

Licensing Sub-Committee

January 25 2010

10.00 am

Ground Floor Meeting Room G02A - Tooley Street, London SE1

Membership

Councillor David Hubber
Councillor Lorraine Lauder MBE
Councillor Eliza Mann

Reserves

Councillor Abdul Mohamed

INFORMATION FOR MEMBERS OF THE PUBLIC

Access to information

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Contact

Sean Usher on 020 75257222 or email: sean.usher@southwark.gov.uk

Members of the committee are summoned to attend this meeting

Annie Shepperd

Chief Executive

Date: January 15 2010



Licensing Sub-Committee

Monday January 25 2010
10.00 am
Ground Floor Meeting Room G02A - Tooley Street, London SE1

Order of Business

Item No.	Title	Page No.
	PART A - OPEN BUSINESS	
1.	APOLOGIES	
	To receive any apologies for absence.	
2.	CONFIRMATION OF VOTING MEMBERS	
	A representative of each political group will confirm the voting members of the committee.	
3.	NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE CHAIR DEEMS URGENT	
	In special circumstances, an item of business may be added to an agenda within five clear days of the meeting.	
4.	DISCLOSURE OF INTERESTS AND DISPENSATIONS	
	Members to declare any personal interests and dispensation in respect of any item of business to be considered at this meeting.	
5.	LICENSING ACT 2003 - THE SWAN, 21 NEW GLOBE WALK, LONDON, SE1 9DT	1 - 45
6.	LICENSING ACT 2003 - THE SHAKESPEARE GLOBE THEATRE, 21 NEW GLOBE WALK, LONDON, SE1 9DT	46 - 92
7.	LICENSING ACT 2003 - THE SHAKESPEARE UNDERGLOBE & EVENTS AREAS, 21 NEW GLOBE WALK, LONDON, SE1 9DT	93 - 140

Item No.

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ANY OTHER OPEN BUSINESS AS NOTIFIED AT THE START OF THE MEETING AND ACCEPTED BY THE CHAIR AS URGENT.

PART B - CLOSED BUSINESS

EXCLUSION OF PRESS AND PUBLIC

The following motion should be moved, seconded and approved if the sub-committee wishes to exclude the press and public to deal with reports revealing exempt information:

“That the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 1-7, Access to Information Procedure rules of the Constitution.”

ANY OTHER CLOSED BUSINESS AS NOTIFIED AT THE START OF THE MEETING AND ACCEPTED BY THE CHAIR AS URGENT.

Date: January 15 2010

Agenda Item 5

Item No. 5	Classification: Open	Date: January 25 2010	MEETING NAME Licensing Sub-Committee
Report title:	LICENSING ACT 2003 – The Swan, 21 New Globe Walk, London, SE1 9DT		
Ward(s) or groups affected:	Premises are within: Cathedrals		
From:	Strategic Director of Environment and Housing		

RECOMMENDATION

1. That the licensing sub-committee considers an application made by The Swan at the Globe Limited, for a premises licence to be granted under the Licensing Act 2003 in respect of the premises known as The Swan, 21 New Globe Walk, London, SE1 9DT.

Notes:

- *This application forms a new application for a premises licence, under section 17 of the Licensing Act 2003. The application is subject to a representation from four (4) interested parties and two (2) responsible authorities and is therefore referred to the sub-committee for determination;*
- *Paragraphs 8 to 16 of this report provide a summary of the application for the premises licence under consideration by the sub-committee (a copy of the full application is provided at appendix A)*
- *Paragraphs 17 to 22 of this report deal with the representations received to the premises licence application. (Copies of the relevant representations and replies are attached at appendix B).*

BACKGROUND INFORMATION

The Licensing Act 2003

2. The Licensing Act 2003 received royal assent on 10 July 2003. The Act provides a new licensing regime for
 - the sale of and supply of alcohol
 - the provision of regulated entertainment
 - the provision of late night refreshment
3. The Act requires the licensing authority to carry out its functions under the Act with a view to promoting the four stated licensing objectives. These are
4. The Act requires the licensing authority to carry out its functions under the Act with a view to promoting the four stated licensing objectives. These are
 - the prevention of crime and disorder;
 - the promotion of public safety
 - the prevention of nuisance; and
 - the protection of children from harm.
5. In carrying out its licensing functions, a licensing authority must also have regard to

- the Act itself;
 - the guidance to the Act issued under Section 182 of the Act;
 - secondary regulations issued under the Act;
 - the licensing authority's own statement of licensing policy
 - the application, including the operating schedule submitted as part of the application
 - relevant representations
6. The Act established a transitional period between 7 February 2005 and 6 August 2005 under which holders of existing justice's licenses, public entertainment licenses and night café licenses were able to apply to the local licensing authority for "grandfather rights" conversion of those existing licenses into the relevant licenses under the new system. Licenses that were so converted were converted on existing terms, conditions and restrictions. The 6 August date having passed, operators must now apply for new licenses.
7. The premises licence application process involves the provision of all relevant information required under the Act to the licensing authority with copies provided by the applicant to the relevant responsible bodies under the Act. The application must also be advertised at the premises and in the local press. The responsible authorities and other interested parties within the local community may make representations on any part of the application where relevant to the four licensing objectives.

KEY ISSUES FOR CONSIDERATION

The premises licence application

8. On the November 4 2009 The Swan at the Globe Limited applied to this council for the grant of a new premises licence in respect of the premises known as The Swan, 21 New Globe Walk, London, SE1 9DT.
9. A copy of the application for the new premises licence is attached to the report as appendix A.
10. The premises licence application form provides the applicant company's operating schedule. Parts E, F, I, L, M, O and P set out the proposed operating hours and operating controls in full, with reference to the four licensing objectives as stated in the Licensing Act 2003
11. The application is summarized as follows:
- The provision of regulated entertainment indoors; being live music, recorded music and making music - Sundays to Thursdays 07.00hrs to 21.00hrs, and Fridays and Saturdays 07.00hrs to 22.00hrs.
 - The provision of late night refreshment both indoors and outdoors – Sundays to Thursdays 23:00hrs to 01:00hrs, and Fridays and Saturdays 23.00hrs – 02.00hrs.
 - The supply of alcohol both on and off the premises - Sundays to Thursdays 07:00hrs to 01:00hrs, and Fridays and Saturdays 07:00hrs – 02:00hrs.
 - Opening hours – 07:00hrs to 01:00hrs on Sundays through to Thursdays; 07:00hrs – 02:00hrs Fridays and Saturdays.

Operating history

12. Under the Licensing Act 2003 the Shakespeare's Globe complex (comprising of The Swan, the Globe Theatre and the Shakespeare Underglobe & Events Area) is covered by one licence, granted in 2005.
13. The current licence allows the following licensable activities:

- plays
- films
- live music
- performance of dance
- late night refreshment
- sale by retail of alcohol to be consumed on the premises
- sale by retail of alcohol to be consumed off the premises

and the opening hours are 08.00hrs to 01.00hrs, seven (7) days a week.

14. The licensing department received noise complaints relating to the Shakespeare's Globe complex in July 2009, and upon investigation it was discovered that the use of the premises had changed from what was originally intended. The licence no longer accurately reflects the activities taking place at the premises.
15. The licensing department held a number of meetings with the applicants and responsible authorities and explained that three (3) separate new premises licences should be applied for in order for each individual aspect of the business (The Swan, the Globe Theatre and the Shakespeare Underglobe & Events Area) to have a premises licence which reflects the specific nature of each area.

Designated premises supervisor

16. The proposed designated premises supervisor is Mr Peter Conwell who has been granted a personal licence by Tonbridge and Malling Borough Council.

Representations from interested parties

17. There are four (4) representations received from interested parties.

Representations from responsible authorities

18. There are two (2) representations from responsible authorities.
19. The environmental protection team submitted a representation relating to the licensing objective of prevention of public nuisance. A number of conditions have been suggested and are included in their submission.
20. The police submitted a representation stating that the applicant has failed to adequately address the four licensing objectives. A number of conditions have been suggested and are included in their submission.
21. The other responsible authorities did not reply to the consultation.
22. Copies of the representation from interested parties and responsible authorities are attached as appendix C.

Disability Discrimination Act

23. The Southwark Disablement Association have no comments regarding this application.

The local area

24. A map of the local area is attached at appendix C. The premises is marked by the triangle. The following licensed premises were identified within 100 metres of the premises and are labelled on the map:

- Pizza Express, Benbow House, New Globe Walk SE1 – licensed for late night refreshment and the supply of alcohol on and off the premises. Licensed hours: 10.00hrs to 00.00hrs Mondays to Saturdays, 10.00hrs to 23.30hrs on Sundays
- EAT!, Riverside House, Southwark Bridge Road SE1 – licensed for late night refreshment and the supply of alcohol on and off the premises. Licensed hours: 10.00hrs to 23.30hrs Mondays to Saturdays, 12.00hrs to 23.30hrs on Sundays
- The Real Greek, Riverside House, Southwark Bridge Road, SE1 – licensed for late night refreshment and the supply of alcohol on and off the premises. Licensed hours: 10.00hrs to 00.30hrs Mondays to Saturdays, 12.00hrs to 00.00hrs on Sundays
- Zakudia, Riverside House, Southwark Bridge Road, SE1 – licensed for live and recorded music, entertainment similar, making music, late night refreshment and supply of alcohol on and off the premises. Licensed hours: 09.00hrs to 01.00hrs Mondays to Wednesdays, 09.00hrs to 03.00hrs Thursdays to Sundays
- TAS Pide, New Globe Walk, SE1 – licensed for live and recorded music, late night refreshment and supply of alcohol on the premises. Licensed hours: 11.00hrs to 01.30hrs, 7 days a week.

Southwark council statement of licensing policy

25. Council assembly approved the third revision of Southwark's statement of licensing policy on 5 November 2008. Sections of the statement that are considered to be of particular relevance to this application are

- Section 3 which sets out the purpose and scope of the policy and re-inforces the four licensing objectives
- Section 5 which sets out the council's approach with regard to the imposition of conditions including mandatory conditions to be attached to the licence
- Section 6 details other relevant council and government policies, strategies, responsibilities and guidance, including the relevant articles under the Human Rights Act 1998
- Section 7 provides general guidance on dealing with crime and disorder and deals with licensing hours
- Section 8 provides general guidance on ensuring public safety including safe capacities
- Section 9 provides general guidance on the prevention of nuisance
- Section 10 provides general guidance on the protection of children from harm.

26. The purpose of Southwark's statement of licensing policy is to make clear to applicants what considerations will be taken into account when determining applications and should act as a guide to the sub-committee when considering the applications. However, the sub-committee must always consider each application on its own merits and allow exceptions to the normal policy where these are justified by the circumstances of the application.

Resource implications

27. A fee of £635 has been paid by the applicant in respect of this application being the statutory fee payable for premises within non-domestic rateable value band E.

Consultations

28. Consultation has been carried out on this application in accordance with the provisions of the Licensing Act 2003. A public notice was placed in the November 12 2009 edition of Southwark News and a similar notice exhibited outside of the premises. The application was not properly advertised, therefore the last date for representations was extended to December 11 2009.

Conciliation

29. A conciliation meeting has been arranged for the January 21 2010. An update on the conciliation will be provided at the sub-committee meeting.

Community impact statement

30. Through the licensing process it is intended to help provide successful, well managed licensed operations that complement and benefit the local community, while affording appropriate protections to that community. At the heart of the process are the four licensing objectives set out in section 3 of this report. Within the process each licence application is required by law to be considered upon its own individual merits with all relevant matters taken into account.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Strategic Director of Communities, Law and Governance

31. The sub-committee is asked to determine the application for a premises licence under Section 17 of the Licensing Act 2003.

32. The principles which sub-committee members must apply are set out below.

Principles for making the determination

33. The general principle is that applications for premises licence applications must be granted unless relevant representations are received. This is subject to the proviso that the applicant has complied with regulations in advertising and submitting the application.

34. Relevant representations are those which

- are about the likely effect of the granting of the application on the promotion of the licensing objectives
- are made by an interested party or responsible authority
- have not been withdrawn.
- are not, in the opinion of the relevant licensing authority, frivolous or vexatious.

35. If relevant representations are received then the sub-committee must have regard to them, in determining whether it is necessary for the promotion of the licensing objectives to

- to grant the licence subject to-
 - The conditions mentioned in section 18 (2)(a) modified to such extent as the licensing authority considers necessary for the promotion of the licensing objectives, and any condition which must under section 19,20 or 21 be included in the licence
- to exclude from the scope of the licence any of the licensable activities to which the application relates;
- to refuse to specify a person in the licence as the premises supervisor;

- to reject the application.

Conditions

36. The sub-committee's discretion is thus limited. It can only modify the conditions put forward by the applicant that is consistent with the operating schedule accompanying the application, or refuse the application, if it is necessary to do so. Conditions must be necessary and proportionate for the promotion of one of the four licensing objectives, and not for any other reason. Conditions must also be within the control of the licensee, and should be worded in a way which is clear, certain, consistent and enforceable.
37. The four licensing objectives are
- the prevention of crime and disorder;
 - Public safety;
 - the prevention of nuisance; and
 - the protection of children from harm.
38. Members should note that each objective is of equal importance. There are no other licensing objectives, and the four objectives are paramount considerations at all times.
39. Conditions will not be necessary if they duplicate a statutory position. Conditions relating to night café and take away aspect of the license must relate to the night time operation of the premises and must not be used to impose conditions which could not be imposed on day time operators.
40. Members are also referred to the DCMS guidance on conditions, specifically section 7, and Annexes D, E, F and G.

Reasons

41. If the sub-committee determines that it is necessary to modify the conditions, or to refuse the application for a premises licence application, it must give reasons for its decision

Hearing procedures

42. Subject to the licensing hearing regulations, the licensing committee may determine its own procedures. Key elements of the regulations are that
- the hearing shall take the form of a discussion led by the authority. Cross examination shall not be permitted unless the authority considered that it is required for it to consider the representations
 - members of the authority are free to ask any question of any party or other person appearing at the hearing
 - the committee must allow the parties an equal maximum period of time in which to exercise their rights to
 - address the authority
 - if given permission by the committee, question any other party.
 - in response to a point which the authority has given notice it will require clarification, give further information in support of their application.
 - the committee shall disregard any information given by a party which is not relevant
 - to the particular application before the committee, and
 - the licensing objectives.
 - the hearing shall be in public, although the committee may exclude the public from all or part of a hearing where it considers that the public interest in doing

so outweighs the public interest in the hearing, or that part of the hearing, taking place in private.

- in considering any representations or notice made by a party the authority may take into account documentary or other information produced by a party in support of their application, representations or notice (as applicable) either before the hearing or, with the consent of all the other parties, at the hearing.

43. This matter relates to the determination of an application for a premises licence under section 17 of the Licensing Act 2003. Regulation 26(1) (a) requires the sub-committee to make its determination at the conclusion of the hearing.

Council's multiple roles and the role of the licensing sub-committee

44. Sub-committee members will note that, in relation to this application, the council has multiple roles. Council officers from various departments have been asked to consider the application from the perspective of the council as authority responsible respectively for environmental health, trading standards, health and safety and as the planning authority.
45. Members should note that the licensing sub-committee is meeting on this occasion solely to perform the role of licensing authority. The sub-committee sits in quasi-judicial capacity, and must act impartially. It must offer a fair and unbiased hearing of the application. In this case, members should disregard the council's broader policy objectives and role as statutory authority in other contexts. Members must direct themselves to making a determination solely based upon the licensing law, guidance and the council's statement of licensing policy.
46. As a quasi-judicial body the licensing sub-committee is required to consider the application on its merits. The sub-committee must take into account only relevant factors, and ignore irrelevant factors. The decision must be based on evidence, that is to say material, which tends logically to show the existence or non-existence of relevant facts, or the likelihood or unlikelihood of the occurrence of some future event, the occurrence of which would be relevant. The licensing sub-committee must give fair consideration to the contentions of all persons entitled to make representations to them.
47. The licensing sub-committee is entitled to consider events outside of the premises if they are relevant, i.e. are properly attributable to the premises being open. The proprietors do not have to be personally responsible for the incidents for the same to be relevant. However, if such events are not properly attributable to the premises being open, then the evidence is not relevant and should be excluded. Guidance is that the licensing authority will primarily focus on the direct impact of the activities taking place at the licensed premises on members of the public, living, and working or engaged in normal activity in the area concerned.
48. Members will be aware of the council's code of conduct which requires them to declare personal and prejudicial interests. The code applies to members when considering licensing applications. In addition, as a quasi-judicial body, members are required to avoid both actual bias, and the appearance of bias.
49. The sub-committee can only consider matters within the application that have been raised through representations from interested parties and responsible authorities. Interested parties must live in the vicinity of the premises. This will be decided on a case to case basis.
50. Under the Human Rights Act 1998. the sub committee needs to consider the balance between the rights of the applicant and those making representations to the application when making their decision. The sub-committee has a duty under section 17 Crime and

Disorder Act 1998 when making its decision to do all it can to prevent crime and disorder in the borough.

51. Interested parties, responsible authorities and the applicant have the right to appeal the decision of the sub-committee to the Magistrates' Court within a period of 21 days beginning with the day on which the applicant was notified by the licensing authority of the decision to be appealed against.

Guidance

52. Members are required to have regard to the DCMS guidance in carrying out the functions of licensing authority. However, guidance does not cover every possible situation, so long as the guidance has been properly and carefully understood, members may depart from it if they have reason to do so. Full reasons must be given if this is the case.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Licensing Act 2003 DCMS Guidance to the Act Secondary Regulations Southwark Statement of Licensing Policy Case file	Southwark Licensing, C/O Community Safety & Enforcement, The Chaplin Centre, Thurlow Street, London, SE17 2DG	Name: Kirty Read Phone number: 020 7525 5748

APPENDICES

No.	Title
Appendix A	Premises licence application
Appendix B	Representations from interested parties and responsible authorities
Appendix C	Map of local vicinity

AUDIT TRAIL

Lead Officer	Jonathon Toy, Head of Community Safety and Enforcement	
Report Author	Kristie Ashenden, Principal Licensing Officer	
Version	Final	
Dated	January 11 2010	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / EXECUTIVE MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Communities, Law & Governance	Yes	Yes
Finance Director	No	No
Executive Member	No	No
Date final report sent to Constitutional/Community Council/Scrutiny Team	January 11 th 2010	

9
APPENDIX A

RECEIVED
04 NOV 2009

**Application for a premises licence to be granted
under the Licensing Act 2003**

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.
If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.
You may wish to keep a copy of the completed form for your records.

I/We THE SWAN AT THE GLOBE LIMITED
(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description THE SWAN 21 NEW GLOBE WALK			
Post town	LONDON	Post code	SE1 9DT

Telephone number at premises (if any)	0207 902 1400
Non-domestic rateable value of premises	£450000

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as
Please tick yes

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
 - i. as a limited company please complete section (B)
 - ii. as a partnership please complete section (B)
 - iii. as an unincorporated association or please complete section (B)
 - iv. other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity please complete section (B)

- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a
 - statutory function or
 - a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/>	Please tick yes
Current postal address if different from premises address					
Post Town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/>	Please tick yes

Current postal address if different from premises address			
Post Town		Postcode	
Daytime contact telephone number			
E-mail address (optional)			

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name THE SWAN AT THE GLOBE LIMITED
Address 3-4 BOWER TERRACE TONBRIDGE ROAD MAIDSTONE ME16 8RY
Registered number (where applicable) 06029117
Description of applicant (for example, partnership, company, unincorporated association etc.) LIMITED COMPANY
Telephone number (if any) CALL 0870 458 4600
E-mail address (optional) info@balaw.co.uk

Part 3 Operating Schedule

When do you want the premises licence to start?

Day		Month		Year		
1	1	1	2	2	0	9

If you wish the licence to be valid only for a limited period, when do you want it to end?

