

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?	Fifth Element - Italian - Bar and Kitchen Cleveland
What is the address or location?	96 Cleveland Street W1T 6NP London
What is the type of premises?	Italian restaurant
Describe the area it is situated in	Residential
Describe the layout of the premises	The premises consists of two internal floors and an outdoor seating area (applications in progress). Upstairs: 10 seats, capacity for up to 20 people. Downstairs: 16 tables, seating 32 people. Outside (pavement licence application submitted): 6 tables, 12 seats. Outside (road usage application submitted): 3 tables, 6 seats. Total proposed capacity: 70 seats (approximately 70–80 people including outdoor areas).
Copy of the premises plans	<ul style="list-style-type: none">• Upstair.png• PlanRoadApplocation.JPG• Downstair.png

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	23:30
Friday	12:00	23:30
Saturday	12:00	23:30
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?

Yes

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**

15774481

Name of business

FRAGOLAH LIMITED

Name and address3 KING GEORGE ROAD
EN9 1HG
WALTHAM ABBEY**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	23:00
Tuesday	12:00	23:00
Wednesday	12:00	23:00
Thursday	12:00	23:30
Friday	12:00	23:30
Saturday	12:00	23:30
Sunday	12:00	22:30

Where will the supplied alcohol be consumed?

Both

Are there any seasonal variations for the activity?

No

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

No

DPS details**Does your designated premises supervisor (DPS) currently hold a personal licence?**

Yes

Was their personal licence issued by Camden?

No

Personal licence number

[REDACTED]

Issuing local authority

[REDACTED]

First name

Ajanthan

Last name

Vigneswararajah

Address[REDACTED]
[REDACTED]
[REDACTED]**Signed Copy of the Designated Premises Supervisor (DPS) consent form**

- Schedule_15_-_6_3_17_Consent_of_individual_to_being_spec.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

1. Staff Training All staff will receive training on responsible service, identifying and handling antisocial behavior, and how to deal with potentially violent situations. Regular refresher training will be scheduled to ensure staff stay up-to-date with policies.
2. Security Measures Install CCTV covering entrances, exits, and areas where alcohol is served. Maintain a log of all incidents and any interventions. Use door supervisors or

Public safety

security personnel during busy hours or events (if applicable). 3. Entry Controls Check ID to prevent underage drinking. Refuse entry to anyone showing signs of intoxication or aggressive behavior. Maintain a refusals book to track individuals denied entry. 4. Cooperation with Authorities Liaise with local police and licensing authorities on security matters. Participate in Pubwatch or similar schemes if available. Report any suspicious activity promptly. 5. Environmental Measures Keep the premises and immediate vicinity well-lit. Remove potential hazards that could lead to disorder or criminal activity. Ensure adequate staffing levels for safe operation, especially during busy periods. 6. Policies and Procedures Have a written policy for handling incidents of crime or disorder. Display signage indicating zero tolerance for violence or anti-social behavior.

1. Fire Safety Install and maintain smoke detectors, fire alarms, and fire extinguishers. Conduct regular fire risk assessments. Clearly mark all fire exits and ensure they are kept unobstructed. Train staff in emergency evacuation procedures.

2. Health & Safety Measures Keep floors, stairs, and other surfaces safe and slip-free. Ensure all electrical and gas equipment is properly maintained. Implement cleaning and hygiene procedures to prevent accidents and illness. 3. Capacity and Crowd Management Limit the number of patrons to the maximum safe occupancy. Have a clear plan for safe entry, exit, and movement of customers. Use staff to manage queues or crowded areas during busy times. 4. Lighting and Signage Ensure

The prevention of public nuisance

adequate lighting inside and outside the premises. Display clear safety signage, including fire exits, first aid, and hazard warnings. 5. First Aid Keep a stocked first aid kit accessible. Ensure at least one staff member trained in first aid is on duty at all times. 6. Policies and Procedures Have a written health and safety policy. Record any accidents or incidents and take action to prevent recurrence

1. Noise Control Keep music and entertainment at a reasonable level. Install soundproofing or acoustic measures where appropriate. Regularly check noise levels, particularly during late-night hours. Ensure staff monitor outdoor areas for noise disturbances. 2. Management of Patrons Supervise customers leaving the premises to avoid loud or disruptive behavior. Encourage patrons to leave quietly, especially late at night. Provide clear guidance on acceptable behavior in and around the premises. 3. Waste Management Ensure that litter, bottles, and other waste are regularly cleared from the premises and surrounding area. Provide appropriate bins for customers to dispose of waste safely. 4. Delivery and Collection Hours Schedule deliveries, collections, or refuse disposal during hours that minimize disturbance to neighbors. 5. Smoking Areas Designate smoking areas away from residential areas. Ensure customers do not gather in a way that causes noise or obstruction. 6. Policies and Procedures Maintain a written policy to address complaints from local residents.

The prevention of children from harm

1. Age Verification Implement a robust Challenge 25 or Challenge 21 policy to

prevent underage sales of alcohol. Train all staff to ask for and check photographic ID (passport, driving license, or proof-of-age card). Refuse service to anyone who cannot provide valid identification. 2. Access Restrictions Prevent unaccompanied children from accessing areas where alcohol is served. Limit children's presence in late-night hours or during events not suitable for minors. Clearly mark areas restricted to adults if necessary. 3. Entertainment and Content Ensure entertainment or events are appropriate for children if they are allowed on the premises. Avoid exposure to adult content, gambling, or other unsuitable material. 4. Staff Training Train staff on child protection policies and recognizing signs of potential harm or exploitation. Ensure staff know how to handle situations where a child may be at risk. 5. Policies and Procedures Maintain a written safeguarding policy for children. Keep records of incidents involving minors and report serious concerns to the authorities as required.

