



City of Westminster

Committee Agenda

Title:

Licensing Sub-Committee (6)

Meeting Date:

Thursday 15th June, 2017

Time:

10.00 am

Venue:

Room 23.1 - 23rd Floor, Portland House, Bressenden Place,
Westminster, London SW1E 5RS

Members:

Councillors:

Melvyn Caplan
Peter Freeman
Shamim Talukder



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 Tel: 020 7641 2783
Corporate Website: 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 Head of Committee and Governance Services in advance of the meeting please.

AGENDA

PART 1 (IN PUBLIC)

1. MEMBERSHIP

To report any changes to the membership and to appoint a Chairman.

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. MORTIMER HOUSE, 37-41 MORTIMER STREET, W1

(Pages 1 - 30)

App No	Ward / Cumulative Impact Area	Site Name and Address	Application	Licensing Reference Number
1.	West End Ward / not in cumulative impact area	Mortimer House, 37-41 Mortimer Street, W1	New Premises Licence – LA03	17/03516/LIPN

2. MUBAO BEAUTY LTD, 26 WARDOUR STREET, W1

(Pages 31 - 60)

App No	Ward	Site Name and Address	Application	Licensing Reference Number
2.	St James's Ward	Mubao Beauty Ltd, 26 Wardour Street, W1	New Special Treatment Licence – London Local Authorities Act 1991	16/11243/LIM STN

3. THE UNION, 88-90 GEORGE STREET, W1

(Pages 61 - 164)

App No	Ward / Cumulative Impact Area	Site Name and Address	Application	Licensing Reference Number
3.	Marylebone High Street Ward / not in cumulative impact area	The Union, 88-90 George Street, W1	Review of Premises Licence – LA03	17/04023/LIRE VP

**Charlie Parker
Chief Executive
9 June 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.

Item No:	
Date:	15 th June 2017
Licensing Ref No:	17/03516/LIPN - New Premises Licence
Title of Report:	Mortimer House 37-41 Mortimer Street London W1T 3JH
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 Heidi Lawrance Senior Licensing Officer
Contact details	Telephone: 020 7641 2751 Email: hlawrance@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	3 April 2017		
Applicant:	37-41 Mortimer Opcp Ltd		
Premises:			
Premises address:	Mortimer House 37-41 Mortimer Street London W1T 3JH	Ward:	West End
		Cumulative Impact Area:	None.
Premises description:	<p>The premises will have a gym located in the basement and restaurant with ancillary bar.</p> <p>Office spaces occupy floors 1 to 4 with a business lounge on the 5th floor and events space on 6th floor.</p>		
Premises licence history:	This is an application for a new premises and therefore no history exists.		
Applicant submissions:	None submitted.		

1-B Proposed licensable activities and hours							
Late Night Refreshment:				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	23:00	23:00	23:00	23:00	23:00	23:00	23:00
End:	01:30	01:30	01:30	01:30	01:30	01:30	01:30
Seasonal variations/ Non-standard timings:				<p>Supply of Late Night Refreshment to members of the public in the restaurant until 00:00 only (23:30 on Sundays).</p> <p>Supply of Late Night Refreshment to members and their guests and at private pre-booked events as shown.</p> <p>From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.</p>			

Plays:				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	07:00	07:00	07:00	07:00	07:00	07:00	07:00
End:	01:30	01:30	01:30	01:30	01:30	01:30	01:30
Seasonal variations/ Non-standard timings:			Plays for members and guest or private pre-booked events on 6 th Floor.				
			From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year' Day.				

Films:				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	07:00	07:00	07:00	07:00	07:00	07:00	07:00
End:	01:30	01:30	01:30	01:30	01:30	01:30	01:30
Seasonal variations/ Non-standard timings:			Fims for members and guest or private pre-booked events on 6 th Floor.				
			From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year' Day.				

Live Music:				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	07:00	07:00	07:00	07:00	07:00	07:00	07:00
End:	01:30	01:30	01:30	01:30	01:30	01:30	01:30
Seasonal variations/ Non-standard timings:			Live Music for members and guest or private pre-booked events throughout.				
			From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year' Day.				

Recorded Music:				Indoors, outdoors or both			Both
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	07:00	07:00	07:00	07:00	07:00	07:00	07:00
End:	01:30	01:30	01:30	01:30	01:30	01:30	01:30
Seasonal variations/ Non-standard timings:			Recorded Music for members and guest or private pre-booked events throughout.				
			From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year' Day.				

Sale by retail of alcohol				On or off sales or both:			On Sales
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	07:00	07:00	07:00	07:00	07:00	07:00	07:00
End:	01:30	01:30	01:30	01:30	01:30	01:30	01:30
Seasonal variations/ Non-standard timings:			Supply of alcohol to members of the public in the restaurant until 00:00 only (23:00 on Sundays).				
			Supply of alcohol to members and their guests and at private pre-booked events as shown.				
			From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.				

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	00:00	00:00	00:00	00:00	00:00	00:00	00:00
End:	00:00	00:00	00:00	00:00	00:00	00:00	00:00
Seasonal variations/ Non-standard timings:			The building will be open to members and their guests and for private pre-booked events 24 hours a day. The restaurants will be open to members of the public from 07:00 to 00:00 Monday to Saturdays and from 07:00 to 23:30 on Sundays.				
Adult Entertainment:			Not applicable.				

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Environmental Health Consultation Team
Representative:	Mr Anil Drayan
Received:	28 th April 2017
<p>The following plans have been submitted in support of the application:</p> <ul style="list-style-type: none"> • Basement Level, drawing no 1762W SK B 7 00 rev D, dated 2017.3.22 • Ground Floor, drawing no 1762W SK G 7 00 rev D, dated 2017.3.22 • First Floor, drawing no 1762W SK 1 7 00 rev D, dated 2017.3.22 • Second Floor , drawing no 1762W SK 2 7 00 rev D, dated 2017.3.22 • Third Floor , drawing no 1762W SK 3 7 00 rev D, dated 2017.3.22 • Fourth Floor , drawing no 1762W SK 4 7 00 rev D, dated 2017.3.22 • Fifth Floor , drawing no 1762W SK 5 7 00 rev D, dated 2017.3.22 • Sixth Floor , drawing no 1762W SK 6 7 00 rev D, dated 2017.3.22 	

The applicant is seeking the following licensable activities:

1. Performance of the following Regulated Entertainments, Monday to Sunday from 07:00 to 01:30 hours:
 - Live Music 'Indoors'
 - Plays 'Indoors'
 - Films 'Indoors'
 - Recorded Music 'Indoors and Outdoors'
2. Late Night Refreshment 'Indoors', Monday to Sunday from 23:30 to 01:30 hours
3. Sale by Retail of Alcohol 'On' the premises, Monday to Sunday from 07:00 to 01:30 hours:
4. For all of the above licensing activities non – standard hours of ' From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day'

I wish to make the following representations 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 area and may impact on Public Safety
2. Provision of Late Night Refreshment may have the effect of increasing Public Nuisance in the area.
3. The Supply of Alcohol and for the hours requested may have the effect of increasing Public Nuisance in the 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 area and may impact on Public Safety

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

It is noted that the hours requested are beyond 'core hours' and clarification is sought on request for recorded music to be provided 'outdoors' as well.