Day		Month		Year		

Please give a general description of the premises (please read guidance note 1)

The Swan is a brasserie and bar catering mainly to patrons of the theatre and associated events

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment

Please tick yes

- | | |
|---|-------------------------------------|
| a) plays (if ticking yes, fill in box A) | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input checked="" type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input checked="" type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input type="checkbox"/> |

Provision of entertainment facilities:

- | | |
|---|-------------------------------------|
| i) making music (if ticking yes, fill in box I) | <input checked="" type="checkbox"/> |
| j) dancing (if ticking yes, fill in box J) | <input type="checkbox"/> |
| k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K) | <input type="checkbox"/> |

Provision of late night refreshment (if ticking yes, fill in box L)

Supply of alcohol (if ticking yes, fill in box M)

In all cases complete boxes N, O and P

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)	Both	<input type="checkbox"/>
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for the exhibition of films (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 5)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)	Both	<input type="checkbox"/>
Tue					
Wed			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	0700	2100	Please give further details here (please read guidance note 3) Live music as ancillary to food and drink - the time for the playing of live music has been reduced to ensure that there is no disruption to neighbours	Both	<input type="checkbox"/>
Tue	0700	2100			
Wed	0700	2100	State any seasonal variations for the performance of live music (please read guidance note 4) Please see proposed conditions in relation to timings for New Years Eve and other specific occasions		
Thur	0700	2100			
Fri	0700	2200	Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5) Please see proposed conditions in relation to timings for New Years Eve and other specific occasions		
Sat	0700	2200			
Sun	0700	2100			

F

Recorded music Standard days and timings (please read guidance note 6)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	0700	2100	<u>Please give further details here</u> (please read guidance note 3) Recorded music in the form of DJs etc - timings have been reduced to accommodate the wishes of neighbours	Both	<input type="checkbox"/>
Tue	0700	2100			
Wed	0700	2100	<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 4) Please see proposed conditions in relation to timings for New Years Eve and other specific occasions		
Thur	0700	2100			
Fri	0700	2200	<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 5) Please see proposed conditions in relation to timings for New Years Eve and other specific occasions		
Sat	0700	2200			
Sun	0700	2100			

G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)	Both	<input type="checkbox"/>
Tue					
Wed			State any seasonal variations for the performance of dance (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			<u>Please give a description of the type of entertainment you will be providing</u>		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>	
Tue			<u>Please give further details here</u> (please read guidance note 3)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sun					

I

Provision of facilities for making music Standard days and timings (please read guidance note 6)			<u>Please give a description of the facilities for making music you will be providing</u>	
			<u>Will the facilities for making music be indoors or outdoors or both – please tick</u> (please read guidance note 2)	
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)	
Mon				
Tue				
Wed				
Thur				
Fri				
Sat				
			<u>State any seasonal variations for the provision of facilities for making music</u> (please read guidance note 4)	
			<u>Non standard timings. Where you intend to use the premises for provision of facilities for making music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)	
Sun				

J

Provision of facilities for dancing Standard days and timings (please read guidance note 6)			<u>Will the facilities for dancing be indoors or outdoors or both – please tick</u> (see guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
			<u>Please give a description of the facilities for dancing you will be providing</u>		
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue					
Wed			<u>State any seasonal variations for providing dancing facilities</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the provision of facilities for dancing entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

K

Provision of facilities for entertainment of a similar description to that falling within i or j Standard days and timings (please read guidance note 6)			<u>Please give a description of the type of entertainment facility you will be providing</u>		
Day	Start	Finish	<u>Will the entertainment facility be indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 3)		
Wed					
Thur			<u>State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within i or j</u> (please read guidance note 4)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within i or j at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sun					

L

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	2300	0100	Please give further details here (please read guidance note 3) to include service on the terrace	Both	<input checked="" type="checkbox"/>
Tue	2300	0100			
Wed	2300	0100	State any seasonal variations for the provision of late night refreshment (please read guidance note 4) Please see proposed conditions in relation to timings for New Years Eve and other specific occasions		
Thur	2300	0100			
Fri	2300	0200	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5) Please see proposed conditions in relation to timings for New Years Eve and other specific occasions		
Sat	2300	0200			
Sun	2300	0100			

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4) Please see proposed conditions in relation to timings for New Years Eve and other specific occasions. Early timings are for champagne breakfast meetings. Off sales relate only to sales on the outside terrace		
Mon	0700	0100			
Tue	0700	0100			
Wed	0700	0100			
Thur	0700	0100			
Fri	0700	0200			
Sat	0700	0200			
Sun	0700	0100			
			Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)		

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name PETER CONWELL
Address
Postcode /
Personal Licence number (if known)
Issuing licensing authority (if known)

N

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)

NONE

O

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4) Please see proposed conditions in relation to timings for New Years Eve and other specific occasions
Day	Start	Finish	
Mon	0700	0100	Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5) Please see proposed conditions in relation to timings for New Years Eve and other specific occasions
Tue	0700	0100	
Wed	0700	0100	
Thur	0700	0100	
Fri	0700	0200	
Sat	0700	0200	
Sun	0700	0100	

P Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)

The Swan is a friendly Brasserie and Bar catering mainly to customers of the Globe theatre and events. Conditions are proposed to minimize the possibility of nuisance to neighbours.

The applicants offer the following general conditions (in addition to any mandatory conditions) in support of its application:

109 - Alcohol shall not be sold or supplied except during permitted hours. Permitted hours means the hours shown on Part 1 of the Premises Licence. In addition the permitted hours shall include from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day.

The above restrictions do not prohibit; i) During the first twenty minutes after the above hours the consumption of the alcohol on the premises; ii) During the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel; iii) During the first thirty minutes after the above hours the consumption of the alcohol on the premises by persons taking meals there if the alcohol was supplied for consumption as ancillary to the meals; or iv) The supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of alcohol so supplied, if the alcohol is supplied at the expense of their employer or the person carrying on, or in charge of, the business on the premises.

145 –

- a. The Premises Licence Summary or a copy of it shall be prominently exhibited in a position where the public can easily read it.
- b. A full copy of the Premises Licence shall be readily available for inspection by authorised Council

152 - The designated premises supervisor may authorise in writing a Duty Manager, who shall be at least 18 years old, to deputise for him. This written authorisation shall be kept on the premises and shall be readily available for examination by any Authorised Officer. The designated premises supervisor must be satisfied that anyone appointed as a Duty Manager understands the need to comply with the conditions of the licence and is competent to perform the functions of Duty Manager.

348 - A proof of age identification shall be required by the shop staff where a purchaser appears to be under 21

146 - Authorised Council officers who carry written authorisations and proof of identity, which they will produce on request, shall be admitted immediately to all parts of the premises at all reasonable times

100 - Where a condition provides for notice to be given to the Council or for consent to be obtained, all such notices and requests for consent shall be sent by email to licensing@southwark.gov.uk marked "Urgent Notice for Council Attention." If no response is received to the email; consent shall be deemed to have been given 7 days following service by email.

b) The prevention of crime and disorder

The following conditions are offered by the Applicant:

203 - The Licensee shall not permit conduct on the premises that is likely to cause disorder or a breach of the peace or drug misuse. In particular the licensee shall ensure that none of the following shall take place:

- a. indecent behaviour;
- b. the offer of any sexual or other indecent service for reward;
- c. acts of violence against person or property and / or the attempt or threat of such acts; and
- d. unlawful possession and / or supply of drugs controlled by the Misuse of Drugs Act 1971.

288 - The CCTV system installed upon the premises shall be maintained in good working condition and operable at all times

289 - Recordings taken by the CCTV system installed upon the premises shall be kept and made available for inspection by authorised officers for a period of thirty one (31) days

c) Public safety

The following conditions are offered by the Applicant:

161 - The designated premises supervisor shall ensure that whenever disabled people are present, adequate arrangements are made to enable their safe evacuation in the event of an emergency and that they are made aware of those arrangements

342 - Health and Safety policies shall be in place and suitable risk assessments undertaken

343 - All duty Managers shall be trained in fire evacuation

d) The prevention of public nuisance

The following conditions are offered by the Applicant:

158 –

- a. The designated premises supervisor shall ensure that no nuisance is caused by noise emanating from the premises or by vibration transmitted through the structure of the premises.
- b. legible notices shall be displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and area quietly.

Windows facing New Globe Walk shall be closed at all times when live music is being played and in any event after 2200.

There shall be no entrance of patrons to the brasserie or bar after 2300.

The door onto New Globe Walk shall be closed after 2300 save for emergencies.

All patrons shall exit onto Bankside after 2300.

Arrangements will be made for the use of a responsible dedicated taxi service

The applicants will accept reasonable noise limiting conditions as suggested by the noise officer for Southwark BC.

e) The protection of children from harm

The following conditions are offered by the Applicant:

Well behaved children are permitted with a responsible adult and staff are trained as to the law governing underage selling.

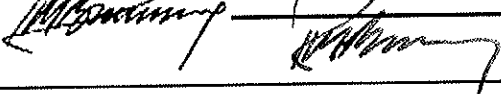
Please tick yes

- I have made or enclosed payment of the fee
- I have enclosed the plan of the premises
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I have enclosed the consent form completed by the individual I wish to be premises supervisor, if applicable
- I understand that I must now advertise my application
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 4 – Signatures (please read guidance note 10)

Signature of applicant's solicitor or other duly authorised agent (See guidance note 11) If of the applicant please state in what capacity.

Signature	
Date	4 NOVEMBER 2009
Capacity	MARK BROWNING, BA LAW LIMITED

For joint applications signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent. (please read guidance note 12). If signing on behalf of the applicant please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13) BA LAW 59 PELHAM STREET SOUTH KENSINGTON			
Post town	LONDON	Post code	SW7 2NJ
Telephone number (if any)	0870 458 4600		
If you would prefer us to correspond with you by e-mail your e-mail address (optional) info@balaw.co.uk			

Notes for Guidance

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups, the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

Appendix B

Ashenden, Kristie

From: Paul.Compton@met.pnn.police.uk
Sent: 28 November 2009 20:04
To: Ashenden, Kristie
Subject: Shakespeare's Globe, Underglobe & Swan Rep
Attachments: Shakespeare's Globe 09.doc

<<Shakespeare's Globe 09.doc>>

Paul Compton PC294MD
Licensing Officer Southwark Borough
☎ Phone: 0207 232 6210
☎ Mobile: 07595011458
☎ Fax: 0207 232 6282
✉ E-mail: paul.compton@met.police.uk
✉ Mail: Licensing Office, Walworth Police Station,
12/28 Manor Place Walworth London
SE17 3BB

(not protectively marked)

It is the policy of the MPS that:

MPS personnel (or agents working on behalf of the MPS) must not use MPS systems to author, transmit or store documents such as electronic mail (e-mail) messages or attachments:

- * containing racist, homophobic, sexist, defamatory, offensive, illegal or otherwise inappropriate material;
- * containing material requiring a protective marking higher than RESTRICTED, (and not higher than NOT PROTECTIVELY MARKED across the internet) without the use of approved encryption;
- * containing personal data for use other than in accordance with the notification(s) under the Data Protection Act, 1998 of the system(s) from which the data originates.
- * This Email message has been scanned for viruses and contents.

Your reference: .



Our reference: MD/21/1893/94/95/09

Date: 27th November 2009

The Licensing Unit
The Chaplin Centre
Thurlow Street
London SE17 2DG

Metropolitan Police Service
Licensing Office
Walworth Police Station,
12-28 Manor Place,
LONDON,
SE17 3RL

Tel: 020 -7232 – 6210 Fax6282

Dear Sir/Madam

Shakespeare's Globe: Shakespeare's Underglobe: The Swan SE1 9DT

Police are in receipt of an application from each of the above for a New Premises Licence, which have been submitted with the intention of replacing the existing one (1) Premises Licence that covers all three sections of the current business. The current one licence is deemed to be inadequate for the current business operation, as there are three distinct areas of operation that can and do run independently of each other. Police have the following representation to make:

Police have no representation to make in respect of the new premises licence for Shakespeare's Globe. However the following comments relate to the other two applications; Shakespeare's Underglobe & The Swan.

The applicant has applied for three New Premises Licence with extensive hours, particularly at weekends and has failed to address adequately the four main licensing objectives. The premises are located on a busy thoroughfare and within very close proximity of many dwellings and as a consequence additional control measures would be required to ensure that there would be no detrimental effect upon the local community and indicate that the management of the premises have given sufficient consideration to the four main licensing objectives. Police have been notified that that a significant number of local residents have previously lodged complaints through the local authority in respect of noise disturbance and anti-social behaviour associated with the operation of the exiting business.

The Swan & Shakespeare's Underglobe can clearly operate as independent entities from each other and from Shakespeare's Globe Theatre and therefore require different operating schedules and attached licensing conditions.

Police would welcome a reduction in the terminal hours for The Swan back to 01.00am each day of the week and no outside area being utilised after 22.00hrs. However if the permitted hours for the

sale/supply of alcohol were to be as per the application, Police would like to see the following control measures placed on the Premises Licence. (Some of the measures may already be included in the operating schedule submitted by the applicant, however the wording of each needs to be clear in order to prevent any future ambiguity)

1. That SIA registered Door Supervisor, shall be employed at all times after 22.00hrs and the terminal hour that the premises are in use under this licence and provided with Hand held metal detection units in order to ensure that searches are carried out in respect of all admissions to the premises, whether members of the public or performers and their assistants and Mechanical counting devices to ensure that the maximum accommodation limit of the premises is not exceeded.
2. That signs shall be displayed in the entrance foyer to the premises that state 'Drugs Free Zone' and 'No Search No Entry, Management reserve the right to refuse entry'
3. That all matters relating to drugs shall be in accordance with the Metropolitan Police Best Practice Guide on the handling of drugs in pubs and clubs
4. That suitable notices shall be displayed and announcements made requesting people to leave the premises in a quiet and orderly manner so as not to disturb local residents
5. That a CCTV system be installed at the premises and be maintained in good working order and be continually recording at all times the premises are in use under the licence. The CCTV System must be capable of capturing an image of every person who enters the premises.
6. That all CCTV footage shall be kept for a period of thirty one (31) days and shall, upon request, be made immediately available to Officers of the Police and the Council
7. That you shall require any regular and external promoters hiring the premises to complete the 'Venue Hire Agreement' provided by Southwark Council and, once completed, you shall ensure that a copy of the agreement is provided to the Police and Licensing Unit a minimum of fourteen days prior to the date of hire.
8. That a Personal Licence holder is on the premises and on duty at all times that intoxicating liquor is supplied.
9. That the Premises Licence holder and/or Designated Premises Supervisor join and support a local Pub Watch Scheme should there be one in existence for the area in which the premises is located.
10. Customers shall use no outside area after 22.00hrs other than those who temporarily leave the premises to smoke a cigarette. Those who do temporarily leave for this reason shall be the subjected to the requirement of a further search.

Police would be available should a conciliation meeting be arranged.

I respectfully submit this representation in order that it is given consideration by your Licensing Committee and would be obliged if you could acknowledge receipt.

Paul Compton PC294MD

Licensing Officer (Southwark North)

☎ Phone: 0207 232 6210

☎ Mobile: 07990901483

☎ Fax: 0207 232 6282

✉ E-mail: paul.compton@met.police.uk

✉ Mail: Licensing Office, Walworth Police Station,
12/28 Manor Place Walworth London
SE17 3RL

MEMO: Environmental Protection Team

To	Licensing	Date	19th Nov. 2009	
Copies	Joanne Littleton & Kritsie Ashenden			
From	Alan P. Blissett	Telephone	020 7525 5766	Fax 020 7525 5768
Email	Alan.Blissett@southwark.gov.uk			

Subject The Swan @ the Globe 21 Globe Walk SE1

Thank you for consulting Environmental Protection on the above application

I am not satisfied that the operating schedule and prevention of public nuisance measures as presently expressed in the application are adequate to address the suppression of public nuisance.

I suggest the following draft conditions .

- That when the bar and/or brasserie rooms are used for live and /or recorded music that sound insulation and /or limitation measures be adequate to contain sound and prevent disturbance to any residential premises in Globe Walk, and that ventilation is sufficient to enable all windows and doors to remain closed during performance.
- That no music be played or broadcast onto the ground floor external patio area
- That the patio area be closed to patrons at 22.00 Sunday – Thursday and at 23.00 Friday & Saturday
- That patrons not be permitted to take/consume drinks outside of the premises defined on the drawings No FP 301, 401,
- That smokers not be permitted to take drinks off the premises.
- Any portable equipment used in connection with regulated entertainment not be removed from premises after 23.00 or before 0800.
- That deliveries to and waste removal from the premises not be undertaken from entrances /exits facing on to Globe Walk before 0700 or after 23.00

Please accept this as a representation until the applicant has considered the each of above 7 points and satisfactory addressed them with EPT

Note 1: The requested hours for supply of alcohol and late night refreshment are co-terminal with closing hours, you may wish to consider supply curfew 30 mins before closing

Alan Blissett – Principal Environmental Protection Officer

830909

FAO Joanne Littleton
Licensing Department
Southwark London Borough Council
The Chaplin Centre
Thurlow Street
London
SE17 2DG

RECEIVED

14 DEC 2009

Date: 11 December 2009

Our ref: CE/HEC/P35218-1
Doc Ref: 2143613717

Your ref:

E-mail: c.eames@popall.co.uk

Direct Line: 0207 936 5875

Sent via post and email

Dear Madam

The Swan, 21 New Globe Walk, London SE1 9DT

We act on behalf of Benbow House Residents Limited and residents of Benbow House, New Globe Walk, London and we are instructed to make representations in respect of the above application.

Background

Written submissions were made to the Licensing Department of Southwark London Borough Council on the 13th November, 1st December and 9th December (correspondence attached) in respect of the following matters:-

1. Failure of the applicant to comply with the Licensing Act regulations on display of public notices.
2. **Saturation Policy** – Given that the application was lodged on the day that the saturation policy came into force, our submission is that the saturation policy should apply to this application. Further the failure to display the notices correctly (which was accepted by Officers of the London Borough of Southwark) in our submission means that the consultation period has occurred during dates when a saturation policy was in force and therefore should be applicable to the licence. Given the intention on the proposed application to increase existing licensable activities from the existing licence and extend the hours, we consider that the saturation policy would need to be applied in respect of that part of the application.

Partners · Jeremy Allen · James Anderson · Graeme Cushion · Clare Eames · Lisa Sharkey · Jonathan Smith

37 Stoney Street, The Lace Market, Nottingham NG1 1LS
T 0115 953 8500 F 0115 953 8501 W popall.co.uk DX 10100 Nottingham

Office also in London

3. **The Existing Licence** - Comments made in our letter of the 1st December, for the attention of Kristie Ashenden, relate to licensing issues in respect of The Swan and the fact that they are currently trading in breach of their licence.

The Current Application

We have briefly seen sight of the plans and application lodged with the London Borough of Southwark in respect of this application and we have requested from the applicant's solicitors on 30th November full copies of the licence plans and operating schedules for us to consider further. To date despite chasing we have not received any documents. It would appear the following licensable activities have been requested in addition to those that are permitted under the current licence:-

1. Recorded music indoors and outdoors.

From our brief look at the plans, it would appear that this licence incorporates an outside area and music has been requested in addition to be played outside. Given the intended nature of the style of operation as a bar and restaurant for customers of the Globe we do not understand why the applicant would need more than background music which of course is not a licensable activity.

Given the potential noise nuisance from recorded music and the lack of detail in the operating schedule, we consider that there is a significant risk that there will be public nuisance caused as a result of this activity, given a number of windows and the main entrance and exit is directly onto New Globe Walk and Bankside where our clients reside.

This licence also seeks to trade until 2am on Fridays and Saturdays for the sale of alcohol which is later than the existing licence and our clients have concerns over the inevitable noise nuisance and antisocial behaviour arising from such late trading hours which we consider inappropriate in a saturation policy area and so close to residential accommodation.

The Operating Schedule

We have requested the full operating schedule from the applicant's solicitor. In the meantime, we are currently working from the document on the Southwark website. However it was clear on a visit to the offices that the information on the website was not up to date and did not correctly reflect the application and therefore we reserve the right to fully expand upon all aspects of our representation once we have had sight of the full operating schedule.

In relation to the operating schedule, a large number of the conditions that are on the existing licence have simply been reused. Many conditions are of a type seen on old public entertainment licences pre 2005. In addition old embedded restrictions from the 1964

Licensing Act are also included at condition 109. These conditions are obsolete and we are confused as to why the applicant would include them.

The application does not address how the licensing objectives will be promoted given the extensive nature of the licence that has been applied for and the hours that are requested until 2am. As such we consider there has been little compliance with the requirement for an applicant to consider how he/she will promote the Licensing objectives.

Prevention of Crime & Disorder

The applicant has failed to sufficiently address the licensing objective of the prevention of crime and disorder in the operating schedule. Limited information has been provided and given the potential large numbers of the public who will be at the premises for non theatre events and outside the traditional hours of performances, we are concerned as to how crime and disorder and antisocial behaviour will be avoided and managed.

The condition indicates that the current CCTV system shall be maintained in good working order and operable at all times, however no information is provided as to whether the CCTV system covers all of the licensed areas, in particular external areas on New Globe Walk, Bankside and onto the Piazza where customers may congregate. No information is provided as to whether the CCTV system covers all of the licensed areas and in particular the external area in the Piazza.

No information is provided regarding the type of customers who will be attending the premises and, given the intended ancillary use to the theatre, we do not understand the need for a 2am licence, as performances will have long finished. No information is provided regarding how anti-social behaviour will be managed at the premises. No consideration has been given to the need for door staff, provision of a dispersal policy, noise attenuation measures or provision for smokers and as such with evidence of existing problems we consider this will only worsen with this application.

Prevention of Public Nuisance

Given the extent of the licence requested, the applicant has given little thought to the impact of the operation on public nuisance and only two conditions would appear to address the fact that the premises are located in a heavily residential area, namely:-

- Condition 158 "The licensee/ duty manager shall ensure that no nuisance is caused by noise emanating from the premises or by vibration transmitted through the structure of the premises;
b) If required, legible notices shall be displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and area quietly."

In addition, no consideration has been given to a dispersal policy, other noise attenuation measures or any policy regarding smokers, and customers wishing to take drinks outside.

Our clients have had extensive meetings with the operators of The Globe Theatre and their complaints and concerns are well catalogued and further documentation will be provided as part of this representation and the known concerns of the local residents have not been considered in any form in this application despite the last meetings with the residents which took place on the 9th September 2009 and the 27th October 2009.

Public Safety

Given comments raised already regarding the extensive nature of the licence application, we feel insufficient consideration has been given to public safety.

Protection of Children from Harm

The application is virtually silent in respect of the licensing objective of the prevention of harm to children, which is not adequately dealt with. No mention is made of any underage sales policy. The Globe Theatre has a number of performances and events which would be open to those persons under the age of 18 and with easy access into the premises and there is no explanation as to how these issues will be managed.

Summary

Our clients were extremely disappointed that no attempt was made to pre-consult with them prior to the application being lodged. In addition, the application has been drafted in such a way to have little regard for how the licensing objectives are to be promoted, especially given the extensive dialogue with the applicants and our clients over the last two years. Very few of the conditions proposed in the operating schedule actually deal with the significant issues that are raised in relation to public nuisance and antisocial behaviour catalogued in meetings and discussions between Benbow House residents and the applicants. Nor does it reflect promises offered by the applicant in those meetings of new operational measures to be implemented.

Our clients are satisfied with the principle proposed use for the main Shakespeare's Globe Theatre and ancillary uses however the concern is that this licence is being applied for to operate as a separate entity to the main theatre use and for hours that are too late given the proximity of residential accommodation.

Our client also supports in principle the idea of separate licences however the current format does not address our client's concerns and we feel they should be withdrawn and re-submitted following pre-consultation with the residents and responsible authorities.

Although we accept that the planning and licensing regimes are separate, they do overlap and therefore we also raise concerns that this application may not comply with the existing planning permission.

Given the historic manner in the way that the premises have operated and more particularly given the extensive scope of the licence application and the preparation of an operating schedule that fails to address the licensing objectives in any meaningful manner means that the likely effect of the grant of the licence on the promotion of the licensing objectives is that they will be significantly undermined.

Our client is willing to meet with the applicants in order to see whether a more robust and clearly understandable operating schedule can be put into place.

We reserve our position to raise more matters once full information is provided by the applicant and we will be serving documentary evidence to support our claims prior to the hearing.

