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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?	Kairos
What is the address or location?	84 Tottenham Court Road W1T 4TG London
What is the type of premises?	Office plus ancillary events and club socials. Kairos is a not-for-profit community interest company, currently holding ticketed talks and social events a few times a week. Alcohol sales will be as part of our evening events. Kairos mainly deals with pre booked ticket sales and operates a membership scheme with discounted tickets. Over the last six months, 6 temporary events notices have been granted, with no complaints received.
Describe the area it is situated in	Shopping area
Describe the layout of the premises	Ground floor and basement
Copy of the premises plans	<ul style="list-style-type: none">• DemiseplanKairos84TCR.pdf

Tell us about the premises business hours

Day	Start time	End time
Monday	12:00	23:00
Tuesday	12:00	23:00
Wednesday	12:00	23:00
Thursday	12:00	23:00
Friday	12:00	23:00
Saturday	12:00	23:00
Sunday	12:00	22:30

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? 115000

How many people are expected to attend the premises at any one time? Less than 5000 people

Will the premises be exclusively or primarily used to sell alcohol? No

How are you applying for a premises licence? As a limited company

Business details

What is the company registration number 14215769

Name of business Kairos Counter-Club CIC

Name and address [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	17:00	23:00
Tuesday	17:00	23:00
Wednesday	17:00	23:00
Thursday	17:00	23:00
Friday	17:00	23:00
Saturday	17:00	23:00
Sunday	17:00	22:30

Where will the supplied alcohol be consumed? On the premises

Are there any seasonal variations for the activity? No

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

DPS details

Does your designated premises supervisor (DPS) currently hold a personal licence? No

First name Zoe

Last name Blackler

Address
[Redacted]
[Redacted]
[Redacted]

Email address [Redacted]

Telephone number [Redacted]

Signed Copy of the Designated Premises Supervisor (DPS) consent form • DPSCONSENTFORMKAIROS: BLACKLER.doc

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 will be trained in their responsibilities under the licensing act 2003, on deescalation techniques and on the effects

Public safety

of alcohol and spotting early signs of drunkenness. We will keep a record of anyone refused alcohol and will have a duty of care policy in place. We will have a lost and found policy and a zero tolerance drugs policy. If required, we will install a CCTV camera system and follow best practice in its use.

We will conduct a risk assessment of potential hazards which will be reviewed every 12 months. There will be a first aid box and staff will be trained in basic first aid. We will ensure the space is adequately ventilated. We will set a limit for capacity (following consultation with the fire safety authority). We will have a written policy for how to deal with accidents and emergencies (including fire and evacuation etc) which staff will be instructed to follow. We have a fire alarm system that connects directly to the fire station, fire extinguishers (two in the basement and one on the ground floor) as well as a fire extinguisher and fire blanket in the basement kitchen. We will adopt or install any additional measures considered necessary by the fire officer. There will be signs explaining what to do in case of fire or other emergency. We will adopt Camden's "Ask for Angela" initiative.

The prevention of public nuisance

We will stop serving alcohol at 11pm and all visitors will vacate the building by midnight. We will have a notice at the entrance/exit to remind customers to leave quietly. We will operate a dispersal policy and all staff will be trained in how to implement it. We will participate in any local Pubwatch or other similar scheme.

The prevention of children from harm

We will restrict access to children onto the

premises if there are activities intended for adults only. Staff will be trained in how to check ID and and which ID to accept.

