

# LICENSING PANEL C

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**THURSDAY, 23 MAY 2024 AT 7.00 PM  
REMOTE MEETING VIA MICROSOFT TEAMS. THIS MEETING CAN BE  
WATCHED LIVE AT [WWW.CAMDEN.GOV.UK/WEBCAST](http://WWW.CAMDEN.GOV.UK/WEBCAST)**

**Enquiries to: Rebecca Taylor, Committee Services  
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## **SUPPLEMENTARY AGENDA**

- 8. FARSIGHT COLLECTIVE, 4 FLITCROFT STREET, LONDON WC2H 8DJ** (Pages 3 - 20)

The applicant's representative has provided a written summary of their submission to the Panel.

- 9. NING'S FRESH BEEF HOTPOT AND CANTONESE SASHIMI, 5-7 TOTTENHAM STREET, LONDON W1T 2AG** (Pages 21 - 24)

Clive Henderson, on behalf of Charlotte Street Association, has submitted a letter withdrawing their representation and outlining amendments to the application and conditions that have been agreed with the applicant.

**SUPPLEMENTARY AGENDA ENDS**

Issued on: Tuesday 21 May 2024

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**BEFORE THE LONDON BOROUGH OF CAMDEN'S  
LICENSING SUB-COMMITTEE**

**FARSIGHT COLLECTIVE  
4 Flitcroft Street, London WC2H 8DJ**

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**SUMMARY OF  
APPLICANT'S SUBMISSIONS**

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*For Hearing: 23 May 2024*

*[Page references are to the Agenda Pack]*

**Introduction**

*“It’s time to celebrate and protect our heritage while reimagining the future together, creating space for the next generation of leaders and rebels to emerge.”*

- Camden’s Evening and Night-Time Strategy 2024-2029<sup>1</sup>

1. The Farsight Collective, the applicant for this new premises licence, entirely agrees with the Council’s statement of intent. The applicant also agrees with the plea of Camden’s Citizen Assembly, made during the consultation on Camden’s Evening and Night-Time Strategy, that the Council: ***“Support real grassroots, local, and subculture venues. Small venues need to be valued for their support of local artists and musicians. There is a lack of activities in community centres at night”***.<sup>2</sup>
2. This application represents a significant opportunity to realise the Council’s aspiration. The project at 4 Flitcroft Street is to create a 500 capacity<sup>3</sup> community arts, music and cultural

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<sup>1</sup> Page 6 : [Camden Evening and Night-Time Strategy 2024-2029](#)

<sup>2</sup> See page 30 of the Strategy

<sup>3</sup> Estimated: 400 in basement, 100 on ground floor (excluding staff and performers).

events venue over ground and lower ground level. It will host grassroots live music, exhibitions, cutting-edge electronic music, theatre and spoken-word performances. The premises falls squarely within the definition of a ‘grassroots music venue’ contained in the Mayor of London’s *Music Venue Rescue Plan* (see [page 131](#) of Agenda Pack).

3. The applicant’s team is acutely aware that they will become part of a thriving community. They intend to play their full part in improving an area spoilt in recent years by anti-social behaviour associated, in part, with the unused and derelict premises the applicant now wishes to transform (see [page 151](#) of Agenda Pack). New external lighting, litter patrols, street cleaning, and security guards, all organised by the applicant, will help to resolve years of neglect and deter the drug dealers and public urinators who frequent this area without serious challenge and make it an unsafe place to walk down at night.<sup>4</sup>
4. During the daytime, in particular, the venue will serve as a community hub for St Giles, hosting community events, including those for the LGBTQ+ and other minority communities, and exhibitions in collaboration with local artists, performers and students in the creative sphere. The applicant’s team are in discussions with several community groups, including The Posh Club (an anti-loneliness social club for local elderly residents)<sup>5</sup>, Camden Black Creatives, Young Camden Foundation with whom they hope to form partnerships. This focus on sometimes marginalised groups echoes the history of this premises. Within its footprints lies the location of the famous though illicit 1930’s LGBTQ nightclub, “Billies”, which in 1936 was raided by undercover police officers in a well-publicised “moralising” operation.
5. The applicant is committed to this venue for the long-term and has already taken on a 25-year lease of the building. The investment earmarked to convert this rundown building into a grassroots music venue is some £4.5 million. The venue will provide work for around 50 people (full and part-time). If permitted to do so, it will contribute to a more vibrant local economy without undermining the licensing objectives.
6. A detailed [Presentation Deck](#) explaining the project, the people behind it, and their vision, is within the Agenda Pack at [pages 103-163](#). The sub-committee is respectfully referred to this document in full.

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<sup>4</sup> See night time audit of Liam O’Hare at pages 299-315 and report of Alistair Turnham at page 280, §27 and page 289, §59

<sup>5</sup> See page 152 of Agenda Pack.

