

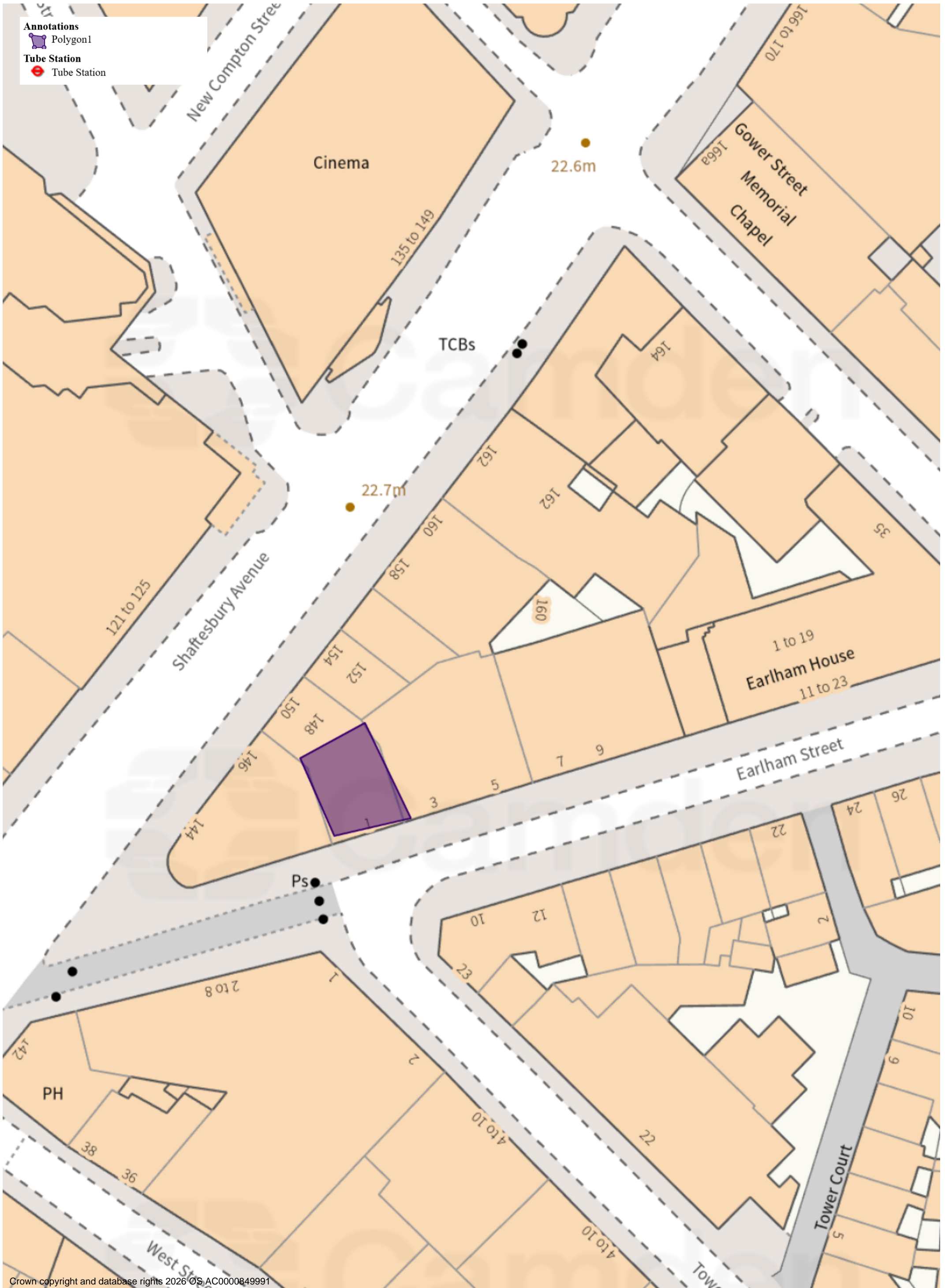


- Annotations**
-  Polygon1
 -  Tube Station



Crown copyright and database rights 2026 OS, AC0000849991



Schofield's Bar
1 A Earham Street, London, WC2H 9LL

Scale = 1:362.880
29-May-2026



I want to apply for a

Premises licence

Are you an agent?

Yes - I am an agent

Agent Details

First name

Ryan

Last name

Peermamode

Name of business

Thomas & Thomas Partners LLP

Name and address

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

Email address

[REDACTED]

Telephone number

[REDACTED]

Does the premises have a name?

Yes

What is the name of the premises?

Schofield's Bar

What is the address or location?

1 A Earlham Street
WC2H 9LL
London

What is the type of premises?