The applicant is advised to contact the undersigned to discuss this after which Environmental Health may require additional conditions to allay its concerns.

Nevertheless the applicant is also advised that even if all conditions are agreed Environmental Health is likely to request that any decision to grant may be a matter for the Licensing sub-Committee particularly in relation to the requested hours for licensable activities

Responsible Authority:	Metropolitan Police Service
Representative:	PC Toby Janes
Received:	18 th April 2017

With reference to the above application, 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.

We have concerns that this application will cause further policing problems in an already demanding area.

2-B Other Persons	
Name:	Mr John Forde
Address and/or Residents Association:	9 / 129 Grosvenor Road London SW1V 3JY
Received:	30 th April 2017

From the Churchwarden and Vice-Chairman of the Parochial Church Council All Saints Margaret Street:

The Churchwardens of All Saints are particularly concerned about the effect of late night noise and disturbance on our clergy who reside adjacent to the church as a condition of office as well as other tenants of church property.

Wells Street and adjoining Margaret Street may appear to be just another commercial area but there are many peoples' homes here including St Andrews Chambers on Wells Street, at the Buddhist temple 84 Margaret Street, at the Jesus Army 82 Margaret Street and at All Saints Church 6, 7 & 8 Margaret Street. Residents already experience many broken nights, particularly in summer, when people leaving clubs and restaurants in the area return to their parked cars in the early hours of the morning. While it is good to see a local building being put to new use, and refurbished to a high enough level to retain internal noise, it is inevitable that the management will have no control of users once they have left the premises. The increased foot-fall and car-parking will be detrimental to the well being of local residents. While users of the building may enjoy an occasional evening out the locals are being asked to sustain an every-night undue increase in disturbance from cars, their music, doors slamming, loud conversations and arguments followed by mornings of the smell of urine and increased mess thrown from cars. Limiting the licensing hours to end no later than midnight would at least limit disturbance to local residents.

We trust that the City Council as licensing authority will give due weight to the long established residential usage associated with All Saints Church in considering the application.

Name:	Mr Ian Lyon
Address and/or Residents Association:	6 Margaret St LONDON W1W 8RQ
Received:	1 st May 2017

Wells St and the east end of Margaret St may not look like residential areas but there are homes on Wells St, at the Buddhist temple, at the Jesus Army and at All Saints church. Residents here already experience many broken nights, particularly in summer, when people leaving clubs and restaurants in the area return to their parked cars in the early hours of the morning. While it is good to see a local building being put to new use, and refurbished to a high enough level to retain internal noise, it is inevitable that the management will have no control of users once they have left the premises. The increased foot-fall and car-parking will be detrimental to the well-being of local residents. While users of the building may enjoy an occasional evening out the locals are being asked to sustain an every-night undue increase in disturbance from cars, their music, doors slamming, loud conversations and arguments followed by mornings of the smell of urine and increased mess thrown from cars. Limiting the licensing hours to end at midnight would be a compromise that reflects the proposed new use of the building while being considerate to local residents.

Name:	Mr Alan Moses
Address and/or Residents Association:	All Saints Vicarage 7 Margaret Street London W1W 8JG
Received:	30 th April 2017

I write as the Vicar of the parish of All Saints, Margaret Street and a local resident. The church and vicarage and assistant priest's house are situated at the east end of Margaret Street (nos. 6,7 & 8). In spite of being relatively close neighbours of the premises, we only learned of this application by chance.

Those of us who live in the area already have to cope with considerable levels of disturbance from people leaving clubs in the area and returning to their cars parked in the area in the early hours of the morning. Conversations and arguments, fueled by alcohol and drugs, are at best noisy, at worst violent. To this is added the unpleasantness of urination and vomiting in the street.

It is, therefore, alarming to see that another establishment is to be open seven days a week until 1.30am. The proposed closing time means in reality that it will be at least 2am before people have dispersed. Most of the local restaurants close around 11pm and this would seem a more reasonable hour for most people.

Much of the east side of Wells Street, north and south of Mortimer House, as well as the area to the north is residential. At the east end of Margaret Street there are three religious bodies, All Saints, the Jesus Army and the Buddhist Temple which serve those

who live and work in the area. Each of us have resident clergy, religious and lay workers.

I note the good intentions of the applicants is asking their members to respect local residents. However, the idea that people who have been drinking for several hours will have much regard for such notices seems naively unrealistic. Many of those who come into the city for entertainment seem to have no idea that people live here or assume that we should simply put up with the disruption they cause.

Name:	Mr Martin Woolley
Address and/or Residents Association:	8 Margaret Street London W1W 8RA
Received:	30 th April 2017

I am a local resident who has to spend more time than I would like on the phone to the council noise line.

The licensed activity proposed in this application is precisely of the sort which will lead to regular and unacceptable street noise - and possibly street violence - in this extensively residential area. I therefore oppose the granting of the licence in the strongest possible terms.

Name:	Mrs Theresa Moses
Address and/or Residents Association:	7 Margaret Street London W1W 8JG
Received:	30 th April 2017

Wells St and the east end of Margaret St may not look like residential areas but there are homes on Wells St, at the Buddhist temple, at the Jesus Army and at All Saints church. Residents here already experience many broken nights, particularly in summer, when people leaving clubs and restaurants in the area return to their parked cars in the early hours of the morning. While it is good to see a local building being put to new use, and refurbished to a high enough level to retain internal noise, it is inevitable that the management will have no control of users once they have left the premises. The increased foot-fall and car-parking will be detrimental to the well being of local residents. While users of the building may enjoy an occasional evening out the locals are being asked to sustain an every-night undue increase in disturbance from cars, their music, doors slamming, loud conversations and arguments followed by mornings of the smell of urine and increased mess thrown from cars. Limiting the licensing hours to end at midnight would be a compromise that reflects the proposed new use of the building while being considerate to local residents.

