

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

Remain anonymous

No

Grounds of representation

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

Details of representation

I live on [REDACTED] and my front door is right on the Piazza which is already unsafe because of the noise and attendance at these venues. Extending them to 4am is completely unacceptable

Supporting documents (optional)

- representation.docx



## About this form

### Issued by

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**‘HERE’  
LOWER THIRD**

**APP\PREMISES-VARY\115502  
APP\PREMISES-VARY\115496**

I live on [REDACTED] and my front door is on the Piazza. Extending the licenses for the above and having events go until 4am only adds to the public nuisance and noise we already experience. Allowing another 2000 people to come in and out of the square until 4am is absurd and unreasonable in a residential area already so noisy and heaving until midnight because of this development. I strongly object to the extension of both of these licenses as I believe it will not only contravene my right to quiet enjoyment of my home but will be a risk to my own safety as I come and go to my home. Not to mention the noise and congestion we are already experiencing with events held in both venues.



Representation	
Premises name	Lower Third
Application reference number	APP\PREMISES-VARY\115496
Last date for representation	06/07/2023

## Making a representation as

As an individual

### Your details

First name

Richard

Last name

Cohen

Telephone number (optional)

[REDACTED]

Email address

[REDACTED]

Address

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

Remain anonymous

No

Grounds of representation

- prevention of public nuisance

Details of representation

I am very concerned that extending the opening hours of the Lower Third until 4.00 am from Thursday to Saturdays will increase the amount of noise and disturbance on the streets in a residential area and lead to more people smoking on the streets and indulging in anti-social behaviour. This area where I have lived for 28 years will become even busier and noisier later into the night with people arriving and leaving the Lower Third. I also think there will be even more people drinking alcohol on the streets late at night

creating considerable amounts of litter and vomit in the area.

## About this form

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Representation	
Premises name	Lower Third
Application reference number	APP\PREMISES-VARY\115496
Last date for representation	06/07/2023

**Making a representation as**

As an individual

**Your details****First name**

Sarah

**Last name**

Herriot

**Telephone number (optional)****Email address**

[REDACTED]

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

No

**Grounds of representation**

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

**Details of representation**

See attached document

**About this form****Issued by**Camden Town Hall  
Judd Street  
London



WC1H 9JE

**Contact phone**

020 7974 4444

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**‘Lower Third’**

**APP\PREMISES-VARY\115496**

350 capacity basement venue

Current licence until 02:00 Mon-Sat and closing at 02:30

The application is to **extend this on Thursday to Saturday to 04:00** with the venue closing at 04:30.

As a resident to Denmark Street, I am objecting to this variation to the licence for the follow reasons, public nuisance, crime and disorder.

There are already problems in Denmark street from the Outernet venue. The noisy queue, which currently on event nights can last til around 12, and buses and traffic unable to get down the narrow Denmark Street as it is blocked by visitors dropping off/picking up/deliveries to the Outernet venue and consequent horn blowing, exhaust fumes in a narrow street.

Increasing the last admission til 2:30am in going to allow this to go on beyond the current midnight. I have videos that illustrate this, and the noise created by the Outernet venue queue, blocked street, cars parked all along the pavement through the night. Then will we get it again at 4:30 when transport arrives to collect the punters?

154 occasions per year is near half of the year, this is a massive impact on residents.

The acoustics of a narrow street such as Denmark Street means that noise bounces off the buildings and amplifying up all the late night/early morning noise/antisocial behaviour.

Denmark Street is now a noisy street, but it generally quietens down after 12, so residents are able to sleep at that point. With the introduction of this licence that will all change. The cumulative impact on the area will adversely affect all residents, and those staying with the Chateau Denmark apartments. I worry if the street becomes too noisy, the only people who will want to rent the apartments will be hen night and stag dos, or those wanting to party all night long. Drunk people are loud, there is no getting away from that. Having people coming and going at that time of the night/morning, smoking outside, the noise will severely impact the people living in Denmark Street and Earnshaw Street.

There is no indication where the smoking area will be, so I assume it is outside on the street.

The application says alcohol sales on and off premises. Unsure why a venue that is playing music need to have off sales as this could contribute to outdoor drinking/anti-social behaviour/noise/attracting drug dealing in the area late night/early morning.

There are no tubes running on Thursday night so have a large amount of people coming out of a club at that time of the night is going to contribute to noise for residents, especially if it is in combination with the HERE venue at 1850 capacity and potential 4-4:30am as well.

In combination with the application for 4:00 licence (closing at 4:30) for HERE Denmark Street and the already existing 24hour licence for Thirteen at 1 Denmark Street the cumulative impact will be huge on residents who will have no peace.

Representation	
Premises name	Lower Third
Application reference number	APP\PREMISES-VARY\115496
Last date for representation	06/07/2023

**Making a representation as**

As an individual

**Your details****First name**

Shelley

**Last name**

Stedman

**Telephone number (optional)****Email address**

[REDACTED]

**Address**

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

**Remain anonymous**

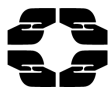
No

**Grounds of representation**

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

**Details of representation**

I am writing to officially submit a planning objection regarding the aforementioned planning application. My objection is based on the grounds of public nuisance, as I believe the proposed application for extended hours will have a detrimental impact on the local community and surrounding area. The extended operation hours of a late-night venue can result in excessive noise levels, disrupting the peace



and tranquility of the surrounding residential areas. This can greatly impact the quality of life for us residents who require uninterrupted rest during the night. Additionally, the increased foot traffic, honking, and loud music associated with late-night clubbing can lead to a rise in disturbances and potentially compromise public safety. Late-night club operations tend to attract large crowds, leading to increased vehicular traffic in the vicinity. This influx of uber and unlicensed minicabs can exacerbate existing traffic congestion issues, potentially causing danger to the public. Late-night clubbing often involves alcohol consumption, smoking and can lead to rowdy behaviour, fights, and altercations amongst patrons. Such incidents not only disturb the peace but also raise serious safety concerns for both club-goers and residents in the vicinity. Additionally, the potential for increased criminal activity, such as theft or drug-related offences, cannot be overlooked. I therefore strongly object to the extended hours! Community Impact: The operation of a late-night club can have adverse effects on the local community. The reputation of the neighbourhood will be negatively affected by the association with a rowdy nightlife scene, potentially disturbing families who live in Centre Point House. The sense of community and the well-being of residents should be prioritized over the profitability of a late-night establishment.





