

Crown copyright and database rights 2024 OS AC0000849991



BOYS! BOYS! BOYS! Gallery Cafe, 30 Warren Street, London, W1T 5NF

Scale = 1:721.980
11-September-2024

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?	BOYS! BOYS! BOYS! Gallery Cafe
What is the address or location?	30 Warren Street W1T 5NF London
What is the type of premises?	Gallery Cafe
Describe the area it is situated in	Warren Street has a combination of residential, offices, shops, restaurants, cafes and coffee shops
Describe the layout of the premises	The Gallery Cafe will be on the ground floor only. The primary use will be as a gallery & retail space but there with a small bar area at the back to serve coffee and our own produced wine. We will not be selling any other alcohol - only our own produced wine. There will be two tables & eight chairs. The basement will be used as an office space only. There is no outside area.
Copy of the premises plans	<ul style="list-style-type: none">• 30CWarrenStreetW1T5NF-ProposedLayouts.pdf

Tell us about the premises business hours

Day	Start time	End time
Monday	11:00	21:00
Tuesday	11:00	21:00
Wednesday	11:00	21:00
Thursday	11:00	21:00
Friday	11:00	21:00
Saturday	11:00	21:00
Sunday	14:00	19:00

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?

17250

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 partnership

Business details**Name of business**

The Little Black Gallery

Name and address[REDACTED]
[REDACTED]
[REDACTED]**Email address**

[REDACTED]

Telephone number

[REDACTED]

How long do you want your premises licence for?

Permanently

When do you want your licence to start?

As soon as possible

Activity you wish to licence

j. Supply of alcohol

Alcohol supply

Day	Start time	End time
Monday	12:00	20:30
Tuesday	12:00	20:30
Wednesday	12:00	20:30
Thursday	12:00	20:30
Friday	12:00	20:30
Saturday	12:00	20:30
Sunday	12:00	17:30

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? No

First name Charlotte

Last name Chappell

Address
[Redacted]
[Redacted]
[Redacted]

Email address [Redacted]

Telephone number [Redacted]

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

- DPSCCharlotteChappell.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 Nothing beyond existing health and safety /fire safety etc requirements

Public safety Nothing beyond existing health and safety

The prevention of public nuisance	/fire safety etc requirements Nothing beyond existing health and safety
The prevention of children from harm	/fire safety etc requirements Nothing beyond existing health and safety /fire safety etc requirements

About this form

Issued by	Camden Town Hall Judd Street London WC1H 9JE
Contact phone	020 7974 4444
Form reference	Ref. no. 122541

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.

From: Kevin Nicholls
Sent: Wednesday, August 7, 2024 4:53 PM
To: licensing inbox
**Subject: Police Representations WITHDRAWN BOYS! BOYS! BOYS! Gallery Cafe
NEW/122541**

Good afternoon all.

**Re Application Police Representations BOYS! BOYS! BOYS! Gallery Cafe 30 Warren Street
London W1T 5NF NEW/122541**

**As the applicant has accepted the conditions proposed by Police on the below email.
– Please can these conditions please be added to the licence.**

No reps submitted – agreed on the below email.

Thank you and kind regards

Kevin

From: Ghislain Pascal
Sent: 07 August 2024 16:50
To: Nicholls Kevin -
Subject: Re: Application for Premises licence - Ref no. 122541

Hi Kevin,

Many thanks for your email.

Yes of course we are happy to accept the conditions.

Ghislain

GHISLAIN PASCAL
Co-Founder & Director
THE LITTLE BLACK GALLERY

On 7 Aug 2024, at 17:36, < wrote:

Hi Ghislain

As per our telephone call. Can you please confirm by email that you are happy to accept all the police conditions stated in this email.

Thank you and Kind regards

<image001.png> | Police Constable Nicholls 3327CN
| Camden Licensing Unit

From: Ghislain Pascal <
Sent: 07 August 2024 16:07
To: Nicholls Kevin - CN-
Subject: Re: Application for Premises licence - Ref no. 122541

Hi Kevin,

I am waiting for your call.

The best number is [REDACTED]

Thanks,

Ghislain

GHISLAIN PASCAL
Co-Founder & Director
THE LITTLE BLACK GALLERY

On 6 Aug 2024, at 11:42, wrote:

Hi Ghislain

Thanks for the email. Tomorrow at 4p would probably be the best time for us to chat? Does that suit? Or any tie today if you are free?