Name:	Mr Fitzrovia Neighbourhood Association
Address and/or Residents Association:	Fitzrovia Neighbourhood Centre 39 Tottenham street London W1T 4RX
Received:	1 st May 2017
Our association objects to this licence application as it would likely cause noise nuisance to nearby residents. We are particularly concerned about the late hours applied for.	
Name:	Miss Joanna Moses
Address and/or Residents Association:	All Saints Vicarage 7 Margaret Street London W1W 8JG
Received:	30 th April 2017
<p>I am resident in Margaret Street which is generally overlooked as a residential area. Along with the residents of three religious organisations and those who live on the adjoining Wells Street.</p> <p>We already experience many issues which result in disrupted sleep and the need to raise issues with the authorities regarding antisocial behaviour.</p> <p>I am fully supportive of generating business and making the neighbourhood successful however this cannot be to the further detriment of current residents and places of worship.</p> <p>We already experience serious issues where drivers return to cars in the early hours of the morning as well as cabs which pick up and often idle / congregate on Margaret Street. The use of Margaret Street as a public toilet / meeting point / area to sell or buy illegal substances will not be managed by the management of the proposed establishment. Yet again it will rely on the residents who will not be assured of any safety and will have disruption 7 days per week.</p> <p>Limiting the licensing hours to end at midnight would seem to be a fair compromise which would allow the business to operate but also the current and future residents to live peacefully and safely.</p>	

3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
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.
Policy PB1 applies:	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

Appendix 1	Premises plans
Appendix 2	Applicant supporting documents
Appendix 3	Premises history
Appendix 4	Proposed conditions
Appendix 5	Residential map and list of premises in the vicinity

Report author:	Miss Heidi Lawrance Senior Licensing Officer
Contact:	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

1	Licensing Act 2003	N/A
2	City of Westminster Statement of Licensing Policy	7 th January 2016
3	Amended Guidance issued under section 182 of the Licensing Act 2003	March 2015
4	Application Form	3 rd April 2017
5	Representation – Environmental Health	28 th April 2017
6	Representation – Metropolitan Police Service	18 th April 2017
7	Representation – Mr John Forde	30 th April 2017
8	Representation – Mr Ian Lyon	1 st May 2017
9	Representation – Mr Alan Moses	30 th April 2017
10	Representation – Martin Woolley	30 th April 2017
11	Representation – Theresa Moses	30 th April 2017
12	Representation – Joanne Moses	30 th April 2017
13	Representation – Fitzrovia Neighbourhood Association	1 st May 2017

1

1. LICENSABLE ACTIVITIES MAY TAKE PLACE ANYWHERE WITHIN THE LICENSED PREMISES.
2. ANY DETAIL SHOWN WHICH IS NOT REQUIRED BY REGULATION IS FOR INFORMATION ONLY AND SUBJECT TO CHANGE AT ANY TIME.
3. THE LOCATIONS OF FIRE SAFETY EQUIPMENT ARE INDICATIVE ONLY AND ARE SUBJECT TO CHANGE IN ACCORDANCE WITH ANY FIRE RISK ASSESSMENT AND IN LINE WITH THE REQUIREMENTS OF THE FIRE OFFICER.



NOTES

1. ALL WORK SHALL BE IN ACCORDANCE WITH THE BUILDING REGULATIONS 2010.
2. ALL WORK SHALL BE IN ACCORDANCE WITH THE FIRE SAFETY REGULATIONS 2012.
3. ALL WORK SHALL BE IN ACCORDANCE WITH THE HEALTH AND SAFETY REGULATIONS 2013.
4. ALL WORK SHALL BE IN ACCORDANCE WITH THE ENVIRONMENTAL REGULATIONS 2014.
5. ALL WORK SHALL BE IN ACCORDANCE WITH THE PLANNING REGULATIONS 2015.
6. ALL WORK SHALL BE IN ACCORDANCE WITH THE LOCAL AUTHORITY REQUIREMENTS.
7. ALL WORK SHALL BE IN ACCORDANCE WITH THE FIRE OFFICER'S REQUIREMENTS.
8. ALL WORK SHALL BE IN ACCORDANCE WITH THE FIRE RISK ASSESSMENT.
9. ALL WORK SHALL BE IN ACCORDANCE WITH THE FIRE SAFETY EQUIPMENT REQUIREMENTS.
10. ALL WORK SHALL BE IN ACCORDANCE WITH THE FIRE SAFETY TRAINING REQUIREMENTS.
11. ALL WORK SHALL BE IN ACCORDANCE WITH THE FIRE SAFETY DOCUMENTATION REQUIREMENTS.
12. ALL WORK SHALL BE IN ACCORDANCE WITH THE FIRE SAFETY RECORDS REQUIREMENTS.
13. ALL WORK SHALL BE IN ACCORDANCE WITH THE FIRE SAFETY INSPECTIONS REQUIREMENTS.
14. ALL WORK SHALL BE IN ACCORDANCE WITH THE FIRE SAFETY MAINTENANCE REQUIREMENTS.
15. ALL WORK SHALL BE IN ACCORDANCE WITH THE FIRE SAFETY REPAIRS REQUIREMENTS.
16. ALL WORK SHALL BE IN ACCORDANCE WITH THE FIRE SAFETY REPLACEMENTS REQUIREMENTS.
17. ALL WORK SHALL BE IN ACCORDANCE WITH THE FIRE SAFETY UPGRADES REQUIREMENTS.
18. ALL WORK SHALL BE IN ACCORDANCE WITH THE FIRE SAFETY IMPROVEMENTS REQUIREMENTS.
19. ALL WORK SHALL BE IN ACCORDANCE WITH THE FIRE SAFETY ENHANCEMENTS REQUIREMENTS.
20. ALL WORK SHALL BE IN ACCORDANCE WITH THE FIRE SAFETY OPTIMISATIONS REQUIREMENTS.
21. ALL WORK SHALL BE IN ACCORDANCE WITH THE FIRE SAFETY MAXIMISATIONS REQUIREMENTS.
22. ALL WORK SHALL BE IN ACCORDANCE WITH THE FIRE SAFETY REALISATIONS REQUIREMENTS.
23. ALL WORK SHALL BE IN ACCORDANCE WITH THE FIRE SAFETY ACHIEVEMENTS REQUIREMENTS.
24. ALL WORK SHALL BE IN ACCORDANCE WITH THE FIRE SAFETY SUCCESS REQUIREMENTS.
25. ALL WORK SHALL BE IN ACCORDANCE WITH THE FIRE SAFETY TRIUMPHS REQUIREMENTS.
26. ALL WORK SHALL BE IN ACCORDANCE WITH THE FIRE SAFETY VICTORIES REQUIREMENTS.
27. ALL WORK SHALL BE IN ACCORDANCE WITH THE FIRE SAFETY TRIUMPHS REQUIREMENTS.
28. ALL WORK SHALL BE IN ACCORDANCE WITH THE FIRE SAFETY TRIUMPHS REQUIREMENTS.
29. ALL WORK SHALL BE IN ACCORDANCE WITH THE FIRE SAFETY TRIUMPHS REQUIREMENTS.
30. ALL WORK SHALL BE IN ACCORDANCE WITH THE FIRE SAFETY TRIUMPHS REQUIREMENTS.