**Issued by**

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**Contact phone**

020 7974 4444

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Representation	
Premises name	Lower Third
Application reference number	APP\PREMISES-VARY\115496
Last date for representation	06/07/2023

**Making a representation as**

As an individual

**Your details****First name**

stella

**Last name**

meadows

**Telephone number (optional)****Email address**

[REDACTED]

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

No

**Grounds of representation**

- ensuring public safety
- prevention of public nuisance
- protection of children from harm

**Details of representation**

Multiple recent anti-social behavioural incidents have occurred meaning residents cannot get in or out of our block steps from Outernet Drugs-related crimes have increased substantially The area has a long history of problems, they get cleared up and then come back - Outernet's hours will encourage an increase yet again The noise coming from Outernet is already causing day time complaints, residents cannot enjoy



their balconies or open windows in spring /summer Long-term tenants have given notice to quit citing both Outernet noise ruining their enjoyment of their flat AND druggies blocking entrance

## Supporting documents (optional)

- ObjectionPlanningapplication.docx

## About this form

### Issued by

Camden Town Hall  
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WC1H 9JE

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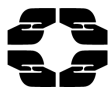
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I am writing to formally object to the proposed planning application referenced above on the grounds of the prevention of crime and disorder. As a concerned resident and member of the local community, I strongly believe that this late night application poses significant risks and may contribute to an increase in crime and disorder in the area. It will become a target for street crime, vandalism, or other forms of illicit activities that could negatively impact the safety and well-being of the surrounding community and Centre Point House in particular. This could place an additional burden on law enforcement agencies and have a detrimental effect on the quality of life for us residents. It will foster a sense of fear, unease, and social disintegration among local residents, undermining the overall harmony and wellbeing of the community. The noise of the music and the crowds will reverberate through and around the many hard-surface buildings in the square and funnel upward to high levels into our flats where we have many families, workers and students who need a good night's sleep

Late-night / very early morning clubbing often involves alcohol consumption, smoking and can lead to rowdy behaviour, fights, and altercations amongst patrons. Such incidents not only disturb the peace but also raise serious safety concerns for both club-goers and residents in the vicinity. Additionally, the potential for increased criminal activity, such as theft or drug-related offences, cannot be overlooked. I therefore strongly object to the extended hours!



Representation	
Premises name	Lower Third
Application reference number	APP\PREMISES-VARY\115496
Last date for representation	06/07/2023

## Making a representation as

As an individual

## Your details

First name

Vivien

Last name

Godfrey

Telephone number (optional)

Email address

[REDACTED]

Address

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Remain anonymous

No

Grounds of representation

- prevention of crime and disorder
- prevention of public nuisance

Details of representation

My flat on New Compton Street faces St Giles. Since the opening of the Elizabeth line stop at Tottenham Court Road and the opening of the Outernet noise and antisocial behaviour have greatly increased. The noise in particular is very disturbing and seems to get worse the later at night and in the earlier morning hours. I do think that allowing venues to remain open until 4am will make the currently bad situation worse. Part of the reason I will be leaving

my current flat after 5.5 years is the growth in noise, litter and use of the pavements as public toilets over the past 2 years. I oppose granting a license until 4am.

## About this form

### Issued by

Camden Town Hall  
Judd Street  
London  
WC1H 9JE

### Contact phone

020 7974 4444

## Data protection

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# MAYOR OF LONDON

[licensing@camden.gov.uk](mailto:licensing@camden.gov.uk)  
**BY EMAIL**

**6<sup>th</sup> July 2023**



**RE: PREM-LIC\110306 – The Lower Third and PREM-LIC\110349 – HERE**

I am writing in support of the applications to extend the operating hours on the premises licences for The Lower Third and HERE at the Outernet venue.

London's live music venues and nightclubs are a vital part of what makes London a liveable, attractive and vibrant city. They don't just attract visitors from around the world, boosting our economy and providing vital jobs; they 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 increasing supply costs.

Extending business trading hours is a priority for the Mayor. Additional night time trading hours can help businesses trade successfully and survive the additional costs pressures that they are under. Extended hours make more effective use of London's places and spaces around the clock, making them more sustainable and improving quality of life for Londoners.

It is vital that we all play our part in supporting venues 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.

Since opening, the venues at Outernet have brought significant benefits to London, attracting visitors to the London borough of Camden and its array of local businesses. Outernet venues have showcased both established and emerging talent on their stages while providing audiences with a state-of-the-art viewing experience. They have also showed a commitment to supporting London's diverse communities, including the successful running of a late night event during Pride in London.

The team at Outernet has considerable experience in venue and event management and management of the public realm around the venue, including through their own security team. They have a track record of hosting late night events successfully and safely. I am confident that this depth and breadth of experience will ensure the safe and successful running of the venue to later operating hours, 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.

# MAYOR OF LONDON

As a borough that has a global and local reputation for culture and creativity, I encourage Camden Council to support this- and all- vital cultural infrastructure and look favourably on these two applications, which I wholeheartedly support.