Kind regards Kevin

From: Ghislain Pascal
Sent: 05 August 2024 06:41
To: Nicholls Kevin - CN-
Subject: Re: Application for Premises licence - Ref no. 122541

Hi Kevin,

I hope you are well & had a great holiday?

I've decided to stay on holiday but of course am happy to arrange a call today or this week.

The best time would be:

- Monday 5pm
- Tuesday 9am
- Wednesday 9am or 4pm
- Thursday 9am

Let me know if this works for you

Now that we have taken possession of the property we have also discovered an old CCTV system on the premises.

It is currently not live or attached to an app.

But there are two cameras on the shopfront plus two inside.

So we will reviewing who can come and update this system.

Many thanks,

Ghislain

GHISLAIN PASCAL
Co-Founder & Director
THE LITTLE BLACK GALLERY

On 27 Jul 2024, at 12:02, Ghislain Pascal > wrote:

Thanks Kevin,

Let's talk on 5 August either first thing or last thing - let me know what time is best for you so I can book it in my diary.

Ghislain

GHISLAIN PASCAL
Co-Founder & Director
THE LITTLE BLACK GALLERY

On 26 Jul 2024, at 12:54, wrote:

Hi Ghislain – Hope you are having a good holiday.

I'm afraid I am not at work for a week as of Monday. Maybe we could talk on the 5th August.

Alternatively I have a list of proposed conditions for your application that I would like you to cast your eye over to avoid the MPS from putting in a formal Representations.

Please see the below conditions, and If you agree to them I will ask the council to add them to your licence.

CCTV shall be installed, operated, and maintained, to function all times that the premises is open for licensable activities. Said CCTV will comply with the following criteria:

- (a) The licensee will ensure that the system is checked every two weeks to ensure that the system is working properly and that the date and time are correct;
- (b) A record of these checks, showing the date and name of the person checking, will be kept and made available to the police or other authorised officer on request;
- (c) The Police will be informed if the system will not be operating for longer than one day of business for any reason;
- (d) The system will record in real time and recordings will be date and time stamped;
- (e) Recordings will be kept for a minimum of 31 days and downloaded footage will be provided free of charge to the police or other authorised officers on request (subject to the Data Protection Act requirements) within 24 hours of any request.
- (f) CCTV to cover all entry and exit points of the building and also the area the delivery drivers park their vehicles.
- (g) CCTV will be of good quality, a standard approved by the police/council licensing officers.

For any event involving a promoter, their associates, DJ or artist (e), or one where the venue has been booked by an outside agent with a view to selling tickets to the public for profit; the licensee shall complete a full risk assessment via open source material, reference checks from previous venues performed and if there are concerns following all these checks, to inform www.safersounds.org.uk and Camden Police Licensing team at least 14 days before the event occurs. The venue shall not engage the services of street promoters to encourage clientele to attend the venue.

No persons carrying visibly open or sealed alcohol vessels, shall not be admitted to the premises at any time that the premises are open for any licensable activity.

No patron shall be permitted to leave the premises whilst in the possession of any drinking vessel or open glass bottle whether empty or containing any beverage. This includes patrons using the smoking area(s)

A Challenge 25 policy will be enforced, where any person reasonably looking under the age of 25 shall be asked to prove their age when attempting to purchase alcohol and signs to this effect will be displayed at the premises. The only acceptable forms of identity will be those with photographic identification documents recognised in the Home Office

guidance; including passports, photo-card driving licence or proof of age card bearing the PASS hologram.

A sign shall be displayed at the point of sale stating No Proof of Age – No Sale.

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

There shall be no vertical drinking in the Premises

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:

- (a) all crimes reported to the venue
- (b) all ejections of patrons
- (c) any complaints received
- (d) any incidents of disorder and violence
- (e) all seizures of drugs or offensive weapons
- (f) any faults in the CCTV system or searching equipment or scanning equipment
- (g) any refusal of the sale of alcohol to include date, time, and staff member
- (h) any visit by a relevant authority or emergency service.
- (i) CAD reference numbers where Police are called.

The sale of alcohol shall only be legitimate whilst the permitted use of the premises for planning purposes remains that of a Gallery

The licensee /DPS will ensure that all staff that are customer facing/engaging at the venue are trained, as appropriate, in respect of Welfare and Vulnerability Engagement (through safer sounds.org.uk) and that all new staff sit through this presentation. Refresher training to be conducted every six months. A record will be kept of when the training took place and will be made available for inspection by Police or other responsible authority, upon request.

