

Crown copyright and database rights 2023 OS 100019726

I want to apply for a Premises licence

Are you an agent? No - I'm applying for myself

Does the premises have a name? Yes

What is the name of the premises? Platform

What is the address or location? 106 New Oxford Street
WC1A 1HB
London

What is the type of premises? Competitive socialising venue

Describe the area it is situated in Commercial and shopping area

Describe the layout of the premises Main entrance on New Oxford street Small outside area on street pavement 538sqft reception area 5274sdft Basement trading floor

Copy of the premises plans

- PlatformNOSlayout10052023.pdf

Tell us about the premises business hours

Day	Start time	End time
Monday	11:00	00:00
Tuesday	11:00	00:00
Wednesday	11:00	00:00
Thursday	11:00	00:00
Friday	11:00	00:30
Saturday	11:00	00:30
Sunday	11:00	00:00

Are there any seasonal variations for the premises opening times?	No
Is the premises open to the public at times other than those listed?	No
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?	126000
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?	No
How are you applying for a premises licence?	As a limited company

Business details

What is the company registration number	14527468
Name of business	Platform Soho ltd
Name and address	OLYMPUS HOUSE OLYMPUS PARK GL2 4NF GLOUCESTER
Email address	██
Telephone number	████████████████
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

f. Recorded music

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

Recorded Music

Day	Start time	End time
Monday	11:00	23:30
Tuesday	11:00	23:30
Wednesday	11:00	23:30
Thursday	11:00	23:30
Friday	11:00	00:00
Saturday	11:00	00:00
Sunday	11:00	22:30

Where will performances take place?

Indoors

Tell us about the specifics of the activity

Customer entertainment by way of music through speakers

Are there any seasonal variations for the activity?

No

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

No

Late refreshments

Day	Start time	End time
Monday	11:00	23:30
Tuesday	11:00	23:30
Wednesday	11:00	23:30
Thursday	11:00	23:30
Friday	11:00	00:00
Saturday	11:00	00:00
Sunday	11:00	22:30

Where will refreshments be provided?

Indoors

Tell us about the specifics of the activity

Sale of alcohol within the premises

Are there any seasonal variations for the activity?

No

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

No

Alcohol supply

Day	Start time	End time
Monday	11:00	23:30
Tuesday	11:00	23:30
Wednesday	11:00	23:30
Thursday	11:00	23:30
Friday	11:00	00:00
Saturday	11:00	00:00
Sunday	11:00	22:30

Where will the supplied alcohol be consumed? On the premises

Are there any seasonal variations for the activity? No

Will the activity take place at times other than those listed? No

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 Nicolo

Last name Portunato

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

Signed Copy of the Designated Premises Supervisor (DPS) consent form

- Schedule_15_-_6_3_17_Consent_of_individual_to_being_spe(1).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

An incident log shall be kept at the premises, and be available on request to the Police or an authorised officer. It must be completed within 24 hours of any incident and will record the following: a) All crimes reported to the venue; b) All ejections of patrons; c) Any complaints received concerning crime and disorder d) Any incidents of disorder; e) All seizures of drugs or offensive weapons; f) Any faults in the CCTV system, g) Any refusal of the sale of alcohol; h) Any visit by a relevant authority or emergency service. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Camden Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises (or immediately contactable) at all times when the premises are open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested. In the

event that a serious assault is committed on the premises (or appears to have been committed) the management will immediately ensure that: a) Call the police (and, where appropriate, the London Ambulance Service) are called without delay; b) The crime scene is preserved (where possible) so as to enable a full forensic investigation to be carried out by the police; and d) Such other measures are taken (as appropriate) to fully protect the safety of all persons present on the premises. The premises must have a detailed documented security plan that must include an ejections policy, search policy, anti-theft policy which must be made available to police upon request.

Public safety

Licensable activities to be ancillary to the main use of the premises as an immersive game or competitive socialising experience. Food and suitable beverages other than alcohol, including drinking water, shall be available during the whole of the permitted hours in all parts of the premises where alcohol is sold or supplied No open containers of alcohol to be taken outside the external seating area.

