



City of Westminster

# Committee Agenda

Title: **Licensing Sub-Committee (5)**

Meeting Date: **Tuesday 3rd October, 2017**

Time: **10.00 am**

Venue: **Room 3.1, 3rd Floor, 5 Strand, London, WC2 5HR**

Members: **Councillors:**  
  
Peter Freeman (Chairman)  
Karen Scarborough

**Members of the public are welcome to attend the meeting and listen to the discussion Part 1 of the Agenda.**

**Admission to the public gallery is via a visitor's pass which is available from the main ground floor reception at Portland House from 9.30am. If you have a disability and require any special assistance please contact the Committee Officer (details listed below) in advance of the meeting.**



**An Induction loop operates to enhance sound for anyone wearing a hearing aid or using a transmitter. If you require any further information, please contact the Committee Officer, Jonathan Deacon.**

**Email: [jdeacon@westminster.gov.uk](mailto:jdeacon@westminster.gov.uk) Tel: 020 7641 2783  
Corporate Website: [www.westminster.gov.uk](http://www.westminster.gov.uk)**

**Note for Members:** Members are reminded that Officer contacts are shown at the end of each report and Members are welcome to raise questions in advance of the meeting. With regard to item 2, guidance on declarations of interests is included in the Code of Governance; if Members and Officers have any particular questions they should contact the Director of Law in advance of the meeting please.

## AGENDA

### PART 1 (IN PUBLIC)

#### 1. MEMBERSHIP

To report any changes to the membership.

#### 2. DECLARATIONS OF INTEREST

To receive declarations by Members and Officers of any personal or prejudicial interests in matters on this agenda.

#### Licensing Applications for Determination

#### 1. MUSE SOHO, BASEMENT, 23 FRITH STREET W1

(Pages 1 - 48)

App No	Ward / Cumulative Impact Area	Site Name and Address	Application	Licensing Reference Number
1.	West End Ward / West End Cumulative Impact Area	Muse Soho, Basement, 23 Frith Street W1	Variation	17/08037/LIPV

#### 2. MRH DORSET HOUSE, 170-172 MARYLEBONE ROAD, NW1

(Pages 49 - 66)

App No	Ward / Cumulative Impact Area	Site Name and Address	Application	Licensing Reference Number
2.	Bryanston and Dorset Square Ward / not in cumulative impact	MRH Dorset House, 170-172 Marylebone Road, NW1	New Premises Licence	17/08439/LIPN

	area			
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**3. SIMMONS, 2 BATEMAN STREET, W1**

**(Pages 67 - 86)**

App No	Ward / Cumulative Impact Area	Site Name and Address	Application	Licensing Reference Number
3.	West End Ward / West End Cumulative Impact Area	Simmons, 2 Bateman Street, W1	Variation	17/07004/LIPV

**4. 10 MOTCOMB STREET, SW1**

**(Pages 87 - 112)**

App No	Ward / Cumulative Impact Area	Site Name and Address	Application	Licensing Reference Number
4.	Knightsbridge And Belgravia Ward / not in cumulative impact area	10 Motcomb Street, SW1	New Premises Licence	17/08911/LIPN

**5. STUDIO 88, 47 WHITCOMB STREET, WC2**

**(Pages 113 - 184)**

App No	Ward / Cumulative Impact Area	Site Name and Address	Application	Licensing Reference Number
5.	St James's Ward / West End Cumulative Impact Area	Studio 88, 47 Whitcomb Street, WC2	New Premises Licence	17/08880/LIPN

**Charlie Parker**  
**Chief Executive**  
**27 September 2017**

In considering applications for premises licences under the Licensing Act 2003, the sub-committee is advised of the following:

### **POLICY CONSIDERATIONS**

The City of Westminster statement of licensing policy applies to all applications where relevant representations have been made. The Licensing Sub-Committee is required to have regard to the City of Westminster statement of Licensing Policy and the guidance issued by the Secretary of state under Section 182 of the Licensing Act 2003.

### **GUIDANCE CONSIDERATIONS**

The Licensing Authority is required to have regard to any guidance issued by the Secretary of State under the Licensing Act 2003.

### **CORE HOURS WHEN CUSTOMERS ARE PERMITTED TO BE ON THE PREMISES** (As set out in the Council's Statement of Licensing Policy 2011)

- For premises for the supply of alcohol for consumption on the premises:

Friday and Saturday: 10:00 to midnight

Sundays immediately prior to Bank Holidays: Midday to midnight

Other Sundays: Midday to 22:30

Monday to Thursday: 10:00 to 23:30.

- For premises for the supply of alcohol for consumption off the premises:

Monday to Saturday: 08:00 to 23:00

Sundays: 10:00 to 22:30.

- For premises for the provision of other licensable activities:

Friday and Saturday: 09.00 to midnight

Sundays immediately prior to Bank Holidays: 09.00 to midnight

Other Sundays: 09.00 to 22.30

Monday to Thursday: 09.00 to 23.30.

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City of Westminster

# Licensing Sub-Committee Report

Agenda Item 1

Item No:	
Date:	3 October 2017
Licensing Ref No:	17/08037/LIPV - Premises Licence Variation
Title of Report:	Muse Soho Basement 23 Frith Street London W1D 4RR
Report of:	Director of Public Protection and Licensing
Wards involved:	West End
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Miss Daisy Gadd Senior Licensing Officer
Contact details	Telephone: 020 7641 2737 Email: dgadd@westminster.gov.uk

# 1. Application

1-A Applicant and premises			
<b>Application Type:</b>	Variation of a Premises Licence, Licensing Act 2003		
<b>Application received date:</b>	19 July 2017		
<b>Applicant:</b>	Mr Onkar Rai		
<b>Premises:</b>	Muse Soho		
<b>Premises address:</b>	Basement 23 Frith Street London W1D 4RR	<b>Ward:</b>	West End
		<b>Cumulative Impact Area:</b>	West End
<b>Premises description:</b>	The premises currently operates as a live entertainment, late night eatery and bar.		
<b>Variation description:</b>	<p>The application is:</p> <ol style="list-style-type: none"> <li>1) To extend the terminal hour for existing regulated entertainment (the performance of dance, live music, recorded music, anything similar) to 03:30 Mon-Sat and Sun before bank holidays, and 01:00 Sun.</li> <li>2) Delete conditions 41, 43 of the premises licence.</li> <li>3) To vary/update the conditions on the premises licence as per:               <ol style="list-style-type: none"> <li>a) Vary condition 12 to read 'There will be waiter/waitress service available throughout the entire premises at all times it is trading'</li> <li>b) Vary condition 20 to read 'No rubbish, including bottles, shall be moved, removed or placed in outside areas between 23:00 hours and 06:00 hours or as in compliance with Westminster City Council's own waster contractor collection hours'.</li> <li>c) Vary condition 33 so that the first sentence reads: 'In the area cross hatched on the plans, the premises shall only operate as a restaurant:-...'</li> <li>d) Update condition 34 to model condition 'The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable</li> </ol> </li> </ol>		



	<p>activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised office throughout the entire 31 day period’.</p> <p>e) Update condition 36 to model conditions:- ‘An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following: (a) all crimes reported to the venue (b) all ejections of patrons (c) any complaints received concerning crime and disorder (d) any incidents of disorder (e) all seizures of drugs or offensive weapons (f) any faults in the CCTV system, searching equipment or scanning equipment (g) any refusal of the sale of alcohol (h) any visit by a relevant authority or emergency service’.</p> <p>f) Vary condition 48 so that the first sentence reads: ‘After 00:30 on the days following Monday to Saturday only...’</p> <p>4) Add new conditions as follows:</p> <p>a) A minimum number of 30 seats shall be maintained in the basement area at all times of operation.</p> <p>b) The retail sale of alcohol shall be ancillary to the provision of regulated entertainment and/or substantial refreshment.</p> <p>c) On the morning that Greenwich Mean Time changes to British Summer Time one hour will be added to the terminal hour of any activities and to the closing time for the premises where the existing terminal hour for the activities and/or closing hour for the premises ends after 01:00.</p> <p>5) Replace the plan at Annex 4 to reflect the new hatching on the proposed conditions (no change in layout).</p>
<b>Premises licence history:</b>	The premises has been licensed since September 2005.
<b>Applicant submissions:</b>	See Appendix 1 of the report
<b>Plans</b>	Plans are available upon request to the Licensing Authority and will be available at the Licensing Sub-Committee.

**1-B Current and proposed licensable activities, areas and hours**

**Performance of Live music**

	Current Hours		Proposed Hours		Licensable Area
	Start:	End:	Start:	End:	
<b>Monday</b>	21:00	23:30	21:00	03:30	No change
<b>Tuesday</b>	21:00	23:30	21:00	03:30	
<b>Wednesday</b>	21:00	23:30	21:00	03:30	
<b>Thursday</b>	21:00	23:30	21:00	03:30	
<b>Friday</b>	21:00	00:00	21:00	03:30	
<b>Saturday</b>	21:00	00:00	21:00	03:30	
<b>Sunday</b>	21:00	22:30	21:00	01:00	
<b>Seasonal Variations/ Non-standard timings:</b>	<b>Current:</b> Sundays before Bank Holidays: 21:00 to 00:00.			<b>Proposed:</b> Sundays before Bank Holidays: 21:00 to 03:30. On the morning that GMT changes to British Summer Time one hour will be added to the terminal hour of any activities and to the closing time for the premises where the existing terminal hour for the activities and/or closing hour for the premises ends after 01:00.	

**Playing of Recorded music**

	Current Hours		Proposed Hours		Licensable Area
	Start:	End:	Start:	End:	
<b>Monday</b>	21:00	23:30	21:00	03:30	No change
<b>Tuesday</b>	21:00	23:30	21:00	03:30	
<b>Wednesday</b>	21:00	23:30	21:00	03:30	
<b>Thursday</b>	21:00	23:30	21:00	03:30	
<b>Friday</b>	21:00	00:00	21:00	03:30	
<b>Saturday</b>	21:00	00:00	21:00	03:30	
<b>Sunday</b>	21:00	22:30	21:00	01:00	
<b>Seasonal variations/ Non-standard timings:</b>	<b>Current:</b> Sundays before Bank Holidays: 21:00 to 00:00.			<b>Proposed:</b> Sundays before Bank Holidays: 21:00 to 03:30. On the morning that GMT changes to British Summer Time one hour will be added to the terminal hour of any activities and to the closing time for the premises where the existing terminal hour for the activities and/or closing hour for the premises ends after 01:00.	

Performances of Dance					
	Current Hours		Proposed Hours		Licensable Area
	Start:	End:	Start:	End:	
Monday	21:00	23:30	21:00	03:30	No change
Tuesday	21:00	23:30	21:00	03:30	
Wednesday	21:00	23:30	21:00	03:30	
Thursday	21:00	23:30	21:00	03:30	
Friday	21:00	00:00	21:00	03:30	
Saturday	21:00	00:00	21:00	03:30	
Sunday	21:00	22:30	21:00	01:00	
<b>Seasonal variations/ Non-standard timings:</b>	<b>Current:</b>			<b>Proposed:</b>	
	Sundays before Bank Holidays: 21:00 to 00:00.			Sundays before Bank Holidays: 21:00 to 03:30. On the morning that GMT changes to British Summer Time one hour will be added to the terminal hour of any activities and to the closing time for the premises where the existing terminal hour for the activities and/or closing hour for the premises ends after 01:00.	

Anything of a similar description to that falling within (e), (f) or (g)					
	Current Hours		Proposed Hours		Licensable Area
	Start:	End:	Start:	End:	
Monday	21:00	23:30	21:00	03:30	No change
Tuesday	21:00	23:30	21:00	03:30	
Wednesday	21:00	23:30	21:00	03:30	
Thursday	21:00	23:30	21:00	03:30	
Friday	21:00	00:00	21:00	03:30	
Saturday	21:00	00:00	21:00	03:30	
Sunday	21:00	22:30	21:00	01:00	
<b>Seasonal variations/ Non-standard timings:</b>	<b>Current:</b>			<b>Proposed:</b>	
	Sundays before Bank Holidays: 21:00 to 00:00.			Sundays before Bank Holidays: 21:00 to 03:30. On the morning that GMT changes to British Summer Time one hour will be added to the terminal hour of any activities and to the closing time for the premises where the existing terminal hour for the activities and/or closing hour for the premises ends after 01:00.	

<b>Late Night Refreshment</b>					
	<b>Current Hours</b>		<b>Proposed Hours</b>		<b>Licensable Area</b>
	<b>Start:</b>	<b>End:</b>	<b>Start:</b>	<b>End:</b>	
<b>Monday</b>	23:00	03:30	No change		No change
<b>Tuesday</b>	23:00	03:30			
<b>Wednesday</b>	23:00	03:30			
<b>Thursday</b>	23:00	03:30			
<b>Friday</b>	23:00	03:30			
<b>Saturday</b>	23:00	03:30			
<b>Sunday</b>	23:00	01:00			
<b>Seasonal variations/ Non-standard timings:</b>	<b>Current:</b>			<b>Proposed:</b>	
	New Year's Eve: 23:00 to 05:00.			No change	

<b>Sale by Retail of Alcohol</b>					
	<b>Current Hours</b>		<b>Proposed Hours</b>		<b>Licensable Area</b>
	<b>Start:</b>	<b>End:</b>	<b>Start:</b>	<b>End:</b>	
<b>Monday</b>	10:00	02:30	No change		No change
<b>Tuesday</b>	10:00	02:30			
<b>Wednesday</b>	10:00	02:30			
<b>Thursday</b>	10:00	02:30			
<b>Friday</b>	10:00	02:30			
<b>Saturday</b>	10:00	02:30			
<b>Sunday</b>	10:00	01:00			
<b>Seasonal variations/ Non-standard timings:</b>	<b>Current:</b>			<b>Proposed:</b>	
	From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.			No change	

Hours premises are open to the public					
	Current Hours		Proposed Hours		Premises Area
	Start:	End:	Start:	End:	
<b>Monday</b>	09:00	04:00	No change		No change
<b>Tuesday</b>	09:00	04:00			
<b>Wednesday</b>	09:00	04:00			
<b>Thursday</b>	09:00	04:00			
<b>Friday</b>	09:00	04:00			
<b>Saturday</b>	09:00	04:00			
<b>Sunday</b>	09:00	01:00			
<b>Seasonal variations/ Non-standard timings:</b>	<b>Current:</b>			<b>Proposed:</b>	
	New Year's Eve as existing.			On the morning that GMT changes to British Summer Time one hour will be added to the terminal hour of any activities and to the closing time for the premises where the existing terminal hour for the activities and/or closing hour for the premises ends after 01:00. Sundays before bank holidays: 21:00 to 04:00.	

1-D Conditions being deleted	
Condition	
<b>Condition 41</b> Regulated entertainment at the premises shall only be provided ancillary to its use as a restaurant.	<b>Proposed to be deleted</b>
<b>Condition 43</b> Notwithstanding condition 33, alcohol may be supplied and consumed prior to a meal in the designated bar area, by up to a maximum at any one time, of 10 persons dining at the premises.	<b>Proposed to be deleted</b>

1-E Conditions being varied	
Condition	Proposed variation
<b>Condition 12</b> The supply of alcohol shall be by waiter or waitress service only, save for the designated bar area.	<b>Condition 12</b> There will be waiter/waitress service available throughout the entire premises at all times it is trading.
<b>Condition 20</b> No rubbish, including bottles, shall be moved, removed or placed in outside areas between 23:00 to 08:00.	<b>Condition 20</b> No rubbish, including bottles, shall be moved, removed or place in outside areas between 23:00 to 06:00 or as in compliance with Westminster City

	Council's own waste contractor collection hours.
<b>Condition 33</b> The premises shall only operate as a restaurant:-	<b>Condition 33</b> In the area cross hatched on the plans, the premises shall only operate as a restaurant:-
<b>Condition 34</b> The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.	<b>Condition 34</b> The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised office throughout the entire 31 day period.
<b>Condition 36</b> An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following: (a) all ejections of patrons (b) any faults in the CCTV system (c) any refusal of the sale of alcohol (d) any visit by a relevant authority or emergency service.	<b>Condition 36</b> An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following: (a) all crimes reported to the venue (b) all ejections of patrons (c) any complaints received concerning crime and disorder (d) any incidents of disorder (e) all seizures of drugs or offensive weapons (f) any faults in the CCTV system, searching equipment or scanning equipment (g) any refusal of the sale of alcohol (h) any visit by a relevant authority or emergency service'
<b>Condition 48</b> a) After 1am on the days following Monday to Saturday only i) members and up to 2 bona fide guests of the premises as detailed in b) to f) below and/or (ii) up to 5 bona fide guests of the proprietor shall be permitted on the premises...	<b>Condition 48</b> a) After 00:30 on the days following Monday to Saturday only i) members and up to 2 bona fide guests of the premises as detailed in b) to f) below and/or (ii) up to 5 bona fide guests of the proprietor shall be permitted on the premises...

<b>1-F Conditions being added</b>	
<b>Condition</b>	
A minimum number of 30 seats shall be maintained in the basement area at all times of operation.	
The retail sale of alcohol shall be ancillary to the provision of regulated entertainment and/or substantial refreshment.	
One the morning that Greenwich Mean Time changes to British Summer Time one hour will be added to the terminal hour of any activities and to the closing time for the premises where the existing terminal hour for the activities and/or closing hour for the premises ends after 01:00.	

## 2. Representations

<b>2-A</b>	
<b>Responsible Authority:</b>	Environmental Health
<b>Representative:</b>	Mr Anil Drayan
<b>Received:</b>	16 <sup>th</sup> August 2017
<p>The applicant is seeking the following:</p> <ol style="list-style-type: none"> <li>1) To extend the terminal hour for existing regulated entertainment (the performance of dance, live music, recorded music, anything similar) to 03.30 Mon-Sat and Sun before bank holidays, and 01.00 Sun</li> <li>2) Delete conditions 41, 43 of the premises licence</li> <li>3) Vary condition 12 to read "There will be waiter/waitress service available throughout the entire premises at all times it is trading"</li> <li>4) Vary condition 20 to read "No rubbish, including bottles, shall be moved, removed or placed in outside areas between 2300 hours and 0600 hours or as in compliance with Westminster City Council's own waste contractor collection hours"</li> <li>5) Vary condition 33 so that the first sentence reads: "In the area cross hatched on the plans, the premises shall only operate as a restaurant:- ..."</li> <li>6) Update condition 34 to model condition "The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered</li> </ol>	

enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period."

- 7) Update condition 36 to model condition: "An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:
  - (a) all crimes reported to the venue
  - (b) all ejections of patrons
  - (c) any complaints received concerning crime and disorder
  - (d) any incidents of disorder
  - (e) all seizures of drugs or offensive weapons
  - (f) any faults in the CCTV system, searching equipment or scanning equipment
  - (g) any refusal of the sale of alcohol
  - (h) any visit by a relevant authority or emergency service."
- 8) Vary condition 48 so that the first sentence reads: "After 00:30 on the days following Monday to Saturday only ..."
- 9) Add new conditions as follows:
  - a) A minimum number of 30 seats shall be maintained in the basement area at all times of operation.
  - b) The retail sale of alcohol shall be ancillary to the provision of regulated entertainment and/or substantial refreshment
  - c) On the morning that Greenwich Mean Time changes to British Summer Time one hour will be added to the terminal hour of any activities and to the closing time for the premises where the existing terminal hour for the activities and/or closing hour for the premises ends after 01.00.
- 10) Replace the plan at Annex 4 to reflect the new hatching on the proposed conditions (no change in layout)

**I wish to make the following representations, numbered as above, based on the plans submitted and the supporting operating schedule:**

1. The proposed extension in the terminal hour for the regulated entertainments may lead to an increase in Public Nuisance in the West End Cumulative Impact Area.
2. The deletions of conditions 41 and 43 may lead to an increase in Public Nuisance in the West End Cumulative Impact Area.
3. No representation made
4. No representation made
5. The proposed variation of condition 33 may lead to an increase in Public



Nuisance in the West End Cumulative Impact Area.

6. No representation made
7. No representation made
8. No representation made
9. Representation raised to new condition 9 b) as this may lead to an increase in Public Nuisance in the West End Cumulative Impact Area.
10. The licensable activities as shown on the re-notated new plan may lead to an increase in Public Nuisance in the West End Cumulative Impact Area and may impact on Public Safety.

The overall effect of the variation appears to be change the operational nature of the premises so that it is regulated entertainment led rather than operating as a restaurant. This is likely to be contrary to Westminster's Statement of Licensing Policy with regards to licensable activities in Cumulative Impact Areas

Environmental Health has concerns that the premises will also therefore need to be assessed for Public Safety in line with the District Surveyor's Technical Standards for Places of Entertainment.

The applicant is requested to contact the undersigned to arrange a site visit after which additional conditions may be proposed.

<b>Responsible Authority:</b>	Metropolitan Police
<b>Representative:</b>	PC Reaz Guerra
<b>Received:</b>	2 <sup>nd</sup> August 2017

I am writing to inform you that the Metropolitan Police, as a Responsible Authority, will be objecting to this application as it is our belief that if granted the application would undermine the Licensing Objectives.  
The venue is situated in the West End Cumulative Impact Area, a locality where there is traditionally high crime and disorder. We have concerns that this application will cause further policing problems in an already demanding area.

An officer from this unit will be in contact with you shortly to discuss the application. However it is for the applicant to prove that this application will not add to the cumulative impact problems already experienced in this area.

It is for these reasons that we are objecting to the application.

<b>Responsible Authority:</b>	Licensing Authority
<b>Representative:</b>	Mr David Sycamore
<b>Received:</b>	15 <sup>th</sup> August 2017

I write in relation to the application submitted for a Premises Licence for the following premises Unit 4 - Happy Bar And Grill, 13 Coventry Street.

As a responsible authority under section 13 (4) of the Licensing Act 2003 as amended

under the Police and Social Responsibility Act 2011 the Licensing Authority have considered your application in full. The Licensing Authority has concerns in relation to this application and how the premises would promote the Licensing Objectives:

- Public Nuisance
- Prevention of Crime & Disorder
- Public Safety

The premises is located within the West End Cumulative Impact and as such a number of policy points must be considered.

The application seeks to allow the premises to operate regulated entertainment without being ancillary to food. It is the authorities opinion that this would undermine the licensing objectives. It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas, other than applications to vary hours within the Core Hours, under Policy HRS1 for premises with live and recorded music and the provision of dance MD2 and PB2. These hours sought go far beyond the core hours and are in an area saturated with late night venues, we would be concerned this premises would then lead to additional people coming into the cumulative impact and contributing to it.

We look forward to receiving additional documentation relating to our points raised above. We would expect to see written explanation as to the rationale for amending and removing conditions and the impact they will have.

Please accept this as a formal objection.

## 2-B Other Persons

**Received:** 10<sup>th</sup> August 2017

I write to make a relevant representation to the above application on behalf of The Soho Society.

The Soho Society objects to this application as it is currently presented, on the grounds of prevention of public nuisance, prevention of crime and disorder and cumulative impact in the West End Cumulative Impact Area.

### About The Soho Society

The Soho Society is a charitable company limited by guarantee established in 1972. The society is a recognised amenity group and was formed to make Soho a better place to live, work or visit by preserving and enhancing the area's existing diversity of character and uses, and by improving its facilities, amenities and environment. In particular, the society supports the Westminster City Council's policies, including the cumulative impact policy, as set out in the Statement of Licensing Policy 2016.

### Application summary

The application seeks to vary opening hours, stipulated operating conditions, etc. We note that it requests the deletion of conditions 41 and 43, which specify that (i)"Regulated entertainment at the premises shall only be provided ancillary to its use as

a restaurant” and (ii) a maximum of ten persons may purchase and consume alcohol prior to meals in the bar area. Therefore we assume the applicant wishes to change the nature of the premises from what has primarily been a restaurant to a more alcohol-led entertainment venue.

### Hours of operation

The applicant wishes to extend operating hours until 3.30am Monday-Saturday and Sunday prior to Bank Holidays, and until 1.00 am on Sundays. This directly contravenes Council policy. Soho remains a densely populated residential area and these premises are situated in the heart of the West End Cumulative Impact Area just around the corner from Old Compton Street, which, in terms of licensed premises, is quite likely the most saturated street in the West End. Old Compton Street contains many private residences along both sides, as does Frith Street and the other nearby streets that feed into Old Compton Street. All residents in the surrounding area are subject to noise and general nuisance every night of the week.

### Licensing policy

This area has been identified by the Westminster City Council (2.4.1 of the Statement of Licensing Policy, as amended) as under stress because the cumulative effect of the concentration of late night and drink led premises and night cafes has led to serious problems of disorder and/or public nuisance affecting residents, visitors and other businesses.

The policies in relation to the stress areas are directed at the global and cumulative effects of licences on the area as a whole (2.4.5 of the policy). The policies are intended to be strict and will only be overridden in genuinely exceptional circumstances (2.4.2 of the policy). The growth in the entertainment industry in Soho has led to a marked deterioration in the quality of life and well-being of local residents and it has jeopardised the sustainability of the community. Soho has a substantial residential community and many of these residents suffer from problems such as, but not limited to, high levels of noise nuisance, problems with waste, urinating and defecating in the streets, threats to public safety, anti-social behaviour, crime and disorder and the change in character of historic areas. For the reasons I have set out, we believe that the application, if granted in its present form, would fail to promote the licensing objectives of prevention of public nuisance, prevention of crime and disorder, and cumulative impact in the West End Cumulative Impact Area. I respectfully urge the Licensing Sub-Committee to reject this application.

Please let me know if any proposals are made to amend the application; particularly in respect of the hours sought or any further conditions proposed.

<b>Received:</b>	5 <sup>th</sup> August 2017
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The amenity of neighbours, not least in the impact of noise upon residents in Soho, is significant and needs to be considered. Any extension to performance hours (see page 2 variation note 1 (and consequently arrival and departure hours of customers)) will likely lead to more noise disturbances.

Any potential increase in public nuisance issues also needs to be assessed by Westminster Council and considered in terms of the amenity of neighbours.

<b>Received:</b>	15 <sup>th</sup> August 2017
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I would like to object to the proposed variations, as they tend to suggest that the premises will become more of an alcohol led venue. Also the hours are outside the recommended hours within Westminster's policy. This is an area where there many licensed premises and is in an area where there is a high level of crime in comparison to other areas of Westminster. It also has a large residential population. Lastly, when people vacate premises, with the best will in the world, a licence holder is unable to control levels of noise in the streets. I therefore request that this application be refused.

**Received:** 5<sup>th</sup> August 2017

I am a manager at the Sunset Strip on Dean Street and would like to offer my support to the variation application submitted by Muse. We are one street along from Muse and know the operators well. The operators are part of the Soho Village Community. I do not believe that there is anything in the Variation application that would be detrimental to the four Licensing objectives. Muse is well known as a well run premises integral to the LGBTQ scene in Soho. I visited the Premises in my previous occupation as a Westminster City Council Licensing Inspector.

**Received:** 16<sup>th</sup> August 2017

I write in support of the application for Major Variation of Premises License at the above named venue.

I have frequented Muse Soho for many years since performing at the venue and also socialising there! It is very popular for members of the LGBTQ community. When Tara informed me of her intention to apply for this variation, I instantly wanted to show support towards the application.

I have lived, socialised and worked in Soho for years and up until Muse opened there was a huge gap in the market for this type of venue. Now when I visit London, Muse is my first port of call and I genuinely wouldn't go to any other venue apart from this one.

For me Muse is not just an incredible platform for an artist, it's also like visiting family and you will be surprised how important that is to people. I've never experienced a venue where the owner can make you feel so at home. One of the many reasons of why I love this venue is that it caters to all. It's so refreshing to see people of all diversities being able to express themselves without judgement.

Muse is an incredible venue, I am extremely excited to see what come's next!

I really hope you consider her application because it will change peoples lives and give them a greater sense of security.

**Received:** 16<sup>th</sup> August 2017

I am writing in support of the application for Major Variation of Premises License at the above named venue.

I have worked in and with many venues in Soho both as a journalist and a bartender, including in Muse with Tara Sirrell. Not only has this been one of my most favourable jobs but also one of the most important. I first hand witnessed the importance of Muse in the LGBTQ community, particularly to the lesbian scene. Muse is not only a safe haven for many women in London who are able to come and be themselves without prejudice but also has diversified the LGBTQ community in Soho in a way which I have not ever seen before. This is all thanks to the management of the venue and Tara's zero tolerance toward any behaviour or activity which could endanger or cause discomfort to any of the patrons.

As a person of colour and someone who identifies as a lesbian, I cannot begin to express just how important Muse is, not only to women who identify as queer, but also to those who identify as trans/intersex and anyone who would not fully feel as welcome in other venues. It is perhaps surprising to some that Muse is one of a kind in the sense that staff and management are pro diversity and safety with a 'anyone and everyone is welcome' stance. However, this is the reality and you would just have to take a few minutes speaking to any of the customers to see how much this rings true.

I speak on behalf of many when I say a place as special as this must not only be protected but should also be supported and aided in prospering in any way possible. The requirement of substantial food at all times currently limits the venue from doing so. Please consider mine and many others support for the application for Major Variation of the Premises License and grant it your consent.

**Received:** 7<sup>th</sup> August 2017

My name is Latoya Buthlezi, my stage name is Toya Delazy. I write this letter in support of Muse soho which is seeking to get a entertainment license. In light of the fact that there aren't many female empowering venues of this nature in London, that focus on developing and exposing the female arts scene and offer a platform for artists like myself. Muse Soho will give a platform for many talented female artists in the LGBT that are often overlooked and they would have the opportunity to perform in a venue with great quality and reception, giving artists the chance to create a fan base and further develop their careers. I am a hard working artist and wouldn't support this initiative if it was mediocre, I have attached my artist biography with my recent achievements as support.

Muse is a game changing venue which treats artists with lots of care and aims to amplify the female arts, therefore has my full support.

**Received:** 12<sup>th</sup> August 2017

As a lesbian music enthusiast, I am writing you this letter in support of Muse Soho's application for a major variation to convert the venue into a full live performance venue and to get permission for an area to not be subject to restaurant requirements.

I have lived in London for over 3 years and can attest to the fact that Muse is one of the only venues in the UK fully dedicated to the lesbian community, offering music, drinks and food in a safe environment and is very dear to us in the lesbian community. Tara (managing director) has done an exceptional work, bringing international lesbian artists to London (Toya Delazy, Cristina Novelli, Sade Giliberti, Ziggy, etc...) through various

great promoters. She has invested a lot of time and funds into developing the lesbian music industry, which lacks visibility in the mainstream media and in the mainstream live circuit. Muse offers a great platform for upcoming lesbian musicians to present their work and get a chance to get global recognition. I sincerely support Muse's application.

**Received**

16<sup>th</sup> August 2017

I hereby, Mehdi Remadi, occupier of the first floor of the building incorporating Muse Soho (Flat 1A, 23 Frith Street, London W1D 4RR), confirm my support to Muse Soho in regards to the major variation to be brought.

My support is based on the following observations:

1. Muse Soho, its manager and the whole staff have always been respectful to the building's inhabitants, as far as I am concerned.
2. The staff in charge of the door's security has acted professionally at all times and never jeopardised the security of the building.
3. No particular issue has been raised so far.

**Received**

16<sup>th</sup> August 2017

I write in support of the application for Major Variation of Premises License at the above named venue.

I have known the operator, Tara Sirrell, for many years, having worked and socialised with her since she first came to the United Kingdom. Tara had informed me of her intention to apply for said variation to which I offered to support the application in writing to yourselves.

I have worked and socialised in Soho for many years. I know the area well and the issues it faces in terms of the promotion of the licensing objectives.

Tara is a well-established and professional operator, having managed several venues in London. Muse Sohos primary concerns have always been the lawful operation of the venue, the safety of the patrons within it, and the positive view of the venue from its neighbours and the public.

I know Tara to be well-versed in licensing and health and safety legislation and have witnessed, and discussed with her, many times, her zero-tolerance for anti-social or unlawful behaviour (including that of SIA-licensed door staff or venue staff). Muse has always sought, not just to abide by the licensing objectives, but to actively promote them as a key to running a successful establishment. I also understand, however, that Muse Soho has difficulty with the service it is currently permitted to offer in relation to the service requested of them by the groups that use the venue.

Muse Soho currently provides a much needed respite for the many (mostly female) gay persons and transgender persons, or persons whom may identify as "intersex" or "queer". The venue does, in effect, provide a haven, tucked away peacefully, without ostentation, for every letter of "LGBTQI" – somewhat unique in Westminster. The trans-community and other communities who identify in their own way with regards to their gender- and sexual-identity do not have the luxury of the haven so-called gay bars provide for their gay clientele.

I have experience with trans, queer and intersex persons, and, in listening to their stories, understand that many of them still feel uncomfortable in the gay bars of London.

Further, I have witnessed, myself, the prejudice and discrimination such persons can experience when trying to socialise in some venues in the city. Options are unreasonably limited. Whereas we can and must try to change a person's prejudice, we ought, at the same time, to show support and provide further options for those suffering it.

Further options, in terms of the "TQI" groups, may be provided, by yourselves, in the granting of this application for Major Variation of the Premises License at Muse Soho. The application to vary the license in order that hours may be extended on a permanent basis, and not solely with the exhaustible provision of a Temporary Events Notice, and that the requirement for substantial food not to be necessary in all circumstances but be readily on offer, will allow the venue to develop to offer a more suited place to socialise, currently afforded to all other groups of society within Westminster.

Given the professional nature of the operation and the morally-praiseworthy purpose behind it, and given the good character and intent of the person charged with its continued adherence to, and promotion of, the 4 licensing objectives, I have no hesitation in voicing my support for the application for Major Variation of the Premises License and, humbly, ask you to consider it carefully and award it your consent.