Thank you and Kind Regards

<image001.png> | Police Constable Nicholls 3327CN
| Camden Licensing Unit

From: Ghislain Pascal
Sent: 26 July 2024 05:28
To: Nicholls Kevin - CN
Subject: Re: Application for Premises licence - Ref no. 122541

Bonjour Kevin,

Many thanks for your message.

I am currently on holiday - can we speak on Monday?

My number is [REDACTED]

Many thanks,

Ghislain

GHISLAIN PASCAL
Co-Founder & Director
THE LITTLE BLACK GALLERY

On 25 Jul 2024, at 11:23, > wrote:

To who it may concern

Can you please provide a telephone number to call you on today please in relation to your licence application.

Thank you and Kind regards

<image001.png> | Police Constable Nicholls 3327CN

Charlotte Street Association

Licensing Authority,
London Borough of Camden,
5 Pancras Square,
London N1G 4AG.

19th August 2024

By email to:

Samina Khan, Licensing Officer

Dear Sir/Madam,

**Re: Licensing Act 2003: Application for a New Premises Licence:
Boys! Boys! Boys! Gallery Café, 30 WARREN STREET, London W1T 5NF**

Reference: APP\PREMISES-NEW\122541

I am writing on behalf of the Charlotte Street Association.

The Charlotte Street Association was formed in 1970. Its area of interest is bounded by the Euston Road on the North, Gower Street on the East; Oxford Street on the South, and Wells Street/Cleveland Street on the West.

Warren Street comes within the Association's area of interest.

Among the objectives of the Association are to represent the interests of the residents of the area, with particular regard to its essential character, and scale; and to initiate and publicise positive proposals for the improvement and extension of the area's environment and amenity.

The Association is consulted by both Camden Borough Council and Westminster City Council on planning applications and other matters affecting the area, including licensing matters. It gives evidence in support of its objectives at planning and other inquiries. It took part in the consultation on, and commented upon, the original proposed Statements of Licensing Policy for both Camden and Westminster; and in later years commented on the subsequent Reviews of Camden's Statement of Licensing Policy.

The Association was also actively involved in the preparation of the Area Action Plan for Camden's part of Fitzrovia, and participated in the public consultation & Public Examination in 2013. The Fitzrovia Area Action Plan was adopted by Camden Council in March 2014.

The Association wishes to object to certain aspects of the proposals for a New Premises Licence for these premises, on the grounds of Public Nuisance, due to the detrimental affect they may on the residential amenity of those living above and nearby, for the reasons given below; but we wish to propose certain Conditions to protect the residential amenity.

Continued 2.

Re: Licensing Act 2003: Application for a New Premises Licence:
Boys! Boys! Boys! Gallery Café, 30 WARREN STREET, W1T 5NF - *continued*:
Reference: APP\PREMISES-NEW\122541

PROPOSED NEW PREMISES LICENCE:

The proposal is for a New Premises Licence, for ON-Premises only, for this new gallery café use at these premises, as follows:

For Monday to Saturday:

**(a). Supply of Alcohol (ON the Premises only): 12.00 midday to 8.30pm
and Open To The Public: 11.00am to 9.00pm**

For Sunday:

**(a). Supply of Alcohol (ON the Premises only): 12.00 midday to 5.30pm
and Open To The Public: 2.00pm to 7.00pm**

THE MAIN ISSUES:

1. Gallery Café:

The application describes the premises as a Gallery Café with its primary use as a gallery and retail space on the Ground Floor; and office use only in the Basement. From its website, we understand that the gallery will be a new cultural hub to promote queer and gay fine art photography.

Until very recently, the premises were occupied by the long-established local opticians, Zak's Eye Clinic; Zaks have recently moved to other premises nearby.

2. Application for alcohol licence:

The applicant says that there will be a small bar area at the back of the Ground Floor to serve coffee and their own produced wine; and will not be selling any other wine.

As a Gallery, we assume that there might also be opening and/or launch events related to photographic/art shows. Thus, there could presumably be relatively large numbers at such events, being served alcohol.

We would be grateful for clarification if there will be such events; how many people might attend; and the likely frequency in a year.

Regardless, we would wish to ask for certain Conditions, to ensure that the licence is not used as a Bar, and that there is a relatively low limit on the numbers of people generally drinking at any one time. If there are going to be events, we would wish to also ask for a Condition regarding the frequency in any one year; and the numbers of people attending.