7. Inclusivity and Diversity, as well as customer welfare, are in the project team’s heart and in its DNA. The whole project is a work in collaboration with the grassroots music industry and community groups. As a result, supporting representations have been received from diverse and respected individuals and bodies including:
  - a. The Arts Council of England (Agenda Pack [page 358](#))
  - b. Amy Lane, the Mayor of London’s Night Czar (who has visited the premises, [page 435](#))
  - c. Westminster LGBTQ Forum ([page 632](#))
  - d. Music Venue Trust ([page 625](#))
  - e. London Sound Academy ([page 448](#))
  - f. Royal Academy of Arts’, Head of Visitor Management ([page 487](#))
  - g. Access Creative College ([page 527 & 636](#))
  - h. Night Time Industries Association ([page 495](#))
  - i. Musicians, record producers, academics, music lovers, and people who live, work and visit the London Borough of Camden
8. The imminent refurbishment of the building has, from the outset, been designed to enable wheelchair users, differently-abled and neurodiverse customers to access and enjoy every inch of the venue, at all times.<sup>6</sup>
9. The project is backed by a highly experienced, professional, responsible and ambitious team with a first-class track record of delivering on their promises (going back over 30 years) in establishing and operating live music venues and community spaces to the benefit of the local community and the UK’s music scene. The senior management team of the project are listed at [page 107](#). A profile of Euan Johnston, the CEO of the Farsight Collective, is at [page 132](#).
10. Camden’s Statement of Licensing Policy recognises (at 7.32): *“the cultural importance and significance of premises providing live music, dance and similar entertainment. We are keen to encourage diverse forms of entertainment throughout the borough, but at the same time recognise that this can, if not properly managed, give rise to public nuisance concerns that impact adversely on people who live near licensed premises.”*

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<sup>6</sup> See “Accessibility and Inclusion” statement at pages 153-154

11. If there was ever a time for the Council to further its aim of supporting grassroots music venues, then it is now. As the Music Venue Trust indicates in its representation supporting the grant of this application: “*The UK has lost a record number of Grassroot Music Venues in the last 12 months – over 120 grassroots venues (15%) have closed, continuing at a rate of 1 per week. This is catastrophic for local communities, for musicians, for fans, and for the music ecosystem*”.<sup>7</sup> (Since 2007, London has lost 35% of its grassroots live music venues.)<sup>8</sup>
12. Every new licensed venue will, to a greater or lesser extent, impact on its vicinity. Any potential negative impact, particularly in a cumulative impact area, must be predicted, controlled and minimised. As the extract from Camden’s Licensing Policy quoted in paragraph 10 above makes clear, the focus must be on the proper management of risks to the licensing objectives. The applicant proposes taking extraordinary and innovative steps to do just that (which the police recognise as “*new thinking*”<sup>9</sup>).
13. It is notable that, as the principal expert guardians of the public nuisance objective, the Council’s Environmental Health/Noise Team, who were consulted by the applicant during the pre-application process, have not objected to the grant of this application. In relation to crime and disorder, unusually in a cumulative impact area, the Metropolitan Police also do not oppose the grant of a premises licence but instead ask the Council to consider “*tempering the proposed hours*”.<sup>10</sup>
14. As well as 20 representations opposing the application, it has attracted 152 representations in support of its grant to the hours originally applied for. Not all of these supporters live in the immediate vicinity of the premises. But a significant number do, or else are bodies that represent the interests of local residents. Most of the supporting representations are from persons who live, work or visit the London Borough of Camden and are excited by the prospect of a new grassroots music venue in a location with a long and illustrious history of hosting music-led venues.
15. Exceptionally, the Bloomsbury Association has made a cogent and reasoned representation

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<sup>7</sup> Representation in Agenda Pack, pages 625.

<sup>8</sup> <https://www.london.gov.uk/programmes-strategies/arts-and-culture/music/saving-londons-music-venues>

<sup>9</sup> Page 365

<sup>10</sup> Police representation at page 361-366

in support of the grant of this application (at Agenda pages 533-534). Further representations in support of the grant of this application from residents living in the close vicinity include those from:

- a. Jane Palm-Gold - Pendrell House, New Compton Street (page 482)
- b. Angel Daden - Pendrell House, New Compton Street (page 440)
- c. Rory O’Callaghan - Pendrell House, New Compton Street (page 513)
- d. [Name redacted<sup>11</sup>] – Centrepoint House (page 539)
- e. Tanya Egan – New Compton Street (page 536)
- f. Peter Hans –Charing Cross Road (page 557)

16. None of this support, or relative lack of objection (given the size and location of the project), has happened by chance or oversight. The applicant has engaged extensively with the local community, ward councillors, and responsible authorities, both before lodging the application and during the consultation process. This has included an open exhibition of the plans, a letter-drop to 300 local residents, and hosting resident consultation events attended by over 130 local residents.