Bar

Describe the area it is situated in

Proposed bar over ground and basement floors in premises formerly licensed under PREM-LIC\3877. The applicant has commenced stakeholder consultation. The application includes a number conditions in response to stakeholder feedback to ensure the promotion of the licensing objectives. The proposed terminal hours

Describe the layout of the premises for licensable activities are within the Statement of Licensing Policy Framework Hours.
Ground and basement

Copy of the premises plans

- Summary13.03.26.pdf

Tell us about the premises business hours

Day	Start time	End time
Monday	10:00	00:30
Tuesday	10:00	00:30
Wednesday	10:00	00:30
Thursday	10:00	00:30
Friday	10:00	00:30
Saturday	10:00	00:30
Sunday	10:00	23:30

Are there any seasonal variations for the premises opening times? No

Is the premises open to the public at times other than those listed? Yes

What are the other times? 00:30 on Sundays immediately before Bank Holiday Mondays

Is the premises an open space? No

Is the premises currently under construction? No

What is the non-domestic rateable value (NDRV) of the premises? 43250

How many people are expected to attend the premises at any one time? Less than 5000 people

Will the premises be exclusively or primarily used to sell alcohol? Yes

How are you applying for a premises licence? As a limited company

Business details

What is the company registration number 16854165

Name of business Schofield's Bar (London) Ltd

Name and address 7-9 THE AVENUE
BN21 3YA
EASTBOURNE

Email address [REDACTED]

Telephone number [REDACTED]

How long do you want your premises licence for? Permanently

When do you want your licence to start? As soon as possible

Activity you wish to licence

i. Late night refreshments - Hot food or hot drinks only between 11pm and 5am. Refreshments outside of these times do not need to be licenced

j. Supply of alcohol

Late refreshments

Day	Start time	End time
Monday	23:00	00:00
Tuesday	23:00	00:00
Wednesday	23:00	00:00
Thursday	23:00	00:00
Friday	23:00	00:00
Saturday	23:00	00:00
Sunday	No late night refreshments	

Where will refreshments be provided?

Indoors

Tell us about the specifics of the activity

Hot food and/or drink

Are there any seasonal variations for the activity?

No

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

Yes : 00:00 on Sundays immediately before Bank Holiday Mondays

Alcohol supply

Day	Start time	End time
Monday	10:00	00:00
Tuesday	10:00	00:00
Wednesday	10:00	00:00
Thursday	10:00	00:00
Friday	10:00	00:00
Saturday	10:00	00:00
Sunday	10:00	23:00

Where will the supplied alcohol be consumed? Both

Are there any seasonal variations for the activity? No

Will the activity take place at times other than those listed? Yes : 00:00 on Sundays immediately before Bank Holiday Mondays

DPS details

Does your designated premises supervisor (DPS) currently hold a personal licence? Yes

Was their personal licence issued by Camden? No

Personal licence number [REDACTED]

Issuing local authority [REDACTED]

First name Daniel

Last name Schofield

Address [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Signed Copy of the Designated Premises Supervisor (DPS) consent form • DPSConsent-signed.pdf

Will there be any activities associated with the premises which may give rise to concern in respect of children? No

The prevention of crime and disorder Please see appended operating schedule of proposed conditions to promote all four licensing objectives.