<b>Received:</b>	16 <sup>th</sup> August 2017
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I am writing in support of the above application.

I understand that *Muse Soho* have applied to have their licence varied to enable live entertainment until 0330hrs Monday to Saturday and for the current food conditions to be relaxed.

I and my partner operate a social gathering for transsexual ("TS") persons and transgender ("TG") persons to meet and socialise with other TS and TG persons and their friends, and other open-minded and accepting persons, in a safe and friendly environment.

*Muse Soho* is arguably one-of-a kind in Westminster. It is popular with both the TS and TG communities because there simply aren't any other venues providing such an environment in the City.

Unfortunately, and to the shame of the City, the restriction that we all must consume food if we wish to use the venue has meant that we cannot utilise the space as much as we would like.

To our advantage the operator, Tara Sirrell, has afforded us the use of the few Temporary Events Notices (TEN's) available to the premises per year. These TEN's allow us to provide entertainment by way of music and dancing for our TS and TG guests until 0300hrs.

*Muse Soho* gives our communities somewhere to go, safe in the knowledge that we are catered for and, most importantly, kept safe and looked after. The TEN's, whilst allowing our guests to not have to consume food to use the premises for this purpose, are very limited in number. Our communities can no longer understand why the venue that caters for us so well is restricted in what it can offer us, whereas other venues which do not cater for our needs are free from such restrictions. Essentially, we only want equality of opportunity to access entertainment. We only want equality of choice.

It is vital that the TS and TG communities have a safe space to express themselves without fear of intimidation or violence, something that both communities face on any occasion venturing into non-TS and -TG venues. All persons should be free to express themselves through dancing and socialising in licensed premises without fearing if they will make it through the evening free of being harassed or, worse, attacked. Such incidents are well documented in the press over the years.

*Muse Soho* provides a safe space for our communities. And it provides it well.

On behalf of the TS and TG communities of London, we support this application in the strongest of terms, and, we ask, by approving the application, that the City shows our communities its support in return, reminding everybody that the City is, indeed, for everybody.

<b>Received:</b>	16 <sup>th</sup> August 2017
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I'd like to show my support to LGBTQ-friendly establishment *Muse Soho*, based at 23 Frith Street, W1D 4RR, London, UK.

The purpose of this reference is the promotion of the four licensing objectives: prevention of crime and disorder, prevention of public nuisance, public safety and protection of children.

Prevention of crime and disorder: *Muse Soho* is a safe environment for LGBTQ individuals and their supporters and friends, there are always security guards for any major event or on any busy night.

Prevention of public nuisance: any cases of anti-social behaviour are not tolerated by the employees of the venue and are dealt with accordingly by the security.

Public safety: the venue has proven to be a safe environment over the past couple of years, the security guards are always in place for any busy period of time the venue is operating.

Protection of children: the venue implements legal age restrictions due to the nature of the business and strictly abides the law in that perspective. Proof of age/ID is required. I used to reside in Soho from August 2013 to September 2015 at 55 Rupert Street, W1D 4PJ. I've been a regular client of the venue since April 2015.

I am confident that the venue causes no noise disturbance due to its location in the basement, with a busy 24-hr restaurant *Balans* above it.

The staff has always been very responsible and considerate to the clientele. I have witnessed no major anti-social behaviour, and all minor issues have always been dealt in a considerate manner by the security.

The brand started off as a LGBTQ venue focusing on the lesbian scene but since then expanded to encompass queer and trans communities. It has become one of the key venues for these people to congregate and socialise.

I understand the application, have no concerns with it and support it. The application can be summarised as the extension of hours for entertainment, further restriction of



membership, permission for the premises not to be subjected to restaurant requirements although food will still be featured heavily in the venues menu.

There are sufficient conditions, controls and policies in place to promote the licensing objectives.

Due to gentrification of the area and London in general the community is losing many of the prominent LGBTQ-friendly venues. Consequently this process creates a shortage of places where people can go out without the fear for their safety and without being judged for being gay.

Muse Soho has provided a safe environment where people can have a good quality time without any fear of self-expression when it comes to their sexuality and gender.

<b>Received:</b>	9 <sup>th</sup> August 2017
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Please accept my letter of support regarding the application for Major Variation on the Premises License owned by Muse. I understand the application and have no concerns with it and support the extension of hours for entertainment, further restricting membership, permission for an area to not be subject to restaurant requirements although food will still feature heavily. The successful use of the TENs has proved to me that Muse is ready for the extension requested in this application. Granting the extension would provide the wider community with safe space with reasonable trading hours.

I host a Pop Up party night called POUT at Muse and have done so since its inception. POUT operates at Muse bi-monthly and has been creating parties for the lesbian community, in previous venues, since 2009. Aside from POUT, I have worked in the Entertainments and Hospitality Industry since 1988. During that time I was a Licensee in the Borough of Wandsworth, Camden, Westminster and Lambeth. Although I am no longer a Licensee I keep myself abreast on Licensing issues and I will only work with venues who prove to be compliant with the Licensing laws.

My POUT clientele are mainly mature, Lesbians who have careers, professions and families. My customers are comfortable with the gay scene and just want to dance to good music. The music genre at POUT is Pop, Disco, Motown, 80s and Funk. My clientele are women who enjoy safe spaces, who promote a strong community spirit and are intolerant of bad behaviour.

The team at Muse have consistently demonstrated a duty of care to my customers and the general public by ensuring that individuals are not exposed to crime and disorder. Muse operate a strict door policy so no unsuitable individuals are allowed entry. This makes for a positive POUT experience and adds to the healthy reputation Muse has. The bar staff at Muse are attentive, friendly and efficient in their roles; these attributes makes it easy to deal with issues before they become incidences.

The Muse team are very proactive in ensuring that customers leave their premises in a reasonable condition so as to not cause any public nuisance. Muse does this by providing free drinking water, we mellow the music towards the end of my night and Muse has a substantial food menu. My customers are also considerate and mindful of the noise they may generate when leaving Muse.

The average age of the POUT crowd is 38 and if any individual looks under the age of

18 then ID is required; no ID equals no entry. IDs are checked by the door security and again by my door host. This means that we don't have children at our events. The Muse team, the door security company and I work as a one unit. I find that this enhances the safety of my customers, the general public, the staff and it is also good for the Muse business.

Muse management conducts a brief at the beginning of the evening with myself and a debrief at the end of my event. All successes and learning curves are explored then.

Since Muse opened its doors the LGBTQ+ community has benefited by having a safe space that gives them the security to express their sexuality and be themselves. Homophobic hate crime is on the increase making it imperative that we have venues like Muse, providing a safe space for gay women to socialise, enjoy food and have a dance.

<b>Received:</b>	27 <sup>th</sup> August 2017
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I am writing in support of the above application.

It has come to my attention Muse Soho have applied to have their license varied to enable live music and entertainment until 03:30, Monday to Saturday and for the current food conditions to be relaxed.

As well as being a long standing member of the London LGBT+ community, I'm one of the senior organisers of Pride in London, the capitals LGBT+ festival. I also write for Gay Times Magazine the UK's leading gay publication, as well as serving as Vice President of Impulse London, a gay men's sexual health and wellbeing charity.

I have worked with Muse Soho many times over the last couple of years. At Pride in London we have used the venue to hold audition heats for our community talent competition Pride's Got Talent, as well as my annual World AIDS Day event.

We couldn't have asked for a more attentive, professional and welcoming venue. Allowing us to use the space for charity and community activities as well it being a constant safe space for us to meet as and when needed.

It's no secret the LGBT+ community has lost a large amount of venues in recent years. Dozens of spaces have been lost and the impact it has had on our community has rippled through London.

It's incredibly important for venues like Muse to stay open. Homophobic hate crimes have seen a 147% rise from June last year, putting our community in a very vulnerable position.

With so many venues being closed (for lots of reasons). It's important that our existing spaces continue to be sustainable in order to survive.

Muse is more than just a bar, it's a safe space used by people who don't always feel safe visiting other venues, even on the LGBT+ scene, making it quite unique.

The current restrictions for guests having to consume food for them to stay open restricts what kind of events the space can offer. With more freedom the venue would be able to continue the good work they have already done, using the space to keep our

community safe, happy and more importantly catering for people otherwise under-represented.

Muse Soho has an exemplary track record since opening five years ago, and I have no doubt they will be a part of Soho for a long time to come.

On behalf of Pride in London, Gay Times Magazine and Impulse London, we offer our full support and backing for the proposed application.

**Received:** 8<sup>th</sup> August 2017

I write in support of the application to vary Muse Sohos licence. I understand that Muse Soho is applying for an extension of hours for entertainment, further restricting membership and are also asking permission for an area to not be subject to restaurant requirements.

I need to stress that both of these factors are currently prohibiting the LGBTQ community from fully utilising the venue. The expectation that every individual must eat a full menu in order to socialise with other likeminded people is extremely restrictive. Given the lack of said venues in the Westminster area this is a great shame.

I have hosted various social events at Muse Soho the first being the after party of my book release talk, Be Yourself **Everyone** Else Is Taken, at the Victoria and Albert Museum. Muse Soho was the perfect venue to host this party as they are a safe space for Queer people where people are not only not judged by their sexuality or gender but celebrated for this. Where people are celebrated for their uniqueness and can do so in a safe environment.

There is a serious lack of venues promoting inclusion within Westminster and it is my belief that venues such as Muse Soho should be supported and encouraged to grow so that the community can engage in them more often. So many West End venues have shut down over the past two years. Muse Soho has survived the current climate and it is important that it continues to do so. It is important for the community that the authorities support the growth of this venue. This venue which means so much to our community. This venue that operates in a safe manner that has a high standing with authorities and its neighbors.

**Received:** 16<sup>th</sup> August 2017

I am writing this letter in support of Muse Soho I Joined Muse Soho 2 years ago I am bartender I meet lots of customers who frequent this wonderful place I meet people from different back ground, different sexuality, and different gender.

I enjoy talking to my customers everybody always telling me how wonderful muse is and if this place was not here we would not have any place to go and enjoy socialising often people tells me how safe they feel here many tells me horrible stories they been attacked just because they look's different then these people are they say Muse Soho has always been a place where all people are welcome.

Also customers complaining saying we like to come out and meet likeminded people and have a drink but we can't as we must have a meal which not always possible this I hear from many people I have seen this first hand as I work there I have to tell the customers they must have full meal otherwise they can't have drink these are LGBTQ community people they tells me we have no other place to go to seems like we have to

go back home. It has been known to be a thriving place for the LGBTQ community, however as mentioned before, it is open for all.

Muse Soho is a much-needed venue more now than ever for the LGBTQ Community. It is important that individuals have a safe place to enjoy themselves and meet likeminded people. There aren't enough options for individuals identifying with a different sexuality to enjoy themselves without the fear of being discriminated against. Muse Soho is a fun safe place to visit with friends.

### 3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:

Policy CIA1 applies:	<p>(i) It is the Licensing Authoritys policy to refuse applications in the Cumulative Impact Areas for: pubs and bars, fast food premises, and premises offering facilities for music and dancing; other than applications to vary hours within the Core Hours under Policy HRS1.</p> <p>(ii) Applications for other licensable activities in the Cumulative Impact Areas will be subject to other policies, and must demonstrate that they will not add to cumulative impact in the Cumulative Impact Areas.</p>
Policy FFP2 applies:	It is the Licensing Authoritys policy to refuse applications in the Cumulative Impact Areas, other than applications to vary hours within the Core Hours under Policy HRS1.
Policy HRS1 applies:	<p>(i) Applications for hours within the core hours set out below in this policy will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy.</p> <p>(ii) Applications for hours outside the core hours set out below in this policy will be considered on their merits, subject to other relevant policies.</p>
Policy MD2 applies:	It is the Licensing Authoritys policy to refuse applications in the Cumulative Impact Areas, other than applications to vary hours within the Core Hours, under Policy HRS1.
Policy PB2 applies:	It is the Licensing Authoritys policy to refuse applications in the Cumulative Impact Areas other than applications to vary hours within the Core Hours under Policy HRS1.

### 4. Appendices

<b>Appendix 1</b>	Applicant supporting documents
<b>Appendix 2</b>	Premises history
<b>Appendix 3</b>	Environmental Health Service Memorandum
<b>Appendix 4</b>	Proposed conditions

<b>Appendix 5</b>	Human Rights Act and Equality Implications
<b>Appendix 6</b>	Residential map and list of premises in the vicinity

<b>Report author:</b>	Miss Daisy Gadd Senior Licensing Officer
<b>Contact:</b>	Telephone: 020 7641 2737 Email: dgadd@westminster.gov.uk

**If you have any queries about this report or wish to inspect one of the background papers please contact the report author.**

**Background Documents – Local Government (Access to Information) Act 1972**

<b>1</b>	Licensing Act 2003	N/A
<b>2</b>	City of Westminster Statement of Licensing Policy	7 <sup>th</sup> January 2016
<b>3</b>	Amended Guidance issued under section 182 of the Licensing Act 2003	March 2015
<b>4</b>	Representation Metropolitan Police	2 August 2017
<b>5</b>	Representation Environmental Health	16 August 2017
<b>6</b>	Representation Licensing Authority	15 August 2017
<b>7</b>	Representation - resident	5 August 2017
<b>8</b>	Letter of Support	5 August 2017
<b>9</b>	Letter of Support	7 August 2017
<b>10</b>	Letter of Support	8 August 2017
<b>11</b>	Letter of Support	9 August 2017
<b>12</b>	Representation - resident	10 August 2017
<b>13</b>	Letter of Support	12 August 2017
<b>14</b>	Representation- resident	15 August 2017
<b>15</b>	Letter of Support	16 August 2017
<b>16</b>	Letter of Support	16 August 2017
<b>17</b>	Letter of Support	16 August 2017
<b>18</b>	Letter of Support	16 August 2017
<b>19</b>	Letter of Support	16 August 2017
<b>20</b>	Letter of Support	16 August 2017
<b>21</b>	Letter of Support	16 August 2017
<b>22</b>	Letter of Support	27 August 2017

5 September 2017

Dear Sirs,

I am writing in connection with this Application in my capacity as West End Ward Councillor.

I can safely say that I had never heard of these premises up until the current Application, indicating that I have never received any complaints in relation to noise, disturbance or other issues in relation to their operation.

The property sits in between two premises which both hold and operate 24-hour Licences, and the proposal, as I understand it, to extend the hours during which entertainment can take place within the premises, and to vary the Conditions as to the requirement for a full meal would not therefore, in my opinion, adversely affect the amenity of nearby occupiers, nor adversely contribute to the issues of concern under the Licensing Objectives.

Indeed I am led to understand that the nearest residents, those in the property immediately above the premises, have written in support of the Application.

Muse is one of a dwindling number of LGBT venues in Soho which have and continue to form part of its unique character. It is independently operated and, unlike larger venues owned by chains, has a small capacity (60) and particular and positive contribution to the range and variety of venues in Soho.

The premises already enjoys a 4 o'clock terminal hour and as there are no proposed changes to the hours of operation or the capacity I would urge the Committee to grant the Application so as to maintain this operation for its current and future clientèle.

Yours faithfully

COUNCILLOR JONATHAN GLANZ  
Member for West End Ward

## MAYOR OF LONDON

Dear Tara,

**RE: Muse Soho**

**Date:** 14 September 2017

Thank you for speaking with the GLA's Culture at Risk Officer on 17 August to discuss the pressures that Muse Soho is facing, as well as broader issues impacting London's night time economy and culture.

The Mayor has pledged to make safeguarding London's night-time economy and culture a core priority. Protecting LGBT +venues is a key part of this. They contribute to London's economy, generate stronger and more resilient communities and are vital for many people's freedom of expression.

In the capital, our vibrant and diverse night time economy and culture is recognised around the world, attracting domestic and international visitors. It is a key driver of the economic and cultural regeneration of town centres, worth £26.3bn to our economy and employing 700,000 people.

However, this is under threat. London has lost a quarter of its pubs and half of its nightclubs over the last ten years.

An alarming new report published by University College London (UCL) Urban Laboratory<sup>1</sup> shows that London's LGBT+ venues are in crisis, with a 58% loss of spaces in the past decade. In 2006, there were 125 venues in operation, while in 2017 there are just 53.

Despite LGBT+ venues often being thriving and successful businesses, UCL's report finds that they are closing because of external pressures such as large-scale developments.

Muse Soho is a much-loved late-night private members club in the heart of Soho that provides a live entertainment, food and drink offer to the LGBT+ community, with a specific emphasis on women and trans people. The UCL report highlighted that spaces catering to these communities have been disproportionately vulnerable to closure.

The Mayor and I want to ensure that London is a city where minority communities are able to meet and socialise in a safe space, and where their heritage is protected. Many communities have museums to preserve their histories and educate others, like the Jewish Museum in Camden and the Black Cultural Archives in Brixton.

No such museum yet exists for the LGBT +community whose heritage lies in largely informal social settings as opposed to established institutions and archives. In a year where homophobic hate crime in the capital has risen by 12% to over 2,000 incidents it is a matter of urgency that we support the capital's remaining gay venues.

In order to stem closures of LGBT+ spaces the Mayor has instructed me to make protecting LGBT +venues an urgent priority by acting as a mediator between venue owners, and developers and pub companies, and reaching out to venues in trouble to

offer support from City Hall. I have been already working closely with a number of venues and community groups in London.

The Mayor has also pledged to introduce the Agent of Change planning principle in his next London Plan to safeguard London's live music venues, clubs and pubs- including LGBT +venues.

I am encouraging developers, venues, pub companies and others to sign up to new LGBT +Venues Charter (see **Annex A**). This five-point pledge is endorsed by Stonewall, Pride, UK Black Pride and a number of promoters and operators of LGBT +venues.

The Mayor has also recently published 'From Good Night to Great Night', his Vision for London as a 24-Hour City, which can be viewed at: [www.london.gov.uk/21hourvision](http://www.london.gov.uk/21hourvision). It sets out the ten principles that will guide the work of City Hall and focuses on building a night-time culture which serves the needs of all Londoners and visitors to the capital.

I hope a resolution can be found to enable Muse Soho to continue doing excellent work. If I can be of any further help, please do not hesitate to contact me or my team.

Yours sincerely

Amy Lamé  
Night Czar

#### Annex 1 – LGBT+ Venues Charter

1. A visible rainbow flag should be displayed on the outside of the venue
2. The venue should be marketed as an LGBT+ venue
3. The venue will provide a welcoming, accessible and safe environment
4. Management and staff should be LGBT+ friendly
5. Programming should be LGBT+ focused



## Licence &amp; Appeal History

<b>Application</b>	<b>Details of Application</b>	<b>Date Determined</b>	<b>Decision</b>
05/06612/LIPCV	This is a converted licence.	22.09.2005	Granted by Licensing Sub Committee
06/07599/WCCMAP	This is the master copy of the licence.	22.09.2005	Granted by Licensing Sub Committee
13/04709/LIPV	This is an application for a variation: 1. Extend the permitted hours for late night refreshment and the retail sale of alcohol to 1am, 7 days (no change to other regulated entertainment provisions) 2. Add the following condition 'Notwithstanding conditions 11 and 33, alcohol may be supplied and consumed prior to a meal in the designated bar area, by up to a maximum at any one time of 15 persons dining at the premises'. 3. To vary the plans of the premises to show the designated bar area referred to in the above condition.	05.09.2013	Granted by Licensing Sub Committee
14/02842/LIPV	This is an application for a variation: 1) To extend the terminal hour for Sale by Retail of Alcohol from 1 am to 02:30 am Monday to Saturday. 2) To extend the terminal hour for Late Night Refreshment from 1 am to 03:30 am Monday to Saturday. 3) To add conditions as details in the operating schedule. No change on Sundays.	12.06.2014	Granted by Licensing Sub Committee
15/03256/LIPCHT	This is an application for change of trading as name from Labels to Muse Soho.	29.04.2015	Granted under delegated authority.
17/04730/LIPVM	This is an application for a variation: To add the Challenge 25 policy condition to the premises licence as suggested by the Westminster Police Licensing Team.	25.05.2017	Granted under delegated authority.

<b>Application</b>	<b>Details of Application</b>	<b>Date Determined</b>	<b>Decision</b>
13/00418/LITENP	This is an application for a TEN renewal.	28.01.2013	Notice granted
13/00810/LITENP	This is an application for a TEN renewal.	13.02.2013	Refuse licence – Police seek a counter notice
13/02056/LITENP	This is an application for a TEN variation.	01.04.2013	Notice granted
13/02831/LITENP	This is an application for a TEN variation.	08.05.2013	Notice granted
13/03225/LITENP	This is an application for a TEN variation.	28.05.2013	Notice granted
13/03227/LITENP	This is an application for a TEN variation.	28.08.2013	Notice granted
13/03228/LITENP	This is an application for a TEN variation.	09.07.2013	Notice granted
13/03761/LITENP	This is an application for a TEN variation.	17.06.2013	Notice granted
13/07853/LITENP	This is an application for a TEN renewal.	28.10.2013	Notice granted
13/10028/LITENP	This is an application for a TEN renewal.	21.12.2013	Notice granted
14/00856/LITENP	This is an application for a TEN renewal.	17.02.2014	Notice granted
14/01480/LITENP	This is an application for a TEN renewal.	02.03.2014	Notice granted
14/03787/LITENN	This is an application for a TEN renewal.	27.05.2014	Notice granted
14/05452/LITENP	This is an application for a TEN renewal.	28.06.2014	Notice granted

14/05738/LITENP	This is an application for a TEN renewal.	09.07.2014	Notice granted
14/06966/LITENP	This is an application for a TEN renewal.	23.12.2014	Notice granted
14/07961/LITENP	This is an application for a TEN renewal.	29.12.2014	Notice granted
14/09223/LITENP	This is an application for a TEN renewal.	03.11.2014	Notice granted
14/09225/LITENP	This is an application for a TEN renewal.	03.11.2014	Notice granted
14/10197/LITENP	This is an application for a TEN renewal.	12.12.2014	Notice granted
14/10919/LITENP	This is an application for a TEN renewal.	13.12.2014	Notice granted
14/11279/LITENP	This is an application for a TEN renewal.	30.01.2015	Notice granted
15/00125/LITENP	This is an application for a TEN renewal.	30.01.2015	Notice granted
15/00749/LITENP	This is an application for a TEN renewal.	07.07.2015	Notice granted
15/01073/LITENP	This is an application for a TEN renewal.	19.02.2015	Notice granted
15/01867/LITENP	This is an application for a TEN renewal.	02.04.2015	Notice granted
15/02235/LITENP	This is an application for a TEN renewal.	02.04.2015	Notice granted
15/02804/LITENP	This is an application for a TEN variation.	25.04.2015	Notice granted
15/03826/LITENP	This is an application for a TEN variation.	26.05.2015	Notice granted

15/04255/LITENP	This is an application for a TEN variation.	01.10.2015	Notice granted
15/04859/LITENP	This is an application for a TEN variation.	26.02.2016	Notice granted
15/07014/LITENP	This is an application for a TEN variation.	10.12.2015	Notice granted
15/07018/LITENP	This is an application for a TEN variation.	28.08.2015	Notice granted
15/08032/LITENP	This is an application for a TEN variation.	24.09.2015	Notice granted
16/00938/LITENP	This is an application for a TEN renewal.	02.03.2016	Notice granted
16/02113/LITENP	This is an application for a TEN renewal.	03.03.2016	Notice granted
16/04062/LITENP	This is an application for a TEN renewal.	27.05.2016	Notice granted
16/05993/LITENP	This is an application for a TEN renewal.	20.06.2016	Notice granted
16/12685/LITENP	This is an application for a TEN renewal.	09.12.2016	Notice granted
16/13402/LITENP	This is an application for a TEN renewal.	19.12.2016	Granted by Licensing Sub Committee
17/02957/LITENP	This is an application for a new TEN.	24.03.2017	Notice granted
17/02958/LITENP	This is an application for a new TEN.	05.04.2017	Notice granted
17/03095/LITENP	This is an application for a new TEN.	04.04.2017	Notice granted
17/03408/LITENP	This is an application for a new TEN.	03.05.2017	Notice granted

17/03409/LITENP	This is an application for a new TEN.	06.04.2017	Notice granted
17/04216/LITENP	This is an application for a new TEN.	09.05.2017	Notice granted
17/04704/LITENP	This is an application for a new TEN.	15.06.2017	Notice granted
17/05667/LITENP	This is an application for a new TEN.	01.06.2017	Notice granted
17/06131/LITENP	This is an application for a new TEN.	13.06.2017	Notice granted
17/06134/LITENP	This is an application for a new TEN.	13.06.2017	Notice granted
17/06136/LITENP	This is an application for a new TEN.	13.06.2017	Notice granted
17/08393/LITENP	This is an application for a new TEN.	08.08.2017	Notice granted
17/08677/LITENP	This is an application for a new TEN.	22.08.2017	Notice granted

<b>Application</b>	<b>Details of Application</b>	<b>Date Determined</b>	<b>Decision</b>
14/01060/LI178	This is an application for a request for a 178.	04.12.2014	Granted under delegated authority.
15/00133/LI178	This is an application for a request for a 178.	06.01.2015	Granted under delegated authority.
16/04999/LI178	This is an application for a request for a 178.	18.05.2016	Granted under delegated authority.
17/05188/LI178	This is an application for a request for a 178.	11.05.2017	Notice granted

**There is no appeal history.**

**CITY OF WESTMINSTER****MEMORANDUM**


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**TO** Miss Yolanda Wade

**REFERENCE** 17/08037/LIPV

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**FROM** EH Consultation Team, 4<sup>th</sup> Floor, City Hall

**REFERENCE** 17/034820/EHCT

**BEING DEALT WITH BY** Anil Drayan

**TELEPHONE EXT.** 1774

**DATE** 26 September 2017

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**MUSE SOHO, BASEMENT, 23 FRITH STREET, LONDON**

I refer to the application for variation of the Premises Licence, 17/04730/LIPVM, for the above premises and further to my representations dated 16 August 2017.

Following site inspections by Environmental Health and Licensing District Surveyor the proposed variation does not raise Public Nuisance and Public Safety concerns for the changes to licensable activities carried out within the premises. This is for the following principal reasons:

- The layout/construction of the premises and the means of escape provision comply with the safety standards for the proposed capacity and licensable activities.
- There are sufficient controls to prevent noise escape from within the premises. A history check (see below) shows no noise nuisance complaints when regulated entertainment has been provided as currently permitted or during any TENs.

Nevertheless Environmental Health maintains its representations as the variation is contrary to policy as it is likely to add to cumulative impact away from the site. Operating under a membership scheme, however, does provide some mitigation.

**For information** a history check of the Environmental Health database for the premises shows the following 13 relevant entries in the last two years:

**1. Visit at request of EHO to monitor management of outside area**

At the time of arrival, Saturday 26.08.17, 00:20 hrs, the venue was open and apparently trading. The main entrance door to the top of the stairs leading into the venue was open but there was not any music escaping. There were two SIA Door Supervisors on duty at the entrance (one male and one female). They were checking customers as they entered against what appeared to be a guest list. No searches seen to take place at the

entrance. Externally on arrival, there were a couple of people outside smoking and during the observations this number increased slightly to 6 people at one time. The smokers all stood close to the building line and did not obstruct the public footpath. They were quietly smoking and talking with no apparent issues identified. Customers entering and leaving the premises were not permitted to take drinks in or remove them from the premises. Customers using the smoking area left their drinks on a table in the lobby and collected them upon re-entry to the venue. A number of customers were seen to leave the premises but they did so in a quiet manner walking off in different directions. A third SIA Door Supervisor was seen at the venue taking over on the front door. It is not known if he was doing bag searches inside the premises as not visible from the outside.

It should be noted that during the observations there were a large number of motorcyclists parked directly outside the premises who were causing more noise than anyone associated with the venue.

## **2. Visit to premises operating under a temporary events notice.**

On Saturday 01.07.2017, 01:56 hrs; Officers monitored the management of the door due to the premises applying for a variation of their licence to hold similar events. This was discussed with the manager during the visit. No issues were seen, however officers will continue to monitor.

## **3. Commercial Waste**

On Friday 9th June 2017 at 12:37hrs; four bags of commercial waste marked Westminster City Council were found unlawfully deposited on the public highway adjacent to 42 Frith Street W1D 5JN. The waste was found deposited on the public highway outside the scheduled collection time. Upon investigation, evidence was found in the bags which appeared to originate from Muse. All commercial waste must be presented for collection no more than 30 minutes prior to the scheduled collection times and must be collected within that time. The collection times for your waste and further information can be found at [www.westminster.gov.uk](http://www.westminster.gov.uk)

## **4. Commercial Waste**

On Sunday 28th May 2017 at 02:48 hours, 12 black bags containing commercial waste and unrelated green bags and cardboard were found unlawfully deposited on the public highway in Frith Street, London W1 at the side of 25 Old Compton Street, London W1. The waste was not clearly marked as to which waste disposal contractor was collecting it. Upon investigation, evidence was found bag which appeared to originate from Muse Soho 23 Frith Street, London W1D 4RR. All commercial waste must be clearly marked as to which waste disposal contractor is collecting it.

## **5. Visit in relation to licensing conditions**

Sunday 28.05.2017, 01:00hrs; Visit undertaken to ensure licensing conditions are being adhered to. Met with general manager, venue was quiet and no breaches were seen. SIA Door Supervisors on duty in accordance with licence conditions. Discussed with manager the conditions. Venue is seeking advice on the possibility of varying their licence and have so far met with the police and will be using the Council's paid for service for more guidance.

## **6. Commercial Waste**

On Sunday, 30th April 2017 at 08:12 hours, 3 red bags of commercial waste was found unlawfully deposited on the public highway in Frith Street W1 at the side of 25 Old Compton Street London W1D. The waste was found deposited on the public highway outside the scheduled collection time. Upon investigation, evidence was found in one of the bags which appeared to originate from Muse Soho 23 Frith Street, London W1D 4RR.

## **7. Observation whilst routine visit carried out to area by City Inspectors**

Saturday 18.3.17, 0045 hrs; A female was seen acting erratically and aggressive in front of the premise towards patrons of both MUSE and the adjacent premises raising concerns over intoxication and/or drug use. Door staff subsequently allowed the female to return into the premises. The female looked intoxicated resulting in a walk-through of the premises to check general levels of intoxication of patrons, numbers in the venue and door tallies. Door staff confirmed they had assessed the female was known in the venue and they were monitoring her. Door staff maintained constant supervision of the female, and other friends were located in the premise. No other customers seemed to be heavily intoxicated during a walk around the premise. Spoke to the DPS regarding the situation, and she was fully aware of the incident.

Outcome: Referred to the lead officer for the venue to conduct a follow up visit out of core trading hours.

## **8. Commercial Waste**

On Friday, 01 July 2016, 09:29 hours, eight bags of commercial waste were found unlawfully deposited on the public highway outside 40 Old Compton Street, London W1. The waste was found deposited on the public highway outside the scheduled collection time. Upon investigation, evidence was found in of the bags/boxes which appeared to originate from Muse. All commercial waste must be presented for collection no more than 30mins prior to the scheduled collection times and must be collected within two hours.



## **9. Commercial Waste**

On Saturday 7th May 2016 at 09:44 hours, four black bags of commercial waste were found unlawfully deposited on the public highway on Frith Street at the junction with Old Compton Street, London W1. The waste was not clearly marked as to which waste disposal contractor was collecting it. Upon investigation, evidence was found in all four of the bags which appeared to originate from Muse Soho, 23 Frith Street, London W1D 4RR. All commercial waste must be clearly marked as to which waste disposal contractor is collecting it.

## **10. Commercial Waste**

On Sunday, 10th April 2016, 11.13 hours, 8 red bags of commercial waste and five unrelated blue bags were found unlawfully deposited on the public highway in Frith Street W1 at the side of 25 Old Compton Street London W1D 5JN. The waste was found deposited on the public highway outside the scheduled collection time. Upon investigation, evidence was found in two of the bags which appeared to originate from Muse Soho 23 Frith St, London W1D 4RR.

## **11. Commercial Waste**

On Friday 25th March 2016 at 09.58 hours, nine blue bags of commercial waste were found unlawfully deposited on the public highway on the junction of Frith Street and Old Compton Street, London W1. The waste was found deposited on the public highway outside the scheduled collection time. Upon investigation, evidence was found in two of the blue bags which appeared to originate from Muse.

## **12. Visit to premises, now trading as MUSE, as a result of TEN being refused. (16/05483/LITTENP).**

Friday 03.06.16 @ 22:15 hours Request from Team 1 to visit because of refused Temporary Event Notice. Premises had applied for licensable activities to be carried out up to 03:00 hours. Inspectors met with Duty Manager, Mr. Rupert WEBSTER. who confirmed that they had been notified of the refused TEN and would therefore operate until the terminal hours set out in their current premises licence. This would mean the sale of alcohol and late night refreshment would carry on until 02:30 hours with regulated entertainment going until 00:00. Duty Manager stated that DJ would stop at midnight and background ancillary music would be provided until 02:30 hours.

### 13.E-mail complaint/observation from customer - sent: 19 October 2015 22:15

*Hello*

*I would just like to voice some concerns. I was in London recently with my partner for her birthday. We were looking for a suitable venue to get some food and after searching online we came across Muse in Soho. When we entered we were told that food was not being served as it was a club night. I spoke to some women we met on the night that had had similar experiences when they tried to eat there during the weekend. I just felt to mention it as I thought a place that advertises as a restaurant has to serve food.*

*I am not expecting an outcome from this I just thought it was something that should be brought to your attention.*

#### **Action by City Inspectors:**

- 28.10.15 22:32 Checked Premises Licence which revealed business was required to provide food. Site visit. Spoke to Tara Sirrell who said the business was a private members club and that TENS were used on club nights. She said she would re-assure members by e-mail when TENS would be used in future. Checked Uniform which showed TENS.
- On Friday 18th December 2015 at 0140hrs, visit the premises and spoke with the managing Director - Ms. Tara Shell. All points regarding the complaints were raised which she denied. She added that the Kitchen is always on and foods are served as requested. We also took tour of the premises and spoke with the kitchen staffs.

*CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE AND CONDITIONS PROPOSED BY A PARTY TO THE HEARING*

When determining an application for a new premises licence under the provisions of the Licensing Act 2003, the licensing authority must, unless it decides to reject the application, grant the licence subject to the conditions which are indicated as mandatory in this schedule.

At a hearing the licensing authority may, in addition, and having regard to any representations received, grant the licence subject to such conditions which are consistent with the operating schedule submitted by the applicant as part of their application, or alter or omit these conditions, or add any new condition to such extent as the licensing authority considers appropriate for the promotion of the licensing objectives.

This schedule lists those conditions which are consistent with the operating schedule, or proposed as appropriate for the promotion of the licensing objectives by a responsible authority or an interested party as indicated. These conditions have not been submitted by the licensing service but reflect the positions of the applicant, responsible authority or interested party and have not necessarily been agreed

**Conditions: On Current Licence -**

**Mandatory:**

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
4.
  - (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
  - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
    - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
      - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or

- (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
  - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
  - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
  - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
  - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
5. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
6. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
- (a) a holographic mark, or
  - (b) an ultraviolet feature.
7. The responsible person must ensure that—
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
    - (i) beer or cider: ½ pint;
    - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and

- (iii) still wine in a glass: 125 ml;
- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

A responsible person in relation to a licensed premises means the holder of the premise licence in respect of the premises, the designated premises supervisor (if any) or any individual aged 18 or over who is authorised by either the licence holder or designated premises supervisor. For premises with a club premises certificate, any member or officer of the club present on the premises in a capacity that which enables him to prevent the supply of alcohol.

8(i) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

8(ii) For the purposes of the condition set out in paragraph 8(i) above -

(a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

(b) "permitted price" is the price found by applying the formula -

$$P = D+(D \times V)$$

Where -

- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -

- (i) the holder of the premises licence,
- (ii) the designated premises supervisor (if any) in respect of such a licence, or
- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
- 8(iii). Where the permitted price given by Paragraph 8(ii)(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- 8(iv). (1) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.
9. All persons guarding premises against unauthorised access or occupation or against outbreaks of disorder or against damage (door supervisors) must be licensed by the Security Industry Authority.

#### **Annex 2 – Conditions consistent with the operating Schedule**

10. A challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.

#### **Annex 3 – Conditions attached after a hearing by the licensing authority**

11. On any day when regulated entertainment is being provided in accordance with this licence there shall be a minimum of 2 SIA staff on duty when regulated entertainment takes place. For avoidance of doubt, when no regulated entertainment is being provided no SIA staff are required.
12. The supply of alcohol shall be by waiter or waitress service only, save for the designated bar area.

#### **(Proposed Amendment by Applicant):**

***There will be waiter/waitress service available throughout the entire premises at all times it is trading.***

13. Substantial food and non-intoxicating beverages shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
14. There shall be no sales of alcohol for consumption off the premises.
15. The number of persons accommodated at the premises shall be 60 persons excluding staff.

16. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
17. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
18. The pavement from the building line to the kerb edge immediately outside the premises, including gutter/channel at its junction with the kerb edge, shall be swept and or washed and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements.
19. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
20. No rubbish, including bottles, shall be moved, removed or placed in outside areas between 23:00 to 08:00.

**(Proposed amendment by Applicant)**

***No rubbish, including bottles, shall be moved, removed or placed in outside areas between 2300 hours and 0600 hours or as in compliance with Westminster City Council's own waste contractor hours.***

21. There shall be no striptease or nudity, and all persons shall be decently attired at all times, except when the premises are operating under the authority of a Sexual Entertainment Venue licence.
22. Loudspeakers shall not be located in the entrance lobby or outside the premises building.
23. A noise limiter located in a separate and remote lockable cabinet from the volume control 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 Department 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 to the satisfaction of officers from the Environmental Health Service. The keys securing the noise limiter cabinet shall be held by the applicant only, and shall not be accessed by any other person.
24. 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.
25. A daily log is to be maintained to ensure that any capacity limit set for the basement is recorded hourly and can be properly monitored. Information regarding the capacity will be given to an authorised officer or Police Officer on request.
26. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.

27. The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.
28. All exit doors shall be available at all material times without the use of a key, code, card or similar means.
29. All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device.
30. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
31. Any special effects or mechanical installations shall be arranged and stored so as to minimize any risk to the safety of those using the premises. The following special effects will only be used on 10 days prior notice being given to the Licensing Authority where consent has not previously been given:
  - Dry ice and cryogenic fog
  - Smoke machines and fog generators
  - Pyrotechnics including fire works
  - Firearms
  - Lasers
  - Explosives and highly flammable substances
  - Real flame
  - Strobe lighting.
32. No person shall give at the premises any exhibition, demonstration or performance of hypnotism, mesmerism or any similar act or process which produces or is intended to produce in any other 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.

NOTE: (1) This rule does not apply to exhibitions given under the provisions of Section 2(1A) and 5 of the Hypnotism Act 1952.

33. The premises shall only operate as a restaurant:-
  - (i) *in which customers are shown to their table,*
  - (ii) *which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery,*
  - (iii) *which do not provide any take away service of food or drink for immediate consumption, and where intoxicating liquor shall not be sold, supplied, or consumed on the premises otherwise than to persons who are bona fide taking substantial table meals and provided always that the consumption of intoxicating liquor by such persons is ancillary to taking such meals*
  - (iv) *in which customers are shown to their table,*
  - (v) *which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery,*



- (vi) *which do not provide any take away service of food or drink for immediate consumption, and*
- (vii) *where intoxicating liquor shall not be sold, supplied, or consumed on the premises otherwise than to persons who are bona fide taking substantial table meals and provided always that the consumption of intoxicating liquor by such persons is ancillary to taking such meals.*

**(Proposed amendment by Applicant)**

***In the area cross hatched on the plans, the premises shall only operate as a restaurant:-***

- (i) in which customers are shown to their table,***
- (ii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery,***
- (iii) which do not provide any take away service of food or drink for immediate consumption, and where intoxicating liquor shall not be sold, supplied, or consumed on the premises otherwise than to persons who are bona fide taking substantial table meals and provided always that the consumption of intoxicating liquor by such persons is ancillary to taking such meals***
- (iv) in which customers are shown to their table,***
- (v) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery,***
- (vi) which do not provide any take away service of food or drink for immediate consumption, and***
- (vii) where intoxicating liquor shall not be sold, supplied, or consumed on the premises otherwise than to persons who are bona fide taking substantial table meals and provided always that the consumption of intoxicating liquor by such persons is ancillary to taking such meals.***

34. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.

**(Proposed amendment by Applicant)**

***The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time***

***stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.***

35. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to the public. This staff member must be able to show a Police or authorised council officer recent data or footage with the absolute minimum of delay when requested.
36. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following:
  - (a) all ejections of patrons
  - (b) any faults in the CCTV system
  - (c) any refusal of the sale of alcohol
  - (d) any visit by a relevant authority or emergency service.

**(Proposed amendment by Applicant)**

***An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following: (a) all crimes reported to the venue (b) all ejections of patrons (c) any complaints received concerning crime and disorder (d) any incidents of disorder (e) all seizures of drugs or offensive weapons (f) any faults in the CCTV system, searching equipment or scanning equipment (g) any refusal of the sale of alcohol (h) any visit by a relevant authority or emergency service.***

37. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall be limited to (15) persons at any one time.
38. The licence holder shall ensure that any queue to enter the premises which forms outside the premises is orderly and supervised by door staff so as to ensure that there is no public nuisance or obstruction to the public highway.
39. No advertisements of any kind (including placard, poster, sticker, flyer, picture, letter, sign or other mark) that advertises or promotes the establishment, its premises, or any of its events, facilities, goods or services shall be inscribed or affixed upon the surface of the highway, or upon any building, structure, works, street furniture, tree, or any other property, or be distributed to the public.
40. There shall be no payment made by or on behalf of the licence holder to any person for bringing customers to the premises.
41. Regulated entertainment at the premises shall only be provided ancillary to its use as a restaurant **(Proposed to be DELETED)**
42. When regulated entertainment is being provided, a register will be kept in reception.

43. Notwithstanding condition 33, alcohol may be supplied and consumed prior to a meal in the designated bar area, by up to a maximum at any one time, of 10 persons dining at the premises. **(Proposed to be DELETED)**
44. Late Night refreshment shall be permitted from 23:00 on New Year's Eve until 05:00 on New Year's Day.
45. The hours for licensable activities may be extended from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.
46. Notwithstanding condition [11], there shall be a minimum of 1 SIA licensed door supervisor on duty from midnight to the close of premises Monday to Saturday when the premises are operating.
47. The licence holder shall enter into an agreement with a Hackney Carriage and/or private carriage firm to provide transport to customers, with contact numbers made readily available to customers who will be encouraged to use such services.
- 48.a) After 1am on the days following Monday to Saturday only i) members and up to 2 bona fide guests of the premises as detailed in b) to f) below and/or (ii) up to 5 bona fide guests of the proprietor shall be permitted on the premises...

**(Proposed amendment by Applicant)**

***After 00:30 on the days following Monday to Saturday only i) members and up to 2 bona fide guests of the premises as detailed in b) to f) below and/or (ii) up to 5 bona fide guests of the proprietor shall be permitted on the premises.***

- b) No person shall be admitted to membership of the private club operating at the premises or be entitled to take advantage of any of the privileges of membership without an interval of at least 48 hours between their nomination or application for membership and their admission.
- c) There shall be no admittance or re-admittance to the premises , except for persons temporarily leaving the premises to smoke, after 02:30 on the days following Monday to Saturday.
- d) A legible list of members and guests who have attended will be kept at reception for 31 days and shall be available for inspection by any of the relevant authorities. It shall be a requirement of membership that Members shall be able to identify their bona fide guests by name at all times and names of guests shall be able to be provided to the responsible authorities within reasonable time of any request for details being given to the premises.
- e) A copy of the club rules will be lodged with both the Police and Environmental Health. Any substantial changes to the said rules will be subject to approval from the Police and Environmental Health.

- f) Membership of the private club shall be restricted to members of the Lesbian, Bi sexual, Gay, Transgender and Queer community.

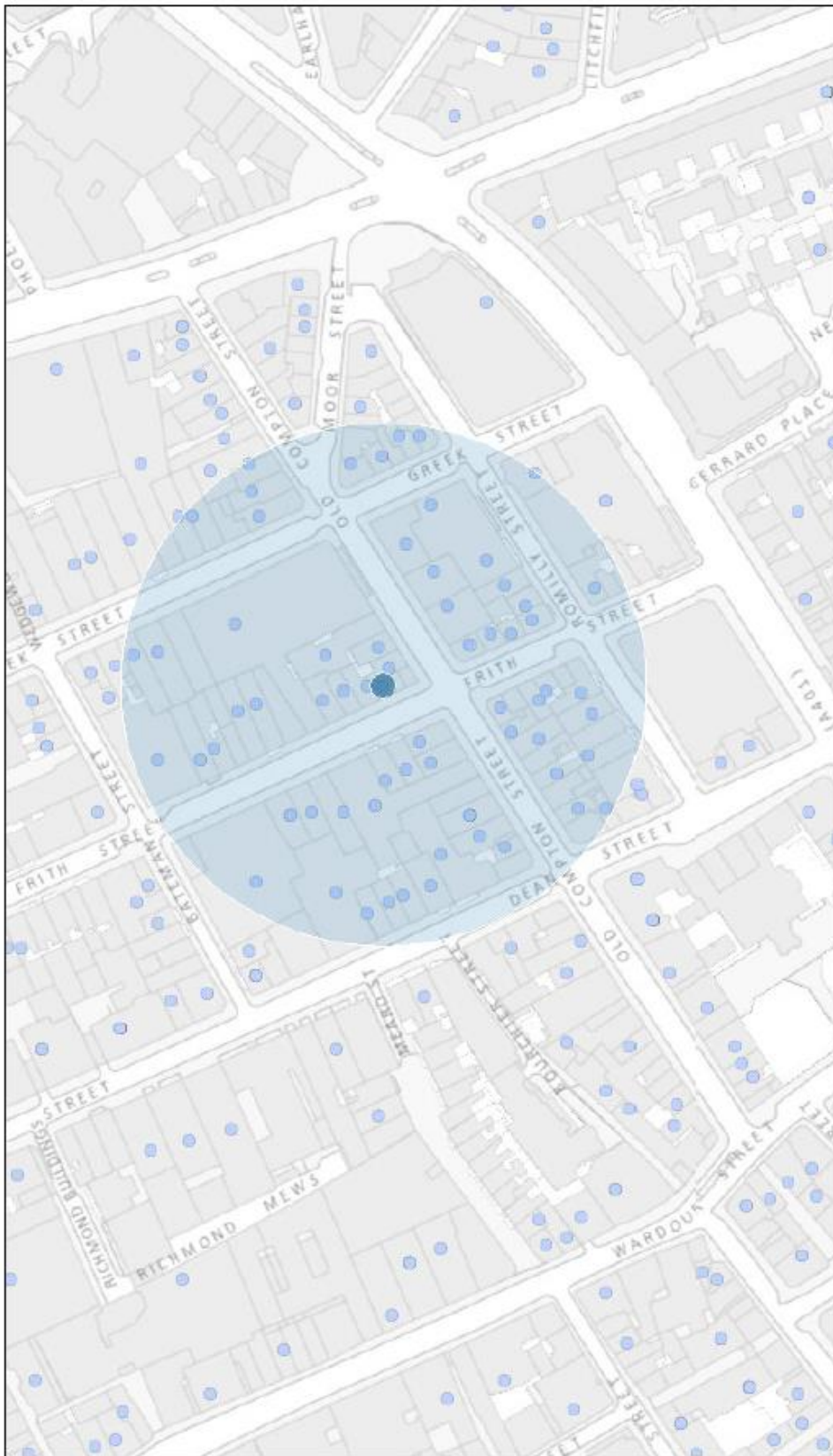
### **Proposed Conditions by Applicant**

- 49. A minimum number of 30 seats shall be maintained in the basement area at all times of operation.
- 50. The retail sale of alcohol shall be ancillary to the provision of regulated entertainment and/or substantial refreshment.
- 51. One the morning that Greenwich Mean Time changes to British Summer Time one hour will be added to the terminal hour of any activities and to the closing time for the premises where the existing terminal hour for the activities and/or closing hour for the premises ends after 01:00.

## Human Rights Act and Equality Implications

1. In making a decision consideration will need to be given to the Applicants rights under the Human Rights Act 1998 (incorporating the European Convention on Human Rights). The right to peaceful enjoyment of possessions (Article 1 of the First Protocol) and freedom of expression (Article 10) may be relevant. Residents also have the right to privacy and family life under Article 8.
2. The City Council in its capacity as Licensing Authority has a duty to ensure that all applications under the Licensing Act 2003 are dealt with in accordance with its public sector equality duty under section 149 of the Equality Act 2010 ("The 2010 Act"). In summary section 149 provides: -
  - (1) "A public Authority must, in the exercise of its functions, have **due regard** to the need to-
    - (a) *eliminate discrimination harassment, victimisation and any other conduct that is prohibited by or under this Act*
    - (b) *advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.*
    - (c) *foster good relations between persons who share a relevant protected characteristic and persons who do not share it.*
  - (2) *A person who is not a public authority but who exercises public functions must in the exercise of those functions, have due regard to the matters mentioned in subsection (1)....."*
3. Accordingly, section 149 (7) of the 2010 Act defines the relevant protected characteristics as age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and **sexual orientation**.
4. This duty places an obligation on the Licensing Sub-Committee to ensure that the need to promote equality is taken into consideration with, regard to every aspect of its decision making, this will include the circumstances of each individual application, the findings, of fact once the application has been considered, including the taking into account of any objection and response the applicant may choose to make.
5. Human Rights and Equality considerations are also contained under Appendix 6 of the City Council's current Statement of Licensing Policy, as amended from time to time.

Muse Soho



September 19, 2017

● Live Licensing Act

1:1,500  
0 0.0125 0.025 0.05 m  
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Resident count = 112

Item No:	
Date:	3 October 2017
Licensing Ref No:	17/08439/LIPN - New Premises Licence
Title of Report:	MRH Dorset House 170-172 Marylebone Road London NW1 5AR
Report of:	Director of Public Protection and Licensing
Wards involved:	Bryanston And Dorset Square
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Miss Yolanda Wade Senior Licensing Officer
Contact details	Telephone: 020 7641 1884 Email: <a href="mailto:ywade@westminster.gov.uk">ywade@westminster.gov.uk</a>

## 1. Application

1-A Applicant and premises			
<b>Application Type:</b>	New Premises Licence, Licensing Act 2003		
<b>Application received date:</b>	27 July 2017		
<b>Applicant:</b>	Malthurst Petroleum Limited		
<b>Premises:</b>	MRH Dorset House		
<b>Premises address:</b>	170-172 Marylebone Road London NW1 5AR	<b>Ward:</b>	Bryanston and Dorset Square
		<b>Cumulative Impact Area:</b>	None
<b>Premises description:</b>	The premises will operate as a petrol forecourt store selling a range of groceries, household goods and alcohol.		
<b>Premises licence history:</b>	This is a new premises licence and therefore no history exists.		
<b>Applicant submissions:</b>	None submitted		
<b>Plans</b>	Plans are available upon request to the Licensing Authority and will be available at the Licensing Sub-Committee.		

1-B Proposed licensable activities and hours							
<b>Late Night Refreshment:</b>				<b>Indoors, outdoors or both</b>	Both – The provision will take place inside the premises but customers may leave the premises with items purchased.		
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	23:00	23:00	23:00	23:00	23:00	23:00	23:00
<b>End:</b>	05:00	05:00	05:00	05:00	05:00	05:00	05:00
<b>Seasonal variations/ Non-standard timings:</b>		None					

Supply of alcohol				On or off sales or both:			Off
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	08:00	08:00	08:00	08:00	08:00	08:00	10:00
<b>End:</b>	23:00	23:00	23:00	23:00	23:00	23:00	22:30
<b>Seasonal variations/ Non-standard timings:</b>		None					

Hours premises are open to the public							
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	00:00	00:00	00:00	00:00	00:00	00:00	00:00
<b>End:</b>	24:00	24:00	24:00	24:00	24:00	24:00	24:00
<b>Seasonal variations/ Non-standard timings:</b>		None					



<b>Adult Entertainment:</b>	The premises sells alcohol and other age restricted products.
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## 2. Representations

<b>2-A Responsible Authorities</b>	
<b>Responsible Authority:</b>	Environmental Health
<b>Representative:</b>	Mrs Sally Fabbriatore
<b>Received:</b>	8 <sup>th</sup> August 2017
<p>This representation is based on the Operating Schedule and the submitted plans, ground floor, titled with the name of the building and dated 3.7.17.</p> <p>The applicant is seeking the following on the <b>ground floor</b>:</p> <ol style="list-style-type: none"> <li>1. To allow the Supply of Alcohol 'off' the premises Monday to Saturday 08:00- 23.00 hours and Sunday 10:00-22:30 hours.</li> <li>2. To allow Late Night Refreshment both 'indoors' and 'outdoors' Monday to Sunday 23:00-05:00 hours.</li> </ol> <p>I wish to make the following representation in relation to the above application:</p> <ol style="list-style-type: none"> <li>1. The provision of the Supply of Alcohol may cause an increase in Public Nuisance in the area, it may also impact on Public Safety.</li> <li>2. The provision of Late Night Refreshment may cause an increase in Public Nuisance in the area.</li> </ol> <p>The applicant has proposed conditions within the operating schedule which are being considered. Further conditions may be proposed by Environmental Health in order to help prevent Public Nuisance and protect Public Safety.</p> <p><b>The granting of this application as presented may have the likely effect of causing an increase in Public Nuisance in the area and may impact on Public Safety.</b></p>	
<b>Responsible Authority:</b>	Metropolitan Police Service ( <i>withdrawn</i> )
<b>Representative:</b>	PC Bryan Lewis
<b>Received:</b>	16 <sup>th</sup> August 2017
<p>I am writing to inform you that the Police, as a Responsible Authority, object to your application for a variation to the Premises Licence as it is our belief that if granted the application may undermine the Licensing Objectives contained in the 2003 Licensing Act.</p> <p><b>Our objections relate to the following:</b></p> <p>Further enquiries are necessary to properly assess this application  <b><i>The Police have withdrawn their representation to the application as they have agreed the proposed conditions by the Applicant (Appendix 3 of the report)</i></b></p>	

2-B Other Persons	
<b>Received:</b>	21 <sup>st</sup> August 2017
<p>As resident of Dorset House, we strongly oppose the new petrol station for the following reasons:</p> <ul style="list-style-type: none"> <li>- Having a petrol station in a such residential block is a massive safety risk. In 2012 <a href="http://www.dailymail.co.uk/news/article-2216255/Woman-driver-fights-life-engulfed-fireball-garage-basement-lavish-block-flats.html">http://www.dailymail.co.uk/news/article-2216255/Woman-driver-fights-life-engulfed-fireball-garage-basement-lavish-block-flats.html</a> . In a time of increased terrorist risk in Europe, this petrol station is an easy target. Anyone with an RPG could blow the station up in seconds.</li> <li>- There are not so many petrol station in Central London, having one there would increase the traffic from people who are refuelling. This increase of traffic is naturally going to increase levels of pollution in an area which is already above any acceptable levels.</li> <li>- To access the petrol station, cars will have to go across the pavement where kids and elderly are walking. With the new two ways traffic on Gloucester Place, this creates a new hazard for pedestrians.</li> <li>- The fact that this station will also sell alcohol is a matter of concern. Many people will come purposely to this place to buy alcohol. Lately there have been an increase of drunk people in the streets around Marylebone Station, and this alcohol seller will certainly attract more of this kind of people.</li> </ul>	
<b>Received:</b>	17 <sup>th</sup> August 2017
<p>We very strongly object to this application.</p> <ul style="list-style-type: none"> <li>- the planned opening of a petrol station under our building is already going to be very disruptive in terms of noise, increased traffic and pollution and the opening of a nearby shop will only serve to increase that with more vehicles coming in for longer with more noise and more pollution on a street that is already the most polluted in London and significantly above limits.</li> <li>- the shop will also attract additional pedestrian shoppers and noise (voices are particularly disruptive and noise circulates vertically up the walls of Dorset House and can be heard all the up to our flat) and this 24h a day given the shop's opening hours</li> <li>- selling alcohol makes things even worse and the prospect of drunken behaviour around the shop and next to our building's entrance is particularly worrisome.</li> <li>- the path to the future petrol station and the proposed shop crosses the pavement that allows access to Dorset House, increasing the risk of accidents for residents as cars cross the pavement into the station / shop.</li> <li>- note separately that the building of a petrol station itself under the building is an accident waiting to happen and we find it quite extraordinary that the council is allowing this to proceed, putting lives of the Dorset House residents at risk, despite the backdrop of the Grenfell Tower fire and a previous fire in the Dorset House parking (following which we understand the previous petrol station was closed several years ago).</li> </ul>	
<b>Received:</b>	20 <sup>th</sup> August 2017
<p>As resident of Dorset House, I strongly oppose the new petrol station for the following reasons:</p>	

- Having a petrol station in a such residential block is a massive safety risk. In 2012 <http://www.dailymail.co.uk/news/article-2216255/Woman-driver-fights-life-engulfed-fireball-garage-basement-lavish-block-flats.html> . In a time of increased terrorist risk in Europe, this petrol station is an easy target. Any terrorist could ramp its car into the station and create and massive explosion.

- There are not so many petrol station in Central London, having one there would increase the traffic from people who are refuelling. This increase of traffic is naturally going to increase levels of pollution in an area which is already above any acceptable levels.

- To access the petrol station, cars will have to go across the pavement where kids and elderly are walking. With the new two ways traffic on Gloucester Place, this creates new hazard for pedestrians.

- The fact that this station will also sell alcohol is a matter of concern. Many people will come purposely to this place to buy alcohol. Lately there have been an increase of drunk people in the streets around Marylebone Station, and this alcohol seller will certainly attract more of this kind of people. Last Friday on Melcombe street an off-licence shop Odd Bin's had its window broken at night. We do not want more anti- social behaviour in the area. We have had an increase number of beggars. There is a well know drug dealing activity around Dorset Square. Someone got stabbed last May at a Dorset Square Bus stop. We should not encouraging more ASB with a shop selling alcohol.

<b>Received:</b>	18 <sup>th</sup> August 2017
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I live in Dorset House. Having a petrol station underneath a building of residence is incredibly dangerous. There have already been 2 instances of danger which is why the original petrol station was closed in the first place. I fear for my safety should this go ahead.

Not only this but marylebone road is the most polluted road in the world - beating even Beijing. Having a petrol station here will add to the horrendous air pollution we already experience.

<b>Received:</b>	17 <sup>th</sup> August 2017
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We very strongly object to this application.

- the planned opening of a petrol station under our building is already going to be very disruptive in terms of noise, increased traffic and pollution and the opening of a nearby shop will only serve to increase that with more vehicles coming in for longer with more noise and more pollution on a street that is already the most polluted in London and significantly above limits.

- the shop will also attract additional pedestrian shoppers and noise (voices are particularly disruptive and noise circulates vertically up the walls of Dorset House and can be heard all the up to our flat) and this 24h a day given the shop's opening hours

- selling alcohol makes things even worse and the prospect of drunken behaviour around the shop and next to our building's entrance is particularly worrisome.

- the path to the future petrol station and the proposed shop crosses the pavement that allows access to Dorset House, increasing the risk of accidents for residents as cars cross the pavement into the station / shop.

- note separately that the building of a petrol station itself under the building is an accident waiting to happen and we find it quite extraordinary that the council is allowing this to proceed,

putting lives of the Dorset House residents at risk, despite the backdrop of the Grenfell Tower fire and a previous fire in the Dorset House parking (following which we understand the previous petrol station was closed several years ago).

**Received:** 23<sup>rd</sup> August 2017

As a local resident, I strongly oppose the application for selling alcoholic drinks AND the sale of through-the-night refreshments at the proposed Petrol Station next door to Dorset House.

Objection to selling alcoholic drinks:

- Proliferation of alcohol sale outlets in this primarily residential area should be prevented. There are already a multitude of local establishments within one block of the applicant already selling alcohol i.e. Tesco, Oddbins, M&S and nearby hotels such as the Landmark and Dorset Square Hotel/restaurant
- There should be no encouragement of association between driving and alcohol consumption.
- There are existing drunks who have semi-permanent 'pitches' in the neighbourhood beside the Tescos, Pret and Marylebone Station. Increasing the opportunity for them to purchase alcohol through additional locations is likely to increase their anti-social behaviour.
- Instead of the alcohol being consumed under a controlled environment and under supervision, it simply shifts the problem to the neighbourhood and the roadways
- Marylebone Road is already one of the most polluted roads in the country. Bringing custom for alcoholic purchases to this area will only increase the air pollutants for residents
- In addition to all of the above points, it is likely that the premises are in fact 'excluded premises' under s176(2) of the Licensing Act 2003

Objection to through-the-night refreshment sales:

- The applicant's premises is within a residential building and therefore there will naturally be an increase in the noise and litter nuisance for Dorset House and local residents throughout the night
- An increase in traffic and sales of food and beverages will lead to sleep disturbance in Dorset House as the building's Grade 2 listing prohibits the use of double glazing

**Received:** 18<sup>th</sup> August 2017

I am very concerned about the fire safety issues of the proposed premises, given that it will be directly beneath a number of residential properties (I am the joint owner of a property in this building, which is rented out to tenants throughout the year). It is particularly alarming given the recent tragedy at Grenfell and the proposal is clearly a very direct fire safety issue - what steps are being taken to ensure that residents of the building directly above the proposed premises will have the necessary protection from such a place? In addition there are road/pedestrian safety issues which are compromised by the location of the proposed premises: entrances to it directly bisect both vehicle and pedestrian access to Dorset House and thus present an additional safety and security issue. In addition, the desired licensing of the premises mean that it could create additional disturbances for residents, particularly those on the lower floors. And finally, this will obviously bring in additional traffic to an already very polluted and congested area, and so the health concerns of people in this building are legitimate and would be further increased by this development going forward.

**Received:** 11<sup>th</sup> August 2017

I was not made aware of the proposed petrol station and as far as I was informed having a petrol station in the proximity of a listed residential building is unsafe and a major source of

pollution. All such usage in central London have ceased as a major drive by the mayor of London to reduce the level of pollution in London. This operation will be detrimental to general amenity of the residents of Dorset House and the neighborhood.

**Received:** 19<sup>th</sup> August 2017

Please note that there are already a number of shops and public houses in the area from where alcohol can be purchased.

The area, especially around the carpark is frequented by vagrants, alcoholics, homeless etc. The selling of alcohol at the petrol station will only help to propagate antisocial behaviour. There will be an increase litter, violent people and noise. All these will cause residents of the surrounding area, especially those of Dorset House, not to have quiet enjoyment of there homes and pose a risk to the public at large.

Please consider my objection as follows:

- a) an all night off-license will only encourage anti-social behaviour,
- b) there are already a number of places (public houses, supermarket, shops, convenience stores), where alcohol can be purchased,
- c) that there are reported incidents of substance/alcohol abusers taking overnight refuge in the carpark of Dorset House,
- d) that unsightly litter including food is strewn around Dorset House and this causes vermin problems.

I believe that if the license is granted then WCC is to be blamed for supporting (encouraging) anti-social behaviour. This objection will be used as evidence in the event of an incident.

**Received:** 15<sup>th</sup> August 2017

I very strongly object to this application

- the opening of a petrol station under our apartment is already going to be very disruptive in terms noise, increased traffic and pollution and the opening of a nearby shop will only serve to increase that with more vehicles coming in for longer with more noise and more pollution on a street that is already the most polluted in London and massively above limits. Why would the council allow a bad situation to become even worse?

- the shop will also attract additional pedestrian shoppers and noise (voices are particularly disruptive and noise circulates vertically up the walls of Dorset House such that we can hear voices down the street despite being on the 8th floor) and this 24h a day

- selling alcohol makes things even worse. We have a young daughter and the prospect of drunken behaviour around the shop and next to our building's entrance is particularly worrisome.

- the path to the future petrol station and the proposed shop crosses the pavement that allows access to Dorset House, increasing the risk of accidents as cars cross the pavement into the station / shop.

- note separately that the building of a petrol station itself under the building (and our flat) is an accident waiting to happen and I find it quite extraordinary that the council is allowing this to be going ahead, putting lives of the Dorset House residents at risk, despite the backdrop of the Grenfell Tower fire and a previous fire in the Dorset House parking (following which I understand the petrol station was closed). What will it take for someone at the council to raise the alarm? (I have already raised this with Mr Hilman, the officer in charge of the planning application)

**Received:** 16<sup>th</sup> August 2017

I strongly oppose the application for selling alcoholic drinks at these premises next door to Dorset House.

The main reasons include:

- there are several local establishments already selling alcohol e.g. tesco, oddbins and most other stores
- the area is besieged by beggars, drunks et al
- there is a high incidence of aggressive behaviour and intimidation beyond regular crime
- The area has a high residential occupancy with several young families and more sale of alcohol adversely impacts the conducive atmosphere
- the recent precedent of refusal of extension of off-licence hours to Dorset Square hotel - all mitigating steps mentioned by the applicant protect their premises but shift the problem to the neighbourhood - for instance alcohol not consumed on premises
- sale through a night hatch does not in anyway prevent misuse and anti social behaviour
- the proposed 2 way traffic on gloucester place will increase traffic and affect safety of the shoppers
- late night drivers do not need further convenient access to alcohol as it impacts road safety - the proximity to ladbrokes enhances the probability of anti social behaviour
- all solutions proposed by the applicant are post effect e.g. CCTV. It is better to avoid the sale to avoid any incidents in the first place
- If alcohol, late night food and drink are sold, additional traffic will stop at the premises which increases the sound and noise nuisance for Dorset House as the Grade 2 listing prohibits use of double glazing
- The area is already heavily polluted and a drive-in food, drink, alcohol premises will only increase the pollutants making it untenable for long term local residents.

For all the above reasons, I would strongly urge Westminster Council to not grant licencing permission or allow sale of late night food and drink from these premises. Thank You.

I forgot to add the point of young students walking to the new LBS campus on Marylebone road from current one on Park Road \ Taunton place - these premises being on the route. While over 18 and of legal drinking age, I do not think it is right to give our youth 24\*7 easy access to alcohol next to educational establishments. Has London Business School been included in the consultation process?

9:32 PM on 23 Aug 2017 I strongly oppose the application next door to Dorset House.