About this form

Issued by

Camden Town Hall
Judd Street
London
WC1H 9JE

Contact phone

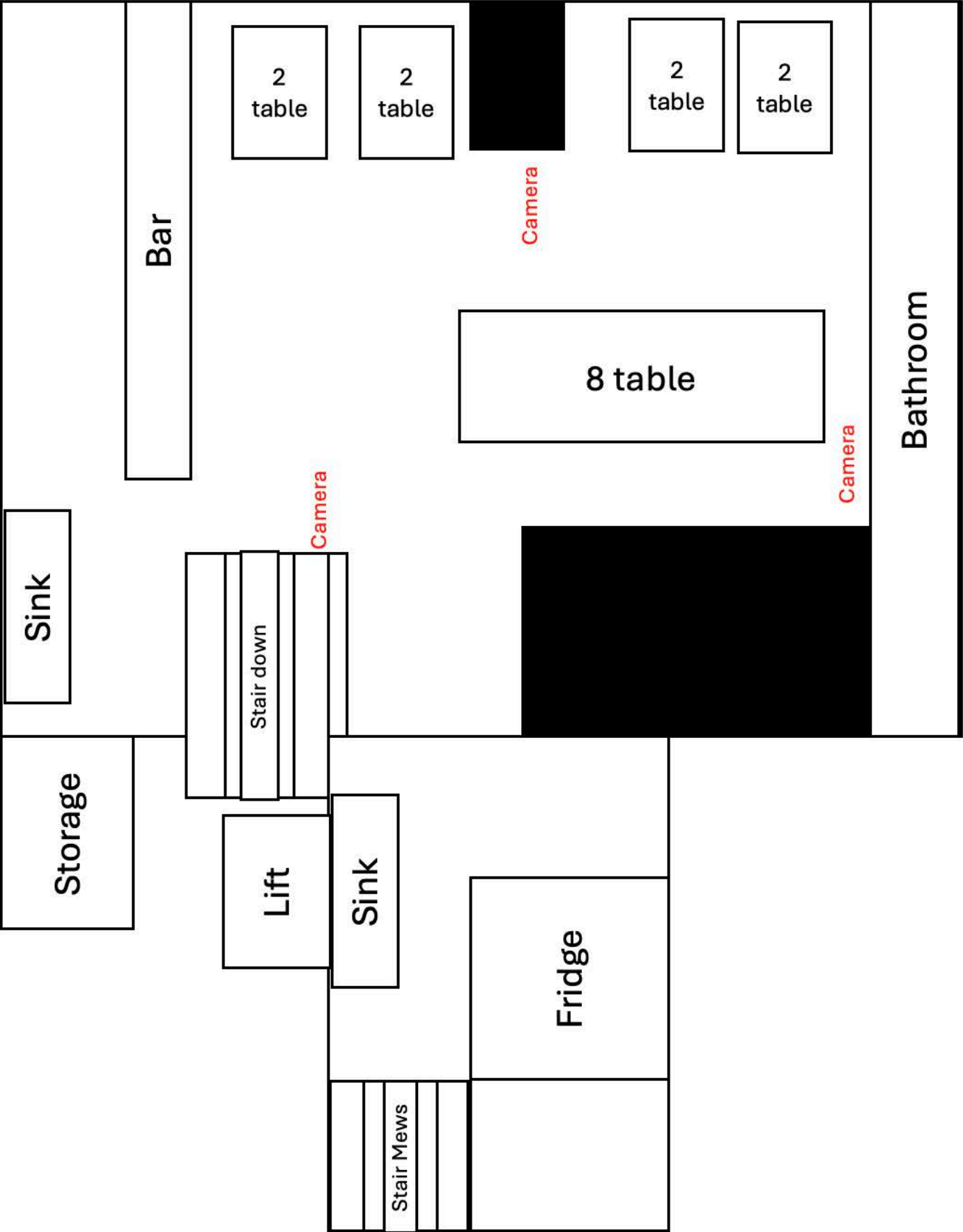
020 7974 4444

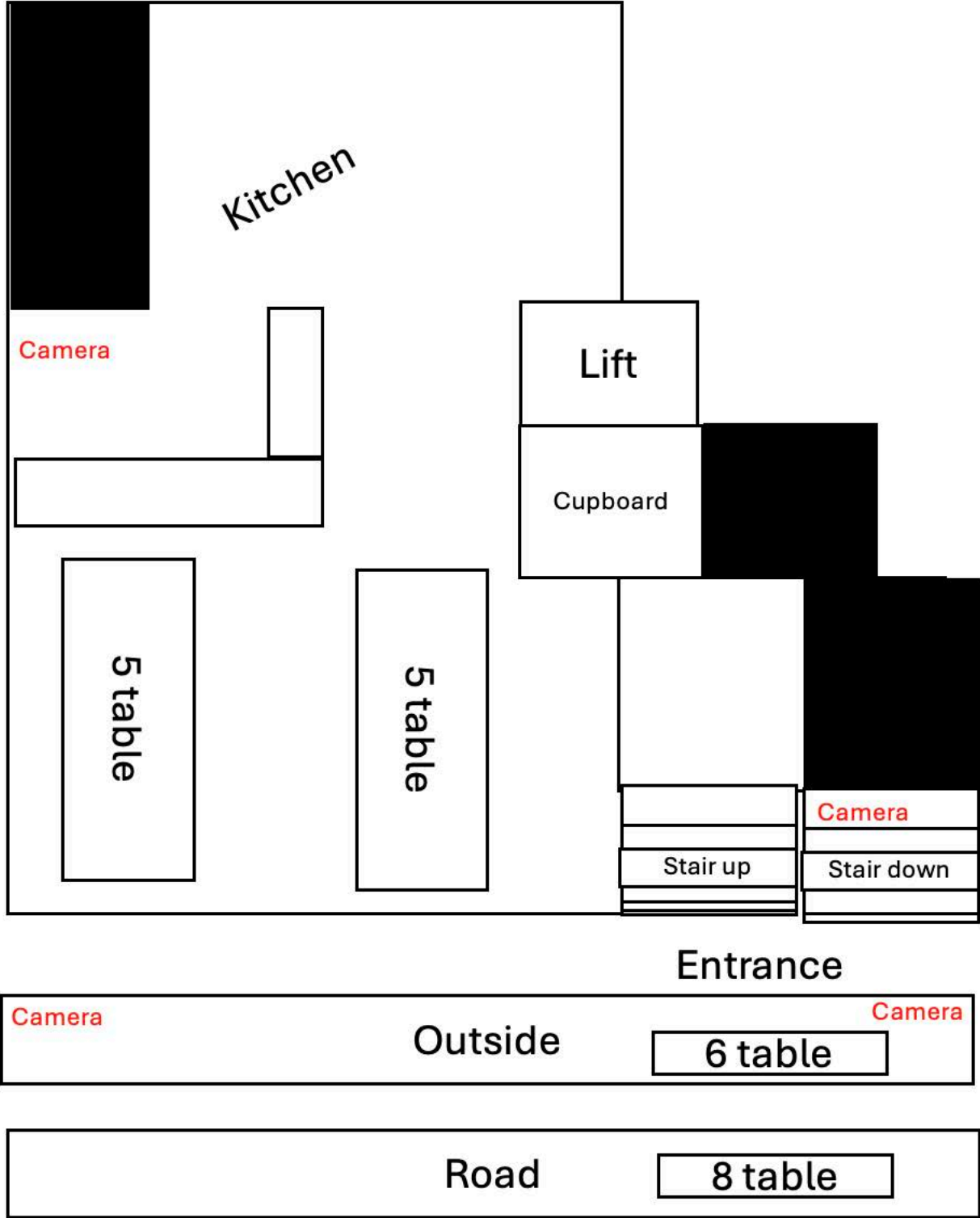
Form reference

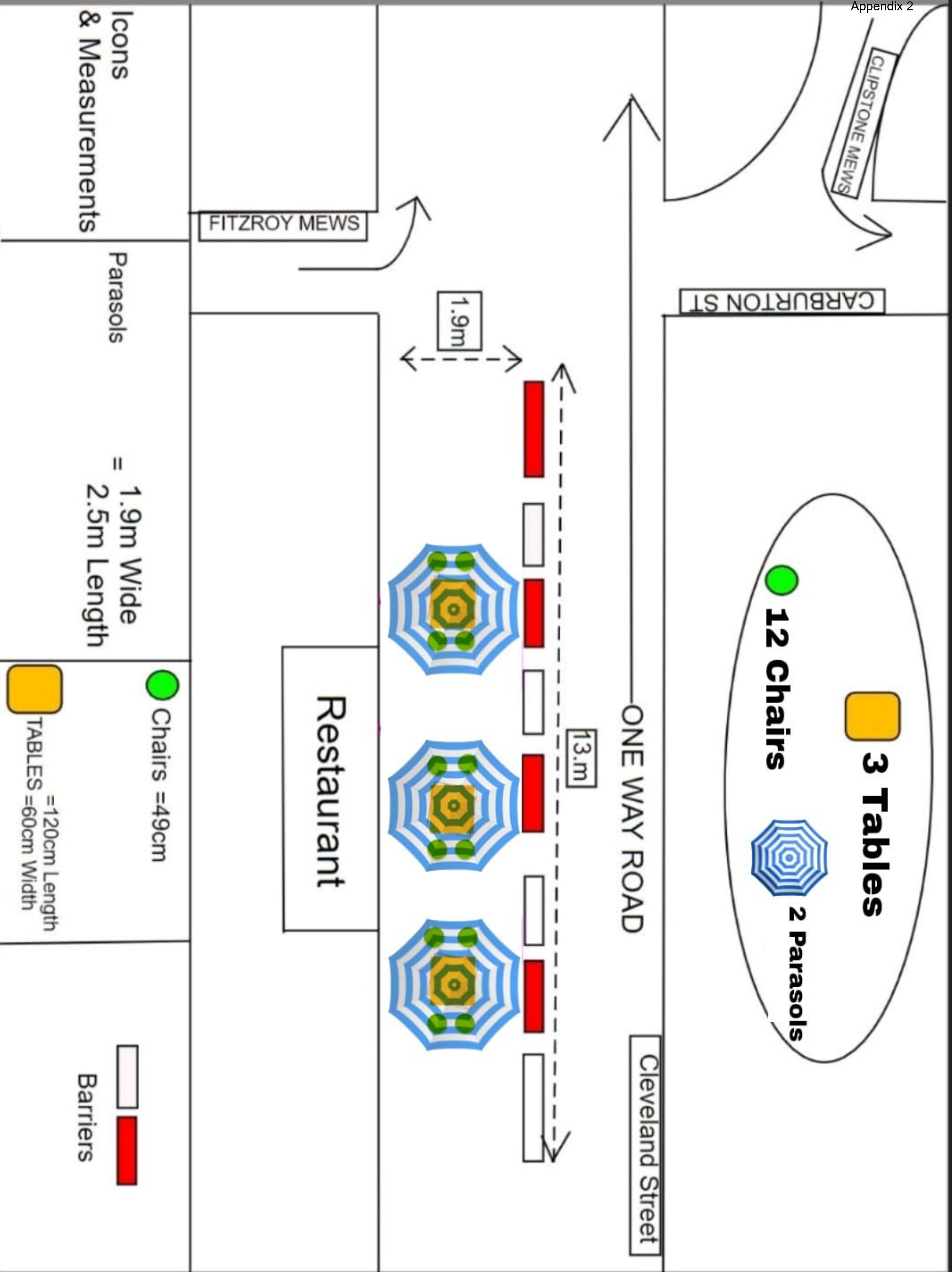
Ref. no. 131335

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From: [Joel.Francis](#) [REDACTED]
To: [licensing.inbox](#); [REDACTED]; [Sarah Fearon-Hales](#)
Subject: Police Licensing - Application NEW\131335 for Fifth Element - Italian Bar and Kitchen, 96 Cleveland Street, W1T 6NP
Date: 14 October 2025 15:42:46
Attachments: [image001.png](#)

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RE. APP\PREMISES-NEW\131335
Fifth Element - Italian Bar and Kitchen, 96 Cleveland Street, W1T 6NP

Dear Camden Council,

Police Licensing and the applicant for Application NEW\131335 for Fifth Element - Italian Bar and Kitchen, 96 Cleveland Street, W1T 6NP, have agreed terms prior to the last day of Representations,

For ease the following have been agreed:

Agreed Conditions:

1. CCTV shall be installed, operated, and maintained, to function all times that the premises is open for licensable activities. CCTV will comply with the following:
 - a. The system will record in real time and recordings will be date and time stamped;
 - b. 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 48 hours of any request.
 - c. 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.
 - d. The CCTV camera views are not to be obstructed.
 - e. 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.
2. There shall be no vertical drinking and all alcohol sales shall be ancillary to a substantial table meal.
3. Police must be called to incidents of violence and/or serious disorder.
4. An incident log shall be kept at the premises and be made available upon request to the Police or the Local Authority. The book will record the date, time and whom is making the entry. The following must be recorded:
 - a. All crime reported to the venue
 - b. All refused sales
 - c. Any complaints received
 - d. Any faults in the CCTV system
 - e. Any visit by a relevant authority or emergency service
 - f. CAD reference numbers where Police are called
5. The venue shall not engage the services of street promoters to encourage clientele to attend the venue.

6. 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).
7. Consumption of alcohol on the premises shall cease 30mins after the permitted hours for the sale of alcohol.
8. Regular glass collection shall be undertaken by staff.
9. The venue must employ and document a dispersal policy to the satisfaction of the Police and Licensing Authority, for the patrons leaving the venue at the end of an event. These documents must be made available on request to any responsible authority.
10. The licensee will ensure that staff are trained, as appropriate, in respect of relevant Licensing Law; crime scene best practice and upon the sale of alcohol to drunks and to persons underage. Training shall be written into a programme, on-going review and will be made available for inspection by Police or other responsible authority, upon request.
11. Management will ensure that patrons utilising the external area, remain within the curtilage of the venue when consuming alcohol.