17. Most, but not all, of these interested residents left the events with no outstanding concerns and have not subsequently lodged objections to this application. A number of representors, including several objectors, have acknowledged the exemplary level and sincerity of engagement carried out by the applicant. One resident, a local artist and curator, states in her representation: “*We couldn’t get anyone better or more experienced than the Farsight team to run something like this here: they have carefully thought about the many local issues here and how to address them to the benefit of local residents. They have reached out to and have actively engaged with the local community on this front and have listened to issues we experience here... The Farsight Collective team have greatly impressed me with their detailed planning and forensic assessment of this local area and all the anti-social problems we face here and they are proposing very practical solutions to the issues affecting us here.*”<sup>12</sup>

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<sup>11</sup> But known to applicant

<sup>12</sup> Jane Palm-Gold of Pendrell House, New Compton Street, at page 482.

18. The applicant has engaged extensively with residents, responsible authorities and stakeholders. A “Report on Stakeholder Engagement” is in the Agenda Pack at pages 166-176. Pre-application advice is at pages 178-205. The applicant wishes to assure both the Council and residents with residual concerns that they take those concerns seriously and will implement substantial measures to address them. The applicant will continuously, and willingly, continue to engage with all local residents and stakeholders should a premises licence be granted (and condition 15 at page 645 provides for quarterly residents’ meetings).
19. The applicant proposes no less than 70 discretionary conditions to be attached to the premises licence. The latest set of conditions are at Appendix 4 (pages 644-650). They are comprehensive and have been agreed, in principle, with the responsible authorities and in the main with the Covent Garden Community Association (CGCA) on behalf of objecting residents. They are the result from extensive conversations and represent the “gold standard” of licence conditions. They are not intended to be the final word. If the sub-committee, having heard from all parties, believe further conditions are required then the applicant is open to all reasonable and proportionate suggestions.
20. Ultimately, the role of this experienced licensing sub-committee will be to assess the proposed management steps and then balance any potential negative impacts with the benefits of granting this application. The applicant submits that the likely benefits overwhelm the speculative, though we accept sincerely held, concerns of certain objectors and a principled and pragmatic exception to Policy can be made in this case.

### **Provisional Statement**

21. Unlike most applications within the Seven Dials cumulative impact area, this premises already enjoys the grant of a Provisional Statement under the Licensing Act 2003 with opening hours to 03:00hrs.<sup>13</sup> The Provisional Statement is in the Agenda Pack at pages 196-205. The applicant acknowledges that the current application for a premises licence goes beyond the terms of the Provisional Statement. However, importantly, the principle of a licensed premises operating until the early hours of the morning in this building and location is already established by a decision of this licensing authority. The sub-committee

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<sup>13</sup> Sale of alcohol terminates at 01:00hrs and there is a restaurant condition in the basement only



is invited to take this factor into account when considering the current application and any exception to Policy. (Indeed, it is also worth noting that the ‘Alley Cat’ grassroots music venue was previously within the footprint of the site, and that premises being subsumed was part of the basis on which the Provisional Statement was granted).

### **Operating Hours**

22. Many of the objectors have focused not on whether a premises licence should be granted, but rather on what the appropriate terminal hours should be.
23. Put starkly, but accurately, the later hours on Friday and Saturday nights are necessary for this project to be economically viable and get off the ground. It is these late nights that will subsidise the daytime community activities and midweek evening events with earlier closing times. One reason that so many grassroots music venues are closing is that they simply do not make enough money to cover their ever-increasing costs. This project involves a £4.5 million investment. That investment will not be released if the operating hours do not permit a sustainable venture. Another reason is that many musicians will not play in venues unless they can play a full set into the early hours.
24. The Council’s Evening and Night Time Strategy 2024-2029, acknowledges that “*A reduction in licensable hours inhibits the venue’s ability to trade viably, cuts off the talent pipeline for music and often results in a closure.*”<sup>14</sup>
25. Alastair Turnham of MAKE Associates makes a similar point in his expert report and pages 278-279.
26. The hours sought by the applicant for Friday-Saturday are similar to those already enjoyed by the nearby Here and Lower Third premises which are part of the Outernet development. Both premises are permitted to operate until 4am for licensable activities with 04:30hrs closing time. That is within 30 minutes of the proposed closing time the applicant requests on these nights. In other words, the grant of the hours requested is not out of kilter with nearby licensed premises with a far larger capacity.<sup>15</sup>

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<sup>14</sup> Citing the Music Venue Trust, at page 26