Reasons include:

- several local establishments are already selling alcohol e.g. Tesco, Oddbins
- area is besieged by beggars and drunks
- high incidence of aggressive behaviour and intimidation
- the high residential occupancy with young families and elderly residents
- schools and nurseries within immediate vicinity
- recent precedent of refusal of extension of off-licence hours to Dorset Square hotel
- mitigating steps of CCTV and night hatch do not address issues for neighbourhood. Dorset House will be particularly affected as the entrance to store and night hatch is right next door
- there will be more litter late night sale of refreshments
- will add to the pest and rodent issues in Dorset House
- exacerbate the unpleasant smells of wasted food
- the proposed 2 way traffic on gloucester place will increase traffic and affect safety of the shoppers
- drivers do not need further convenient access to alcohol as it impacts road safety
- the proximity to Ladbrokes enhances the probability of anti social behaviour
- solutions proposed by the applicant are post effect e.g. CCTV. It is better to avoid the sale in

the first place

- additional traffic will stop at the premises which increases the sound and noise nuisance for Dorset House

- The area is already heavily polluted, trees are being cut down

- has the licensing authority investigated and is satisfied that the premises are not 'excluded premises' under s176(2) Licensing Act 2003?

- Has London Business School been included in the consultation process as unit is enroute between two campuses.

For all the above reasons, I would request the licencing authority and Westminster Council to NOT grant licencing permit to these premises or allow sale of late night food and drink between 11 pm and 5 am. Thank You

**Received:**

17<sup>th</sup> August 2017

We very strongly object to this application.

- the planned opening of a petrol station under our building is already going to be very disruptive in terms of noise, increased traffic and pollution and the opening of a nearby shop will only serve to increase that with more vehicles coming in for longer with more noise and more pollution on a street that is already the most polluted in London and significantly above limits.

- the shop will also attract additional pedestrian shoppers and noise (voices are particularly disruptive and noise circulates vertically up the walls of Dorset House and can be heard all the up to our flat) and this 24h a day given the shop's opening hours

- selling alcohol makes things even worse and the prospect of drunken behaviour around the shop and next to our building's entrance is particularly worrisome.

- the path to the future petrol station and the proposed shop crosses the pavement that allows access to Dorset House, increasing the risk of accidents for residents as cars cross the pavement into the station / shop.

- note separately that the building of a petrol station itself under the building is an accident waiting to happen and we find it quite extraordinary that the council is allowing this to proceed, putting lives of the Dorset House residents at risk, despite the backdrop of the Grenfell Tower fire and a previous fire in the Dorset House parking (following which we understand the previous petrol station was closed several years ago).

### 3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:

**Policy OS1 applies:**

Applications will generally be granted and reviews determined subject to the relevant criteria in Policies CD1, PS1, PN1 CH1 and HRS1 and other policies in this Statement.

**Policy HRS1 applies:**

(i) Applications for hours within the core hours set out below in this policy will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy.

(ii) Applications for hours outside the core hours set out below in this policy will be considered on their merits, subject to other relevant policies.

### 4. Appendices

<b>Appendix 1</b>	Applicant supporting documents
<b>Appendix 2</b>	Premises history
<b>Appendix 3</b>	Proposed conditions
<b>Appendix 4</b>	Residential map and list of premises in the vicinity

<b>Report author:</b>	Miss Yolanda Wade Senior Licensing Officer
<b>Contact:</b>	Telephone: 020 7641 1884 Email: ywade@westminster.gov.uk

**If you have any queries about this report or wish to inspect one of the background papers please contact the report author.**

**Background Documents – Local Government (Access to Information) Act 1972**

<b>1</b>	Licensing Act 2003	N/A
<b>2</b>	City of Westminster Statement of Licensing Policy	7 January 2016
<b>3</b>	Amended Guidance issued under section 182 of the Licensing Act 2003	March 2015
<b>4</b>	Representation Environmental Health	8 August 2017
<b>5</b>	Representation Metropolitan Police	16 August 2017
<b>6</b>	Representation- Resident	11 August 2017
<b>7</b>	Representation - Resident	15 August 2017
<b>8</b>	Representation- Resident	16 August 2017
<b>9</b>	Representation - Resident	17 August 2017
<b>10</b>	Representation - Resident	17 August 2017
<b>11</b>	Representation - Resident	17 August 2017
<b>12</b>	Representation - Resident	18 August 2017
<b>13</b>	Representation - Resident	18 August 2017
<b>14</b>	Representation - Resident	19 August 2017
<b>15</b>	Representation- Resident	20 August 2017
<b>16</b>	Representation- Resident	21 August 2017
<b>17</b>	Representation- Resident	23 August 2017



None submitted

There is no licence or appeal history for the premises.

## CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE AND CONDITIONS PROPOSED BY A PARTY TO THE HEARING

When determining an application for a new premises licence under the provisions of the Licensing Act 2003, the licensing authority must, unless it decides to reject the application, grant the licence subject to the conditions which are indicated as mandatory in this schedule.

At a hearing the licensing authority may, in addition, and having regard to any representations received, grant the licence subject to such conditions which are consistent with the operating schedule submitted by the applicant as part of their application, or alter or omit these conditions, or add any new condition to such extent as the licensing authority considers necessary for the promotion of the licensing objectives.

This schedule lists those conditions which are consistent with the operating schedule, or proposed as necessary for the promotion of the licensing objectives by a responsible authority or an interested party as indicated. These conditions have not been submitted by the licensing service but reflect the positions of the applicant, responsible authority or interested party and have not necessarily been agreed

### Mandatory Conditions

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
4.
  - (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
  - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
    - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
      - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
      - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
    - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
    - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or

less in a manner which carries a significant risk of undermining a licensing objective;

- (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
  - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
5. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
6. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
- (a) a holographic mark, or
  - (b) an ultraviolet feature.
7. The responsible person must ensure that—
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
    - (i) beer or cider: ½ pint;
    - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
    - (iii) still wine in a glass: 125 ml;
  - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
  - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

A responsible person in relation to a licensed premises means the holder of the premise licence in respect of the premises, the designated premises supervisor (if any) or any individual aged 18 or over who is authorised by either the licence holder or designated premises supervisor. For premises with a club premises certificate, any member or officer of the club present on the premises in a capacity that which enables him to prevent the supply of alcohol.

- 8(i) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
- 8(ii) For the purposes of the condition set out in paragraph 8(i) above -
- (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
- (b) "permitted price" is the price found by applying the formula -
- $$P = D + (D \times V)$$
- Where -
- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
- (i) the holder of the premises licence,
- (ii) the designated premises supervisor (if any) in respect of such a licence, or
- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
- 8(iii). Where the permitted price given by Paragraph 8(ii)(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- 8(iv). (1) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

## Conditions proposed by the applicant and agreed by the Police that will form part of the operating schedule

9. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points and the night pay window and the petrol forecourt will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.
10. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
11. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.
12. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
13. All tills shall automatically prompt staff to ask for age verification identification when presented with an alcohol sale.
14. Outside of the hours authorised for the sale of alcohol and whilst the premises are open to the public, the licence holder shall ensure that all alcohol within the premises (excluding alcohol behind the counter) is secured in a locked store room or behind locked grilles, locked screens or locked cabinet doors so as to prevent access to the alcohol by both customers and staff.
15. No super-strength beer, lagers, ciders or spirit mixtures of 5.5% ABV (alcohol by volume) or above shall be sold at the premises, except for premium beers and ciders supplied in glass bottles.
16. No single cans or bottles of beer or cider or spirit mixtures shall be sold at the premises.
17. No more than **15%** of the sales area shall be used at any one time for the sale, exposure for sale, or display of alcohol.
18. There shall be no self service of spirits on the premises, save for spirit mixtures less than 5.5% ABV.
19. Prominent signage indicating the permitted hours for the sale of alcohol shall be displayed so as to be visible before entering the premises, where alcohol is on public display, and at the point of sale.
20. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification

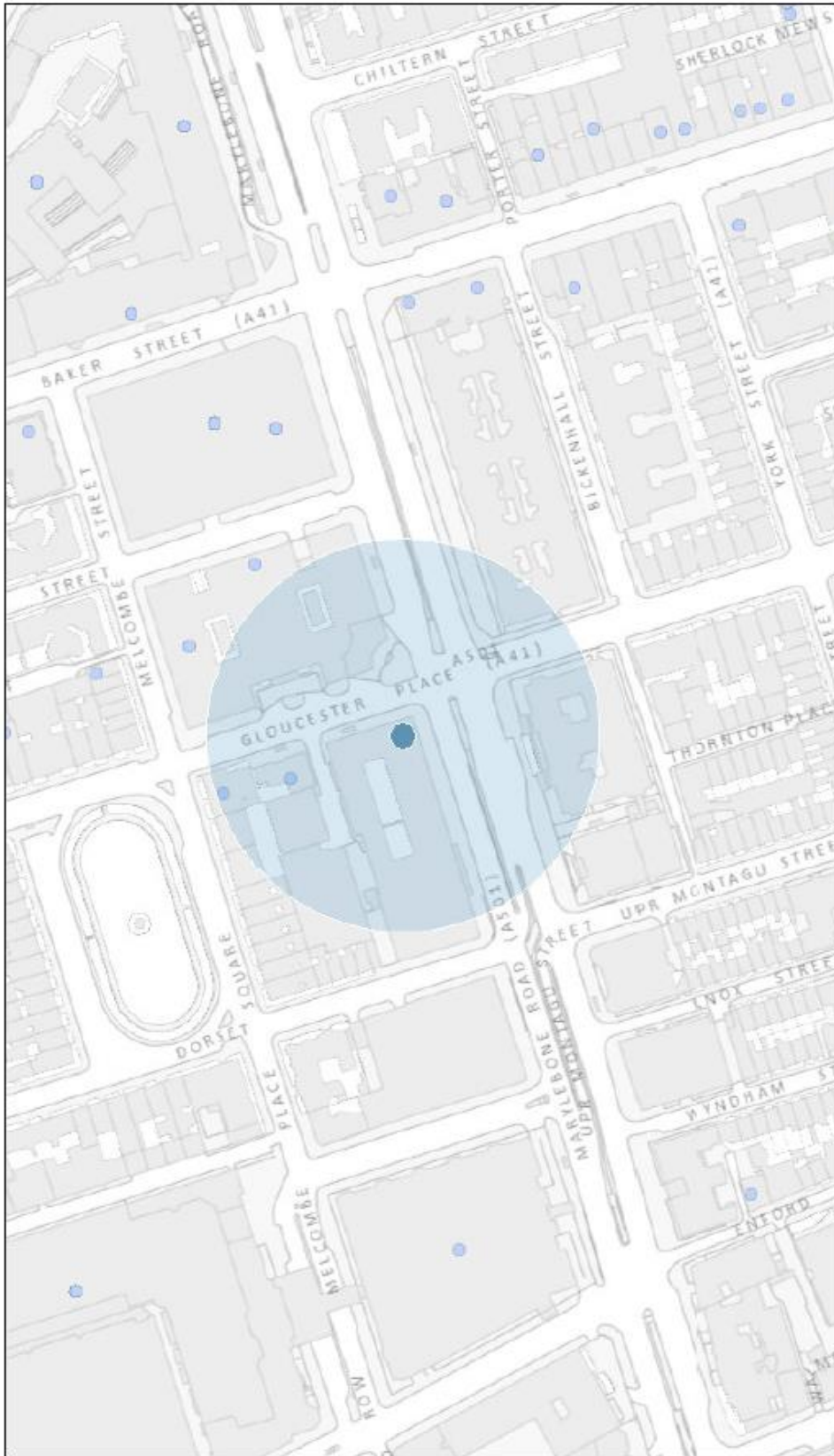
cards, such as a driving licence, passport or proof of age card with the PASS Hologram.

21. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:
  - (a) all crimes reported to the venue
  - (b) all ejections of patrons
  - (c) any complaints received concerning crime and disorder
  - (d) any incidents of disorder
  - (e) all seizures of drugs or offensive weapons
  - (f) any faults in the CCTV system, searching equipment or scanning equipment
  - (g) any refusal of the sale of alcohol
  - (h) any visit by a relevant authority or emergency service.
22. There shall no sales of hot food for consumption off the premises after 2300 and before 0500.
23. The entrance door to the shop will be locked to customers between the hours of 2300 and 0500. Any sales between these hours will be made through the night pay window.

**Conditions proposed by the Environmental Health**

None

MRH Dorset House



September 20, 2017

● Live Licensing Act

1:2,000  
0 0.015 0.03 0.06 mi  
0 0.0275 0.055 0.11 km  
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Resident count = 383





City of Westminster

# Licensing Sub-Committee Report

## Agenda Item 3

Item No:	
Date:	3 October 2017
Licensing Ref No:	17/07004/LIPV - Premises Licence Variation
Title of Report:	Simmons 2 Bateman Street London W1D 4AE
Report of:	Director of Public Protection and Licensing
Wards involved:	West End
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Miss Daisy Gadd Senior Licensing Officer
Contact details	Telephone: 020 7641 2737 Email: dgadd@westminster.gov.uk

## 1. Application

1-A Applicant and premises			
<b>Application Type:</b>	Variation of a Premises Licence, Licensing Act 2003		
<b>Application received date:</b>	25 June 2017		
<b>Applicant:</b>	Skylight Leisure Ltd		
<b>Premises:</b>	Simmons		
<b>Premises address:</b>	2 Bateman Street London W1D 4AE	<b>Ward:</b>	West End
		<b>Cumulative Impact Area:</b>	West End
<b>Premises description:</b>	This premises currently operates as a Public House.		
<b>Layout alteration:</b>	The applicant seeks to include the first floor of the building. It is proposed that the ground floor continues operating as it currently stands, with the first floor to be used for pre-booked groups and for functions (on Wednesdays to Saturdays only).		
<b>Premises licence history:</b>	The premises has been operating as a Public House since 2005.		
<b>Applicant submissions:</b>	<p>This follows on from pre-application advice from both licensing and the London Fire Brigade as well considerable planning, time and discussion leading to a major refurbishment of the building, considerably improving the space and creating three additional toilet cubicles for our customers use. Until the refurbishment of the space was undertaken the floors above the ground floor premises lay derelict, it is considered a positive impact to the building and to the local area to make use of otherwise empty space.</p> <p>The first floor area has been used for the service of alcohol and late night refreshments under TENs on a large number of occasions without complaint or issue. Many other pubs in the area are operated across two levels, with the first floor being used for pre-booked groups and functions, as is proposed here.</p>		
<b>Plans:</b>	Plans are available to view upon request to the Licensing Authority and they will be made available at Licensing Committee.		

Late night refreshment						
Indoors, outdoors or both			Current :		Proposed:	
			Indoors		No change	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	23:00	23:30	No change		Ground Floor	The first floor of the premises (but not the stairs or the toilets) will be used on Wednesday to Saturday only, and solely for pre-booked groups and functions.
Tuesday	23:00	23:30				
Wednesday	23:00	23:30				
Thursday	23:00	23:30				
Friday	23:00	00:00				
Saturday	23:00	00:00				
Sunday						
Seasonal variations/ Non-standard timings:		Current:			Proposed:	
		Sundays before Bank Holidays: 23:00 to 00:00			No change	

Sale by Retail of Alcohol						
On or off sales			Current :		Proposed:	
			Both		No change	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	10:00	23:30	No change		Ground Floor	The first floor of the premises (but not the stairs or the toilets) will be used on Wednesday to Saturday only, and solely for pre-booked groups and functions.
Tuesday	10:00	23:30				
Wednesday	10:00	23:30				
Thursday	10:00	23:30				
Friday	10:00	00:00				
Saturday	10:00	00:00				
Sunday	12:00	22:30				
Seasonal variations/ Non-standard timings:		Current:			Proposed:	
		The hours for sale of alcohol and opening times may be extended on New Year's Eve until 05:00 on New Year's Day.			No change	

Hours premises are open to the public						
	Current Hours		Proposed Hours		Premises Area	
	Start:	End:	Start:	End:	Current:	Proposed:
<b>Monday</b>	10:00	23:30	No change		Ground Floor	Ground Floor and The first floor of the premises (but not the stairs or the toilets) will be used on Wednesday to Saturday only, and solely for pre-booked groups and functions.
<b>Tuesday</b>	10:00	23:30				
<b>Wednesday</b>	10:00	23:30				
<b>Thursday</b>	10:00	23:30				
<b>Friday</b>	10:00	00:00				
<b>Saturday</b>	10:00	00:00				
<b>Sunday</b>	12:00	22:30				
<b>Seasonal variations/ Non-standard timings:</b>	<b>Current:</b>				<b>Proposed:</b>	
	Sundays before Bank Holidays: 12:00 to 00:00.				No change	

1-C Layout alteration
<p>The applicant has applied to vary the current licence to extend the premises licence to include the first floor of the building edged in red on the attached plan.</p> <p>There are internal stairs connecting the ground floor area to the first floor. It is proposed that the ground floor continues operating as it currently stands, with the first floor to be used for pre-booked groups and for functions (on Wednesdays to Saturdays only).</p> <p>The whole of the premises would be used in accordance with the existing licence conditions.</p>

1-D Conditions being varied, added or removed		
Condition	Proposed variation	
<p><b><u>Condition 10</u></b></p> <p>The number of persons permitted in the premises at any one time (excluding staff) shall not exceed 60 persons.</p>	<p><b><u>To be amended:</u></b></p> <p>The number of persons permitted in the premises at any one time (excluding staff) should be amended to a total of 120 persons, equating to 60 per floor.</p>	
<b>Adult entertainment:</b>	<b>Current position:</b>	<b>Proposed position:</b>
	Not applicable	No change

## 2. Representations

2-A Responsible Authorities	
<b>Responsible Authority:</b>	Environmental Health
<b>Representative:</b>	Mr Dave Nevitt
<b>Received:</b>	17 July 2017
Representation is made in relation to the application, as the proposals are likely to increase Public Nuisance and may impact upon Public Safety.	
<b>Responsible Authority:</b>	Licensing Authority
<b>Representative:</b>	Mr David Sycamore
<b>Received:</b>	19 July 2017
<p>I write in relation to the application submitted to Vary the Club Premises Certificate for the above premises –</p> <p>As a responsible authority under section 13 (4) of the Licensing Act 2003 as amended under the Police and Social Responsibility Act 2011 the Licensing Authority have considered your application in full. The Licensing Authority has concerns in relation to this application and how the premises would promote the Licensing Objectives:</p> <ul style="list-style-type: none"> <li>• Public Nuisance</li> <li>• Prevention of Crime &amp; Disorder</li> <li>• Public Safety</li> </ul> <p>The premises is located within the West End Cumulative Impact and as such a number of policy points must be considered. The doubling of capacity will lead to an increase in cumulative impact.</p> <p>It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas for: pubs and bars, fast food premises, and premises offering facilities for music and dancing; other than applications to vary hours within the Core Hours under Policy HRS1. Whilst this application does not seek to amend the hours, the capacity would increase by 100% if granted which we believe would add to cumulative impact. We are particularly concern as to how the numbers of people will then disperse into the local area or be directed to leave.</p> <p>We look forward to receiving additional information from the applicants as to why this application should be granted.</p>	

<b>Responsible Authority:</b>	Metropolitan Police
<b>Representative:</b>	PC Toby Janes
<b>Received:</b>	21 July 2017

I am writing to inform you that the Metropolitan Police, as a Responsible Authority, make a representation against the above application.

It is our belief that if granted the application would undermine the Licensing objectives in relation to the prevention of crime and disorder as there are insufficient conditions within the operating schedule.

The venue is situated in the West End cumulative impact area, a locality where there is traditionally high crime and disorder. The proposed increase in capacity across the two floors will add to the cumulative impact, particularly at closing time and we have concerns that this application will cause further policing problems in an already demanding area.

## **2-B Other Persons**

<b>Received:</b>	29 <sup>th</sup> June 2017
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This part of Soho is already "stressed" when it comes to licensed premises and this application seeks to add to the overall volume of licensed premises which most locals agree is already over the capacity the infra-structure can cope with.

Simmons is a very popular venue; so much so that on most evenings the bar is packed and the outside pavement is completely blocked with drinkers and smokers, often spilling into the road, so that pedestrians can not pass and have to cross over the road to get by.

A wheelchair user would not be able to pass by the premises.

To double the capacity is ridiculous, and adding to licensed premises capacity in Soho sets a precedent.

I appreciate that the application is for pre-booked parties but there is no restriction ie: booked a month in advance - and this will be impossible to regulate. If this is granted it will be easy to move to "walk-ins" for instance how could they stop people migrating from downstairs to upstairs.

There is already too much "vertical" drinking in the area - maybe an option is to reduce the capacity and require seating to be always available eg: 20 seats. Also Simmons do not offer food  
- so all drinking is full on, not ancillary.

I really do feel that this application should be refused.

The upstairs room could quite easily be used for offices or something similar.

Please refuse this application.

### 3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:

<b>Policy CIA1 applies:</b>	(i) It is the Licensing Authoritys policy to refuse applications in the Cumulative Impact Areas for: pubs and bars, fast food premises, and premises offering facilities for music and dancing; other than applications to vary hours within the Core Hours under Policy HRS1.  (ii) Applications for other licensable activities in the Cumulative Impact Areas will be subject to other policies, and must demonstrate that they will not add to cumulative impact in the Cumulative Impact Areas.
<b>Policy PB2 applies:</b>	It is the Licensing Authoritys policy to refuse applications in the Cumulative Impact Areas other than applications to vary hours within the Core Hours under Policy HRS1.
<b>Policy FFP2 applies:</b>	It is the Licensing Authoritys policy to refuse applications in the Cumulative Impact Areas other than applications to vary hours within the Core Hours under Policy HRS1.

## 4. Appendices

<b>Appendix 1</b>	Applicant supporting documents
<b>Appendix 2</b>	Premises history
<b>Appendix 3</b>	Proposed conditions
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<b>Report author:</b>	Miss Daisy Gadd Senior Licensing Officer
<b>Contact:</b>	Telephone: 020 7641 2737 Email: dgadd@westminster.gov.uk

**If you have any queries about this report or wish to inspect one of the background papers please contact the report author.**

### **Background Documents – Local Government (Access to Information) Act 1972**

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<b>4</b>	Representation Environmental Health	17 July 2017
<b>5</b>	Representation Licensing Authority	19 July 2017
<b>6</b>	Representation Police	21 July 2017
<b>7</b>	Representation Resident	29 June 2017



**Applicant Supporting Documents**

None submitted

**Licence & Appeal History**

<b>Application</b>	<b>Details of Application</b>	<b>Date Determined</b>	<b>Decision</b>
05/04879/LIPCV	Converted premises licence	04.08.2005	Granted by Licensing Sub Committee
06/05849/WCCMAP	Master copy of licence	01.11.2007	Granted under Delegated Authority
14/08909/LIPDPS	Request to vary DPS	03.11.2014	Granted under Delegated Authority
15/09279/LIPT	Request to transfer the licence to Skylight Leisure LTD	21.10.2015	Granted under Delegated Authority
15/09298/LIPDPS	Request to vary DPS	21.10.2015	Granted under Delegated Authority
15/09738/LIPVM	This is an application for a minor variation - Updated floor plans; the bar servery has been moved to the right side of the room (same dimensions), fixed seating has been added to the far side of the room. No other changes have been made.	30.11.2015	Granted under Delegated Authority
16/02637/LIPV	This is an application vary the existing premises licence. This application is to extend the licensable hours for the sale of alcohol to 02:00, Thursday, Friday and Saturday.		Application withdrawn
16/05580/PREAPM	This is an application for pre-application advice. We are proposing to turn the first and second floor of the building into a dining	01.06.2016	

	<p>space, expanding the venues toilet facilities and creating a terrace/smoking area on the roof space. The first floor would include a kitchen, dining space and a bar service area. The second floor would include both female and male toilet facilities, an office space for the venue as well as a small bar area for customers to wait for tables in the dining room. The terrace/roof space would include a small service bar, seating areas for dining as well as a smoking area for the premises to try and keep the outside pavement area as clear as possible.</p>		
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<b>Application</b>	<b>Details of Application</b>	<b>Date Determined</b>	<b>Decision</b>
15/10289/LITENP	This is an application for a TEN – new	20.11.2015	Notice Granted
15/10727/LITENP	This is an application for a TEN – variation	04.12.2015	Notice Granted
15/10731/LITENP	This is an application for a TEN – variation	04.12.2015	Notice Granted
15/11047/LITENP	This is an application for a TEN – renewal	02.12.2015	Notice Granted
15/11371/LITENP	This is an application for a TEN – variation	22.12.2015	Notice Granted
16/00402/LITENP	This is an application for a TEN – variation	09.02.2016	Notice Granted
16/01638/LITENP	This is an application for a TEN – renewal	22.02.2016	Notice Granted

16/03806/LITENP	This is an application for a TEN – variation	21.04.2016	Notice Granted
16/05913/LITENP	This is an application for a TEN – renewal	20.06.2016	Notice Granted
16/08052/LITENP	This is an application for a TEN – variation	01.09.2016	Notice Granted
16/13593/LITENP	This is an application for a TEN – renewal	29.12.2016	Notice Granted
16/14175/LITENP	This is an application for a TEN – variation	04.01.2017	Notice Granted
17/03055/LITENP	This is an application for a TEN – new	04.04.2017	Notice Granted
17/03965/LITENP	This is an application for a TEN – new	25.04.2017	Notice Granted
17/04887/LITENP	This is an application for a TEN – new	30.05.2017	Notice Granted
17/06623/LITENP	This is an application for a TEN – new	27.06.2017	Notice Granted

**There is no appeal history**

*CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE AND CONDITIONS PROPOSED BY A PARTY TO THE HEARING*

When determining an application to vary a premises licence under the provisions of the Licensing Act 2003, the licensing authority must, unless it decides to reject the application, grant the licence subject to the conditions which are indicated as mandatory in this schedule.

At a hearing the licensing authority may, in addition, and having regard to any representations received, grant the licence subject to such conditions which are consistent with the operating schedule submitted by the applicant as part of their application, or alter or omit these conditions, or add any new condition to such extent as the licensing authority considers appropriate for the promotion of the licensing objectives.

This schedule lists those conditions which are consistent with the operating schedule, or proposed as appropriate for the promotion of the licensing objectives by a responsible authority or an interested party as indicated. These conditions have not been submitted by the licensing service but reflect the positions of the applicant, responsible authority or interested party and have not necessarily been agreed

**Conditions: On Current Licence -**

**Mandatory:**

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
4.
  - (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
  - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
    - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
      - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
      - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);

- (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
  - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
  - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
  - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
5. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
6. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
- (a) a holographic mark, or
  - (b) an ultraviolet feature.
7. The responsible person must ensure that—
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
    - (i) beer or cider: ½ pint;
    - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
    - (iii) still wine in a glass: 125 ml;

- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

A responsible person in relation to a licensed premises means the holder of the premise licence in respect of the premises, the designated premises supervisor (if any) or any individual aged 18 or over who is authorised by either the licence holder or designated premises supervisor. For premises with a club premises certificate, any member or officer of the club present on the premises in a capacity that which enables him to prevent the supply of alcohol.

8(i) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

8(ii) For the purposes of the condition set out in paragraph 8(i) above -

- (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
- (b) "permitted price" is the price found by applying the formula -

$$P = D + (D \times V)$$

Where -

- (i) P is the permitted price,
  - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
  - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
- (i) the holder of the premises licence,
  - (ii) the designated premises supervisor (if any) in respect of such a licence, or
  - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

- 8(iii). Where the permitted price given by Paragraph 8(ii)(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- 8(iv). (1) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.
9. All persons guarding premises against unauthorised access or occupation or against outbreaks of disorder or against damage (door supervisors) must be licensed by the Security Industry Authority.

## **Annex 2 – Conditions consistent with the operating Schedule**

10. The number of persons permitted in the premises at any one time (excluding staff) shall not exceed 60 persons.

***The applicant has proposed that Condition 10 be amended to:***

*The number of persons permitted in the premises at any one time (excluding staff) should be amended to a total of 120 persons, equating to 60 per floor.*

11. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
12. All windows and external doors shall be kept closed after 21:00 hours except for the immediate access and egress of persons.
13. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents in the vicinity.
14. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and leave the area quietly.
15. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
16. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for Licensable Activities and during all times when customers remain on the premises. All recordings shall be kept available for a minimum period of 31 days with time and date stamping. Recordings shall be



made available, immediately upon the request of an authorised officer or a police officer together with facilities for viewing throughout the preceding 31 day period.

17. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to the public. This staff member shall be able to show Police recent data or footage with the absolute minimum of delay when requested.
18. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following
  - (a) all crimes reported to the venue
  - (b) any complaints received regarding crime and disorder
  - (c) any incidents of disorder
  - (d) any faults in the CCTV system
  - (e) any refusal of the sale of alcohol
  - (f) any visit by a relevant authority or emergency service.
19. No entertainment, performance, service, or exhibition involving nudity or sexual stimulation which would come within the definition of a sex establishment in Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 as amended by the Greater London Council (General Powers) Act 1986 (whether or not locally adopted), shall be provided.
20. There shall be no striptease or nudity, and all persons shall be decently attired at all times.
21. The Premises Licence Holder is responsible for sweeping or washing away any rubbish or waste caused by customers immediately outside the premises from the building line to the kerb edge, including gutter/channel at its junction with the kerb edge. Litter and sweepings will be collected and stored in accordance with approved storage arrangements.
22. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
23. No rubbish, including bottles, shall be moved, removed or placed in outside areas between 23:00 hours and 08:00 hours
24. No deliveries of stock are to be received between 23:00 and 08:00 hours.
25. No person under fourteen shall be in the bar of the licensed premises during the permitted hours unless one of the following applies:
  - (a) He is the child of the holder of the premises licence.
  - (b) He resides in the premises, but is not employed there.
  - (c) He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress.

(d) The bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary.

In this condition "bar" includes any place exclusively or mainly used for the consumption of intoxicating liquor. But an area is not a bar when it is usual for it to be, and it is, set apart for the service of table meals and alcohol is only sold or supplied to persons as an ancillary to their table meals.

26. The hours for sale of alcohol and opening times may be extended on New Year's Eve until 05:00 on New Year's Day.

### **Annex 3 – Conditions attached after a hearing by the licensing authority**

27. After 23:00 hours (Monday to Saturday) and 22.30 hours (Sunday) patrons shall not take any drinks with them outside the premises.
28. The premises licence holder shall ensure that any patrons drinking and/or smoking outside the premises do so in an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction to the public highway.
29. No drinks shall be taken outside the premises in glass containers at any time.
30. There shall be collection of any litter and/or used receptacles every 30 minutes in the outside area during opening hours.

### **Conditions proposed by Police and Environmental Health**

31. In respect of the First Floor Alcohol shall only be sold for consumption by persons attending a pre-booked and bona fide private function or event to which members of the public are not admitted. A register of persons attending the event shall be kept at the premises and made available for immediate inspection by police or an authorised officer of the Council.

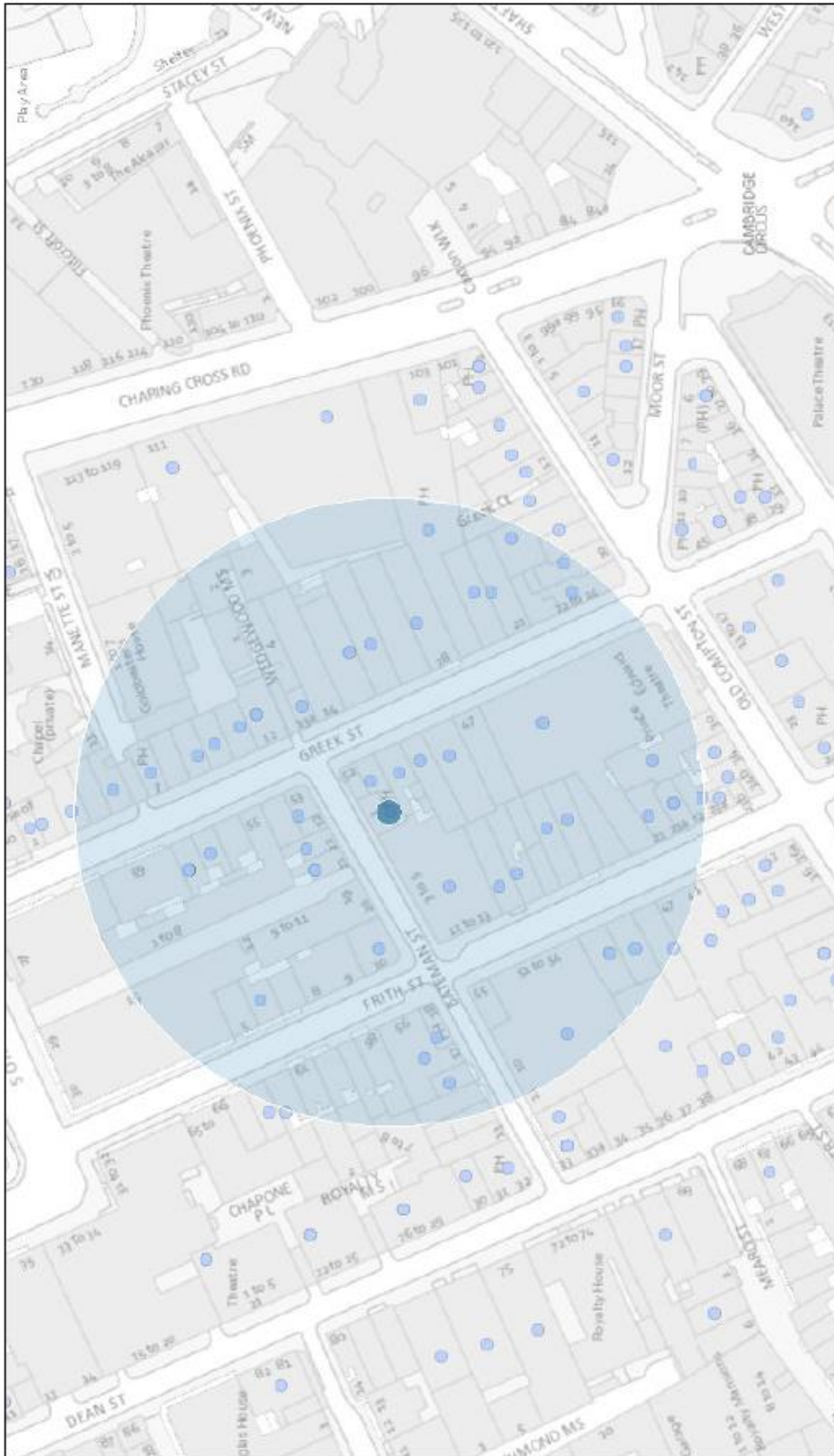
**(This condition could also include a requirement that the booking is made 24 hours or 48 hours in advance. The days and number of events per year could be limited by this condition.)**

32. The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.
33. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.
34. All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.

