



Crown copyright and database rights 2024 OS 100019726



The Imaginarium Gallery, 185 Drury Lane, London, WC2B 5QD

Scale = 1:721,980
18-March-2024



I want to apply for a

Premises licence

Are you an agent?

Yes - I am an agent

Agent Details**First name**

Nick

Last name

SEMPER

Name of business

The Licensing Guys

Name and address**Email address**

[REDACTED]

Telephone number

[REDACTED]

Does the premises have a name?

Yes

What is the name of the premises?

The Imaginarium Gallery

What is the address or location?**What is the type of premises?**

Art Gallery

Describe the area it is situated in

West End Theatre District

Describe the layout of the premises

Lower Ground Floor only

Copy of the premises plans

- TheImaginariumGallery-PremisesLicencePlan.pdf

Tell us about the premises business hours

Day	Start time	End time
Monday	10:00	22:00
Tuesday	10:00	22:00
Wednesday	10:00	22:00
Thursday	10:00	22:00
Friday	10:00	22:00
Saturday	10:00	22:00
Sunday	10:00	22:00

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?

17000

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 Imaginarium Gallery LLP

Name and address

185 Drury Lane
 WC2B 5QD
 London

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	11:00	21:30
Tuesday	11:00	21:30
Wednesday	11:00	21:30
Thursday	11:00	21:30
Friday	11:00	21:30
Saturday	11:00	21:30
Sunday	11:00	21:30

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 John

Last name KISSANE

Address
[Redacted]
[Redacted]
[Redacted]

Email address [Redacted]

Telephone number [Redacted]

Signed Copy of the Designated Premises Supervisor (DPS) consent form • 31-24-DPSConsentForm-JohnKISSANE-Signed.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 Staff Training All staff responsible for selling alcohol shall receive induction and/or refresher training (at least annually)

commensurate with their role and responsibilities in relation to the sale of alcohol and the times and conditions of the premises licence. Training shall include the requirement and process for completing both the incident log and refusal log (detailed below), will be documented, and training records will be kept at the premises. Training records shall be made available to the Police and/or Local Authority upon request and shall be kept for at least one year. Alcohol Sales Customers temporarily leaving the premises (e.g. to smoke) will not be permitted to take drinks out of the premises. Refusal Log A record of refused sales, which may be written or electronic, shall be maintained and completed with the time and date of the refusal and the name of the member of staff refusing the sale. This record shall be made available to Police and/or the Local Authority upon request and shall be kept for at least one year from the date of the last entry. Incident Log An incident log must be kept at the premises and must be retained for a period of 12 months from the date an incident occurred. The log must be made immediately available on request to Police or an 'officer of a responsible authority', and must record the following: a. all crimes reported to the premises (where relevant to the licensing objectives) b. all ejections of patrons c. any complaints received (where relevant to the licensing objectives) d. any incidents of disorder any visit by a relevant authority or emergency services, noting time, date and purpose of the visit and the officer names.

General All requirements and

The prevention of public nuisance

responsibilities pertaining to the lawful and responsible operation of the premises covered by primary legislation, will be complied with – e.g building regs, health and safety, fire prevention.

General The premises licence holder will operate the business with general consideration in respect of the neighbouring properties. Clear and prominent notices will be displayed in any outdoor public area, and at the exit, requesting patrons be quiet and have consideration for neighbours in the vicinity.

The prevention of children from harm

Age Verification Scheme – Challenge 25 A challenge 25 age verification scheme will operate at the premises whereby any person who appears to be under 25 years of age, and unknown to the staff member serving as a person over 18 years of age, shall not be served alcohol unless they provide identification to prove they are over 18 years of age. Acceptable forms of identification will be a valid passport, a valid photo ID driving license or a valid proof of age scheme card with the PASS approved hologram. Appropriate signage advertising the operation of the Challenge 25 scheme must be displayed in the vicinity of all points of sale for alcohol.