Best wishes,



**Amy Lamé**  
**Night Czar**



**From:** [licensing inbox](#)  
**To:** [Mohammed Rahman](#)  
**Subject:** FW: Extension of Licensing Hours for HERE, Denmark Place APP/Premises-Vary/115502 & The Lower Third, Denmark Street APP/Premises-Vary/115496  
**Date:** 04 July 2023 14:17:22  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.jpg](#)

---

FYA

Paru Bhudia  
Licensing Officer

Telephone: 020 7974 4444



---

**From:** Adrianna Irvine [REDACTED]  
**Sent:** 04 July 2023 12:39  
**To:** licensing inbox <[licensing@camden.gov.uk](mailto:licensing@camden.gov.uk)>  
**Cc:** Karrie Goldberg [REDACTED]  
**Subject:** Extension of Licensing Hours for HERE, Denmark Place APP/Premises-Vary/115502 & The Lower Third, Denmark Street APP/Premises-Vary/115496

**[EXTERNAL EMAIL]** Beware – This email originated outside Camden Council and may be malicious. Please take extra care with any links, attachments, requests to take action or for you to verify your password etc. Please note there have been reports of emails purporting to be about Covid 19 being used as cover for scams so extra vigilance is required.

Dear Camden Council: It seems to me to be counterintuitive NOT to extend the licensing hours for these two places now that they are up & running & SO needed in London. Both applications are currently live, with a deadline of July 6th at midnight so I am immediately requesting that you go ahead & grant these two, relatively minimal extensions for the Lower Third until 04:00 every Thursday, Friday & Saturday. At HERE the request is to extend the hours to 04:00 on 154 occasions per year, out of 365 to give them the flexibility to operate until then when the business needs it. Why stifle them now that they are up & running?

- *HERE – APP\PREMISES-VARY\115502*
- *The Lower Third - APP\PREMISES-VARY\115496*

Since opening, it's clear that they have delivered. Those events covered vary over such a vast spectrum of programming (half a dozen of which I have attended, from Fashion to DJs, bands, product launches & a wonderful birthday party. But they have big ideas which need to be welcomed back into London which used to be so vibrant & the place to be. Please consider this request.

Yours sincerely,  
Adrianna Irvine M.A., M.B.A.C.P. (Accred)  
Psychotherapist  
UK: [REDACTED]

[REDACTED]  
[REDACTED]

**From:** [Julia Peterson](#)  
**To:** [Mohammed Rahman](#)  
**Subject:** HERE - App\Premises-Vary\115502 & The Lower Third -App\Premises-Vary\115496  
**Date:** 06 July 2023 14:00:23  
**Attachments:** [image005.png](#)  
[image006.png](#)  
[image007.png](#)  
[image008.jpg](#)  
[image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.jpg](#)

---

FYI

Julia Peterson  
Licensing Officer

Telephone: 020 7974 6978



---

**From:** licensing inbox <licensing@camden.gov.uk>  
**Sent:** 05 July 2023 12:27  
**To:** Anthony Rawlinson [REDACTED]  
**Subject:** RE: HERE - App\Premises-Vary\115502 & The Lower Third -App\Premises-Vary\115496  
Dear Anthony  
Thank you for your comments they have been forwarded to the case officer.  
Kind regards

Paru Bhudia  
Licensing Officer

Telephone: 020 7974 4444



---

**From:** Anthony Rawlinson [REDACTED]  
**Sent:** 05 July 2023 11:28  
**To:** licensing inbox [REDACTED]  
**Subject:** HERE - App\Premises-Vary\115502 & The Lower Third -App\Premises-Vary\115496

**[EXTERNAL EMAIL]** Beware – This email originated outside Camden Council and may be malicious Please take extra care with any links, attachments, requests to take action or for you to verify your password etc. Please note there have been reports of emails purporting to be about Covid 19 being used as cover for scams so extra vigilance is required.

*To Whom It May Concern - I support the extension of the licensing hours for all venues at the Outernet for the following reasons:*

*The venues are an important addition to the scene, which has seen many venues across London close over the last 5 years.*

*It will bring and help support more diversity and more live music back to central London.*

*Driving more job opportunities in the industry - increasing workforce.*

*Bringing more activity back to the area and therefore making the area feel safer.*

*Allowing up and coming artists a new place to launch their careers.*

*Supporting and promoting the LGBTQI community.*

*Building training and development programs across the live music industry.*

*Helping to support and fund charitable and outreach work.*

*Yours sincerely,*

*Anthony Rawlinson*

**From:** [licensing inbox](#)  
**To:** [Crispin Weir](#)  
**Subject:** RE: The Lower Third PREM-LIC\110306 - PREM-LIC\110349  
**Date:** 07 July 2023 09:57:37  
**Attachments:** [~WRD1783.jpg](#)

---

Dear Crispin

Thank you for your comments they will be noted by the case officer.

Kind regards

Paru Bhudia  
Licensing Officer

Telephone: 020 7974 4444

---

**From:** Crispin Weir [REDACTED]  
**Sent:** 06 July 2023 22:52  
**To:** licensing inbox <licensing@camden.gov.uk>  
**Subject:** RE: The Lower Third PREM-LIC\110306 - PREM-LIC\110349

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### **Applications**

**PREM-LIC\110306 – The Lower Third, 26 Denmark Street, WC2H 8NL**

**PREM-LIC\110349 – HERE, St Giles Circus Site, Denmark Place, WC2H 8LH**

Dear Camden Licensing Authority,

We write to you in support of the applications to extend the operating hours on the premises licences for The Lower Third and HERE at the Outernet venue.