35. All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device.
36. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
37. Curtains and hangings shall be arranged so as not to obstruct emergency safety signs or emergency equipment.
38. All fabrics, curtains, drapes and similar features including materials used in finishing and furnishing shall be either non-combustible or be durably or inherently flame-retarded fabric. Any fabrics used in escape routes (other than foyers), entertainment areas or function rooms, shall be non-combustible.
39. The number of persons permitted in the premises at any one time (excluding staff) shall not exceed:  
  
Ground Floor 60 persons  
First Floor 60 persons'
40. A minimum of (X) SIA licensed door supervisors shall be on duty at the premises at all times whilst it is open for business.
41. At least (XX) SIA licensed door supervisors shall be on duty at the entrance of the premises at all times whilst the First Floor is in use.
42. A Challenge 21 or Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS hologram.

**Residential Map and List of Premises in the Vicinity**

Simmons



1:1,250  
0 0.01 0.02 0.04 mi  
0 0.015 0.03 0.06 km  
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September 19, 2017  
● Live Licensing Act

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Resident count = 93

Item No:	
Date:	3 October 2017
Licensing Ref No:	17/08911/LIPN - New Premises Licence
Title of Report:	10 Motcomb Street London SW1X 8LA
Report of:	Director of Public Protection and Licensing
Wards involved:	Knightsbridge And Belgravia
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Miss Heidi Lawrance Senior Licensing Officer
Contact details	Telephone: 020 7641 2751 Email: hlawrance@westminster.gov.uk

## 1. Application

1-A Applicant and premises			
<b>Application Type:</b>	New Premises Licence, Licensing Act 2003		
<b>Application received date:</b>	8 August 2017		
<b>Applicant:</b>	Cubitt House Limited		
<b>Premises:</b>			
<b>Premises address:</b>	10 Motcomb Street London SW1X 8LA	<b>Ward:</b>	Knightsbridge And Belgravia
		<b>Cumulative Impact Area:</b>	None.
<b>Premises description:</b>	According to the application the premises intends to operate as a Bar and Restaurant.		
<b>Premises licence history:</b>	The premises has been licensed since July 2005 and the current premises licence can be found at Appendix 5 (ref: 16/00729/LIPCHT).		
<b>Applicant submissions:</b>	Please see Appendix 1.		
<b>Plan</b>	Plans are available upon request to the Licensing Authority and will be available at the Licensing Sub-Committee		

1-B Proposed licensable activities and hours							
<b>Late Night Refreshment:</b>				<b>Indoors, outdoors or both</b>			Indoors
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	23:00	23:00	23:00	23:00	23:00	23:00	
<b>End:</b>	23:30	23:30	23:30	23:30	00:00	00:00	
<b>Seasonal variations/ Non-standard timings:</b>		From the end of permitted hours on New Year's Eve until the start of permitted hours on New Year's Day.  Sundays immediately prior to Bank holidays from 23:00 until 00:00					

<b>Sale by retail of alcohol</b>				<b>On or off sales or both:</b>			Both
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	10:00	10:00	10:00	10:00	10:00	10:00	10:00
<b>End:</b>	23:30	23:30	23:30	23:30	00:00	00:00	22:30
<b>Seasonal variations/ Non-standard timings:</b>		From the end of permitted hours on New Year's Eve until the start of permitted hours on New Year's Day.					

		Sundays immediately prior to Bank holidays from 10:00 until 00:00					
<b>Hours premises are open to the public</b>							
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	10:00	10:00	10:00	10:00	10:00	10:00	10:00
<b>End:</b>	00:00	00:00	00:00	00:00	00:30	00:30	23:00
<b>Seasonal variations/ Non-standard timings:</b>		From the end of permitted hours on New Year's Eve until the start of permitted hours on New Year's Day.  Sundays immediately prior to Bank holidays from 10:00 until 00:30					
<b>Adult Entertainment:</b>		None.					

## 2. Representations

<b>2-A Responsible Authorities</b>	
<b>Responsible Authority:</b>	Metropolitan Police Service (withdrawn)
<b>Representative:</b>	PC Sandy Russell
<b>Received:</b>	16 <sup>th</sup> August 2017

With reference to the above application, I am writing to inform you that the Metropolitan Police, as a responsible authority, will be objecting to this application. It is our belief that if granted the application would undermine the Licensing Objectives.

The conditions police propose are shown below, please let me know whether your client is willing to accept them as this may enable us to withdraw our representation.

1. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.

2. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.

3. A Challenge 21 proof of age scheme shall be operated at the premises where the

only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.

4. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by the police or an authorised officer of the City Council at all times whilst the premises are open.

5. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:

- (a) all crimes reported to the venue
- (b) all ejections of patrons
- (c) any complaints received concerning crime and disorder
- (d) any incidents of disorder
- (e) all seizures of drugs or offensive weapons
- (f) any faults in the CCTV system, searching equipment or scanning equipment
- (g) any refusal of the sale of alcohol
- (h) any visit by a relevant authority or emergency service

6. Alcohol consumed outside the premises building shall only be consumed by patrons who are seated at tables.

7. All outside tables and chairs shall be rendered either unusable or will be removed by 22.00hrs each day

***Following the agreement of conditions at Appendix 3 the MET Police have withdrawn their representation.***

<b>Responsible Authority:</b>	Environmental Health Consultation Team (withdrawn)
<b>Representative:</b>	Mr David Nevitt
<b>Received:</b>	5 <sup>th</sup> September 2017

I wish to make a representation on the following grounds:

Representation is made in relation to the application, as the proposals are likely to increase Public Nuisance and may impact upon Public Safety.

Additional comments:

Given the single escape stair, the inward opening doors, and the floor space that the capacities for the upper floors should be:

**First Floor – 50**

**Second Floor (small room) – 20**

**Top Floor - 40**



As a possible alternative: we do recognise that managing capacity of the Ground Floor of a pub is notoriously more difficult than a restaurant because patrons tend to be a bit more mobile, especially given that the pub has an outside area. As such, we could simply not specify a capacity for the GF and suggest that you apply a Fire Risk assessment for that part of the premises.

***Following the agreement of conditions at Appendix 3 Environmental Health have withdrawn their representation.***

## 2-B Other Persons

**Received:** 19<sup>th</sup> August 2017

I feel the late opening hours will be very detrimental to the neighbourhood, from a noise point of view. I live very close to the premises and even once it has shut the noise people make whilst dispersing is considerable and takes a good 15 or 20 minutes. I feel the proposed opening hours go on too late at night.

### 3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:

<b>Policy HRS1 applies</b>	<p>(i) Applications for hours within the core hours set out below in this policy will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy.</p> <p>(ii) Applications for hours outside the core hours set out below in this policy will be considered on their merits, subject to other relevant policies.</p>
<b>Policy PB1 applies:</b>	Applications will only be granted if it can be demonstrated that the proposal meets the relevant criteria in Policies CD1, PS1, PN1 and CH1.

## 4. Appendices

<b>Appendix 1</b>	Applicant supporting documents
<b>Appendix 2</b>	Premises history
<b>Appendix 3</b>	Proposed conditions
<b>Appendix 4</b>	Residential map and list of premises in the vicinity
<b>Appendix 5</b>	Existing Licence (Ref: 16/00729/LIPCHT).

<b>Report author:</b>	Miss Heidi Lawrance Senior Licensing Officer
<b>Contact:</b>	Telephone: 020 7641 2751 Email: hlawrance@westminster.gov.uk

**If you have any queries about this report or wish to inspect one of the background papers please contact the report author.**

### **Background Documents – Local Government (Access to Information) Act 1972**

<b>1</b>	Licensing Act 2003	N/A
<b>2</b>	City of Westminster Statement of Licensing Policy	7 <sup>th</sup> January 2016
<b>3</b>	Amended Guidance issued under section 182 of the Licensing Act 2003	March 2015
<b>4</b>	Application Form	8 <sup>th</sup> August 2017
<b>5</b>	Representation – MET	16 <sup>th</sup> August 2017
<b>6</b>	Representation – Environmental Health	5 <sup>th</sup> September 2017
<b>7</b>	Representation – Resident	19 <sup>th</sup> August 2017

**Applicant Supporting Documents**

None submitted.

**Premises History - 16/00729/LIPCHT**

<b>Application</b>	<b>Details of Application</b>	<b>Date Determined</b>	<b>Decision</b>
05/04918/LIPCV	Conversion Application	22.07.2005	Granted Under Delegated Authority
07/01096/WCCMAP	New premises Application	17.12.2007	Granted Under Delegated Authority
07/11337/LIPT	Transfer Application	20.12.2007	Granted Under Delegated Authority
07/11338/LIPDPS	Application to Vary the Designated Premises Supervisor	21.12.2007	Granted Under Delegated Authority
10/06280/LIPCH	Application to change a detail	25.03.2011	Invalid Application
11/07997/LIPDPS	Application to Vary the Designated Premises Supervisor	23.08.2011	Granted Under Delegated Authority
12/03952/LIPDPS	Application to Vary the Designated Premises Supervisor	20.7.2012	Granted Under Delegated Authority
12/07668/LIPDPS	Application to Vary the Designated Premises Supervisor	17.10.2012	Granted Under Delegated Authority
14/09336/LIPDPS	Application to Vary the Designated Premises Supervisor	08.01.2015	Granted Under Delegated Authority
15/09471/LIPDPS	Application to Vary the Designated Premises Supervisor	14.12.2015	Granted Under Delegated Authority
16/00729/LIPCHT	Application to change a detail	22.01.2016	Granted Under Delegated Authority
17/08270/LIPV	Variation Application	22.08.2017	Granted Under Delegated Authority

<b>Application</b>	<b>Details of Application</b>	<b>Date Determined</b>	<b>Decision</b>
16/11036/LITENP	Temporary Event Notice	26.10.2016	Notice Granted
17/09098/LITENP	Temporary Event Notice	31.08.2017	Notice Granted
17/09101/LITENP	Temporary Event Notice	21.08.2017	Notice Granted
17/09103/LITENP	Temporary Event Notice	21.08.2017	Notice Granted
17/09196/LITENP	Temporary Event Notice	26.09.2017	Notice Granted

There is no appeal history for the premises.

## **CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE AND CONDITIONS PROPOSED BY A PARTY TO THE HEARING**

When determining an application for a new premises licence under the provisions of the Licensing Act 2003, the licensing authority must, unless it decides to reject the application, grant the licence subject to the conditions which are indicated as mandatory in this schedule.

At a hearing the licensing authority may, in addition, and having regard to any representations received, grant the licence subject to such conditions which are consistent with the operating schedule submitted by the applicant as part of their application, or alter or omit these conditions, or add any new condition to such extent as the licensing authority considers necessary for the promotion of the licensing objectives.

This schedule lists those conditions which are consistent with the operating schedule, or proposed as necessary for the promotion of the licensing objectives by a responsible authority or an interested party as indicated. These conditions have not been submitted by the licensing service but reflect the positions of the applicant, responsible authority or interested party and have not necessarily been agreed

### **Mandatory Conditions**

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
4.
  - (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
  - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
    - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
      - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
      - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
    - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
    - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;

- (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
  - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
5. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
6. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
- (a) a holographic mark, or
  - (b) an ultraviolet feature.
7. The responsible person must ensure that—
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
    - (i) beer or cider: ½ pint;
    - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
    - (iii) still wine in a glass: 125 ml;
  - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
  - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

A responsible person in relation to a licensed premises means the holder of the premise licence in respect of the premises, the designated premises supervisor (if any) or any individual aged 18 or over who is authorised by either the licence holder or designated premises supervisor. For premises with a club premises certificate, any member or officer of the club present on the premises in a capacity that which enables him to prevent the supply of alcohol.

- 8(i) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

- 8(ii) For the purposes of the condition set out in paragraph 8(i) above -
- (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
  - (b) "permitted price" is the price found by applying the formula -  
$$P = D + (D \times V)$$
Where -
    - (i) P is the permitted price,
    - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
    - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
  - (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
    - (i) the holder of the premises licence,
    - (ii) the designated premises supervisor (if any) in respect of such a licence, or
    - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
  - (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
  - (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
- 8(iii). Where the permitted price given by Paragraph 8(ii)(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- 8(iv). (1) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.



## Conditions consistent with the operating schedule

9. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
10. No rubbish, including bottles, shall be moved, removed or placed in outside areas between 2300 hours and 0800 hours.
11. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
12. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
13. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public. This staff member shall be able to show Police recent data or footage with the absolute minimum of delay when requested.
14. An incident log shall be kept at the premises, and made available on request to an authorised officer of the Council or the Police, which will record the following:
  - (a) all crimes reported to the venue
  - (b) all ejections of patrons
  - (c) any complaints received concerning crime and disorder
  - (d) any incidents of disorder
  - (e) all seizures of drugs or offensive weapons
  - (f) any faults in the CCTV system or searching equipment or scanning equipment
  - (g) any refusal of the sale of alcohol
  - (h) any visit by a relevant authority or emergency service.
15. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
16. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and leave the area quietly.
17. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
18. A proof of age scheme, such as Challenge 21, shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence or passport.

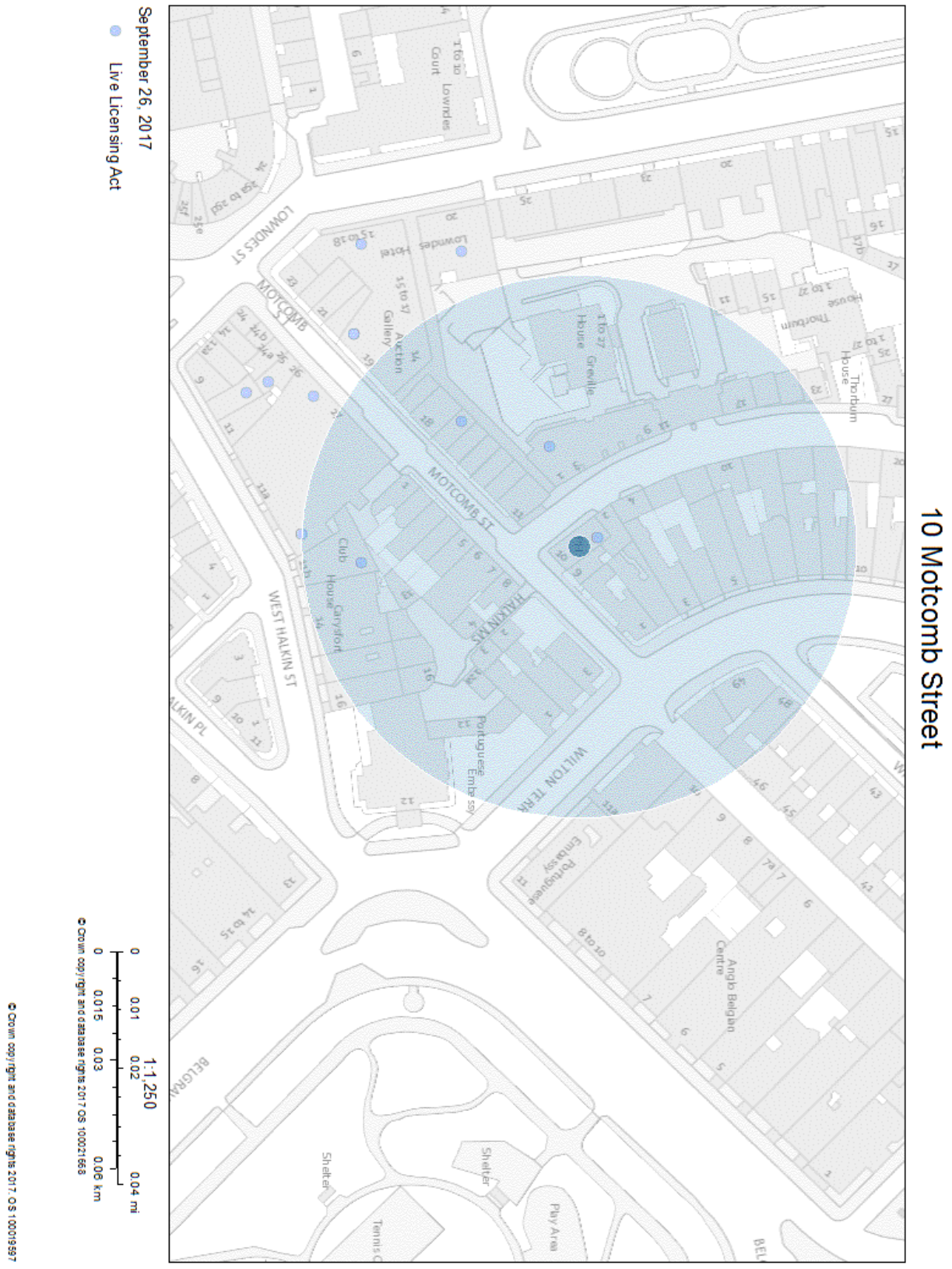
## **Conditions proposed by the Environmental Health**

19. The maximum number of persons permitted in the premises (excluding staff) at any one time shall not exceed the following:  
First Floor – 60 persons  
Second Floor (small room) –15 persons  
Top Floor – 35 persons

## **Conditions proposed by the Police**

20. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.
21. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
23. A Challenge 21 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
24. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by the police or an authorised officer of the City Council at all times whilst the premises are open.
25. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:
  - (a) all crimes reported to the venue
  - (b) all ejections of patrons
  - (c) any complaints received concerning crime and disorder
  - (d) any incidents of disorder
  - (e) all seizures of drugs or offensive weapons
  - (f) any faults in the CCTV system, searching equipment or scanning equipment
  - (g) any refusal of the sale of alcohol
  - (h) any visit by a relevant authority or emergency service
26. All outside drinking shall cease at 23.00hrs

**Residential Map and List of Premises in the Vicinity**



Resident Count: 139

**Premises Licence - 16/00729/LIPCHT**

**City of Westminster**

64 Victoria Street, London, SW1E 6QP

Schedule 12  
Part A

Premises licence

WARD: Knightsbridge  
And Belgravia  
UPRN: 100022782770

Regulation 33, 34

Premises licence number:

16/00729/LIPCHT

Original Reference:

05/04918/LIPCV

**Part 1 – Premises details**

**Postal address of premises:**

The Alfred Tennyson  
10 Motcomb Street  
London  
SW1X 8LA

**Telephone Number:** 0207 780 6074

**Where the licence is time limited, the dates:**

Not applicable

**Licensable activities authorised by the licence:**

Playing of Recorded Music  
Late Night Refreshment  
Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit  
Sale by Retail of Alcohol

**The times the licence authorises the carrying out of licensable activities:**

**Playing of Recorded Music**

**Late Night Refreshment**

Monday to Saturday: 23:00 to 23:30

**Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit**

**Sale by Retail of Alcohol**

Monday to Saturday: 10:00 to 23:00

Sunday: 12:00 to 22:30

**For times authorised for Christmas, New Year and Good Friday see conditions at Annex 1**

**The opening hours of the premises:**

Monday to Saturday: 10:00 to 23:30

Sunday: 12:00 to 23:00

**Where the licence authorises supplies of alcohol, whether these are on and/or off supplies:**

Alcohol is supplied for consumption both on and off the Premises.

**Part 2**

**Name, (registered) address, telephone number and email (where relevant) of holder of premises licence:**

Cubitt House Limited  
5 Berkeley Mews  
London  
W1H 7PB  
*Telephone Number : 0207 847 5600*

**Registered number of holder, for example company number, charity number (where applicable)**

05399542

**Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol:**

**Name:** Mr Adam Quigley

*Please note: It is the policy of the Licensing Authority not to display the address details of a designated premises supervisor.*

**Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol:**

**Licence Number:** LBWands/03732  
**Licensing Authority:** London Borough Of Wandsworth

**Date:** \_\_\_\_\_ 22/01/2016 \_\_\_\_\_

This licence has been authorised by David Sycamore on behalf of the Director - Public Protection and Licensing.

#### Annex 1 – Mandatory conditions

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
4.
  - (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
  - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
    - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
      - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
      - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
    - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
    - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
    - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
    - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
5. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
6.
  - (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
  - (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.



- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
  - (a) a holographic mark, or
  - (b) an ultraviolet feature.

7. The responsible person must ensure that—

- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
  - (i) beer or cider: ½ pint;
  - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
  - (iii) still wine in a glass: 125 ml;
- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

A responsible person in relation to a licensed premises means the holder of the premise licence in respect of the premises, the designated premises supervisor (if any) or any individual aged 18 or over who is authorised by either the licence holder or designated premises supervisor. For premises with a club premises certificate, any member or officer of the club present on the premises in a capacity that which enables him to prevent the supply of alcohol.

8(i) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

8(ii) For the purposes of the condition set out in paragraph 8(i) above -

- (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
- (b) "permitted price" is the price found by applying the formula -

$$P = D + (D \times V)$$

Where -

- (i) P is the permitted price,
  - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
  - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
- (i) the holder of the premises licence,

- (ii) the designated premises supervisor (if any) in respect of such a licence, or
  - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
- 8(iii). Where the permitted price given by Paragraph 8(ii)(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- 8(iv). (1) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

**Conditions which reproduce the effect of any restriction imposed on the use of the premises by specified enactment**

9. Alcohol may be sold or supplied:

- (a) On weekdays, other than Christmas Day, Good Friday or New Year's Eve, 10:00 to 23:00.
- (b) On Sundays, other than Christmas Day or New Year's Eve, 12:00 to 22:30.
- (c) On Good Friday, 12:00 to 22:30
- (d) On Christmas Day, 12:00 to 15:00 and 19:00 to 22:30.
- (e) On New Year's Eve, except on a Sunday, 10:00 to 23:00.
- (f) On New Year's Eve on a Sunday, 12:00 to 22:30.
- (g) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).

NOTE - The above restrictions do not prohibit:

- (a) during the first twenty minutes after the above hours the consumption of the alcohol on the premises;
- (b) 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;
- (c) during the first thirty minutes after the above hours the consumption of the alcohol on the premises by persons taking table meals there if the alcohol was supplied for consumption as ancillary to the meals;
- (d) the sale or supply of alcohol to or the consumption of alcohol by any person residing in the licensed premises;
- (e) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- (f) the sale of alcohol to a trader or registered club for the purposes of the trade or club;



(g) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;

(h) the taking of alcohol from the premises by a person residing there;

(i) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied;

(j) 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 liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

In this condition, any reference to a person residing in the premises shall be construed as including a person not residing there but carrying on or in charge of the business on the premises.

10. No person under fourteen shall be in the bar of the licensed premises during the permitted hours unless one of the following applies:

(a) He is the child of the holder of the premises licence.

(b) He resides in the premises, but is not employed there.

(c) He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress.

(d) The bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary.

In this condition "bar" includes any place exclusively or mainly used for the consumption of intoxicating liquor. But an area is not a bar when it is usual for it to be, and it is, set apart for the service of table meals and alcohol is only sold or supplied to persons as an ancillary to their table meals.

11. The terminal hour for late night refreshment on New Year's Eve is extended to 05:00 on New Year's Day.

**Annex 2 – Conditions consistent with the operating Schedule**

**Annex 3 – Conditions attached after a hearing by the licensing authority**

**Annex 4 – Plans**

Attached



**City of Westminster**  
64 Victoria Street, London, SW1E 6QP

Schedule 12  
Part B

Premises licence  
summary

WARD: Knightsbridge  
And Belgravia  
UPRN: 100022782770

Regulation 33, 34

Premises licence number:

16/00729/LIPCHT

**Part 1 – Premises details**

**Postal address of premises:**

The Alfred Tennyson  
10 Motcomb Street  
London  
SW1X 8LA

**Telephone Number:** 0207 780 6074

**Where the licence is time limited, the dates:**

Not applicable

**Licensable activities authorised by the licence:**

Playing of Recorded Music  
Late Night Refreshment  
Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit  
Sale by Retail of Alcohol

**The times the licence authorises the carrying out of licensable activities:**

Playing of Recorded Music

Late Night Refreshment

Monday to Saturday: 23:00 to 23:30

Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit

Sale by Retail of Alcohol

Monday to Saturday: 10:00 to 23:00

Sunday: 12:00 to 22:30

**For times authorised for Christmas, New Year and Good Friday see conditions at Annex 1**

**The opening hours of the premises:**

Monday to Saturday:

10:00 to 23:30

Sunday:

12:00 to 23:00

--

**Where the licence authorises supplies of alcohol, whether these are on and/or off supplies:**

Alcohol is supplied for consumption both on and off the Premises.

**Name and (registered) address of holder of premises licence:**

Cubitt House Limited  
5 Berkeley Mews  
London  
W1H 7PB

**Registered number of holder, for example company number, charity number (where applicable)**

05399542

**Name of designated premises supervisor where the premises licence authorises for the supply of alcohol:**

Name: Mr Adam Quigley

**State whether access to the premises by children is restricted or prohibited:**

Restricted

Date: 22.01.2016

This licence has been authorised by David Sycamore on behalf of the Director - Public Protection and Licensing.

Item No:	
Date:	3 October 2017
Licensing Ref No:	17/08880/LIPN - New Premises Licence
Title of Report:	Studio 88 47 Whitcomb Street London WC2H 7DH
Report of:	Director of Public Protection and Licensing
Wards involved:	St James's
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Miss Yolanda Wade Senior Licensing Officer
Contact details	Telephone: 020 7641 1884 Email: <a href="mailto:ywade@westminster.gov.uk">ywade@westminster.gov.uk</a>

## 1. Application

1-A Applicant and premises			
<b>Application Type:</b>	New Premises Licence, Licensing Act 2003		
<b>Application received date:</b>	8 August 2017		
<b>Applicant:</b>	T D C Ents Limited		
<b>Premises:</b>	Studio 88		
<b>Premises address:</b>	47 Whitcomb Street London WC2H 7DH	<b>Ward:</b>	St James's
		<b>Cumulative Impact Area:</b>	West end
<b>Premises description:</b>	The premise will operate as a venue providing live music, dancing and private hire facilities, with food and drink options also available.		
<b>Premises licence history:</b>	This is a new premises licence and therefore no history exists.		
<b>Applicant submissions:</b>	<p>The applicant has made submissions which can be found at Appendix 1 of the report.</p> <p>The applicant has also submitted a video to be shown at the Licensing Sub Committee hearing as part of their submissions.</p>		
<b>Plans</b>	Plans are available upon request to the Licensing Authority and will be available at the Licensing Sub-Committee.		

1-B Proposed licensable activities and hours							
Films				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
<b>Start:</b>	10:00	10:00	10:00	10:00	10:00	10:00	12:00
<b>End:</b>	01:00	01:00	02:00	03:00	03:00	03:00	22:30
<b>Seasonal variations/ Non-standard timings:</b>	<p>On the morning of the beginning of British Summer Time, the terminal hour will be 04:00.</p> <p>For the sub-basement only, from the end of the permitted hours on NYE to the start of the permitted hours on the following day.</p>						

Live music				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
<b>Start:</b>	10:00	10:00	10:00	10:00	10:00	10:00	12:00



<b>End:</b>	01:00	01:00	02:00	03:00	03:00	03:00	22:30
<b>Seasonal variations/ Non-standard timings:</b>	On the morning of the beginning of British Summer Time, the terminal hour will be 04:00. For the sub-basement only, from the end of the permitted hours on NYE to the start of the permitted hours on the following day.						

<b>Recorded music</b>				<b>Indoors, outdoors or both</b>			Indoors
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	10:00	10:00	10:00	10:00	10:00	10:00	12:00
<b>End:</b>	01:00	01:00	02:00	03:00	03:00	03:00	22:30
<b>Seasonal variations/ Non-standard timings:</b>	On the morning of the beginning of British Summer Time, the terminal hour will be 04:00. For the sub-basement only, from the end of the permitted hours on NYE to the start of the permitted hours on the following day.						

<b>Performances of dance</b>				<b>Indoors, outdoors or both</b>			Indoors
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	10:00	10:00	10:00	10:00	10:00	10:00	12:00
<b>End:</b>	01:00	01:00	02:00	03:00	03:00	03:00	22:30
<b>Seasonal variations/ Non-standard timings:</b>	On the morning of the beginning of British Summer Time, the terminal hour will be 04:00. For the sub-basement only, from the end of the permitted hours on NYE to the start of the permitted hours on the following day.						

<b>Anything of a similar description to that falling within (e), (f), or (g)</b>				<b>Indoors, outdoors or both</b>			Indoors
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	10:00	10:00	10:00	10:00	10:00	10:00	12:00
<b>End:</b>	01:00	01:00	02:00	03:00	03:00	03:00	22:30
<b>Seasonal variations/ Non-standard timings:</b>	On the morning of the beginning of British Summer Time, the terminal hour will be 04:00. For the sub-basement only, from the end of the permitted hours on NYE to the start of the permitted hours on the following day.						

<b>Late night refreshment</b>				<b>Indoors, outdoors or both</b>			Indoors
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	23:00	23:00	23:00	23:00	23:00	23:00	
<b>End:</b>	01:00	01:00	02:00	03:00	03:00	03:00	
<b>Seasonal variations/ Non-standard timings:</b>	On the morning of the beginning of British Summer Time, the terminal hour will be 04:00.						

	For the sub-basement only, from the end of the permitted hours on NYE to the start of the permitted hours on the following day.
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Supply of alcohol				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
<b>Start:</b>	10:00	10:00	10:00	10:00	10:00	10:00	12:00
<b>End:</b>	01:00	01:00	02:00	03:00	03:00	03:00	22:30
<b>Seasonal variations/ Non-standard timings:</b>		On the morning of the beginning of British Summer Time, the terminal hour will be 04:00. For the sub-basement only, from the end of the permitted hours on NYE to the start of the permitted hours on the following day.					

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
<b>Start:</b>	09:00	09:00	09:00	09:00	09:00	09:00	12:00
<b>End:</b>	01:30	01:30	02:30	03:30	03:30	03:30	00:00
<b>Seasonal variations/ Non-standard timings:</b>		On the morning of the beginning of British Summer Time, the terminal hour will be 04:00. For the sub-basement only, from the end of the permitted hours on NYE to the start of the permitted hours on the following day.					
<b>Adult Entertainment:</b>		None					

## 2. Representations

2-A Responsible Authorities	
<b>Responsible Authority:</b>	Environmental Health
<b>Representative:</b>	Anil Drayan (Environmental Health Officer)
<b>Received:</b>	31 August 2017

The applicant has submitted the following plans of the premises:

- Ground Floor, drawing no 383.52 LIC, dated 27.07. 2017
- Basement, drawing no 383.51 LIC, dated 27.07. 2017
- Sub- Basement, drawing no 383.50 LIC, dated 27.07. 2017

**The applicant is seeking the following Licensable activities:**

1. Provision of the following Regulated Entertainments: Monday and Tuesday, 10:00 to 01:00, Wednesday, 10:00 to 02:00, Thursday to Saturday, 10:00 to 03:00 and Sunday, 12:00 to 22:30.
  - Performance of Live Music 'Indoors'
  - Playing of Recorded Music 'Indoors'
  - Exhibition of a Films 'Indoors'
  - Performances of Dance 'Indoors'
  - Anything of a similar description to Live Music, Recorded Music or Performance of Dance 'Indoors'
2. Provision of Late Night Refreshment 'Indoors', Monday and Tuesday, 23:00 to 01:00, Wednesday, 23:00 to 02:00 and Thursday to Saturday, 23:00 to 03:00.
3. Provision of Sale by Retail of Alcohol 'On' and 'Off' the premises, Monday and Tuesday, 10:00 to 01:00, Wednesday, 10:00 to 02:00, Thursday to Saturday, 10:00 to 03:00 and Sunday, 12:00 to 22:30.
4. For all of the above licensable activities non- standard hours variation: On the morning of the beginning of British Summer Time, the terminal hour will be 04:00.

I wish to make the following representations in the order listed above based on the plans and operating schedule submitted:

1. Provision of the proposed Regulated Entertainments and for the hours requested may have the effect of increasing Public Nuisance in the West End Cumulative Impact Area and may impact on Public Safety
2. Provision of Late Night Refreshment may have the effect of increasing Public Nuisance in the West End Cumulative Impact Area
3. The Supply of Alcohol and for the hours requested may have the effect of increasing Public Nuisance in the West End Cumulative Impact Area and may impact on Public Safety.
4. The non- standard hours requested for the licensing activities may have the effect of increasing Public Nuisance in the West End Cumulative Impact Area and may impact on Public Safety

The applicant has submitted an extensive list of conditions in the operating schedule and these are under consideration.

As the hours requested for the licensable activities are significantly beyond the 'core hours' policy the applicant is requested to submit a Public Nuisance impact assessment as outlined in *Appendix 11 of Westminster's Statement of Licensing Policy*.

Such an assessment must include details of the mitigation measures for any plant and machinery employed to prevent Public Nuisance from odour or noise from its use. Additionally Environmental Health will need to be satisfied that there are appropriate measures to prevent sound transmission through the fabric of the building particularly if there are residential premises in the same building.

I understand the premises have not yet been refurbished for the proposed use and will

therefore need to be inspected on completion for Public Safety by the Environmental Health Consultation Team and the Licensing District Surveyor in line with the *District Surveyor's Technical Standards for Places of Entertainment*.