About this form**Issued by**

Camden Town Hall
Judd Street
London
WC1H 9JE

Contact phone

020 7974 4444

Form reference

Ref. no. 119494

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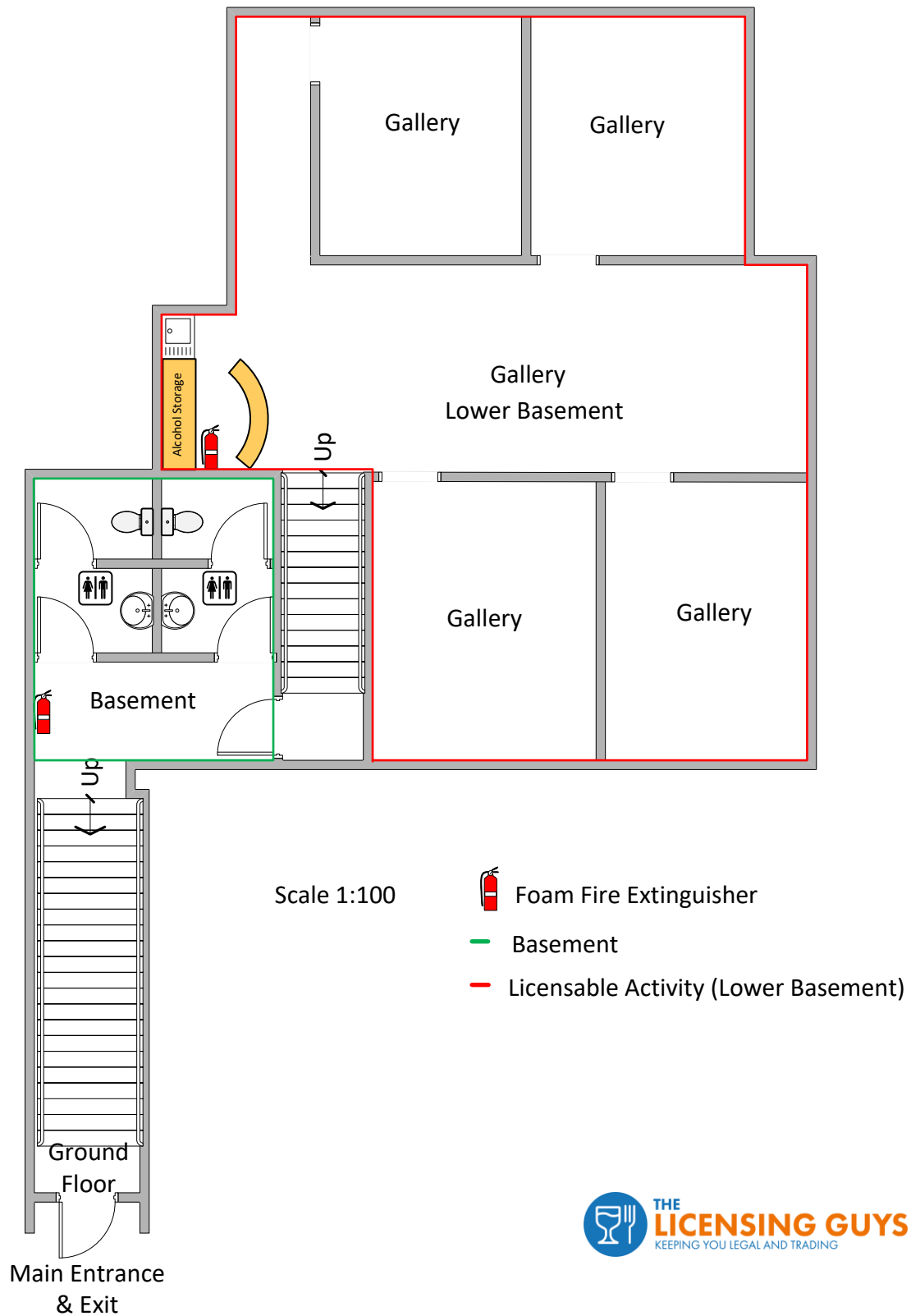
The Imaginarium Gallery, Drury Lane, is an intimate new basement venue where art is brought to life and visitors experience 'immersive digital art' exhibits.

Visitors to the gallery experience a believable, emotionally engaging, and inspirational digital journey, where technology is combined with art to stimulate and cultivate the imagination.

While the sale of alcohol is ancillary to the experience and enjoyment of the gallery exhibit, this application is to enable the gallery proprietor to offer a select range of alcoholic beverages for patrons to enjoy during their immersive art journey. This is to develop the business and provide the complete customer experience.

The application is only for on sales until 21.30hrs, which ensures alcoholic drinks may not be sold close to the exhibit closing time of 22:00hrs, and no drinks may be taken from the premises at any time.

The Imaginarium Gallery
185 Drury Lane
London
WC2B 5PR



From: [REDACTED]
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: Imaginarium - 185 Drury Lane
Date: 21 March 2024 10:04:50
Attachments: [image004.png](#)
[image005.png](#)

[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.

Peter,

This is to confirm that **if** this application is amended to reflect the conditions stated below **then** the CGCA's Representation is hereby withdrawn.

Once you have confirmed that this has been done the CGCA will be able to write to other Interested Parties explaining the reasons for withdrawal and suggesting that they consider doing the same. Would you be able to circulate this to Interested Parties?