<sup>15</sup> A capacity of some 1830 individuals according to Alistair Turnham’s report at §34, page 281

27. If a premises is well-managed, and its dispersal processes of a high-calibre, then there is no reason why a 5am closure would impact the licensing objectives any more than a 2am closing time. Moreover, this is a music-led venue, not an alcohol-led venue. So later hours do not mean more drunkenness and associated trouble. In his report, Alistair Turnham opines:<sup>16</sup>

*“In terms of perpetrators of crime, the DNA of the venue as a grass roots music venue with a focus on LGBTQ+ nights and community events, will mean that it will not attract the type of individuals who are seeking the kind of vertical drinking venue that is typically associated with late night crime and noise.*

28. The applicant’s respectfully ask for the hours applied for to be granted to permit the venue to succeed. A licence is a conditional privilege, not a permanent right. The condition to hold a licence is that the licensing objectives are not undermined. In the unlikely event that the later hours lead to issues, there are review proceedings that can be used to reduce any hours granted now. The applicant does not believe this will prove necessary and asks to be given the opportunity to prove they are good to their word.

### **Dispersal & The Departure Lounge**

29. The applicant recognises that disgorging hundreds of people attending a music concert all at once directly on to the street in the early hours of the morning poses risks to the licensing objectives. It has, therefore, proposed a novel, but likely to be highly effective, dispersal policy that goes considerably beyond most, if not all, other late-night venues in Camden.
30. At night the ground floor of the venue will serve as “The Departure Lounge”. At the end of the night the applicant has committed to this area being alcohol free (see condition 12 at [page 645](#)). There will be a gradual movement of customers from the basement music venue into The Departure Lounge. Customers will be able to wind-down and relax without alcohol or loud music blaring in a safe, calm and supervised environment. They can sit down in comfortable sofas, re-charge their mobile phones, order taxis, have a coffee or soft-drink,

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<sup>16</sup> Turnham p 288, § 65

speak with the on-duty welfare officer and reflect on the night's entertainment. Electronic screens will advertise live TfL public transport information. Anyone who is identified as potentially vulnerable will be checked, looked after and not allowed to leave alone until welfare procedures have been followed. A culture centred on customer welfare, vulnerability training and women's safety will be instilled. The purpose of this innovative "decompression" system is to ensure that by the time customers leave the venue they are safe, calm and their hearing, and so speaking voices, have settled down. Customers will not be kicked out onto the street immediately after a concert ends. They will only leave when their transport option is ready rather than be left hanging around the streets. These processes make it more likely customers will depart from the area quietly and swiftly and so residents are less likely to be disturbed.

31. It is the proposed use of The Departure Lounge that explains why the applicant has requested a winding-down period of 1-hour between the end of alcohol sales and closing time. Any shorter time and the benefits of the new system risk being undermined.
32. Further proposed conditions ensure that the applicant must:
  - a. Take all reasonable steps to ensure patrons wanting entry to the premises do not cause annoyance or nuisance to any other person living in the vicinity with appropriate notices and signage (conditions 51-53);
  - b. Implement the venue's dispersal policy directing customers to leave via Charing Cross Road (and so away from the most densely populated residential roads) (condition 54);
  - c. Employ stewards to maintain a presence on the streets surrounding the premises at all times the licence is in use to ensure that patrons entering and exiting the building do so in an orderly manner. Any queues must be maintained in the same manner (condition 55) with appropriate permitted barriers as required (condition 59).
33. A series of maps and plans with proposals for event ingress and dispersal are at pages 249-251. These plans have been designed, following discussions with resident bodies and officers, to minimise any potential disturbance to residents caused by customers arriving or

leaving the new venue at night.

## **Security**

34. The applicant has agreed to a number of conditions to ensure the safety and security of customers and staff at the premises. These include:
- a. A condition requiring at night one SIA door supervisor to be employed for every 75 customers (see condition 21 at [page 646](#)). This ratio of SIA employed at the premises is greater than the industry standard of 1:100.
  - b. ID Scan to be implemented for late night events from 9pm (see condition 26).
  - c. Full risk assessments for events in conjunction with Camden Police Licensing Team (condition 27).
  - d. A dynamic risk assessed search policy (conditions 28-29).
  - e. Full CCTV coverage, with dedicated monitoring of the CCTV monitor from 9pm on late night events (conditions 30-37).
  - f. Regular monitoring of toilets (condition 40) constructed to design out drug use (condition 41).
  - g. Drugs seizure policy (condition 42).