- FIRE SAFETY LEGEND**
- 1. FIRE SAFETY EQUIPMENT
 - 2. FIRE SAFETY EQUIPMENT
 - 3. FIRE SAFETY EQUIPMENT
 - 4. FIRE SAFETY EQUIPMENT
 - 5. FIRE SAFETY EQUIPMENT
 - 6. FIRE SAFETY EQUIPMENT
 - 7. FIRE SAFETY EQUIPMENT
 - 8. FIRE SAFETY EQUIPMENT
 - 9. FIRE SAFETY EQUIPMENT
 - 10. FIRE SAFETY EQUIPMENT
 - 11. FIRE SAFETY EQUIPMENT
 - 12. FIRE SAFETY EQUIPMENT
 - 13. FIRE SAFETY EQUIPMENT
 - 14. FIRE SAFETY EQUIPMENT
 - 15. FIRE SAFETY EQUIPMENT
 - 16. FIRE SAFETY EQUIPMENT
 - 17. FIRE SAFETY EQUIPMENT
 - 18. FIRE SAFETY EQUIPMENT
 - 19. FIRE SAFETY EQUIPMENT
 - 20. FIRE SAFETY EQUIPMENT
 - 21. FIRE SAFETY EQUIPMENT
 - 22. FIRE SAFETY EQUIPMENT
 - 23. FIRE SAFETY EQUIPMENT
 - 24. FIRE SAFETY EQUIPMENT
 - 25. FIRE SAFETY EQUIPMENT
 - 26. FIRE SAFETY EQUIPMENT
 - 27. FIRE SAFETY EQUIPMENT
 - 28. FIRE SAFETY EQUIPMENT
 - 29. FIRE SAFETY EQUIPMENT
 - 30. FIRE SAFETY EQUIPMENT

PROJECT NAME	1782NW
PROJECT ADDRESS	SK 1 7 00 D
PROJECT LEVEL	FOR COMMENT

MODUS:

1782NW SK 1 7 00 D

FOR COMMENT

1782NW SK 1 7 00 D

FOR COMMENT

Applicant Supporting Documents

None submitted.

Premises History

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.

Conditions consistent with the operating schedule

As to the whole premises:

10. 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
11. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance
12. 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.
13. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly 5. 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 and businesses in the vicinity.
14. 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.
15. 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 is open.
16. 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
17. 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

18. No licensable activities shall take place at the premises until the premises has been assessed as satisfactory by the Environmental Health Consultation Team at which time this condition shall be removed from the Premises Licence by the Licensing Authority
19. Before the premises open to the public, the plans as deposited will be checked by the Environmental Health Consultation Team to ensure they are an accurate reflection of the premises as constructed. Where there are minor changes to the layout of the premises during the course of construction new plans shall be provided to the Environmental Health Consultation Team and the Licensing Authority

As to the basement only:

20. The supply of alcohol in the basement floor shall be to members and their guests or for private, pre-booked events only.
21. In relation to the basement there shall be no admission other than to:
 - (1) members and their guests, or
 - (2) persons attending a pre-booked function
22. There shall be no admittance or re-admittance to the basement when in use for a pre-booked function after 01:00 except for patrons permitted to temporarily leave the premises to smoke.

As to the restaurant only (Ground Floor):

23. On the ground floor the premises shall operate as a restaurant and cafe/bar and with the exception of the areas hatched red (as shown on the plan) the supply of alcohol shall be by waiter or waitress service only to persons seated taking table meals and for consumption by such persons as ancillary to their meals.
24. Notwithstanding condition 22 above, from 07:00 until 10:00 daily Monday to Sunday the supply of alcohol shall be by waiter or waitress service only to persons seated taking table meals and for consumption by such persons as ancillary to their meals.
25. There shall be no off-sales from 00:00 to 10:00 the day following Monday to Sunday.
26. There shall be no admittance or re-admittance to the restaurant after 23:30 to members of the public except for patrons permitted to temporarily leave the premises to smoke

As to the first, second, third and fourth floors only:

27. The supply of alcohol on the first, second, third and fourth floors shall be to members and their guests.

As to the fifth floor only:

28. The supply of alcohol on the fifth floor shall be by waiter/waitress service only and to members and their guests or for private, pre-booked events only
29. There shall be no admittance or re-admittance to the fifth floor after 01:00 except for patrons permitted to temporarily leave the premises to smoke.

As to the sixth floor only:

30. The supply of alcohol on the sixth floor shall be to members and their guests or for private, pre-booked events only
31. In relation to the events space there shall be no admission other than to:
 - (1) members and their guests, or
 - (2) persons attending a pre-booked function
32. There shall be no admittance or re-admittance to the sixth floor after 01:00 except for patrons permitted to temporarily leave the premises to smoke.

As to the basement, restaurant, fifth and sixth floors only:

33. 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.
34. 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.