Best wishes

David Kaner

Volunteer Chair - Licensing Sub-Committee
Covent Garden Community Association

Mobile: [REDACTED]

email: [REDACTED]



Charity number 274468

From: Reba Danson | The Licensing Guys <[REDACTED]>
Sent: Wednesday, March 20, 2024 6:47 PM
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: Imaginarium - 185 Drury Lane

Good evening David,

Please find below confirmation of the measures agreed, without prejudice, relating to the premises licence application for 185 Drury Lane, LONDON, WC2B 5PR.

Opening hours:

Monday - Sunday: 10:00 – 22:00 (as applied for)

Sale of alcohol:

Monday - Sunday: 12:00 – 21:30hrs

Conditions agreed with Metropolitan Police:

1. The sale of alcohol shall only be legitimate whilst the permitted use of the premises for planning purposes remains that of a museum / gallery.
2. Alcohol sales will be ancillary to the main purpose of the venue which is a museum / gallery.
3. The number of persons permitted in the premises at any one time, excluding staff shall not exceed 60 persons at any one time.
4. The consumption of alcohol on the premises shall cease at 2200 hours.
5. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.
6. Police must be called to all incidents of crime and/or serious disorder.
7. The CCTV system shall be maintained in good working order and at all times the premises is open to the public, be fully operational covering all internal and external areas of the premises to which the public have access. The CCTV camera views are not to be obstructed.
8. CCTV recordings must be concurrent with accurate time.
9. At least one CCTV camera is to be placed no more than seven feet above floor level; near to the exit in order to capture clear facial images of all persons leaving the premises.
10. The medium on which CCTV images are recorded shall be of evidential quality; stored securely; shall be retained for a period of 31 days; and be available for inspection by the Police or Local Authority upon request with 48 hours.
11. At all times when the premises are open for the purposes of licensable activities, a suitably trained member of staff shall be present to assist the Police or an authorised officer of the Licensing Authority in obtaining the CCTV footage.
12. The facility to transfer the images to a compatible, removable format, shall be held on the premises.
13. At least one Staff working at the premises at any one time shall be trained in the use of CCTV and a log will be kept to verify this.
14. Signs must be displayed in the customer areas to advise that CCTV is in operation.
15. If the CCTV is inoperative or not installed and working to the satisfaction of the Police, then within 48 hours the Police shall be notified and an estimate given of the repair timescale. The premises shall comply with all reasonable requests from the Police.
16. 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.

17. Staff training records shall be available for inspection by authorised officers of the licensing authority, officers of the trading standards service and officers of the Police.

Additional conditions agreed, without prejudice, following mediation with Mr Kaner, CGCA:

18. Alcohol sales are restricted to people who have purchased tickets for exhibitions in the space.
19. The licence holder will use his best endeavours to discourage customers smoking on the public footway immediately outside the premises and to ensure that the pavement is not obstructed.

This email is copied to Peter Agbley for the amendments to be made, pending the withdrawal of the representation.

With thanks and kind regards,



Reba Danson

Mobile [redacted]



THE
LICENSING GUYS
KEEPING YOU LEGAL AND TRADING

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Please consider the environment before printing

From: [redacted]
Sent: Wednesday, March 20, 2024 2:42 PM
To: The Licensing Guys [Licensing] [redacted]
Cc: [redacted]
Subject: RE: Imaginarium - 185 Drury Lane

Reba,

If the application is amended as proposed the CGCA is content and will withdraw, once we have confirmation of the full set of conditions/amendments.

We are also happy to write to other Interested Parties stating the reasons for withdrawal and encouraging them to do the same. We will ask Camden (Peter Agbley) to circulate this.

Please send Camden and ourselves a consolidated list of the conditions/times you are amending and we will then withdraw the CGCA's Rep.

Best wishes

David Kaner

Volunteer Chair - Licensing Sub-Committee
Covent Garden Community Association

Mobile: [REDACTED]

email: [REDACTED]



Charity number 274468

From: The Licensing Guys [Licensing] [REDACTED]

Sent: Wednesday, March 20, 2024 2:11 PM

To: [REDACTED]

Cc: [REDACTED]

Subject: RE: Imaginarium - 185 Drury Lane

Good afternoon David,

Thank you for your email.

To mitigate any concerns relating to the intended use of the premises, our client is very happy to agree to the measures set out below:

The addition of the following conditions:

Alcohol sales are restricted to people who have purchased tickets for exhibitions in the space.'

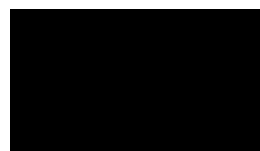
The licence holder will use his best endeavours to discourage customers smoking on the public footway immediately outside the premises and to ensure that the pavement is not obstructed.