Yours faithfully



Poppleston Allen

cc. Mark Browning, BA Law, via email only

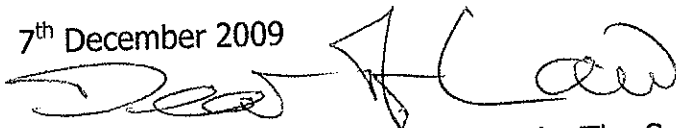
**BANKSIDE
LONDON SE1 9
00 44 207
Fax 00 44 207**

RECEIVED

08 DEC 2009

B.A. Law Esq
Licensing Department
Chaplin Centre
Thurlow Street
SE17 2DG

7th December 2009



I write concerning three applications by The Swan at the Globe
(Shakespeare's Globe Theatre, Bankside).

We oppose all three but, in particular, we have great concerns about the applications which extend licensing hours for entertainment to 0100 daily and 0200. Fri-Sat. respectively, we submit that midnight would be just tolerable.

As residents next door-but-one we wish to lodge a formal objection to the granting of these applications.

Our reasons are as follows:

1. The Exhibition Building for Shakespeare's Globe was created and opened as a visitor and tourist exhibition, not primarily as an entertainment space. The application tends towards a change of use.

Visitors for late night parties create serious disturbance and nuisance to the neighbouring residents, particularly in three ways:

2. Safety: Vehicles cause congestion and sometimes (as occurred on December 4th for example) complete blockage of access to our houses, emergency access to our houses and to the gates which give emergency access to the Tate Modern. We have repeatedly pointed out that emergency use is significant as our houses accommodate two doctors and a priest.
3. Nuisance and Noise Disorder: Clients gather for lengthy periods outside the Exhibition doors to smoke throughout evening social events. Our bedrooms are in the front of the houses, not only are we woken and greatly disturbed in the small hours by the noise (notably the higher

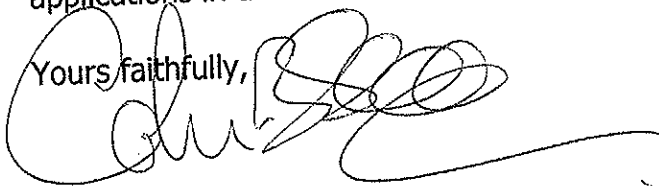
- pitch of women's voices) but also by the incredibly unpleasant smell of tobacco. We are literally experiencing secondary smoking as a result.
4. Crime and Disorder: The Swan at the Globe does not observe the present licensing conditions in any event, visitors already leave later than they should, any extension will adversely affect this, and it is not therefore an argument for extension. Additionally we recognise that, once off the premises, visitors are not the responsibility of The Swan, nevertheless they continue to wake us up and create disturbance, lingering, chattering and laughing in the street.

In principle we seek to be good neighbours. We acknowledge that The Swan has installed moveable rope barriers to guide entrance to the exhibition area for functions, and that has assisted, but not succeeded, in getting people off the road, safer from vehicles and queuing directed eastwards, away from our doors. The Swan has, nevertheless, not once, sought to consult us as neighbours about their continued gradual encroachment on the amenity neither of the area nor upon us as the immediate neighbours. We get the clear impression that the enterprise is very profit focussed and the three neighbouring houses are beneath consideration and a nuisance.

We were under the impression, apparently mistaken, that it is an obligation upon applicants to consult the neighbours. It would be courteous and good practice in any event. If it is a requirement we should point out to you that we have not been approached about any of these three applications and we were not, for example, about the creation of a (dangerous) door way on the corner of New Globe Walk and Bankside (where the doors, to add to the hazard, open outwards) nor when the Swan submitted a planning application, and an appeal, regarding shop fronts on Bankside.

We suggest to you that these symptoms of inconsiderate behaviour and contempt for the neighbours will be congruous with any extension of the licences for the Exhibition undercroft and area and we ask you to reject the applications in the interests of the neighbourhood.

Yours faithfully,



The Very Revd and Mrs C Slee.

Bankside, LONDON, SE1 9JE

(Phone and Fax: 020)

e-mail: ,@hotmail.com

The Licensing Unit
Chaplin Centre
Thurlow Street
LONDON
SE17 2DG

RECEIVED

09 DEC 2009

.....

7th December 2009

Dear Sir

I understand that The Shakespeare Underglobe & Event Area is applying for a renewal to its licence (Application 830906) and that, according to the notice posted on the door of the premises, objections have to be lodged with you by 11th December.

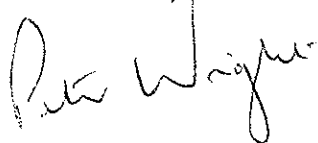
These premises are adjacent to private residences and the noise from guests smoking and yelling outside in the street, and leaving in the early hours of the morning, constitute a public nuisance.

I have had to complain to the Globe on a number of occasions; this year alone on 23rd March, 28th March, 16th May, 25th September and 26th September and there have been other instances when we have been disturbed but I have not written or telephoned.

The most disturbing case occurred two and a half years ago when, at 2.30a.m., I asked the revellers to keep the noise down and I was threatened by one of the men who followed me in a very menacing manner back to my front door.

I very much hope you will refuse this licence which has never been discussed by the GLOBE with the local residential neighbours. The total disregard of our well-being by the GLOBE has been very distressing.

Yours faithfully



Bankside, London SE1 9

TEL: 020

FAX 020

RECEIVED

09 DEC 2009

The Licensing Unit
 Chaplin Centre
 Thurlow Street
 LONDON
 SE17 2DG

8th December 2009*Att: B.A. Law*Dear Sir/~~Madam~~

I understand that Shakespeare's Globe Underglobe & Event Area is applying for a renewal to its licence (Application number 830906) According to the notice posted on the door of the premises, objections have to be lodged with you by 11th December. Normally, we receive individually addressed notices about such proposals and I am surprised that none seem to have been sent out on this occasion. Is there any particular reason for this omission?

In any case, I wish to register my objection to the applications, given the lack of evidence that the applicants have taken seriously the many previous complaints and objections from me and others. We are still wakened not infrequently by apparently intoxicated (and therefore often noisy, insensitive and inconsiderate) people leaving the Globe's premises in the small hours and such disturbances are naturally even more frequent as Christmas approaches. The people who come outside mainly to smoke have, of course, usually been drinking and the organizers do not seem to have been able to arrange an outdoor smoking space inside the Globe's walls, as we had been told they were going to do. This means that they congregate within a few feet of my front door.

Yours etc.

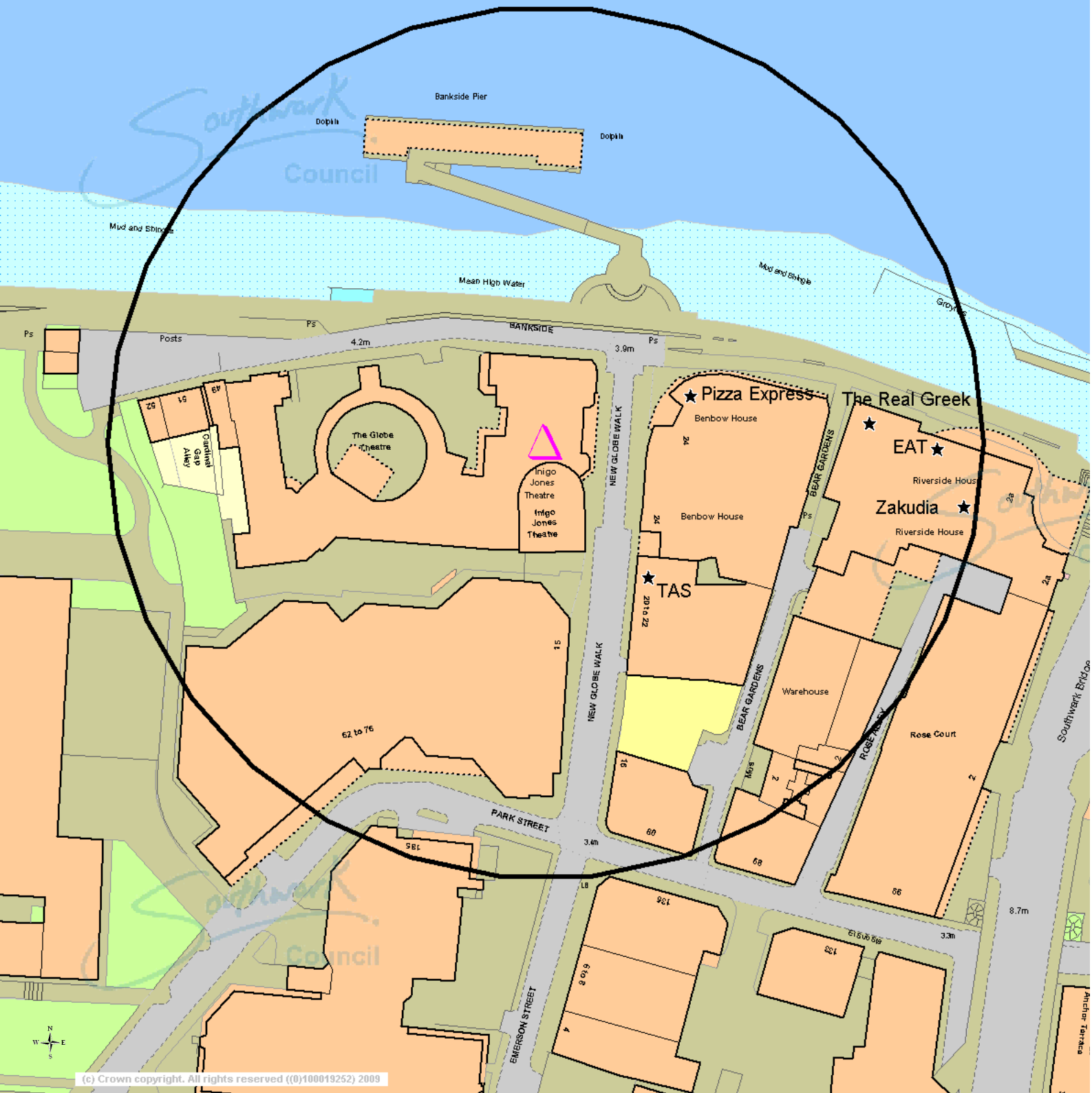
Colin Brewer

Date 11/1/2010

Millennium Bridge (FB)

River Thames

King's Reach



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Item No. 6	Classification: Open	Date: January 25 2010	MEETING NAME Licensing Sub-Committee
Report title:		LICENSING ACT 2003 – The Shakespeare Globe Theatre, 21 New Globe Walk, London, SE1 9DT	
Ward(s) or groups affected:		Premises are within: Cathedrals Ward	
From:		Strategic Director of Environment and Housing	

RECOMMENDATION

1. That the licensing sub-committee considers an application made by The Shakespeare Globe Trust, for a premises licence to be granted under the Licensing Act 2003 in respect of the premises known as The Shakespeare Globe Theatre, 21 New Globe Walk, London, SE1 9DT.

Notes:

- *This application forms a new application for a premises licence, under section 17 of the Licensing Act 2003. The application is subject to a representation from four (4) interested parties and one (1) responsible authority and is therefore referred to the sub-committee for determination;*
- *Paragraphs 8 to 15 of this report provide a summary of the application for the premises licence under consideration by the sub-committee (a copy of the full application is provided at appendix A)*
- *Paragraphs 16 to 22 of this report deal with the representations received to the premises licence application. (Copies of the relevant representations and replies are attached at appendix B).*

BACKGROUND INFORMATION

The Licensing Act 2003

2. The Licensing Act 2003 received royal assent on 10 July 2003. The Act provides a new licensing regime for
 - the sale of and supply of alcohol
 - the provision of regulated entertainment
 - the provision of late night refreshment
3. The Act requires the licensing authority to carry out its functions under the Act with a view to promoting the four stated licensing objectives. These are
4. The Act requires the licensing authority to carry out its functions under the Act with a view to promoting the four stated licensing objectives. These are
 - the prevention of crime and disorder;
 - the promotion of public safety
 - the prevention of nuisance; and
 - the protection of children from harm.
5. In carrying out its licensing functions, a licensing authority must also have regard to

- the Act itself;
 - the guidance to the Act issued under Section 182 of the Act;
 - secondary regulations issued under the Act;
 - the licensing authority's own statement of licensing policy
 - the application, including the operating schedule submitted as part of the application
 - relevant representations
6. The Act established a transitional period between 7 February 2005 and 6 August 2005 under which holders of existing justice's licenses, public entertainment licenses and night café licenses were able to apply to the local licensing authority for "grandfather rights" conversion of those existing licenses into the relevant licenses under the new system. Licenses that were so converted were converted on existing terms, conditions and restrictions. The 6 August date having passed, operators must now apply for new licenses.
7. The premises licence application process involves the provision of all relevant information required under the Act to the licensing authority with copies provided by the applicant to the relevant responsible bodies under the Act. The application must also be advertised at the premises and in the local press. The responsible authorities and other interested parties within the local community may make representations on any part of the application where relevant to the four licensing objectives.

KEY ISSUES FOR CONSIDERATION

The premises licence application

8. On the 4th November 2009 The Shakespeare Globe Trust applied to this council for the grant of a new premises licence in respect of the premises known as The Shakespeare Globe Theatre, 21 New Globe Walk, London, SE1 9DT.
9. A copy of the application for the new premises licence is attached to the report as appendix A.
10. The premises licence application form provides the applicant company's operating schedule. Parts A, B, E, F, G, I, J, L, M, O and P set out the proposed operating hours and operating controls in full, with reference to the four licensing objectives as stated in the Licensing Act 2003.
11. The application is summarized as follows:
- The provision of regulated entertainment both indoors and outdoors; being plays, films, live music, recorded music, and performances of dance – 12.00hrs to 00.00hrs, seven days a week.
 - The provision of entertainment facilities both indoors and outdoors; being making music and dancing – 12.00hrs to 00.00hrs, seven days a week
 - The provision of late night refreshment both indoors and outdoors – 23:00hrs to 01:00hrs, seven days a week
 - The supply of alcohol both on and off the premises - 08:00hrs to 01:00hrs, seven days a week.
 - Opening hours – 08:00hrs to 01:00hrs, 7 days a week.

Operating history

12. Under the Licensing Act 2003 the Shakespeare's Globe complex (comprising of The Swan, the Globe Theatre and the Shakespeare Underglobe & Events Area) is covered by one licence, granted in 2005.

13. The current licence allows the following licensable activities:

- plays
- films
- live music
- performance of dance
- late night refreshment
- sale by retail of alcohol to be consumed on the premises
- sale by retail of alcohol to be consumed off the premises

and the opening hours are 08.00hrs to 01.00hrs, seven (7) days a week.

14. The licensing department received noise complaints relating to the Shakespeare's Globe complex in July 2009, and upon investigation it was discovered that the use of the premises had changed from what was originally intended. The licence no longer accurately reflects the activities taking place at the premises.

15. The licensing department held a number of meetings with the applicants and responsible authorities and explained that three (3) separate new premises licences should be applied for in order for each individual aspect of the business (The Swan, the Globe Theatre and the Shakespeare Underglobe & Events Area) to have a premises licence which reflects the specific nature of each area.

Designated premises supervisor

16. The proposed designated premises supervisor is Ms Elizabeth Fosbury who has an application for a personal licence lodged with Wandsworth Council.

Representations from interested parties

17. There are four (4) representations received from interested parties.

Representations from responsible authorities

18. There is one (1) representation from a responsible authority.

19. The environmental protection team submitted a representation relating to the licensing objective of prevention of public nuisance. A number of conditions have been suggested and are included in their submission.

20. The police stated that they were not making a representation to this application.

21. The other responsible authorities did not reply to the consultation.

22. Copies of the representation from interested parties and responsible authorities are attached as appendix C.

Disability Discrimination Act

23. The Southwark Disablement Association have no comments regarding this application.

The local area

24. A map of the local area is attached at appendix C. The premises is marked by the triangle. The following licensed premises were identified within 100 metres of the premises and are labelled on the map:

- Pizza Express, Benbow House, New Globe Walk SE1 – licensed for late night refreshment and the supply of alcohol on and off the premises. Licensed hours: 10.00hrs to 00.00hrs Mondays to Saturdays, 10.00hrs to 23.30hrs on Sundays
- EAT!, Riverside House, Southwark Bridge Road SE1 – licensed for late night refreshment and the supply of alcohol on and off the premises. Licensed hours: 10.00hrs to 23.30hrs Mondays to Saturdays, 12.00hrs to 23.30hrs on Sundays
- The Real Greek, Riverside House, Southwark Bridge Road, SE1 – licensed for late night refreshment and the supply of alcohol on and off the premises. Licensed hours: 10.00hrs to 00.30hrs Mondays to Saturdays, 12.00hrs to 00.00hrs on Sundays
- Zakudia, Riverside House, Southwark Bridge Road, SE1 – licensed for live and recorded music, entertainment similar, making music, late night refreshment and supply of alcohol on and off the premises. Licensed hours: 09.00hrs to 01.00hrs Mondays to Wednesdays, 09.00hrs to 03.00hrs Thursdays to Sundays
- TAS Pide, New Globe Walk, SE1 – licensed for live and recorded music, late night refreshment and supply of alcohol on the premises. Licensed hours: 11.00hrs to 01.30hrs, 7 days a week.

Southwark council statement of licensing policy

25. Council assembly approved the third revision of Southwark's statement of licensing policy on 5 November 2008. Sections of the statement that are considered to be of particular relevance to this application are

- Section 3 which sets out the purpose and scope of the policy and re-inforces the four licensing objectives
- Section 5 which sets out the council's approach with regard to the imposition of conditions including mandatory conditions to be attached to the licence
- Section 6 details other relevant council and government policies, strategies, responsibilities and guidance, including the relevant articles under the Human Rights Act 1998
- Section 7 provides general guidance on dealing with crime and disorder and deals with licensing hours
- Section 8 provides general guidance on ensuring public safety including safe capacities
- Section 9 provides general guidance on the prevention of nuisance
- Section 10 provides general guidance on the protection of children from harm.

26. The purpose of Southwark's statement of licensing policy is to make clear to applicants what considerations will be taken into account when determining applications and should act as a guide to the sub-committee when considering the applications. However, the sub-committee must always consider each application on its own merits and allow exceptions to the normal policy where these are justified by the circumstances of the application.

Resource implications

27. A fee of £635 has been paid by the applicant in respect of this application being the statutory fee payable for premises within non-domestic rateable value band E.

Consultations

28. Consultation has been carried out on this application in accordance with the provisions of the Licensing Act 2003. A public notice was placed in the 12th November 2009 edition of Southwark News and a similar notice exhibited outside of the premises. The application was not properly advertised, therefore the last date for representations was extended to 11th December 2009.

Conciliation

29. A conciliation meeting has been arranged for the 21st January 2010. An update on the conciliation will be provided at the sub-committee meeting.

Community impact statement

30. Through the licensing process it is intended to help provide successful, well managed licensed operations that complement and benefit the local community, while affording appropriate protections to that community. At the heart of the process are the four licensing objectives set out in section 3 of this report. Within the process each licence application is required by law to be considered upon its own individual merits with all relevant matters taken into account.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Strategic Director of Communities, Law and Governance

31. The sub-committee is asked to determine the application for a premises licence under Section 17 of the Licensing Act 2003.
32. The principles which sub-committee members must apply are set out below.

Principles for making the determination

33. The general principle is that applications for premises licence applications must be granted unless relevant representations are received. This is subject to the proviso that the applicant has complied with regulations in advertising and submitting the application.
34. Relevant representations are those which
- are about the likely effect of the granting of the application on the promotion of the licensing objectives
 - are made by an interested party or responsible authority
 - have not been withdrawn.
 - are not, in the opinion of the relevant licensing authority, frivolous or vexatious.
35. If relevant representations are received then the sub-committee must have regard to them, in determining whether it is necessary for the promotion of the licensing objectives to
- to grant the licence subject to-
 - The conditions mentioned in section 18 (2)(a) modified to such extent as the licensing authority considers necessary for the promotion of the licensing

objectives, and any condition which must under section 19,20 or 21 be included in the licence

- to exclude from the scope of the licence any of the licensable activities to which the application relates;
- to refuse to specify a person in the licence as the premises supervisor;
- to reject the application.

Conditions

36. The sub-committee's discretion is thus limited. It can only modify the conditions put forward by the applicant that is consistent with the operating schedule accompanying the application, or refuse the application, if it is necessary to do so. Conditions must be necessary and proportionate for the promotion of one of the four licensing objectives, and not for any other reason. Conditions must also be within the control of the licensee, and should be worded in a way which is clear, certain, consistent and enforceable.

37. The four licensing objectives are

- the prevention of crime and disorder;
- Public safety;
- the prevention of nuisance; and
- the protection of children from harm.

38. Members should note that each objective is of equal importance. There are no other licensing objectives, and the four objectives are paramount considerations at all times.

39. Conditions will not be necessary if they duplicate a statutory position. Conditions relating to night café and take away aspect of the license must relate to the night time operation of the premises and must not be used to impose conditions which could not be imposed on day time operators.

40. Members are also referred to the DCMS guidance on conditions, specifically section 7, and Annexes D, E, F and G.

Reasons

41. If the sub-committee determines that it is necessary to modify the conditions, or to refuse the application for a premises licence application, it must give reasons for its decision

Hearing procedures

42. Subject to the licensing hearing regulations, the licensing committee may determine its own procedures. Key elements of the regulations are that

- the hearing shall take the form of a discussion led by the authority. Cross examination shall not be permitted unless the authority considered that it is required for it to consider the representations
- members of the authority are free to ask any question of any party or other person appearing at the hearing
- the committee must allow the parties an equal maximum period of time in which to exercise their rights to
 - address the authority
 - if given permission by the committee, question any other party.
 - in response to a point which the authority has given notice it will require clarification, give further information in support of their application.

- the committee shall disregard any information given by a party which is not relevant
 - to the particular application before the committee, and
 - the licensing objectives.
- the hearing shall be in public, although the committee may exclude the public from all or part of a hearing where it considers that the public interest in doing so outweighs the public interest in the hearing, or that part of the hearing, taking place in private.
- in considering any representations or notice made by a party the authority may take into account documentary or other information produced by a party in support of their application, representations or notice (as applicable) either before the hearing or, with the consent of all the other parties, at the hearing.

43. This matter relates to the determination of an application for a premises licence under section 17 of the Licensing Act 2003. Regulation 26(1) (a) requires the sub-committee to make its determination at the conclusion of the hearing.