Conditions proposed by the Environmental Health

Replacement of conditions in the application with the following new conditions:

35. There shall be rules of the club for the election of Members and copy of such rules and any other rules should be kept at the premises and made available for inspection by the Police or authorised officers of the Council. Any rules shall include the following requirements:
 - i. No person shall be admitted to Membership or be entitled to take advantage of any of the privileges of membership without an interval of at least (24) hours between their nomination or application for membership and their admission.
 - ii. Bona fide guests per Member shall not exceed (6) at any one time
 - iii. A list of the names and addresses of Members shall be kept on the premises at all times together with a book showing the names and dates of attendance of any guests introduced by Members. Both the list and the book shall be produced on demand for inspection by the Police or authorised officers of the Council.
 - iv. A copy of such rules, and any updated version of such rules, shall also be sent to the Council's licensing service.
36. The supply of alcohol in the basement and on floors 1 to 6 is restricted to bona fide guests of the management, Members and their bona fide guests with the proviso that the supply of alcohol may also be permitted in the basement, 5th and 6th floors to persons attending pre-booked and bona fide private functions and where:

- i. There shall be no self-service of alcohol
 - ii. Bona fide guests of the management shall be limited to maximum of (15) persons at any one time. A list of such guests shall be produced on demand for inspection by the Police or authorised officers of the Council.
37. Pre-booked and bona fide private functions held in the basement, on 5th and/or 6th floors can only be staged under the following circumstances:
 - i. Function booked at least (24) hours in advance
 - ii. Prior to a function starting an event management plan shall be produced and shall include, amongst other matters, assessments of the security arrangements and the provision of non-glass drinking vessels
 - iii. The event management plan and a register of persons attending shall be kept at the premises and made available for immediate inspection by Police or an authorised officer of the Council and thereafter kept for at least 31 days for viewing
 - iv. There shall be no admittance or re-admittance to persons attending a pre-booked function after (01:00) except for patrons permitted to temporarily leave the premises to smoke.

Additional conditions:

38. The number of persons accommodated at the premises (excluding staff) shall not exceed 600 for the building as a whole with the following local restrictions for each floor:
 - Basement (*to be determined*)
 - Ground floor restaurant – 125
 - 1st floor (*to be determined*)
 - 2nd floor (*to be determined*)
 - 3rd floor (*to be determined*)
 - 4th floor (*to be determined*)
 - 5th floor (*to be determined*)
 - 6th floor (*to be determined*)

The licence will have no effect until the capacity of the premises has been assessed by the Environmental Health Consultation Team and a condition detailing the agreed capacity for each floor has replaced this condition on the Licence.

39. There shall be no cinema style showing of films.
40. The licence holder shall enter into an agreement with a hackney carriage and/or private hire firm to provide transport for customers, with contact numbers made readily available to customers who will be encouraged to use such services.
41. During the hours of operation 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

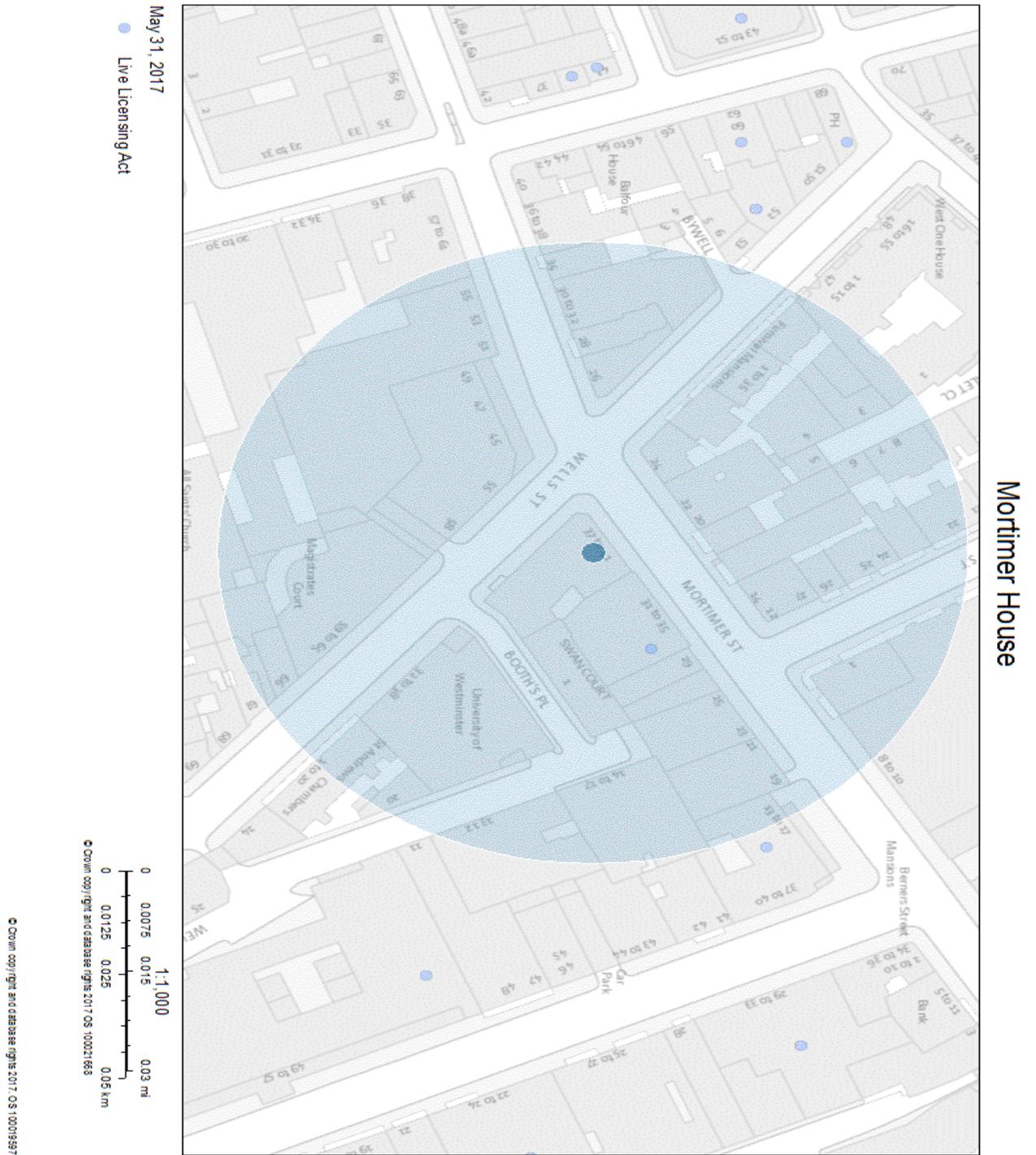
washed and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business

42. Waste or recyclable materials, including bottles, can only be moved, removed or placed in outside areas between the hours 08:00 and 23:00 or as specified on the Council's website for Commercial Waste collection times for the street.
43. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection time.
44. Any special effects or mechanical installations 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 previously been given.
 - dry ice and cryogenic fog
 - smoke machines and fog generators
 - pyrotechnics including fireworks
 - firearms
 - lasers
 - explosives and highly flammable substances.
 - real flame.
 - strobe lighting.
45. The certificates listed below shall be submitted to the Licensing Authority upon written request:
 - a) Any emergency lighting battery or system
 - b) Any electrical installation
 - c) Any emergency warning system
46. All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device.
47. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
48. Curtains and hangings shall be arranged so as not to obstruct emergency signs.
49. 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.
50. 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.
51. All exit doors shall be available at all material times without the use of a key, code, card or similar means.

