

**IVORY HOUSE
ST KATHARINE DOCKS
EAST SMITHFIELD
LONDON E1W 1BP**

SUMMARY OF PROPOSALS

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**Reference: AT/DOC.1.1
Solicitors for the Applicant**

INTRODUCTION

1. This is an application for a Premises Licence for Ivory House, St Katharine Docks, East Smithfield, London E1W 1BP ("**the Premises**")
2. The Premises were previously licensed until **9 November 2020** under premises licence number 12681 at which time that licence lapsed due to the insolvency of the then licence holder. This application replicates the hours previously held and proposes further and comprehensive conditions as part of the Operating Schedule (as further amended) which are considerably more restrictive than the lapsed licence that both promote the licensing objectives and acknowledge and address the comments and concerns of residents.
3. The Premises shall operate as an event venue including restaurant and bar. Events will include, amongst other things, art exhibitions, immersive theatre, corporate events, comedy nights, computer gaming competitions, product launches and indoor markets.

THE APPLICANT

4. Dockside Vaults Limited is the applicant company. The company has three directors: Benjamin Gamble, Paul Mendoza and Stephen Williams, all of whom have extensive experience in the hospitality industry, and in particular events sites such as Southbank's County Hall (London Aquarium/London Film Museum), The Paris Aquarium and Harry Potter merchandise shops worldwide pre-Warner Bros.
5. Events and exhibitions within the portfolio of experience includes a 5 month Nelson Mandela Exhibition & Richard Hambleton Art Exhibition at Waterloo Arches, immersive theatre show in Liverpool Street, a graffiti inspired pop up with Banksy's original Giant Rat artwork, immersive acting at the O2's Mamma Mia The Party experience, location shoot for Marvel film and product launches such as Adidas trainer and Xbox game.
6. This wide portfolio of experience and contacts is indicative of standard and diversity of events envisaged at the Premises.

APPLICATION

7. The application seeks operating hours and licensable activities as follows:

	Sale of Alcohol	Plays, Films, Performance of dance, Live & Recorded Music & anything similar	Late Night Refreshment	Opening Hours
Monday to Saturday	10:00 – 00:00	10:00 – 00:00	23:00 – 00:00	10:00 – 00:30
Sunday	12:00 – 23:30	10:00 - 00:00	23:00 – 23:30	10:00 - 00:30

8. Following consultation with the Metropolitan Police Service, the following **additional conditions** have been agreed, resulting in no representation being made by the Police:

5.1 *There must be at the premises a lockable drugs box to which no member of staff, save the DPS and/or named designated person, shall have access. All controlled drugs (or items suspected to be controlled drugs or contain controlled drugs) found at the premises must be placed in this box as soon as practicable. Whenever this box is emptied, all of its contents must be given to the Police for appropriate disposal.*

5.2 *A minimum of 2 SIA licensed door supervisors shall be on duty at the premises at all times whilst it is open and carrying out licensable activity and they must correctly display their SIA licences when on duty so as to be visible*

5.3 *The licence holder shall enter into an agreement with a hackney carriage and/or private carriage firm to provide transport for customers, with contact numbers made readily available to customers.*

5.4 *As soon as possible, and in any event within 1 month from the grant of this licence, the premises shall join the local Pub watch or other local crime reduction scheme approved by the police*

9. Following consultation with Environmental Protection, the following **additional condition and amendment** have been agreed, resulting in no representation being made by Environmental Protection:

“A Noise Limiter must be fitted to the musical amplification system set at a determined by and to the satisfaction of an acoustic consultant who is a member of the Institute of Acoustics so as to ensure that no noise nuisance is caused to local residents or businesses. The operation panel of the noise limiter shall then be secured by a key or password to the satisfaction of the acoustic consultant and access shall only be by persons authorised by the Premises Licence Holder. No alteration or modification to any existing sound system(s) should be affected without prior agreement with an acoustic consultant. No additional sound generating equipment shall be used on the premise without being routed through the sound limiter device.

*Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall be limited to **10 persons**¹ at any one time. Smokers will be directed to smoke in a designated area near the Elephant Gates.”*

10. Following consideration of the Friends of St Katherine’s Dock representation and those of local residents, the following **additional conditions and amendments** are agreed:

- a. *Patrons should be actively discouraged from causing a blockage to the walkways outside and surrounding the premises. The Licensee shall implement an external area supervision policy and a dispersal policy, a record of which shall be kept on the premises and made available for inspection to the licensing authority and the police.*
- b. *All licensable activities and operations are to be restricted to the interior of the premises. The external areas of the premises shall not be used for licensable activities or for any purpose (including tables, chairs, benches, heaters, canopies or any similar structures) save for access and egress and for access to the designated smoking area by the elephant gates.*
- c. *No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between **21.00** hours and **09.00** hours on the following day².*
- d. *No deliveries to the premises shall take place between **21:00** and **09:00** on the following day.”*
- e. *A noise limiter must be fitted to the musical amplification system set at a level determined by and to the satisfaction of an authorised officer of the Environmental Health Service, so as to ensure that no noise nuisance is caused to local residents or businesses. The operational panel of the noise limiter shall then be secured by key or password to the satisfaction of officers from the Environmental Health Service and access shall only be by persons authorised by the Premises Licence holder. The limiter shall not*

¹ A reduction from 14 offered as part of the application.

² Reduced on agreement with the Friends (same reduction on delivery times)

be altered without prior agreement with the Environmental Health Service. No alteration or modification to any existing sound system(s) should be effected without prior knowledge of an authorised Officer of the Environmental Health Service. No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device.

- f. *Loudspeakers shall not be located in the entrance lobby or outside the premises building.*
- g. *All windows and external doors shall be kept closed after 21:00 hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons.*
- h. *There shall be no admittance or re-admittance to the premises after 22:30 hours Monday to Saturday and 22:00 hours Sunday except for patrons permitted to temporarily leave the premises to smoke.*
- i. *There shall be no sales of alcohol for consumption off the premises after 23.00.*
- j. *Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.*
- k. *Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly. The premises licence holder shall ensure that any patrons leaving the premises to smoke in the “designated area” should do so in an orderly manner and be supervised by staff so as to ensure that there is no public nuisance or obstruction of the walkways.*
- l. *The licence holder shall ensure that any queue to enter the premises which forms outside the premises is orderly and supervised by door staff so as to ensure that there is no public nuisance or obstruction to the walkways and common areas in the Dock. Queuing outside the premises shall be restricted to a designated area to be agreed between the landlord and the applicant.*
- m. *All tills shall automatically prompt staff to ask for age verification identification when presented with an alcohol sale.*
- n. *No person on behalf of the premises or on behalf of a person carrying or attempting to carry on a licensable activity shall cause, permit, employ or allow, directly or indirectly, whether on payment or otherwise, any person(s) to importune, solicit or tout members of the public on any public highway within the specified area outlined below for the*

purpose of bringing customers to the premises. The distribution of leaflets or similar promotional material is also prohibited within the specified area. For the purpose of this section: 'Directly' means - employ, have control of or instruct. 'Indirectly' means allowing / permitting the service of or through a third party. 'Specified' Area' means - the area.

11. The only conditions which have not been agreed are:

- a) The requirement for a 'works' condition. This is only standard in Westminster and is inappropriate here as there have been no representations from the Responsible Authorities; and
- b) That SIA should be employed at all times when the premises are open, rather than when it is open for licensable activities. This cannot be agreed as some activities are not licensable e.g. film or location shoots

12. The hours requested by the Friends of Katharine Docks cannot be agreed. The applicant has taken great care in considering the hours applied for, both in terms of what is commercially viable, but also what is suitable for the Premises and the area. Conditions have been offered in the application to minimise any position impact on local residents in line with Policy paragraph 14.11 and further concessions have been made by additional conditions agreed and of course are those previously permitted at the Premises.

13. Ben Gamble has met with Sue Hughes and a subsequent call and another meeting was offered to discuss outstanding points. We hope that due to the pre-application and statutory consultation process that the vast majority of the concerns have now been addressed, including:

- c) No app based or other food deliveries from the premises;
- d) The appointment of an independent acoustic consultant;
- e) A potential capacity of 700 being reduced to a maximum of 450 (the lapsed licence had no capacity limit);
- f) The type of events having been clarified;
- g) Conditions addressing dispersal including a dispersal plan; and
- h) No take-away or drinking outside.

INDIVIDUAL REPRESENTATIONS

14. Representations have been submitted objecting to the application by The Friends of St Katharine Docks and 25 local residents. One representation has been submitted in support from the freeholders of Ivory House.

15. The applicant is keen to foster an amicable relationship with the residents and is hopeful that they will find the Premises to be one that they themselves come to use and welcome to the

docks. To that end, the applicant envisages that the venue can be also made available for appropriate community use.