Council's multiple roles and the role of the licensing sub-committee

44. Sub-committee members will note that, in relation to this application, the council has multiple roles. Council officers from various departments have been asked to consider the application from the perspective of the council as authority responsible respectively for environmental health, trading standards, health and safety and as the planning authority.
45. Members should note that the licensing sub-committee is meeting on this occasion solely to perform the role of licensing authority. The sub-committee sits in quasi-judicial capacity, and must act impartially. It must offer a fair and unbiased hearing of the application. In this case, members should disregard the council's broader policy objectives and role as statutory authority in other contexts. Members must direct themselves to making a determination solely based upon the licensing law, guidance and the council's statement of licensing policy.
46. As a quasi-judicial body the licensing sub-committee is required to consider the application on its merits. The sub-committee must take into account only relevant factors, and ignore irrelevant factors. The decision must be based on evidence, that is to say material, which tends logically to show the existence or non-existence of relevant facts, or the likelihood or unlikelihood of the occurrence of some future event, the occurrence of which would be relevant. The licensing sub-committee must give fair consideration to the contentions of all persons entitled to make representations to them.
47. The licensing sub-committee is entitled to consider events outside of the premises if they are relevant, i.e. are properly attributable to the premises being open. The proprietors do not have to be personally responsible for the incidents for the same to be relevant. However, if such events are not properly attributable to the premises being open, then the evidence is not relevant and should be excluded. Guidance is that the licensing authority will primarily focus on the direct impact of the activities taking place at the licensed premises on members of the public, living, and working or engaged in normal activity in the area concerned.
48. Members will be aware of the council's code of conduct which requires them to declare personal and prejudicial interests. The code applies to members when considering licensing applications. In addition, as a quasi-judicial body, members are required to avoid both actual bias, and the appearance of bias.
49. The sub-committee can only consider matters within the application that have been raised through representations from interested parties and responsible authorities.

Interested parties must live in the vicinity of the premises. This will be decided on a case to case basis.

50. Under the Human Rights Act 1998. the sub committee needs to consider the balance between the rights of the applicant and those making representations to the application when making their decision. The sub-committee has a duty under section 17 Crime and Disorder Act 1998 when making its decision to do all it can to prevent crime and disorder in the borough.

51. Interested parties, responsible authorities and the applicant have the right to appeal the decision of the sub-committee to the Magistrates' Court within a period of 21 days beginning with the day on which the applicant was notified by the licensing authority of the decision to be appealed against.

Guidance

52. Members are required to have regard to the DCMS guidance in carrying out the functions of licensing authority. However, guidance does not cover every possible situation, so long as the guidance has been properly and carefully understood, members may depart from it if they have reason to do so. Full reasons must be given if this is the case.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Licensing Act 2003 DCMS Guidance to the Act Secondary Regulations Southwark Statement of Licensing Policy Case file	Southwark Licensing, C/O Community Safety & Enforcement, The Chaplin Centre, Thurlow Street, London, SE17 2DG	Name: Kirty Read Phone number: 020 7525 5748

APPENDICES

No.	Title
Appendix A	Premises licence application
Appendix B	Representations from interested parties and responsible authorities
Appendix C	Map of local vicinity

AUDIT TRAIL

Lead Officer	Jonathon Toy, Head of Community Safety and Enforcement	
Report Author	Kristie Ashenden, Principal Licensing Officer	
Version	Final	
Dated	January 11 th 2010	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / EXECUTIVE MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Communities, Law & Governance	Yes	Yes
Finance Director	No	No
Executive Member	No	No
Date final report sent to Constitutional/Community Council/Scrutiny Team		January 11 th 2010

RECEIVED
04 NOV 2009

**Application for a premises licence to be granted
under the Licensing Act 2003**

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.
If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We THE SHAKESPEARE GLOBE TRUST

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description			
THE SHAKESPEARE GLOBE THEATRE 21 NEW GLOBE WALK			
Post town	LONDON	Post code	SE1 9DT

Telephone number at premises (if any)	0207 902 1400
Non-domestic rateable value of premises	£450000

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as
Please tick yes

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
 - i. as a limited company please complete section (B)
 - ii. as a partnership please complete section (B)
 - iii. as an unincorporated association or please complete section (B)
 - iv. other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity please complete section (B)

- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a
 - statutory function or
 - a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over					<input type="checkbox"/> Please tick yes
Current postal address if different from premises address					
Post Town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over					<input type="checkbox"/> Please tick yes

Current postal address if different from premises address			
Post Town		Postcode	
Daytime contact telephone number			
E-mail address (optional)			

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name THE SHAKESPEARE GLOBE TRUST
Address THE SHAKESPEARE GLOBE THEATRE 21 NEW GLOBE WALK LONDON SE1 9DT
Registered number (where applicable) Companies house 1152238 - Charity 266916
Description of applicant (for example, partnership, company, unincorporated association etc.) LIMITED COMPANY & CHARITY
Telephone number (if any) CALL 0870 458 4600
E-mail address (optional) info@balaw.co.uk

Part 3 Operating Schedule

When do you want the premises licence to start?

Day	Month	Year
1	1	12 2009

If you wish the licence to be valid only for a limited period, when do you want it to end?

Day	Month	Year

Please give a general description of the premises (please read guidance note1)

Founded by the pioneering American actor and director Sam Wanamaker, Shakespeare's Globe is a unique international resource dedicated to the exploration of Shakespeare's work and the playhouse for which he wrote, through the connected means of performance and education.

Together, the Globe Theatre Company, Shakespeare's Globe Exhibition and Globe Education seek to further the experience and international understanding of Shakespeare in performance

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment

Please tick yes

- | | |
|---|-------------------------------------|
| a) plays (if ticking yes, fill in box A) | <input checked="" type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input checked="" type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input checked="" type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input checked="" type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input checked="" type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input type="checkbox"/> |

Provision of entertainment facilities:

- | | |
|---|-------------------------------------|
| i) making music (if ticking yes, fill in box I) | <input checked="" type="checkbox"/> |
| j) dancing (if ticking yes, fill in box J) | <input checked="" type="checkbox"/> |
| k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K) | <input type="checkbox"/> |

Provision of late night refreshment (if ticking yes, fill in box L)

Supply of alcohol (if ticking yes, fill in box M)

In all cases complete boxes N, O and P

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	1200	0000	Please give further details here (please read guidance note 3) We have marked 'both' above as the red outline on the plans indicates areas that are both indoors and outdoors, although all regulated activity will take place within the confines of the Shakespeare Globe complex.	Both	<input checked="" type="checkbox"/>
Tue	1200	0000			
Wed	1200	0000	State any seasonal variations for performing plays (please read guidance note 4) Please see proposed conditions in relation to timings for New Years Eve and other specific occasions		
Thur	1200	0000			
Fri	1200	0000	Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5) Please see proposed conditions in relation to timings for New Years Eve and other specific occasions		
Sat	1200	0000			
Sun	1200	0000			

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	0900	0000	Please give further details here (please read guidance note 3) We have marked 'both' above as the red outline on the plans indicates areas that are both indoors and outdoors, although all regulated activity will take place within the confines of the Shakespeare Globe complex.	Both	<input checked="" type="checkbox"/>
Tue	0900	0000			
Wed	0900	0000	State any seasonal variations for the exhibition of films (please read guidance note 4) Please see proposed conditions in relation to timings for New Years Eve and other specific occasions		
Thur	0900	0000			
Fri	0900	0000	Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5) Please see proposed conditions in relation to timings for New Years Eve and other specific occasions		
Sat	0900	0000			
Sun	1200	0000			

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 5)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	1200	0000	<u>Please give further details here</u> (please read guidance note 3) We have marked 'both' above as the red outline on the plans indicates areas that are both indoors and outdoors, although all regulated activity will take place within the confines of the Shakespeare Globe complex.	Both	<input checked="" type="checkbox"/>
Tue	1200	0000			
Wed	1200	0000	<u>State any seasonal variations for the performance of live music</u> (please read guidance note 4) Please see proposed conditions in relation to timings for New Years Eve and other specific occasions		
Thur	1200	0000			
Fri	1200	0000	<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 5) Please see proposed conditions in relation to timings for New Years Eve and other specific occasions		
Sat	1200	0000			
Sun	1200	0000			

A16

F

Recorded music Standard days and timings (please read guidance note 6)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	1200	0000	<u>Please give further details here</u> (please read guidance note 3) We have marked 'both' above as the red outline on the plans indicates areas that are both indoors and outdoors, although all regulated activity will take place within the confines of the Shakespeare Globe complex.	Both	<input checked="" type="checkbox"/>
Tue	1200	0000			
Wed	1200	0000	<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 4) Please see proposed conditions in relation to timings for New Years Eve and other specific occasions		
Thur	1200	0000			
Fri	1200	0000	<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 5) Please see proposed conditions in relation to timings for New Years Eve and other specific occasions		
Sat	1200	0000			
Sun	1200	0000			

G

Performances of dance Standard days and timings (please read guidance note 6)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	1200	0000	<u>Please give further details here</u> (please read guidance note 3) We have marked 'both' above as the red outline on the plans indicates areas that are both indoors and outdoors, although all regulated activity will take place within the confines of the Shakespeare Globe complex.	Both	<input checked="" type="checkbox"/>
Tue	1200	0000			
Wed	1200	0000	<u>State any seasonal variations for the performance of dance</u> (please read guidance note 4) Please see proposed conditions in relation to timings for New Years Eve and other specific occasions		
Thur	1200	0000			
Fri	1200	0000	<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 5) Please see proposed conditions in relation to timings for New Years Eve and other specific occasions		
Sat	1200	0000			
Sun	1200	0000			

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			<u>Please give a description of the type of entertainment you will be providing</u>		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 3)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sun					

Provision of facilities for making music Standard days and timings (please read guidance note 6)			<u>Please give a description of the facilities for making music you will be providing</u> anything related to performance of plays, exhibitions or educational events	
<p style="text-align: center;">A25</p>			<u>Will the facilities for making music be indoors or outdoors or both – please tick</u> (please read guidance note 2)	
			Indoors	<input type="checkbox"/>
			Outdoors	<input type="checkbox"/>
Day	Start	Finish	Both <input checked="" type="checkbox"/>	
Mon	1200	0000	<u>Please give further details here</u> (please read guidance note 3) We have marked 'both' above as the red outline on the plans indicates areas that are both indoors and outdoors, although all regulated activity will take place within the confines of the Shakespeare Globe complex.	
Tue	1200	0000		
Wed	1200	0000	<u>State any seasonal variations for the provision of facilities for making music</u> (please read guidance note 4) Please see proposed conditions in relation to timings for New Years Eve and other specific occasions	
Thur	1200	0000		
Fri	1200	0000	<u>Non standard timings. Where you intend to use the premises for provision of facilities for making music at different times to those listed in the column on the left, please list</u> (please read guidance note 5) Please see proposed conditions in relation to timings for New Years Eve and other specific occasions	
Sat	1200	0000		
Sun	1200	0000		

J

AUS

Provision of facilities for dancing Standard days and timings (please read guidance note 6)			Will the facilities for dancing be indoors or outdoors or both – please tick (see guidance note 2)	Indoors <input type="checkbox"/>
				Outdoors <input type="checkbox"/>
				Both <input checked="" type="checkbox"/>
Day	Start	Finish	Please give a description of the facilities for dancing you will be providing public participation may be required from time to time as ancillary to the performance of ;plays, exhibitions or associated events	
Mon	1200	0000	Please give further details here (please read guidance note 3) We have marked 'both' above as the red outline on the plans indicates areas that are both indoors and outdoors, although all regulated activity will take place within the confines of the Shakespeare Globe complex.	
Tue	1200	0000		
Wed	1200	0000	State any seasonal variations for providing dancing facilities (please read guidance note 4) Please see proposed conditions in relation to timings for New Years Eve and other specific occasions	
Thur	1200	0000		
Fri	1200	0000	Non standard timings. Where you intend to use the premises for the provision of facilities for dancing entertainment at different times to those listed in the column on the left, please list (please read guidance note 5) Please see proposed conditions in relation to timings for New Years Eve and other specific occasions	
Sat	1200	0000		
Sun	1200	0000		

K

Provision of facilities for entertainment of a similar description to that falling within i or j Standard days and timings (please read guidance note 6)			<u>Please give a description of the type of entertainment facility you will be providing</u>		
Day	Start	Finish	<u>Will the entertainment facility be indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 3)		
Wed					
Thur			<u>State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within i or j</u> (please read guidance note 4)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within i or j at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sun					

L

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	2300	0100	Please give further details here (please read guidance note 3) We have marked 'both' above as the red outline on the plans indicates areas that are both indoors and outdoors, although all regulated activity will take place within the confines of the Shakespeare Globe complex.	Both	<input checked="" type="checkbox"/>
Tue	2300	0100			
Wed	2300	0100	State any seasonal variations for the provision of late night refreshment (please read guidance note 4) Please see proposed conditions in relation to timings for New Years Eve and other specific occasions		
Thur	2300	0100			
Fri	2300	0100	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5) Please see proposed conditions in relation to timings for New Years Eve and other specific occasions		
Sat	2300	0100			
Sun	2300	0100			

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4) Please see proposed conditions in relation to timings for New Years Eve and other specific occasions. Supply OFF the confines of the Shakespeare Globe complex refers to sales from the shops only.		
Mon	0800	0100			
Tue	0800	0100			
Wed	0800	0100			
Thur	0800	0100			
Fri	0800	0100			
Sat	0800	0100			
Sun	0800	0100	Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)		

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name ELIZABETH FOSBURY	
Address	
Postcode	
Personal Licence number (if known) UNDER APPLICATION	
Issuing licensing authority (if known)	

N

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)

Please see proposed conditions under licensing objective (e) page 25

O

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4) Please see proposed conditions in relation to timings for New Years Eve and other specific occasions
Day	Start	Finish	
Mon	0800	0100	
Tue	0800	0100	
Wed	0800	0100	
Thur	0800	0100	
Fri	0800	0100	
Sat	0800	0100	
Sun	0800	0100	

Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)
Please see proposed conditions in relation to timings for New Years Eve and other specific occasions

P Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)

Shakespeare's Globe Theatre is an internationally renowned venue promoting the works of Shakespeare and performing arts, whilst giving back to the community in the form of education and exhibitions. Great care is taken by the management team to ensure that public safety is paramount and that respect is shown to neighbours.

The applicant offers the following general conditions (in addition to any mandatory conditions) in support of its application:

109 - Alcohol shall not be sold or supplied except during permitted hours. Permitted hours means the hours shown on Part 1 of the Premises Licence. In addition the permitted hours shall include from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day.

The above restrictions do not prohibit; i) During the first twenty minutes after the above hours the consumption of the alcohol on the premises; ii) During the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel; iii) During the first thirty minutes after the above hours the consumption of the alcohol on the premises by persons taking meals there if the alcohol was supplied for consumption as ancillary to the meals; or iv) The supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of alcohol so supplied, if the alcohol is supplied at the expense of their employer or the person carrying on, or in charge of, the business on the premises.

350 - In addition to the permitted hours and further to condition 109 above there shall be 3 (three) performances per year commencing at midnight, running until 0400 for all regulated activity. Both the Police and the Licensing authority shall be given 10 days written notice of these events and the Police shall retain absolute power of veto.

145 –

- a. The Premises Licence Summary or a copy of it shall be prominently exhibited in a position where the public can easily read it.
- b. A full copy of the Premises Licence shall be readily available for inspection by authorised Council

152 - The designated premises supervisor may authorise in writing a Duty Manager, who shall be at least 18 years old, to deputise for him. This written authorisation shall be kept on the premises and shall be readily available for examination by any Authorised Officer. The designated premises supervisor must be satisfied that anyone appointed as a Duty Manager understands the need to comply with the conditions of the licence and is competent to perform the functions of Duty Manager.

348 - A proof of age identification shall be required by the shop staff where a purchaser appears to be under 21

349 - The sale by retail of alcohol off the premises shall only be permitted from the Gift Shop.

146 - Authorised Council officers who carry written authorisations and proof of identity, which they will produce on request, shall be admitted immediately to all parts of the premises at all reasonable times

100 - Where a condition provides for notice to be given to the Council or for consent to be obtained, all such notices and requests for consent shall be sent by email to licensing@southwark.gov.uk marked "Urgent Notice for Council Attention." If no response is received to the email; consent shall be deemed to have been given 7 days following service by email.

b) The prevention of crime and disorder

The following conditions are offered by the Applicant:

203 - The Licensee shall not permit conduct on the premises that is likely to cause disorder or a breach of the peace or drug misuse. In particular the licensee shall ensure that none of the following shall take place:

- a. indecent behaviour, including sexual intercourse, except as permitted by the Theatres Act 1968;
- b. the offer of any sexual or other indecent service for reward;
- c. acts of violence against person or property and / or the attempt or threat of such acts; and
- d. unlawful possession and / or supply of drugs controlled by the Misuse of Drugs Act 1971.

288 - The CCTV system installed upon the premises shall be maintained in good working condition and operable at all times

289 - Recordings taken by the CCTV system installed upon the premises shall be kept and made available for inspection by authorised officers for a period of thirty one (31) days

c) Public safety

The following conditions are offered by the Applicant:

147 - The designated premises supervisor shall not permit any exhibition, demonstration or performance of hypnotism, mesmerism or any similar act or process which produces or is intended to produce in any person any form of induced sleep or trance in which susceptibility of the mind of that person to suggestion or direction is increased or intended to be increased. This condition does not apply to exhibitions given under the provisions of Section 2(1a) and 5 of the Hypnotism Act 1952.

148 –

- a. The Licensee shall not permit any entertainment that involves special risks except with consent of the Council.
- b. The Licensee shall not permit any performances which are exclusively for children except with the consent of the Council.
- c. The licensee shall not permit explosives or highly flammable substances to be brought onto the premises except with the consent of the Council.

149 –

- a. The Licensee shall not permit the use of special effects, except with consent
- b. The Licensee shall give to the Council at least 10 days notice in writing of any proposal to use special effects. The notice shall include, save in exceptional circumstances, exact details of the proposal including the date and time when the special effects can be demonstrated.

150 - Compressed or liquified gases shall not be used except with consent. At least 10 days

notice in writing shall be given to the Council of any proposal to bring storage cylinders into the premises

151 –

- a. The designated premises supervisor shall ensure that the premises continue to comply with the Council's Technical Regulations.
- b. No alterations shall be made to the approved arrangements without the consent of the Council
- c. The designated premises supervisor shall, except with the consent of the Council, retain control over all parts of the premises.
- d. Either the designated premises supervisor or a Duty Manager shall be in charge of and within the premises whenever the public are present. However, the designated premises supervisor remains responsible for the observance of all licensing conditions.

154 –

- a. The designated premises supervisor shall ensure that he/she has sufficient trained staff on duty to ensure the safe evacuation of the premises in an emergency. Such staff shall have been specifically instructed on their duties in the event of an emergency by the designated premises supervisor or by a person nominated by him. The instruction given to staff shall include training on the safe and efficient running of the premises and the safe evacuation of the premises.
- b. A nominated member of staff in addition to the designated premises supervisor shall have responsibility for fire prevention measures and for ensuring that all escape routes including exit doors are fully available.
- c. Staff with specific responsibilities in the event of fire or other emergency, together with deputies, shall receive training and written instruction appropriate to their role. The designated premises supervisor shall, once he/she is satisfied as to the competence of each member of staff, record this in the Fire log book.

160 - The designated premises supervisor shall ensure that all performances or activities minimise any danger to the public

161 - The designated premises supervisor shall ensure that whenever disabled people are present, adequate arrangements are made to enable their safe evacuation in the event of an emergency and that they are made aware of those arrangements

163 –

- a. All escape routes and exits including external exits shall be maintained unobstructed, in good order with non- slippery and even surfaces, free of trip hazards and clearly identified in accordance with the approved arrangements.
- b. All exits door shall be available and easily operable without the use of a key, card, code or similar means. Only approved fastenings shall be used.
- c. Any removable security fastening shall be removed from the doors prior to opening the premises to the public. All such fastenings shall be kept in the approved positions.
- d. If required, exit doors shall be secured in the fully open position when the public are present.
- e. All fire-doors shall be maintained effectively self-closing and shall not be held open other than by approved devices.
- f. Fire-resisting doors to ducts, service shafts and cupboards shall be kept locked shut.
- g. The edges of treads of steps and stairways shall be maintained so as to be conspicuous.

166 - The designated premises supervisor shall ensure that the accommodation limit(s) specified on the licence are not exceeded and shall be aware of the number of the public on the premises. This information shall be provided to any authorised officer immediately upon request

170 - Refuse receptacles shall be emptied regularly.

171 - Access for emergency vehicles shall be kept clear and free from obstruction

172 –

- a. The designated premises supervisor shall ensure that an adequate and appropriate supply of first aid equipment and materials is available on the premises.
- b. If required, at least one suitably trained first aider shall be on duty when the public are present. If more than one suitably trained first-aider is present, each person's responsibilities shall be clearly identified

173 –

- c. Toilet accommodation shall be provided free of charge and be kept clean and in proper working order.
- d. An adequate supply of hot and cold (or warm) water, toilet paper in holders or dispensers, soap and suitable hand and face drying facilities shall be provided in toilet accommodation.

175 -

- a. Heating apparatus shall be maintained in a safe and functioning condition.
- b. Portable heating or cooking appliances shall not be used except with the consent of the Council

176 - A competent person shall be in charge of all electrical installation

177 –

- a. In the absence of adequate daylight the management lighting in any area accessible to the public shall be fully operational whilst the public are present.
- b. Except as permitted under (d) below there shall be adequate illumination to enable people to see their way out of the premises
- c. Fire safety signs shall be adequately illuminated except as permitted under (d) below.
- d. If essential to the entertainment and subject to the consent of the Council, the management lighting in the entertainment area may be reduced or extinguished provided;
 - (i) the lighting is controlled from a position with a clear view of the entertainment area; and
 - (ii) an operator remains by the controls whilst the lighting is reduced or extinguished; and
 - (iii) the operator restores the management lighting immediately in the event of any emergency; and
 - (iv) the escape route signs remain adequately illuminated.