The prevention of public nuisance

Notices shall be prominently displayed at all exists requesting patrons to respect the needs of local residents and businesses and leave the area quietly. Loudspeakers shall not be located in the entrance lobby or outside the premises building. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance No music or amplified Sound shall be generated on the premises to give rise to a public nuisance to neighboring

residents. Loudspeakers shall not be located in the entrance lobby or outside the premises. All windows and external doors shall be kept closed after 22:00 hours, or at any time when regulated entertainment takes place, except for the immediate access & egress of persons. A written egress policy shall be in place and implemented at the premises to move customers into the premises in such a way as to cause minimum disturbance or nuisance to neighbors. The policy shall include details on queue management to ensure any queue to enter the premises is managed effectively and supervised to ensure that there is no public nuisance or obstruction to the public highway. The external seating area shall not be used by patrons after 22:30 hours except for patrons permitted to temporarily leave and then re-enter the premises e.g. to smoke, and limited to 15 persons at any one time. No collections of waste or recycling materials (including bottles) from the premises shall take place between 22:00 hours and 08:00 hours on the following day. No deliveries to the premises shall take place between 22:00 hours and 08:00 hours the following day. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.

The prevention of children from harm

About this form

Issued by	Camden Town Hall Judd Street London WC1H 9JE
Contact phone	020 7974 4444
Form reference	Ref. no. 116327

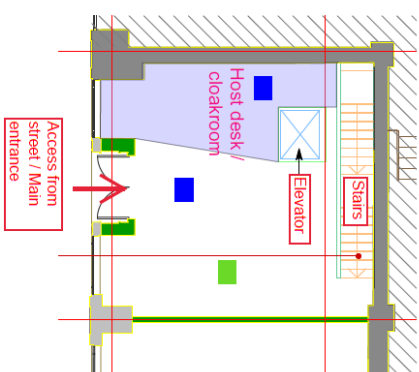
Data protection

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.

BLOCK LAYOUT
0-A-1A: Original orientation
 (Rev. 07/12/22)

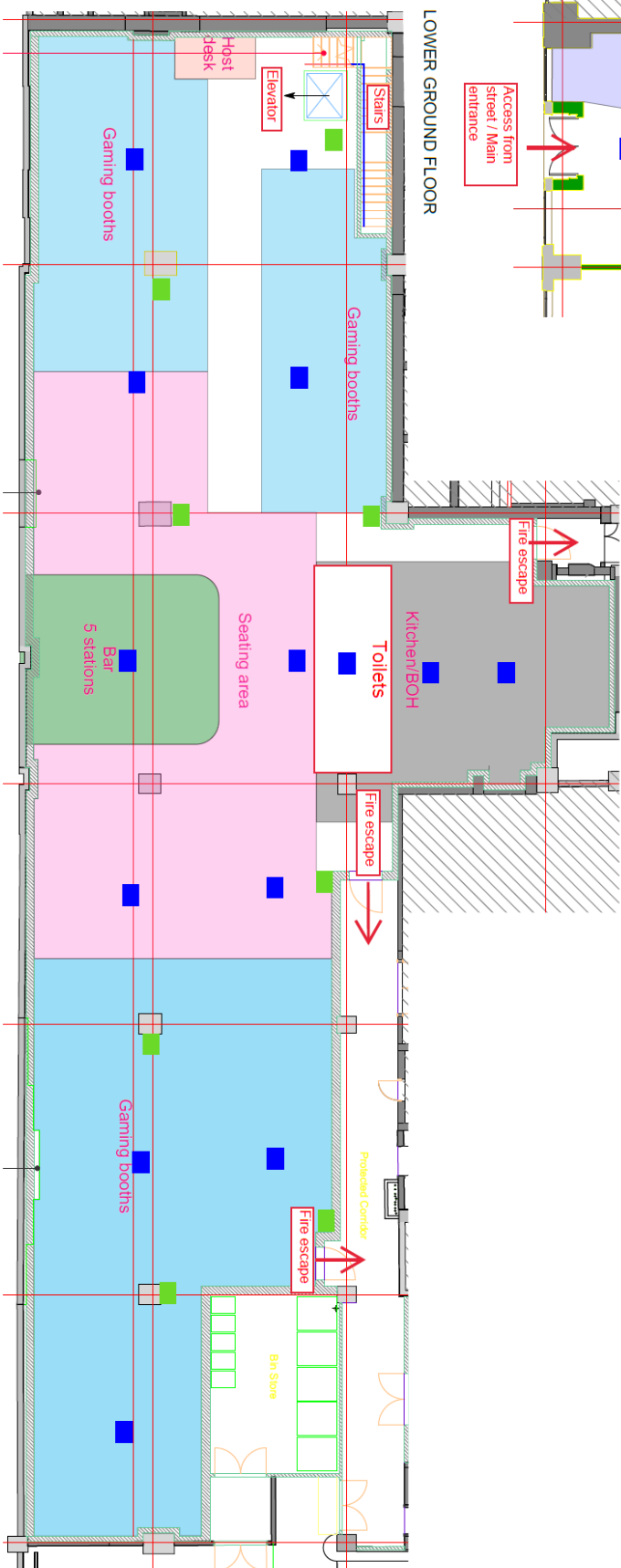
Revision notes:

GROUND FLOOR



- Smoke detector
- Fire extinguisher

LOWER GROUND FLOOR



ZP
 Zachary Pulman Design Consultants
 Unit 4 - 7 Werlock Road, London N1 7SL
 www.zacharypulman.com
 info@zacharypulman.com

Project : Platform NOS
 Drawing : Draft layout

Scale : 1:25 @ A3
 Units : mm

Dwg no : 0A-1A
 Status : Block layout

VECTORWORKS EDUCATIONAL VERSION

Revision :
 A 28/05/22
 B
 C
 D
 E

G
 H
 I
 J
 K

- * Do not scale from drawings
- * All dimensions are for info only by contractor.
- * All activity to be covered by CDM regs
- * All dimensions remain the responsibility of the contractor.
- * All designs are the property of Zachary Pulman 2022.

RE: Application\NEW\116327, Platform, 106 New Oxford Street, WC1A 1HB

Dear Camden Council,

Police and the Applicant for Platform have come to an agreement with the below conditions and times. Please can the below times / conditions be added to any new licence granted.

Opening hours:

Sunday – Thursday: 11:00 – 00:00

Friday – Saturday: 11:00 - 0030

Sale of alcohol:

Monday – Thursday: 11.00 – 23:30

Friday – Saturday: 11:00 – 00:00

Sunday: 11:00 – 22:30

Late Night Refreshments:

Monday – Thursday: 23.00 – 23:30

Friday – Saturday: 23:00 – 00:00

Conditions:

1. A maximum of 15 people to be vertical drinking within the entire premises. Customers that are vertical drinking must do this within the seated bar area which is demonstrated on the plans.
2. The sale of alcohol shall only be legitimate whilst the permitted use of the premises remains that of an immersive theatre.
3. An incident log shall be kept at the premises, and be available on request to the Police or an authorised officer. It must be completed within 24 hours of any incident and will record the following: a) All crimes reported to the venue; b) All ejections of patrons; c) Any complaints received concerning crime and disorder d) Any incidents of disorder; e) All seizures of drugs or offensive weapons; f) Any faults in the CCTV system, g) Any refusal of the sale of alcohol; h) Any visit by a relevant authority or emergency service.
4. The premises shall install and maintain a comprehensive CCTV system as per the requirements of the Camden Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition.
5. CCTV must cover all areas where the public have access to and the CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping.

6. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open.
7. CCTV must be made available to a Police Officer or authorised council officer within 48 hours of the request.
8. Police to be called to all crime and disorder.
9. The premises must have a detailed documented security plan that must include an ejections policy, search policy, anti-theft policy which must be made available to police upon request.
10. Licensable activities to be ancillary to the main use of the premises as an immersive game or competitive socialising experience.
11. Food and suitable beverages other than alcohol, including drinking water, shall be available during the whole of the permitted hours in all parts of the premises where alcohol is sold or supplied.
12. There will be no new admittance inside the venue 1 hour before the end of licensable activities.
13. No drinks to be taken outside into the external seating area or smoking area.
14. Notices shall be prominently displayed at all exists requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
15. No music or amplified Sound shall be generated on the premises to give rise to a public nuisance to neighbouring residents.

16. All windows and external doors shall be kept closed after 22:00 hours, or at any time when regulated entertainment takes place, except for the immediate access & egress of persons.
17. A written egress policy shall be in place and implemented at the premises to move customers into the premises in such a way as to cause minimum disturbance or nuisance to neighbours. The policy shall include details on queue management to ensure any queue to enter the premises managed effectively and supervised to ensure that there is no public nuisance or obstruction to the public highway.
18. The external seating area shall not be used by patrons after 22:30 hours except for patrons permitted to temporarily leave and then re-enter the premises e.g. to smoke, and limited to 15 persons at any one time.
19. No collections of waste or recycling materials (including bottles) from the premises shall take place between 22:00 hours and 08:00 hours on the following day.
20. No deliveries to the premises shall take place between 22:00 hours and 08:00 hours the following day.
21. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
22. All permanent staff working at the events and security staff to undertake welfare of and vulnerability engagement (WAVE) training and a record to be kept of this.