Public safety See above

The prevention of public nuisance See above

The prevention of children from harm See above

About this form

Issued by Camden Town Hall
Judd Street
London
WC1H 9JE

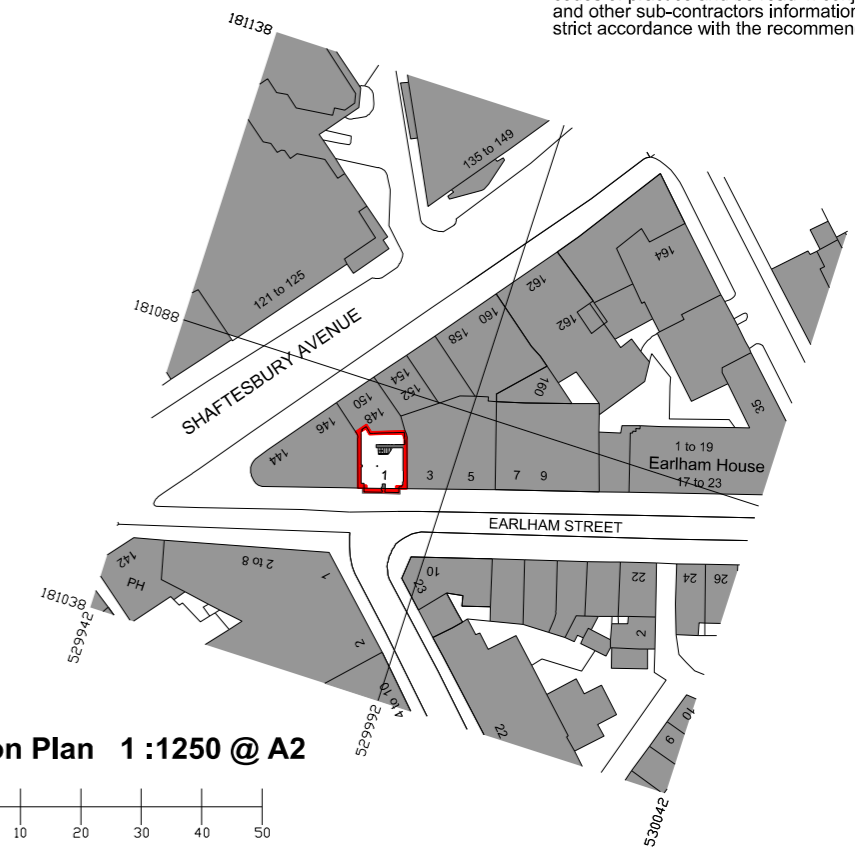
Contact phone 020 7974 4444

Form reference Ref. no. 134863

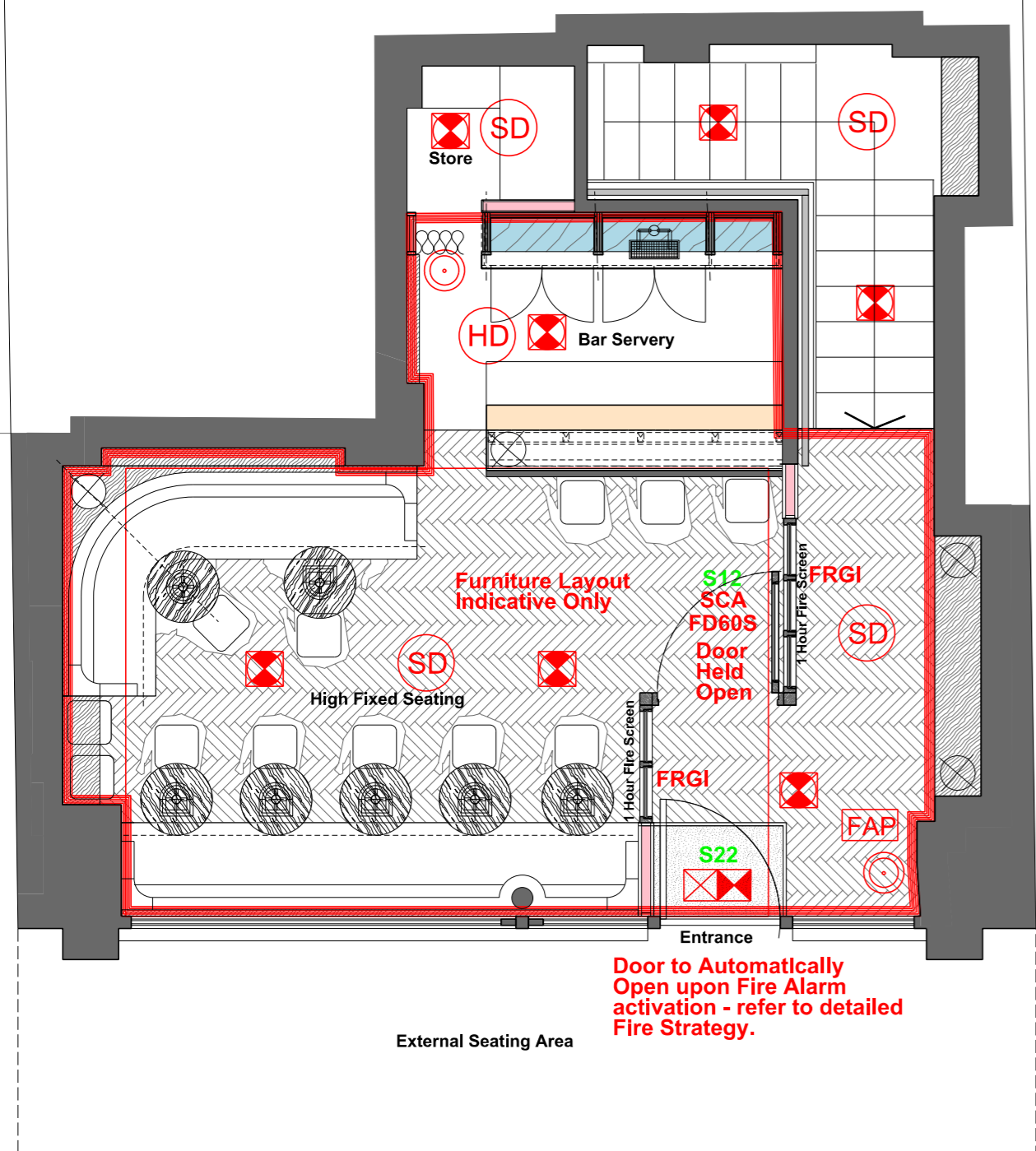
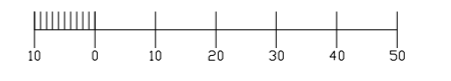
Data protection

No personal information you have given us will be passed on to third parties for commercial purposes. The Council's policy is that all information will be shared among officers and other agencies where the legal framework allows it, if this will help to improve the service you receive and to develop other services. If you do not wish certain information about you to be exchanged within the Council, you can request that this does not happen.