Conditions proposed by the Police

None submitted

Residential Map and List of Premises in the Vicinity



Resident Count : 135



City of Westminster Licensing Sub-Committee

Meeting:	<i>Licensing Sub-Committee</i>
Date:	<i>15th June 2017</i>
Classification:	<i>General Release</i>
Premises:	<i>Mubao Beauty Ltd, 26 Wardour Street, London, W1D 6QL</i> 16/11243/LIMSTN
Wards Affected:	<i>St James's</i>
Financial Summary:	<i>None</i>
Report of:	<i>Operational Director for Premises Management</i>

1. Executive Summary

- 1.1 The Council has received an application for a new special treatment licence from Mubao Beauty Ltd in respect of the premises situated at 26 Wardour Street, London, W1D 6QL.
- 1.2 The report sets out the application details, objections, legal context along with other considerations that the Licensing Sub-Committee requires to determine this application under Part 2 of the London Local Authorities Act 1991 (LLAA1991).
- 1.3 Part 2 of the LLAA1991 requires ‘...any premises in the borough used, intended to be used or represented as being used for the reception or treatment of persons requiring massage, manicure, acupuncture, tattooing, cosmetic piercing, chiropody, light, electric or other special treatment of a like kind or vapour, sauna or other baths...’ to be licensed by the local authority in which it is situated.

2. Options

- 2.1 That following consideration of the information given orally at the hearing and in writing by the applicants and objectors Members may;
 - 2.1.1 Grant the licence as applied for.
 - 2.1.2 Grant the licence subject to any modifications to any part of the application and imposition of any additional conditions or restrictions as they think fit, or
 - 2.1.3 Refuse the application

3. Application

- 3.1 On 17th October 2016 Mubao Beauty Ltd applied for a new special treatment premises licence to allow massage and facials to be provided at the premises to men and woman during separate sessions. A copy of the application is attached as **Appendix A1**.
- 3.2 The application is to provide the massage treatment from 11:00am until midnight on every day of the week (including Sunday).
- 3.3 The premises have previously been licensed to Ms Ping Liang (who is the sole director of Mubao Beauty Ltd). A new special treatment licence was granted to Ms Ping Liang on the 5th January 2016 to allow massage to be provided at the premises. This licence was surrendered by Ms Liang on 17th May 2016.

4. Objections

- 4.1 An objection was received from the City Inspector Team Manager for City Operations detailing their concerns with the previous and proposed operation of the premises and the suitability of the applicant. A copy of the original objection and further submissions are attached to report at appendices B1- B.....
- 4.2 The main issues of the submissions from the City Inspectors are:
- Suitability of the applicant Ms Ping Liang due to lack of compliance and understanding of licence conditions
 - Alleged touting at the premises
 - Suspected use of the premises (and residential flats above) as a brothel
- 4.3 The City Inspector objection also makes reference to meetings held with Ms Ping Liang and details of those discussions.

5 Applicants Submissions

- 5.1 Nothing at the time this report was drafted

6. Legal Implications

- 6.1 Section 8 of Part 2 of the LLAA1991 sets out the grounds for refusing the grant of a premises licence. The subsections relevant to this application are:
- (b) there is a likelihood of nuisance being caused by reason of the conduct, management or situation of the premises or the character of the relevant locality or the use to which any premises in the vicinity are put;
 - (c) the persons concerned or intended to be concerned in the conduct or management of the premises used for special treatment could be reasonably regarded as not being fit and proper persons to hold such a licence;

- (e) the premises have been or are being improperly conducted;

6.2 The Licensing Sub-Committee may determine to:

- (a) Grant the licence as applied for.
- (b) Grant the licence subject to any modifications to any part of the application and imposition of any additional conditions or restrictions as they think fit, or
- (c) Refuse the application.

6.3 Before refusing to grant the licence, the Licensing Authority shall give the applicant an opportunity to appear before it and of being heard by the Sub-Committee.

6.4 Should the Licensing Sub-Committee determine to refuse the application, the applicant may appeal to the Magistrates' Court within 21 days beginning with the date on which the applicant is notified of the refusal of his application. If the Licence is granted, the application may also appeal against the imposition of any terms, conditions or restrictions by which she is aggrieved.

7. Equality Implications

7.1 The Council in its capacity as Licensing Authority has a duty to ensure that all applications for Special treatment premises 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 characteristics 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)....."

7.2 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.

7.3 This duty places an obligation on the 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 and 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.

Appendices

A1 – Application Form

A2 – Premises Plan

B1 – City Inspectors Objection

B2 – City Inspector Further Submissions 1

B3 – City Inspector Further Submissions 2

If you have any queries about this report or wish to inspect any of the Background Papers please contact: Steve Rowe on 020 7641 7825 or at srowe@westminster.gov.uk

BACKGROUND PAPERS

London Local Authorities Act 1991

Special Treatment Rules of Procedure

Special Treatment Standard Conditions

Application Form

Westminster
Application to licence premises for massage or
other special treatments
London Local Authorities Act 1991

For help contact
licensing@westminster.gov.uk
 Telephone: 020 7641 6500

* required information

Section 1 of 13

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference This is the unique reference for this application generated by the system.

Your reference You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant? Put 'no' if you are applying on your own behalf or on behalf of a business you own or work for.

Yes No

Applicant Details

* First name

* Family name

* E-mail

Main telephone number Include country code.

Other telephone number

Indicate here if you would prefer not to be contacted by telephone

Are you:

- Applying as a business or organisation, including as a sole trader
- Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

* Is your business registered in the UK with Companies House? Yes No

* Registration number

* Business name If your business is registered, use its registered name.