Agreed Times:

No changes to Application

Warm regards,

Joel



Joel Francis, Police Constable 2601CN
Camden Police Licensing Team, Central North BCU
Kentish Town Police Station, 12A Holmes Road, NW5 3AE

[Redacted signature area]

From: Fifth Element Cleveland [Redacted]
Sent: 13 October 2025 17:32
To: Francis Joel P.E - CN-CU [Redacted]
Subject: Re: Police Licensing - Application NEW\131335 for Fifth Element - Italian Bar and Kitchen, 96 Cleveland Street, W1T 6NP

Dear Joel

Im happy with these conditions

Kind regards,
Fifth Element, Cleveland



On Mon, 13 Oct 2025, 3:57 pm , [REDACTED] wrote:

RE. New Premises Licence Application NEW\131335

Dear Applicant,

In relation to the new application for Fifth Element - Italian Bar and Kitchen, 96 Cleveland Street, W1T 6NP,

At your convenience could you consider the following Police Recommended Conditions and confirm whether or not you are happy to add these onto the Operating Schedule?

1. CCTV shall be installed, operated, and maintained, to function all times that the premises is open for licensable activities. CCTV will comply with the following:
 - a. The system will record in real time and recordings will be date and time stamped;
 - b. 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 48 hours of any request.
 - c. 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.
 - d. The CCTV camera views are not to be obstructed.
 - e. 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.
2. There shall be no vertical drinking and all alcohol sales shall be ancillary to a substantial table meal.
3. Police must be called to incidents of violence and/or serious disorder.
4. An incident log shall be kept at the premises and be made available upon request to the Police or the Local Authority. The book will record the date, time and whom is making the entry. The following must be recorded:
 - a. All crime reported to the venue
 - b. All refused sales
 - c. Any complaints received
 - d. Any faults in the CCTV system
 - e. Any visit by a relevant authority or emergency service
 - f. CAD reference numbers where Police are called
5. The venue shall not engage the services of street promoters to encourage clientele to attend the venue.
6. 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).
7. Consumption of alcohol on the premises shall cease 30mins after the permitted hours for the sale of alcohol.

8. Regular glass collection shall be undertaken by staff.
9. The venue must employ and document a dispersal policy to the satisfaction of the Police and Licensing Authority, for the patrons leaving the venue at the end of an event. These documents must be made available on request to any responsible authority.
10. The licensee will ensure that staff are trained, as appropriate, in respect of relevant Licensing Law; crime scene best practice and upon the sale of alcohol to drunks and to persons underage. Training shall be written into a programme, on-going review and will be made available for inspection by Police or other responsible authority, upon request.
11. Management will ensure that patrons utilising the external area, remain within the curtilage of the venue when consuming alcohol.

Best regards,

Joel



Joel Francis, Police Constable 2601CN
Camden Police Licensing Team, Central North BCU
Kentish Town Police Station, [12A Holmes Road, NW5 3AE](#)



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From: [Fifth Element Cleveland](#)
To: [Steven Dormer](#)
Cc: [Samina Khan](#)
Subject: Re: 131335 Fifth Element 96 Cleveland Street
Date: 22 October 2025 23:52:08
Attachments: [image001.jpg](#)
[image002.png](#)
[image003.png](#)
[image004.jpg](#)
[image005.png](#)

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Dear Mr. Dormer,

Thank you for your email and for confirming receipt of our premises licence application.

We appreciate your guidance regarding Camden Licensing policy on restaurants and women's safety. We are happy to adopt the proposed conditions relating to:

1. The supply of alcohol being ancillary to a substantial table meal served by waiter/waitress service;
- 2 Alcohol sales being limited to seated customers and by waiter/waitress service only; and
3. Compliance with the principles set out in the Women's Night Safety Charter and Camden's Statement of Licensing Policy.

Could you kindly let me know what I need to do with Charlotte Street? As this is the 1st time I'm making the application with camden, your guidance will really help me

On Tue, Oct 7, 2025 at 9:40 AM Steven Dormer [REDACTED] wrote:

Hi,

I can confirm that the Licensing Authority have received your application for a premises licence. In line with Camden Licensing policy on restaurants and women's safety may I recommend adopting the following conditions. This will prevent the licensing authority making a formal representation. If you have any questions then please ask me.

It might be worth engaging with the Charlotte Street Association and discuss the nature of the venue and how it will be managed.

See below there email address.

Charlotte Street Assoc. [REDACTED]

The supply of alcohol at the premises shall only be to a person seated taking a [substantial] table meal [served by waiter/waitress service] and for consumption by such a person as ancillary to their meal.

The premises licence holder shall promote and comply with the principles set out in the Women's Night Safety Charter and Woman's Safety Principles set out in the London Borough of Camden's Statement of

Licensing Policy

The sale of alcohol shall only be by waiter/waitress service to seated customers

Steven Dormer
Licensing Officer

Public Safety
Investment, Place and Opportunity
London Borough of Camden

Web: camden.gov.uk

5 Pancras Square
London N1C 4AG



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Kind regards,
Fifth Element, Cleveland



From: [Charlotte Street Assoc.](#)
To: [Samina Khan](#)
Subject: Fw: Agreement letter re. Licensing Application: Fifth Element, 96 Cleveland Street, W1T 6NP: ref. APP\PREMISES-NEW\131335
Date: 12 November 2025 23:58:30
Attachments: [CSA AGREEMENT Letter-final Licensing 96 Cleveland St - Fifth Element 11.11.2025.doc](#)

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Samina Khan,
 Licensing Officer,
 London Borough of Camden

Dear Samina,

**Re: Agreement letter: re. Licensing Application:
 Fifth Element, 96 Cleveland Street, W1T 6NP:
 ref. APP\PREMISES-NEW\131335**

The applicant, Ajanthan Vigneswararajah has told me that he has been in touch with you. Thus, it might be helpful for you to have a copy of **CSA's Agreement letter**, and our email (below) which I sent to Steven Dormer earlier this week.

Kind regards,

*Clive Henderson,
 On behalf of Charlotte Street Association*

----- Forwarded message -----

From: Charlotte Street Assoc. [REDACTED]
To: steven.dormer [REDACTED] <steven.dormer [REDACTED]>; licensing@camden.gov.uk
 <licensing@camden.gov.uk>
Cc: [REDACTED]
Sent: Tuesday, 11 November 2025 at 19:26:28 GMT
Subject: Agreement letter re. Licensing Application: Fifth Element, 96 Cleveland Street, W1T 6NP:
 ref. APP\PREMISES-NEW\131335

Steven Dormer,
 Licensing Officer,
 London Borough of Camden.

Dear Steven,

**Re: Agreement letter: re. Licensing Application:
 Fifth Element, 96 Cleveland Street, W1T 6NP:
 ref. APP\PREMISES-NEW\131335**

We recently met with Ajanthan Vigneswararajah, the applicant, concerning his above licensing application; and we have now come to an Agreement with him.

Please find **attached our Association's Agreement letter dated 11th November 2025**, addressed to Ajanthan Vicneswararajah.