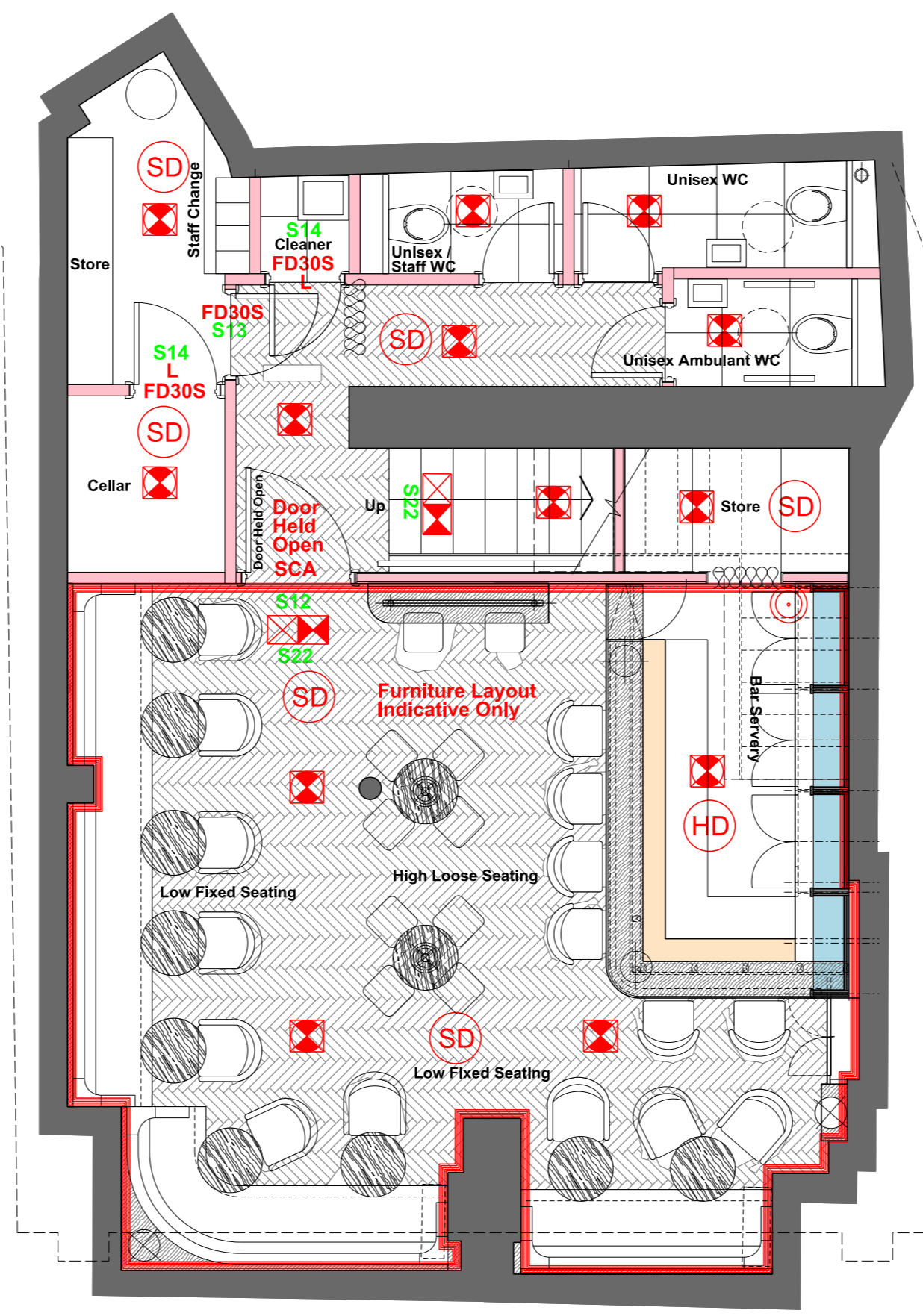
Notes:
 This drawing is the sole copyright of MDA Ltd and reproduction in any form is forbidden unless permission is obtained in writing.
 Do not scale from this drawing. Any discrepancies on site should be brought to the attention of MDA Ltd.
 Work and materials must comply with the current building regulations and codes of practice and be read in conjunction with building specifications and other sub-contractors information. All materials are to be installed in strict accordance with the recommendations of the manufacturers.