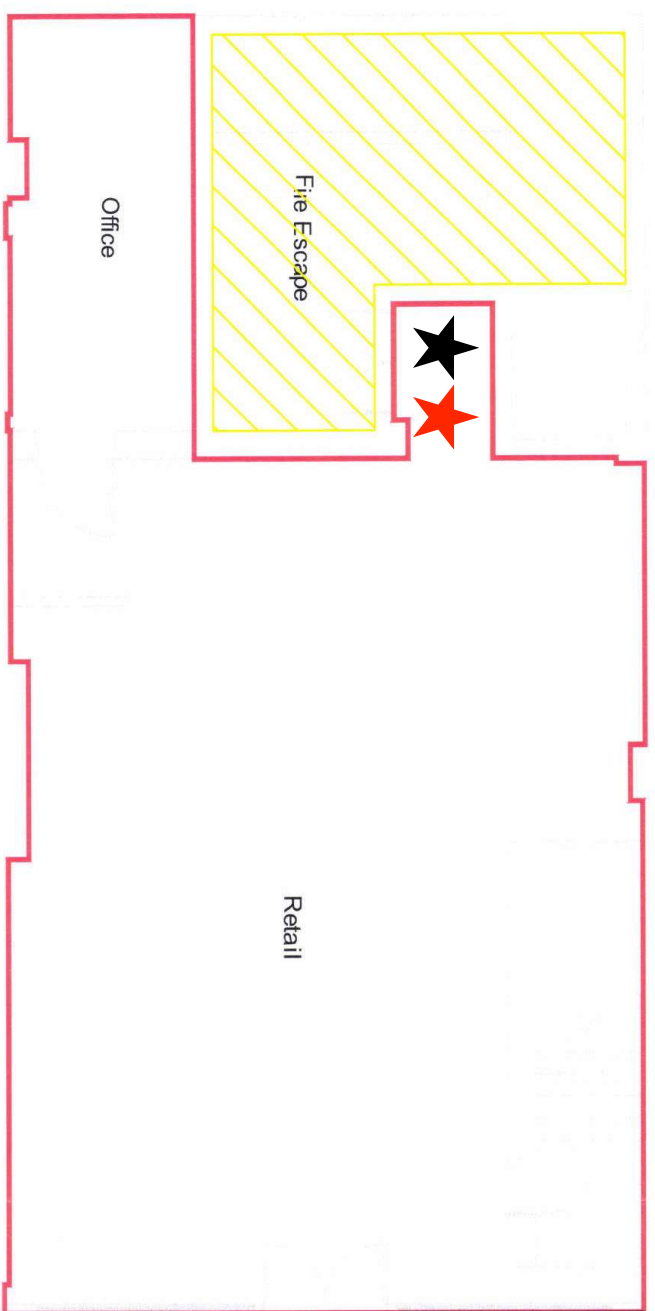
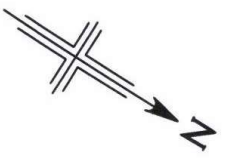
About this form

Issued by	Camden Town Hall Judd Street London WC1H 9JE
Contact phone	020 7974 4444
Form reference	Ref. no. 121520

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Plan 1 (a) -
Ground Floor



TOTTENHAM COURT ROAD

LEASE PLAN

84 TOTTENHAM COURT ROAD
LONDON, W1T 4TG

Ground Floor

— Lease Demise

— Access

See 7

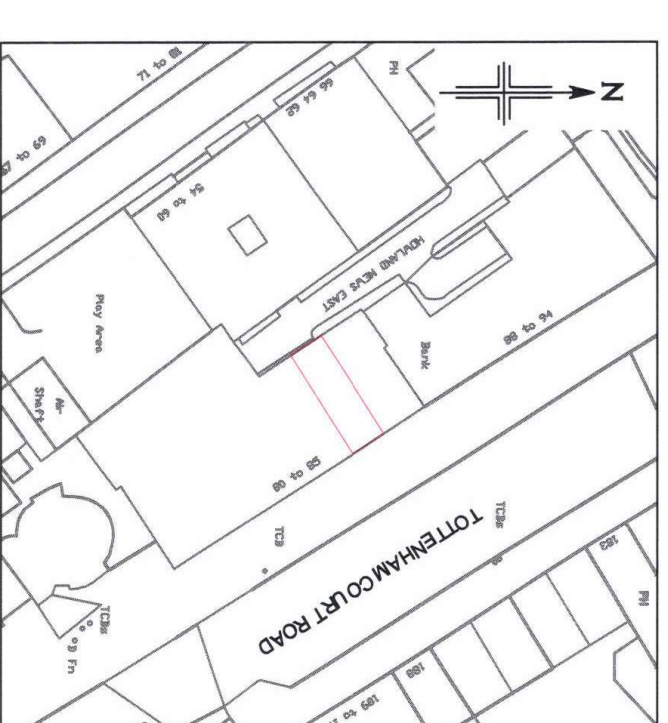
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Revisions:

A - Original Issue (October 2016)



Location Plan

Scale 1:1250

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Drawing No. **LF934-LP-G**

Issue A October 2016

Presentation Scale - 1:100 @ A3

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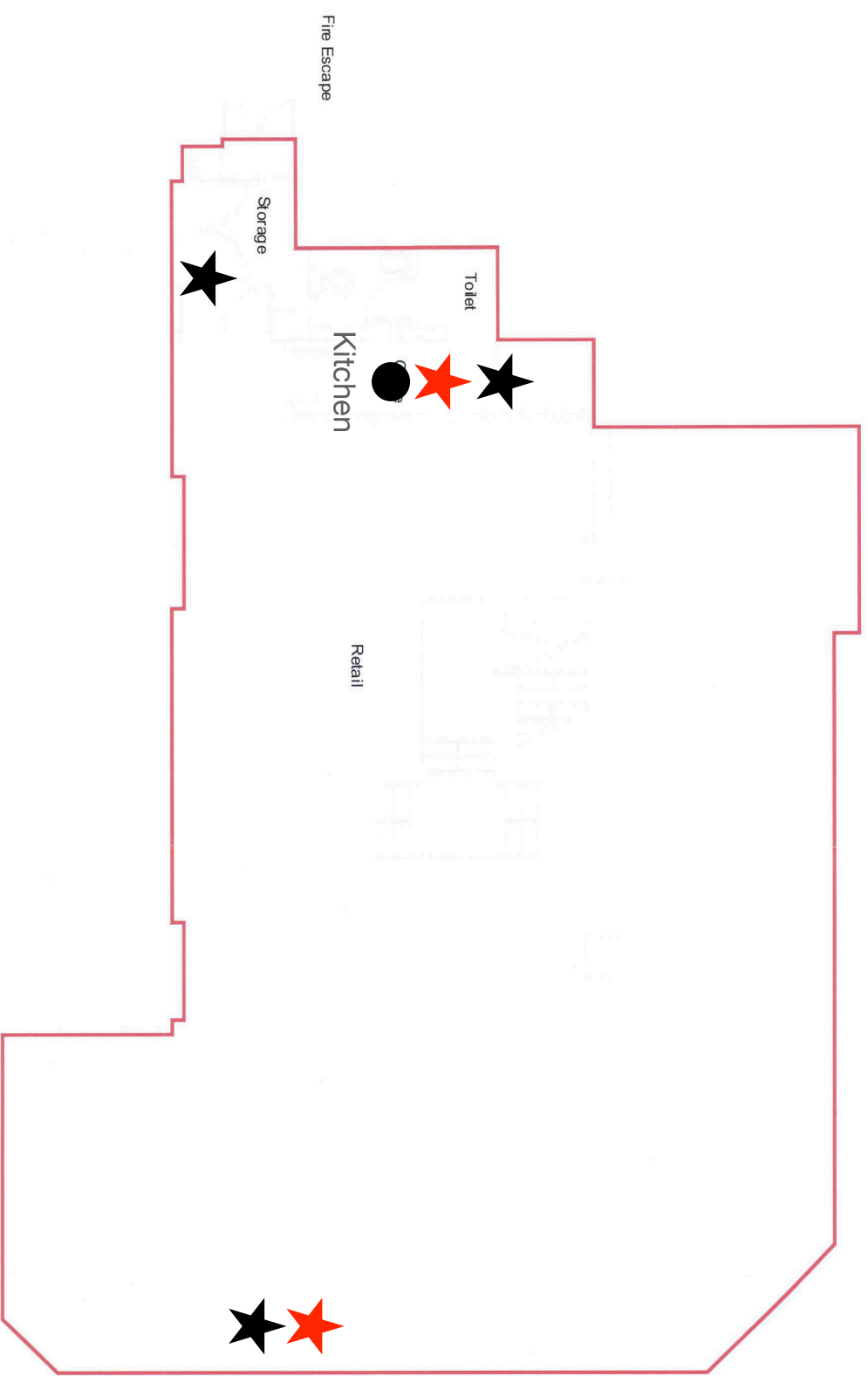
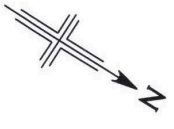
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+44 (0) 20 8309 2662 Lane & Frankham