3. The Premises and its Location:

The premises are part of a terrace which has residential; and consists of a Ground Floor and Basement (Lower Ground Floor).

The applicant explains that the Gallery Café will be on the Ground Floor; and that the Basement will be used as an Office space only.

The applicant further explains that the primary use will be as a gallery and retail space; and that the Ground Floor will have a small bar area (with 2 tables and 8 chairs) at the back to serve coffee and their own-produced wine; but will not be selling any other alcohol.

The application also confirm that no outside space will be used.

From the description, we assume that the "**licensable area**" (which has not been shown on the Plan drawing with the usual Red line), will only be the Ground Floor inside (and not the Basement or outside area). We would be grateful for clarification.

Continued 3.

Re: Licensing Act 2003: Application for a New Premises Licence:
Boys! Boys! Boys! Gallery Café, 30 WARREN STREET, W1T 5NF - *continued*:

Reference: APP\PREMISES-NEW\122541

4. The Residential Context:

As can be as seen in our **attached “Map Showing Buildings With Residential”**, there is much residential in Warren Street itself and in the immediate vicinity including, in nearby Cleveland Street.

Warren Street is one of the most residential streets in Fitzrovia, with a total of some 159 homes; and with a high proportion of flats being social housing/housing association flats, including for families with young children, and for elderly people.

There is much concern at another licensing application in this highly residential street, because Warren Street already has a concentration of some 11 licensed premises trading in this street. A further five licences are currently not in use because the premises are vacant or the occupant is currently not carrying out a licensable activity, but the potential is there for further intensification.

The proposed use means that activities will now be taking place beyond the usual shop daytime weekend and bank holiday hours, when the immediate nearby residents would normally expect quietness. Although we appreciate that the proposed Hours are within Camden’s Framework Hours, the proposal nonetheless include being open every evening until 8.30pm Monday to Saturday, including Bank Holidays; (compared with the previous use). This means that the immediate residents might not have the expected quietness in early evening. Also, Bank Holiday days are particularly quiet in Fitzrovia including in Warren Street – one of the few periods of quietness for residents.

5. Supply of Alcohol ON the Premises and Bar-type activity:

(a). In Camden’s Statement of Licensing Policy 2017-2022, Restaurants and Cafes are treated differently from Bars. Camden’s Licensing Policy states (para 7.10) that *“... premises are restaurant or cafe if the sale of alcohol is only made to seated customers who are taking a meal on premises. If alcohol is sold to any other person, we will regard the premises as a pub or bar.”*

The Policy (para 7.14) goes on to say that *“... We expect all restaurants to volunteer the condition that alcohol shall only be sold to persons seated and taking table meals at the premises”*.

(b). We appreciate that these premises are not a restaurant, but a Gallery Cafe but the implication of the current application means that the licensing application is as for a Bar or Bar-type activity, to which we would strongly object because of the impact on the residential amenity.

Re: Licensing Act 2003: Application for a New Premises Licence:
Boys! Boys! Boys! Gallery Café, 30 WARREN STREET, W1T 5NF - *continued*:
Reference: APP\PREMISES-NEW\122541

6. Conditions:

As above, we have expressed certain concerns and objections in relation to the possible impact on the residential amenity.

Subject to having a clearer understanding for the use of the alcohol licence, and further Information as a Gallery Cafe, we wish ask that the following Conditions are considered, which are generally based on model Conditions in Camden's Licensing Policy:

- (a). The supply of Alcohol is ancillary to the business as the Boys Boys! Boys Gallery.
- (b). Alcoholic beverages shall only be sold to customers who are seated; except at events.
- (c). Smokers: No more than 2 customers (from inside) shall be permitted to smoke outside the premises at any one time.
Such smokers from inside will not be allowed to take to outside their alcoholic drink.
- (d). Customers will not be allowed to take their alcohol drinks to outside.
- (e). Disposal of Rubbish, especially noisy disposal of bottles outside the premises
- shall not take place between 9.00pm and 8.00am,
- and not before midday on (Sundays and) Bank/Public Holidays.
- (f). Deliveries & Collections:
Similarly, that there are no deliveries or collections
- between 10.00pm and 8.00am;
- and not before midday on Sundays and Bank/Public Holidays.
- (g). Adopt Camden's "Ask for Angela" initiative:
Camden expects all licensed premises to adopt the "Ask for Angela" initiative, which are Association supports. We are not clear if the applicant wishes to adopt this initiate.