Specifically, the applications seek:

- **to extend the hours for licensable activities on The Lower Third premises licence from 02:00am to 04:00am on Thursdays, Fridays and Saturdays;**
- **to extend the hours for licensable activities on the HERE premises licence on 154 occasions per year until 04:00am.**
- 

We understand that additional conditions are being offered concerning security and safety measures and welfare and vulnerability engagement. We support all this as they will promote the licensing objectives of prevention of crime and disorder and prevention of public nuisance.

We strongly contend that the applicant upholds the following licensing objectives and will continue to do so if these applications are granted:

1. The prevention of crime and disorder;
2. Public safety;
3. Prevention of public nuisance; and
4. Protection of children from harm.

Late night venues have always been a cornerstone of the UK music and cultural scene. The loss of late night and live music venues across London in recent years has been well publicised and it is tragic to see so many premises, including those in Camden, to be closing or at serious risk following the pandemic and significantly increased costs.

What Outernet have created here is state-of-the-art venues that provide a platform for an incredible breadth of cultural public events. As well as hosting world-renowned musical acts and club nights, the venue provides an important platform for grassroots talent and non-profitable programming across the creative and cultural spectrum. There are few venues in Camden that can offer the kind of cultural richness that these venues can.

We also believe that it is important for well-run venues like this to have the backing and necessary resources for them to continue offering incredible opportunities to grassroots musicians and artists, and marginalised groups in the creative sphere.

Attending events at HERE and The Lower Third have always been an amazing atmosphere in a safe and well-managed environment. We understand that for venues like these to remain successful that they need to be flexible and to be able to offer certain events that require a late licence.

We have every confidence that the operators of these two venues can operate licensable activities until 04:00am whilst continuing to successfully promote the licensing objectives referred to above.

We support both applications for later licences to provide an excellent, culture-focused late-night hub.

After forty years of living and working in the area and 15 of owning a business in the close facility, I can say with full confidence that I think this application is essential for allowing the nighttime economy of the area to sustain a more natural flow and the ability to Police the otherwise, taken advantage of, long neglected, streets of St Giles.

Given the lack of understanding of the care required for the St Giles area over the years, I would add that any venue that has made an effort and is clearly well managed with

additional positive intentions, should be considered fit for approval on all grounds.

Yours sincerely,

Crispin.

--

**Crispin**  
**Regent Sounds**



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**From:** [licensing inbox](#)  
**To:** [Lisa Lernoux-Dock](#)  
**Subject:** RE: HERE – APP\PREMISES-VARY\115502; The Lower Third - APP\PREMISES-VARY\115496  
**Date:** 06 July 2023 10:17:59  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.jpg](#)  
[image005.png](#)  
[image006.jpg](#)  
[image007.jpg](#)

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Dear Lisa

Thank you for your comments, they will be noted by the case officer.

Kind regards

Paru Bhudia  
Licensing Officer

Telephone: 020 7974 4444



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**From:** Lisa Lernoux-Dock [REDACTED]  
**Sent:** 06 July 2023 08:44  
**To:** licensing inbox <licensing@camden.gov.uk>  
**Subject:** HERE – APP\PREMISES-VARY\115502; The Lower Third - APP\PREMISES-VARY\115496

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To whom it may concern

I am writing this letter in support of Outernet's Planning Application to extend their hours of operation for the following reasons:

- It will bring more live music back to central London, thereby helping to support related businesses
- It will help to support and promote the LGBTQI community and overall diversity
- It will help to fund Outernet's continuing strong support of charitable and outreach work

It is for all these reasons that I support in full the proposed extension. As the Group Sales Director of a hotel group with two London properties I hope you will take these points into consideration.

Sincerely yours,  
Lisa Lernoux-Dock  
[Lisa Lernoux-Dock](#)  
ILH Group Sales Director  
Email: [REDACTED]  
Mobile: [REDACTED]

[Lisa Lernoux-Dock](#)  
ILH Group Sales Director  
Email: [REDACTED]  
Mobile: [REDACTED]







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**From:** [licensing inbox](#)  
**To:** [Rodney Birrell](#)  
**Subject:** RE: Letter of support Outernet Venues  
**Date:** 07 July 2023 09:56:29

---

Dear Rodney

Thank you for your comments, they will be noted by the case officer.

Kind regards

Paru Bhudia  
Licensing Officer

Telephone: 020 7974 4444

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

From: Rodney Birrell [REDACTED]  
Sent: 06 July 2023 19:03  
To: licensing inbox <[licensing@camden.gov.uk](mailto:licensing@camden.gov.uk)>  
Subject: Letter of support Outernet Venues

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To whom it may concern

Re: HERE Denmark Place and The Lower Third Denmark Street

Please accept this email as my expression of strong support to extend the licensing hours to 4am for all the Outernet venues. These venues provide tremendous scope for the LGBTQI+ community activities and for other diverse communities whose spaces have been decimated recently.

I understand there is charitable aspect to their outreach which as chairman of Troubadour Theatres operating theatres on brownfield sites, I strongly support their ambitions.

Yours sincerely,

Rodney Birrell

Chairman Troubadour Theatres

[www.troubadourtheatres.com](http://www.troubadourtheatres.com)

**From:** [England Coordinator](#)  
**To:** [licensing inbox](#)  
**Cc:** [Clara Cullen](#)  
**Subject:** Re: The Lower Third, Denmark Street The Lower Third - APP\PREMISES-VARY\115496  
**Date:** 06 July 2023 18:00:13  
**Attachments:** [MVT letter The Lower Third.pdf](#)

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Dear Camden Council Licensing department,

Please find attached a letter from Music Venue Trust's Venue Support Manager Clara Cullen, detailing Music Venue Trust's support to the operators of The Lower Third in their application to vary the venue's Premises license. **APP\PREMISES-VARY\115496**

Very best,

Sophie Asquith

.....