Many thanks,

PC Rachel Aldis 2184 CN – Camden Licensing Team

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



Representation	
Premises name	Platform
Application reference number	APP\PREMISES-NEW\116327
Last date for representation	11/09/2023

Making a representation as

As an organisation

Your details**Organisation name**

Covent Garden Community Association

First name

David

Last name

Kaner

Telephone number (optional)

[REDACTED]

Email address

[REDACTED]

AddressOffices 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 attached Rep

Supporting documents (optional)

- CGCARep-Platform.pdf

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

London
WC1H 9JE

Contact phone 020 7974 4444

Data protection

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Licensing Representation from the Covent Garden Community Association**Application No.:** APP\PREMISES-NEW\116327**Premises:** Platform**Address:** 106 New Oxford Street, London WC1A 1HB

This Representation is made on behalf of the CGCA. The application is for a competitive gaming venue on New Oxford Street, operating within Framework Hours. The site is opposite a new residential building and has other residential property within the vicinity.

The application includes the sale of alcohol and there is no condition requiring it to be ancillary to food. The licensable activities are “ancillary to the use of the premises as a competitive socialising venue” but this is difficult to define – how many of the customers who are drinking would need to be doing so without playing for the licensee to be in breach of the condition.

The CGCA is therefore concerned that it could operate as a bar operation, adding to Cumulative Impact in the area which is within the SPA and failing to support the Public Nuisance Licensing Objective.

As the intention is that premises will be used for gaming and competitive socialising we assume that there will be a limit on the number of customers which will be rather lower than the fire capacity of the premises. We would like this limit to be on the face of the licence as this will reduce the risk that the premises operates as a bar style operation with vertical drinking. The plan provided is not sufficiently detailed to allow us to estimate what would be appropriate but we invite the applicant to propose a realistic figure, which is also in line with the toilet capacity provided as defined by BS 6465:2006.

There is an external seating area mentioned in the premises description and in the conditions but it is not shown in the plan. Our view is that given the location of the premises with a number of bus stops outside it is not possible to have an external seating area, any tables and chairs would anyway need to be applied for separately.

There is a condition proposed regarding egress as follows:

A written egress policy shall be in place and implemented at the premises to move customers into the premises in such a way as to cause minimum disturbance or nuisance to neighbours. The policy shall include details on queue management to ensure any queue to enter the premises is managed effectively and supervised to ensure that there is no public nuisance or obstruction to the public highway.

Egress normally means exit (or dispersal) and yet the policy seems only to apply to entry to the premises. We would ask that a dispersal condition is added as follows:

The premises will have a dispersal policy to ensure that no public nuisance arises. This policy will be made available to the Responsible Authorities on request. It will be reviewed annually and whenever the Licensee becomes aware of problems associated with dispersal.

If a suitable capacity is proposed and an appropriate dispersal condition added then the CGCA would be content that, combined with the ancillary condition already included, then, in this specific location, the premises can operate without harm to the Public Nuisance Licensing Objective.

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

Yours faithfully,

David Kaner
CGCA Licensing Sub-Committee

[REDACTED]

[REDACTED]

The CGCA is recognised by both Camden and Westminster as the Amenity Society for the Covent Garden area (defined as the area bounded by High Holborn, New Oxford Street, Charing Cross Road, St. Martin's Place, Northumberland Avenue, Victoria Embankment, Lancaster Place, Aldwych and Kingsway) and so represents the interests of those who live and work in this area. The CGCA's Licensing Subcommittee is authorised by the Association to make Representations on any Licensing Applications which the Subcommittee believes may have an effect on local residents or other members of the community through likely impact on one or more of the Licensing Objectives. This authorisation was last renewed at a meeting of the Executive Committee of the CGCA on 5th December 2017.

Thomas & Thomas
Partners LLP

38a Monmouth Street
London WC2H 9EP

te : [REDACTED]
fax: [REDACTED]

Your ref:
Our ref: AT/HM/MIS.4.5

Licensing Team
Camden Council
5 Pancras Square
c/o Town Hall
Judd Street
London WC1H 9JE

By email & online form: licensing@camden.gov.uk

11 September 2023

Dear Sirs

**Representation in support of New Premises Licence Application:
Platform Soho Ltd, 106 New Oxford Street
Application reference APP\PREMISES-NEW\116327**

We are instructed by 100 Nox S.à.r.l. (“our client”) and would be grateful if the Licensing Authority would please consider this representation in support of the above premises licence application.

Our client owns the freehold of the premise; the applicant company is the new leaseholder.