Thus, I confirm that the Charlotte Street Association withdraws its objections, on the basis of:

(a). the Agreed Conditions; and

(b). the Amended Hours;

as set out in our attached letter; and that we think a Hearing is no longer necessary.

Also, I have suggested to Ajanthan that he may wish to show our letter to the various residents who, I understand, have objected, so that they can also consider withdrawing their objections, on the basis of our Charlotte Street Association letter.

I am also copying in Ajanthan/Fifth Element on this email.

Kind regards,

Clive Henderson,

On behalf of Charlotte Street Association

Charlotte Street Association

email: [REDACTED]

Ajanthan Vigneswararajah,
Fifth Element Restaurant,
96 Cleveland Street,
London W1T 6NP.

11th November 2025**Sent by email to:** [REDACTED]

Agreement Letter: final

Dear Ajanthan,

**Re: Licensing Act 2003: Application for New Premises Licence:
FIFTH ELEMENT RESTAURANT, 96 Cleveland Street, W1T 6NP**

Reference: APP\PREMISES-NEW\131335

It was very nice to meet with you yesterday on Monday 10th November 2025, when we discussed our Association's letter of representations dated 26th October 2025, which was in response to your recent Licensing Application.

I and my fellow Committee Member, Linus Rees, met with you at your restaurant, Fifth Element at 96 Cleveland Street.

As for most licensing applications, our main concern is to agree Conditions which help to protect the residential amenity of people living nearby. In this instance, there are blocks of flats immediately opposite, as well as flats above your restaurant.

We mentioned that one of the residents has been in email correspondence with our Association; and he has sent us a copy of his representations to Camden. We understand that a number of other residents have also submitted their representations/objections, but we have not seen a copy of them.

We have received the following information, with regard to the Responsible Authorities' representations:

- (a). Thank you for forwarding on to us the Police's email dated 14th October 2025 to Camden Licensing – this email confirms **the Conditions that you have agreed with the Police**; and thus they have withdrawn their objections.
- (b). We also received an email dated 29th October 2025 from Steven Dormer/Camden Licensing Officer, in which he confirms that you have **agreed to certain Conditions with Camden as Licensing Authority** - Conditions with regard to "restaurant"-type conditions; and with regard to Camden's Women's Night Safety charter.

Continued to page 2

Agreement Letter (Final) to Ajanthan Vigneswararajah

Re: Licensing Act 2003: Application for New Premises Licence:

FIFTH ELEMENT RESTAURANT, 96 Cleveland Street, W1T 6NP - *continued*:

Reference: APP\PREMISES-NEW131335

We discussed the various points and the suggested Conditions in our representations letter, as follows:

Re: the Plan layout drawings:

In our letter, we thought that the Plan layout drawings appeared to be inadequate.

Nonetheless, we are going to leave this as a matter between yourself and Camden Licensing.

Although not shown on the Basement layout drawing, you clarified that there is an entrance door at the rear of the premises onto Fitzroy Mews. The door is a fire escape door; but is also used for receiving certain deliveries.

You also clarified that the “black” rectangles/areas on both floor Plans are parts of the building which are not part of your premises.

Re: Kitchen extract duct:

You clarified that there is an existing kitchen extract duct. We appreciate this is a planning matter, as opposed to a licensing matter.

But, it is not quite clear if there is a planning approval for it – noise and cooking odours are often important factors for extract ducts in relation to nearby residential flats.

Re: the front Outside Areas:

You confirmed that you are applying for:

- (a). a **Pavement Licence**, to allow for Chairs & Tables for 12 people/customers. Because of the representations from residents, you are proposing hours of use of 11.30am to 9.30pm, Monday to Sunday.
- (b). a **Streeterie on the highway**, to allow for Chairs & Tables also for 12 people/customers with the same hours as the Pavement Licence.

You are intending to start packing the Tables & Chairs at 9.00pm, so that they are clear outside areas are clear by 9.30pm

Re: Sale of Alcohol OFF-The-Premises:

As in our letter, we are concerned about the proposal for the OFF-Sales of Alcohol.

You explained that you are only having OFF-Sales to enable your customers having a table meal at the outside Tables and Chairs (covered by the Pavement Licence) to be able to have alcohol. I thought that the Pavement Licenced Tables & Chair can usually be regarded as part of the licensable area of the premises; and thus those customers can be served alcohol under the ON-Sales of Alcohol.

But, as we are not sure, I have written a Condition to cater for this situation as OFF-Sales.

You further explained that you do not wish to sell alcohol (e.g. bottles of wine) as OFF-Sales, even to customers who have had a meal at your restaurant.

Nonetheless, after some discussion, we felt that perhaps you should have an OFF-Sales Condition, which allows a customer to take away an unfinished bottle of wine/alcohol after their table meal.

Continued to page 3

CHARLOTTE STREET ASSOCIATION
Agreement Letter (Final) to Ajanthan Vigneswararajah

11th November 2025: Page 3

Re: Licensing Act 2003: Application for New Premises Licence:
 FIFTH ELEMENT RESTAURANT, 96 Cleveland Street, W1T 6NP - *continued*:
 Reference: APP\PREMISES-NEW\131335

1. PROPOSED CONDITIONS:

As a result of our discussion, we agreed to the following Conditions with you:

- (a). The supply of alcohol ON the Premises shall only be to customers seated taking a table meal there, and for consumption by such persons as ancillary to their meal.
- (b). The supply of alcohol and food shall be by waiter and/or waitress service only.
- (c). The supply of alcohol OFF the Premises shall only be to customers seated and taking a table meal at the external chairs & tables permitted by a Pavement Licence, (on the public pavement and at a streaterie).
- (d). The Supply of alcohol OFF the Premises shall also allow for customers, who, having had a table meal, wish to take away an unfinished bottle of alcoholic drink.
- (e). Smokers from inside will not be allowed to take out to outside their alcoholic drink.
(Note: this is in addition to any customers who may already be sitting at the tables on the external forecourt area.)
- (f). Customers smoking on the public highway (public pavements) shall not be permitted to cause obstruction of the highway (pavements) to passers by/members of public.
- (g). Notices shall be prominently displayed stating that this is also a residential area, and asking patrons to respect to be quiet and considerate to neighbours and residents when leaving.
- (h). The front door and windows on the street frontage to be kept closed after 9.00pm, to prevent noise break-out to residents.
- (i). External Forecourt Areas:
The terminal hour for the use, by customers, of Chairs and Tables on the forecourt areas (the Chairs & Tables on the public pavement; and the Chairs and Tables in the Streaterie) shall be 9.30pm Monday to Sunday.
- (j). Courier collections from the premises for take away meal deliveries to customers:
To avoid noise and disruption to residents, and congestion in the street, for take away food orders that are being collected by delivery companies using couriers, there shall be the following arrangements:
 - to encourage the use of cycle couriers (instead of scooters) in order to cut down on noise disturbance
 - If scooter courier, the delivery/collection company will only be called when the order has been prepared and is ready for collection;
 - Generally, one collection at a time whenever possible;
 - Scooter couriers to turn off their engines, and no prolonged hanging around/waiting.