In addition, we would also like to ask for other Conditions, including Conditions relating to:

- (a). Events: frequency in any one year; numbers of people attending.
- (b). Hours limitation on the use of the External Terraces).
- (c). A condition related to the use of couriers, if being used for the collection of OFF-Premises Supply of Alcohol.

CUMULATIVE IMPACT:

There are some 25 Public Houses within the Camden side of Fitzrovia and a further 20 in Westminster. In addition, there are many licensed restaurants and other licensed premises.

Fitzrovia is a relatively small area and urban village each side behind Tottenham Court Road in which there is a stable residential community including in Warren Street>.

Camden's Statement of Licensing Policy 2016 (ref. para. 39, Chapter 3) states that:

"The absence of a special policy for an area does not prevent any responsible authority or interested party making representations on the grounds that the premises will give rise to negative cumulative impact on the area in question."

Continued 5.

Re: Licensing Act 2003: Application for a New Premises Licence:
Boys! Boys! Boys! Gallery Café, 30 WARREN STREET, W1T 5NF - *continued*:
Reference: APP\PREMISES-NEW\122541

CUMULATIVE IMPACT - continued:

Fitzrovia is a case in point, where it is essential to take account of this on-going and steadily increasing cumulative negative impact of such licensed activities, and thus to recognise the detrimental effect this will have on this residential community. People live in the immediate vicinity, which accords with central Government policy to encourage people to live in central urban areas. Thus, it is very important that the amenity of the residential community here in Warren Street is protected.

Yours sincerely,

Clive Henderson, On behalf of Charlotte Street Association.

Copy: CSA Committee.

Attached:

- Map showing Buildings with Residential
- Photographs

Mediation between CSA and Applicant

From: Ghislain Pascal [REDACTED]
Sent: Thursday, September 12, 2024 4:13 PM
To: Charlotte Street Assoc. [REDACTED]
Cc: Sarah Williams [REDACTED] >
Subject: Re: Licensing application: BOYS! BOYS! BOYS! Gallery Cafe, 30C Warren Street, W1

[EXTERNAL EMAIL] Beware – This email originated outside Camden Council and may be malicious Please take extra care with any links, attachments, requests to take action or for you to verify your password etc.

Thank you Clive for email - all understood.

We will have to practise horizontal drinking then!

Can you please let me know that you are now withdrawing your objection?

Many thanks,

Ghislain

GHISLAIN PASCAL
Co-Founder & Director
THE LITTLE BLACK GALLERY

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

On 12 Sep 2024, at 11:04, Charlotte Street Assoc. [REDACTED] > wrote:

Dear Ghislain,

Re: Licensing Application:

BOYS! BOYS! BOYS! Gallery Cafe, 30C Warren Street, W1

ref: APP\PREMISES-NEW\122541

Thank you for your email. It was good for us (myself and Linus Rees) to meet with you and Charlotte, your gallery Manager and DPS, last week on Wednesday.

In your earlier email, thank you also for forwarding on the Police's conditions which we understand you have agreed to.

We are pleased to see and note the Police's conditions concerning:

- (a). the sale of alcohol shall only be whilst the use of the premises is
that of a gallery; and
- (b). there shall be no vertical drinking.

Regarding the events (e.g. talks etc) which we discussed, understandably you want people to be able to have a drink and to mingle. But we understand that such events may be regarded as a licensable activity - this would seem to be in contradiction of the Police's condition of no vertical drinking. You might wish to seek some advice and/or ask Camden Licensing for clarification.

Best wishes,

Clive

Clive Henderson

Charlotte Street Association

On Thursday 5 September 2024 at 11:21:13 BST, Ghislain Pascal

[REDACTED] wrote:

Hi Clive,

Great meeting you & Linus yesterday.

There is one caveat that needs to be added which is that when we do artist talks, book signings etc at the gallery that people are able to stand up with a glass of wine that they have purchased.

For example, every Wednesday night from 7-8pm we will be hosting BOYS! BOYS! BOYS! Meets where we invite a leading member of the queer and gay art community to speak to an invited audience of 20 people. Everyone will be seated for this ticketed event but at the beginning and end of each event there may be some mingling & I don't want to be caught out by agreeing to something that is impractical.

As agreed, in the normal day to day running of the gallery wine will only be served to those that are seated.

I hope that you are now able to withdraw your objection.

