

**PLATFORM SOHO LTD
106 NEW OXFORD STREET
LONDON WC1A 1HB**

**REPRESENTATION IN SUPPORT:
SUMMARY OF POSITION**

**THOMAS & THOMAS PARTNERS LLP
38A MONMOUTH STREET
LONDON
WC2H 9EP**

**Ref: AT/HM/MIS.4.5
Solicitors for Landlord**

Introduction

1. 100 Nox S.à.r.l. is the Landlord of the premises and has made a representation in support of the applicant.
2. As a prospective tenant, the applicant was vetted to ensure both suitability for location and concept type alongside existing residents and neighbouring business alike.

Location

3. 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.
4. The premises are primarily located at lower ground level. The application and Operating Schedule was assessed and approved by the Landlord 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.
5. The Landlord 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.

Representations

6. We understand that there are no Responsible Authority representations to the application, with the applicant having agreed additional conditions with the Police in the following terms:

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.	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.
3.	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.
4.	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.

5.	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.
6.	CCTV must be made available to a Police Officer or authorised council officer within 48 hours of the request.
7.	Police to be called to all crime and disorder.
8.	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.
9.	Licensable activities to be ancillary to the main use of the premises as an immersive game or competitive socialising experience.
10.	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.
11.	There will be no new admittance inside the venue 1 hour before the end of licensable activities.
12.	No drinks to be taken outside into the external seating area or smoking area.
13.	Notices shall be prominently displayed at all exists requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
14.	No music or amplified Sound shall be generated on the premises to give rise to a public nuisance to neighbouring residents.
15.	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.
16.	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.
17.	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.
18.	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.
19.	No deliveries to the premises shall take place between 22:00 hours and 08:00 hours the following day.
20.	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.
21.	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.

7. The sole representation in objection to the application is by the Covent Garden Community Association (“CGCA”). The CGCA have commented in the representation made: *“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.**”* (Emphasis added).
8. Subject to a capacity condition being placed on the licence and agreed wording re a dispersal policy, it would seem that the CGCA’s concerns will be addressed in full.

Policy Considerations

9. The premises are located on the edge of the Seven Dials Cumulative Impact area. Policy paragraph 6.2 confirms *“A cumulative impact policy creates a **rebuttable presumption** that we will normally refuse an application for a new premises licence or a variation of an existing premises licence, which is likely to add to the existing cumulative impact.”* (Emphasis added).
10. The applicant has addressed these concerns by proposing, from the outset, a condition that requires licensable activities to be **ancillary** to the main use of the premises as an immersive games or competitive socialising experience. Furthermore, this ancillary requirement places the application squarely into one of the stated policy exceptions set out at Policy paragraph 6.29 which includes *“premises which are not alcohol led and operate only within framework hours.”*
11. Licensable activity hours are in line with Framework Hours (and in fact start an hour later than Framework hours Monday to Saturday):
Monday to Thursday: 11:00 am until 11:30 pm
Friday and Saturday : 11:00 am until midnight
Sunday: 11:00 am until 10:30 pm
12. Furthermore, we understand the applicant has agreed with the Police a further condition which prevents new admittance to the premises one hour before the end of licensable activities.

Conclusion

13. No representation from any individual resident has been made to the application.
14. The CGCA’s concerns can be addressed by way of appropriate conditions for capacity and dispersal.
15. No representation any Responsible Authority has been made to the application. Appropriate weight should be given to the absence of representation from Police, Environmental Health in particular as the Licensing Authority’s experts in crime and disorder and public nuisance respectively. Licensable activities are limited to Framework Hours, with no new admittance an hour prior to that.
16. Additional conditions have agreed with the Police and provide a robust operating schedule in line with which the premises must operate. The hours sought for licensable activities and the requirement for licensable activities to be ancillary to the use of the premises as an immersive gaming immersive game or competitive socialising experience places the application within the stated exceptions to the cumulative impact policy and the application is therefore suitable for grant.