**Sophie Asquith**

Music Venue Trust Coordinator: England

[REDACTED]

She/her

[REDACTED]

6 July 2023

Camden Council  
5 Pancras Square, London, N1C 4AG

Re: The Lower Third, Denmark Street  
The Lower Third - APP\PREMISES-VARY\115496

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, The Lower Third 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 an extension to their license from 2am to 4am within the proposed limitations, 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. The opening of the Lower Third at Outernet, a new GMV in the Charing Cross area of Camden which has over recent years lost many key sites, was welcomed by Music Venue Trust, as it worked to address the ongoing loss of provision both nationally and locally.

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 The Lower Third in their application and we are 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 operators have extensive experience working in the night-time economy, have vigorous operational policies in place, and have successfully and safely delivered events running to 4am without incident by utilising TENs since their opening.

The Music Venue Trust has looked at the proposed conditions offered by the applicant and are satisfied that these would fully promote the licensing objectives if this application was granted as submitted.

In addition to this as an arts and cultural venue The Lower Third 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 license 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.

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

**From:** [licensing inbox](#)  
**To:** [Traci Coulter](#)  
**Subject:** RE: Licensing for The Lower Third and HERE at Outernet  
**Date:** 06 July 2023 14:39:24  
**Attachments:** [image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.jpg](#)  
[image006.png](#)

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Dear Traci  
Thank you for your comments, they will be noted by the case officer.  
Kind regards

Paru Bhudia  
Licensing Officer

Telephone: 020 7974 4444



---

**From:** Traci Coulter [REDACTED]  
**Sent:** 06 July 2023 14:30  
**To:** licensing inbox <[licensing@camden.gov.uk](mailto:licensing@camden.gov.uk)>  
**Subject:** Licensing for The Lower Third and HERE at Outernet

**[EXTERNAL EMAIL]** Beware – This email originated outside Camden Council and may be malicious. Please take extra care with any links, attachments, requests to take action or for you to verify your password etc. Please note there have been reports of emails purporting to be about Covid 19 being used as cover for scams so extra vigilance is required.

To whom it may concern:

I'm writing in support of the application that is pending with you for the extension of the licensing for The Lower Third and HERE at Outernet. The space is run by some amazing people who want to help restore the economy and bring some amazing acts to the venues. Now that we are out of covid, we are all looking for something amazing to do and these venues are offering that with extended hours. There is a long list of reasons why this should be approved, including the loss of live music in London. The venue is state of the art and can attract (and already does) top tier events, performances and exhibitions. This will in turn give back to the community, which they are also doing with their charity initiatives and programs.

I have known one of the partners for 20+ year and she does not do anything lightly. She has put her heart and soul into this event and follows all the rules, she is someone that you can trust will do this correctly and for the benefit of many!

If you have any questions, please do not hesitate to contact me.

Sincerely,

Traci Coulter



Traci Coulter

[REDACTED]



## **LCUK Artists LTD**

To Whom It May Concern

**RE:** Application to extend Premises Licence hours:

HERE (APP\PREMISES-VARY\115502) & The Lower Third (APP\PREMISES-VARY\115496)

I am writing as the Director of LCUK Artists LTD, an independent company which organises and promotes concerts and private events with renowned worldwide artists and DJs as well as manages and develops young and promising talent. I am writing in support of the ongoing applications by 'HERE' and 'The Lower Third' venues to extend their Premises Licence hours.

Since their launch, 'HERE' and 'The Lower Third' have successfully delivered a diverse and broad spectrum of programming ranging from comedy, DJ sets, bands, fashion shows to upfronts, product launches, and more. In partnering with these venues, we have observed first-hand their commitment to enriching the cultural landscape of London.

As a company that values the enrichment of arts and culture, we see the importance of such venues in a city that has witnessed many closures over the last five years. By extending their licence hours, 'HERE' and 'The Lower Third' would not only continue to be a beacon of varied artistic expression but also provide additional job opportunities in the entertainment industry, thereby significantly contributing to the local economy.

In respect to the proposed extension of their licence hours, we trust that both 'HERE' and 'The Lower Third' will adhere to all relevant regulations, including noise control, to continue respecting and benefitting the community.

Allowing the extension of their premises licence hours will undoubtedly contribute to the city's night-time economy and uphold London's international reputation as a thriving cultural capital. It will also ensure the continuation of a diverse and vibrant programming schedule, which is of great importance not only to companies like LCUK Artists LTD, but artists, and audiences alike.

Thank you for your time and consideration.