I look forward to hearing from you.

Many thanks,

Ghislain

GHISLAIN PASCAL
Co-Founder & Director
THE LITTLE BLACK GALLERY

[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]

On 22 Aug 2024, at 08:51, Ghislain Pascal [REDACTED] wrote:

Bonjour Clive,

Many thanks for your speedy reply.

I'd love to meet in person and I will be coming to London in the next couple of weeks to meet with our builders and interior designer - but that might be too late. As soon as I have my dates I will let you know.

In the meantime let's definitely organise a telephone call which is convenient to you. Of course I will call you so you don't have to pay for the call.

In the meantime I'll try to allay any fears you may have!

So just to give you some background: for ten years (2008-2018) we had a physical gallery (The Little Black Gallery) in Chelsea. My business partner is Tamara Beckwith Veroni (who you may know from the media). This new gallery, BOYS! BOYS! BOYS! Gallery Cafe, in Fitzrovia is our latest project.

The premises were found by my very good friend Rebecca Hossack (who you must know?!) who lives next door, and of course has her gallery around the corner on Conway Street. She will of course be the first person to keep us in check! And Jonathan Cohen who owns Zacks is our landlord and is only moving a few doors down to Warren Mews. So you can always also talk to him should any concerns arise in the future.

The primary objective of the space is to be a gallery exhibiting the photographs of our BOYS! BOYS! BOYS! artists, and to sell our BOYS! BOYS! BOYS! magazines, books, zines, candles, tote bags and other branded BOYS! BOYS! BOYS! merchandise.

Whilst downstairs there will be a separate office space for The Little Black Gallery and a small showroom to exhibit the works of our other artists: www.thelittleblackgallery.com.

Please note that a later copy of our application did show the ground floor area for the BOYS! BOYS! BOYS! Gallery Cafe marked with a red line.

I have been working in the art market for the past 20 years and now find galleries to be sterile, boring and intimidating spaces to visit. I want our new space to be a cultural hub where people can visit to pick up a copy of our latest magazine, purchase some art, whilst having the chance to sit down and have a cup of coffee or glass of wine and chat with our staff.

We are not trying to be a coffee shop, nor are we trying to be a bar. But sadly due to the fact that we want to sell wine we are required by law to apply for licence. I wish we didn't as the process has been a nightmare of paperwork & costs! The licensing laws don't seem to differentiate between a venue for 500 people versus a small venue like ours which can seat 15 people!

Please note that we will only be serving wine to those people seated at one of our tables, and that we will only be selling our own BOYS! BOYS! BOYS! branded wine. We will not be selling any other alcohol.

Our opening hours are planned to be:

Tuesday - Saturday 11am-8pm

Sunday 2-6pm

Our license application is for:

Monday - Saturday 12am-8.30pm

Sunday 12-5.30pm

We have included Monday in case we want to open for a special event.

Every Wednesday night from 7-8pm we will be hosting BOYS! BOYS! BOYS! Meets where we invite someone from the queer and gay community to speak to a small audience (20/25 people)

- including the founder of the Queer Britain Museum, and the editor-in-chief of Elle Decoration Magazine.

We may have other openings around specific exhibitions but I believe that these would not be required to be covered under the license as these would be private events and there would be no sale of alcohol. I would anticipate we would do a maximum of four openings a year which would be only from 6-8pm.

In answer to some of your other points:

- I agree that wine will only be served to customers who are seated
- I agree that no more than 2 customers shall be permitted to smoke outside
- I agree smokers will not be able to take their drinks outside
- I agree customers shall not be allowed to take their drinks outside
- I agree no deliveries or collections between 10pm and 8am, or before midday on Sundays and Bank / Public Holidays
- please note that we do not have an external terrace so will not be holding any events outside

The Police have been in touch and we have agreed to their terms which have been submitted and agreed by Camden Council:

1. *CCTV shall be installed, operated, and maintained, to function all times that the premises is open for licensable activities. Said CCTV will comply with the following criteria:*
 - (a) *The licensee will ensure that the system is checked every two weeks to ensure that the system is working properly and that the date and time are correct;*
 - (b) *A record of these checks, showing the date and name of the person checking, will be kept and made available to the police or other authorised officer on request;*
 - (c) *The Police will be informed if the system will not be operating for longer than one day of business for any reason;*
 - (d) *The system will record in real time and recordings will be date and time stamped;*
 - (e) *Recordings will be kept for a minimum of 31 days and downloaded footage will be provided free of charge to the police or other authorised officers on request (subject to the Data Protection Act requirements) within 24 hours of any request.*
 - (f) *CCTV to cover all entry and exit points of the building and also the area the delivery drivers park their vehicles.*

(g) CCTV will be of good quality, a standard approved by the police/council licensing officers.