As the premises is located in a CIA Environmental Health will require the sanitary accommodation to be in compliance with the minimum provision as stated in *British Standard 6465 -1:2006 + A1:2009; Sanitary installations – Part 1: Code of practice for the design of sanitary facilities and scale of provision of sanitary and associated appliances: Table 11; sanitary appliances for licensed pubs, bars, etc.*

Please also note that any recommendations by Environmental Health for the capacity at the premises shall be based on whichever gives the lower figure from the number of toilets provided at the premises and the safe capacity assessment made under the Technical Standards.

The granting of the application as presented may have the likely effect of causing an increase in Public Nuisance in the West End CIA and may impact on Public Safety. The application also appears to be against Westminster's Statement of Licensing Policy.

The applicant is, therefore, requested to contact the undersigned to discuss these issues and to arrange a site visit accompanied by the District Surveyor. Environmental Health may then propose additional conditions to allay its concerns.

<b>Responsible Authority:</b>	Metropolitan Police
<b>Representative:</b>	PC Toby Janes
<b>Received:</b>	3 September 2017

I am writing to inform you that the Metropolitan Police, as a Responsible Authority, make a representation against the above application.

It is our belief that if granted the application would undermine the Licensing objectives in relation to the prevention of crime and disorder as there are insufficient conditions within the operating schedule.

The venue is situated in the West End cumulative impact area, a locality where there is traditionally high crime and disorder. We have concerns that this application will cause further policing problems in an already demanding area.

<b>Responsible Authority:</b>	Licensing Authority
<b>Representative:</b>	Mr David Sycamore
<b>Received:</b>	5 September 2017

I write in relation to the application submitted for a New Premises Licence.

As a responsible authority under section 13 (4) of the Licensing Act 2003 as amended under the Police and Social Responsibility Act 2011 the Licensing Authority have considered your application in full. The Licensing Authority has concerns in relation to this application and how the premises would promote the Licensing Objectives:

- Public Nuisance

- Prevention of Crime & Disorder
- Public Safety

The premises is located within the West End Cumulative Impact and as such a number of policy points must be considered.

The application relates to MD2 of the Westminster City Council Statement of Licensing Policy which states - It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas, other than applications to vary hours within the Core Hours, under Policy HRS1. This application seeks to go well beyond the core hours as stated in HRS1 for all licensable activities. We are also concerned how the additional 400 people will affect the already busy area (CIPi)

We would ask that this is noted as an objection and we look forward to receiving additional documents to address the policy concerns listed above.

### 3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:

Policy CIA1 applies:	<p>(i) It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas for: pubs and bars, fast food premises, and premises offering facilities for music and dancing; other than applications to vary hours within the Core Hours under Policy HRS1.</p> <p>(ii) Applications for other licensable activities in the Cumulative Impact Areas will be subject to other policies, and must demonstrate that they will not add to cumulative impact in the Cumulative Impact Areas.</p>
Policy FFP2 applies:	It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas, other than applications to vary hours within the Core Hours under Policy HRS1
Policy MD2 applies:	It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas, other than applications to vary hours within the Core Hours, under Policy HRS1.
Policy PB2 applies:	It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas other than applications to vary hours within the Core Hours under Policy HRS1
Policy HRS1 applies:	<p>(i) Applications for hours within the core hours set out below in this policy will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy.</p> <p>(ii) Applications for hours outside the core hours set out below in this policy will be considered on their merits, subject to other relevant policies.</p>

#### 4. Appendices

<b>Appendix 1</b>	Applicant supporting documents
<b>Appendix 2</b>	Premises history
<b>Appendix 3</b>	Proposed conditions
<b>Appendix 4</b>	Residential map and list of premises in the vicinity

<b>Report author:</b>	Miss Yolanda Wade Senior Licensing Officer	
<b>If you have any queries about this report or wish to inspect one of the background papers please contact the report author.</b>		
<b>Background Documents – Local Government (Access to Information) Act 1972</b>		
<b>1</b>	Licensing Act 2003	N/A
<b>2</b>	City of Westminster Statement of Licensing Policy	7 January 2016
<b>3</b>	Amended Guidance issued under section 182 of the Licensing Act 2003	March 2015
<b>4</b>	Application form	8 August 2017
<b>5</b>	Representation Environmental Health	31 August 2017
<b>6</b>	Representation Metropolitan Police	3 September 2017
<b>7</b>	Representation Licensing Authority	5 September 2017



# INTRODUCTION



Westminster City Council's Licensing Policy vision statement states:

"WE WANT TO MAKE SURE THAT WESTMINSTER CONTINUES TO OFFER A WIDE CHOICE OF HIGH QUALITY AND WELL MANAGED ENTERTAINMENT AND CULTURAL VENUES WITHIN A SAFE, ORDERLY AND ATTRACTIVE ENVIRONMENT; VALUED BY THOSE WHO LIVE HERE, WORK HERE AND COME TO VISIT."



TDC Ents wishes to secure a premises licence at 47 Whitcomb Street and believes that it will provide the very type of premises that the mission statement envisages if the application is granted. The applicant wishes to provide a unique live music venue of cultural significance in the heart of London, with an investment of over £1 million and providing jobs for 80 plus people. In addition to live music and dancing, substantial food will be available and part of the strategy for the business is to place heavy emphasis on the marketing of food when people book their tables to attend the venue and generally, (linking promotional activity to the sale of food, not alcohol). Based on current experience, it is anticipated that in excess of 85% of customers will pre-book their evening's entertainment at the venue several weeks in advance of their visit and that at least 40% will be repeat business.

Since 2007, London has lost 35% of its grassroots music venues and in this brochure, TDC Ents seeks to demonstrate that due to the type of entertainment proposed and the cultural importance of live music venues, in addition to the pro-active management style adopted, the application can be regarded as an exception to Westminster City Council's Licensing Policy.

STUDIO



TDC Ents intends to provide a live music venue where each night a group of skilled musicians meet and interact with the audience to play requests. The musicians will not necessarily have played together previously and the audience determines the play list. As a result, each night's entertainment will be bespoke and unique. The applicant already operates a live music venue called The Piano Works and has produced testimonials from the musicians who play at the venue which eloquently explain the nature of the evening's entertainment, the type of clientele who attend and why the venue is so important to them from a cultural perspective, all of which will be replicated at Whitcomb Street.

Live music venues are of huge significance to the cultural, social and economic life of the city and the loss of grassroots venues is of grave concern. The letter from the Music Venue Trust explains the work that they have been doing in this area and why, in their view, the opening of a live music venue will help to gain recognition of the role that these venues fulfil, "not only for artist development but also for the cultural and music industries, the economy and local communities." The value of such premises for nurturing new talent and providing artists with a platform is made clear in the letters of support from Caffe Nero and The Songwriting Academy with whom TDC Ents work extremely closely.

Mr Lorrimer, the Managing Director and Mr Moffat, the Operations Director understand the sensitivities associated with operating late night premises as they currently do so at The Piano Works which is located cheek by jowl with local residents. In 2015, they took over premises which had been the subject of two reviews of the premises licence following the extremely poor operating standards of a previous and completely unconnected, operator. Mr Lorrimer and Mr Moffat worked extremely hard to build the trust of local residents who had been very let down by the previous operator and who were very suspicious of the incoming operator. Local residents have been kind enough to write letters of support which are glowing endorsements of the hard work and operational style which Mr Lorrimer and Mr Moffat and their team have implemented to the satisfaction of those local residents.

STUDIO



The applicants appreciate the responsibility that comes with holding a premises licence and the particular sensitivities which are associated with operating premises in a cumulative impact zone, as they currently do at The Piano Works, and also have done in the recent past, in the heart of Westminster. They understand their obligations in promoting the licensing objectives and have set out in the brochure the measures they intend to adopt in order to address areas of concern. They appreciate that being a good operator is not a reason for a premises licence to be granted and that this is a pre-requisite of the privilege of being granted a licence, but they do believe that they "go the extra mile" in their operational standards and have sought to demonstrate their methods in this brochure.

In essence, the applicants believe that they will provide a "high quality and well managed entertainment and cultural venue within a safe, orderly and attractive environment, valued by those who live here, work here and come to visit" and that the proposal is an exception to policy because:

- The nature of the proposed concept means that the licensing objectives will not be adversely impacted and
- The nature of the concept is of important cultural significance and is in line with the Westminster City Council's vision statement for the city.

## TDC

WE CALL OUR COMPANIES TDC BECAUSE THEY ARE THE THREE CORNERSTONES OF OUR COMPANY CULTURE

### T = Target Market

25-35 year old, female, university educated, early advocates

### D = Differentiation

Our concept is unique. We provide London's only non-stop live music with audience requested repertoire

### C = Consistency

We provide high quality food, music, service and drinks each and every day

## STUDIO 88

### WHY STUDIO 88?

"Studio" because we anticipate that the many dance, rehearsal, film and recording studios in the vicinity will take advantage of having a world class live music venue in close proximity and "88" because a grand piano has 88 keys, one of the principle components of the live music concept we intend to offer.

### CONCEPT SUMMARY

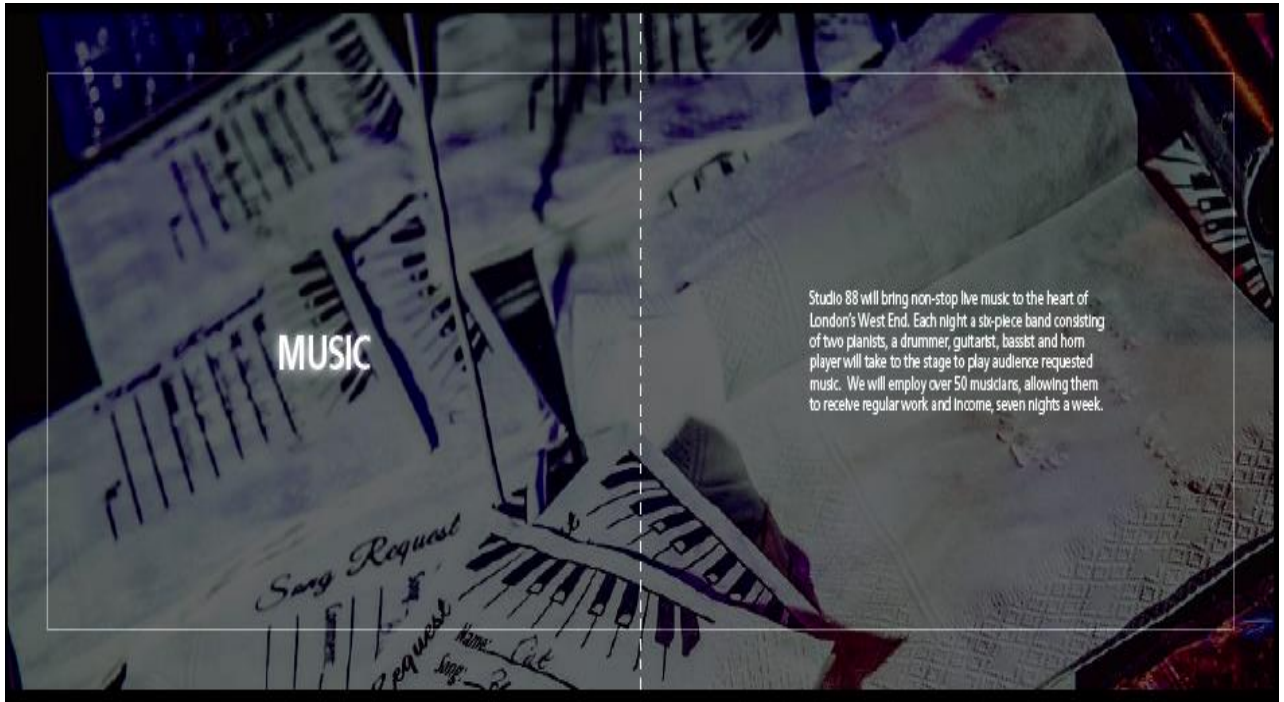
Our proposal is to introduce a world-class live music led venue to the heart of London's theatre land. A central stage will allow unrestricted sight lines of two grand pianos, guitars, horns and drums and the music selected is chosen entirely by the audience. Although live music will be the principal reason that customers resort to the premises, we will also provide a high quality novel concept dining offer, which customers can select when they make their reservations, extensive cocktail choices made with the freshest of ingredients and by highly trained 'mixologists' and dancing to tunes that the audience has selected, making each night a bespoke and unique experience.

## CUSTOMER JOURNEY

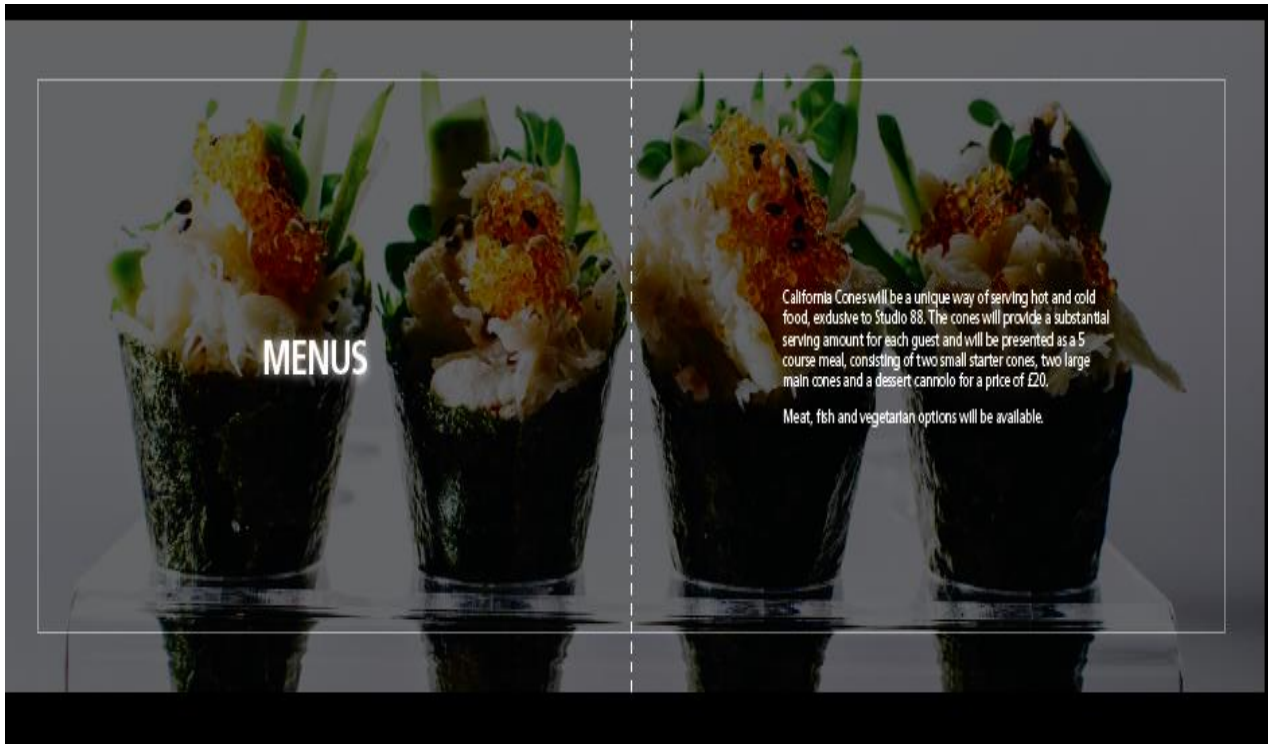
- The customer will be greeted at the front door
- Their booking will be checked and their coat deposited at a dedicated cloakroom before being shown to their table
- Customers will be able to select the songs of their choice using the request napkins on their table
- Customers will be served with pre-ordered food when applicable or will be able to place orders for food and drinks with waiting staff. Service will be fast, efficient and friendly
- Customers will sing to their favourite songs

## RESERVATIONS

We anticipate that at least 85% of all sales will be pre-booked and based on experience, that 40% of guests will be repeat customers. Our customers will be able to reserve tables in advance with dinner and brunch packages on offer and card details will be taken. For the minority of guests who chose not to book in advance, an entrance fee may be charged.



Studio 88 will bring non-stop live music to the heart of London's West End. Each night a six-piece band consisting of two pianists, a drummer, guitarist, bassist and horn player will take to the stage to play audience requested music. We will employ over 50 musicians, allowing them to receive regular work and income, seven nights a week.



California Cones will be a unique way of serving hot and cold food, exclusive to Studio 88. The cones will provide a substantial serving amount for each guest and will be presented as a 5 course meal, consisting of two small starter cones, two large main cones and a dessert cannolo for a price of £20.

Meat, fish and vegetarian options will be available.





## MANAGEMENT

Alan Lorrimer, owner, is a serial restaurateur with over 30 years experience and has launched over 18 restaurant, bar and live music venue concepts.

He has opened seven restaurants within Westminster, including Paupers and The Cavalier Bar in Knightsbridge, Joe Peperoni in Soho, Porters, Bates, Paul's Bar and Tutton's Brasserie in Covent Garden.

He has created three late night live music venues including Guanabara on Drury Lane with a 600 capacity, Charlotte St. Blues 350 capacity and most recently The Piano Works in Farringdon.

He has always maintained excellent relationships with neighbours and statutory bodies.

Tristan Moffat operations director, with 15 years experience working mainly within late night central London restaurant and bar operations. Within Westminster he has successfully managed Mezzo, Quaglinos, Sway, Grace, Sugar Reef, and Tiger Tiger.

He worked with Alan previously at Guanabara and presently at The Piano Works. He will be a partner in Studio 88.

## WE GO TO GREAT LENGTHS

AT THE PIANO WORKS WE AS A MANAGEMENT TEAM TAKE REAL PRIDE IN HAVING A PROACTIVE AND OPEN MINDED APPROACH TO BUILDING AND FACILITATING POSITIVE RELATIONSHIPS WITH OUR LOCAL RESIDENTS, STATUTORY BODIES, BUSINESSES AND ALL STAKEHOLDERS IN OUR BUSINESS.

WE HAVE AN ETHOS OF CONTINUOUS IMPROVEMENT AND THIS IS APPLIED TO ALL AREAS OF THE BUSINESS AND WILL ALSO BE THE CASE FOR STUDIO 88. EXAMPLES OF MANAGEMENT CONTROLS AND STAFF TRAINING WE ADOPT ON A DAY TO DAY BASIS WHICH UPHOLD THE FOUR LICENSING OBJECTIVES AND HAVE BEEN PROVED TO BE HIGHLY EFFECTIVE AT THE PIANO WORKS ARE:

**Street patrolling** - We will have security with body cameras in a high visibility vests responsible for observing, deterring, preventing and reporting any inappropriate or anti-social behaviour. Patrolling will take place significantly beyond our immediate demise, in the same way that we do currently at The Piano Works. Any lost or distressed members of the public will be helped to a place of safety.

**Queue tunnel** - We will provide concertina covered tunnels to lessen noise disturbance and protect guests as they wait to enter.

**Protection of children from harm** - In addition to checks by door staff on entry, we will display "Challenge 25" signs in the areas of the venue where alcohol is being permitted and uphold a "Challenge 25" ID policy throughout our operation and will only accept passports or driving licences as proof of ID, in the usual way. In addition, our till system will prompt staff with a pop up message prior to any alcohol sales on a transaction "Is your customer 25 or over? Anyone born on or before 3rd October 1999 is over 18" with a yes or no select option. We will also have staff sign a daily responsible service log which verifies they will ID all guests who look under 25 and cover all points on responsible service of alcohol and licensing laws.

**Property Patrol** - We will offer free storage of bags for guests and will only allow hand held dutch bags into the premises beyond the doakroom point. Security will also be allocated to the role of property patrol and will go around the venue collecting property that is left unattended to ensure there are no trip hazards for health and safety and to prevent possible thefts. They will leave a card in the place of the property that will state 'Lost Something? Don't Panic! Please make your way to the box office at the front door and ask property patrol for help'. This has proved to be most helpful with lost mobile phones and house keys.

**Street cleaning** - On a daily basis we will clean the radius of our building in Whitcomb Street an area significantly beyond our demise. This involves collecting litter and sweeping debris from the streets in the local area. Please refer to the green shaded area on the map to see the area we intend to dean at the start, during and end of every day's trading.

**CCTV and additional lighting provision** - We will install four exterior CCTV cameras to provide clear imagery and head shots looking in both directions up and down Whitcomb Street and both entrances to Whitcomb Court, again areas significantly beyond the immediate vicinity of our demise. We will put clear signage of the CCTV as a deterrent to anti-social behaviour. We will significantly improve the lighting in Whitcomb Court in order to promote public safety. Please see black arrows on map to see location and direction of proposed external cameras.



## THE PIANO WORKS

At our current site, The Piano Works, we operate London's only non-stop live music venue.

Located in a listed Victorian warehouse with a 400 person capacity, we have over 50 musicians employed by us, bringing musical diversity to the venue and allowing them to receive regular work and income. Alongside our core audience request concept, we collaborate with Caffè Nero and The Song Writing Academy, welcoming some of London's best up and coming singer songwriters on to our stage. In 2016, we introduced our own event 'Emerging Talent' to the venue, which twinned an evening with the already established 'Emerging Artists'. Emerging Talent gave new and unsigned performers the opportunity to not only take centre stage but also win a substantial cash prize to help fund their music career. As recognition of the support The Piano Works has brought to the music industry within London, we are recognised as one of London's Grassroots Music Venues.



## MUSIC ORGANISATION TESTIMONIALS

- "I believe the venue is an incredible showcase platform for new artists and it pivotal in the enhancement of new music and musicians in the UK. It is venues like Pianoworks that keep the live music scene alive and help it thrive in the UK."  
- Luc Floreani, CEO, Floreani Management (Luc Floreani discovered the now famed, award winning singer songwriter, Sam Smith)
- "Pianoworks has become our favourite London venue to put on live music as a result of its professionalism and quality of its service, personnel and physical space."  
- Paul Ettinger (Pablo), Business Development & Music Director, Caffe Nero
- "The Piano Works has, since opening in July 2015, established both an excellent reputation and a strong business model."  
- Beverley Whitrick, Strategic Director, Music Venue Trust
- "We currently host regular nights looking for new talent and showcase curated artist nights every month at The Piano Works, which we find to be an excellent venue to give artists a professional stage with an informed and appreciative audience."  
- Martin Sutton, Founder and Head Course Instructor, The Songwriting Academy

## NEIGHBOUR TESTIMONIALS

- "I am writing in support of the Piano Works Westminster licence application because they are by far the most open, proactive, positive and creative operators with which I have ever met."  
- Leora Neidle, Friends of Clerkenwell Green
- "In short, if all after-hours establishments were run like Piano Works, central London would be able to square the challenge of being a night-time economy and a liveable city which caters for residents with children."  
- Dimitri Zenghels, Neighbour and Resident of 24 Ray Street
- "I can highly recommend the management strategies and general approach of Piano Works. It is rare to encounter a venue that takes such good care of its neighbours."  
- Cereilyn Ord, Neighbour and Resident of 24 Ray Street
- "From the start the new owner and management team of the The Piano Works Bar was interested getting into conversation with us residents trying to find out what we as residents were expecting."  
- Martina Geccell, Neighbour and Resident of 24 Ray Street

## MUSICIAN TESTIMONIALS

THE PIANO WORKS MUSICIANS WERE ASKED TO ANSWER THE FOLLOWING THREE QUESTIONS BASED ON THEIR OWN EXPERIENCES OF WORKING IN THE VENUE.

HOW DO YOU FEEL THE PIANO WORKS CONTRIBUTES TO THE LIVE MUSIC INDUSTRY WITHIN LONDON?

HOW WOULD YOU DESCRIBE YOUR AUDIENCE?

WHAT ARE THE PERSONAL BENEFITS YOU HAVE GAINED FROM WORKING AT THE PIANO WORKS?

- "The piano works is a venue that attracts people who like music and it is great to have an atmosphere which brings everyone together to appreciate good music regardless of social, race, and gender boundaries."  
- Andy Joseph, Drummer
- "Any venue that offers a 7 days a-week live music show is worth its place in the cultural life of this or any other city."  
- Nick Schinder, Pianist and Vocalist
- "I feel it encourages people to support the ever-valuable live performance element of music in a world where, increasingly, venues of this type resort to 'easy' options which do little to inspire the clientele or engage them in a unique way."  
- Tobias Humble, Drummer
- "This is a unique music experience from which any substantial city could benefit."  
- Elias Hendricks, Pianist and Vocalist



- "The Piano Works contributes in a huge way to London's music scene as it's the only place I am aware of where it's possible to see high quality live music every night of the week until late in a safe and friendly environment."  
- Alex Chadwick, Saxophonist

- "It affords ordinary members of the public the unique opportunity to see their own choice of song played at close quarters by live musicians of the highest professional standard."  
- Dan Clark, Guitarist

- "The live music industry in London, shamefully, is dying. Piano Works has provided a much needed injection of life into the industry."  
- Tara Minton, Pianist and Vocalist

- "Piano works is unique and really incorporates the audience, more than any other music venue I've been to."  
- Dale Stanley, Pianist and Vocalist

- "The format which is interactive, for the first time bridges the gap between punter and performer in a way not experienced before."  
- Bia Jones, Pianist and Vocalist

- "Piano Works offers regular work for musicians in a nice, fun and friendly environment, there is no other venue like Piano Works, that offers that amount of live music."  
- Mart Kesa, Pianist and Vocalist

- "I feel the Piano Works contributes to the music scene in allowing artists and musicians to express themselves and hone in on their skills whilst allowing them to earn a living."  
- Graeham Meerder, Pianist and Vocalist

- "As a session player who travels all over the world with music, I can honestly say the Piano Works is a one-off."  
- Sean Monaghan, Drummer

- "Piano Works one of the few (if not only) music venues that the public know that they can go to to listen to live music every night of the week."  
- Karen Straw, Trumpet

## CUSTOMER TESTIMONIALS

facebook

4.3 ●●●●●○  
6,003 Likes  
435 reviews

- "Amazing atmosphere, people, friendly and helpful members of staff. There isn't one thing that you won't like about this venue!"  
- January 2017

- "Organised a surprise birthday for a friend here and the staff were incredible, the band were incredible, and the whole night was incredible."  
- March 2017

- "This place is my favourite! Always amazing music and great vibes!"  
- August 2017

tripadvisor

4 ●●●●●○  
357 Reviews

Consistently in the top 15% of all restaurants reviewed in London

- "The band was amazing and it's great that there's space to dance."  
- August 2017

- "Great fun as most reviews agree but, as a wheelchair user, The Piano Works is not only inclusive and accessible but provided the best service and assistance I've received in London!"  
- August 2017

- "I gave Piano Works a glowing review back in June, after celebrating my best friend's birthday there. The place is so amazing that I absolutely HAD to come back."  
- July 2017

- "The security at the door were professional and courteous in how they conducted themselves. We stopped down into the venue and were greeted with a live band that performs to an audience-requested playlist."  
- September 2017

## CHARITY TESTIMONIALS

- "The entertainment Suzie and her team provided for the BMI Healthcare charity ball in Manchester this June, in aid of the charity Prevent Breast Cancer in which we raised £17,000, was next to none... The performance and concept is so unusual and it works unbelievably well!"  
- Ashley Hunt, Consultant Relations Manager, BMI Healthcare

- "My experience of working with the team from Management, Marketing, Music and Operations has always been an immense pleasure. Their level of customer service is exceptional and their commitment to the charitable cause was inspiring to many of our supporters and other partners."  
- Elizabeth Irvine, Community Fundraising Coordinator & Sing for Samaritans Project Manager







# APPENDICES

## STUDIO 88 LICENCE APPLICATION



TDC Ents. Ltd / Studio 88. 47, Whitcomb St. WC2H 7DH  
TDC Concepts Ltd / The Piano Works. 113 – 117, Farringdon Rd, EC1R 3BX

## CONTENTS

1. TDC Concepts Summary.....	Page 2
2. Management.....	Page 4
2.1 CV of Alan Lorrimer.....	Page 4
2.2 CV of Tristan Moffat.....	Page 6
2.3 Letter from Michael Watson.....	Page 9
3. Studio 88 Menus.....	Page 10
3.1 Starter and Main Cones.....	Page 13
3.2 Bar food.....	Page 16
3.3 Dessert Cannoli.....	Page 17
3.4 Reference Images.....	Page 18
4. Music Organisation Testimonials.....	Page 19
4.1 Music Venue Trust (MVT).....	Page 19
4.2 Caffè Nero.....	Page 21
4.3 The Song Writing Academy.....	Page 22
4.4 Emerging Artists.....	Page 23
5. Neighbour Testimonials.....	Page 24
5.1 24 Ray Street Residents.....	Page 24
5.2 Friends of Clerkenwell Green.....	Page 27
6. Musician Testimonials.....	Page 30
7. Charity Testimonials.....	Page 38
7.1 Samaritans.....	Page 38
7.2 BMI Healthcare.....	Page 39

## 1. TDC Concepts Summary

We call our companies TDC because they are the three cornerstones of our company culture.

T D C

### Target Market | Differentiation | Consistency

We design our space, menus and experience for our target market and we employ our staff and musicians to be as close to target market as possible to inform the way we speak, write and perform.

#### Target Market

- A) Target market (early adopters, advocates) Female 20-35, professional, well-educated, cosmopolitan in their tastes, liberal in their views, enjoy the vibrancy and diversity of inner city living. Love innovation and are early adopters. Positive minded with a large group of friends and will see them as a second family. Identify with contemporary male and female singer/songwriters drawn to lyrics that touch upon their own life experiences. Often eat out, visit cinema and theatre, museums, exhibitions. At an age when income is not spent on consumer durables other than computers, phones and cameras. Work in journalism, politics, entertainment and arts, fashion, design, media, PR and marketing. Well-travelled, have an international orientation, well-read, keen interest in environmental and humanitarian issues, enjoy the arts, quality national newspapers, internet primary source of information. Confident in their style, well aware of fashion trends but prefer their own individuality, an extension of their own personality. Usually use debit cards rather than credit cards. Postpone making permanent commitments to partners or having children, live in small but smart rented flats in inner city London areas.
- B) Male 25-34 as above plus: Creative professionals also work in financing, law, IT and housing services. Prepared to pay more for their food, greater awareness of health issues, ethical concerns. Technophiles, music lovers, news junkies, readers, gamers, photo opportunists. Innovators, trend starters and predictors of the next big thing. Spend minimal time watching TV; spend much more time watching videos on internet. Listen to radio. Heavy music listeners, involved in social networking, using twitter, downloading games and apps. More likely to hear of what's going on through social media. They like to watch or read about normal guys in extreme or exaggerated situations – slapstick, edgy and sarcastic humour into travel, music, theatre, film, TV, tech and gaming. Higher than non-innovators in terms of income. Happier, more confident, secure and gravitate towards premium understated brands and experiences to affirm their identity. Favour cool experiences over great products. Enriching individuals.
- C) Secondary market (followers) People, who listen to the early adopters and follow their advocacy, work in more stable and secure jobs banking, insurance, civil workers, bureaucrats, shops.

- D) Tertiary market. Only come in to town occasionally for theatre, comedy, etc. They have mortgages, generally older. They hear about the place from the normal channels; magazines, newspapers, radio, TV.

## **2. Management**

### **2.1 CV of Alan Lorrimer**

Alan is a proven leisure entrepreneur of over 30 years' standing. He has launched over eighteen new start up bar and restaurant concepts, the initial five for the Earl of Bradford and the remainder for himself and his partners his most recent success is The Piano Works a 400 capacity late night live music venue in Farringdon.

#### Career history

July 2015 to date | The Piano Works, Farringdon

Managing Director and Founder. 7250 sq.ft. site converted into London's only non-stop live music venue where the audience decides the repertoire.

2004 to 2012 | Guanabara, Holborn

Managing Director and Founder. 13.5k sq.ft. site converted into the most successful Brazilian live music venue outside of Brazil. South East leisure finalist in the 2007 Sunday Times/ Bank of Scotland Entrepreneur Challenge.

2010 | Charlotte St. Blues, Fitzrovia

Managing Director and Founder. Opened a dedicated blues live music venue converting 3000 sq.ft. over three floors.

2005 | Moshi Moshi Sushi

Non-exec chairman. London's first conveyor belt sushi restaurant.

2002 | The Junction Tavern, Kentish Town

Non-exec chairman. Converted second run down pub into award winning gastropub.

2000 | Webnet Media Ltd

Managing Director and Founder. Developed F2F Bar concept.

2000 | The Northgate, Islington

Non-exec chairman. Converted run down pub into award winning gastropub.

1999 | Tiger Lil's

Owner. Fitted out 41' Westerly Oceanlord sailing yacht Tiger Lil's for circumnavigation and joined Blue Water Rally.

1997 | Tiger Lil's, Islington

Opened third site in group, converting 3000 sq.ft. ex-bank into 120-seat restaurant and bar.

1996 | Tiger Lil's, Chelsea

Opened second site in group, converting 2500 sq.ft. ex-pub into 100-seat restaurant and bar.

1995 | Tiger Lil's, Clapham

Managing Director and Founder. Converted 2300 sq.ft. Wimpy Bar into 100-seat oriental themed restaurant and bar.

1992 | Paul's Bar, Covent Garden

Acquired a 120-capacity bar and obtained consents to link to adjoining property.

1987 | Tuttons Brasserie, Covent Garden

Joined existing operation as consultant for one year, then became Managing Director and Partner. 120-seat restaurant and bar with 100 seats outside in summer. Converted 2000 sq.ft. basement into Bar Sol, one of the first London Latin tapas bars in May 1988.