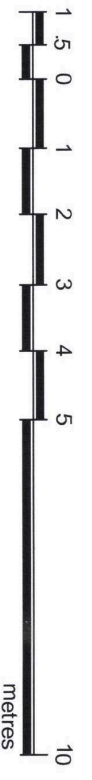
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Plan 1 (b) -
Basement



- ★ Fire extinguisher (water)
- ★ Fire extinguisher (CO2)
- Fire blanket



LEASE PLAN

84 TOTTENHAM COURT ROAD
LONDON, W1T 4TG

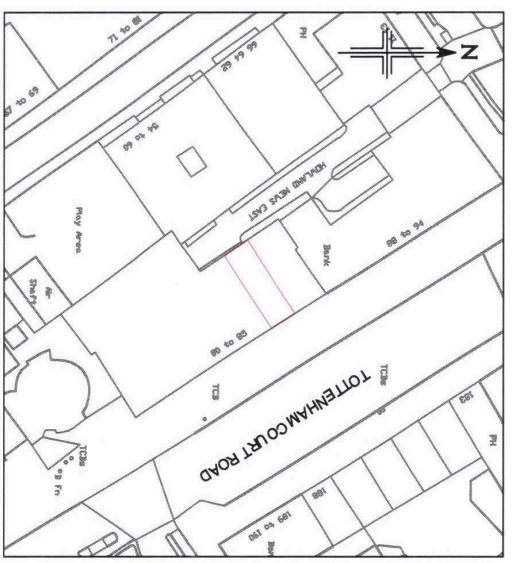
Basement

— Lease Demise

** (Signature)*

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Revisions:
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Location Plan
Scale 1:1250

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Drawing No. **LF934-LP-B**
Issue **A** October 2016
Presentation Scale - 1:100 @ A3

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**METROPOLITAN
POLICE****TOTAL POLICING**

Camden Licensing Authority

Town Hall Extension
Argyle St
London

WC1H 8EQ

EK - Camden Borough

Licensing Unit

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

Telephone: [REDACTED]

Email: [REDACTED]

Your ref: **NEW\121520**

Dear Sir/Madam

RE: Application NEW\121520**Kairos, 84 Tottenham Court Road W1T**

With reference to the above Application, the **Metropolitan Police Service (MPS)** wishes to **make a Representation.**

This application is to add a licence to a premises that already exists on Tottenham Court Road. The proposed hours are as follows:

Monday 12:00 23:00
Tuesday 12:00 23:00
Wednesday 12:00 23:00
Thursday 12:00 23:00
Friday 12:00 23:00
Saturday 12:00 23:00
Sunday 12:00 22:30

The hours for the sale of alcohol:

Monday 17:00 23:00
Tuesday 17:00 23:00
Wednesday 17:00 23:00
Thursday 17:00 23:00
Friday 17:00 23:00
Saturday 17:00 23:00
Sunday 17:00 22:30

The only licensable activity applied for is the sale of alcohol.