2. For any event involving a promoter, their associates, DJ or artist (e), or one where the venue has been booked by an outside agent with a view to selling tickets to the public for profit; the licensee shall complete a full risk assessment via open source material, reference checks from previous venues performed and if there are concerns following all these checks, to inform www.safersounds.org.uk and Camden Police Licensing team at least 14 days before the event occurs. The venue shall not engage the services of street promoters to encourage clientele to attend the venue.

3. No persons carrying visibly open or sealed alcohol vessels, shall not be admitted to the premises at any time that the premises are open for any licensable activity.

4. No patron shall be permitted to leave the premises whilst in the possession of any drinking vessel or open glass bottle whether empty or containing any beverage. This includes patrons using the smoking area(s)

5. A Challenge 25 policy will be enforced, where any person reasonably looking under the age of 25 shall be asked to prove their age when attempting to purchase alcohol and signs to this effect will be displayed at the premises. The only acceptable forms of identity will be those with photographic identification documents recognised in the Home Office guidance; including passports, photo-card driving licence or proof of age card bearing the PASS hologram.

6. A sign shall be displayed at the point of sale stating No Proof of Age – No Sale.

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

8. There shall be no vertical drinking in the Premises

9. 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:

(a) all crimes reported to the venue

(b) all ejections of patrons

(c) any complaints received

(d) any incidents of disorder and violence

(e) all seizures of drugs or offensive weapons

(f) any faults in the CCTV system or searching equipment or scanning equipment

(g) any refusal of the sale of alcohol to include date, time, and staff member

- (h) *any visit by a relevant authority or emergency service.*
- (i) *CAD reference numbers where Police are called.*

10. *The sale of alcohol shall only be legitimate whilst the permitted use of the premises for planning purposes remains that of a Gallery*

11. *The licensee /DPS will ensure that all staff that are customer facing/engaging at the venue are trained, as appropriate, in respect of Welfare and Vulnerability Engagement (through safer sounds.org.uk) and that all new staff sit through this presentation. Refresher training to be conducted every six months. A record will be kept of when the training took place and will be made available for inspection by Police or other responsible authority, upon request.*

12. *A Challenge 25 policy will be enforced, where any person reasonably looking under the age of 25 shall be asked to prove their age when attempting to purchase alcohol and signs to this effect will be displayed at the premises. The only acceptable forms of identity will be those with photographic identification documents recognised in the Home Office guidance; including passports, photo-card driving licence or proof of age card bearing the PASS hologram*

In terms of personal references, please feel free to reach out to Rebecca Hossack as we have known each other for 30 years!


Also, I just want to add that we very much want to become part of the Fitzrovia community. One of the reasons that I was so attracted to the location is because of Rebecca, and the fact that I have other gallery friends in the neighbourhood: Tristan Hoare of Tristan Hoare Gallery on Fitzroy Square and Hannah Watson of TJ Boulting Gallery.

If I have left anything out then please let me know - and let's schedule that telephone call whenever is convenient for you. I am available evenings and weekends.

Many thanks,

Ghislain

GHISLAIN PASCAL
Co-Founder & Director
THE LITTLE BLACK GALLERY
Mailing address only:



On 21 Aug 2024, at 22:43, Charlotte Street Assoc. [REDACTED] > wrote:

Dear Ghislain,

Many thanks for your email.

We would be very happy to meet with you, but I prefer to meet in person; I am not very keen on zoom !

I wonder if you might be in London sometime ?

We often meet with applicants, and we are usually able to come to an agreement. One of my colleagues, a fellow committee member, also comes along.

Nonetheless, sometimes we have been able to come to an agreement on the Conditions etc, via email correspondence.

Also, I am happy to speak on the telephone, (although I might be concerned about the call charges if you are France).

Our main concerns are the Conditions (and sometimes the Hours, but not in this case) which will be attached to a License; and which will help to protect the residential amenity, as well as preventing "bar-type activity" in licensing terms.