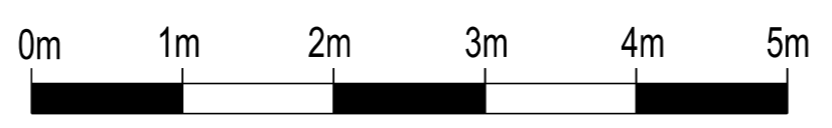
Location Plan 1:1250 @ A2



PROPOSED GROUND FLOOR - 1:50 @ A2
COCKTAIL BAR



PROPOSED BASEMENT FLOOR - 1:50 @ A2
COCKTAIL BAR



Doors and Glazing		Fire Safety Signs	
F	Fire resisting	S12	Fire action notice
S	Smoke resisting	S13	Fire door keep shut
20	Fire resistance (20 minutes)	S14	Fire door keep locked
30	Fire resistance (30 minutes)	S20	Fire exit keep clear
60	Fire resistance (60 minutes)	S22	Fire exit
FRG	Fire resisting glazing (integrity only)	S25	Push bar to open
FRGI	Fire resisting glazing (with insulation)	S26	Directional arrow
VP	Vision panel	S33	Dry riser
SC	Self-closing	S34	Wet riser
L	Locked		
SCA	Self-closing with automatic release		
FL	Fusible link		
OV	Opening vent		

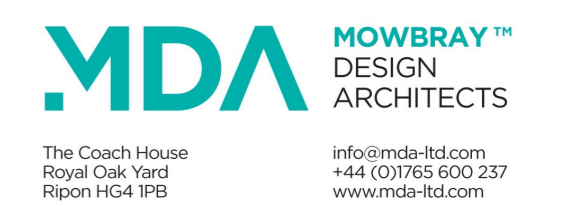
FIRE SAFETY LEGEND		RED LINE DENOTES LICENSED AREA	
	PROPOSED FIRE ALARM PANEL LOCATION		Furniture Layout Indicative Only
	ILLUMINATED EXIT SIGN TO BS 5499 (Safety Signs)		AFFF EXTINGUISHER - 6 LITRE CAPACITY
	EMERGENCY LIGHT EMERGENCY EXTERNAL LIGHT		CO2 EXTINGUISHER - 2 KG CAPACITY
	BREAK GLASS FIRE ALARM CALL POINT		DRY POWDER EXTINGUISHER - 2.25 KG OR 4.5 KG CAPACITY
	COMBINED SMOKE DETECTOR AND ELECTRONIC FIRE ALARM SOUNDER		WATER EXTINGUISHER - 9 LITRE CAPACITY
	COMBINED HEAT DETECTOR AND ELECTRONIC FIRE ALARM SOUNDER		FIRE BLANKET - 1.2M X 1.2M
		FD30S	30 MINUTE FIRE RESISTING DOOR WITH SMOKE SEALS
		FD60S	60 MINUTE FIRE RESISTING DOOR WITH SMOKE SEALS

Rev	Description	By	Chkd	Date

SCHOFIELDS

Project Title:
PROPOSED NEW SCHOFIELDS COCKTAIL BAR - 1A EARLAM STREET LONDON - WC2H 9LL

PROPOSED LICENCE PLANS



Scale	Size	Date	Drawn	Checked
1:50	A2	2.26	AB	RL

LEGAL		
MDA Job No	Number	Rev
1105	2010	B

Representation	
Premises name	Schofields Bar
Application reference number	APP\PREMISES-NEW\134863
Last date for representation	10/04/2026

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 public nuisance

Details of representation

See detailed representation attached

Supporting documents (optional)

- CGCARep-SchofieldsAPP.PREMISES-NEW.134863.pdf

About this form**Issued by**

Camden Town Hall
Judd Street
London

WC1H 9JE

Contact phone

020 7974 4444

Data protection

No personal information you have given us will be passed on to third parties for commercial purposes. The Council's policy is that all information will be shared among officers and other agencies where the legal framework allows it, if this will help to improve the service you receive and to develop other services. If you do not wish certain information about you to be exchanged within the Council, you can request that this does not happen.

Licensing Representation from the Covent Garden Community Association

Application No.: APP\PREMISES-NEW\134863

Premises: Schofield's Bar

Address: 1a Earlham Street, London WC2H 9LL

This is an application for the use of a ground floor and basement unit at 1a Earlham Street as a cocktail bar. The premises was previously a restaurant, Chick N'Sours which was licenced for alcohol (only when ancillary to a table meal) until Mon – Thurs 23:00, Frid-Sat 23:30, Sun 22:30.

The hours applied for are until 00:00 Monday to Saturday and 23:30 on Sunday, with the premises closing 30 minutes later than this. The activities are sale of alcohol and late-night refreshment. There is no requirement that alcohol in ancillary to food but there is a requirement that customers are seated.

The CGCA believes that an alcohol led premises operating to these hours will have a significantly greater impact on the area than the previous use, especially as customers arrive (there is the possibility of queues forming) and as they disperse. This will fail to support the licensing objective of the prevention of public nuisance.

The CGCA has met with the applicants and also facilitated a meeting with local residents who live in the immediate vicinity and are concerned about the impact on them. The meeting was positive and various conditions were agreed to mitigate possible issues. The CGCA and local residents believe that with these conditions, combined with the commitment **and** the obvious professionalism of the applicants (who are brothers and for whom this is the London outpost of a very successful and highly regarded family business in Manchester) the proposed operation would not give rise to additional nuisance.