The Police would like to raise concerns around the promotion of the licensing objective "the prevention of crime and disorder".

Reasons for objection:

- CCTV has not been installed at the venue, and currently the applicant would prefer not to install CCTV.

The applicant has displayed a good understanding of the licensing objectives and proposed conditions addressing them, there is one cause for concern:

“If required, we will install a CCTV camera system and follow best practice in its use.”

This sentence is in the area that address the licensing objective “The prevention of crime and disorder”.

The Police met with the applicant on the 20th June 2024 at 15:00 to discuss conditions around CCTV and to get a better understanding of how the venue operates.

The applicant stated that they wanted to avoid CCTV as they wanted to respect the privacy of the members. Sometimes talks are held there they may be of a sensitive nature, most of the people that attend are known to the applicant as it is a small community.

The MPS believe that the presence of CCTV is a necessity in tackling crime, we have recommended the following conditions:

The premises licence holder shall ensure that CCTV cameras and recorders are installed at the premises.

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 both internal and external areas of the premises to which the public have access.

The CCTV camera views are not to be obstructed.

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 in obtaining the CCTV footage.

Copies of CCTV shall be made available within 48 hours to the Police or Local Authority, upon request.

Staff working at the premises shall be trained in the use of CCTV and a log will be kept to verify this.

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.

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

These conditions were sent to the applicant on the 24th June 2024, the MPS did suggest that if there was an issue with a condition the wording could be changed to suit the business if required. I have not had a response to this email.

Conclusion

The MPS recommend that this application is rejected unless the conditions suggested are applied and CCTV is installed. Evidence suggests that the presence of alcohol in venues increases the risk of crimes occurring, CCTV can be instrumental in preventing crime but also investigating incidents.

PC Dominic Hallam [REDACTED] **Camden Licensing Team**

[REDACTED]

[REDACTED]

[REDACTED]



CENTRAL NORTH
Policing Camden & Islington

WAVE PROGRAMME
Welfare And Vulnerability Engagement



[Click to see what we are doing for you on Twitter @MPSCamden](#)

[Click here to see what we are doing for you @MPSIslington](#)

Charlotte Street Association

email: [REDACTED]

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

1st July 2024

By email to: [REDACTED]

Dear Sir/Madam,

**Re: Licensing Act 2003: Application for New Premises Licence:
KAIROS, 84 Tottenham Court Road, London W1T 4TG**

Reference: APP\PREMISES-NEW\121520:

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.

Tottenham Court Road 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 some aspects of the proposals for a New Premises Licence for these premises, on the grounds of Public Nuisance, for the reasons given below; but which could be mitigated with suitable Conditions.

Continued 2.

Re: Licensing Act 2003: Application for a New Premises Licence:
 KAIROS, 84 Tottenham Court Road, London W1T 4TG - *continued*:

Reference: APP\PREMISES-NEW\121520:

PROPOSED NEW PREMISES LICENCE

The proposal is for a New Premises Licence, as follows:

For Monday to Saturday:

**(a). Supply of Alcohol (ON the Premises only): 5.00pm to 11.00pm
 and Business Hours of the premises (open): 12.00 midday to 11.00pm**

For Sunday:

**(a). Supply of Alcohol (ON the Premises only): 5.00pm to 10.30pm
 and Business Hours of the premises (open): 12.00 midday to 10.30pm**

THE MAIN ISSUES:

1. The Premises and its Location:

In addition to reading the Application Form, I have also had a telephone conversation with Zoe Blackler, as a result of her email to the Charlotte Street Association. Zoe Blackler is the founder and Director of Kairos, and is the Applicant.

From the application, my telephone conversation with Zoe Blacker and Kairos's website, we understand and appreciate that Kairos is a not-for-profit community interest group, which has been formed to explore radical ideas for social and cultural change in response to the climate and nature crises.