There will be no sale of Alcoholic drinks delivered by couriers.

Continued to page 4

Agreement Letter (Final) to Ajanthan Vigneswararajah

Re: Licensing Act 2003: Application for New Premises Licence:

FIFTH ELEMENT RESTAURANT, 96 Cleveland Street, W1T 6NP - *continued*:Reference: APP\PREMISES-NEW131335

1. PROPOSED CONDITIONS - *continued*:

- (k). The disposal of rubbish, and the disposal of bottles (including any bottling out), outside the Premises shall comply with the hours and regulations, as set down by the Local Authority.
- (l). Deliveries & Collections:
There shall be no deliveries or collections
 - between 8.00pm and 8.00am;
 - and not at all on Sundays and Bank/Public Holidays.
- (m). Adopt Camden's "Ask for Angela" initiative:
 The premises shall at all times adhere to the three "Women's Safety principles":
 (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.

Note re. Adopt Camden's "Ask for Angela" initiative:

We appreciate that Camden might prefer to have more updated and/or additional wording for this above **Condition (k)** so that it also includes for signing up to the Welfare and Vulnerability Engagement (WAVE) Training for all the staff.

We would not object to Camden putting forward alternative appropriate wording.

2. AMENDED HOURS re, the Sale of Alcohol and Closing Time:

As is our letter, the proposed Terminal Hour for the Sale of Alcohol is the same as the Closing Time. Camden expects the Terminal Hour for the Sale of Alcohol to be half-an-hour before the Closing Time, to allow for drinking up time.

Thus, we asked that **the Hours for the Sale of Alcohol are adjusted**, to allow for the half-hour drinking-up time.

Customers will still be allowed to drink after these times upto the Closing Time, because actual drinking (as opposed to the Supply/Sale of alcohol) is not a licensable activity.

Thus, it was agreed that the **AMENDED HOURS are to be:**

For Monday to Wednesday:

- (a). Supply of Alcohol (ON and OFF the Premises): 12.00 midday to 10.30pm;
and Open to the Public: 12.00 midday to 11.00pm.

For Thursday, Friday & Saturday:

- (a). Supply of Alcohol (ON and OFF the Premises): 12.00 midday to 11.00pm;
and Open to the Public: 12.00 midday to 11.30pm.

Continued to page 5

CHARLOTTE STREET ASSOCIATION

11th November 2025: Page 5**Agreement Letter (Final) to Ajanthan Vigneswararajah**

Re: Licensing Act 2003: Application for New Premises Licence:

FIFTH ELEMENT RESTAURANT, 96 Cleveland Street, W1T 6NP - *continued*:Reference: APP\PREMISES-NEW\131335

2. AMENDED HOURS re, the Sale of Alcohol and Closing Time - continued:**AMENDED HOURS are to be – *continued*:****For Sunday:**

- (a). Supply of Alcohol (ON and OFF the Premises): 12.00 midday to 10.00pm;**
and Open to the Public: 12.00 midday to 10.30pm.

3. WITHDRAWAL OF OUR OBJECTIONS:

We are happy to confirm to the Camden Licensing Authority the withdrawal of the Charlotte Street Association's objections **on the basis of:**

- 1. the above Proposed Conditions, nos. (a) to (m);** and
- 2. the above Amended Hours.**

We also confirm that a Licensing Hearing is thus not now necessary.

We will email a copy of this letter to Camden.

Yours sincerely,

Clive Henderson,

On behalf of Charlotte Street Association

Copy: Linus Rees/CSA Secretary; and CSA Committee.

From: [licensing inbox](#)
To: [Samina Khan](#)
Subject: FW: Objection to Late Alcohol Licence Application – “Fifth Element”, formerly “The Four Lanterns”
Date: 27 October 2025 09:00:43

FYI [@Samina Khan](#)

Sarah Fearon-Hales
Licensing Officer

Telephone: [REDACTED]

From: Valery Deruelle <[REDACTED]>
Sent: 25 October 2025 15:51
To: licensing inbox <licensing@camden.gov.uk>
Subject: Objection to Late Alcohol Licence Application – “Fifth Element”, formerly “The Four Lanterns”

You don't often get email from [REDACTED] [Learn why this is important](#)

[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.

Dear Licensing Officer,

I am writing as a local resident to object to the application by Fifth Element, 96 Cleveland Street, W1T 6NP (the new restaurant taking over the premises of The Four Lanterns) for a late alcohol licence permitting sales for consumption both on and off the premises.

While I welcome the arrival of a new restaurant to the neighbourhood and appreciate the potential positive contribution it could make to the local community, I am strongly opposed to granting a licence that allows the sale of alcohol late into the night, or for consumption outside the restaurant itself.

The premises are located in a quiet residential area with the mews in the back, where residents value the peace, safety, and character of the area. Allowing late-night alcohol sales and off-premises consumption would risk:

- Increased noise and disturbance from patrons drinking or congregating outside;

- Anti-social behaviour, such as shouting, littering, and loitering;
- Greater difficulty maintaining the peaceful environment that defines our neighbourhood.

The previous restaurant, The Four Lanterns, operated successfully without a late licence or off-premises alcohol sales, ensuring a harmonious relationship with local residents. There is no clear justification for extending alcohol service beyond standard dining hours or for allowing off-site consumption.

For these reasons, I respectfully urge Camden Council to reject the request for a late alcohol licence for Fifth Element. Even if reduced hours are considered, I ask that the licence strictly limit alcohol consumption to within the restaurant premises only, to preserve the tranquillity and safety of our community.

Thank you for considering my objection.

Yours sincerely,

Valery Deruelle

From: [licensing inbox](#)
To: [Samina Khan](#)
Subject: FW: Licencing comment
Date: 16 October 2025 07:42:54

FYA

Kind regards

Andrew Buck-Bourne
Licensing Support Officer

From: philip smyth [REDACTED]
Sent: 16 October 2025 05:38
To: licensing inbox <licensing@camden.gov.uk>
Subject: Licencing comment

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APP\PREMISES-NEW\131335, 96 Cleveland Street, London W1T 6NP.

To whom it may concern,

I am writing to formally object to the application by Fifth Element Restaurant for a licence to serve alcohol late at night.

I am a flat owner of Glebe House above the premises, and I am deeply concerned that granting a late-night alcohol licence - up until 11:30pm most nights - would considerably worsen the disturbance.