* VAT number Put 'none' if you are not registered for VAT.

* Legal status

Continued from previous page..

* Your position in the business

Home country

The country where the headquarters of your business is located.

Registered Address

Address registered with Companies House.

* Building number or name

* Street

District

* City or town

County or administrative area

* Postcode

* Country

[1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#) [9](#) [10](#) [11](#) [12](#) [13](#) [Next >](#)

Section 2 of 13

FURTHER DETAILS ABOUT THE APPLICANT

* Are you applying as an individual (includes sole traders)?

Yes No

Former name(s)

If currently or previously known by any other name(s), you must record them here.

Home Address

Is the address the same as (or similar to) the address given in section one?

Yes No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

* Building number or name

* Street

District

* City or town

County or administrative area

* Postcode

* Country

Further Details

* Date of birth

 / /
dd mm yyyy

* Place of birth

* Treatments which you will give personally or supervise

* Details of all relevant qualifications, training and experience (including where undertaken, dates, awarding body, etc)

* Membership of any professional organisation

* Do you need to licence/register your premises and/or other practitioners as well as yourself?

Yes

No

< Previous [1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#) [9](#) [10](#) [11](#) [12](#) [13](#) Next >

 required information

Section 3 of 13	
TYPE OF APPLICATION	
Type of application:	<input checked="" type="radio"/> New <input type="radio"/> Renewal <input type="radio"/> Temporary
Specify the period for which the licence is required (if applicable)	<input type="text" value="1 DECEMBER 2016"/>
Application for licence or registration of:	<input type="radio"/> Premises <input type="radio"/> Practitioners <input checked="" type="radio"/> Both
	Check for local guidance notes which may clarify requirements.
< Previous 1 2 3 4 5 6 7 8 9 10 11 12 13 Next >	

* required information

Section 4 of 13
DIRECTORS, PARTNERS, OWNERS AND MANAGERS
You must provide details of all COMPANY DIRECTORS and the SECRETARY (if the applicant is a company), all PARTNERS (if it is a partnership), OFFICE BEARERS (if it is a club or association), all OWNERS of the business or premises and all MANAGERS of the business or organisation, including day-to-day MANAGERS OF THE PREMISES. Check for local guidance notes and conditions which may clarify exact requirements.
* Are there any such people for whom you need to provide details? <input type="radio"/> Yes <input checked="" type="radio"/> No
OTHER BUSINESS INTERESTS
* Is the applicant, or any person named in this application, involved in any way with any other similar establishment? <input checked="" type="radio"/> Yes <input type="radio"/> No
< Previous 1 2 3 4 5 6 7 8 9 10 11 12 13 Next >

* required information

Section 5 of 13	
PREMISES TO BE LICENSED	
* Name of premises/ trading name	<input type="text" value="MUBAO BEAUTY LTD"/>
Premises Address	
Is the address the same as (or similar to) the address given in section one?	
<input checked="" type="radio"/> Yes <input type="radio"/> No	If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.
* Building number or name	<input type="text" value="26"/>
* Street	<input type="text" value="WARDOUR STREET"/>
District	<input type="text"/>
* City or town	<input type="text" value="LONDON"/>
County or administrative area	<input type="text"/>
* Postcode	<input type="text" value="W1D 6QL"/>
* Country	<input type="text" value="United Kingdom"/>
Contact Details	
Are the contact details the same as (or similar to) those given in section one?	
<input checked="" type="radio"/> Yes <input type="radio"/> No	If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.
E-mail	<input type="text" value="muboa.beauty@gmail.com"/>
* Main telephone number	<input type="text"/>
Other telephone number	<input type="text" value="07579380008"/>
< Previous 1 2 3 4 5 6 7 8 9 10 11 12 13 Next >	

* required information

Section 6 of 13

DETAILS OF PREMISES

Describe:

* The premises, giving details of treatment rooms, other rooms used for the business and the facilities provided

THERE WILL BE 3 TREATMENT ROOMS , PROVIDED WITH A SPECIALL MASSAGE BED , EACH TREATMENT ROOM WILL BE PROVIDED WITH A SUITABLE WASH-HAND BASIN WITH SUPPLY OF HOT AND COLD WATER TOGETHER WITH SOAP AND A CLEAN TOWEL.

* Provision for cleaning the premises, fittings and equipment and sterilisation of instruments

ALL CLEANING EQUIPMENT WILL BE PROVIDED SECURING THE CLEANLINESS OF ALL INSTRUMENTS TOWELS, MATERIALS AND EQUIPMENT USED IN THE ESTABLISHMENT AND FOR THEIR SAFE DISPOSAL.

* Provision for disposal of waste, used materials, needles, etc

WILL CONTACT THE WESTMINSTER COUNCIL FOR ORDERING APPROPRIATE DISPOSAL BAGS .

Ownership Of The Premises

* In what capacity do you occupy the premises?

- Freehold
- Leasehold
- Tenant
- Other

* Provide details of the lease, tenancy or other arrangement, including the name and address of the landlord

LEASEHOLD SUBIECT TO YEARLY CONTRACT EXTENDED EVERY YEAR BY THE OUTLET PROPERT AGENCY REPRESENTING LANDLORD ON 32 OLD COMPTON STREET W1D 4TP

< Previous [1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#) [9](#) [10](#) [11](#) [12](#) [13](#) Next >

* required information

Section 7 of 13	
OPENING TIMES	
State proposed opening times for each day of the week	
* Day or days	<input type="text" value="7"/>
* From	<input type="text" value="11AM"/>
* To	<input type="text" value="12PM"/>
<input type="button" value="Add another day"/>	
< Previous 1 2 3 4 5 6 7 8 9 10 11 12 13 Next >	

* required information

Section 8 of 13

TREATMENTS

* Indicate your arrangements for giving treatments:

- Women only
- Men only
- Both sexes, separate sessions
- Both sexes, mixed sessions

* Do you keep a record of the clients who are given treatments?

- Yes
- No

* List ALL treatments to be given at the premises :

FACIAL, VAXING, MASSAGE (TuiNa)

< Previous [1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#) [9](#) [10](#) [11](#) [12](#) [13](#) Next >

* required information

Section 9 of 13

DETAILS OF PRACTITIONERS

Provide details of ALL practitioners who will give treatments

Name

* First name

* Family name

Former name(s) If currently or previously known by any other name(s), you must record them here.