The premises at No. 84 consist of a Ground Floor and Basement space. No. 84 is a Retail shop space, and is part of a modern building, Nos. 80 to 85, which consists of retail shop units at Ground Floor (and Basement), with 5 stories of office above.

We understand that the premises have been let to Kairos on a "meanwhile" lease for 2 years.

Kairos uses the space as an office plus an "ancillary" events and club space, to hold the Kairos events, which are open to its membership, as well as to members of the public.

Although not a licensing matter, it should be said that we have concerns that this Ground Floor Retail unit is being used as an office use, (even though it is for 2 years). In addition to the loss of Retail space, office use at Ground Floor level tends to have a "dead" frontage, compared with the "active" frontage of a shop use.

The events are being held to have speakers and discussions, related to ideas in response to the climate and nature crises. We understand that the events are ticketed; held approximately once to three times a week; with 25 to 30 people; but social events could have 75 to 90 people. Members are allowed to bring upto 3 guests – although events apparently have been upto 90 people, future events could have many more people, which could be of concern.

Although it would be expected that the majority, if not all, of the people would arrive and

Continued 3

Re: Licensing Act 2003: Application for a New Premises Licence:
KAIROS, 84 Tottenham Court Road, London W1T 4TG - *continued*:

Reference: APP\PREMISES-NEW121520:

leave by public transport, there would be concern if a fair proportion arrived/left by taxis, minicabs and/or private cars due to the possible impact on the local residential streets.

The talks are held in **the Basement space**; and the social events are held in **the Ground Floor space**.

In terms of Public Nuisance, we are concerned at yet another licensed premises in Tottenham Court Road. In this immediate part of Tottenham Court Road, there are two pubs nearby on the opposite side of the street,

Although there are residential flats in Tottenham Court Road including blocks of flats, we appreciate that there is not much immediate residential in this part of the street.

There are some residential flats at nearby Whitfield Gardens; and the recently created hotel rooms opposite, above the former Habitat store.

There is much residential behind Tottenham Court Road on both sides in the side streets.

2. Use of the External spaces:

(a). We understand that Kairos does not wish to use **the external forecourt area or the public pavement area** in front of the premises/building.

(b). The Ground Floor plan drawings appear to show an entrance/exit door at the rear of the premises, (presumably into Howland East Mews). We are not clear if there is an outside space and/or terrace at the back. No. 84 (and the building) backs onto the children's Fitzrovia Nursery and Play Centre.

We would appreciate clarification about any external space and its use at the rear; and if it will be used only for deliveries/collections; or also by staff and customers, especially for smoking etc.

3. The Supply of Alcohol, ON-Premises, only:

We appreciate that the application is to enable people to have a drink when attending the discussion groups and talks, and at the larger social events.

Under their Licensing policy, Camden will regard the premises (in Licensing terms) as a "Bar" if the applicant does not offer a "restaurant" condition (whereby Alcohol can only be served to customers having a table meal, and where the alcohol is ancillary to the meal).

We are usually concerned about new premises becoming bars and or being regarded as bars. In this case, obviously a "restaurant"-type Condition is not appropriate. We would like to suggest a particular Condition, similar to ones we have suggested for similar premises.

4. Hours:

With regard to the proposed Supply of Alcohol:

(a). For each day, the proposed terminal hour is the same as the proposed closing time of the premises. Camden usually expects the terminal hour for Alcohol to be half-an-hour before the Closing time, to allow for drinking-up time.

Thus, we would like to ask that the terminal hour for the **Supply/Sale of Alcohol is: 10.30pm for Monday to Saturday; and 10.00pm for Sunday.**

People at events and the social occasions will still be able to drink until closing times (10.30pm and 10.00pm respectively), because the actual drinking of alcohol is not a licensable activity.

Continued 4.