## **Welfare and Safeguarding**

35. The applicant shares the priority the Council places on customer welfare and the protection of vulnerable persons in the night-time economy. The venue has employed Dr Alex Frankovitch as their Welfare Director. Dr Frankovitch is a world leading expert on the intersection of nightlife, club culture, sex and drug use. She has previously advised bodies including Thames Valley Police on welfare in the night-time economy. Her profile is in the Agenda Pack at [page 144](#).
36. The applicant has proposed 10 conditions in line with Camden's Women's Night Safety Charter and Women's Safety Principles as set out in the Council's Statement of Licensing Policy. They include (by reference to Appendix 4 from [page 644](#)):
- a. Promotion and compliance with the Women's Safety Principles (condition 1)

- b. Welfare and Vulnerability Engagement (WAVE) training of staff (condition 2)
- c. A dedicated welfare room, first aid-room, and welfare officer (conditions 3-4, 66)
- d. A personal licence holder on duty when late night events take place (condition 7)
- e. Regular staff training (conditions 8-10)
- f. Challenge 25 (condition 67).

37. In addition, Welfare Policies are set out within the Operating Management Plan at pages 209, 223-224, and 246.

### **Operations Management Plan (“OMP”)**

38. The proposed Designated Premises Supervisor for the venue is Liam O’Hare. Mr O’Hare, is likely to be known to the sub-committee already. He is vastly experienced in operating landmark late night licensed premises in Camden (including in Camden Market and its surroundings). There are few people with his level of experience and expertise of operating venues in the London Borough of Camden. The applicant is fortunate to have him in their team.

39. Mr O’Hare has been the driving force behind the creation of the Operations Management Plan (“OMP”) for the venue. The OMP is in the Agenda Pack at pages 207-247. The OMP was informed by a detailed night-time observation study carried out by Mr O’Hare himself in the Seven Dials area. His report is at pages 299-315). The OMP also takes into account feedback from residents and responsible authorities. The OMP responds to the specific challenges of the area and details how the venue will operate in a manner that promotes the licensing objectives. The OMP is intended to be a “living document” that will be adapted in accordance with best practice and experience. It covers various areas of operation including:

- a. Women’s Safety and Safeguarding;
- b. Licence conditions and promoting the licensing objectives;
- c. Risk management.
- d. Staff training.
- e. The Departure Lounge – a novel solution to vulnerability.
- f. Fire Safety and Emergency Plans (including for mobility impaired persons).

- g. First Aid.
- h. Challenge 25.
- i. Crowd control, capacity and crowd management.
- j. Search procedures.
- k. Queue management.
- l. Event specific risk assessments.
- m. Security and Body Worn Cameras.
- n. Refuse management.
- o. Servicing.
- p. Drugs Policy.
- q. Dispersal Policy.
- r. Transport options.
- s. CCTV.
- t. Complaints.
- u. External liaison.
- v. Resident and community engagement and meetings.
- w. Charity fundraising.
- x. Crisis communication plan.
- y. Arrangements for Vulnerable and Underage people.

40. In accordance with advice set out in Camden's Statement of Licensing Policy, Mr O'Hare also prepared the detailed Premises Risk Assessment in the Agenda Pack at [pages 317-356](#).
41. Smokers will not need to be out on the street, they can use the internal courtyard of the premises.
42. This has been a well thought-out and planned application that addresses the specific challenges of operating a late-night venue in this location. It has taken on board concerns and reasonable suggestions of stakeholders. It has also been independently audited and verified by experts.

### Experts

43. The applicant has instructed two industry leading experts to report on, respectively:

- a. Noise Impact – Richard Vivian of Big Sky Acoustics (Report at pages 253-271);
- b. Licensing Impact – Alistair Turnham of MAKE Associates (Report at pages 253-271).

44. Mr Vivian’s role as an acoustician was to consider the potential noise impact from: (a) music being played in the building, as well as (b) customers arriving and departing the premises late at night. He has inspected the premises and its surrounding area, accessed existing noise climate data from this location and considered the applicant’s detailed plans. Where required, Mr Vivian has also made recommendations to mitigate potential sound impacts (which will be implemented should this project be green-lighted).

45. Mr Vivian’s conclusions are set out at pages 267-268 as follows (with emphasis added):

***10.4 All noise from activity inside the building is contained by the building envelope and all high sound areas for music are subterranean in the two basement levels consisting of a substantial and acoustically robust concrete construction...***

*10.6 The OMP contains best-practice noise management procedures and an innovative approach to dispersal management. Calculations indicate that noise from patrons as they leave will be below the existing average noise level for the area.*

*10.7 A suite of relevant noise management conditions has been proposed for inclusion on the premises licence.*

***10.8 Given this location, the style of operation, and the comprehensive noise and dispersal management procedures proposed it is my professional opinion that the operation at this location would not result in an increase to average noise levels in the area around the application site. This report demonstrates that the promotion of the licensing objective of the prevention of public nuisance would be upheld.***

46. Mr Alistair Turnham has 30 years’ experience in night-time studies and the impact of

licensed premises. He knows the area around the premises well and the challenges Camden faces. He was part of the research team that undertook the independent Cumulative Impact Assessment Research in 2023 for Camden Council. He also carried out two night-time audits of the Seven Dials Cumulative Impact Area, including around Denmark Street, Charing Cross Road and Tottenham Court Road.