Yours sincerely,



Lenka Chubuklieva  
Director, LCUK Artists LTD



## The Lower Third

### Annex 2 - Conditions consistent with the operating schedule

#### Existing Conditions – Amended Conditions in Bold

15. The premises licence holder shall ensure that CCTV cameras and recorders are installed at the premises and are of a standard acceptable to and approved by the Police.
16. The CCTV 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.
17. The CCTV camera views are not to be obstructed.
18. At least one CCTV camera is to be placed no more than seven feet above floor level; near to the exits to capture clear facial images of all persons leaving the premises.
19. 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.
20. 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.
21. The facility to transfer the images to a compatible, removable format shall be held on the premises.
22. Notices shall be displayed within the premises warning customers about personal thefts; and to be vigilant.
23. The venue shall supply and fit to every static table or counter, suitable anti-theft devices, such as table/counter clips, in order that customers may secure their bags.
24. When the venue is open for licensable activities, the toilets are to be checked by staff at least every two (2) hours and these checks are to be documented on each visit.
25. All flat surfaces in toilet cubicles, including any toilet roll holder eclipses, are to be designed out' in order to prevent drug misuse.
26. In relation to any event involving a promoter, their associates, DJ(s) or artist(s), or one where the venue has been booked by an outside agent with a view to selling tickets to the public for a profit then:
  - a. The licensee shall complete a full risk assessment via open source material, reference checks from previous venues performed and if there are concerns following all these checks, to inform Camden Police Licensing at least 7 days before the event occurs on email EK-Licensing@met.police.uk.
  - b. The licensee shall notify Camden Police Licensing Team via the same email if there are any high risk events or any unusual or large scale events (due to occur within less than 7 days) as soon as reasonably practicable. The Police will have the right of absolute refusal of any such events for reason of late notification.**
  - c. Where the venue runs a promoted event using a DJ or MC who performs to background music then they should risk assess the need to search every customer upon entry taking cognizance of Police advice. If the risk assessment determines that searching will be conducted, then if a customer refuses to being searched this will result in NO ENTRY.



27. No persons carrying visibly open alcohol vessels shall be admitted to the premises at any time that the premises are open for any licensable activity.
28. "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, military ID cards or proof of age card bearing the PASS hologram."
29. A sign shall be displayed at the point of sale stating No Proof of Age - No Sale.
30. The venue shall not engage the service of street promoters to encourage clientele to attend the venue.
31. Regular glass collection shall be undertaken by staff where the sale of alcohol is occurring at the premises.
32. Police must be called to incidents of violence and /or disorder.
33. Signage shall be displayed in a prominent position on the premises requesting that customers leave quietly.
34. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
35. The need for door supervisors shall be risk assessed taking cognizance of Police advice. Where door supervisors are employed then a register shall be maintained which shall be available for inspection by the Police and/or Licensing Authority. Details to show: • Full Name. • Date of Birth. • SIA Registration Number. • Date and Hours Worked; and • Contact telephone number and email address. A colour photocopy of each door supervisors SIA badge shall be taken by the DPS and retained at the premises. 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.
36. Subject to any relevant consents which may be required from the Local Authority, the designated queuing area shall be enclosed within appropriate barriers to ensure that the public footway is kept clear.
37. The licence holder shall ensure that any queue to enter the premises which forms outside the premises is orderly and supervised by door staff to ensure that there is no public nuisance or obstruction to the public highway.
38. Details of instances of disorder, damage to property or personal injury shall be recorded in an incident book kept at the premises. Such details shall be made available for inspection by the Police and other responsible authorities upon request.
39. The premises shall operate a system whereby a record is maintained of refusals to serve alcohol. Details to be produced for inspection to the Police and other responsible authorities upon request.
40. The licensee shall ensure that staff are trained as appropriate, in respect of relevant licensing law, crime scene best practice and upon the sale of alcohol to drunks and persons underage. This training is to be clearly documented **and signed** and any training for future staff must also be organised at the appropriate time. **Refresher training shall be carried out every 6 months** and details of training are to be made available for inspection by Police or other Responsible Authorities, upon request.

41. Where any illegal substance is found within the premises then a record shall be made in the incident book **by a duty manager**. Any illegal substance shall be stored securely pending collection by the Police unless they are present on site and this is handed to them. Any seizure of drugs and weapons shall be recorded in the incident book **by a duty manager**.
42. Where available, a responsible member of staff shall join the local pub watch or other such local crime reduction scheme approved by the Police.
43. All security staff and management will be connected by a secure-channel handheld radio system or similar communications device.
44. Staff shall be fully trained on safety issues, including fire safety and management shall carry out regular **safety** inspections of the premises **before members of the public are allowed on to the premises and after close of business**.
45. Amplified sound shall not be audible at 1 metre from the facade of any noise sensitive premises.
46. That if deemed appropriate by the Environmental Health Team prior to the premises trading under this licence then a noise limiter be installed, located in a separate and remote lockable cabinet from the volume column must be fitted to any musical amplification system and set at a level determined by and to the satisfaction of the Noise Team. The limiter shall not be altered without prior agreement.
47. A Notice shall be fixed in a prominent position near exits reminding customers that this is a residential area and requesting patrons to leave quickly and quietly.
48. The premises will use the central waste collection point provided as part of the development.

### **Annex 3 - Conditions attached after a hearing by the licensing authority Conditions agreed with the CGCA**

49. The premises will implement a dispersal policy and all relevant staff will be trained in its implementation. The policy shall contain measures intended to encourage patrons leaving the club after 23:00 to disperse West along Denmark St towards Charing Cross **Road and / or towards Tottenham Court Road tube and Oxford Street** and then to disperse North or South. It will contain measures actively to discourage patrons from dispersing into the Piazza areas to the North and East of the premises. The policy will be reviewed regularly and whenever the licensee becomes aware of issues associated with dispersal.
50. Servicing will take place between 08:00 and 20:00 hours Monday to Sunday and Public/Bank Holidays and will be from the Denmark Street loading bays. (This shall not apply to event equipment and refuse storage and collection which is dealt with by the Service Management Plan approved as part of the S106 agreement and developed to the satisfaction of the Environment Health Team).
51. That a 'Service Management Plan' be developed to the satisfaction of the Environmental Health Team, and detail the management of deliveries and servicing which shall include arrangements for the collection and delivery of event equipment, refuse storage and collection; that the Service Management Plan be updated by the Premises Licence Holder from time to time as appropriate. The Premises Licence Holder shall be bound by the Service Management Plan. A copy of the plan shall be retained at the premises and made available for inspection by the relevant authorities.