With regard to the start time for the sale of alcohol, the suggested start time of 00:00hrs would appear to be a typo; however, moving the start time for the sale of alcohol to 12:00hrs can be agreed.

As a result of our client conceding to ALL your requests, on a without prejudice basis, would you kindly consider withdrawing your representation?

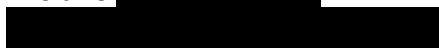
Thank you.

Kindest,



Reba Danson

Mobile [redacted]



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From: [redacted]

Sent: Wednesday, March 20, 2024 11:31 AM

To: The Licensing Guys [Licensing] <[redacted]>

Cc: [redacted]

Subject: RE: Imaginarium - 185 Drury Lane

Reba,

Thanks for your email.

The CGCA does not believe that the proposed conditions related to ancillary sales go far enough.

1. The sale of alcohol shall only be legitimate whilst the permitted use of the premises for planning purposes remains that of a museum / gallery.
2. Alcohol sales will be ancillary to the main purpose of the venue which is a

museum / gallery.

I cannot find any evidence that museum/gallery is in fact the permitted planning use of the premises, and even it was our concern regards the actual use and not the permitted one. These conditions would not prevent you operating as a gallery during the day and a bar in the evening, as the bar use would be ancillary to the main use in planning terms.

This is why we would like a condition that alcohol sales are restricted to people who have purchased tickets for exhibitions in the space. This would seem to be consistent with your mode of operation. Please could you consider adding this?

We understand that the Licence Holder cannot prevent customers smoking outside. Please would you accept a “best endeavours condition”

The licence holder will use his best endeavours to discourage customers smoking on the public footway immediately outside the premises and to ensure that the pavement is not obstructed.

We are aware that some residents are concerned about the start time for the sale of alcohol (11am). Would you consider moving this to a later time (eg 00:00)?

Best wishes

David Kaner

Volunteer Chair - Licensing Sub-Committee
Covent Garden Community Association

Mobile: [REDACTED]

email: [REDACTED]



Charity number 274468

Date: 26th February 2024
Application Reference: 119494
Direct Phone Number: [REDACTED]
Contact: Steven Dormer
E-mail: [REDACTED]

Please quote our reference in any correspondence

Licensing (Contact Camden)
 Town Hall Extension
 Argyle Street
 London
 WC1H 8EQ



Regulatory Services

Environmental Health Team
 London Borough of Camden
 Town Hall
 Argyle Street
 London WC1H 8EQ

Tel: 020 7974 4444 (switchboard)

London Borough of Camden
 Fax: 020 7974 6955 / 6940
 Textphone: 020 7974 6866

Town Hall
 DX: 2106 Euston

www.camden.gov.uk

Licensing Act 2003

– **Re: The Imaginarium Gallery, 185 Drury Lane, London, WC2B 5QD**

LICENSING AUTHORITY REPRESENTATION

This representation is made by the Licensing Authority and it relates to the following Licensing Objectives:

- The prevention of public nuisance

Overview

The premises is described as an intimate new basement venue where art is brought to life and visitors experience 'immersive digital art' exhibits. Visitors to the gallery experience digital journey, where technology is combined with art to stimulate and cultivate the imagination. The sale of alcohol is ancillary to the experience and enjoyment of the gallery exhibit.

The premises is situated in an area within proximity to offices and residential properties.

The Premises and Summary of Application

– The application is seeking authorisation to allow the following licensable activity:

- Sale of Alcohol (For consumption on the premises)

The times being applied for the sale of alcohol are given as:

Monday to Sunday 11:00 – 21:30

Framework Hours Policy

The hours being applied for are within the framework hours.
The framework hours are:

- Monday to Thursday 10:00 am until 11:30 pm

- Friday and Saturday 10:00 am until midnight
- Sunday 11:00 am until 10:30 pm

Cumulative Impact (Special Policy Areas)

The premises are situated in the Seven Dials Cumulative Impact Policy area where there is a presumption to refuse all new and variation applications, as set out in Chapter Six of the Licensing Policy (Cumulative Impact Policies). While this presumption is rebuttable, this is only in exceptional circumstances and where the applicant has successfully demonstrated that the granting of their application would not contribute to the existing impact of licensed premises in that area.

The applicant has provided a number of conditions to promote the licensing objectives, which includes CCTV, staff training etc.

However, even with these conditions, granting the application will result in an overall increase in capacity at licensed premises in the area, which could add to additional people being on the street late at night and add to the cumulative impact in the area

Complaint History

There is no history of complaints at this premises within the past two years.