The concern of both residents and the CGCA it is not possible that these applicants will remain the operator of the premises over the long term. The premises could be transferred with the benefit of this licence, and another operator will take over who is less responsible and committed to the area than the applicants in this case. They could operate the same licence, even with all the current conditions, in a way which would in fact give rise to additional public nuisance and so harm the licensing objectives. The promotion of the licensing objectives is the paramount consideration and so if an applicant of this nature was before you the CGCA would be asking you to refuse this licence.

We have expressed this concern to the applicants and have asked that the licence be made personal in some way. This will ensure that if there is a change in ownership any new operator will need to apply for a change to this protective condition and to persuade you that they can operate the premises whilst supporting the licensing objectives. This is the case in many other International cities with vibrant night-time economies which are used as examples by the Mayor and others. Licences are dual binding. They are attached to the premises and to the specific operator, a change in operator requires a new licence application, not just a transfer as in the UK.

We are still hopeful that the applicant will propose a suitable condition before the case comes before the Licensing Sub-Committee, but in case they do not we are making this representation to ask that the hours on this licence are limited so that alcohol sales end at 23:00 on all days of the week. This

We would therefore ask that you conduct a thought experiment

Instead of the Schofield Brothers being before you today imagine that the applicant is Screwtape's Cocktail bars. This is an applicant that has a reputation for low price cocktails and extended happy hours that frequently give rise to noisy premises and issues. Many of their bars have faced noise complaints and even licence reviews (the name here is fictional but a bar operator with this reputation does exist).

Screwtape's say that they want to move upmarket and open their first premium cocktail bar where their customers will be all seated. Local residents and the CGCA are sceptical and there are a significant number of Interested Parties asking you to limit the operation so it ends at 23:00 and impose a number of restrictive conditions to ensure that the sort of issues that have been seen with their operations elsewhere do not occur. Would you conclude that there is no reason for concern and say "we are sure Screwtape will make sure there are no issues"? We hope not. If you grant the licence at all we think you would be likely to ask for a list of additional conditions to ensure that the Licensing Objectives will be supported.

If you grant the licence as applied for you are not only allowing Schofields to operate the premises, you are also allowing Screwtape's to operate it in the future. Shaftesbury will of course say that Screwtape's is not the sort of operator they would wish to have in the area, but there is no guarantee that this will always be the case.

Our request is simple – you apply a condition as set out in our Representation which ensures that if the licence is transferred any new operator they would need to apply for a variation to change the condition, if they want to operate after 23:00.

The applicant may choose to argue that this is not lawful because Sections 42-44 of LA 2003 permit the transfer of a Licence. However the fact of the transfer of the licence is **not** restricted by this condition. The licence can be transferred and can still be operated until 23:00, it is only after this time that the licence cannot be operated without being varied. This is **no different** from the situation where a licence requires the sale of alcohol after 23:00 to be ancillary to a table meal, a type of condition that is already on many licences. If the licence is transferred to a licence holder that does not intend to offer food then they will, after the transfer, apply to remove the condition if they wish to operate after 23:00. What we are asking for is no different.

On behalf of local residents the CGCA asks that you grant a licence that will allow the Schofield brothers to operate the premises in the way they will describe to you, and be part of our community. **But** that you impose a condition which means that **if** they cannot do this successfully any future operator cannot go beyond 23:00 without making a variation application. It is only if there are representations opposing this variation that it will come back before a Licensing Panel to make a decision.

will ensure that the public nuisance is prevented. These hours are the same as for the existing licence on Monday to Thursday but 30 minutes earlier on Friday and Saturday. The reason for the earlier time is that the application does not, unlike the previous licence, require the sale of alcohol to be ancillary. Our view the operation of a new bar in the street that contains a significant number of residents and no other licenced premises other than a single Thai restaurant is likely to give rise to additional public nuisance.

We also invite you to consider, as an alternative, imposing a condition which restricts alcohol sales after 23:00 so that they are only permitted when the applicants are still the licence holders and remain involved in its operation.

A possible wording of the licence condition is as follows:

Licensable activities after 23:00 on any day of the week are only permitted take place when the following 3 requirements are met:

1. Schofield's Bar (London) Ltd (Company Number 16854165) is the licence holder
2. At least one of Daniel Schofield or John Schofield, remain a director of the company
3. Members of the Schofield family have a minimum of 51% beneficial interest in the company.

We would be happy to discuss alternative wording for this condition with the applicant.

We are aware that the applicant is likely to express the view that this condition should not be imposed because the Licensing Act allows licences to be transferred. Our view is that this is incorrect. A condition can be imposed if the licencing authority is satisfied, as a result of a hearing, that it is appropriate to impose conditions to promote one or more of the four licensing objectives (S182 Guidance paragraph 10.8). We believe that this is the case here and will make this argument at the hearing. The other tests for proposed conditions are outlined in the S182 Guidance paragraph 1.16, and this condition meets these requirements.

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

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 18th September 2023.

Additional Document - APP\PREMISES-NEW\134863

This document is to set out the CGCA's position on this application. It expands on the key point made in our Representation and is intended to assist the Licensing Panel.