178 –

- a. The emergency lighting installation shall not be altered in any way except with the consent of the Council.
- b. The emergency lighting battery shall be fully charged before the admission of the public
- c. In the event of failure of the normal lighting;
 - (i) If the emergency lighting battery has a one hour capacity the public shall leave the premises within 20 minutes unless within that time the normal lighting has been restored and the battery is being re-charged; or
 - (ii) If the emergency lighting battery has a 3 hour capacity the public shall leave the premises within one hour unless within that time the normal lighting has been restored and the battery is being re-charged.
- d. The public shall not be re-admitted to the premises until the normal lighting has been fully restored and the battery fully recharged except;
 - (i) Where the emergency lighting battery has a one hour capacity and if the failure of the normal lighting was fully rectified within 20 minutes of failure and the battery is being re-charged; or
 - (ii) Where the emergency lighting battery has a 3 hour capacity and if the failure of the normal lighting was fully rectified within one hour of failure and the battery is being re-charged.

182 –

a. The following certificates shall be submitted to the Council at least once a year unless stated otherwise below. Note: Where a certificate covers a period of more than one year it will be sufficient to submit a photocopy of the certificate each year that the certificate remains valid.

i) Battery - The emergency lighting battery (including any self contained units) and associated control equipment. The inspection of the battery and control equipment shall be in accordance with BS 5266-1. The certificate shall be signed by a Corporate Member of the Institution of Electrical Engineers or a member of the Electrical Contractors Association or by a contractor enrolled with the National Inspection Council for Electrical Installation Contracting or, with consent, another competent person.

ii) Electrical installation - The entire electrical installation (including the emergency lighting installation but excluding any battery). The inspection shall be in accordance with Guidance Note 3 to BS 7671. In large or complex premises the electrical installation shall be visually inspected once a year and at least 20% of the installation tested in accordance with a programme approved by the Council such that the whole installation is tested every 5 years. The certificate shall be signed by a Corporate Member of the Institution of Electrical Engineers or a member of the Electrical Contractors Association or by a contractor enrolled with the National Inspection Council for Electrical Installation Contracting or, with consent, another competent person.

iii) Boilers and calorifiers - Any steam boiler, any electrode boiler working on a closed water system or any calorifier incorporating a steam receiver. A boiler insurance company shall issue the certificate of thorough examination and test;

iv) Fire alarm warning system - Confirmation from a fire alarm company or, with consent, another competent person that the fire alarm warning system continues to satisfy the requirements of BS 5839;

v) Fire fighting equipment - All portable fire-fighting equipment together with any hose reels or sprinklers in accordance with BS 5306;

vi) Mechanical installations - Any passenger lifts or escalators. All lifting equipment and permanently suspended equipment (These certificates should be copies of the records of examination provided under the Lifting Operations and Lifting Equipment Regulations 1998. Any permanently suspended loads, such as permanently installed stage lighting luminaires or loudspeakers or flown cinema screens, shall be treated as forming part of the lifting equipment installation and be examined by the competent person making the examination). The safety curtain, its operating gear and controls, the smoke ventilators and drencher. Any other mechanical installation (for example, stage, orchestra or organ lifts, revolving or moving platforms) if required.

vii) Lasers - Any permanently installed lasers, other than Class 1 and Class 2 lasers;

viii) Special effects - Permanently installed smoke machines, fog generators and strobe lighting;

ix) Ceilings - Ceilings and ornamental plaster; and

x) Gas installation - Any gas installation and gas appliances, if required. A member of the Council for registered Gas installers (CORGI) shall complete the certificate.

183 –

a. Unless the Council requires or approves otherwise the number of attendants on each floor or tier in a closely seated auditorium shall be as set out on the table below:

Number of members of public /attendants present on a floor or tier

1-100 one

101-250 two

251-500 three

501-750 four

751-1000 Five

b. Plus one additional attendant for each additional 250 persons (or part thereof)

c. Attendants shall not be engaged in any duties that would hinder them in the event of an

emergency or entail their absence from the floor, tier, or auditorium where they are on duty.
d. Any attendant shall be readily identifiable to the public.

184 –

- a. The premises shall not be used for a closely seated audience, except in accordance with the approved seating plan(s), a copy of which shall be kept available at the premises and shall be shown to any authorised officer on request.
- b. No article shall be attached to the back of any seat which would reduce the clear width of seat ways or cause a tripping hazard or obstruction.
- c. A copy of any certificate relating to the design, construction and loading of any temporary seating shall be kept available at the premises and shall be shown to any authorised officer on request.

185 –

- a. Sitting on floors shall not be permitted except with the consent of the Council
- b. Waiting and standing shall not be permitted except in areas designated by the Council
- c. Under no circumstances shall anyone be permitted to sit in any gangways; or stand or sit in front of any exit; or stand or sit on any staircase including any landings

186 - Except with the consent of the Council, no drinks shall be sold to or be consumed by a closely seated audience except in approved plastic or paper containers.

187 - Clothing or other objects shall not be placed over balcony rails or upon balcony fronts.

216 - The Council shall approve the arrangements for the premises including all seating and standing areas for spectators which shall minimise any risk to spectators, performers or staff

217 - Reasonable and practicable steps shall be taken to minimise any risk to spectators, performers or staff from any equipment used in the entertainment.

221 - Staff adequately trained in rescue and life safety procedures shall be stationed and remain within the vicinity of the performance at all material times. The Council shall approve the number of such staff

218 - Dressing room accommodation and washing facilities for performers shall be provided to the satisfaction of the Council.

219 - The theatre ring shall be sited, constructed and supported to the satisfaction of the Council. Any material used to form a skirt around the ring shall be flame-retarded to the satisfaction of the Council.

307 - The maximum number of persons that may be accommodated within the licensed area of the theatre at any one time shall not exceed 1,581 (One Thousand Five Hundred And Eighty One) of which 700 (Seven Hundred) are standing in the Groundlings Area. The maximum number of persons that may be accommodated in the Foyer comprising Levels One, Two and Three shall not exceed 400 (Four Hundred)

341 - Trained Duty Managers will supervise the public whilst on site

342 - Health and Safety policies shall be in place and suitable risk assessments undertaken

343 - All duty Managers shall be trained in fire evacuation

d) The prevention of public nuisance

The following conditions are offered by the Applicant:

158 –

- a. The designated premises supervisor shall ensure that no nuisance is caused by noise emanating from the premises or by vibration transmitted through the structure of the premises.
- b. legible notices shall be displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and area quietly.

311 - Notices shall be displayed and public announcements made requesting that customers leave the premises in a quiet and orderly manner

e) The protection of children from harm

The following conditions are offered by the Applicant:

344 - All events where children are present shall be supervised

345 - No matinees will be performed during the week if nudity is an integral part of the plot.

346 - No unaccompanied children shall be allowed into performances unless such performances are specifically for children.

347 - The box office shall advise patrons booking tickets on request if any play is unsuitable for children under 16.

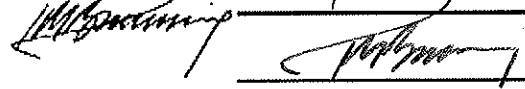
Please tick yes

- I have made or enclosed payment of the fee
- I have enclosed the plan of the premises
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I have enclosed the consent form completed by the individual I wish to be premises supervisor, if applicable
- I understand that I must now advertise my application
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 4 – Signatures (please read guidance note 10)

Signature of applicant or applicant's solicitor or other duly authorised agent (See guidance note 11). If of the applicant please state in what capacity.

Signature	
Date	4 NOVEMBER 2009
Capacity	MARK BROWNING, BA LAW LIMITED

For joint applications signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent. (please read guidance note 12). If signing on behalf of the applicant please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13) BA LAW 59 PELHAM STREET SOUTH KENSINGTON			
Post town	LONDON	Post code	SW7 2NJ
Telephone number (if any)	0870 458 4600		
If you would prefer us to correspond with you by e-mail your e-mail address (optional) info@balaw.co.uk			

Notes for Guidance

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

Appendix B

81

MEMO: Environmental Protection Team

To Licensing **Date** 19th Nov. 2009
Copies Joanne Littleton & Kritsie Ashenden
From Alan P. Blissett **Telephone** 020 7525 5766 **Fax** 020 7525 5768
Email Alan.Blissett@southwark.gov.uk

Subject Shakespeare Globe Theatre 21 Globe Walk SE1

Thank you for consulting Environmental Protection on the above application

I am not satisfied that the operating schedule and prevention of public nuisance measures as presently expressed in the application are adequate to address the suppression of public nuisance.

I suggest the following draft conditions .

- That live and /or recorded music shall be ancillary to the performance of a play or film or performance of dance, and not be the principal theme of regulated entertainment in the Globe Theatre
- That the Piazza Area shall only be used for regulated entertainment in association with a performance at the Globe theatre
- The live and/ or recorded music shall not be played on or broadcast onto the Piazza area after 2300 on any day.
- That should live and /or recorded music be at any time the principal theme of regulated entertainment in the Inigo Theatre, that sound insulation and /or limitation measures be adequate to contain sound and prevent disturbance to any residential premises in Globe Walk.
- The ventilation to Inigo Jones Theatre to sufficient to enable windows and doors to remain closed during performance of regulated entertainment.
- That patrons not be permitted to take/consume drinks outside of the premises defined on the drawings No FP 101, 201, 301.
- That deliveries to and waste removal from the premises not be undertaken entrances /exits facing on to Globe Walk before 0700 or after 23.00

Please accept this as a representation until the applicant has considered the each of above 7 points and satisfactory addressed them with EPT

Note 1: The requested hours for supply of alcohol and late night refreshment are co-terminal with closing hours, you may wish to consider supply curfew 30 mins before closing

Note 2: There has been no accommodation limit expressed for the Inigo Jones Theatre

Alan Blissett – Principal Environmental Protection Officer

830 904

FAO Joanne Littleton
Licensing Department
Southwark London Borough Council
The Chaplin Centre
Thurlow Street
London
SE17 2DG

RECEIVED

14 DEC 2009

Date: 11 December 2009

Our ref: CE/HEC/P35218-1
Doc Ref: 2143613710

Your ref:

E-mail: c.eames@popall.co.uk

Direct Line: 0207 936 5875

Sent via post and email

Dear Madam

Shakespeare's Globe Theatre, 21 New Globe Walk, London SE1 9DT

We act on behalf of Benbow House Residents Limited and residents of Benbow House, New Globe Walk, London and we are instructed to make representations in respect of the above application.

Background

Written submissions were made to the Licensing Department of Southwark London Borough Council on the 13th November, 1st December and 9th December (correspondence attached) in respect of the following matters:-

1. Failure of the applicant to comply with the Licensing Act regulations on display of public notices.
2. The application above duplicates in part areas that are applied for under the licence for Shakespeare's Underglobe and Event area. As a result of this part duplication, the premises will not be able to operate other than in a manner that will undermine all the licensing objectives. This is due to the fact that it will not be clear at any one time in the common parts which licence is being operated and which conditions are applicable. In addition, we cannot see the reasoning behind such a request and it will only lead to confusion for all parties involved.
3. **Saturation Policy** - Given that the application was lodged on the day that the saturation policy came into force, our submission is that the saturation policy should apply to this application. Further the failure to display the notices correctly

Partners · Jeremy Allen · James Anderson · Graeme Cushion · Clare Eames · Lisa Sharkey · Jonathan Smith

37 Stoney Street, The Lace Market, Nottingham NG1 1LS
T 0115 953 8500 F 0115 953 8501 W popall.co.uk DX 10100 Nottingham

Office also in London

(which was accepted by Officers of the London Borough of Southwark) in our submission means that the consultation period has occurred during dates when a saturation policy was in force and therefore should be applicable to the licence. Given the intention of the proposed application to increase existing licensable activities from the existing licence and extend the hours, we consider that the saturation policy would need to be applied in respect of that part of the application.

4. **The Existing Licence** - Comments made in our letter of the 1st December, for the attention of Kristie Ashenden, relate to licensing issues in respect of The Swan and therefore are not relevant to this letter of representation.

The Current Application

We have briefly seen sight of the application and plans lodged with the London Borough of Southwark in respect of this application and we further have requested from the applicant's solicitors on the 30th November full copies of the licence plans and operating schedules for us to consider. To date despite contacting the applicants solicitor again they have not been forthcoming. It was clear from an inspection of the documents that the following licensable activities have been requested in addition to those that are permitted under the current licence:-

1. Facilities for dancing indoors and outdoors.
2. Facilities for making music indoors and outdoors.
3. Recorded music indoors and outdoors.

From our brief look at the plans, it would appear that this licence incorporates not only the main Globe Theatre, where traditional theatre performances take place, but in addition all of the Piazza and also the area known as the Underglobe & Events Area.

Facilities for Dancing

By requesting facilities for dancing, which permits customers and non performers to engage in entertainment facilities, we consider that this is a significant change to the style of operation. Given that the primary purpose of the Globe is a theatre the provision of dance floors, which is the most common facility for dancing, both for indoor areas and also the Piazza raises concerns in relation to all four of the licensing objectives.

Facilities for Making Music

Again, this allows for customers to become involved in entertainment facilities and the common example given in the Guidance is a karaoke machine. This facility is again requested both indoors and outdoors and that would include all of the Piazza. For reasons

stated above, and given the insufficient information provided by the applicant, we consider that this raises significant issues under all four of the licensing objectives.

Recorded Music

We reiterate comments made in the above two paragraphs and in addition, given the potential noise nuisance from recorded music and the lack of detail in the operating schedule, we consider that there is a significant risk that there will be public nuisance caused as a result of this. We consider the request to add in additional facilities changed the style of operation in such a way that there are issues raised in respect of cumulative impact, as more customers are likely to be attracted to the premises which fall within the saturation policy area.

The Operating Schedule

We have requested the full operating schedule from the applicant's solicitors and we are working from the document on the Southwark website however it was clear on a visit to the offices that the information on the website was not up to date and therefore we reserve the right to fully expand upon all aspects of our representation once we have sight of the full operating schedule.

In relation to the operating schedule, a large number of the conditions that are on the existing licence have simply been reused. Many conditions are of a type seen on old public entertainment licences pre 2005. Obsolete conditions from the Licensing Act 1964 are also included.

The application does not address how the licensing objectives will be promoted given the extensive nature of the licence that has been applied for and the hours that are requested.

No information is provided in respect of the type of events that will take place other than the events that are commonly associated with the actual theatre itself. Given the significant area that this licence purports to cover, including the Piazza, the lack of operating detail means that it is almost impossible to have a clear indication of how the licensing objectives will be promoted by the applicant during the operation of this licence should it be granted.

Prevention of Crime & Disorder

The applicant has failed to sufficiently address the licensing objective of the prevention of crime and disorder in the operating schedule. Limited information has been provided and given the potential large numbers of the public who will be at the premises for non theatre events and outside the traditional hours of performances, we are concerned as to how crime and disorder and antisocial behaviour will be avoided and managed.

The condition indicates that the current CCTV system shall be maintained in good working order and operable at all times.

No information is provided as to whether the CCTV system covers all of the licensed areas and in particular the Piazza.

No information is provided regarding the type of customers who will be attending the premises. Given that only one part of the licence deals with the theatre, no information is given regarding the use of the other areas, given that the use of the premises cannot be said to be for the theatre as the majority of the performances end at 11pm and yet this licence is requested until 1am. No information is provided regarding how anti-social behaviour will be managed at the premises, and what measures will be put into place to deal with noise attenuation, dispersal, customers wishing to smoke and door staff.

Prevention of Public Nuisance

Given the extent of the licence requested, the applicant has given little thought to the impact of the operation on public nuisance and only two conditions would appear to address the fact that the premises are located in a heavily residential area, namely:-

- Condition 158 "The licensee/ duty manager shall ensure that no nuisance is caused by noise emanating from the premises or by vibration transmitted through the structure of the premises;
b) If required, legible notices shall be displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and area quietly."
- Condition 311 "Notices shall be displayed and announcements made requesting the customers leave the premises in a quiet and orderly manner."

In addition, no consideration has been given to a dispersal policy, other noise attenuation measures or any policy regarding smokers and provision of door staff.

Our clients have had extensive meetings with the operators of The Globe Theatre and their complaints and concerns are well catalogued and further documentation will be provided as part of this representation and the known concerns of the local residents have not been considered in any form in this application despite the last meetings with the residents which took place on the 9th September 2009 and the 27th October 2009.

Public Safety

Given comments raised already regarding the extensive nature of the licence application, we feel insufficient consideration has been given to public safety, for example the proposed location of facilities for dancing.

Protection of Children from Harm

The application is virtually silent in respect of the licensing objective of the prevention of harm to children, which is not adequately dealt with. Condition 348 indicates that shop staff will ask for proof of ID but it does not indicate what policy will be in place from any of the bars.

The Globe Theatre has a number of performances and events which would be open to those persons under the age of 18 and with easy access into the premises and there is no explanation as to how these issues will be managed.

Summary

Our clients were extremely disappointed that no attempt was made to pre-consult with them prior to the application being lodged. In addition, the application has been drafted in such a way to have little regard for how the licensing objectives are to be promoted, especially given the extensive dialogue with the applicants and our clients over the last two years. Very few of the conditions proposed in the operating schedule actually deal with the significant issues that are raised in relation to public nuisance and antisocial behaviour and also catalogued in meetings and discussions between Benbow House residents and the applicants.

Our clients are satisfied with the principle proposed use for the main Shakespeare's Globe Theatre however the concern is that this licence is so significantly different to that which is currently in place and is drafted in such a way that the areas beyond the main theatre auditorium could be operated for a variety of events for members of the public at the premises, not connected at all with the primary use of the premises and for hours that are too late given the proximity of residential accommodation.

Our client also supports in principle the idea of separate licences however the current format does not address our clients concerns and we feel they should be withdrawn and re submitted following pre consultation with the residents and responsible authorities.


Although we accept that the planning and licensing regimes are separate, they do overlap and therefore we also raise concerns that this application may not comply with the existing planning permission.

Given the historic manner in the way that the premises have operated and more particularly given the extensive scope of the licence application and the preparation of an operating schedule that fails to address the licensing objectives in any meaningful manner, means that

the likely effect of the grant of the licence on the promotion of the licensing objectives is that they will be significantly undermined.

Our client is willing to meet with the applicants in order to see whether a more robust and clearly understandable operating schedule can be put into place.

Yours faithfully


Poppleston Allen

cc. Mark Browning, BA Law, via email only

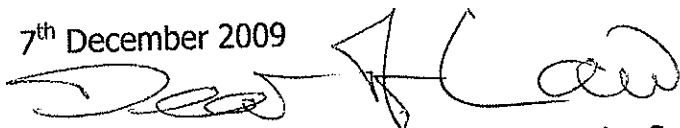
**BANKSIDE
LONDON SE1 9
00 44 207
Fax 00 44 207**

RECEIVED

08 DEC 2009

B.A. Law Esq
Licensing Department
Chaplin Centre
Thurlow Street
SE17 2DG

7th December 2009



I write concerning three applications by The Swan at the Globe
(Shakespeare's Globe Theatre, Bankside).

We oppose all three but, in particular, we have great concerns about the applications which extend licensing hours for entertainment to 0100 daily and 0200. Fri-Sat. respectively, we submit that midnight would be just tolerable.

As residents next door-but-one we wish to lodge a formal objection to the granting of these applications.

Our reasons are as follows:

1. The Exhibition Building for Shakespeare's Globe was created and opened as a visitor and tourist exhibition, not primarily as an entertainment space. The application tends towards a change of use.

Visitors for late night parties create serious disturbance and nuisance to the neighbouring residents, particularly in three ways:

2. Safety: Vehicles cause congestion and sometimes (as occurred on December 4th for example) complete blockage of access to our houses, emergency access to our houses and to the gates which give emergency access to the Tate Modern. We have repeatedly pointed out that emergency use is significant as our houses accommodate two doctors and a priest.
3. Nuisance and Noise Disorder: Clients gather for lengthy periods outside the Exhibition doors to smoke throughout evening social events. Our bedrooms are in the front of the houses, not only are we woken and greatly disturbed in the small hours by the noise (notably the higher

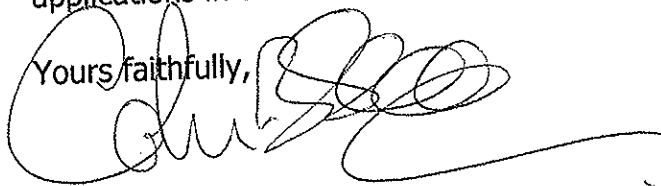
- pitch of women's voices) but also by the incredibly unpleasant small of tobacco. We are literally experiencing secondary smoking as a result.
4. Crime and Disorder: The Swan at the Globe does not observe the present licensing conditions in any event, visitors already leave later than they should, any extension will adversely affect this, and it is not therefore an argument for extension. Additionally we recognise that, once off the premises, visitors are not the responsibility of The Swan, nevertheless they continue to wake us up and create disturbance, lingering, chattering and laughing in the street.

In principle we seek to be good neighbours. We acknowledge that The Swan has installed moveable rope barriers to guide entrance to the exhibition area for functions, and that has assisted, but not succeeded, in getting people off the road, safer from vehicles and queuing directed eastwards, away from our doors. The Swan has, nevertheless, not once, sought to consult us as neighbours about their continued gradual encroachment on the amenity neither of the area nor upon us as the immediate neighbours. We get the clear impression that the enterprise is very profit focussed and the three neighbouring houses are beneath consideration and a nuisance.

We were under the impression, apparently mistaken, that it is an obligation upon applicants to consult the neighbours. It would be courteous and good practice in any event. If it is a requirement we should point out to you that we have not been approached about any of these three applications and we were not, for example, about the creation of a (dangerous) door way on the corner of New Globe Walk and Bankside (where the doors, to add to the hazard, open outwards) nor when the Swan submitted a planning application, and an appeal, regarding shop fronts on Bankside.

We suggest to you that these symptoms of inconsiderate behaviour and contempt for the neighbours will be congruous with any extension of the licences for the Exhibition undercroft and area and we ask you to reject the applications in the interests of the neighbourhood.

Yours faithfully,



The Very Revd and Mrs C Slee.

Bankside, LONDON, SE1 9JE

(Phone and Fax: 020)

e-mail: ,@hotmail.com

The Licensing Unit
Chaplin Centre
Thurlow Street
LONDON
SE17 2DG

RECEIVED

09 DEC 2009

7th December 2009

Dear Sir

I understand that The Shakespeare Underglobe & Event Area is applying for a renewal to its licence (Application 830906) and that, according to the notice posted on the door of the premises, objections have to be lodged with you by 11th December.