Re: Licensing Act 2003: Application for a New Premises Licence:
KAIROS, 84 Tottenham Court Road, London W1T 4TG - *continued*:

Reference: APP\PREMISES-NEW\121520:

5. Deliveries/Collections/Refuse-collection/Bottling-out:

We are not clear about the arrangements and times for deliveries and collections, and the arrangements for refuse collections and for bottling-out (noisy disposal of bottles).

We would be grateful for clarification - sometimes these activities can give rise to issues of noise/disturbance, and thus we usually suggest appropriate Conditions.

6. Conditions:

In the circumstances, we would like to ask that the following Conditions, below, are considered. They are based on model conditions in Camden's Licensing Policy.

We appreciate that the applicant has already proposed Camden's "Ask for Angela" initiative, a condition which we support and always ask for.

- (1). The Licensable Activities allowed by this licence are ancillary to the main use of the premises as an event space managed by Kairos for exploring radical ideas for social and cultural change in response to the climate and nature crises.
- (2). The Premises Licence shall be personal to "Kairos" and shall be incapable of being transferred.
- (3). Alcohol shall only be sold or supplied to Members of Kairos and/or to individuals attending ticketed-events arranged by Kairos, and the bona fide guests of Members.
- (4). No alcohol drinks shall be allowed on the external external forecourt area (and the rear external area). People attending events shall not be allowed to take their drinks outside.
- (5). There shall be no "off" sales of alcohol.
- (6). No noise shall emanate from the premises which will give rise to a nuisance.
- (7). "Ask for Angela" initiative:
 - (a). Let's Communicate – Staff need to feel comfortable to speak up and approach colleagues and management about any form of harassment that they may witness or be subjected to themselves and know the processes available to them to express their views and concerns.
 - (b). Supporting Each Other – Ensure that you and your staff are aware of the various support campaigns available such as Ask Angela and that these are clearly displayed around your venue.
 - (c). Training for All – Staff training on how to report any issues, what to say and do should they witness or be subject to harassment and how to identify harassment and those who may be vulnerable, make them aware of your internal policies.

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.

Continued 5.

CHARLOTTE STREET ASSOCIATION

1st July 2024: Page 5.

Re: Licensing Act 2003: Application for a New Premises Licence:
KAIROS, 84 Tottenham Court Road, London W1T 4TG - *continued*:

Reference: APP\PREMISES-NEW\121520:

CUMULATIVE IMPACT - *continued*:

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

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."

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 is protected.

Yours sincerely,

Clive Henderson,

On behalf of Charlotte Street Association.

Attached: Map Showing the area;
Photographs

Copy: CSA Committee.

Conditions consistent with the operating schedule

1. Staff shall be trained on their responsibilities under the Licensing Act 2003.
2. A log shall be kept at the premises and record all refused sales of alcohol.
3. A duty of care policy will be in place.
4. The premises shall operate a zero tolerance drugs policy.
5. The premises shall conduct a risk assessment of potential hazards which will be reviewed annually.
6. Staff shall be trained in First Aid.
7. We shall ensure the premises is adequately ventilated.
8. We will set a limit for capacity (following consultation with the fire safety authority).
9. The premises shall operate an accident and emergency policy (including fire and evacuation etc) for all staff.
10. The premises shall have a fire alarm system that connects directly to the fire station.
11. The premises shall sign up for the "Ask for Angela" scheme.
12. There shall be no alcohol served after 11pm and all customers to vacate the premises by midnight.
13. Prominent signage shall be displayed at all exits from the premises requesting that customers leave quietly.
14. A written dispersal policy shall be in place and implemented at the premises to move customers from the premises and the immediate vicinity in such a way as to cause minimum disturbance or nuisance to neighbours.
15. We will participate in any local Pubwatch or other similar scheme.
16. Children shall not be allowed on the premises if there are activities intended for adults only.
17. Staff shall be trained on ID checking and the documents required.

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.