The CGCA's position on this application is that we, and local residents, are content that the **specific** style of operation until the stated times proposed by these **specific** applicants for these **specific** premises will support the Licensing Objectives.

This view is based on 3 separate factors:

1. The conditions proposed
2. The detailed Operational Management Plan
3. Confidence that if any issues that arise the applicants will address them promptly

However if you grant the licence as applied for only the 1st of these 3 factors matters. The applicants have done an outstanding job of convincing local residents that they will operate these premises without harming the Licensing Objectives and may be able to convince you of the same. However the licence you are asked to grant can later be transferred to another licensee without anyone having as say other than the Police, who can only object on the grounds that the applicant is not fit and proper. The Transferee is then bound only by the conditions on the face of the Licence. There are conditions on this licence that are intended to protect residents from public nuisance associated with noise and queuing. However the effectiveness of these conditions is heavily reliant on the willingness of the licence holder to address any issues. A new licence holder could easily spend lots of time disputing whether or not an actual nuisance is being caused and so drag out any enforcement process.

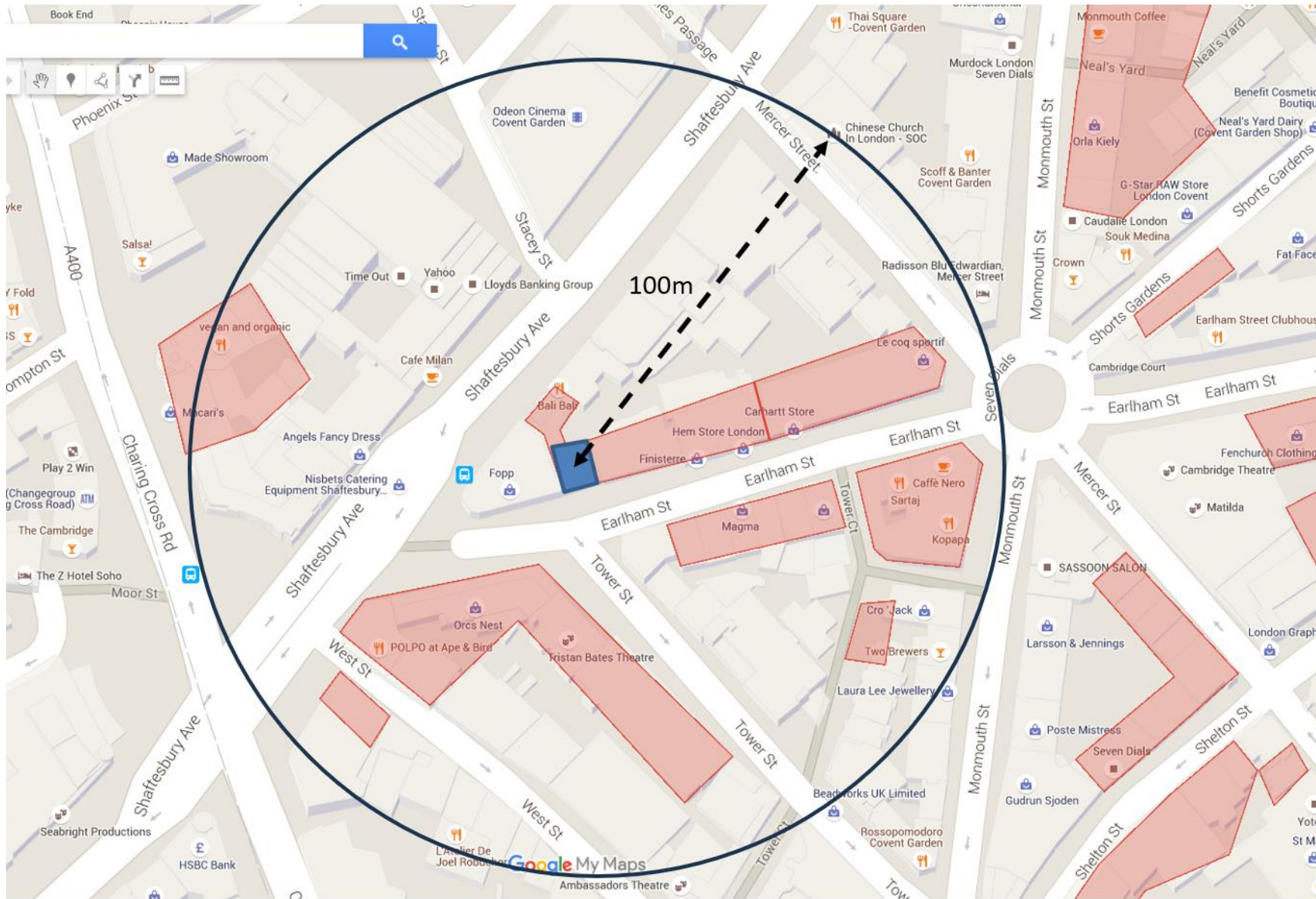
The location of the premises in relationship to nearby residents is shown in the attached map. As you can see any noise from or in the vicinity of the premises is likely to cause a nuisance to local residents.