The Premises

The premises is located on New Oxford Street. The neighbourhood is diverse with a large number of established retailers, restaurants and licensed premises; there is a strong footfall both in the daytime and at night. In close proximity to Tottenham Court Road tube station, the premises is ideally located for the quick dispersal of customers away from the area.

The Applicant

The Applicant was vetted by our client to ensure both suitability for location and concept type alongside existing residents and neighbouring business alike.

The premises are primary located at lower ground level. Our client assessed and approved the application and Operating Schedule prior to submission and support the Framework Hours for licensable activities applied for, which must remain ancillary to the main use of the premises as an immersive game/competitive socialising experience. Our client considers the application to be entirely

appropriate for the premises and location and does not have concerns of any adverse impact on the licensing objectives, in particular crime and disorder and public nuisance.

Our client is equally confident that the premises will have a positive impact on the area by reactivating a currently empty unit. The premises licence will bring a new layer of control and safeguards to ensure the premises is operated professionally and responsibly. These benefits will naturally extend to the area as a whole.

Our client therefore supports the application and hopes that it is granted accordingly.

Thank you for considering our client's views.

Yours faithfully

Thomas and Thomas

Thomas & Thomas Partners LLP

Conditions consistent with the operating schedule

Applicants Proposed Conditions -

1. An incident log shall be kept at the premises, and be available on request to the Police or an authorised officer. It must be completed within 24 hours of any incident and will record the following:
 - a) All crimes reported to the venue;
 - b) All ejections of patrons;
 - c) Any complaints received concerning crime and disorder
 - d) Any incidents of disorder;
 - e) All seizures of drugs or offensive weapons;
 - f) Any faults in the CCTV system,
 - g) Any refusal of the sale of alcohol;
 - h) Any visit by a relevant authority or emergency service.
2. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Camden Police Licensing Team.
3. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition.
4. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises.
5. All recordings shall be stored for a minimum period of 31 days with date and time stamping.
6. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.
7. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises (or immediately contactable) at all times when the premises are open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
8. In the event that a serious assault is committed on the premises (or appears to have been
9. committed) the management will immediately ensure that:
 - a) Call the police (and, where appropriate, the London Ambulance Service) are called without delay;
 - b) The crime scene is preserved (where possible) so as to enable a full forensic investigation to be carried out by the police; and
 - c) Such other measures are taken (as appropriate) to fully protect the safety of all persons present on the premises.
10. The premises must have a detailed documented security plan that must include an ejections policy, search policy, anti-theft policy which must be made available to police upon request.
11. Licensable activities to be ancillary to the main use of the premises as an immersive game or competitive socialising experience.

12. Food and suitable beverages other than alcohol, including drinking water, shall be available during the whole of the permitted hours in all parts of the premises where alcohol is sold or supplied
13. No open containers of alcohol to be taken outside the external seating area.
14. Notices shall be prominently displayed at all exists requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
15. Loudspeakers shall not be located in the entrance lobby or outside the premises building.
16. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance
17. No music or amplified Sound shall be generated on the premises to give rise to a public nuisance to neighbouring residents.
18. All windows and external doors shall be kept closed after 22:00 hours, or at any time when regulated entertainment takes place, except for the immediate access & egress of persons.
19. A written egress policy shall be in place and implemented at the premises to move customers into the premises in such a way as to cause minimum disturbance or nuisance to neighbours.
20. The policy shall include details on queue management to ensure any queue to enter the premises is managed effectively and supervised to ensure that there is no public nuisance or obstruction to the public highway.
21. The external seating area shall not be used by patrons after 22:30 hours except for patrons permitted to temporarily leave and then re-enter the premises e.g. to smoke, and limited to 15 persons at any one time.
22. No collections of waste or recycling materials (including bottles) from the premises shall take place between 22:00 hours and 08:00 hours on the following day.
23. No deliveries to the premises shall take place between 22: 00 hours and 08:00 hours the following day.
24. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.

Agreed Police Conditions:

25. A maximum of 15 people to be vertical drinking within the entire premises. Customers that are vertical drinking must do this within the seated bar area which is demonstrated on the plans.
26. The sale of alcohol shall only be legitimate whilst the permitted use of the premises remains that of an immersive theatre.

27. There will be no new admittance inside the venue 1 hour before the end of licensable activities.
28. No drinks to be taken outside into the external seating area or smoking area.
29. All permanent staff working at the events and security staff to undertake welfare of and vulnerability engagement (WAVE) training and a record to be kept of this.

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.