

Date: 19th October 2022
Our Reference: APP\PREMISES-110432
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Public Protection

Supporting Communities

London Borough of Camden

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Please quote our reference in any correspondence

Dear Sir/Madam,

**Licensing Act 2003
New Application**

Re: THE ALCHEMIST, 55-57 CHARLOTTE STREET, LONDON W1T 4PD

I refer to the public hearing held on 5th July 2022 to determine the application for a new licence for the above premises.

The panel's full decision was as follows:

Councillor Apak said that he was minded to grant the application, but that he was concerned about noise caused by music in the premises. The volume of live music was harder to control than recorded music.

Other Members echoed this concern, although Councillor Olszewski expressed a general concern about reduction of the number of live music venues across the borough and in the London area.

Members agreed by two votes to one not to permit live music in the venue.

They agreed that there needed to be a closing time for the outdoor area, as this was the area that would have the greatest impact on residents. They agreed that it should close at 10pm.

Members agreed that smoking should be prohibited in the outside area of the premises and on the pavement outside, due to the extra noise nuisance and littering that could be caused by smokers congregating there.

Members agreed not to impose a restaurant condition.

Members agreed to grant a licence, subject to the existing proposed conditions and to the ones that were agreed by Panel members during their deliberations. Members also agreed that granting the licence subject to these conditions would uphold the licensing objectives.

RESOLVED

(i) THAT a licence be granted for:

a) Supply of Alcohol (For consumption on the premises)

10:00 – 23:30 Monday to Thursday
10:00 – 00:00 Friday and Saturday
11:00 – 22:30 Sunday

b) Supply of Alcohol (For consumption off the premises)

10:00 – 23:00 Monday to Saturday
11:00 – 22:30 Sunday

c) Recorded Music

10:00 – 23:30 Monday to Thursday
10:00 – 00:00 Friday and Saturday
11:00 – 22:30 Sunday

d) Late night refreshment

23:00 – 23:30 Monday to Thursday
23:00 – 00:00 Friday and Saturday

e) Opening hours

10:00 – 00:00 Monday to Thursday
10:00 – 00:30 Friday and Saturday
11:00 – 23:00 Sunday

f) Seasonal Variations

Opening hours

From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.
An additional hour on the day immediately preceding a Bank Holiday.

All Licensable activities

From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.
An additional hour on the day immediately preceding a Bank Holiday.

(ii) THAT the following conditions be added to the licence:

A) The Prevention of Crime and Disorder

1. A CCTV system shall be maintained and operated at the premises with cameras positioned both internally and externally.
2. Recorded CCTV images will be maintained and stored for a period of twenty- eight days and shall be produced to the Police or Licensing Authority upon request.
3. CCTV will be in operation at any time a person is in the premises. Where CCTV is recorded onto a hard drive system, any DVDs subsequently produced will be in a format so it can be played back on a standard PC or DVD player.
4. 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. Copies shall be made available within 48 hours to the Police or Local Authority, upon request.
5. Where the premises are open for licensable activities on Fridays and Saturday from 21:00 hours, a minimum of one (1) SIA-registered door supervisor shall be employed at the premises until all patrons are dispersed.
6. At all other times, SIA registered door staff shall be employed at the premises in accordance with a risk assessment, to be carried out by the DPS. When employed, door staff will wear high visibility armbands.
7. When employed, a register of those door staff employed shall be maintained at the premises and shall include:
 - (i) the number of door staff on duty;
 - (ii) the identity of each member of door staff;
 - (iii) the times the door staff are on duty.
8. Open containers of alcohol shall not be removed from the premises, save for consumption in any delineated external area.
9. Staff will be trained in the requirements of the Licensing Act 2003 with regard to the licensing objectives, the laws relating to under age sales, and the laws relating to the sale of alcohol to intoxicated persons, and that training shall be documented and repeated at 6 monthly intervals.
10. An incident log shall be kept at the premises, and made available on request to an authorised officer or the Police, which will record the following:

- (i) all crimes reported to the venue
- (ii) all ejections of patrons
- (iii) any complaints received
- (iv) any incidents of disorder and violence
- (v) all seizures of drugs or offensive weapons
- (vi) any faults in the CCTV system or searching equipment or scanning equipment
- (vii) any refusal of the sale of alcohol to include date, time, and staff member
- (viii) any visit by a relevant authority or emergency service.
- (ix) CAD reference numbers where Police are called.