**Further additional conditions**

52. Maximum capacity shall not exceed 350 persons (excluding staff).
53. Where the premises are open for licensable activities beyond midnight on Thursday, Friday and Saturday then from 22:00 hours, a minimum of 2 (two) SIA registered door supervisors shall be employed at the premises at a ratio of 1 (one) SIA door supervisors to 75 (seventy-five). [The ratio of 1:75 will apply when only two floors are open for the licensable activities. If all four floors are open for licensable activities, then the ratio will be increased to 1:50].
54. **\*A duty manager, head door and core staff** working on said night or event shall stay 30 minutes after close to actively help with dispersal **and to ensure that the premises is completely devoid of members of the public.**
55. **\*When door supervisors are required, there will be a minimum of 1 (one) SIA registered door supervisor permanently working on the main entrance. There will be a minimum of 1 (one) female SIA registered door supervisor on duty when security are required.**
56. From 22:00 hours, the smoking area shall be monitored by premises staff and/or an SIA registered door supervisor to monitor capacity and restrict access when necessary.
57. At least 2 (two) SIA door supervisors (to include the door supervisor working on the main entrance) who are on duty as required by the licence conditions shall wear body worn cameras. Management of the venue to ensure these cameras are working before deployment. In the event of an incident, **body worn camera footage shall be stored for a minimum of 14 days** and must be made available to police upon request. The licence holder shall ensure that a suitable, expeditious playback/downloading system is in place to enable the police to obtain any evidential footage.
58. All permanent staff working in the evening and security staff to undertake welfare of and vulnerability engagement (WAVE) training and a record to be kept of this. **The premises to ensure this before operating under this new licence if granted.**
59. The premises will in the late evenings operate predominantly as an entertainment venue, providing a mix of musical entertainment; performances; events and screenings linked to music and/or artists; and entertainment of a similar nature, (which could include products launches; exhibitions; fashion shows; retail events, and the like kind).
60. There shall be no new admissions to the premises after **02:30** hours with the exception of **VIPs**, guest list and/or pre-sold ticket holders. A record of such entries after **02:30** hours shall be maintained and made available for inspection by Responsible Authorities.
61. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.

**New Conditions proposed for the variation**

62. **The premises shall maintain a complaints log detailing the nature of the complaint, complainant (if known) and any action taken. The log to be made available for inspection by Environmental Health upon reasonable request.**
63. **The premises shall ensure that an enhanced Risk Assessment shall be carried out to determine how many disabled customers they can safely accommodate and vacate in the event of an emergency.**
64. **Safety Inspection Certificates (which shall be maintained up to date) shall be available on site for inspection by Authorised Officers**

## Agreed Police Conditions

15. The premises licence holder shall ensure that CCTV cameras and recorders are installed at the premises and are of a standard acceptable to and approved by the Police.  
CCTV to cover all areas where the public have access to (except toilets and changing areas).
16. The CCTV 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.
17. The CCTV camera views are not to be obstructed.
18. At least one CCTV camera is to be placed no more than seven feet above floor level; near to the exits to capture clear facial images of all persons leaving the premises.
19. 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 within 48 hours of request.
20. 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.
21. The facility to transfer the images to a compatible, removable format shall be held on the premises.
22. Notices shall be displayed within the premises warning customers about personal thefts; and to be vigilant.
23. The venue shall supply and fit to every static table or counter, suitable anti-theft devices, such as table/counter clips, in order that customers may secure their bags.
24. When the venue is open for licensable activities, the toilets are to be checked by staff at least every two (2) hours and these checks are to be documented on each visit.
25. All flat surfaces in toilet cubicles, including any toilet roll holder eclipses, are to be 'designed out' in order to prevent drug misuse.
26. In relation to any event involving a promoter, their associates, DJ(s) or artist(s), or one where the venue has been booked by an outside agent with a view to selling tickets to the public for a profit then:
  - a. The licensee shall complete a full risk assessment via open source material, reference checks from previous venues performed and if there are concerns following all these checks, to inform Camden Police Licensing at least 7 days before the event occurs on email EK-Licensing@met.police.uk.
  - b. The licensee shall notify Camden Police Licensing Team via the same email if there are any high-risk events or any unusual or large scale events (due to occur within less than 7 days) as soon as reasonably practicable. The Police will have the right of absolute refusal of any such events for reason of late notification.

- c. Where the venue runs a promoted event using a DJ or MC who performs to background music then they should risk assess the need to search every customer upon entry taking cognizance of Police advice. If the risk assessment determines that searching will be conducted, then if a customer refuses to being searched this will result in NO ENTRY.
27. No persons carrying visibly open alcohol vessels shall be admitted to the premises at any time that the premises are open for any licensable activity.
  28. "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, photocard driving licence, military ID cards or proof of age card bearing the PASS hologram."
  29. A sign shall be displayed at the point of sale stating No Proof of Age - No Sale.
  30. The venue shall not engage the service of street promoters to encourage clientele to attend the venue.
  31. Regular glass collection shall be undertaken by staff where the sale of alcohol is occurring at the premises.
  32. Police must be called to incidents of violence and /or disorder.
  33. Signage shall be displayed in a prominent position on the premises requesting that customers leave quietly.
  34. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
  35. The need for door supervisors shall be risk assessed taking cognizance of Police advice.  
Where door supervisors are employed then a register shall be maintained which shall be available for inspection by the Police and/or Licensing Authority. Details to show: • Full Name. • Date of Birth. • SIA Registration Number. • Date and Hours Worked; and • Contact telephone number and email address. A colour photocopy of each door supervisors SIA badge shall be taken by the DPS and retained at the premises. 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.
  36. Subject to any relevant consents which may be required from the Local Authority, the designated queuing area shall be enclosed within appropriate barriers to ensure that the public footway is kept clear.
  37. The licence holder shall ensure that any queue to enter the premises which forms outside the premises is orderly and supervised by door staff to ensure that there is no public nuisance or obstruction to the public highway.
  38. Details of instances of disorder, damage to property or personal injury shall be recorded in an incident book kept at the premises. Such details shall be made available for inspection by the Police and other responsible authorities upon request.
  39. The premises shall operate a system whereby a record is maintained of refusals to serve alcohol. Details to be produced for inspection to the Police and other responsible authorities upon request.