Conditions

Chapter Seven of the Licensing Policy provides example conditions for different types of premises and licensable activity. The following premises policies in chapter seven are relevant for this application and have been used as a basis for recommending conditions that may be appropriate to promote the licensing objectives:

- Theatres, cinemas, qualifying clubs and community premises

If Members are minded to grant the application, the following conditions are considered to be appropriate for the promotion of the licensing objectives, and are based on example conditions in the Licensing Policy:

1. Customers smoking on the public footway shall not be permitted to cause obstruction of the highway to passers by.
2. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
3. The licence holder shall ensure that any queue to enter the premises which forms outside the premises is orderly and supervised by door staff so as to ensure that there is no public nuisance or obstruction to the public highway.

Conclusion

If Members are minded granting the application, then additional conditions can be attached as appropriate steps to promote the licensing objectives.

The onus is on the applicant to demonstrate to the panel the granting of their application would not contribute to the existing impact of licensed premises in the seven dials area. The application is to provide licensable activities within the Seven Dials Special Policy Area and therefore the presumption is that it should be refused in its entirety

Yours sincerely

Steven Dormer
Licensing Officer

Representation	
Premises name	The Imaginarium Gallery
Application reference number	APP\PREMISES-NEW\119494
Last date for representation	11/03/2024

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]

Address

Offices 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 Representation

Supporting documents (optional)

- CGCARep-APP.PREMISES-NEW.
119494-Imaginarium.pdf

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Camden Town Hall



Judd Street
London
WC1H 9JE

Contact phone

020 7974 4444

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Licensing Representation from the Covent Garden Community Association

Application No.: APP\PREMISES-NEW\119494

Premises: Imaginarium Gallery

Address: 185 Drury Lane, London WC2B 5QD

This is an application for the sale of alcohol in an art gallery in the basement of 185 Drury Lane under a Social Housing block, Goldsmith Court. A map showing the location of the premises in relation to residents in the vicinity, and a picture showing the proximity to residents above are attached.

The statement accompanying the Application states that it is to allow gallery patrons to consume a drink as they go around the gallery, which includes an immersive digital experience. The hours requested are 11:00-21:30 on all days of the week.

On the face of it this application would seem fairly benign. However there are no conditions proposed which require that the licence is limited in this way and the premises are immediately underneath the bedroom windows of elderly residents. We therefore believe that the grant of the licence, without conditions to ensure that it is only used in the way intended, will fail to support the Licensing Objective of the prevention of public nuisance. We therefore ask that you refuse the grant of the licence as applied for.

The CGCA's view is that with the following conditions added to the Licence it would be able to support this Licensing Objective.

Proposed Condition	Reason
The sale of alcohol is at all times ancillary to the use of the premises as an art gallery and can only be made to customers holding tickets to visit exhibitions at the gallery	This is to ensure that the premises cannot be used as a bar, with any artwork incidental to the experience
The capacity of the premises is limited to 20 customers at any time	There are 2 reasons to limit the capacity, one is to reduce the risk of disturbance and the other is because it is in a basement with a single means of escape.
No alcoholic beverages or glass containers shall be taken outside the premises by customers at any time.	To ensure customers do not gather outside to finish their drinks
Customers smoking on the public footway shall not be permitted to cause obstruction of the highway to passers-by and smoking must not take place immediately outside the premises	The pavement is not wide enough for smokers to congregate and smokers need to be kept away from the windows of residents above.
No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.	An immersive experience could also include audio and it is appropriate to ensure that noise is not transmitted through the structure to the residential properties above.