Recently there have been a number of applications in Fitzrovia for "hybrid" situations, not just for restaurants or bars. For example, there have been applications for two different hair and

beauty salons, where the applicants wanted to be able to offer their customers a drink. In these cases, we were able to come agreements with Conditions which were tailored to these situations; but which also prevented the premises from becoming a bar (in licensing terms). Our further concern is to try and ensure that, if in the future, a premises and its Premises License is passed on to others, then the License and its conditions cannot be interpreted for Bar-type activity/use.

Thus, as in your application, you wish to be an art gallery which can also offer drinks on a daily basis. And so we would hope we could evolve agreed Conditions which will suite your gallery, but which would also prevent the premises becoming a bar in licensing terms.

As you might know, the Police also usually submit representations/letter to Camden, including their suggested Conditions. It would be helpful to know if the Police have submitted representations (and their Conditions) with regard to your application.

If we are not able to meet straightaway, maybe you could email us with your comments on our suggested Conditions in our letter, (and also on any other points).

I have since spotted a mistake in our letter. Under Section C, I asked for the possibility of "... *A condition related to the use of couriers, if being used for the collection of OFF-Premises Supply of Alcohol.*" We realise that your application does not include for the OFF-Sales of Alcohol, and thus such a Condition is not relevant.

Many thanks,

kind regards,

Clive

Clive Henderson

Charlotte Street Association

On Wednesday 21 August 2024 at 13:12:05 BST, Ghislain Pascal

[REDACTED] > wrote:

Bonjour Clive,

I hope you are well?

Sarah Williams from Camden Council Licensing Department has asked me to reach out to you to discuss our application for a new premises licence at 30C Warren Street, following your representation on behalf of the Charlotte Street Association.

I would love the opportunity to discuss what we are trying to achieve with our BOYS! BOYS! BOYS! Gallery Cafe.

I am currently in France so perhaps we can do this initially via zoom?

I look forward to hearing from you.

Many thanks.

Ghislain

GHISLAIN PASCAL
Co-Founder & Director
THE LITTLE BLACK GALLERY

Representation	
Premises name	BOYS! BOYS! BOYS! Gallery Cafe
Application reference number	APP\PREMISES-NEW\122541
Last date for representation	20/08/2024

Making a representation as

As an individual

Your details
First name

[REDACTED]

Last name

[REDACTED]

Telephone number (optional)

[REDACTED]

Email address

[REDACTED]

Address

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Remain anonymous

Yes

Detail the exceptional circumstances

[REDACTED]

[REDACTED]

[REDACTED]

Grounds of representation

- prevention of crime and disorder
- prevention of public nuisance

Details of representation

I object to the application because of the cumulative impact of the number of licensed premises in the neighbourhood. Residents are subjected to increasing amounts of smells, noise, rubbish, and crime. Many of the local business owners are rude and dismissive towards residents, calling them NIMBYs while undertaking noisy out of

hours construction work, having deliveries arrive throughout the night, and putting their rubbish in resident's bins and outside their homes.

About this form

Issued by

Camden Town Hall
Judd Street
London
WC1H 9JE

Contact phone

020 7974 4444

Data protection

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

Conditions consistent with the operating schedule

Agreed Police conditions

1. CCTV shall be installed, operated, and maintained, to function all times that the premises is open for licensable activities. Said CCTV will comply with the following criteria:
 - (a) The licensee will ensure that the system is checked every two weeks to ensure that the system is working properly and that the date and time are correct;
 - (b) A record of these checks, showing the date and name of the person checking, will be kept and made available to the police or other authorised officer on request;
 - (c) The Police will be informed if the system will not be operating for longer than one day of business for any reason;
 - (d) The system will record in real time and recordings will be date and time stamped;
 - (e) Recordings will be kept for a minimum of 31 days and downloaded footage will be provided free of charge to the police or other authorised officers on request (subject to the Data Protection Act requirements) within 24 hours of any request.
 - (f) CCTV to cover all entry and exit points of the building and also the area the delivery drivers park their vehicles.
 - (g) CCTV will be of good quality, a standard approved by the police/council licensing officers.
2. For any event involving a promoter, their associates, DJ or artist (e), or one where the venue has been booked by an outside agent with a view to selling tickets to the public for profit; the licensee shall complete a full risk assessment via open source material, reference checks from previous venues performed and if there are concerns following all these checks, to inform www.safersounds.org.uk and Camden Police Licensing team at least 14 days before the event occurs. The venue shall not engage the services of street promoters to encourage clientele to attend the venue.
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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.