B) Public Safety

1. A first aid box will be available at the premises at all times.
2. Regular safety checks shall be carried out by staff.
3. Management shall liaise with the Fire Authority as necessary to ensure compliance with all necessary fire regulations.
4. The premises shall maintain an incident log and public liability insurance.

C) The Prevention of Public Nuisance

1. Noise from amplified music or voices shall not be such as to cause a noise nuisance to occupants of nearby premises.
2. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
3. The exterior of the building shall be cleared of litter at regular intervals.
4. Notices will be positioned at the exits to the building requesting customers to leave in a quiet manner.
5. External doors and windows at the premises are to remain closed after 11pm, save for access and egress.
6. A Dispersal and Smoking Policy will be implemented and adhered to.
7. The emptying of bins into skips, and refuse collections will not take place between 11pm and 8am.

D) The Protection of Children From Harm

1. A "Challenge 25" Policy shall be implemented in full and appropriate

identification sought from any person who appears to be under the age of 25. The only acceptable forms of identification shall be photographic driving licences, passports, HM forces cards, or a form of identification with the "PASS" hologram.

2. Staff training will include the Challenge 25 Policy and its operation. In particular, staff shall be trained to take such action as is necessary to prevent the sale of alcohol to persons over the age of 18 where those customers are engaged in the distribution of alcohol to persons under the age of 18. The training must be given to a new member of staff before they commence employment and all staff must receive refresher training every 6 months. This will be written into a programme, a log will be kept including dates of the training and will be made available for inspection upon the request of relevant authorities.
3. Notices advising what forms of ID are acceptable must be displayed.
4. Notices must be displayed in prominent positions indicating that the Challenge 25 policy is in force.

Additional Conditions in Response to Representations

1. At least one CCTV camera is to be placed no more than seven feet above floor level; near to the exit in order to capture clear facial images of all persons leaving the premises.
2. The venue shall supply, and fit, suitable anti-theft devices, such as table/counter clips, in order that customers may secure their bags
3. All flat surfaces in toilet cubicles, including any curved toilet roll holder ellipses, are to be 'designed-out'
4. The venue shall not engage the services of street promoters to encourage clientele to attend the venue.
5. Regular glass collection shall be undertaken by staff.
6. Management will ensure that patrons utilising the external area, remain within the curtilage of the venue when consuming alcohol.
7. Signage shall be displayed in a prominent position on the premises requesting that customers leave quietly.
8. At all times a minimum of 70% of the floor space of the ground floor public trading area will be occupied by tables and chairs.
9. The external area of the premises shall have no more than 12 covers and shall close at 10pm
10. The external area shall be delineated by barriers at all times.

11. The emptying of bins into skips, the disposal of bottles and refuse collections will not take place between 11pm and 8am Monday to Saturday, and not between 11pm and 12 midday on Sundays, Bank Holiday Mondays and other national public holidays (those being Good Friday, Christmas Day, Boxing Day and New Year's Day).
12. There will be no deliveries to the premises between 10pm and 8am Monday to Saturday, and between 10pm and 10am on Sundays and other national public holidays (those being Good Friday, Christmas Day, Boxing Day and New Year's Day).
13. No courier/delivery driver collection of food/drink for takeaway by way of Deliveroo/Ubereats or similar shall be permitted at/from the premises.
14. The premises will implement the 'Ask For Angela' scheme. All staff will be trained in the requirements and delivery of 'Ask For Angela' in accordance with their role.
15. 'Ask for Angela' posters shall be displayed at the premises in a position where they can be clearly seen by customers.
16. All front of house staff shall complete WAVE (Welfare and Vulnerability Engagement) Training prior to commencement of employment at the premises. This training shall be documented and repeated/refreshed at 6 monthly intervals.

Additional Condition imposed by the Licensing Panel on 15th September 2022

There shall be no smoking by patrons in the external area or on the pavement outside the premises.

The full text of the minutes can be found on the Camden website via the Diary listing of Council meetings at: <http://democracy.camden.gov.uk>

As the applicant and or objector, you are entitled to appeal against the Authority's decision. Notice of the appeal must be given to Highbury Corner Magistrates Court within 21 days of being notified of this decision.

Please contact us on the above number or via our enquiry form camden.gov.uk/licensing if you require any further advice or assistance.

Yours sincerely



Samina Khan