47. Mr Turnham has forensically studied the details of the current application and independently and objectively assessed its likely impact on the licensing objectives if granted, in light of the Seven Dials' Cumulative Impact Policy and Camden's wider Statement of Licensing Policy and associated strategies. His Conclusions are set out at page 295, §103-16 as follows (with emphasis added):

*103. My principal conclusion is that there are no obvious reasons from the evidence why the venue, its hours of operation, sale of alcohol, entertainment etc. will have any significant negative impact on any of the four licensing objectives.*

*104. Rather, my view is that whilst it will have a small but significant positive impact on the licensing objectives of crime and disorder, public nuisance and public safety because of the presence of the innovative Departure Lounge, its comprehensive CCTV, the security team and other staff watching what is an otherwise relatively deserted area at night. The whole security package for the venue and area, and the commitment to preventing new issues and eradicating historic problems, is exceptional in my experience. It may be unique in its comprehensiveness in the UK. The cleansing of the area at 30 minute intervals (including an hour after closure of the venue) will also address an ongoing problem with urination, public drinking and drug dealing/taking. The later hours at the weekend will allow a more even dispersal of customers to the world class public transport network that still functions at this time.*

*105. More broadly, from a night-time placemaking and urbanism perspective, the development of this site will deliver several of the strategic objectives within Camden Council's Local Plan, its Evening and Night-time Strategy and recently*



*published Strategy for Diversity in the Public Realm, as well as the Mayor’s Night-Time Vision for London and the updated London Plan.*

*106. Examples of similar spaces, such Village Underground in Shoreditch CIA area, prove that it is possible to operate this type of grass roots music venue until late at night within a cumulative impact assessment area, alongside residents with no significant negative impacts on any of the licensing objectives.*

## **Policy**

48. Camden’s Seven Dials cumulative impact policy dates back to 2018. It is not absolute. It may not be permanent either. As recognised in a [Report to Camden’s Licensing Committee](#) for their adjourned meeting held on 25 January 2024, there is no published cumulative impact assessment to support the current policy in accordance with s.5A Licensing Act 2003. The Committee considered data and expert analysis which was far more up to date than that relied on to justify the Seven Dials cumulative impact within the 2018 Policy. The “Cumulative Impact Review 2023” before the Committee<sup>17</sup>, and prepared by Six-Till-Six Ltd and MAKE Associates, concludes (at §451):

*“Having reviewed the information contained in this report and taking into consideration the relevant principles, the authors are of the view that, on balance, there is insufficient compelling evidence to justify the publication of a CIA to promote any of the licensing objectives in any part of the borough of Camden.”*

49. The applicant does not seek to challenge the Seven Dials Cumulative Impact Policy in this hearing. Nor does it need to – because the evidence suggests that the grant of this premises licence is unlikely to significantly add to existing issues. Instead, it is likely to improve the street scene at night and make it safer. But the sub-committee is entitled to consider that the data that gave rise to the Seven Dials’ cumulative impact policy is unlikely to be a safe basis for applying the Policy too strictly.

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<sup>17</sup> From page 139 of the Committee Report for 25 January 2024:  
<https://democracy.camden.gov.uk/documents/g10706/Public%20reports%20pack%2025th-Jan-2024%2019.00%20Licensing%20Committee.pdf?T=10>

50. Notwithstanding the above, the Policy focus remains on the individual merits of the application and the steps proposed to minimise any impact of the area. This is reflected in Camden's Statement of Licensing Policy:

*6.28 We acknowledge that some premises may be able to demonstrate that they will not or do not contribute to cumulative impact due to the nature of the premises or the activities they provide. However, as mentioned above, we expect applicants to explain why they consider that the application should be an exception to the policy.*

51. The exceptional measures proposed by the applicant to minimise the risks to the licensing objectives – combined with the exceptional cultural (rather than alcohol) led use - justify an exception being made to Policy in this case.

### **Acknowledgments**

52. Regardless of the outcome of this application, the applicant and his legal representatives wish to place on record their immense gratitude to the time, efforts and professionalism of a number of people who have engaged with them during this long application process. – even if they may not all be in full agreement with the applicant at the time of the hearing. These individuals include: Esther Jones of the Licensing Authority, Lee Perella of Environmental Health, Pc Francis and Pc Hallam of the Metropolitan Police, David Kaner of the CGCA, Rebecca Taylor Committee Officer and Samina Khan who has helped organise the Agenda Papers, write the Agenda Report and organised the hearing of this far from straightforward but important application.