The previous restaurant Four Lanterns already generated considerable noise, particularly late in the evening with music, and loud customers drinking and dining outside. I do not want to live with that level of disruption again.

This is primarily a residential area, and it is not suitable for late-night drinking activity. I therefore respectfully request that the Council refuse the application, or alternatively, impose strict conditions to protect residents from noise and disturbance.

Kind regards,
Philip Smyth (Glebe House flat owner)

Representation	
Premises name	Fifth Element - Italian - Bar and Kitchen Cleveland
Application reference number	APP\PREMISES-NEW\131335
Last date for representation	28/10/2025

Making a representation as

As an individual

Your details**First name**

Lucia

Last name

Ruggiero

Telephone number (optional)

[REDACTED]

Email address

[REDACTED]

AddressFlat 12 Glebe House
15 Fitzroy Mews
London
W1T 6DP**Remain anonymous**

No

Grounds of representation

- prevention of public nuisance

Details of representation

A late license for this restaurant until 11.30 at night Monday - Sunday will cause noise and disruption to the lives of those trying to sleep in their homes in this residential area. I live directly above the restaurant. This is untenable.

About this form



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Camden Town Hall
Judd Street
London
WC1H 9JE

Contact phone

020 7974 4444

Data protection

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Representation	
Premises name	Fifth Element - Italian - Bar and Kitchen Cleveland
Application reference number	APP\PREMISES-NEW\131335
Last date for representation	28/10/2025

Making a representation as

As an individual

Your details**First name**

Lucinda

Last name

Wright

Telephone number (optional)

[REDACTED]

Email address

[REDACTED]

Address48 ALDERNEY STREET
LONDON
SW1V 4EX**Remain anonymous**

Yes

Detail the exceptional circumstances

I'm a flat owner at Glebe House and strongly object to the late night alcohol licensing for Fifth Element Restaurant. This is mainly a residential area and to extend the hours of serving alcohol will affect the quiet nature of the street and disturb the peace.

Grounds of representation

- prevention of public nuisance

Details of representation

Serving alcohol late at night will disturb the neighbours.



About this form

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Representation	
Premises name	Fifth Element - Italian - Bar and Kitchen Cleveland
Application reference number	APP\PREMISES-NEW\131335
Last date for representation	28/10/2025

Making a representation as

As an individual

Your details**First name**

Conor

Last name

Cassidy

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

1 Fitzroy Mews

London

W1T 6DE

Remain anonymous

Yes

Detail the exceptional circumstances

I am not familiar with the person making the application and I therefore do not want my details to shares with him on safety and privacy grounds.

Grounds of representation

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

Details of representation

Formal Objection to Premises Licence Application – Fifth Element, Cleveland Street I wish to formally object to the application for a premises licence for Fifth

Element, Cleveland Street. This location sits within a quiet residential area, where the character of the neighbourhood is not suited to late-night trading or extended alcohol sales. Granting permission to sell alcohol beyond standard hours would have a detrimental impact on the local community and conflict with the Council's licensing objectives, particularly those relating to the prevention of public nuisance, crime and disorder, and public safety. The area surrounding the premises is made up of narrow residential streets, where noise easily carries. Patrons leaving the premises late at night are highly likely to generate noise and disturbance — through conversation, vehicle movement, and general activity — disrupting residents' sleep and peace. This is especially concerning given the history of antisocial behaviour that has already affected the vicinity. Allowing alcohol sales for off-premises consumption would further increase the risk of public nuisance and antisocial behaviour in the area, particularly given that Cleveland Street and its surroundings are not designed to accommodate late-night drinking or loitering. Such activity could also lead to an increase in littering and alcohol-related disorder. Importantly, no other restaurants on this short stretch of shops have been granted permission to sell alcohol beyond standard hours, and all currently close by 11 p.m. Approving this application would set a concerning precedent and alter the established balance between residential amenity and commercial activity in this small community. For these reasons, I

respectfully urge the Licensing Authority to refuse this application in order to protect the safety, wellbeing, and quality of life of local residents.

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Representation	
Premises name	Fifth Element - Italian - Bar and Kitchen Cleveland
Application reference number	APP\PREMISES-NEW\131335
Last date for representation	28/10/2025

Making a representation as

As an individual

Your details**First name**

Tony

Last name

Meadows

Telephone number (optional)

[REDACTED]

Email address

[REDACTED]

Address

1 B Fitzroy Mews

London

W1T 6DE

Remain anonymous

No

Grounds of representation

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

Details of representation

See supporting correspondence

Supporting documents (optional)

- 96ClevelandStreet.pdf



About this form

Issued by

Camden Town Hall
Judd Street
London
WC1H 9JE

Contact phone

020 7974 4444

Data protection

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Dear Licensing Officer,

I am writing as a local resident to object to the application for Fifth Element, 96 Cleveland Street, W1T 6NP for a late alcohol licence permitting sales for consumption both on and off the premises.

I have closely reviewed the application.

The internal raised ground floor use and the consumption of alcohol therein does not appear to change to any great extent from the situation employed by the previous restaurant tenant. I would nevertheless question the capacity and potential for emergency escape from the basement that is proposed to be newly brought into use by this application.

In addition and of most concern to us as local residents, the licensing application shows a considerable increase in the number of seats and parasols both on the pavement and spreading along Cleveland Street up to the junction with Fitzroy Mews, including barriers that will prevent safe access to the mews and all in all creating unsafe sighting for vehicles, parents and children emerging from the Mews.

This considerable increase in revellers is far beyond what the narrow pavement and roadways can safely accommodate, and as the application is for excessively late opening, will also cause a considerable increase in public nuisance, including to adjacent homes.

I would also wish to understand how the necessarily expanded restaurant kitchen and food storage would be safely serviced, for from Cleveland Street is the only practical way in which this can be done, and the application fills the street with barriers.

In summary, the license application as proposed should be heavily curtailed due to the excessive number of people the applicant seeks to entertain late into the night, and the extraordinary amount of public space they seek to occupy.