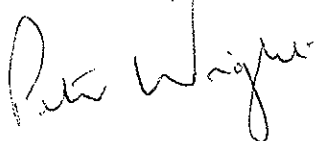
These premises are adjacent to private residences and the noise from guests smoking and yelling outside in the street, and leaving in the early hours of the morning, constitute a public nuisance.

I have had to complain to the Globe on a number of occasions; this year alone on 23rd March, 28th March, 16th May, 25th September and 26th September and there have been other instances when we have been disturbed but I have not written or telephoned.

The most disturbing case occurred two and a half years ago when, at 2.30a.m., I asked the revellers to keep the noise down and I was threatened by one of the men who followed me in a very menacing manner back to my front door.

I very much hope you will refuse this licence which has never been discussed by the GLOBE with the local residential neighbours. The total disregard of our well-being by the GLOBE has been very distressing.

Yours faithfully



Bankside, London SE1 9

TEL: 020

FAX 020

RECEIVED

09 DEC 2009

The Licensing Unit
Chaplin Centre
Thurlow Street
LONDON
SE17 2DG

8th December 2009*Attⁿ. B.A. Law*Dear Sir ~~Madam~~

I understand that Shakespeare's Globe Underglobe & Event Area is applying for a renewal to its licence (Application number 830906) According to the notice posted on the door of the premises, objections have to be lodged with you by 11th December. Normally, we receive individually addressed notices about such proposals and I am surprised that none seem to have been sent out on this occasion. Is there any particular reason for this omission?

In any case, I wish to register my objection to the applications, given the lack of evidence that the applicants have taken seriously the many previous complaints and objections from me and others. We are still wakened not infrequently by apparently intoxicated (and therefore often noisy, insensitive and inconsiderate) people leaving the Globe's premises in the small hours and such disturbances are naturally even more frequent as Christmas approaches. The people who come outside mainly to smoke have, of course, usually been drinking and the organizers do not seem to have been able to arrange an outdoor smoking space inside the Globe's walls, as we had been told they were going to do. This means that they congregate within a few feet of my front door.

Yours etc.

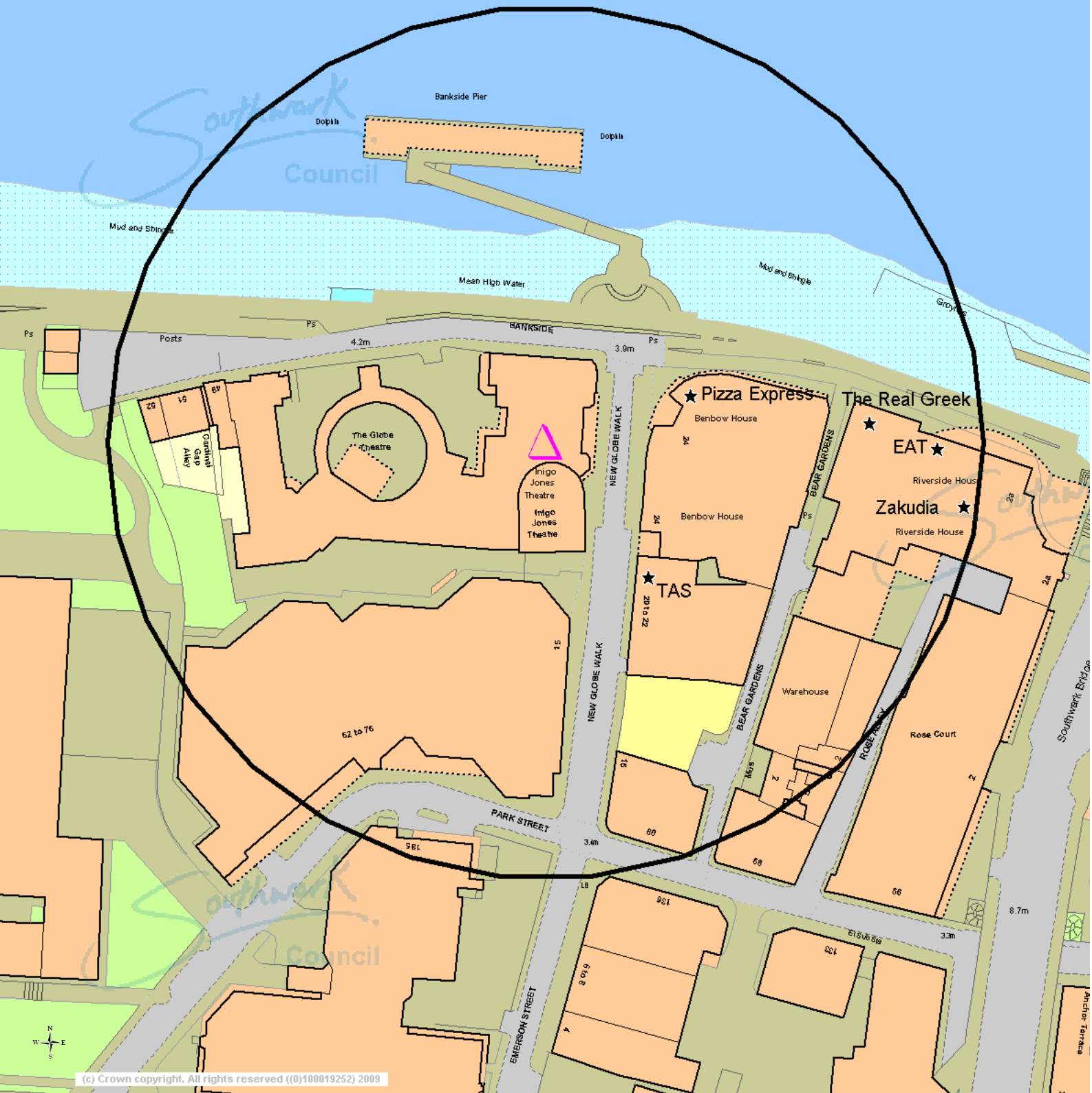
Colin Brewer

Date 11/1/2010

Millennium Bridge (FB)

River Thames

King's Reach



(c) Crown copyright. All rights reserved ((0)100019252) 2009

Agenda Item 7

Item No. 7	Classification: Open	Date: January 25 2010	MEETING NAME Licensing Sub-Committee
Report title:		LICENSING ACT 2003 – The Shakespeare Underglobe & Events Areas, 21 New Globe Walk, London, SE1 9DT	
Ward(s) or groups affected:		Premises are within: Cathedrals Ward	
From:		Strategic Director of Environment and Housing	

RECOMMENDATION

1. That the licensing sub-committee considers an application made by The Shakespeare Globe Trust, for a premises licence to be granted under the Licensing Act 2003 in respect of the premises known as The Shakespeare Underglobe & Events Areas, 21 New Globe Walk, London, SE1 9DT.

Notes:

- *This application forms a new application for a premises licence, under section 17 of the Licensing Act 2003. The application is subject to a representation from four (4) interested parties and two (2) responsible authorities and is therefore referred to the sub-committee for determination;*
- *Paragraphs 8 to 15 of this report provide a summary of the application for the premises licence under consideration by the sub-committee (a copy of the full application is provided at appendix A)*
- *Paragraphs 16 to 22 of this report deal with the representations received to the premises licence application. (Copies of the relevant representations and replies are attached at appendix B).*

BACKGROUND INFORMATION

The Licensing Act 2003

2. The Licensing Act 2003 received royal assent on 10 July 2003. The Act provides a new licensing regime for
 - the sale of and supply of alcohol
 - the provision of regulated entertainment
 - the provision of late night refreshment
3. The Act requires the licensing authority to carry out its functions under the Act with a view to promoting the four stated licensing objectives. These are
4. The Act requires the licensing authority to carry out its functions under the Act with a view to promoting the four stated licensing objectives. These are
 - the prevention of crime and disorder;
 - the promotion of public safety
 - the prevention of nuisance; and
 - the protection of children from harm.
5. In carrying out its licensing functions, a licensing authority must also have regard to

- the Act itself;
 - the guidance to the Act issued under Section 182 of the Act;
 - secondary regulations issued under the Act;
 - the licensing authority's own statement of licensing policy
 - the application, including the operating schedule submitted as part of the application
 - relevant representations
6. The Act established a transitional period between 7 February 2005 and 6 August 2005 under which holders of existing justice's licenses, public entertainment licenses and night café licenses were able to apply to the local licensing authority for "grandfather rights" conversion of those existing licenses into the relevant licenses under the new system. Licenses that were so converted were converted on existing terms, conditions and restrictions. The 6 August date having passed, operators must now apply for new licenses.
7. The premises licence application process involves the provision of all relevant information required under the Act to the licensing authority with copies provided by the applicant to the relevant responsible bodies under the Act. The application must also be advertised at the premises and in the local press. The responsible authorities and other interested parties within the local community may make representations on any part of the application where relevant to the four licensing objectives.

KEY ISSUES FOR CONSIDERATION

The premises licence application

8. On the 4th November 2009 The Shakespeare Globe Trust applied to this council for the grant of a new premises licence in respect of the premises known as The Shakespeare Underglobe & Events Areas, 21 New Globe Walk, London, SE1 9DT.
9. A copy of the application for the new premises licence is attached to the report as appendix A.
10. The premises licence application form provides the applicant company's operating schedule. Parts A, B, E, F, G, I, J, L, M, O and P set out the proposed operating hours and operating controls in full, with reference to the four licensing objectives as stated in the Licensing Act 2003.
11. The application is summarized as follows:
- The provision of regulated entertainment indoors; being plays, films, live music, recorded music, and performances of dance - 07.00hrs to 01.00hrs, seven days a week.
 - The provision of entertainment facilities; being making music and dancing – 07.00hrs to 01.00hrs, seven days a week
 - The provision of late night refreshment indoors – 23:00hrs to 01:00hrs, seven days a week.
 - The supply of alcohol on the premises - 07:00hrs to 01:00hrs, seven days a week.
 - Opening hours – 07:00hrs to 01:00hrs, 7 days a week.

Operating history

12. Under the Licensing Act 2003 the Shakespeare's Globe complex (comprising of The Swan, the Globe Theatre and the Shakespeare Underglobe & Events Area) is covered by one licence, granted in 2005.

13. The current licence allows the following licensable activities:

- plays
- films
- live music
- performance of dance
- late night refreshment
- sale by retail of alcohol to be consumed on the premises
- sale by retail of alcohol to be consumed off the premises

and the opening hours are 08.00hrs to 01.00hrs, seven (7) days a week.

14. The licensing department received noise complaints relating to the Shakespeare's Globe complex in July 2009, and upon investigation it was discovered that the use of the premises had changed from what was originally intended. The licence no longer accurately reflects the activities taking place at the premises.

15. The licensing department held a number of meetings with the applicants and responsible authorities and explained that three (3) separate new premises licences should be applied for in order for each individual aspect of the business (The Swan, the Globe Theatre and the Shakespeare Underglobe & Events Area) to have a premises licence which reflects the specific nature of each area.

Designated premises supervisor

16. The proposed designated premises supervisor is Mr Peter Cornwell who has a personal licence from Tonbridge and Malling Borough Council.

Representations from interested parties

17. There are four (4) representations received from interested parties.

Representations from responsible authorities

18. There are two (2) representations from responsible authorities.

19. The environmental protection team submitted a representation relating to the licensing objective of prevention of public nuisance. A number of conditions have been suggested and are included in their submission.

20. The police submitted a representation stating that the applicant has failed to adequately address the four licensing objectives. A number of conditions have been suggested and are included in their submission.

21. The other responsible authorities did not reply to the consultation.

22. Copies of the representation from interested parties and responsible authorities are attached as appendix C.

Disability Discrimination Act

23. The Southwark Disablement Association have no comments regarding this application.

The local area

24. A map of the local area is attached at appendix C. The premises is marked by the triangle. The following licensed premises were identified within 100 metres of the premises and are labelled on the map:

- Pizza Express, Benbow House, New Globe Walk SE1 – licensed for late night refreshment and the supply of alcohol on and off the premises. Licensed hours: 10.00hrs to 00.00hrs Mondays to Saturdays, 10.00hrs to 23.30hrs on Sundays
- EAT!, Riverside House, Southwark Bridge Road SE1 – licensed for late night refreshment and the supply of alcohol on and off the premises. Licensed hours: 10.00hrs to 23.30hrs Mondays to Saturdays, 12.00hrs to 23.30hrs on Sundays
- The Real Greek, Riverside House, Southwark Bridge Road, SE1 – licensed for late night refreshment and the supply of alcohol on and off the premises. Licensed hours: 10.00hrs to 00.30hrs Mondays to Saturdays, 12.00hrs to 00.00hrs on Sundays
- Zakudia, Riverside House, Southwark Bridge Road, SE1 – licensed for live and recorded music, entertainment similar, making music, late night refreshment and supply of alcohol on and off the premises. Licensed hours: 09.00hrs to 01.00hrs Mondays to Wednesdays, 09.00hrs to 03.00hrs Thursdays to Sundays
- TAS Pide, New Globe Walk, SE1 – licensed for live and recorded music, late night refreshment and supply of alcohol on the premises. Licensed hours: 11.00hrs to 01.30hrs, 7 days a week.

Southwark council statement of licensing policy

25. Council assembly approved the third revision of Southwark's statement of licensing policy on 5 November 2008. Sections of the statement that are considered to be of particular relevance to this application are

- Section 3 which sets out the purpose and scope of the policy and re-inforces the four licensing objectives
- Section 5 which sets out the council's approach with regard to the imposition of conditions including mandatory conditions to be attached to the licence
- Section 6 details other relevant council and government policies, strategies, responsibilities and guidance, including the relevant articles under the Human Rights Act 1998
- Section 7 provides general guidance on dealing with crime and disorder and deals with licensing hours
- Section 8 provides general guidance on ensuring public safety including safe capacities
- Section 9 provides general guidance on the prevention of nuisance
- Section 10 provides general guidance on the protection of children from harm.

26. The purpose of Southwark's statement of licensing policy is to make clear to applicants what considerations will be taken into account when determining applications and should act as a guide to the sub-committee when considering the applications. However, the sub-committee must always consider each application on its own merits and allow exceptions to the normal policy where these are justified by the circumstances of the application.

Resource implications

27. A fee of £635 has been paid by the applicant in respect of this application being the statutory fee payable for premises within non-domestic rateable value band E.

Consultations

28. Consultation has been carried out on this application in accordance with the provisions of the Licensing Act 2003. A public notice was placed in the 12th November 2009 edition of Southwark News and a similar notice exhibited outside of the premises. The application was not properly advertised, therefore the last date for representations was extended to 11th December 2009.

Conciliation

29. A conciliation meeting has been arranged for the 21st January 2010. An update on the conciliation will be provided at the sub-committee meeting.

Community impact statement

30. Through the licensing process it is intended to help provide successful, well managed licensed operations that complement and benefit the local community, while affording appropriate protections to that community. At the heart of the process are the four licensing objectives set out in section 3 of this report. Within the process each licence application is required by law to be considered upon its own individual merits with all relevant matters taken into account.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Strategic Director of Communities, Law and Governance

31. The sub-committee is asked to determine the application for a premises licence under Section 17 of the Licensing Act 2003.

32. The principles which sub-committee members must apply are set out below.

Principles for making the determination

33. The general principle is that applications for premises licence applications must be granted unless relevant representations are received. This is subject to the proviso that the applicant has complied with regulations in advertising and submitting the application.

34. Relevant representations are those which

- are about the likely effect of the granting of the application on the promotion of the licensing objectives
- are made by an interested party or responsible authority
- have not been withdrawn.
- are not, in the opinion of the relevant licensing authority, frivolous or vexatious.

35. If relevant representations are received then the sub-committee must have regard to them, in determining whether it is necessary for the promotion of the licensing objectives to

- to grant the licence subject to-
 - The conditions mentioned in section 18 (2)(a) modified to such extent as the licensing authority considers necessary for the promotion of the licensing objectives, and any condition which must under section 19,20 or 21 be included in the licence
- to exclude from the scope of the licence any of the licensable activities to which the application relates;

- to refuse to specify a person in the licence as the premises supervisor;
- to reject the application.

Conditions

36. The sub-committee's discretion is thus limited. It can only modify the conditions put forward by the applicant that is consistent with the operating schedule accompanying the application, or refuse the application, if it is necessary to do so. Conditions must be necessary and proportionate for the promotion of one of the four licensing objectives, and not for any other reason. Conditions must also be within the control of the licensee, and should be worded in a way which is clear, certain, consistent and enforceable.
37. The four licensing objectives are
- the prevention of crime and disorder;
 - Public safety;
 - the prevention of nuisance; and
 - the protection of children from harm.
38. Members should note that each objective is of equal importance. There are no other licensing objectives, and the four objectives are paramount considerations at all times.
39. Conditions will not be necessary if they duplicate a statutory position. Conditions relating to night café and take away aspect of the license must relate to the night time operation of the premises and must not be used to impose conditions which could not be imposed on day time operators.
40. Members are also referred to the DCMS guidance on conditions, specifically section 7, and Annexes D, E, F and G.

Reasons

41. If the sub-committee determines that it is necessary to modify the conditions, or to refuse the application for a premises licence application, it must give reasons for its decision

Hearing procedures

42. Subject to the licensing hearing regulations, the licensing committee may determine its own procedures. Key elements of the regulations are that
- the hearing shall take the form of a discussion led by the authority. Cross examination shall not be permitted unless the authority considered that it is required for it to consider the representations
 - members of the authority are free to ask any question of any party or other person appearing at the hearing
 - the committee must allow the parties an equal maximum period of time in which to exercise their rights to
 - address the authority
 - if given permission by the committee, question any other party.
 - in response to a point which the authority has given notice it will require clarification, give further information in support of their application.
 - the committee shall disregard any information given by a party which is not relevant
 - to the particular application before the committee, and
 - the licensing objectives.

- the hearing shall be in public, although the committee may exclude the public from all or part of a hearing where it considers that the public interest in doing so outweighs the public interest in the hearing, or that part of the hearing, taking place in private.
- in considering any representations or notice made by a party the authority may take into account documentary or other information produced by a party in support of their application, representations or notice (as applicable) either before the hearing or, with the consent of all the other parties, at the hearing.

43. This matter relates to the determination of an application for a premises licence under section 17 of the Licensing Act 2003. Regulation 26(1) (a) requires the sub-committee to make its determination at the conclusion of the hearing.

Council's multiple roles and the role of the licensing sub-committee

44. Sub-committee members will note that, in relation to this application, the council has multiple roles. Council officers from various departments have been asked to consider the application from the perspective of the council as authority responsible respectively for environmental health, trading standards, health and safety and as the planning authority.
45. Members should note that the licensing sub-committee is meeting on this occasion solely to perform the role of licensing authority. The sub-committee sits in quasi-judicial capacity, and must act impartially. It must offer a fair and unbiased hearing of the application. In this case, members should disregard the council's broader policy objectives and role as statutory authority in other contexts. Members must direct themselves to making a determination solely based upon the licensing law, guidance and the council's statement of licensing policy.
46. As a quasi-judicial body the licensing sub-committee is required to consider the application on its merits. The sub-committee must take into account only relevant factors, and ignore irrelevant factors. The decision must be based on evidence, that is to say material, which tends logically to show the existence or non-existence of relevant facts, or the likelihood or unlikelihood of the occurrence of some future event, the occurrence of which would be relevant. The licensing sub-committee must give fair consideration to the contentions of all persons entitled to make representations to them.
47. The licensing sub-committee is entitled to consider events outside of the premises if they are relevant, i.e. are properly attributable to the premises being open. The proprietors do not have to be personally responsible for the incidents for the same to be relevant. However, if such events are not properly attributable to the premises being open, then the evidence is not relevant and should be excluded. Guidance is that the licensing authority will primarily focus on the direct impact of the activities taking place at the licensed premises on members of the public, living, and working or engaged in normal activity in the area concerned.
48. Members will be aware of the council's code of conduct which requires them to declare personal and prejudicial interests. The code applies to members when considering licensing applications. In addition, as a quasi-judicial body, members are required to avoid both actual bias, and the appearance of bias.
49. The sub-committee can only consider matters within the application that have been raised through representations from interested parties and responsible authorities. Interested parties must live in the vicinity of the premises. This will be decided on a case to case basis.

50. Under the Human Rights Act 1998. the sub committee needs to consider the balance between the rights of the applicant and those making representations to the application when making their decision. The sub-committee has a duty under section 17 Crime and Disorder Act 1998 when making its decision to do all it can to prevent crime and disorder in the borough.
51. Interested parties, responsible authorities and the applicant have the right to appeal the decision of the sub-committee to the Magistrates' Court within a period of 21 days beginning with the day on which the applicant was notified by the licensing authority of the decision to be appealed against.

Guidance

52. Members are required to have regard to the DCMS guidance in carrying out the functions of licensing authority. However, guidance does not cover every possible situation, so long as the guidance has been properly and carefully understood, members may depart from it if they have reason to do so. Full reasons must be given if this is the case.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Licensing Act 2003 DCMS Guidance to the Act Secondary Regulations Southwark Statement of Licensing Policy Case file	Southwark Licensing, C/O Community Safety & Enforcement, The Chaplin Centre, Thurlow Street, London, SE17 2DG	Name: Kirty Read Phone number: 020 7525 5748

APPENDICES

No.	Title
Appendix A	Premises licence application
Appendix B	Representations from interested parties and responsible authorities
Appendix C	Map of local vicinity

AUDIT TRAIL

Lead Officer	Jonathon Toy, Head of Community Safety and Enforcement	
Report Author	Kristie Ashenden, Principal Licensing Officer	
Version	Final	
Dated	January 14 2010	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / EXECUTIVE MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Communities, Law & Governance	Yes	Yes
Finance Director	No	No
Executive Member	No	No
Date final report sent to Constitutional/Community Council/Scrutiny Team	January 14 2010	

Appendix A

RECEIVED

04 NOV 2009

**Application for a premises licence to be granted
under the Licensing Act 2003**

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.
If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.
You may wish to keep a copy of the completed form for your records.