40. The licensee shall ensure that staff are trained as appropriate, in respect of relevant licensing law, crime scene best practice and upon the sale of alcohol to drunks and persons underage. This training is to be clearly documented and signed and any training for future staff must also be organised at the appropriate time. Refresher training shall be carried out every 6 months and details of training are to be made available for inspection by Police or other Responsible Authorities, upon request.
41. Where any illegal substance is found within the premises then a record shall be made in the incident book by a duty manager. Any illegal substance shall be stored securely pending collection by the Police unless they are present on site, and this is handed to them. Any seizure of drugs and weapons shall be recorded in the incident book by a duty manager.
42. Where available, a responsible member of staff shall join the local pub watch or other such local crime reduction scheme approved by the Police.
43. All security staff and management will be connected by a secure-channel handheld radio system or similar communications device.
44. Staff shall be fully trained on safety issues, including fire safety and management shall carry out regular safety inspections of the premises before members of the public are allowed on to the premises and after close of business.
45. Amplified sound shall not be audible at 1 metre from the facade of any noise sensitive premises.
46. That if deemed appropriate by the Environmental Health Team prior to the premises trading under this licence then a noise limiter be installed, located in a separate and remote lockable cabinet from the volume column must be fitted to any musical amplification system and set at a level determined by and to the satisfaction of the Noise Team. The limiter shall not be altered without prior agreement.
47. A Notice shall be fixed in a prominent position near exits reminding customers that this is a residential area and requesting patrons to leave quickly and quietly.
48. The premises will use the central waste collection point provided as part of the development.
49. The premises will implement a dispersal policy and all relevant staff will be trained in its implementation. The policy shall contain measures intended to encourage patrons leaving the club after 23:00 to disperse West along Denmark St towards Charing Cross Road and / or towards Tottenham Court Road tube and Oxford Street and then to disperse North or South. It will contain measures actively to discourage patrons from dispersing into the Piazza areas to the North and East of the premises. The policy will be reviewed regularly and whenever the licensee becomes aware of issues associated with dispersal.
50. Servicing will take place between 08:00 and 20:00 hours Monday to Sunday and Public/Bank Holidays and will be from the Denmark Street loading bays. (This shall not apply to event equipment and refuse storage and collection which is dealt with by the Service Management Plan approved as part of the S106 agreement and developed to the satisfaction of the Environment Health Team).

51. That a 'Service Management Plan' be developed to the satisfaction of the Environmental Health Team and detail the management of deliveries and servicing which shall include arrangements for the collection and delivery of event equipment, refuse storage and collection; that the Service Management Plan be updated by the Premises Licence Holder from time to time as appropriate. The Premises Licence Holder shall be bound by the Service Management Plan. A copy of the plan shall be retained at the premises and made available for inspection by the relevant authorities.
52. Maximum capacity shall not exceed 350 persons (excluding staff).
53. A minimum of 2 SIA shall be on duty from 22:00 hours on all nights where both floors are open for licensable activities beyond midnight. SIA shall ensure all patrons are dispersed from the immediate area outside the venue at the end of operating hours and, to aid the swift and effective dispersal of customers away from the venue, the head of security will communicate and liaise with CCTV operatives within the Outernet central security control room.
54. A duty manager, head door and core staff working on said night or event shall stay 30 minutes after close to actively help with dispersal and to ensure that the premises is completely devoid of members of the public.
55. When door supervisors are required, there will be a minimum of 1 (one) SIA registered door supervisor permanently working on the main entrance. There will be a minimum of 1 (one) female SIA registered door supervisor on duty when security is required.
56. From 22:00 hours, no drinks shall be allowed in the smoking area and the area shall be monitored by premises staff and/or an SIA registered door supervisor to monitor capacity and restrict access when necessary.
57. At least 2 (two) SIA door supervisors (to include the door supervisor working on the main entrance) who are on duty as required by the licence conditions shall wear body worn cameras. Management of the venue to ensure these cameras are working before deployment. In the event of an incident, body worn camera footage shall be stored for a minimum of 31 days and must be made available to police upon request. The licence holder shall ensure that a suitable, expeditious playback/downloading system is in place to enable the police to obtain any evidential footage.
58. All permanent staff working in the evening and security staff to undertake welfare of and vulnerability engagement (WAVE) training and a record to be kept of this. The premises to ensure this before operating under this new licence if granted.
59. The premises will in the late evenings operate predominantly as an entertainment venue, providing a mix of musical entertainment; performances; events and screenings linked to music and/or artists; and entertainment of a similar nature, (which could include products launches; exhibitions; fashion shows; retail events, and the like kind).
60. There shall be no new admissions to the premises after 02:00 hours.
61. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
62. The premises shall maintain a complaints log detailing the nature of the complaint, complainant (if known) and any action taken. The log to be made available for inspection by Environmental Health upon reasonable request.

- 63. The premises shall ensure that an enhanced Risk Assessment shall be carried out to determine how many disabled customers they can safely accommodate and vacate in the event of an emergency.**
- 64. Safety Inspection Certificates (which shall be maintained up to date) shall be available on site for inspection by Authorised Officers.**



## 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.