16. A number of particular concerns are a common theme amongst the representations made; the applicant is keen to acknowledge these and can address these by adding the following conditions:

Issue	Conditions addressing concerns
(a) Queues/obstructions	<p>The licence holder shall ensure that any queue to enter the premises which forms outside the premises is orderly and supervised by door staff so as to ensure that there is no public nuisance or obstruction to the walkways and common areas in the Dock. Queuing outside the premises shall be restricted to a designated area to be agreed between the landlord and the applicant.</p> <p>Patrons should be actively discouraged from causing a blockage to the walkways outside and surrounding the premises. The Licensee shall implement an external area supervision policy and a dispersal policy, a record of which shall be kept on the premises and made available for inspection to the licensing authority and the police.</p>
(b) Entrance to basement being a few metres away residential lobby to Ivory House and people following residents inside	<p>See (a) above.</p> <p>A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number and/or is to be made available to residents and businesses in the vicinity.</p> <p>A minimum of 2 SIA licensed door supervisors shall be on duty at the premises at all times whilst it is open and carrying out licensable activity and they must correctly display their SIA licences when on duty so as to be visible.</p>
(c) Noise – including yelling and shouting outside – acoustics	<p>See (b) above.</p> <p>Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly. The premises licence holder shall ensure that any patrons leaving the premises to smoke in the “designated area” should do so in an orderly manner and be supervised by staff so as to ensure that there is no public nuisance or obstruction of the walkways.</p>

<p>(d) Noise – amplified music reverberates through the building</p>	<p>A noise limiter must be fitted to the musical amplification system set at a level determined by and to the satisfaction of an authorised officer of the Environmental Health Service, so as to ensure that no noise nuisance is caused to local residents or businesses. The operational panel of the noise limiter shall then be secured by key or password to the satisfaction of officers from the Environmental Health Service and access shall only be by persons authorised by the Premises Licence holder. The limiter shall not be altered without prior agreement with the Environmental Health Service. No alteration or modification to any existing sound system(s) should be effected without prior knowledge of an authorised Officer of the Environmental Health Service. No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device.</p> <p>Loudspeakers shall not be located in the entrance lobby or outside the premises building.</p> <p>All windows and external doors shall be kept closed after 21:00 hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons.</p> <p>No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a public nuisance.</p>
<p>(e) Smokers</p>	<p>Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall be limited to 10 persons at any one time. Smokers will be directed to smoke in a designated area near the Elephant Gates.</p> <p>Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.</p> <p>Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly. The premises licence holder shall ensure that any patrons leaving the premises to smoke in the “designated area” should do so in an orderly manner and be supervised by staff so as to ensure that there is no public nuisance or obstruction of the walkways.</p>

<p>(f) Litter – including cigarettes and glass</p>	<p>During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.</p> <p>Food will not be sold for takeaway or delivery.</p>
<p>(g) Large numbers of people congregating in the external area which has no designated controls</p>	<p>See (a) and (b) above.</p> <p>See Dispersal Plan.</p>
<p>(h) Obstruction of walkways</p>	<p>See (a) and (b) above.</p> <p>See Dispersal Plan.</p>
<p>(i) Failure of previous management to control customer</p>	<p>See applicant’s experience at paragraphs 4 – 6 above.</p> <p>See section 4.7 of Policy re. consideration on individual merits.</p>
<p>(j) Blocking roundabout/turning area outside Ivory House with deliveries</p>	<p>See section 5 of Dispersal Policy</p>
<p>(k) Concerns about generic event space which could effectively mean anything can take place</p>	<p>Events envisaged include, inter alia: Product Launches, Conferences, Exhibitions, Location shooting (for film/TV), brunches, comedy nights, acoustic nights, pop up art galleries, auctions, poetry nights, wellness festivals, sporting screenings, workshops, seminars, reunions, streamed virtual events, yoga events, fundraising events, gala dinners, community events, meetings, theatre shows, immersive theatre shows, art installations.</p> <p>The events envisaged will be in keeping with the dock and location.</p> <p>All events will follow a vetting procedure for suitability, which includes:</p> <ul style="list-style-type: none"> - The nature of the event (i.e. corporate event/launch party etc) - The numbers of people to be invited

	<ul style="list-style-type: none"> - The style of music to be played (if applicable) - A full guest list prior to the event (unless special exception granted) - The name/address/email/number/ID of organiser - Whether any tickets are being sold/if so where are they been sold? - A copy of the invitation prior to the event - Persons holding the event will be advised that: every event will be subject to our risk assessment of each event, an invitation does not guarantee entry and any event will be monitored throughout and could, should the management feel appropriate be stopped at any time. <p>See applicant's experience at paragraphs 4 – 6.</p>
(l) Concern re. delivery service	Food will not be sold for takeaway or delivery.