I/We THE SHAKESPEARE GLOBE TRUST

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description THE SHAKESPEARE UNDERGLOBE & EVENTS AREAS 21 NEW GLOBE WALK			
Post town	LONDON	Post code	SE1 9DT
Telephone number at premises (if any)		0207 902 1400	
Non-domestic rateable value of premises		£49500	

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as
Please tick yes

- | | | |
|---|-------------------------------------|-----------------------------|
| a) an individual or individuals * | <input type="checkbox"/> | please complete section (A) |
| b) a person other than an individual * | | |
| i. as a limited company | <input checked="" type="checkbox"/> | please complete section (B) |
| ii. as a partnership | <input type="checkbox"/> | please complete section (B) |
| iii. as an unincorporated association or | <input type="checkbox"/> | please complete section (B) |
| iv. other (for example a statutory corporation) | <input type="checkbox"/> | please complete section (B) |
| c) a recognised club | <input type="checkbox"/> | please complete section (B) |
| d) a charity | <input checked="" type="checkbox"/> | please complete section (B) |

- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a
 - statutory function or
 - a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

<input type="checkbox"/> Mr	<input type="checkbox"/> Mrs	<input type="checkbox"/> Miss	<input type="checkbox"/> Ms	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/> Please tick yes	
Current postal address if different from premises address					
Post Town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANT (if applicable)

<input type="checkbox"/> Mr	<input type="checkbox"/> Mrs	<input type="checkbox"/> Miss	<input type="checkbox"/> Ms	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/> Please tick yes	

Current postal address if different from premises address			
Post Town		Postcode	
Daytime contact telephone number			
E-mail address (optional)			

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name THE SHAKESPEARE GLOBE TRUST
Address THE SHAKESPEARE GLOBE THEATRE 21 NEW GLOBE WALK LONDON SE1 9DT
Registered number (where applicable) Companies House 1152238 and Charity # 266916
Description of applicant (for example, partnership, company, unincorporated association etc.) LIMITED COMPANY & CHARITY
Telephone number (if any) CALL 0870 458 4600
E-mail address (optional) info@balaw.co.uk

Part 3 Operating Schedule

When do you want the premises licence to start?

Day Month Year

1	1	1	2	2	0	0	9
---	---	---	---	---	---	---	---

If you wish the licence to be valid only for a limited period, when do you want it to end?

Day Month Year

--	--	--	--	--	--	--	--

Please give a general description of the premises (please read guidance note1)

The Underglobe is a large sound-insulated multi-purpose function room underneath the Shakespeare Globe Theatre, which together with the Balcony Room and Founder's Foyer provide entertainment space for varied events.

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment

Please tick yes

- | | |
|---|-------------------------------------|
| a) plays (if ticking yes, fill in box A) | <input checked="" type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input checked="" type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input checked="" type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input checked="" type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input checked="" type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input type="checkbox"/> |

Provision of entertainment facilities:

- | | |
|---|-------------------------------------|
| i) making music (if ticking yes, fill in box I) | <input checked="" type="checkbox"/> |
| j) dancing (if ticking yes, fill in box J) | <input checked="" type="checkbox"/> |
| k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K) | <input type="checkbox"/> |

Provision of late night refreshment (if ticking yes, fill in box L)

Supply of alcohol (if ticking yes, fill in box M)

In all cases complete boxes N, O and P

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	0700	0100	Please give further details here (please read guidance note 3) Short form plays may be performed as part of entertainment provided at events	Both	<input type="checkbox"/>
Tue	0700	0100			
Wed	0700	0100	State any seasonal variations for performing plays (please read guidance note 4) Please see proposed conditions in relation to timings for New Years Eve and other specific occasions		
Thur	0700	0100			
Fri	0700	0100	Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5) Please see proposed conditions in relation to timings for New Years Eve and other specific occasions		
Sat	0700	0100			
Sun	0700	0100			

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	0700	0100	Please give further details here (please read guidance note 3) Films may be shown as ancillary to entertainment at events		
Tue	0700	0100			
Wed	0700	0100	State any seasonal variations for the exhibition of films (please read guidance note 4) Please see proposed conditions in relation to timings for New Years Eve and other specific occasions		
Thur	0700	0100			
Fri	0700	0100	Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5) Please see proposed conditions in relation to timings for New Years Eve and other specific occasions		
Sat	0700	0100			
Sun	0700	0100			

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 5)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	0700	0100	Please give further details here (please read guidance note 3) Live music as ancillary to events and functions	Both	<input type="checkbox"/>
Tue	0700	0100			
Wed	0700	0100	State any seasonal variations for the performance of live music (please read guidance note 4) Please see proposed conditions in relation to timings for New Years Eve and other specific occasions		
Thur	0700	0100			
Fri	0700	0100	Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5) Please see proposed conditions in relation to timings for New Years Eve and other specific occasions		
Sat	0700	0100			
Sun	0700	0100			

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	0700	0100	Please give further details here (please read guidance note 3) DJs and other forms of recorded music	Both	<input type="checkbox"/>
Tue	0700	0100			
Wed	0700	0100	State any seasonal variations for the playing of recorded music (please read guidance note 4) Please see proposed conditions in relation to timings for New Years Eve and other specific occasions		
Thur	0700	0100			
Fri	0700	0100	Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 5) Please see proposed conditions in relation to timings for New Years Eve and other specific occasions		
Sat	0700	0100			
Sun	0700	0100			

G

Performances of dance Standard days and timings (please read guidance note 6)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	0700	0100	<u>Please give further details here</u> (please read guidance note 3) Dance performance as ancillary to events and functions	Both	<input type="checkbox"/>
Tue	0700	0100			
Wed	0700	0100	<u>State any seasonal variations for the performance of dance</u> (please read guidance note 4) Please see proposed conditions in relation to timings for New Years Eve and other specific occasions		
Thur	0700	0100			
Fri	0700	0100	<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 5) Please see proposed conditions in relation to timings for New Years Eve and other specific occasions		
Sat	0700	0100			
Sun	0700	0100			

H

<p>Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)</p>			<p><u>Please give a description of the type of entertainment you will be providing</u></p>		
Day	Start	Finish	<p><u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)</p>	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<p><u>Please give further details here</u> (please read guidance note 3)</p>		
Wed					
Thur			<p><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4)</p>		
Fri					
Sat			<p><u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 5)</p>		
Sun					

Provision of facilities for making music Standard days and timings (please read guidance note 6)			<u>Please give a description of the facilities for making music you will be providing</u> instrumental or recorded mix	
			<u>Will the facilities for making music be indoors or outdoors or both – please tick</u> (please read guidance note 2)	
			Outdoors <input type="checkbox"/>	
			Both <input type="checkbox"/>	
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3) composing, playing music etc as ancillary to events or functions	
Mon	0700	0100		
Tue	0700	0100		
Wed	0700	0100		
Thur	0700	0100		
Fri	0700	0100		
Sat	0700	0100		
			<u>State any seasonal variations for the provision of facilities for making music</u> (please read guidance note 4) Please see proposed conditions in relation to timings for New Years Eve and other specific occasions	
			<u>Non standard timings. Where you intend to use the premises for provision of facilities for making music at different times to those listed in the column on the left, please list</u> (please read guidance note 5) Please see proposed conditions in relation to timings for New Years Eve and other specific occasions	
Sun	0700	0100		

J

Provision of facilities for dancing Standard days and timings (please read guidance note 6)			<u>Will the facilities for dancing be indoors or outdoors or both – please tick</u> (see guidance note 2)	Indoors <input checked="" type="checkbox"/>
				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
Day	Start	Finish	<u>Please give a description of the facilities for dancing you will be providing</u> all events areas have a designated dance floor area	
Mon	0700	0100	<u>Please give further details here</u> (please read guidance note 3) Indoors means within the confines of the Theatre (even though some of it is open to the elements)	
Tue	0700	0100		
Wed	0700	0100	<u>State any seasonal variations for providing dancing facilities</u> (please read guidance note 4) Please see proposed conditions in relation to timings for New Years Eve and other specific occasions	
Thur	0700	0100		
Fri	0700	0100	<u>Non standard timings. Where you intend to use the premises for the provision of facilities for dancing entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 5) Please see proposed conditions in relation to timings for New Years Eve and other specific occasions	
Sat	0700	0100		
Sun	0700	0100		

K

Provision of facilities for entertainment of a similar description to that falling within i or j Standard days and timings (please read guidance note 6)			<u>Please give a description of the type of entertainment facility you will be providing</u>		
Day	Start	Finish	<u>Will the entertainment facility be indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 3)		
Wed					
Thur					
Fri			<u>State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within i or j</u> (please read guidance note 4)		
Sat					
Sun			<u>Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within i or j at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		

L

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	2300	0100	<u>Please give further details here</u> (please read guidance note 3)		
Tue	2300	0100			
Wed	2300	0100	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4) Please see proposed conditions in relation to timings for New Years Eve and other specific occasions		
Thur	2300	0100			
Fri	2300	0100	<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 5) Please see proposed conditions in relation to timings for New Years Eve and other specific occasions		
Sat	2300	0100			
Sun	2300	0100			

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for <u>consumption (Please tick box)</u> (please read guidance note 7)	On the premises	<input checked="" type="checkbox"/>
Day	Start	Finish		Off the premises	<input type="checkbox"/>
Mon	0700	0100	State any seasonal variations for the supply of alcohol (please read guidance note 4) Please see proposed conditions in relation to timings for New Years Eve and other specific occasions. Early timings are for champagne breakfast meetings.	Both	<input type="checkbox"/>
Tue	0700	0100			
Wed	0700	0100			
Thur	0700	0100	Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)		
Fri	0700	0100			
Sat	0700	0100			
Sun	0700	0100			

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name PETER CORNWELL	
Address	
Postcode	
Personal Licence number (if known)	
Issuing licensing authority (if known)	

N

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)
 NONE

O

<p>Hours premises are open to the public Standard days and timings (please read guidance note 6)</p>			<p>State any seasonal variations (please read guidance note 4) Please see proposed conditions in relation to timings for New Years Eve and other specific occasions</p>
Day	Start	Finish	
Mon	0700	0100	<p>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5) Please see proposed conditions in relation to timings for New Years Eve and other specific occasions</p>
Tue	0700	0100	
Wed	0700	0100	
Thur	0700	0100	
Fri	0700	0100	
Sat	0700	0100	
Sun	0700	0100	

P Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)

The Underglobe is well sound insulated and arrangements can be made for patrons to exit onto Bankside. In addition conditions are proposed to minimize the possibility of nuisance to neighbours.

The applicants offer the following general conditions (in addition to any mandatory conditions) in support of its application:

109 - Alcohol shall not be sold or supplied except during permitted hours. Permitted hours means the hours shown on Part 1 of the Premises Licence. In addition the permitted hours shall include from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day.

The above restrictions do not prohibit; i) During the first twenty minutes after the above hours the consumption of the alcohol on the premises; ii) During the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel; iii) During the first thirty minutes after the above hours the consumption of the alcohol on the premises by persons taking meals there if the alcohol was supplied for consumption as ancillary to the meals; or iv) The supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of alcohol so supplied, if the alcohol is supplied at the expense of their employer or the person carrying on, or in charge of, the business on the premises.

145 –

- a. The Premises Licence Summary or a copy of it shall be prominently exhibited in a position where the public can easily read it.
- b. A full copy of the Premises Licence shall be readily available for inspection by authorised Council

152 - The designated premises supervisor may authorise in writing a Duty Manager, who shall be at least 18 years old, to deputise for him. This written authorisation shall be kept on the premises and shall be readily available for examination by any Authorised Officer. The designated premises supervisor must be satisfied that anyone appointed as a Duty Manager understands the need to comply with the conditions of the licence and is competent to perform the functions of Duty Manager.

348 - A proof of age identification shall be required by the shop staff where a purchaser appears to be under 21

146 - Authorised Council officers who carry written authorisations and proof of identity, which they will produce on request, shall be admitted immediately to all parts of the premises at all reasonable times

100 - Where a condition provides for notice to be given to the Council or for consent to be obtained, all such notices and requests for consent shall be sent by email to licensing@southwark.gov.uk marked "Urgent Notice for Council Attention." If no response is received to the email; consent shall be deemed to have been given 7 days following service by email.

b) The prevention of crime and disorder

The following conditions are offered by the Applicant:

203 - The Licensee shall not permit conduct on the premises that is likely to cause disorder or a breach of the peace or drug misuse. In particular the licensee shall ensure that none of the following shall take place:

- a. indecent behaviour;
- b. the offer of any sexual or other indecent service for reward;
- c. acts of violence against person or property and / or the attempt or threat of such acts; and
- d. unlawful possession and / or supply of drugs controlled by the Misuse of Drugs Act 1971.

288 - The CCTV system installed upon the premises shall be maintained in good working condition and operable at all times

289 - Recordings taken by the CCTV system installed upon the premises shall be kept and made available for inspection by authorised officers for a period of thirty one (31) days

c) Public safety

The following conditions are offered by the Applicant:

151 –

- a. The designated premises supervisor shall ensure that the premises continue to comply with the Council's Technical Regulations.
- b. No alterations shall be made to the approved arrangements without the consent of the Council
- c. The designated premises supervisor shall, except with the consent of the Council, retain control over all parts of the premises.
- d. Either the designated premises supervisor or a Duty Manager shall be in charge of and within the premises whenever the public are present. However, the designated premises supervisor remains responsible for the observance of all licensing conditions.

154 –

- a. The designated premises supervisor shall ensure that he/she has sufficient trained staff on duty to ensure the safe evacuation of the premises in an emergency. Such staff shall have been specifically instructed on their duties in the event of an emergency by the designated premises supervisor or by a person nominated by him. The instruction given to staff shall include training on the safe and efficient running of the premises and the safe evacuation of the premises.
- b. A nominated member of staff in addition to the designated premises supervisor shall have responsibility for fire prevention measures and for ensuring that all escape routes including exit doors are fully available.
- c. Staff with specific responsibilities in the event of fire or other emergency, together with deputies, shall receive training and written instruction appropriate to their role. The designated premises supervisor shall, once he/she is satisfied as to the competence of each member of staff, record this in the Fire log book.

161 - The designated premises supervisor shall ensure that whenever disabled people are present, adequate arrangements are made to enable their safe evacuation in the event of an emergency and that they are made aware of those arrangements

163 –

- a. All escape routes and exits including external exits shall be maintained unobstructed, in good order with non- slippery and even surfaces, free of trip hazards and clearly identified in

accordance with the approved arrangements.

- b. All exits door shall be available and easily operable without the use of a key, card, code or similar means. Only approved fastenings shall be used.
- c. Any removable security fastening shall be removed from the doors prior to opening the premises to the public. All such fastenings shall be kept in the approved positions.
- d. If required, exit doors shall be secured in the fully open position when the public are present.
- e. All fire-doors shall be maintained effectively self-closing and shall not be held open other than by approved devices.
- f. Fire-resisting doors to ducts, service shafts and cupboards shall be kept locked shut.
- g. The edges of treads of steps and stairways shall be maintained so as to be conspicuous.

166 - The designated premises supervisor shall ensure that the accommodation limit(s) specified on the licence are not exceeded and shall be aware of the number of the public on the premises. This information shall be provided to any authorised officer immediately upon request

170 - Refuse receptacles shall be emptied regularly.

171 - Access for emergency vehicles shall be kept clear and free from obstruction

172 -

- a. The designated premises supervisor shall ensure that an adequate and appropriate supply of first aid equipment and materials is available on the premises.
- b. If required, at least one suitably trained first aider shall be on duty when the public are present. If more than one suitably trained first-aider is present, each person's responsibilities shall be clearly identified

173 -

- c. Toilet accommodation shall be provided free of charge and be kept clean and in proper working order.
- d. An adequate supply of hot and cold (or warm) water, toilet paper in holders or dispensers, soap and suitable hand and face drying facilities shall be provided in toilet accommodation.

341 - Trained Duty Managers will supervise the public whilst on site

342 - Health and Safety policies shall be in place and suitable risk assessments undertaken

343 - All duty Managers shall be trained in fire evacuation

d) The prevention of public nuisance

The following conditions are offered by the Applicant:

158 -

- a. The designated premises supervisor shall ensure that no nuisance is caused by noise emanating from the premises or by vibration transmitted through the structure of the premises.
- b. legible notices shall be displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and area quietly.

Arrangements can be made for patrons to exit onto Bankside next to the Groundling Gates (as opposed to via the Exhibition Centre) when the timing of an event and attendee numbers are such that an exit via Groundling Gates would minimize disturbance to our neighbours.

Special arrangements can be made to ensure that patrons leave via dedicated taxi companies.

The balcony doors shall be shut after 2100 if regulated entertainment is required.

The applicants will accept reasonable noise limiting conditions as suggested by the noise officer for Southwark BC.

e) The protection of children from harm

The following conditions are offered by the Applicant:

344 - All events where children are present shall be supervised .

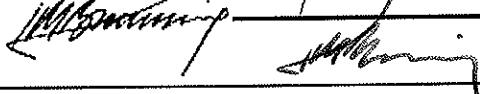
Please tick yes

- I have made or enclosed payment of the fee
- I have enclosed the plan of the premises
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I have enclosed the consent form completed by the individual I wish to be premises supervisor, if applicable
- I understand that I must now advertise my application
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 4 – Signatures (please read guidance note 10)

Signature of applicant or applicant's solicitor or other duly authorised agent (See guidance note 11) **alf of the applicant please state in what capacity.**

Signature	
Date	4 NOVEMBER 2009
Capacity	MARK BROWNING, BA LAW LIMITED

For joint applications signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent. (please read guidance note 12). **If signing on behalf of the applicant please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13) BA LAW 59 PELHAM STREET SOUTH KENSINGTON			
Post town	LONDON	Post code	SW7 2NJ
Telephone number (if any)	0870 458 4600		
If you would prefer us to correspond with you by e-mail your e-mail address (optional) info@balaw.co.uk			

Notes for Guidance

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups, the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

Appendix B

Ashenden, Kristie

From: Paul.Compton@met.pnn.police.uk
Sent: 28 November 2009 20:04
To: Ashenden, Kristie
Subject: Shakespeare's Globe, Underglobe & Swan Rep
Attachments: Shakespeare's Globe 09.doc

<<Shakespeare's Globe 09.doc>>

Paul Compton PC294MD
Licensing Officer Southwark Borough
☎ Phone: 0207 232 6210
☎ Mobile: 07595011458
☎ Fax: 0207 232 6282
✉ E-mail: paul.compton@met.police.uk
✉ Mail: Licensing Office, Walworth Police Station,
12/28 Manor Place Walworth London
SE17 3BB

(not protectively marked)

It is the policy of the MPS that:

MPS personnel (or agents working on behalf of the MPS) must not use MPS systems to author, transmit or store documents such as electronic mail (e-mail) messages or attachments:

- * containing racist, homophobic, sexist, defamatory, offensive, illegal or otherwise inappropriate material;
- * containing material requiring a protective marking higher than RESTRICTED, (and not higher than NOT PROTECTIVELY MARKED across the internet) without the use of approved encryption;
- * containing personal data for use other than in accordance with the notification(s) under the Data Protection Act, 1998 of the system(s) from which the data originates.

* This Email message has been scanned for viruses and contents.

Your reference: .



Our reference: MD/21/1893/94/95/09

Date: 27th November 2009

The Licensing Unit
The Chaplin Centre
Thurlow Street
London SE17 2DG

Metropolitan Police Service
Licensing Office
Walworth Police Station,
12-28 Manor Place,
LONDON,
SE17 3RL

Tel: 020 -7232 – 6210 Fax6282

Dear Sir/Madam

Shakespeare's Globe: Shakespeare's Underglobe: The Swan SE1 9DT

Police are in receipt of an application from each of the above for a New Premises Licence, which have been submitted with the intention of replacing the existing one (1) Premises Licence that covers all three sections of the current business. The current one licence is deemed to be inadequate for the current business operation, as there are three distinct areas of operation that can and do run independently of each other. Police have the following representation to make:

Police have no representation to make in respect of the new premises licence for Shakespeare's Globe. However the following comments relate to the other two applications; Shakespeare's Underglobe & The Swan.

The applicant has applied for three New Premises Licence with extensive hours, particularly at weekends and has failed to address adequately the four main licensing objectives. The premises are located on a busy thoroughfare and within very close proximity of many dwellings and as a consequence additional control measures would be required to ensure that there would be no detrimental effect upon the local community and indicate that the management of the premises have given sufficient consideration to the four main licensing objectives. Police have been notified that a significant number of local residents have previously lodged complaints through the local authority in respect of noise disturbance and anti-social behaviour associated with the operation of the exiting business.

The Swan & Shakespeare's Underglobe can clearly operate as independent entities from each other and from Shakespeare's Globe Theatre and therefore require different operating schedules and attached licensing conditions.

Police would welcome a reduction in the terminal hours for The Swan back to 01.00am each day of the week and no outside area being utilised after 22.00hrs. However if the permitted hours for the

sale/supply of alcohol were to be as per the application, Police would like to see the following control measures placed on the Premises Licence. (Some of the measures may already be included in the operating schedule submitted by the applicant, however the wording of each needs to be clear in order to prevent any future ambiguity)

1. That SIA registered Door Supervisor, shall be employed at all times after 22.00hrs and the terminal hour that the premises are in use under this licence and provided with Hand held metal detection units in order to ensure that searches are carried out in respect of all admissions to the premises, whether members of the public or performers and their assistants and Mechanical counting devices to ensure that the maximum accommodation limit of the premises is not exceeded.
2. That signs shall be displayed in the entrance foyer to the premises that state 'Drugs Free Zone' and 'No Search No Entry, Management reserve the right to refuse entry'
3. That all matters relating to drugs shall be in accordance with the Metropolitan Police Best Practice Guide on the handling of drugs in pubs and clubs
4. That suitable notices shall be displayed and announcements made requesting people to leave the premises in a quiet and orderly manner so as not to disturb local residents
5. That a CCTV system be installed at the premises and be maintained in good working order and be continually recording at all times the premises are in use under the licence. The CCTV System must be capable of capturing an image of every person who enters the premises.
6. That all CCTV footage shall be kept for a period of thirty one (31) days and shall, upon request, be made immediately available to Officers of the Police and the Council
7. That you shall require any regular and external promoters hiring the premises to complete the 'Venue Hire Agreement' provided by Southwark Council and, once completed, you shall ensure that a copy of the agreement is provided to the Police and Licensing Unit a minimum of fourteen days prior to the date of hire.
8. That a Personal Licence holder is on the premises and on duty at all times that intoxicating liquor is supplied.
9. That the Premises Licence holder and/or Designated Premises Supervisor join and support a local Pub Watch Scheme should there be one in existence for the area in which the premises is located.
10. Customers shall use no outside area after 22.00hrs other than those who temporarily leave the premises to smoke a cigarette. Those who do temporarily leave for this reason shall be the subjected to the requirement of a further search.