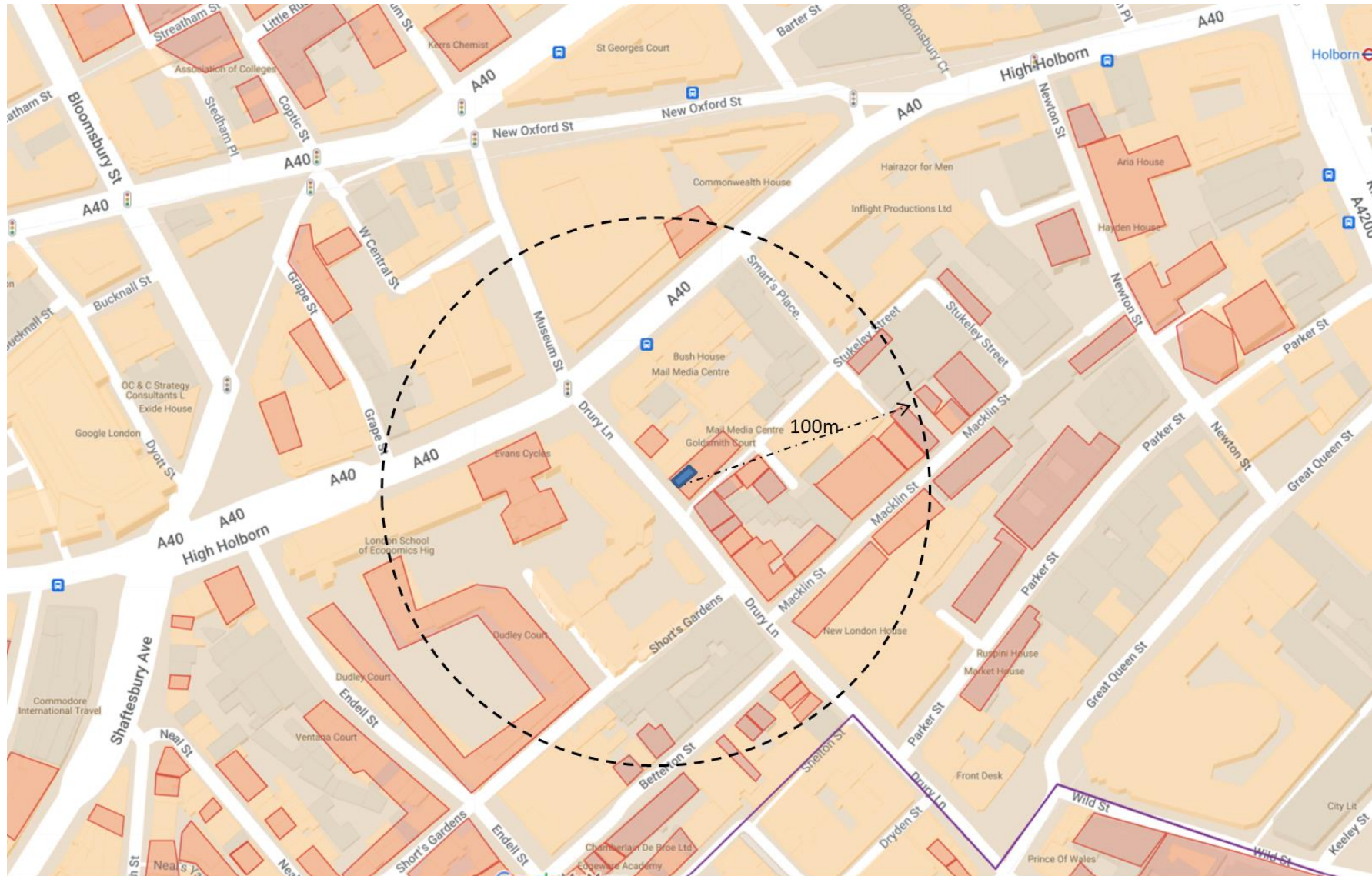
We hope that this representation is clear and ask that you advise us well in advance of any meeting at which this application will be discussed.

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 18th September 2023.



Location of Imaginarium (entrance only)



Residential Properties

Residents Bedrooms above

Entrance to Premises



Imaginarium Entrance in relation to residents above

Representation	
Premises name	The Imaginarium Gallery
Application reference number	APP\PREMISES-NEW\119494
Last date for representation	11/03/2024

Making a representation as

As an organisation

Your details**Organisation name**

ORIGIN HOUSING LIMITED

First name

Dougal

Last name

Robertson

Telephone number (optional)

[REDACTED]

Email address

[REDACTED]

AddressOffice Basement to 1st Floor
110 Eversholt Street
London
NW1 1BS**Remain anonymous**

No

Grounds of representation

- prevention of crime and disorder
- ensuring public safety
- prevention of public nuisance

Details of representation

Origin Housing is the Landlord of the commercial unit that the application relates to and the Landlord of the residential units in the same building that are located directly above the entrance to the commercial unit. Origin's position in regard to our commercial units, which the commercial tenant is aware of, is to not support

licensing applications because of the direct impact (particularly public nuisance) on our residents from alcohol licensing and based on Origin's experience of owning and managing multiple buildings of a similar profile in Camden (ie Basement/Ground floor commercial below residential)

About this form

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Camden Town Hall
Judd Street
London
WC1H 9JE

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Representation	
Premises name	The Imaginarium Gallery
Application reference number	APP\PREMISES-NEW\119494
Last date for representation	11/03/2024