POLICY

(a) GENERAL

17. Paragraph 4.7 of the Policy is clear: *“Nothing in the Licensing Policy will undermine the rights of any person to apply under the Act for a variety of permissions and have the application considered on its **individual merits**...”* Whilst there are understandable concerns with a previous operator, that should not detract from the application package presented for consideration by the Licensing Sub-Committee.
18. Paragraph 4.9 recognises the impact of activities taking place at the licensed premises on members of the public living, working or engaged in normal activity in the area concerned.
19. Paragraph 4.14 of the Policy acknowledges *“Licensing laws are **not the primary method** of controlling anti-social behaviour by individuals once they are beyond the direct control of the licensee of any premises concerned. However, they are a key aspect of such control and will always be part of **an overall approach** to the management of the evening and night time economy.”*
20. And Paragraph 14.6 of the Policy: *“The Licensing Authority recognises the **positive benefits** that the leisure industry brings to the Borough. This includes not just jobs and associated regeneration but also through music, dance and other entertainment that celebrates the rich mixture of cultural diversity and creativity that exists in the Borough.”* Such benefits fall to

be included in the evaluation as to what is reasonably acceptable in a particular location and the weighing of competing considerations in determining an application (see Hope and Glory further below).

(b) LOCATION

21. The Premises is **not** located in any of the Borough’s designated Cumulative Impact Zones.

22. The Premises is situated within a live marina. The area has mixed uses, including restaurants, bars, retail and residential in the close vicinity. It has “significant dock and river use”.

(c) FRAMEWORK HOURS

*"Applications in respect of premises licences and club premises certificates to authorise licensable activities outside the framework hours, and in respect of which relevant representations are made, **will be decided on their own merits** and with particular regard to the following³:..."*

Particular regard to...	Specifics of Application addressing these factors
(a) The location of the premises and the general character of the area in which the premises are situated (i.e. does the area include residential or business premises likely to be adversely affected).	The Premises in a busy marina with commercial (retail, food & beverage) and residential uses in the vicinity. See Dispersal plan.
(b) The proposed hours during which licensable activities will take place and the proposed hours during which customers will be permitted to remain on the premises.	Monday to Saturdays all licensable activities will cease at midnight, with the Premises closing 30 minutes thereafter. On a Sunday, alcohol and late night refreshment will cease 1 hour prior to closing. As per the lapsed licence.
(c) The adequacy of the applicant’s proposals to address the issues of the prevention of crime and disorder and the prevention of public nuisance.	See proposed conditions in Operating Schedule and additional conditions agreed with the Police and Environmental Protection Team resulting in no representations made by these Responsible Authorities.
(d) Where the premises have been previously licenced, the past operation of the premises.	The Premises was previously licensed by another operating who went into insolvency.

³ Policy paragraph 14.8

(e) Whether customers have access to public transport when arriving at or leaving the premises at night time and in the early hours of the morning.	Proximity to Tower Hill tube, Tower Gateway (DLP), TfL buses and taxi/private car service as per section 4 of the Dispersal Policy
(f) The proximity of the premises to other licensed premises in the vicinity and the hours of those other premises.	See Appendix 4 of Officer's Report (pages 62 – 63).

POLICE

23. No representation submitted.

ENVIRONMENTAL PROTECTION

24. No representation submitted.

LICENSING AUTHORITY

25. No representation submitted.

ACOUSTIC SURVEY

26. In light of the noise concerns raised by residents, the applicant has commissioned an Independent Acoustic Survey to be undertaken to address and alleviate noise concerns. Access has generously been afforded to Mr Penfold's residence (representation – Appendix 8 of the Report) to allow the Acoustic Engineer to take readings and provide an Acoustic Report. This has been scheduled for Wednesday 2 March and the applicant is hopeful to receive that report and circulate it ahead of the hearing.

CONCLUSION

27. The Premises has previously been licensed to the hours applied for, with no capacity limit and no restrictions on off sales. That licence would be in place but for the insolvency of the previous licence holder resulting in the licence lapsing recently. The benefit is that the premises with far more controls and conditions (including a capacity limited to 450) and an operator who is willing and able to enforce them.

28. The responsible authorities have not objected and appropriate weight should be put on that fact.

29. The Premises is located outside of any designated Special Policy Area and within a busy mixed use marina location, with commercial and residential uses in the immediate vicinity.

30. The Applicant has met the Friends of St Katherine's Dock, sent them a draft of the application and the vast majority of their conditions are agreed.

2 March 2022