### **Conclusion**

53. A local resident concludes her supporting representation with the following words which cannot be bettered by a lawyer: *“This is a thoughtful and considered application which is going to bring arts, creativity, music and joy to Londoners and visitors to London if given the chance. It will reduce crime and degradation by being a constant presence in the area and I believe will work in partnership with local*

*under-resourced authorities to help deliver a safer public realm and promote the licensing objectives in St Giles. Please grant this licence in its entirety”<sup>18</sup>.*

54. The applicant respectfully makes the same request of this licensing sub-committee and for essentially the same reasons.

**GARY GRANT**  
Barrister

Francis Taylor Building  
Inner Temple

[REDACTED]  
[REDACTED]

21 May 2024

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<sup>18</sup> Representation of Jane Palm-Gold at page 483

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# Charlotte Street Association

email: [REDACTED]

Sumin Ng,  
Man & Man Planning & Construction Compliance Ltd,

[REDACTED]  
[REDACTED]

20<sup>th</sup> May 2024

By email to: [REDACTED]

**Agreement Letter: final – corrected** (re. Condition 9(b))

Dear Sumin,

**Re: Licensing Act 2003: Application for a New Premises Licence:  
NING’S Resturant, 5-7 TOTTENHAM STREET, London W1T 2AG  
(Ning’s fresh beef hotpot and Cantonese Sashimi)**

Reference: APP\PREMISES-NEW\119796

It was nice to meet with you recently on Wednesday 1<sup>st</sup> May 2024, when we discussed your emails including that of 12<sup>th</sup> April 2024, which were in response to our letter dated 28<sup>th</sup> March 2024 to Camden, with our representations concerning this licensing application. I understand that you are acting as the Agent for the owner and manager/Uni of this restaurant, Ning’s.

I and my colleague, Linus Rees, met with you at the premises in Tottenham Street, when we sat outside for our meeting.

We explained that, as for most licensing applications, the main concern is usually to agree Conditions which help to protect the residential amenity of people living nearby.

We looked at, and discussed, the representations (which you had kindly forwarded to me) from:

- (a). the Police: their letter dated 11/03/2024; and
- (b). Camden as Licensing Authority: their letter dated 22/03/2024.

We understand that, subsequently, your client has agreed to the Conditions in the representations from both these Responsible Authorities; and that as a result (a). the Police, and (b). the Camden Licensing Authority, have withdrawn their objections.

We also discussed the following points:

(a). **Re: “restaurant” Condition:**

Although Conditions 2, 3 and 4 in the Police letter (11/03/2024) are similar to a “restaurant” condition when taken together, prefer to have the wording in our proposed Conditions (a) and (b), which are in our 28<sup>th</sup> March 2024 letter to Camden. Thus, the wording of our two Conditions was agreed to.

Re: Licensing Act 2003: Application for a New Premises Licence:  
NING'S Restaurant, 5-7 TOTTENHAM STREET, London W1T 2AG - *continued:*  
Reference: APP\PREMISES-NEW\119796

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(b). **Re: Smokers outside:**

Because we thought that having 10 **smokers** outside was too many, it was agreed that there would not be no more than 5 (five) smokers outside at any one time.

(c). **Re: External Forecourt Area:**

You explained that, because of the type of meals being served at Ning's, your client did not wish to use the **External Forecourt Area** for tables and chairs; and thus Condition (a) in your 12/04/2024 Email was agreed, to reflect this situation.

(d). **Re: Customers waiting outside to take away meals:**

We explained that some customers, who are waiting outside the premises for meals which they have ordered to take away, are chatting and causing some noise disturbance to some residents who overlook the street. Thus, it was agreed to have a Condition that customers who are waiting for a take-away meal should wait inside the restaurant; (we noticed there is an inside area with seating for customers).

(e). **Re: Camden's "Ask for Angela" initiative:**

In your 12/04/2024 Email, you put forward Condition (c), with regard to signing up to Welfare and Vulnerability Engagement (WAVE) training.

In our 28/3/2024 letter to Camden, we had proposed our Condition (k), the wording of which reflects Camden's policy with regard to the "Ask for Angela" initiative.

During our discussion, our understanding is that WAVE training is the same as the Camden initiative, and thus we agreed to your Condition with regard to WAVE training.

(f). **Re: OFF Sales of Alcohol condition in Police's letter:**

In the 11/03/2024 Police letter, the Police forward Condition 5, which refers to **Off Sales of Alcohol**. But, your client **has not applied for Off-Sales of Alcohol** in his application. Thus, we would ask that this Condition is not included in the Licence, in order to prevent confusion.