Making a representation as

As an individual

Your details**First name**

James

Last name

McWilliams

Telephone number (optional)**Email address****Address**

Flat A
182 Drury Lane
London
WC2B 5QF

Remain anonymous

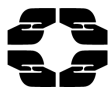
No

Grounds of representation

- prevention of public nuisance

Details of representation

I am a Drury Lane resident and I value well-run local businesses on the street. Accordingly I am in support of there being an art gallery at 185 but I am not in favour of the proposed seven day a week alcohol licence. My reasoning is as follows: - The Drury Lane district already has a number of drinking establishments, and others are planned. Another drinking establishment would push the already delicate balance between the leisure industry and local residents further against the interests of residents. - The gallery is directly below



social housing units - some occupied by vulnerable people. These units already experience significant crime and anti-social behaviour. Stukeley Street is well-known as somewhere drug users and rough sleepers congregate. The potential addition of all-day drinkers will do nothing to turn around the deterioration of this part of our neighbourhood. - It is highly likely that smokers using the gallery will smoke directly beneath the flats in Drury Lane and those in Stukeley Street. Neighbours already find it difficult to escape second-hand smoke from the cafe below their flats and the large congregations of smokers attending the nearby International School and local offices. - People are likely to congregate on the already congested narrow footpath on Drury Lane. A compromise arrangement might be supportable if: - the alcohol licence was wholly and firmly tied to those times when there is a genuine exhibition in place. (The fear is that a full licence might become a cover for a drinking establishment) - A door policy inhibits any possibility that drinks may be taken outside. - A door policy robustly enforces that no smoking takes place anywhere near a residential part of Drury Lane or Stukeley Street. - The staircase leading to the basement is soundproofed to the same standard as the rest of the premises.

About this form

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Camden Town Hall



Judd Street
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WC1H 9JE

Contact phone

020 7974 4444

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Representation	
Premises name	The Imaginarium Gallery
Application reference number	APP\PREMISES-NEW\119494
Last date for representation	11/03/2024

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

I am a disabled resident living above the premises and wish to remain anonymous, for fear of reprisal..

Grounds of representation

- prevention of crime and disorder
- prevention of public nuisance

Details of representation

#1 - drinking alcohol, smoking and chatting below x4 bedrooms from 11am to 9.30pm will encourage disorder in the narrow street area, I am an essential worker and work night shifts. The presence of visitors to this premises below my bedroom window will cause concentrated noise and affect my ability to sleep during the day time. #3

Smoking and drinking below x4 bedrooms
will create and encourage nuisance to
residents above and will block the public
walkway.

Supporting documents (optional)

- 185DruryLaneLiquorLicenseBelowx4Goldsmith
23-02-24.jpg

About this form**Issued by**

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Judd Street
London
WC1H 9JE

Contact phone

020 7974 4444

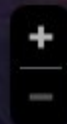
Data protection

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.



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185



Representation	
Premises name	The Imaginarium Gallery
Application reference number	APP\PREMISES-NEW\119494
Last date for representation	11/03/2024

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

I am the full-time Carer of a disabled resident and wish to remain anonymous for his safety and my own privacy and safety in the neighbourhood..

Grounds of representation

- prevention of crime and disorder
- ensuring public safety
- prevention of public nuisance
- protection of children from harm

Details of representation

#1 Pizza Ecco has a late alcohol license and is situated next door to 185 Drury Lane. Within a few yards of 185 all of the following have alcohol licences: White Hart pub, 191

Drury Lane, Drop at 175 Drury Lane, Comedy Club 170a Drury Lane, The Sun Pub 21 Drury Lane and Travelodge 10 Drury Lane. Our block is surrounded by establishments with alcohol licences and residents already suffer from disturbance, public disorder and drunkenness as a result. #2 The street by 195 Drury Lane is very narrow, serving alcohol from 11am, 7 days a week will impact public safety. #3 There are disabled, ageing residents directly above the entrance of 185 Drury Lane, our homes will suffer from the nuisance of smoking below our windows, chatting below our windows and alcohol induced high spirits. We will get no peace from this because the licensing hours are from 11am to 9.30pm - 7 days a week. Our Right To Quiet Enjoyment will be severely and adversely impacted. The gallery is small and below ground in a basement without light - the gallery can be walked through within 5 mins, so there is no need for visitors to buy alcohol on the premises when it takes only 5 mins to enjoy the gallery. Indeed serving alcohol from 11am onward will simply attract people who want to drink all day. #4 St Joseph's Primary School, Macklin St, WC2B 5NA is 1 minutes' walk from 185 Drury Lane. Children and parents with prams pass 185 Drury Lane to collect and drop off their small children. Children will be forced to squeeze past alcohol drinkers and smokers at a very narrow section of pavement. It is a potential H&S issue because drinking will start from 11am - on Monday to Friday which are school days. There are many alternative establishments for drinkers and

smokers a few yards from 185 Drury Lane - adding yet another drinking establishment that adversely impacts residents, local people and passers by is unwarranted, unwanted and unnecessary. Please note 185 entrance is directly below x4 Goldsmith Court bedroom windows. Affected residents are: two individuals in their 80's and two individuals who are disabled.