If a new licensee chooses not to address any issues of nuisance in the vicinity promptly then our only remedies would be to require Camden to enforce the conditions, which in our experience can take months or even years, or to apply ourselves for a licence review, which is resource intensive and costly for everyone involved.

In most licensing jurisdictions outside the UK, including the ones that the Mayor of London believes permit more attractive night life than in London, this could not happen. The licence goes with both the premises **and** the applicant. If a new operator takes over the premises they must apply for a new or varied licence. This gives the licensing authority the opportunity to make the conditions more specific to the new style of operation and its operator.

The CGCA's request in this case is that you impose a condition which means that the ability to operate the premises **after 23:00** is limited to when this **specific** applicant is managing the premises. The period between 23:00 and 01:00 (when the premises will close) is the one which is most likely to give rise to public nuisance in the area both the operation of the premises and the dispersal of customers. We believe that the Scofield brothers will take steps to address these issues but am not confident that the same can be said of other possible operators of this licence.

We are aware that the Schofield brothers plan to operate this licence into the future and have no intention of giving it up, we believe that they would be happy to agree to this condition. However we believe that their landlord, Shaftesbury Capital, will not allow them to do this. From the landlord's point of view this makes sense. A new licence, which allows a premium cocktail bar for seated customers to operate until 01:00 in this area, will be a valuable asset and they do not wish to take the risk that they cannot offer it to a new tenant because part of it is restricted to a specific licence holder.



-  Schofields – 1 Earlham Street
-  Residential properties

Conditions consistent with operating schedule

1. The consumption of alcohol on the premises shall be by seated persons only, except for persons waiting to be seated or during bona fide pre booked private functions or events.
2. There shall be no irresponsible drinks promotions at the premises, 'happy hours', 'buy one get one free' offers or similar.
3. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises during the periods when alcohol is authorised for sale.
4. CCTV shall be installed, operated, and maintained, to function all times that the premises is open for licensable activities. Said CCTV will comply with the following criteria: The licensee will ensure that the system is checked every two weeks to ensure that the system is working properly and that the date and time are correct;
 - a) A record of these checks, showing the date and name of the person checking, will be kept and made available to the police or other authorised officer on request;
 - b) The Police will be informed if the system will not be operating for longer than one day of business for any reason;
 - c) The system will record in real time and recordings will be date and time stamped;
 - d) Recordings will be kept for a minimum of 31 days and downloaded footage will be provided free of charge to the police or other authorised officers on request (subject to the Data Protection Act requirements) within 24 hours of any request.
 - e) CCTV to cover at least all entry and exit points of the building and also the area the delivery drivers park their vehicles. CCTV will also cover areas to which members of the public have access (excluding toilets) to the extent agreed with the Police/Council Licensing.
 - f) CCTV will be of good quality to a standard approved by the Police/Council Licensing officers.
5. An incident log shall be kept at the premises, and made available on request to an authorised officer or the Police, which shall record the following: all crimes reported to the venue all ejections of patrons
 - a) any complaints received
 - b) any incidents of disorder and violence
 - c) all seizures of drugs or offensive weapons
 - d) any faults in the CCTV system
 - e) any refusal of the sale of alcohol to include date, time, and staff member

- f) any visit by a relevant authority or emergency service.
6. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
 7. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents in the vicinity.
 8. The premises licence holder shall risk assess the requirement for an SIA registered supervisor to be on duty at the premises.
 9. The premises will have a Dispersal Policy. The Policy shall be made available for inspection by a police officer and/or an authorised officer of the Council on request. The Policy will be reviewed if the licence holder becomes aware of repeated issues related to dispersal.
 10. The premises licence holder or designated premises supervisor shall ensure that any queue to enter the premises which forms outside the premises is orderly and supervised by members of staff or SIA staff so as to ensure that there is no public nuisance or obstruction to the public highway.
 11. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises, except for the designated external seating area.
 12. Alcohol consumed outside the premises building shall only be consumed by patrons seated at tables within an area owned or leased by the premises, or within an area licensed by a pavement licence.
 13. Outside tables and chairs shall be rendered unusable by 22:00 hours each day.
 14. The pavement from the building line to the kerb edge immediately outside the premises shall be swept or washed regularly to keep it free from business-related litter and deposits. Collected litter and sweepings must be stored according to approved storage arrangements.
 15. All front of house staff shall be trained in Welfare and Vulnerability Engagement (WAVE), "Ask for Angela", drink spiking and first aid. Records of staff training shall be provided to an authorised officer upon request.
 16. A Challenge 25 policy will be in place and enforced. This requires that 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 Home Office guidance. This includes passport, photo-card driving licence or proof of age card bearing the PASS hologram and any digital ID approved by the government.
 17. Deliveries to the premises shall not take place between 22:00 and 08:00 the following day.

Agreed police condition

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

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.