**1. PROPOSED CONDITIONS:**

As a result of our discussion, we agreed to the following Conditions with you:

- (1). The supply of alcohol on the premises shall only be to customers seated taking a table meal there, and for consumption by such persons as ancillary to their meal.
- (2). The supply of alcohol and food shall be by waiter and/or waitress service only.
- (3). Smokers from inside will not be allowed to take out to outside their alcoholic drink; and no more than five customers shall be permitted to smoke outside the premises at any one time; and the location for smokers to be agreed.
- (4). Customers smoking on the public highway (public pavements) shall not be permitted to cause obstruction of the highway (pavements) to passers by/members of public.
- (5). Notices shall be prominently displayed stating that this is also a residential area, and asking patrons to respect to be quiet and considerate to neighbours and residents when leaving.

Re: Licensing Act 2003: Application for a New Premises Licence:  
NING'S Restaurant, 5-7 TOTTENHAM STREET, London W1T 2AG - *continued:*  
Reference: APP\PREMISES-NEW\119796

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- (6). External "Private" Forecourt Area:  
There shall be no consumption of food and alcoholic drinks; and no tables and chairs on the external "private" forecourt area.  
If this forecourt area is used, then the terminal hour for the use of Chairs and Tables on the forecourt by customers shall be 9.00pm Monday to Sunday.
- (7). Customers who are waiting to collect take-away meals are to wait inside the premises, and not outside, in order to prevent noise and disturbance to nearby residents.
- (8). Courier collections will only take place during the opening hours of the restaurant.  
Courier collections from the premises for take away meal deliveries to customers:  
To avoid noise and disruption to residents, and congestion in the street, for take away food orders that are being collected by delivery companies using couriers, there shall be the following arrangements:
- to encourage the use of cycle couriers (instead of scooters) in order to cut down on noise disturbance
  - If scooter courier, the delivery/collection company will only be called when the order has been prepared and is ready for collection;
  - Generally, one collection at a time whenever possible;
  - Scooter couriers to turn off their engines, and no prolonged hanging around/waiting.
- (9). (a). The collection of rubbish outside the premises shall not take place between 9.00pm and 8.00am [21:00 and 08:00] Monday to Sunday.  
(b). Bottling out/ the disposal of bottles outside the premises shall not take place between 9.00pm and 8.00am [21:00 and 08:00] Monday to Sunday.
- (10). Deliveries of goods for the restaurant:  
Deliveries shall not take place between 8.00pm and 8.00am [20:00 and 08:00] Monday to Saturday; and not before midday [12:00] on Sundays and Bank/Public Holidays.
- (11). In response to Camden's expectation that licensed premises commit to Camden's Women's Safety principles, the restaurant management will sign up to Welfare and Vulnerability Engagement (WAVE) Training for all the staff.

## **2. AMENDED HOURS:**

In our letter of representations to Camden, we recognised that the proposed Hours for the licensable activities are within Camden's Framework Hours.

But, with regard to the proposed Supply of Alcohol, we pointed out that, for each day, the application shows the proposed **terminal hour for the Supply of Alcohol** is the same as the **Closing Time** of the premises.

Continued ..... 4.

Re: Licensing Act 2003: Application for a New Premises Licence:  
NING'S Restaurant, 5-7 TOTTENHAM STREET, London W1T 2AG - *continued:*  

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Reference: APP\PREMISES-NEW\119796

**2. AMENDED HOURS - *continued:***

Camden expects the terminal hour for the Supply of Alcohol to be half-an-hour before the Closing Time, to allow for drinking-up time.

Thus, we asked that the Terminal Hour for the Supply of Alcohol is:

9.30pm for Monday to Sunday, so that the Closing Time is still 10.00pm.

Customers will still be able to continue to drink up to the Closing Time (10.00pm), because the actual drinking of alcohol is not a licensable activity.

Thus it is agreed that the **AMENDED HOURS** are to be:

**For Monday to Sunday:**

**Supply of Alcohol (ON the Premises): 11.00am to 9.30pm [11:00 and 21:30]**

**and Open To The Public: 11.00am to 10.00pm [11:00 and 22:00]**

**3. WITHDRAWAL OF OUR OBJECTIONS:**

We are happy to confirm to the Camden Licensing Authority the withdrawal of the Charlotte Street Association's objections **on the basis of:**

- 1. the above Proposed Conditions, nos. (1) to (11);** and
- 2. the above Amended Hours.**

We also confirm that a Licensing Hearing (scheduled for 23<sup>rd</sup> May 2024) is thus not now necessary.

We will email a copy of this letter to Camden.

Yours sincerely,

Clive Henderson,  
**On behalf of Charlotte Street Association**

Copy: Linus Rees/CSA Secretary; and CSA Committee.