Supporting documents (optional)

- NarrowParement-Outside185DruryLane.png
- 185DruryLaneLiquorLicenseBelowx4Goldsmith-23-02-24.jpg

About this form**Issued by**

Camden Town Hall
Judd Street
London
WC1H 9JE

Contact phone

020 7974 4444

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Appendix 3



Conditions consistent with the operating schedule

1. Staff Training All staff responsible for selling alcohol shall receive induction and/or refresher training (at least annually) commensurate with their role and responsibilities in relation to the sale of alcohol and the times and conditions of the premises licence.
2. Training shall include the requirement and process for completing both the incident log and refusal log (detailed below), will be documented, and training records will be kept at the premises.
3. Training records shall be made available to the Police and/or Local Authority upon request and shall be kept for at least one year.
4. Alcohol Sales Customers temporarily leaving the premises (e.g. to smoke) will not be permitted to take drinks out of the premises.
5. Refusal Log - A record of refused sales, which may be written or electronic, shall be maintained and completed with the time and date of the refusal and the name of the member of staff refusing the sale.
6. This record shall be made available to Police and/or the Local Authority upon request and shall be kept for at least one year from the date of the last entry.
7. Incident Log. An incident log must be kept at the premises and must be retained for a period of 12 months from the date an incident occurred. The log must be made immediately available on request to Police or an 'officer of a responsible authority', and must record the following:
 - a. all crimes reported to the premises (where relevant to the licensing objectives)
 - b. all ejections of patrons
 - c. any complaints received (where relevant to the licensing objectives)
 - d. any incidents of disorder any visit by a relevant authority or emergency services, noting time, date and purpose of the visit and the officer names.
8. All requirements and responsibilities pertaining to the lawful and responsible operation of the premises covered by primary legislation, will be complied with – e.g building regs, health and safety, fire prevention.
9. The premises licence holder will operate the business with general consideration in respect of the neighbouring properties. Clear and prominent notices will be displayed in any outdoor public area, and at the exit, requesting patrons be quiet and have consideration for neighbours in the vicinity.

10. Age Verification Scheme – Challenge 25 A challenge 25 age verification scheme will operate at the premises whereby any person who appears to be under 25 years of age, and unknown to the staff member serving as a person over 18 years of age, shall not be served alcohol unless they provide identification to prove they are over 18 years of age.
11. Acceptable forms of identification will be a valid passport, a valid photo ID driving license or a valid proof of age scheme card with the PASS approved hologram. Appropriate signage advertising the operation of the Challenge 25 scheme must be displayed in the vicinity of all points of sale for alcohol.

Additional conditions agreed with Police

12. The sale of alcohol shall only be legitimate whilst the permitted use of the premises for planning purposes remains that of a museum / gallery.
13. Alcohol sales will be ancillary to the main purpose of the venue which is a museum / gallery.
14. The number of persons permitted in the premises at any one time, excluding staff shall not exceed 60 persons at any one time.
15. The consumption of alcohol on the premises shall cease at 2200 hours.
16. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.
17. Police must be called to all incidents of crime and/or serious disorder.
18. The CCTV system shall be maintained in good working order and at all times the premises is open to the public, be fully operational covering all internal and external areas of the premises to which the public have access. The CCTV camera views are not to be obstructed.
19. CCTV recordings must be concurrent with accurate time.
20. At least one CCTV camera is to be placed no more than seven feet above floor level; near to the exit in order to capture clear facial images of all persons leaving the premises.
21. The medium on which CCTV images are recorded shall be of evidential quality; stored securely; shall be retained for a period of 31 days; and be available for inspection by the Police or Local Authority upon request with 48 hours.

22. At all times when the premises are open for the purposes of licensable activities, a suitably trained member of staff shall be present to assist the Police or an authorised officer of the Licensing Authority in obtaining the CCTV footage.
23. The facility to transfer the images to a compatible, removable format, shall be held on the premises.
24. At least one Staff working at the premises at any one time shall be trained in the use of CCTV and a log will be kept to verify this.
25. Signs must be displayed in the customer areas to advise that CCTV is in operation.
26. If the CCTV is inoperative or not installed and working to the satisfaction of the Police, then within 48 hours the Police shall be notified and an estimate given of the repair timescale. The premises shall comply with all reasonable requests from the Police.
27. 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.
28. Staff training records shall be available for inspection by authorised officers of the licensing authority, officers of the trading standards service and officers of the Police.

Additional conditions agreed, following mediation with CGCA:

29. Alcohol sales are restricted to people who have purchased tickets for exhibitions in the space.
30. The licence holder will use his best endeavours to discourage customers smoking on the public footway immediately outside the premises and to ensure that the pavement is not obstructed.

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.