1985 | Joe Pepetoni, Soho

Managing Director and Founder. Acquired 6000 sq.ft. restaurant was converted into a 250-seat Italian theme restaurant and 100-seat bar.

1982 | Bates, Covent Garden

Managing Director and Founder. Converted 2500 sq.ft. site from shell into an 80-seat fine dining English restaurant and bar.

1979 | Porters, Covent Garden

Supervised the fitting out of 5000 sq.ft. shell into 200-seat restaurant and bar. Operated the English pie concept and brand, making it the first successful high profile mass appeal English restaurant. Equally popular with local and international customers, it generated considerable media interest.

1976 | The Caviar Bar, Knightsbridge

Opened London's first caviar bar, employing key management and staff from recently closed Mme. Prunier in St James. Opened retail shop and negotiated supply contracts with Fauchon, Feyer, Maxims, and Maison de la Truffe.

1975 | Paupers, Knightsbridge

General Manager. 80-seat wine bar and 120-seat restaurant in 3500 sq.ft. site.

1973 | Leadbelly, Croydon

Transferred from Brighton to Croydon to supervise building works to convert 5000 sq.ft. site from shell to operate 120-seat restaurant and bar.

1971 | Leadbelly, Brighton

Ex gun shop converted into fashionable and successful American 80-seat 2500 sq.ft. hamburger restaurant. Opened by the team that opened the Great American Disaster restaurant in Fulham Road.

## 2.2 CV of Tristan Moffat

### **TRISTAN MOFFAT**

5 Glanville Crescent | Stevenage | Hertfordshire | SG1 4FW  
[tristan@pianoworks.bar](mailto:tristan@pianoworks.bar) | +44 (0)7738 299 608  
Tristan Moffat (Linkedin.com)

#### **CAREER EXPERIENCE**

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##### **The Piano Works - London**

May 2015 – To Present

Operations Director – TDC CONCEPTS LTD (T-Target Market D-Differentiation C- Consistency).

General Manager –The Piano Works, restaurant, bar and live music venue, Farringdon, London.

[www.pianoworks.bar](http://www.pianoworks.bar)

##### **Grace Bar - London**

July 2013 – To May 2015

General Manager –The Grace bar, restaurant and club, Piccadilly Circus London.

180 cover restaurant 995 total venue capacity

[www.grace-bar.co.uk](http://www.grace-bar.co.uk)

##### **Guanabara - London**

May 2011 – To July 2013

General Manager –The Guanabara bar, restaurant and club, Holborn, London.

220 cover restaurant 600 total venue capacity

[www.guanabara.co.uk](http://www.guanabara.co.uk)

##### **Grace Bar - London**

April 2011 – May 2011

Assistant General Manager –Grace bar, restaurant and club, Piccadilly, London (Formerly Sugar Reef)

180 cover restaurant 995 total venue capacity

[www.grace-bar.co.uk](http://www.grace-bar.co.uk)



### **The Wall Bar – London**

Feb 2011 – April 2011

Assistant General Manager –The Wall bar and club, London Wall, Liverpool Street.

473 total venue capacity

### **Tiger Tiger London**

January 2010 – January 2011

Assistant General Manager – Restaurant- Tiger Tiger London, The Haymarket London.

220 Restaurant seating capacity, 1,780 total capacity venue

[www.tiger-london.co.uk](http://www.tiger-london.co.uk)

### **Sway Bar London**

June 2009 – January 2010

Restaurant Manager Sway bar, restaurant and club, Holborn London.

210 Covers and 1,000 total capacity venue

[www.swaybar.co.uk](http://www.swaybar.co.uk)

### **Sugar Reef London**

August 2007 – June 2009

Restaurant Manager Sugar Reef bar, restaurant and club, Piccadilly London.

320 Covers and 995 total capacity venue

[www.grace-bar.co.uk](http://www.grace-bar.co.uk)

### **Tiger Tiger London**

July 2007 – August 07

Management induction placement (1 Month) Tiger Tiger, London

### **Bluebird Restaurant - London**

March 2007 – July 07

Private Dinning Manager Bluebird Restaurant, London

<http://www.danddlondon.com/restaurants/restaurants/bluebird/>

### **Quaglino's Restaurant, London**

May 2006 – March 07

Bar Manager

Quaglino's Restaurant, London D&D London/Conran Restaurants

<http://www.quaglinos.co.uk/>

**Escape Bar Restaurant Nightclub, Oxford**

August 04 – May 06

Bar Manager Escape Bar Restaurant Nightclub, Oxford

<http://www.escape-oxford.co.uk/>

**Plateau Restaurant -London**

June 04 – August 04

Bar Manager

Plateau Restaurant, Canary Wharf, London (Conran Restaurants)

<http://www.danddlondon.com/restaurants/plateau/home>

**Mezzo Bar and Restaurant, London**

August 03 – June 04

Head Bar Tender (University placement year)

Mezzo Bar and Restaurant, London (Conran Restaurants)

<http://www.danddlondon.com/restaurants/meza/home>

2.3 Letter from Michael Watson  
Independent auditor of operational methods



I have been a licensing consultant with Licence Consultants since 2004. Licence Consultants Ltd is a licensing consultancy service with a respected reputation amongst the Police, local authorities, and our private clients. Previously, I was a civilian licensing officer with the Metropolitan Police Clubs and Vice Unit (CO14) and a licensing officer at the London Borough of Islington. I have attained the Certificate of Higher Education in Licensing Law from Birmingham University and I have been a member of the Institute of Licensing since its creation. I have been an independent licensing consultant for over twelve years.

My role as a consultant is to work with clients in partnership with the statutory authorities. I have worked with a wide variety of premises including night clubs, bars, restaurants and hotels. My clients include Maxwell's Restaurants (Café de Paris, Roadhouse & Tropical Beach Club), Drake & Morgan, Tape, The Box Soho, Cirque Le Soir, Reign, Mahiki, the Truman Brewery and the London Park Lane Hilton.

I have known Alan Lorrimer in a professional capacity for almost 10 years. Alan is a very professional operator with a proven track record and commitment to promoting the Four Licensing Objectives. He is very proactive in all licensing matters and has made compliance a top priority in all of his businesses.

I have also known Tristan Moffat professionally for a number of years. We have worked together a Novus sites (Tiger Tiger and Grace) and Piano Works in Farringdon and I have found him to be an effective and very capable manager.

Alan has engaged Licence Consultants Ltd to provide external audits of the premises to ensure compliance with the Licensing Act 2003 and any specific conditions attached to the Premises Licence. We will also devise best practice policies and procedures and provide staff training. This is an ongoing service and provides continuous support and advice to the management of the premises.

Kind regards,

**Michael Watson**  
Director  
Licence Consultants

Suite 843  
19-21 Crawford Street  
London  
W1H 1PJ

+44 (0)7958 512 470 (M)  
+44 (0)20 7115 5244 (T)  
[www.licenceconsultants.com](http://www.licenceconsultants.com)

### 3. Studio 88 Menus

Studio 88  
California Cones

"I wish they all could be California Cones..."



Servers dressed in stylised server uniforms will constantly patrol the seating areas proudly carrying ice cream trays edge lit in either red, amber or green.



Within the trays, rows of varied non-edible bamboo cones will be displayed. Red tray cones will contain meat, amber tray cones will contain fish and the green tray cones will contain vegetarian options.



There will be additional trays with cones holding bar snacks and edible cones for dessert. The servers will explain the fillings, offer dressings toppings and serve the cones into holders placed on the table along with a bamboo fork, spoon and napkin. Cones will be individually priced at £4 each and customers can impulse buy at will. In order to reserve a table customers will pay £20 each for five cones that have been pre-ordered at time of booking. Drinks will be extra.







### 3.1 Starter and Main Cones

#### California Cones Red Tray Fillings

##### Meat



##### Korean fried chicken wings (starter)

- Shredded miso & lime glazed pork shoulder with fennel, apple & coriander (main)
- Smoked duck, pickled mushroom, spring onion, coriander, rice salad in nori (main)
- Buttermilk chicken, with a honey & lime dressing (starter)
- Glazed satay chicken skewer, crushed spiced cashews (starter/main)
- Malay chicken with glutinous rice & mango chutney (main)
- Honey & soy pork skewer with a tamarind dip (starter/main)
- Mirin & soy beef & raw vegetable salad (starter/main)
- Grilled pinoy pork skewer with a magdamas dip (starter/main)
- Pulled sticky chicken with carrot & mooli salad with a yoghurt mint dressing (main)
- Maui chicken curry, brown rice & avocado & coriander yoghurt (main)

California Cones  
Amber Tray Fillings

Fish



- Maui prawn curry, brown rice & avocado & coriander yoghurt (main)
- Shellfish, corn, tomato and kale salad with an avocado & yoghurt dressing (starter/main)
- Seabass ceviche, mango and avocado salsa and chicory (starter)
- Tuna sushi (starter)
- Cured mackerel, cucumber, green papaya, jalapeno, shredded gem, yuzu soy dressing (starter)
- Crayfish, green mango & chilli spring roll with an avocado & crème fraiche dip (starter)
- Crayfish, black eye beans, tomato & coriander salad (starter/main)
- Crisp prawn roll, wasabi mayo (starter)
- Vietnamese prawn roll & sweet chilli sauce (starter)
- Salmon poke (starter/main)
- Soft shell crab with chipotle mayo (starter)
- Crab, green mango, chilli, coriander & lime, noodle salad (starter/main)



California Cones  
Green Tray Fillings

Vegetarian



- Raw vegetable roll & sweet chilli sauce (starter)
- Raw vegetable salad with chilli & mirin dressing (starter)
- Courgette, mint, chilli & parmesan salad (starter)
- Bajan rice salad, jalapeño, ginger & mint dressing & spiced pecans (starter/main)
- Warm kimchi, black rice & pickled mushroom salad (starter/main)
- Butternut squash malay curry, glutinous rice & mango chutney (starter/main)
- Crisp vegetable bibimbap & gochujang mayo (starter)
- Watermelon, feta, mint & olive salad (starter)
- Fattoush style salad, dressed with lemon juice & olive oil and topped fried tortilla strips (starter)
- Crisp avocado & chipotle mayo (starter)
- Beetroot tzatziki & raw vegetables (starter)
- Cucumber & avocado sushi (starter)
- Spiced sweet potato, black bean, and quinoa casserole & chipotle yoghurt (main)

### 3.2 Bar Food

#### Bar Snacks



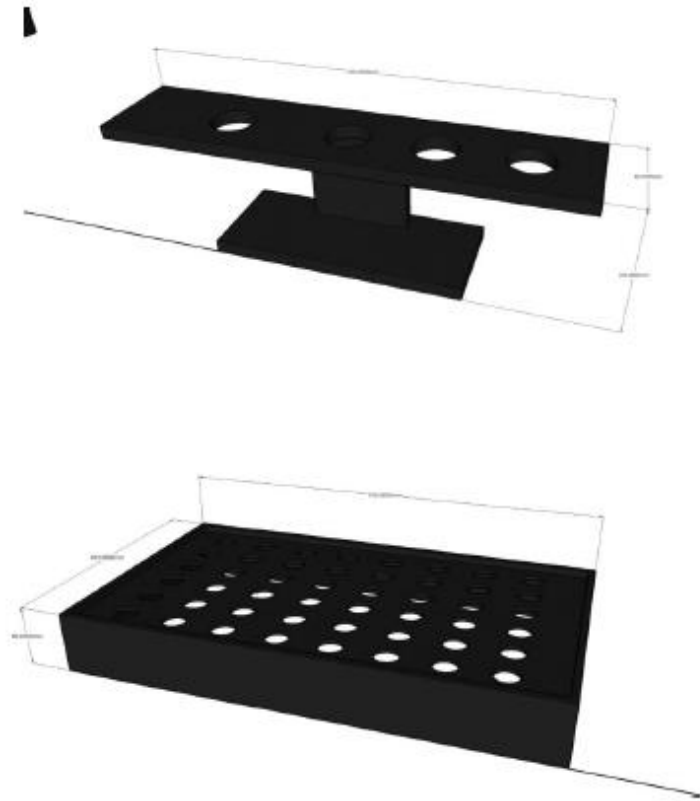
Salted almonds  
Spiced cashews  
Peanuts  
Wasabi peas  
Pistachios in shell  
Roasted corn  
Salted pecans  
Salted pretzels

### 3.3 Dessert Cannoli



Chocolate  
Mint  
Mint chocolate  
Hazelnut  
Lemon & pistachio  
Pistachio & white chocolate  
Chocolate orange  
Blueberry & ricotta  
Cranberry & white chocolate  
Spiced pumpkin  
Salted caramel

3.4 Reference Images



## 4. Music Organisations Testimonials

### 4.1 Music Venue Trust (MVT)



Music Venue Trust,  
PO Box 69,  
Tunbridge Wells,

Registered charity no. 1159846

30 August 2017

Studio 88 Licence Application

To whom it may concern,

Music Venue Trust (MVT) is a registered charity, created in January 2014 to protect the UK live music network by securing the long-term future of iconic grassroots music venues (GMVs) such as Hull Adelphi, Exeter Cavern, Southampton Joiners, The 100 Club, Band on the Wall, Tunbridge Wells Forum etc. These venues have played a crucial role in the development of British music over the last 40 years, nurturing local talent, providing a platform for artists to build their careers and develop their music and their performance skills.

We work to gain recognition of the essential role these venues fulfil, not only for artist development but also for the cultural and music industries, the economy and local communities. We aim to preserve and improve venues, making them more efficient and improving the experience for performers and audiences.

During our first few years, one of the key pieces of work in which we were involved was the Mayor of London's Music Venues Taskforce which led to the London's Grassroots Music Venues Rescue Plan (October 2015) and follow up report Making Progress (January 2017). As part of this process we mapped London's venues and evidenced their value to communities, the economy and the culture of London. Across London 35% of venues were lost between 2007 and 2015, with the situation in central London being particularly severe (including the loss of The Astoria and the 12 Bar Club). Making Progress showed an improvement, demonstrating that the measures laid out in the Rescue Plan and a real conversation about the value of London's grassroots music venues (economically as well as culturally and socially) are benefitting the city. There is still much work to be done to ensure that London continues to have a world class music offer for both residents and visitors.

UK Music's Wish You Were Here 2017 report states, "The money generated by live music events in the capital crashed through the £1billion barrier in 2016," but the report also says that, "We need to

do more to protect smaller venues, many of which are fighting for survival.” How refreshing it is then to find a venue in London which has created a model so successful that they are ready to expand to additional premises. The Piano Works has, since opening in July 2015, established both an excellent reputation and a strong business model.

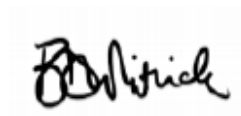
They train musicians, provide work for them seven nights a week and attract a loyal and well-behaved clientele. The Piano Works regularly employ 51 musicians, provide monthly showcases for The Songwriters Academy who mentor new singer/songwriters and for Caffè Nero who search for new talent to feature on their store playlists.

The Piano Works is listed as one of London’s grassroots music venues (GMVs) for the opportunities they provide for talent development, with facilities and a programme offering the chance to hone performance and audience engagement skills. A further venue offering the same model in central London will be a very welcome addition to the map of GMVs, enhancing the music offer to music and theatre fans in a key area for tourism. MVT would be delighted to see Studio 88 open in the Borough of Westminster.

The Piano Works is a member of the national collective Music Venues Alliance and each year attends the national networking event Venues Day which seeks to bring together the UK’s GMVs. It is MVT’s great pleasure to support the team and their work.

Should you require any further information or wish to discuss this please do not hesitate to contact me by email ([beverley@musicvenue trust.com](mailto:beverley@musicvenue trust.com)) or phone (07809 155388).

Yours sincerely



Beverley Whitrick  
Strategic Director, Music Venue Trust

For further information please see the following links:

Music Venue Trust: <http://musicvenue trust.com/> and <http://musicvenue trust.com/about/> Music Venues Alliance

<http://musicvenue trust.com/music-venues-alliance/Venues Day 2016>

<http://musicvenue trust.com/2016/01/venues-day-2016-18-oct-atroundhouse-london/>

Articles in support of the need for MVT’s work and the grassroots music sector in general can be seen here: <http://musicvenue trust.com/news-2/>



#### 4.2 Caffe Nero



##### To whom it may concern

As one of the founders of Caffe Nero, I have been responsible for developing the music programme for Caffe Nero which has become an important element of our brand.

We have worked closely with Alan's team over the past two years putting on monthly music showcases in Pianoworks which have featured some of the UK's finest unsigned musicians. Pianoworks has become our favourite London venue to put on live music as a result of its professionalism and quality of its service, personnel and physical space. We have never had any issues with security or management of the venue and we enjoy working with such a good business.

Over the past years Caffe Nero has helped to develop many musicians including world class talent such as Jack Savoretti and having a venue like Pianoworks available to us is absolutely critical in maintaining our music programme and continuing to develop talent.

London has already lost far too many live music venues over the past years and the development of Studio 88 would be a welcome change in this sad decline and will ensure that the live music industry remains a key part of the attraction that has always been part of London. We support Studio 88 100% and hope to be able to put live music on in this location for many years to come.

Should you require further information, please do not hesitate to contact me.

##### **Paul Ettinger (Pablo)**

Business Development & Music Director

tel +44 (0)20 7520 5160

fax +44 (0)20 7520 5198

Caffe Nero

3 Neal Street London WC2H 9PU

### 4.3 The Songwriting Academy



I am the founder and head course instructor of The Songwriting Academy. We train and develop songwriters and artists aiming for success in the music industry, through a range of courses, mentoring and live performance nights.

We currently host regular nights looking for new talent and showcase curated artist nights every month at The Piano Works, Farringdon, which we find to be an excellent venue to give artists a professional stage with an informed and appreciative audience. Our year culminated this Spring with our "Share The Success" awards ceremony at TPW.

We believe live music to be essential to the development of new artists and songwriters alike and unfortunately central London is sadly lacking in venues dedicated to this. TPW is an exceptional and rare venue where not only is there a fully equipped sound system to cope with single performers up to full bands, but the lighting, staging and atmosphere is perfect for all performers to develop their performance and audience engagement skills.

The Piano Works holds monthly showcases for other organisations including Caffe Nero, searching for new talent to feature on their store playlists, pay royalties and tour. TPW also trains musicians, provides work for them seven nights a week and attracts a loyal and well behaved customer following that loves the non-stop audience requested repertoire.

I believe Studio 88 will be a very much needed and welcome addition to London's live music scene and all of us at The Songwriting Academy are very excited at the prospect of a second live music venue of the high calibre of The Piano Works.

Kind Regards

Martin Sutton



#### 4.4 Emerging Talent



For the past 2 years I have worked closely with the team at Pianoworks on a weekly Emerging Artists night. We have had over 250 emerging artists perform at Pianoworks which is a phenomenal achievement I believe. Musicians from all over the country and the world showcasing a number of genres.

I believe the venue is an incredible showcase platform for new artists and it pivotal in the enhancement of new music and musicians in the UK.

It is venues like Pianoworks that keep the live music scene alive and help it thrive in the UK.

The dedicated team headed up by Amie and Alan are enthusiastic about new musicians and nurturing new talent.

From our show case nights we have launched artists on tour throughout China, Russia and the United States.

*Luc*

*Luc Floreani*

*CEO*

*Floreani Management*

*PH: 07766798001*

[luc@floreanimanagement.com](mailto:luc@floreanimanagement.com)

(Luc Floreani discovered the now famed, award winning singer songwriter, Sam Smith)

## **5. Neighbours Testimonials**

### **5.1 24 Ray Street Residents**

To whom it may concern.

We are very lucky to have Piano Works in our neighbourhood.

When Piano Works originally sought a licence for the venue at the corner of Ray street and Farringdon Road, many of us local residents were suspicious. They new owners promised to establish a club which took account of the numerous concerns of residents who had suffered from noise, violence and disruption of the previous venue owners. They promised to police crowds, carefully select the punters, limit noise (especially after the club closed when the clientele emptied onto the streets), patrol and clean the streets and direct vehicles away from residential areas.

The trouble is we had heard this all before from the previous owners. They had never followed through effectively and had served to make life hellish in this neighbourhood. Indeed, I was among those who gave evidence in the hearings which led to the closure of Ghost, the former establishment. In the end, the difference with the previous owners could not have been more marked.

The new owners have lived up to their promises and shown genuine consideration for the local residents. They have invested manpower to make sure crowds and traffic jams are properly contained. The bouncers and staff are courteous and responsive. Moreover, the good nature of the clientele reflects the ethos of the establishment itself which is a pleasure to visit (I recommend you do so before making your assessment). In place of noise, fights, traffic and crowds we now have an establishment with owners who we trust who we welcome into the community.

In short, if all after-hours establishments were run like Piano Works, central London would be able to square the challenge of being a night-time economy and a liveable city which caters for residents with children.

We have nothing but praise for the new owners and I could not endorse the management team more wholeheartedly. I would be happy to answer specific questions directly.

Dimitri Zenghelis, Flat 1, 24 Ray Street, London EC1R 3DJ

"As a resident on Ray Street in Clerkenwell we were firstly very critical when a new venue was taking over the closed & "Ghost" club on Ray Street. The former Ghost Club was forced to close by the council and police due to mayor problems with crime and anti-social behaviour.

As residents, we were building a group and became actively engaged in opposing to that level of anti-social behaviour on our streets. Problems included noise, drug abuse, anti-social behaviour and violent crime. We all experienced a terrible time during the activities at the Ghost Club and were highly critical to a new venue, as the Ghost Club management were not able to control the situation at all.

From the start the new owner and management team of the The Piano Works Bar was interested getting into conversation with us residents trying to find out what we as residents were expecting. The management team engaged into our concerns and were very responsive and organised. From the onset a strong team of door men was controlling the arriving guests. That helped to keep the street noise level lower. If questions arose at all times the management of the Piano Bar was positively responsive and found better solutions to a risen issue (e.g. moving the smoker's corner on to Farringdon Rd.) The management was considering residents issues and were productive in keeping disturbances to a minimum. As a club they have a very different clientele as the former Ghost Club - mainly young professionals. We have not experienced any mayor disturbances, or anti-social behaviour due to the open Piano Works Bar.

I can confirm that the Piano Bar is managed by a responsible, considerate team who is actively interested in good neighbourly cooperation."

- Martina Geccelli, Neighbour and resident of 24 Ray Street.

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To whom it may concern,

I moved into the neighbourhood in 2015 and noticed very quickly how popular Piano Works was (and still is). I naturally wondered whether this would pose an issue in terms of neighbourhood disturbances like late night messes, heavy traffic including cool cats revving their engines, shouting matches and even worse, dangerously intoxicated and violent customers milling about post-party looking for fights.

But, none of this transpired. Not only did none of this transpire but Piano Works have shown themselves to be excellent at managing a high volume club in a residential area.

Pylons are diligently placed up our street to ensure parking is restricted, the entrance and exits are maintained with vigilant security to ensure the people flow is quiet and well behaved. But we have noticed that the peaceful atmosphere seems to be best maintained through a careful door-person selection policy that means we see single and large groups of rowdy men turned away with minimum fuss. This seems to be an incredibly useful strategy in heading off trouble before it even begins.

On occasion, we did hear the occasional loud goodbyes as people say goodnight. Given the fact that we're about to have a baby and have developed healthy paranoia about whether we might soon be lacking in sleep, we contacted Piano Works. The Operations Director, Tristan, was in touch immediately and worked with us to quickly and fully resolve the issue. We no longer hear any late night goodnights emitting from Piano Works clientele and are very grateful especially as we are now only a week away from imminent delivery.

I can highly recommend the management strategies and general approach of Piano Works. It is rare to encounter a venue that takes such good care of its neighbours.

Should you wish to be in touch further to discuss, please do so. My number is 07842784769 and my email address is [cereinyn@gmail.com](mailto:cereinyn@gmail.com)

All the best,

Cereinyn Ord (24 Ray Street)

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## 5.2 Friends of Clerkenwell Green

My family of 3 generations lives locally to The Piano Works on Farringdon Road in Clerkenwell, Islington.

Islington's Licensing Policy sets out that Islington has the second highest density of pubs, bars, clubs and off licences in the country. And that Clerkenwell has one of the highest concentrations of late licensed premises in the borough, with 10% of Islington's "on licensed" venues located within this small geographical area. As a consequence, Clerkenwell sees an influx of many thousands of people in the evening and at weekends. The Licensing Policy therefore recognises that Clerkenwell is an area of saturation and designates it a Cumulative Impact Zone.

Our borough has also been facing significantly stronger commercial pressures over the past 5 years for bigger operations with longer hours. We've had an increasing number of premises licence applications for 3am closing, 24-hour openings, etc - all of which is very unusual for this area (aside from a couple notable exceptions like Fabric). This pressure has been fuelled by forecasts for a vast increase in volume of people in the area with the arrival of Crossrail Farringdon.

As a result, neighbours formed an informal association a couple of years ago. We are a strong-knit community that is fiercely proud of our neighbourhood and actively supports each other's right for peace and quiet.

We have grown to nearly 150 resident members of mixed ages and backgrounds from Clerkenwell Green and the immediate area (which encompasses the Piano Works Farringdon). We focus on new applications that could negatively impact many residents, existing applications where residents are being negatively impacted and development / protection of our public amenity spaces. And when applications are particularly likely to have detrimental effect to the area, we are able to mobilise 250+residents to submit representations to the Council.

I co-founded this residents group and am very actively involved in our joint efforts to balance the residential and commercial needs in our area. Within this context, I have worked with dozens of existing and prospective licence holders of restaurants, bars, PMCs, music venues etc), with their Licensing lawyers and with Islington's Councillors, Licensing department and Noise Nuisance department.

I am writing in support of the Piano Works Westminster licence application because they are by far the most open, proactive, positive and creative operators with which I have ever met. And I do not say that lightly. Most operators we meet with are defensive, antagonistic and entitled from the minute we start speaking with them. And many new licence applicants refuse to bend any of their plans until their licence applications have been refused, at least once or twice.

In the past when we raised concerns from local residents (and bear in mind there is a large Peabody estate located just opposite the Farringdon location), the Piano Works were quick to get into action. They identified creative ways to minimise noise emanating from the premises and from their queue (sometimes at significant cost to themselves), to ensure patrons leaving the premises do not wander



towards residential dwellings and to ensure that residents waking up in the morning are not surrounded by a mess.

In this context, I believe the Piano Works can be a positive venue in Westminster. We've also seen that their management is happy to work with other venues to collaboratively make improvements. Recently they have also taken the time to advise us in our dealings with a new premises that is causing problems, helping us to nudge that venue into adopting some of the Piano Works Farringdon's strategies that we consider to be best practices in the area.

Prior to the Piano Works opening, the previous venue had been shut. The previous operators, Ghost, had their licence reviewed twice due to a number of incidents, poor management and little awareness of the local communities concerns. When the Piano Works opened, local residents were very cautious.

Residents have long memories of Turnmills, Ghost and other problematic venues that we've had to live next to. And long memories of how many years it can take for residents to get problematic licensed premises shut down. So we do not approach new licensees lightly. Aside from the typical negative impacts that such venues can cause when badly managed, we also face unique impacts since the vibrations from loud music travel in this area, shaking windows and houses up to 500 yards away due to the historic network of arches and tunnels that exist under our streets.

The Piano Works management understand the environment in which they operate and the bad venues that residents have previously lived through. They have worked hard to ensure that they are conscious of local residents' needs and concerns, they have taken our concerns seriously, and I am thrilled with their proactive approach to addressing these issues in a positive manner and to our satisfaction.

Even after my first meeting with them, we were so impressed that I emailed the Clerkenwell Licensing officer to update him and highlight some strategies that we thought were best practices:

*Hi Simon - I wanted to update you quickly regarding the Piano Works. Following the complaints from residents of the Peabody Estate, Tristan has made some innovative changes that are helping - according to him and the residents. We had a great meeting on Saturday, and I was very impressed with his prior experience, his openness and his proactive, creative approach.*

*Tristan now has security staff on the other side of Farringdon Rd opposite the Piano Works. They have high vis jackets and new security body cameras that are at chest height and noticeably say audio & visual recording. These security staff are stopping patrons from heading into the Peabody Estate or urinating on the walls. Residents have told me this has been helpful.*

*I asked him how this has been going - i.e. is it successful, has it instigated any fights or other problems, and if he and his staff feel safe with this approach. He indicated that people tend to get camera shy, and that his staff take a soft approach with patrons that is working and not causing problems. It seems that he and his staff are finding it a good and useful strategy.*

*Other things he does that are notable...*

*At closing time they clean the streets all along Saffron Hill, down Ray St and along the west side of Farringdon Rd down to 9th Ward*

*Only 12 people in the smoking area at any time, and with a capacity of 400. Great ratio :-) !! He said they often have an inside queue to get out to the smoking area. They also realised that some people wishing to go outside didn't even want to smoke - they just wanted a bit of a quiet moment; so they made one section of the bar a quieter area that people can go into.*

*No re-entry for patrons if they go out of the premises for anything other than smoking in the designated area.*

*At closing time 1am they have 11 security in high-vis jackets - down Farringdon Rd on the west side down towards 9th Ward, across Farringdon Rd on the Ray St bridge to prevent patrons going that direction towards residents and 2-3 inside.*

*They also run barriers leading from the exit door, right onto Farringdon Rd on the west side of the road and down some distance so that - once patrons get out of the barriers and start wandering off - they are further south, further from residents, and their noise will be partially blocked by the walls on either side of the train tracks that are between Farringdon Rd and Farringdon Lane.*

*They also have cones on the road and try to stop cabs stopping on Ray St bridge or just outside the club (so not near to the Peabody Estate). And they have commissioned pop up tunnels to help reduce the noise of the queue and the noise of guests as they leave at closing time.*

*Obviously not all of these approaches are relevant for all licensed premises in the area, but I thought I would highlight to you some of what he is doing. We are going to try to convince Anne in Noise team and Simmons Owner to include security staff across the street as part of their dispersal policy... we'll see :-)*

*At some point when we have a moment, it would be great to speak with you about The Green, Betsy Trotwood and the other pub between them (sorry I'm blanking on the name at the moment). And Tristan said there might be some merit to all sitting down together - the 3 pubs, him, us and you - at some point to discuss strategies that could perhaps be done together.*

I hope you will give favourable consideration to these matters when you consider the licence application for a new Piano Works venue in Westminster. Personally, I wish more operators of licensed venues in Clerkenwell could learn from the Piano Works approach to managing their impact on the local community. That would certainly make our efforts much easier.

Sincerely,

Leora Neidle

## **6. Musician Testimonials**

The Piano Works Musicians were asked to answer the following three questions based on their own experiences of working in the venue.

1. How do you feel The Piano Works contributes to the live music industry within London?
2. How would you describe your audience?
3. What are the personal benefits you have gained from working at The Piano Works?

The answers they gave in response are listed below.

1. I think the piano works provides the industry with exceptional chances for musicians to meet each other and network in a fun and engaging environment. It offers everyone who works there and attends to be a part of a great musical environment.

2. The audience are a varied mix of people of all gender, race, and age. The piano works is a venue that attracts people who like music and it is great to have an atmosphere which brings everyone together to appreciate good music regardless of social, race, and gender boundaries. The audience want to have a good time whilst listening to great music.

3. Personally the piano works has given me a stable job in an incredibly tough and ever-changing industry. It is a rare commodity which most musician wants to be a part of and why people continue to stay and work here.

- *Andy Joseph, Drummer*

1. I feel it encourages people to support the ever-valuable live performance element of music in a world where, increasingly, venues of this type resort to 'easy' options which do little to inspire the clientele or engage them in a unique way.

2. I see people of all walks of life in there-tourists from around the world, students new to London, city workers and 40s up. I feel the diversity has a lot to do with the live music and spontaneous nature of the performances-everyone seems to love it!

3. I have met a wide range of musicians and have gained loads of performance confidence. As a professional musician I didn't think the Piano Works would have quite as much an effect on me as it has and am really proud of being able to contribute to its continued success.

- *Tobias Humble, Drummer*



1. This is a unique music experience from which any substantial city could benefit. It's the only night out like it in the city, and of all the gigs I do in London, this is my favorite. We have the opportunity to play any style, and genre, and each night is different. A tailor made experience between us the musicians and the crowd of patrons.
2. The audience varies from night to night. The main connecting factor from night to night is how appreciative they are to us the musicians.
3. Pianoworks gives me the opportunity to play all genres and styles. I rarely get that chance anywhere else. It also fosters an family atmosphere amongst all the staff, and I think the audience can feel that.

- *Elias Hendricks, Pianist and Vocalist*

1. The Piano Works contributes in a huge way to London's music scene as it's the only place I am aware of where it's possible to see high quality live music every night of the week until late in a safe and friendly environment.
2. The audience is high energy, diverse and demanding of musicians on stage due to the quality they have come to expect.
3. Personal benefits that I have gained are an improved sense of how to interact with an energetic crowd both physically and musically. Also the demands of the gig have improved my ability to play 'by ear' and has strengthened my connection with the instrument and the other musicians on stage. There is a fantastic sense of community amongst us all.

- *Alex Chadwick, Saxophonist*

1. It affords ordinary members of the public the unique opportunity to see their own choice of song played at close quarters by live musicians of the highest professional standard. It affords the musicians regular employment and constantly challenges them to improve and learn new material.
2. Enthusiastic, predominantly young professionals.
3. Aside from the obvious regular income, as a musician I feel my standard of performance has definitely improved, due to constantly being challenged by working with a range of musical styles, with various combinations of musicians. However, arguably the greatest benefit is being part of a genuine sense of community around the venue, which extends not only amongst the musicians but amongst everyone, from bar staff to security and management. The management of The Piano Works have above all assembled a team of people who are a pleasure not only to work with but also to be around, and they have made good character as essential a part of their recruitment criteria as professional competence.