Police would be available should a conciliation meeting be arranged.

I respectfully submit this representation in order that it is given consideration by your Licensing Committee and would be obliged if you could acknowledge receipt.

Paul Compton PC294MD

Licensing Officer (Southwark North)

☎ Phone: 0207 232 6210

☎ Mobile: 07990901483

☎ Fax: 0207 232 6282

✉ E-mail: paul.compton@met.police.uk

✉ Mail: Licensing Office, Walworth Police Station,
12/28 Manor Place Walworth London
SE17 3RL

MEMO: Environmental Protection Team

To	Licensing	Date	19th Nov. 2009	
Copies	Joanne Littleton & Kritsie Ashenden			
From	Alan P. Blissett	Telephone	020 7525 5766	Fax 020 7525 5768
Email	Alan.Blissett@southwark.gov.uk			

Subject Shakespeare Underglobe & Events Area 21 Globe Walk SE!

Thank you for consulting Environmental Protection on the above application

I am not satisfied that the operating schedule and prevention of public nuisance measures as presently expressed in the application are adequate to address the suppression of public nuisance.

I suggest the following draft conditions .

- That should live and /or recorded music be at any time the principal theme of regulated entertainment in the Inigo Theatre, that sound insulation and /or limitation measures be adequate to contain sound and prevent disturbance to any residential premises in Globe Walk.
- The ventilation to Inigo Jones Theatre to sufficient to enable windows and doors to remain closed during performance of regulated entertainment.
- That when the balcony room is used for live and /or recorded music that sound insulation and /or limitation measures be adequate to contain sound and prevent disturbance to any residential premises in Globe Walk and that ventilation is sufficient to enable windows and doors to remain closed during performance.
- That the balcony be closed to use of patrons [inc smokers] and doors remain closed after 21.00 [re-worded from condition offered]
- That patrons not be permitted to take/consume drinks outside of the premises defined on the drawings No FP 101, 201, 401, 501
- That deliveries to and waste removal from the premises not be undertaken entrances /exits facing on to Globe Walk before 0700 or after 23.00
- Any portable equipment used in connection with regulated entertainment not be removed from premises after 23.00 or before 0800 other than through internal courtyard.

Please accept this as a representation until the applicant has considered the each of above 8 points and satisfactory addressed them with EPT

Note 1: The requested hours for supply of alcohol and late night refreshment are co-terminal with closing hours, you may wish to consider supply curfew 30 mins before closing

Note 2: There has been no accommodation limit expressed for the Inigo Jones Theatre

Alan Blissett – Principal Environmental Protection Officer

830906

FAO Joanne Littleton
Licensing Department
Southwark London Borough Council
The Chaplin Centre
Thurlow Street
London
SE17 2DG

RECEIVED

14 DEC 2009

Date: 11 December 2009
Our ref: CE/HEC/P35218-1
Doc Ref: 2143613712
Your ref:
E-mail: c.eames@popall.co.uk
Direct Line: 0207 936 5875

Sent via post and email

Dear Madam

Shakespeare's Underglobe & Event Area, 21 New Globe Walk, London SE1 9DT

We act on behalf of Benbow House Residents Limited and residents of Benbow House, New Globe Walk, London and we are instructed to make representations in respect of the above application.

Background

Written submissions were made to the Licensing Department of Southwark London Borough Council on the 13th November, 1st December and 9th December (correspondence attached) in respect of the following matters:-

1. Failure of the applicant to comply with the Licensing Act regulations on display of public notices.
2. The application above duplicates in part areas that are applied for under the licence for Shakespeare's Globe. As a result of this part duplication, the premises will not be able to operate other than in a manner that will undermine the licensing objectives. This is due to the fact that it will not be clear at any one time in the common parts which licence is being operated and which conditions are applicable. In addition, we cannot see the reasoning behind such a request other than to circumvent the Licensing Act.
3. **Saturation Policy** - Given that the application was lodged on the day that the saturation policy came into force, our submission is that the saturation policy should apply to this application. Further the failure to display the notices correctly

Partners · Jeremy Allen · James Anderson · Graeme Cushion · Clare Eames · Lisa Sharkey · Jonathan Smith

37 Stoney Street, The Lace Market, Nottingham NG1 1LS
T 0115 953 8500 F 0115 953 8501 W popall.co.uk DX 10100 Nottingham

Office also in London

(which was accepted by Officers of the London Borough of Southwark) in our submission means that the consultation period has occurred during dates when a saturation policy was in force and therefore should be applicable to the licence. Given the intention of the proposed application to increase existing licensable activities from the existing licence and extend the hours, we consider that the saturation policy would need to be applied in respect of that part of the application.

4. **The Existing Licence** - Comments made in our letter of the 1st December, for the attention of Kristie Ashenden, relate to licensing issues in respect of The Swan and therefore are not relevant to this letter of representation.

The Current Application

We have briefly seen sight of the application and plans lodged with the London Borough of Southwark in respect of this application and we further have requested from the applicant's solicitors on the 30th November full copies of the licence plans and operating schedules for us to consider. To date, despite contacting the applicant's solicitor again, they have not been forthcoming. It was clear from an inspection of the documents that the following licensable activities have been requested in addition to those that are permitted under the current licence:-

1. Facilities for dancing indoors and outdoors.
2. Facilities for making music indoors and outdoors.
3. Recorded music indoors and outdoors.

From our brief look at the plans, it would appear that this licence incorporates not only the Events area but the top floor of the Swan.

Facilities for Dancing

By requesting facilities for dancing, which permits customers and non performers to engage in entertainment facilities, we consider that this is a significant change to the style of operation. Given that the primary purpose of the Globe is a theatre, the provision of dance floors, which is the most common facility for dancing, both for indoor areas and also The Swan, raises concerns in relation to all four of the licensing objectives. This would enable discos to be operated until 1am from the top floor of the Swan which would have a detrimental impact on local residents with inevitable noise and resulting disturbance.

Facilities for Making Music

Again, this allows for customers to become involved in entertainment facilities and the common example given in the Guidance is a karaoke machine. This facility is again requested both indoors and outdoors and that would include the top floor of the Swan. For

reasons stated above, and given the insufficient information provided by the applicant, we consider that this raises significant issues under all four of the licensing objectives.

Recorded Music

We reiterate comments made in the above two paragraphs and in addition, given the potential noise nuisance from recorded music and the lack of detail in the operating schedule, we consider that there is a significant risk that there will be public nuisance caused as a result of this .

We understand from a brief look at the application plans that the areas included in this licence include the balcony room above the premises currently known as The Swan.

Given that this property has a balcony area and also has windows facing directly into our client's premises, the application, which in effect would allow the premises to operate as a nightclub, are again insufficient to meet the requirements of the licensing objectives.

Given that these premises fall within the area which is now subject to a saturation policy, we are concerned with the intention to add licensable activities to the application which may attract new customers and have an impact on the cumulative impact in the local area.

The Operating Schedule

We have requested the full operating schedule from the applicant's solicitors however as we have not yet seen it we are working from the document on the Southwark website. However it was clear on a visit to the offices that the information on the website was not up to date and therefore we reserve the right to fully expand upon all aspects of our representation once we have sight of the full operating schedule.

In relation to the operating schedule, a large number of the conditions that are on the existing licence have simply been reused. Many conditions are of a type seen on old public entertainment licences pre 2005. In addition old obsolete conditions from the Licensing Act 1964 are incorporated.

The application does not address how the licensing objectives will be promoted given the extensive nature of the licence that has been applied for and the hours that are requested.

No information is provided in respect of the type of events that will take place other than the events we imagine that are commonly associated with the actual theatre itself. Given the significant area that this licence purports to cover, including the Swan, the lack of operating detail means that it is almost impossible to have a clear indication of how the licensing objectives will be promoted by the applicant during the operation of this licence should it be granted.

Prevention of Crime & Disorder

The applicant has failed to sufficiently address the licensing objective of the prevention of crime and disorder in the operating schedule. Limited information has been provided and given the potential large numbers of the public who will be at the premises for non theatre events and outside the traditional hours of performances, we are concerned as to how crime and disorder and antisocial behaviour will be avoided and managed.

We are unclear as to the exact coverage of CCTV and in addition no information has been provided as to the type of events that will take place at the premises and therefore the type of customers who will be attending. In addition, there is no indicating of measures to deal with issues relating to noise attenuation, dispersal of customers, provision of door staff and a policy for customers wishing to smoke.

No information is provided regarding the type of customers who will be attending the premises and measures to deal with noise attenuation, dispersal, smokers and door staff.

Prevention of Public Nuisance

Given the extent of the licence requested, the applicant has given little thought to the impact of the operation on public nuisance and only two conditions would appear to address the fact that the premises are located in a heavily residential area, namely:-

- Condition 158 "The licensee/ duty manager shall ensure that no nuisance is caused by noise emanating from the premises or by vibration transmitted through the structure of the premises;
b) If required, legible notices shall be displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and area quietly."

In addition, no consideration has been given to a dispersal policy, other noise attenuation measures, provision for smokers and door staff.

Our clients have had extensive meetings with the operators of The Globe and their complaints and concerns are well documented and further documentation will be provided as part of this representation as the known concerns of the local residents have not been considered in any form in this application despite the last meetings with the residents which took place on the 9th September 2009 and the 27th October 2009.

Public Safety

Given comments raised already regarding the extensive nature of the licence application, we feel insufficient consideration has been given to public safety, for example the proposed location of facilities for dancing.

Protection of Children from Harm

The application is virtually silent in respect of the licensing objective of the prevention of harm to children which is not adequately dealt with. Condition 348 indicates that shop staff will ask for proof of ID but it does not indicate what policy will be in place from any of the bars.

The Globe Theatre has a number of performances and events which would be open to those persons under the age of 18 and with easy access into the premises and there is no explanation as to how these issues will be managed.

Summary

Our clients were extremely disappointed that no attempt was made to pre-consult with them prior to the application being lodged. In addition, the application has been drafted in such a way to have little regard for how the licensing objectives are to be promoted, especially given the extensive dialogue with the applicants and our clients over the last two years. Very few of the conditions proposed in the operating schedule actually deal with the significant issues that are raised in relation to public nuisance and antisocial behaviour and also catalogues in meetings and discussions between Benbow House residents and the applicants.

Our clients are satisfied with the principle proposed use for the main Shakespeare's Globe Theatre however the concern is that this licence is so significantly different to that which is currently in place and is drafted in such a way that the areas beyond the main theatre auditorium could be operated for a variety of events for members of the public at the premises, not connected at all with the primary use of the premises and for hours that are too late given the proximity of residential accommodation.

Our client also supports in principle the idea of separate licences however the current format does not address our clients concerns and we feel they should be withdrawn and re submitted following pre consultation with the residents and responsible authorities.

Although we accept that the planning and licensing regimes are separate, they do overlap and therefore we also raise concerns that this application may not comply with the existing planning permission.

Given the historic manner in the way that the premises have operated and more particularly given the extensive scope of the licence application and the preparation of an operating schedule that fails to address the licensing objectives in any meaningful manner, means that

the likely effect of the grant of the licence on the promotion of the licensing objectives is that they will be significantly undermined.

Our client is willing to meet with the applicants in order to see whether a more robust and clearly understandable operating schedule can be put into place with appropriate licensable activities and hours.

Yours faithfully



Poppleston Allen

cc. Mark Browning, BA Law, via email only

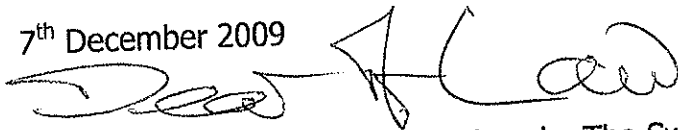
**BANKSIDE
LONDON SE1 9
00 44 207
Fax 00 44 207**

RECEIVED

08 DEC 2009

B.A. Law Esq
Licensing Department
Chaplin Centre
Thurlow Street
SE17 2DG

7th December 2009



I write concerning three applications by The Swan at the Globe
(Shakespeare's Globe Theatre, Bankside).

We oppose all three but, in particular, we have great concerns about the applications which extend licensing hours for entertainment to 0100 daily and 0200. Fri-Sat. respectively, we submit that midnight would be just tolerable.

As residents next door-but-one we wish to lodge a formal objection to the granting of these applications.

Our reasons are as follows:

1. The Exhibition Building for Shakespeare's Globe was created and opened as a visitor and tourist exhibition, not primarily as an entertainment space. The application tends towards a change of use.

Visitors for late night parties create serious disturbance and nuisance to the neighbouring residents, particularly in three ways:

2. Safety: Vehicles cause congestion and sometimes (as occurred on December 4th for example) complete blockage of access to our houses, emergency access to our houses and to the gates which give emergency access to the Tate Modern. We have repeatedly pointed out that emergency use is significant as our houses accommodate two doctors and a priest.
3. Nuisance and Noise Disorder: Clients gather for lengthy periods outside the Exhibition doors to smoke throughout evening social events. Our bedrooms are in the front of the houses, not only are we woken and greatly disturbed in the small hours by the noise (notably the higher

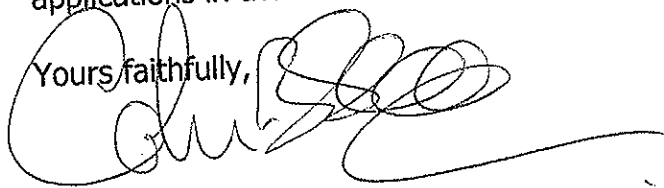
- pitch of women's voices) but also by the incredibly unpleasant smell of tobacco. We are literally experiencing secondary smoking as a result.
4. Crime and Disorder: The Swan at the Globe does not observe the present licensing conditions in any event, visitors already leave later than they should, any extension will adversely affect this, and it is not therefore an argument for extension. Additionally we recognise that, once off the premises, visitors are not the responsibility of The Swan, nevertheless they continue to wake us up and create disturbance, lingering, chattering and laughing in the street.

In principle we seek to be good neighbours. We acknowledge that The Swan has installed moveable rope barriers to guide entrance to the exhibition area for functions, and that has assisted, but not succeeded, in getting people off the road, safer from vehicles and queuing directed eastwards, away from our doors. The Swan has, nevertheless, not once, sought to consult us as neighbours about their continued gradual encroachment on the amenity neither of the area nor upon us as the immediate neighbours. We get the clear impression that the enterprise is very profit focussed and the three neighbouring houses are beneath consideration and a nuisance.

We were under the impression, apparently mistaken, that it is an obligation upon applicants to consult the neighbours. It would be courteous and good practice in any event. If it is a requirement we should point out to you that we have not been approached about any of these three applications and we were not, for example, about the creation of a (dangerous) door way on the corner of New Globe Walk and Bankside (where the doors, to add to the hazard, open outwards) nor when the Swan submitted a planning application, and an appeal, regarding shop fronts on Bankside.

We suggest to you that these symptoms of inconsiderate behaviour and contempt for the neighbours will be congruous with any extension of the licences for the Exhibition undercroft and area and we ask you to reject the applications in the interests of the neighbourhood.

Yours faithfully,



The Very Revd and Mrs C Slee.

Bankside, LONDON, SE1 9JE

(Phone and Fax: 020)

e-mail: ,@hotmail.com

The Licensing Unit
Chaplin Centre
Thurlow Street
LONDON
SE17 2DG

RECEIVED

09 DEC 2009

7th December 2009

Dear Sir

I understand that The Shakespeare Underglobe & Event Area is applying for a renewal to its licence (Application 830906) and that, according to the notice posted on the door of the premises, objections have to be lodged with you by 11th December.

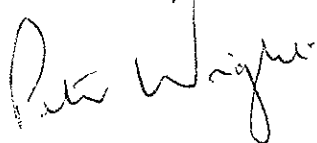
These premises are adjacent to private residences and the noise from guests smoking and yelling outside in the street, and leaving in the early hours of the morning, constitute a public nuisance.

I have had to complain to the Globe on a number of occasions; this year alone on 23rd March, 28th March, 16th May, 25th September and 26th September and there have been other instances when we have been disturbed but I have not written or telephoned.

The most disturbing case occurred two and a half years ago when, at 2.30a.m., I asked the revellers to keep the noise down and I was threatened by one of the men who followed me in a very menacing manner back to my front door.

I very much hope you will refuse this licence which has never been discussed by the GLOBE with the local residential neighbours. The total disregard of our well-being by the GLOBE has been very distressing.

Yours faithfully



Bankside, London SE1 9

TEL: 020

FAX 020

RECEIVED

09 DEC 2009

The Licensing Unit
Chaplin Centre
Thurlow Street
LONDON
SE17 2DG

8th December 2009*Attⁿ: B.A. Law*Dear Sir/~~Madam~~

I understand that Shakespeare's Globe Underglobe & Event Area is applying for a renewal to its licence (Application number 830906) According to the notice posted on the door of the premises, objections have to be lodged with you by 11th December. Normally, we receive individually addressed notices about such proposals and I am surprised that none seem to have been sent out on this occasion. Is there any particular reason for this omission?

In any case, I wish to register my objection to the applications, given the lack of evidence that the applicants have taken seriously the many previous complaints and objections from me and others. We are still wakened not infrequently by apparently intoxicated (and therefore often noisy, insensitive and inconsiderate) people leaving the Globe's premises in the small hours and such disturbances are naturally even more frequent as Christmas approaches. The people who come outside mainly to smoke have, of course, usually been drinking and the organizers do not seem to have been able to arrange an outdoor smoking space inside the Globe's walls, as we had been told they were going to do. This means that they congregate within a few feet of my front door.

Yours etc.

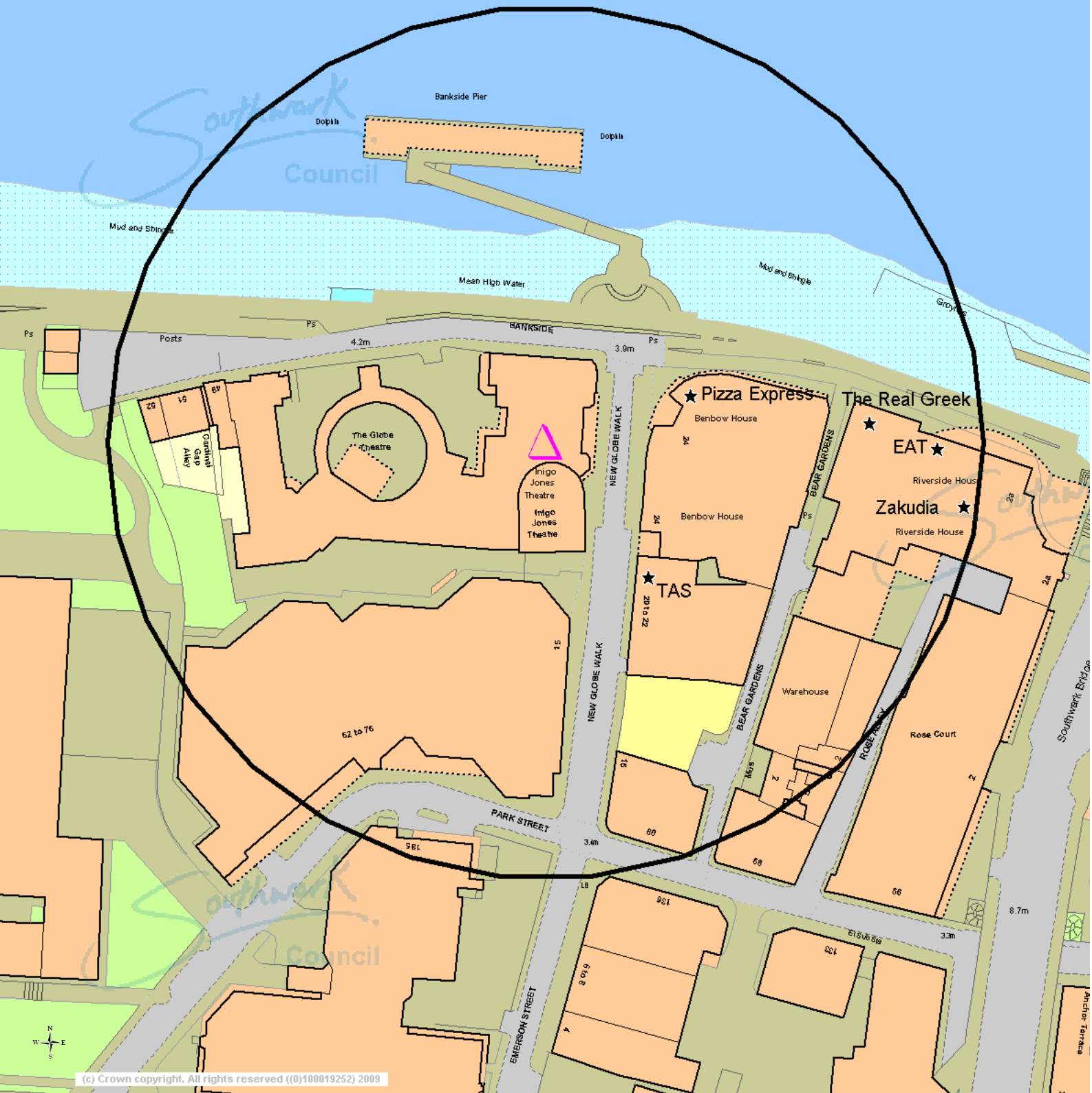
Colin Brewer

Date 11/1/2010

Millennium Bridge (FB)

River Thames

King's Reach



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Licensing

<p>Distribution List</p> <p>Open</p> <p>Licensing Sub-Committee</p>	<p>MUNICIPAL YEAR 2009-10</p> <p>Date of Meeting: 25.01.2010</p> <p>Time: 10.00am</p>
<p>Note: Original held in Constitutional Team; all amendments/queries to Sean Usher, Constitutional Team, Tel: 020-7525-7222.</p>	
<p>Councillors (1 Copy Each)</p>	<p>Applicants and Interested Parties</p>
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