Yours sincerely,

Tony Meadows

1B Fitzroy Mews London W1T 6DE



Operating Schedule

1. All staff will receive training on responsible service, identifying and handling antisocial behaviour, and how to deal with potentially violent situations. Regular refresher training will be scheduled to ensure staff stay up-to-date with policies.
2. Cooperation with Authorities Liaise with local police and licensing authorities on security matters. Participate in Pubwatch or similar schemes if available. Report any suspicious activity promptly.
3. Policies and Procedures Have a written policy for handling incidents of crime or disorder. Display signage indicating zero tolerance for violence or anti-social behavior.
 - a) Fire Safety Install and maintain smoke detectors, fire alarms, and fire extinguishers. Conduct regular fire risk assessments. Clearly mark all fire exits and ensure they are kept unobstructed. Train staff in emergency evacuation procedures.
 - b) Health & Safety Measures Keep floors, stairs, and other surfaces safe and slip-free. Ensure all electrical and gas equipment is properly maintained. Implement cleaning and hygiene procedures to prevent accidents and illness.
 - c) Capacity and Crowd Management Limit the number of patrons to the maximum safe occupancy. Have a clear plan for safe entry, exit, and movement of customers. Use staff to manage queues or crowded areas during busy times.
 - d) Lighting and Signage Ensure adequate lighting inside and outside the premises. Display clear safety signage, including fire exits, first aid, and hazard warnings.
 - e) First Aid Keep a stocked first aid kit accessible. Ensure at least one staff member trained in first aid is on duty at all times.
 - f) Policies and Procedures Have a written health and safety policy. Record any accidents or incidents and take action to prevent recurrence
4. Keep music and entertainment at a reasonable level. Install soundproofing or acoustic measures where appropriate. Regularly check noise levels, particularly during late-night hours. Ensure staff monitor outdoor areas for noise disturbances.
5. Supervise customers leaving the premises to avoid loud or disruptive behavior. Encourage patrons to leave quietly, especially late at night. Provide clear guidance on acceptable behavior in and around the premises.

6. Ensure that litter, bottles, and other waste are regularly cleared from the premises and surrounding area. Provide appropriate bins for customers to dispose of waste safely.
7. Delivery and Collection Hours Schedule deliveries, collections, or refuse disposal during hours that minimize disturbance to neighbors.
8. Designate smoking areas away from residential areas. Ensure customers do not gather in a way that causes noise or obstruction.
9. Maintain a written policy to address complaints from local residents.
10. Age Verification Implement a robust Challenge 25 or Challenge 21 policy to prevent underage sales of alcohol. Train all staff to ask for and check photographic ID (passport, driving license, or proof-of-age card). Refuse service to anyone who cannot provide valid identification.
11. Prevent unaccompanied children from accessing areas where alcohol is served. Limit children's presence in late-night hours or during events not suitable for minors. Clearly mark areas restricted to adults if necessary.
12. Ensure entertainment or events are appropriate for children if they are allowed on the premises. Avoid exposure to adult content, gambling, or other unsuitable material.
13. Train staff on child protection policies and recognising signs of potential harm or exploitation. Ensure staff know how to handle situations where a child may be at risk.
14. Maintain a written safeguarding policy for children. Keep records of incidents involving minors and report serious concerns to the authorities as required.

Agreed Conditions with Met Police:

15. CCTV shall be installed, operated, and maintained, to function all times that the premises is open for licensable activities. CCTV will comply with the following:
 - a. The system will record in real time and recordings will be date and time stamped;
 - b. 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 48 hours of any request.
 - c. 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.
 - d. The CCTV camera views are not to be obstructed.

e. 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.

16. There shall be no vertical drinking and all alcohol sales shall be ancillary to a substantial table meal.
17. Police must be called to incidents of violence and/or serious disorder.
18. An incident log shall be kept at the premises and be made available upon request to the Police or the Local Authority. The book will record the date, time and whom is making the entry. The following must be recorded:
 - a. All crime reported to the venue
 - b. All refused sales
 - c. Any complaints received
 - d. Any faults in the CCTV system
 - e. Any visit by a relevant authority or emergency service
 - f. CAD reference numbers where Police are called
19. The venue shall not engage the services of street promoters to encourage clientele to attend the venue.
20. 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).
21. Consumption of alcohol on the premises shall cease 30mins after the permitted hours for the sale of alcohol.
22. Regular glass collection shall be undertaken by staff.
23. The venue must employ and document a dispersal policy to the satisfaction of the Police and Licensing Authority, for the patrons leaving the venue at the end of an event. These documents must be made available on request to any responsible authority.
24. The licensee will ensure that staff are trained, as appropriate, in respect of relevant Licensing Law; crime scene best practice and upon the sale of alcohol to drunks and to persons underage. Training shall be written into a programme, on-going review and will be made available for inspection by Police or other responsible authority, upon request.
25. Management will ensure that patrons utilising the external area, remain within the curtilage of the venue when consuming alcohol.

Agreed with LA and Residents

26. The supply of alcohol ON the Premises shall only be to customers seated taking a table meal there, and for consumption by such persons as ancillary to their meal.
27. The supply of alcohol and food shall be by waiter and/or waitress service only.
28. The supply of alcohol OFF the Premises shall only be to customers seated and taking a table meal at the external chairs & tables permitted by a Pavement Licence, (on the public pavement and at a streaterie).
29. The Supply of alcohol OFF the Premises shall also allow for customers, who, having had a table meal, wish to take away an unfinished bottle of alcoholic drink.
30. Smokers from inside will not be allowed to take out to outside their alcoholic drink.(Note: this is in addition to any customers who may already be sitting at the tables on the external forecourt area.)
31. Customers smoking on the public highway (public pavements) shall not be permitted to cause obstruction of the highway (pavements) to passers by/members of public.
32. Notices shall be prominently displayed stating that this is also a residential area, and asking patrons to respect to be quiet and considerate to neighbours and residents when leaving.
33. The front door and windows on the street frontage to be kept closed after 9.00pm, to prevent noise break-out to residents.
34. External Forecourt Areas: The terminal hour for the use, by customers, of Chairs and Tables on the forecourt areas (the Chairs & Tables on the public pavement; and the Chairs and Tables in the Streaterie) shall be 9.30pm Monday to Sunday.
35. Courier collections from the premises for take away meal deliveries to customers: To avoid noise and disruption to residents, and congestion in the street, for take away food orders that are being collected by delivery companies using couriers, there shall be the following arrangements:
 - a) to encourage the use of cycle couriers (instead of scooters) in order to cut down on noise disturbance
 - b) If scooter courier, the delivery/collection company will only be called when the order has been prepared and is ready for collection;
 - c) Generally, one collection at a time whenever possible;
 - d) Scooter couriers to turn off their engines, and no prolonged hanging around/waiting.
 - e) There will be no sale of Alcoholic drinks delivered by couriers.

36. The disposal of rubbish, and the disposal of bottles (including any bottling out), outside the Premises shall comply with the hours and regulations, as set down by the Local Authority.
37. Deliveries & Collections: There shall be no deliveries or collections between 8.00pm and 8.00am; and not at all on Sundays and Bank/Public Holidays.
38. All front of house staff shall be trained in Welfare and Vulnerability Engagement (WAVE), "Ask for Angela", drink spiking. Records of staff training shall be provided to an authorised officer upon request.
39. No delivery mopeds, bikes, or drivers will enter or exit via the Mews.
All delivery drivers (Uber Eats, Just Eat, etc.) will collect and deliver only via the main Cleveland Street entrance.

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.