- *Dan Clark, Guitarist*

1. Where else can you guarantee being able to listen to songs that you will know played live every single day of the week? A lifeline for working musicians who want to be challenged every time they gig. With that many diverse singers, pianists and instrumentalists in one team, it must be one of the best networks for live musicians in London. Every single gig is different and even the same songs will never be played quite the same twice

2. Tourists, city workers, birthday groups, every type of person you could imagine, which is probably why we end up playing every type of song you could imagine!

3. Keeps me on my toes, expands my repertoire, makes me listen harder, strengthens my voice, looks to be enriching my social life too!

- *Rob Castel, Pianist and Vocalist*

1. The live music industry in London, shamefully, is dying. Piano Works has provided a much needed injection of life into the industry. Every week, hundreds of people are welcomed through its doors and engage with a live show like nothing else in London. The sight of 500 people singing arm in arm at the top of their lungs, lead by the Piano Works band is truly a sight to behold!

2. The Piano Works audience are fun loving, every day people who want a real live music experience.

3. The benefits of being one of the Piano Works pianist/singers is the chance to make great music with an incredibly talented band, the inspiring energy that radiates off the Piano Works crowd, and the feeling of belonging to an incredible musical family.

- *Tara Minton, Pianist and Vocalist*

1. Piano Works offer an alternative live music experience in London and the opportunity for great musicians to perform on a near daily basis to large crowds enjoying their performance. It is a challenge for musicians playing only requests and never knowing what song they are next to play and therefore continues to be an exciting performance for the musician also. Although it's not offering a night of original music session musicians are usually playing other people's songs, so in that sense Piano Works is no different and adds to the live music industry in it's own unique way.

2. The audience can be described in two halves. Half love listening to live music, particular songs, good musicianship and watching live music being performed. The other half enjoy having a good night out, drinking with friends and singing along to tunes they would or wouldn't necessarily hear in a club. Both make The Piano Works what it is and offer a variation in requests and atmosphere so you can be singing Queen one minute, Eminem the next and then trying a song you've not heard yourself in a long time!! Everyone is having fun.

3. Regular gigs, playing with a band (of great musicians) and not as a solo performer, being part of a family/team, taking on the challenge of learning new songs and pushing myself at times off and on stage.

- *Suzie Ruben, Pianist and Vocalist*

1. Piano works is unique and really incorporates the audience, more than any other music venue I've been to.

2. The audience are great fun and always surprise me with their diversity in taste. The requests can be very unexpected.

3. I have grown hugely as musician since being part of the piano works team. I have learned to perform artistes and genres I had never considered before.

- *Dale Stanley, Pianist and Vocalist*

1. The format which is interactive, for the first time bridges the gap between punter and performer in a way not experienced before. It's almost as though the audience have a chance to be a part of that performance. The enthusiasm and vibe is like nothing else available on the scene.

2. The audience are very much a part of the whole set up. They really want you to show what you can do and push you to your limits as a performer. It's like doing a wedding gig every time, which means that the crowd is on top form.

3. As a musician, I've had to play songs I wouldn't dare to do before and found them very enjoyable and successful. It's a great place to network and meet other musicians and there's a team/family atmosphere.

- *Ella Jones, Pianist and Vocalist*

1. Piano Works offers regular work for musicians in a nice, fun and friendly environment, There is no other venue like Piano Works, that offers that amount of live music.

2. I think people that come to Piano Works, are looking for a great night out, dancing and singing along to their favourite tunes and sipping the tasty cocktails. It doesn't really get any better than that.

3. I've met so many talented musicians at Piano Works, and learned a lot from each and every one along the way. Every night is always different, and it never gets boring – that's the beauty of the place.

- *Marit Kesa, Pianist and Vocalist*

1. It's vital. There aren't live music "piano based" bars about; most bars relying on DJs and ipods for music and entertainment.

PW has a unique formula of employing high quality musicians (and bar staff) that guarantees people have a good time reflected in the sheer volume of requests that end up on the piano at the end of a shift. Music is ALWAYS best when it's live and bars like PW create opportunities for that.

2. The audience varies according to the time spots and days. Early evening brings in the business customers and a later licence allows for a younger party seeking crowd. There are never two nights the same -There's a broad spectrum of clientele raging from young to old.

3. As mentioned music is best live, and being a heavily request based job means weekly I have to take the time to be disciplined and learn what is current and being asked for.

It's also a joy to be able to work alongside fellow musicians who love what they do.

- *Lee Ormsby, Pianist and Vocalist*

1. I feel the Piano Works contributes to the music scene in allowing artists and musicians to express themselves and hone in on their skills whilst allowing them to earn a living. I feel it has a huge market and audience that allows the artists and musicians to show off themselves to this audience.

2. I feel the audience is a wide variety from people who just enjoy listening to great music to people that are in the industry at the moment.

3. My skill levels on the piano has been pushed and for that have risen. My voice has grown stronger and my knowledge of songs have grown vastly. I also feel I have become a much better performer due to the Piano Works.

- *Graeham Herdeen, Pianist and Vocalist*

1. As a session player who travels all over the world with music, I can honestly say the Piano Works is a one-off. The interaction between band and audience creates an atmosphere that's unlike anywhere else I know. Anyone can go there, and they always leave having had an incredible time. In that sense the Piano Works is the most inclusive live music venue in London for it's audience and really valuable to the scene.

2. Whether it's music enthusiasts or friends just having an evening out, there's always people dancing and appreciating the music.

3. The on stage communication is amazing. You've got to be 100% focused on the sound you're creating as a band and always on your toes for the next song with it being a requests show. The Piano Works really makes you bring your A game when you play.

- *Sian Monaghan, Drummer*



1. Piano Works one of the few (if not only) music venues that the public know that they can go to to listen to live music every night of the week. The quality of musicianship is high and the fact the people are able to choose what they want to listen to is a huge plus. In terms of the music industry, it's made a big difference. The venue is providing work for many musicians every week, quite a few of whom would previously only be playing/singing at weekends, due to a lack of venues. Musicians who wouldn't otherwise have met are having the opportunity to play together and learn from the experience that each one has built up within their time in the industry. Younger, really talented musicians, who may not have previously been working much, due to not having built up many contacts yet, are having the opportunity to be working... Amazing talents that may otherwise have fallen along the wayside, if they couldn't earn enough money to survive. The standard at Piano Works started high and has got even higher, with ever more polished performances, over the time that the venue has been open. Many great musicians who come to the venue can't believe how tight the band is, especially considering that we are playing requests all night long. If the standard continues to rise, the more people have the chance to be playing so many nights of the week, the venue will produce some scary talents! Piano Works has become a lovely community of musicians, providing friendships, nurturing and networking, amongst countless other benefits

2. The audience is really varied; all ages and nationalities; people working in the city, families, couples, groups of friends, young and old. Many people come a long way to enjoy the atmosphere. That is what makes the place so much fun and the requested songs so varied. Seeing such a hugely diverse audience all having a great time together and enjoying all of the different genres of music is a complete joy to watch and to be part of.

3. Piano Works has given me the opportunity to play a vast variety of music on a regular basis. It's allowed me to develop my skills set and build up more stamina, physically and mentally. Whenever there is a song requested that I'm not completely familiar with, I go away and learn it, therefore expanding my repertoire and helping me to be gig-ready for any situation or any band. We all listen to each member of the band and learn from their feel/timing etc. when they are knowledgeable in certain styles. Many "bread-butter-gigs" that I do consist of playing the same sets every night, with not much time for improvising/self expression. Piano Works is different, the sheer vastness of the repertoire and the opportunity to take solos has given me the chance to grow more as a musician, something that I've been able to do over many years in the industry, but never in such a short time-scale.

Another big plus is financial security. I'm lucky to be fairly busy in the industry, but having a residency gig (especially one that is open so many nights of the week) really takes the pressure off. It gives us the leeway to take on projects that may not pay well, but are musically satisfying and are helping to push boundaries within the music industry. For example, I am able to work with musicians who are producing their own music, but maybe don't have a big budget, on days when I may have previously had to take a better paid gig to pay the mortgage.

I've made many friends at Piano Works, of all ages and from all walks of life. It really does feel like a family and that's testament to the way that the venue is being run and everyone involved. I chose to spend my recent Birthday at Piano Works because I wanted my friends and family to experience what a really great place it is to be.

- *Karen Straw, Trumpet*

1. I think that this is one of the finest live music venues in London. It gives people a chance to experience the true sound of a live band while still being able to identify with the music that they're listening to. Also it's one of the few venues in London that gives 50+ musicians solid and reliable work, which is something that doesn't occur often in the live music world.

2. The audience is always receptive and appreciate the work that goes into playing the songs we play, whether musically inclined or not. No matter if we play an all time classic, or a current chart topper, they are so grateful and recognize the talent and skill that goes into doing what we musicians do.

3. Piano Works has given me so much more confidence as an artist and musician. It has improved my musicality, my repertoire, my keyboard and vocal skills and my ability to work with other musicians. The relationships I've formed with my colleges both on and off the stage have also been a wonderful part of working at the Piano Works.

- *Khaya Maseko, Pianist and Vocalist*

1. Any venue that offers a 7 days a-week live music show is worth it's place in the cultural life of this or any other city. It's a fantastic venue and the general musicianship of the performers and whole concept is unique.

2. The audience is quieter and more selective from Mon to Weds and wilder and more mainstream from Thurs to Sat. Their excitement at every single gig is, in my opinion, prove enough that people are still appreciative and hungry for live music and its extraordinary energy. It's simply irreplaceable.

3. As musical training it is amazing. Having to learn so many songs in so many different styles (some of them way out of your comfort zone) while at the same time keeping the audience happy, participating and dancing is pretty much the essence of our job. It gave me a much higher and immediate appreciation of an audience's needs and demands. It's certainly is a great training for all musicians, specially singers/pianists.

- *Nick Schinder, Pianist and Vocalist*

1. Piano works creates so many more job opportunities within London for musicians. This has been needed for so long. Being a musician is known for being a very unstable job but Piano Works has managed to turn it into a stable job which is incredible! It is also a one in a kind venue. With the unique concept of a request only venue, it has managed to create an amazing atmosphere and great relationship between the audience and musicians on stage making it that much better than a standard venue that might have some live music for a couple hours followed by an iPod or DJ. I do believe the piano works is invaluable to the live music industry and should be applauded for the amazing vibe they have created. I absolutely loved it as a customer coming monthly for almost a year before actually auditioning and becoming a member of the family!

2. Mainly young professionals who love live music and know they are guaranteed a night of high quality live music any night of the week!

3. Piano Works has been a life saver financially for me. After numerous years suffering with severe anxiety over my finances, The piano works has helped pull me out of that mess and I'm now in a very stable position which I'm forever thankful for. It has helped build my confidence musically and my musicianship skills are getting better and better with each gig due to the challenging nature of the job and this has been seen in other music work I do. The main thing for me though is the awesome new family I have gained! The directors are amazing and so supportive of everything from professional to personal situations. The musicians are incredibly talented and an absolute honour to work with! I feel incredibly privileged to call myself a piano works musician and I will be forever grateful to have been given a job there.

- *Abi Murray, Pianist and Vocalist*

1. It is a very important showcase for LIVE music. A reminder for all concerned, that whilst a DJ set can be good, nothing can compare to a live and 'interactive' band. It is a unique and 'personal' experience.

2. I believe our audience is predominantly, people who live and work in the capital. Although very often we are visited by people from further afield. More often than not, they have travelled into London for a night out with friends. They are fun loving, music loving people of every type. Every ethnic background, every age group. it would be very hard to specify a 'Pianoworks' type.

3. It is a regular gig in my own home town... This is unfortunately, much more rare than you would imagine. So many new clubs and bars start off with the best of intentions, but somehow they cannot maintain the momentum. The management structure enables me as a musician, to concentrate solely on performing. It has also been an opportunity for me to hone my musicianship and reflexes (It is an incredibly demanding gig). And last but not least, I have been a part of something unique and very special. There is a real 'family' feeling amongst everyone who is associated with Pianoworks. Everyone has their part to play in delivering an amazing night out for the people.

- *Ricky Mian, Saxophonist*

## 7. Charity Testimonials

### 7.1 Samaritans

The Piano Works  
113-117 Farringdon Road  
London, EC1R 3BX



Sing for Samaritans & The Piano Works:

It is always a pleasure to work with team at The Piano Works to present Sing for Samaritans. The team have been incredibly supportive of any collaboration since we first approached them for their involvement and support in June 2016.

Sing for Samaritans is an exciting and vibrant Fundraising Campaign for Central London Samaritans. In the last year the campaign has developed to present a Pop-Up Festival, Live Music events, Choir events across Central London Stations and Workshops. The Piano Works have helped shape the development of the project and are one of the most vibrant and popular aspects of the project.

The Piano Works presented two evenings for Sing for Samaritans in their stunning venue featuring special performances from other Sing for Samaritans supporters (Enchorus and Divisions) alongside their resident musicians. My experience of working with the team from Management, Marketing, Music and Operations has always been an immense pleasure. Their level of customer service is exceptional and their commitment to the charitable cause was inspiring to many of our supporters and other partners. The feedback from the Choir Director of Enchorus and lead singer of Divisions, both professional performers (West End & TV) was very positive, echoing my own experiences.

The Piano Works also participated in Sing for Samaritans, a Christmas Chorus providing a fantastic live music performance and donating 100% of their mulled wine and mince pie sales to the Charity making them the largest financial supporter of the event. This event raised a record amount of £8,500 and it was a privilege for The Piano Works to be a part of this. In total The Piano Works helped raise £10,000 contributing to the Sing for Samaritans total through their participation across multiple ventures.

As the founding and largest branch of the National Charity, Central London Samaritans provides a critical front-line service for some of London's most vulnerable people. Since opening our doors in 1953, we have never closed our phone lines to our callers. Led by our volunteers, we now receive over 100,000 calls for help a year via our helpline, email and SMS. We rely on public donations and the support of our partners and local businesses.

The support of The Piano Works is hugely appreciated, the team are always receptive and I always look forward to working with them through Central London Samaritans and hope to continue to do so in support of additional charitable causes.

Elizabeth Irvine  
Community Fundraising Coordinator & Sing for Samaritans Project Manager  
March 2016 – May 2017

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## 7.2 BMI Healthcare



The entertainment Suzie and her team provided for the BMI Healthcare charity ball in Manchester this June, in aid of the charity Prevent Breast Cancer in which we raised £17,000, was next to none... The performance and concept is so unusual and it works unbelievably well!

We had so much great feedback following the event about the music – I would not hesitate to recommend Suzie and her team again!

Ashley Hunt – BMI Healthcare

**Ashley Hunt**  
Consultant Relations Manager | BMI Healthcare

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**Alan Lorrimer**

The Piano Works  
113 - 117 Farringdon Road  
London EC1R 3BX

**Date:** 22 September 2017

Dear Alan,

**RE: Studio 88**

Thank you for speaking with the GLA's Culture at Risk Officer on 17 August to discuss The Piano Works and your plans to open a new grassroots music venue, Studio 88.

I would like to highlight the vital importance of businesses such as The Piano Works to London's economy and cultural landscape before setting out what the Mayor is doing to protect grassroots music venues, pubs and clubs in London.

In the capital, our vibrant and diverse night time economy and culture is recognised around the world, attracting domestic and international visitors. It is a key driver of the economic and cultural regeneration of town centres, worth £26.3bn to our economy and employing 700,000 people.

At a time when London's night time economy and culture is at risk, the contribution of venues such as The Piano Works is valuable. London has lost over a third of grassroots music venues, a quarter of its pubs and half of its nightclubs over the last ten years.

The Piano Works has developed a unique offer over the past two years, employing 51 musicians on a regular basis, and generating a loyal following. Venues like this play a vital role in fostering community cohesion and nurturing musical and creative talent, keeping London's talent pipeline flowing.

The Mayor is undertaking work to protect pubs, clubs and music venues from the range of pressures they face. I chair the London Music Board, bringing together the music industry, government, property developers and the tourism sector to foster music as the beating heart of London's creative life. We are working to implement the landmark Rescue Plan for Grassroots Music Venues, which can be found at [www.london.gov.uk/musicvenues](http://www.london.gov.uk/musicvenues).

The Mayor has also published draft Supplementary Planning Guidance setting out how planning authorities can support a vibrant, sustainable and safe night time economy and culture, as well as 'From Good Night to Great Night', his Vision for London as a 24-Hour City. This vision sets out the ten principles that will guide the work of City Hall and focuses on building a night-time culture which serves the needs of all Londoners and visitors to the capital.

I hope a resolution can be found to enable Studio 88 to thrive. If I can be of any further help, please do not hesitate to contact me or my team.

Yours sincerely

A handwritten signature in grey ink that reads "Amy Lamé". The signature is written in a cursive, flowing style. Below the signature, there is a faint yellow rectangular mark.

**Amy Lamé**  
Night Czar

There is no licence or appeal history for the premises.

**CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE AND CONDITIONS PROPOSED BY A PARTY TO THE HEARING**

When determining an application for a new premises licence under the provisions of the Licensing Act 2003, the licensing authority must, unless it decides to reject the application, grant the licence subject to the conditions which are indicated as mandatory in this schedule.

At a hearing the licensing authority may, in addition, and having regard to any representations received, grant the licence subject to such conditions which are consistent with the operating schedule submitted by the applicant as part of their application, or alter or omit these conditions, or add any new condition to such extent as the licensing authority considers necessary for the promotion of the licensing objectives.

This schedule lists those conditions which are consistent with the operating schedule, or proposed as necessary for the promotion of the licensing objectives by a responsible authority or an interested party as indicated. These conditions have not been submitted by the licensing service but reflect the positions of the applicant, responsible authority or interested party and have not necessarily been agreed

**Mandatory Conditions**

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
4.
  - (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
  - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
    - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
      - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
      - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
    - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
    - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;

- (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
  - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
5. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
6. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
- (a) a holographic mark, or
  - (b) an ultraviolet feature.
7. The responsible person must ensure that—
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
    - (i) beer or cider: ½ pint;
    - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
    - (iii) still wine in a glass: 125 ml;
  - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
  - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

A responsible person in relation to a licensed premises means the holder of the premise licence in respect of the premises, the designated premises supervisor (if any) or any individual aged 18 or over who is authorised by either the licence holder or designated premises supervisor. For premises with a club premises certificate, any member or officer of the club present on the premises in a capacity that which enables him to prevent the supply of alcohol.

- 8(i) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

- 8(ii) For the purposes of the condition set out in paragraph 8(i) above -
- (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
  - (b) "permitted price" is the price found by applying the formula -  
$$P = D + (D \times V)$$
  
Where -
    - (i) P is the permitted price,
    - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
    - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
  - (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
    - (i) the holder of the premises licence,
    - (ii) the designated premises supervisor (if any) in respect of such a licence, or
    - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
  - (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
  - (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
- 8(iii). Where the permitted price given by Paragraph 8(ii)(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- 8(iv). (1) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.
9. Admission of children to the premises must be restricted in accordance with the film classification recommended by the British Board of Film Classification or recommended by this licensing authority as appropriate.
10. All persons guarding premises against unauthorised access or occupation or against outbreaks of disorder or against damage (door supervisors) must be licensed by the Security Industry Authority.

## Conditions consistent with the operating schedule

11. The maximum number of persons accommodated in the Sub-Basement shall not be more than 400.

**(EH propose to replace with MC37) *The number of persons permitted in the premises at any one time (including staff) shall not exceed 400 persons.***

12. The number present in the Sub-Basement to be monitored continuously while licensable activities are occurring. A log to be maintained which will record hourly the numbers present. The log is to be made available to any Authorised officer (as defined in the Licensing Act 2003) or Police Officer immediately upon request.

**(Proposed amendment by EH– remove ‘sub-basement’)**

13. There shall be no internal passage of patrons from the premises to other licensed premises within the building.
14. There shall be a personal licence holder on duty at the premises at all times the premises is open for licensable activities. **(EH agreed)**
15. There shall be no payment made by or on behalf of the licence holder to any person for bringing customers to the premises.**(EH agreed)**
16. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.**(EH agreed)**
17. The sale of alcohol shall be ancillary to the provision of music and dancing and substantial food throughout the licensable hours.

**(Proposed amendment by EH – ‘add the words ‘at all times’ between ‘alcohol shall’ and ‘be ancillary’)**

18. No off sales permitted under authority of the Premises Licence.**(EH agreed)**
19. There shall be no striptease or nudity, and all persons shall be decently attired at all times.**(EH agreed)**
20. Promoted events shall not be held at the premises.

**(Proposed amendment by EH – amend to read ‘no externally promoted events...’)**

21. Any time that a private function or event is organised for the entire premises there shall be a break of 30 minutes between normal licensable activities and any organised function/event. The premises will be closed during the break and patrons cleared before commencing any separate activities of a pre-organised function/event.

**(Proposed EH amendment)**

***‘When a pre-booked private function or event is organised for the entire premises there shall be a break of not less than 30 minutes between permitted licensable activities and the pre-booked event. The premises shall be closed and cleared of all patrons prior to the commencement of the said pre-booked event.’***



22. If a 'private function' or event is held at the entire venue, where private entertainment is used with a view to profit:-
- a) Details of the event shall be provided to the Metropolitan Police Service 21 days in advance of the event, or such shorter period as may be agreed with the police in writing, which shall include a risk assessment of the proposals, to include the date of the event, the name of the organizer, contact details of a representative of the corporate entity or organizer's contact details and estimated numbers attending the event.
  - b) Police will have an absolute veto on these functions/events.
  - c) Patrons admitted to the premises after 21.00 hours shall be subject to searching which will be supplemented by functioning metal detecting wands operated by male and female staff or supervisors dedicated to that duty either until the end of permitted hours or until there are no further admissions and will be physically searched at the discretion of staff, which will include a 'pat down search' and a full bag search.
  - d) CCTV must cover any area where searches are conducted and record all searches.

**(Proposed amendment by EH – add 'pre-booked' before 'private function' or 'event'. Replace 'at' with 'for' before the words 'the entire venue')**

23. The premises Management will become members and actively participate in a pubwatch scheme (or similar) if one operating in the area of the venue. **(EH agreed)**
24. An incident log shall be kept at the premises which will record the following:
- (i) all crimes reported to the venue
  - (ii) all ejections of patrons
  - (iii) any complaints received or any incidents of disorder
  - (iv) seizure of drugs or offensive weapons
  - (v) any faults in the CCTV system or searching equipment or scanning equipment or any visit by a relevant authority or emergency service.

**(Proposed amendment by EH – amend to read 'any complaints of crime or disorder')**

25. An attendant shall be on duty in the cloakroom and all toilets during the whole time that they are in use. All drug prevention advice as given by a Metropolitan Police Crime Prevention Officer will be adhered to **(EH agreed)**
26. 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 **(EH agreed)**
27. No loud speakers shall be located in the entrance lobby or outside the premises **(EH agreed)**

28. Notices shall be prominently displayed at exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly. **(EH agreed)**
29. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance. **(EH agreed)**
30. The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order. **(EH agreed)**
31. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided. **(EH agreed)**
32. All exit doors shall be available at all material times without the use of a key, code, card or similar means. **(EH agreed)**
33. All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device. **(EH agreed)**
34. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous. **(EH agreed)**
35. Curtains and hangings shall be arranged so as not to obstruct emergency signs. **(EH agreed)**
36. The certificates listed below shall be submitted to the licensing authority upon written request:
- (i) Any emergency lighting battery or system
  - (ii) Any electrical installation
  - (iii) Any emergency warning system.
- (EH agreed)**
37. Any special effects or mechanical installation shall be arranged and stored so as to minimise any risk to the safety of those using the premises. The following special effects will only be used on 10 days prior notice being given to the Licensing authority where consent has not previous been given:
- (i) Dry ice and cryogenic fog
  - (ii) Smoke machines and fog generators
  - (iii) Pyrotechnics including fire works
  - (iv) Firearms
  - (v) Lasers
  - (vi) Explosives and highly flammable substances
  - (vii) Real flame
  - (viii) Strobe lighting
- (EH agreed)**
38. Flashing or particularly bright lights on or outside the premises shall not cause a nuisance to nearby properties (save insofar as they are necessary for the prevention of crime).
- (EH agreed)**

39. No person shall give at the premises any exhibition, demonstration or performance of hypnotism, mesmerism or any similar act or process which produces or is intended to produce in any other 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.

NOTE:

This rule does not apply to exhibitions given under the provisions of Section 2(1A) and 5 of the Hypnotism Act 1952.

**(EH agreed)**

40. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recording shall be store for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised office throughout the preceding 31 day period.

**(Proposed amendment by Police and agreed by EH)**

A staff member from the premises who is conversant with the operation of the CCTV system (including where applicable any Body Worn Video system) shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.

41. All door staff working at the front entrances and controlling a queue must wear yellow high visibility jackets or vests.

**(Proposed amendment by Police)**

***All Door staff engaged outside the entrance(s) to the premises, or supervising or controlling queues, shall wear high visibility yellow jackets or vests.***

42. Patrons will be physically searched at the discretion of the staff, which will include a 'pat down search' and a full bag search.

**(Proposed Amendment by Police)**

***After 21.00hrs all persons (including any ancillary items, e.g. bags) entering or re-entering the premises shall be searched by an SIA-trained member of staff. All searches shall and monitored and recorded by the premises CCTV system. The searching will be supplemented by the use of two functional metal detecting wands.***

43. No drinks permitted to be taken outside of these premises.

**(EH propose to replace condition with MC 57) *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.***

44. Any queue of persons waiting to gain entry to this premise shall be properly organised and monitored and kept separate to any smoking area set aside. Both areas are not to have any impact on any queuing areas set aside for the area of the ground floor restaurant entrance and queue (the area set aside for the purpose of queuing must be agreed by Police and Environmental Health Consultation Team).
- (EH propose to replace condition with MC 26 and MC 64) MC 26: *The licence holder shall ensure that any queue to enter the premises which forms outside the premises is orderly and supervised by door staff so as to ensure that there is no public nuisance or obstruction to the public highway.***  
**MC64: *Queuing outside the premises shall be restricted to a designated area located at (specify location).***
45. A zero tolerance to drugs and weapons policy shall be implemented and signage confirming this policy will be displayed prominently at the entrance to the venue and in the customer toilets. **(EH agreed)**
46. A refuse store of sufficient size shall be provided.**(EH agreed)**
47. All waste is to be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.**(EH agreed)**
48. No rubbish including bottles will be moved, removed or placed in outside areas between 2300 hours and 0800 hours.**(EH agreed)**
49. No Deliveries may be made to the premises between the hours 23:00 and 08:00.  
**(EH agreed)**
50. 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.**(EH agreed)**
51. The highway and public spaces in the vicinity of the premises are kept free of litter from the premises at all material times to the satisfaction of the Council.**(EH agreed)**
52. No advertisements of any kind (including placard, poster, sticker, flyer, picture, letter, sign or other mark) that advertises or promotes the establishment, its premises, or any of its events, facilities, goods or services shall be inscribed or affixed upon the surface of the highway, or upon any building, structure, works, street furniture, tree, or any other property, or be distributed to the public.**(EH agreed)**
53. The licence will have no effect until the premises are constructed/alterd only in accordance with the appropriate provisions of the District Surveyor's Association 'Technical Standards for Places of Entertainment, and the reasonable requirements of Westminster Environmental Health Consultation Team and Westminster licensing Police Team and LEFPA and this condition has been removed from the licence.**(EH agreed)**
54. Before the premises open to the public, the plans as provided with the application will be checked by the Environmental Health Consultation Team to ensure they are an accurate reflection of the premises constructed and this condition has been removed from the Licence. Where the premises layout has changed from the plans provided during the course of construction a variation application may be required.**(EH agreed)**

55. A telephone number giving direct access to the manager on duty at the premises during all times the premises are in operation shall be given to the Secretary of the Huguenot House Residents Association.**(EH agreed)**
56. The managers shall establish a winding down period of thirty minutes, prior to the cessation of licensable activities, in which period the volume and tempo of the music will be reduced and the lighting raised.**(EH agreed)**
57. The ratio of SIA registered security staff at the premises shall be no less than one SIA security staff per 100 customers and shall include at least one female SIA registered staff.

**(Proposed amendment by Police)**

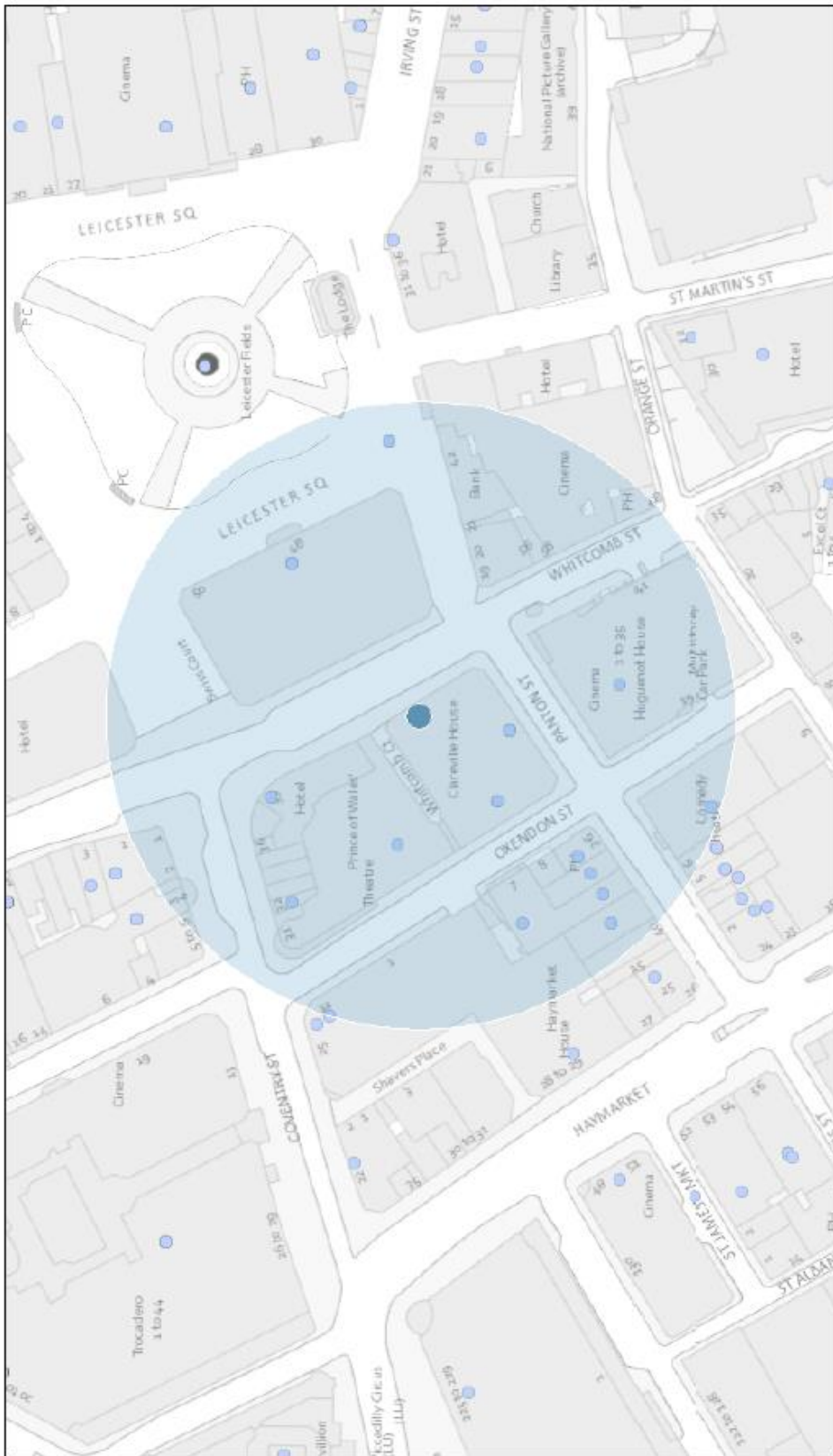
***The ratio of SIA registered security staff at the premises shall be no less than one SIA security staff per 75 customers and shall include at least one female SIA registered staff.***

58. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.

**Conditions proposed by the Police**

59.
  - a. All drinking vessels used in the venue shall be polycarbonate. All drinks in glass bottles are to be decanted into polycarbonate containers or polycarbonate carafes prior to being served, with the exception of champagne or bottles of spirits with a minimum size of 70cl supplied by waiter/waitress service to tables. Staff shall clear all empty champagne and spirit bottles promptly from the tables. Customers shall not be permitted to leave their table carrying any such glass bottles or drink directly from the bottle.
  - b. Notwithstanding a) above, with the written agreement of the Westminster Licensing Police, a copy of which will be held at the premises reception, glass drinking vessels may be used for private or pre-booked events within the (***specified area***).
60. From 1700 hours At least 1 SIA licensed door supervisors shall be on duty at the entrance of the premises at all times whilst it is open for business. From 2100hrs A minimum of one to be wearing Body Worn Video throughout trading times and for 30 minutes after closing whilst dispersing
61. Body worn video systems used by the premises must be deployed immediately during a ny verbal altercation or use of force made by any member of staff
62. All staff engaged in the use of Body Worn Video shall receive relevant training to ensure they are confident it it's use. A record will be kept on the premises of which staff have been trained. This record will be available to the relevant authority for inspection upon request.
63. Patrons permitted to temporarily leave and then re-enter the premises to smoke, shall be limited to (***specify number***) and restricted to a designated smoking area defined as (***specify location***). The area shall be continually supervised whenever it is in use.

Studio 88



Resident count = 50