Home Address

* Building number or name

* Street

District

* City or town

County or administrative area

* Postcode

* Country

Further Details

* Date of birth / /
dd mm yyyy

* Place of birth

* Treatments given personally or supervised by this person

* Details of all relevant qualifications, training and experience (including where undertaken, dates, awarding body, etc)

* Membership of any professional organisation

* required information

Section 10 of 13

PREVIOUS APPLICATIONS

* Have you, or any person named in or associated with this application, previously applied for a similar licence or registration? (check all that apply)

- No Yes - application granted and revoked
 Yes - application granted Yes - application refused

< Previous [1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#) [9](#) **10** [11](#) [12](#) [13](#) Next >

* required information

Section 11 of 13

CONVICTIONS

* Have you, or any person named in or associated with this application, been convicted of any crime or offence?

Yes

No

< Previous 1 2 3 4 5 6 7 8 9 10 11 12 13 Next >

[* required information](#)

Section 12 of 13

ADDITIONAL DETAILS

Provide any additional information which is required or relevant to your application (check for local guidance notes and conditions which may provide details of specific requirements in your area)

[< Previous](#) [1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#) [9](#) [10](#) [11](#) [12](#) [13](#) [Next >](#)

* required information

Section 13 of 13

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

To apply for a new special treatment premises licence you must pay the correct licence fee.

Licence fee: New Special Treatment Premises Licence (Higher Risk Treatments Provided*): £1185 (initial processing fee with an additional fee of £1300 due on grant of a licence) New Special Treatment Premises Licence (Lower Risk Treatments Provided**): £1081 (initial processing fee with an additional fee of £1300 due on grant of a licence)

* - Higher Risk Treatments: These treatments have been classified by Westminster City Council as having the highest potential risk to cause injury or harm to a customer or the therapists/practitioner providing the treatment. A full list of these treatments is available on the Council's website (www.westminster.gov.uk/mst-premises-licence).

** - Lower Risk Treatments: These treatments have been classified by Westminster City Council as having the least potential risk of causing harm to the customer or therapist/practitioner. A full list of these lower risk treatments is available via the Council's website (www.westminster.gov.uk/mst-premises-licence).

* Fee amount (£)

DECLARATION

I am aware of the regulations of the authority concerning special treatments. The details contained in the application form and any attached documentation are correct to the best of my knowledge and belief.

The only persons I will employ to provide special treatments will be those registered by the Council as a therapist

(practitioner) and I will permit them only to give those treatments specified on their identification card and registration document.

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name

* Capacity

* Date / /
dd mm yyyy

Once you're finished you need to do the following:

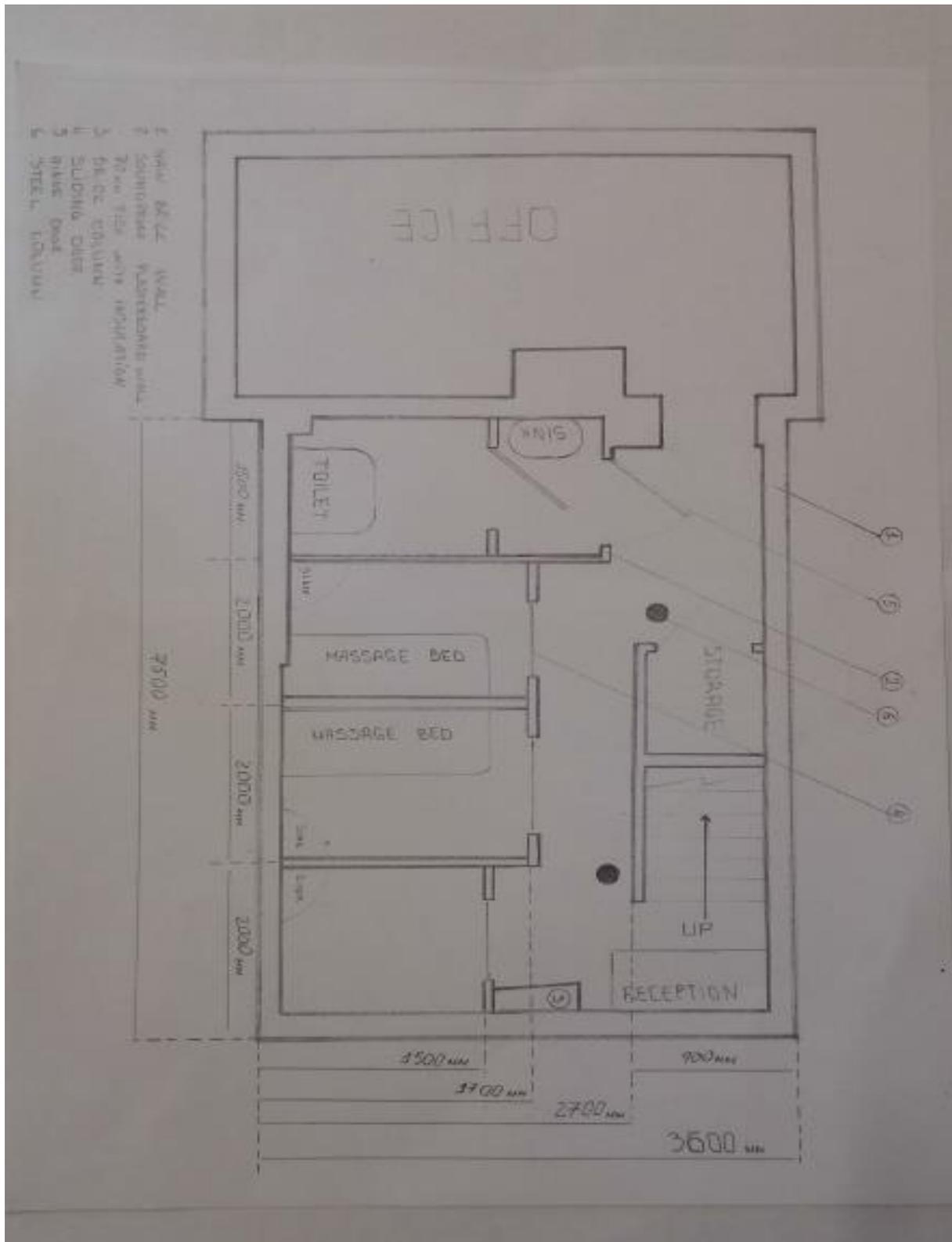
1. Save this form to your computer by clicking file/save as...

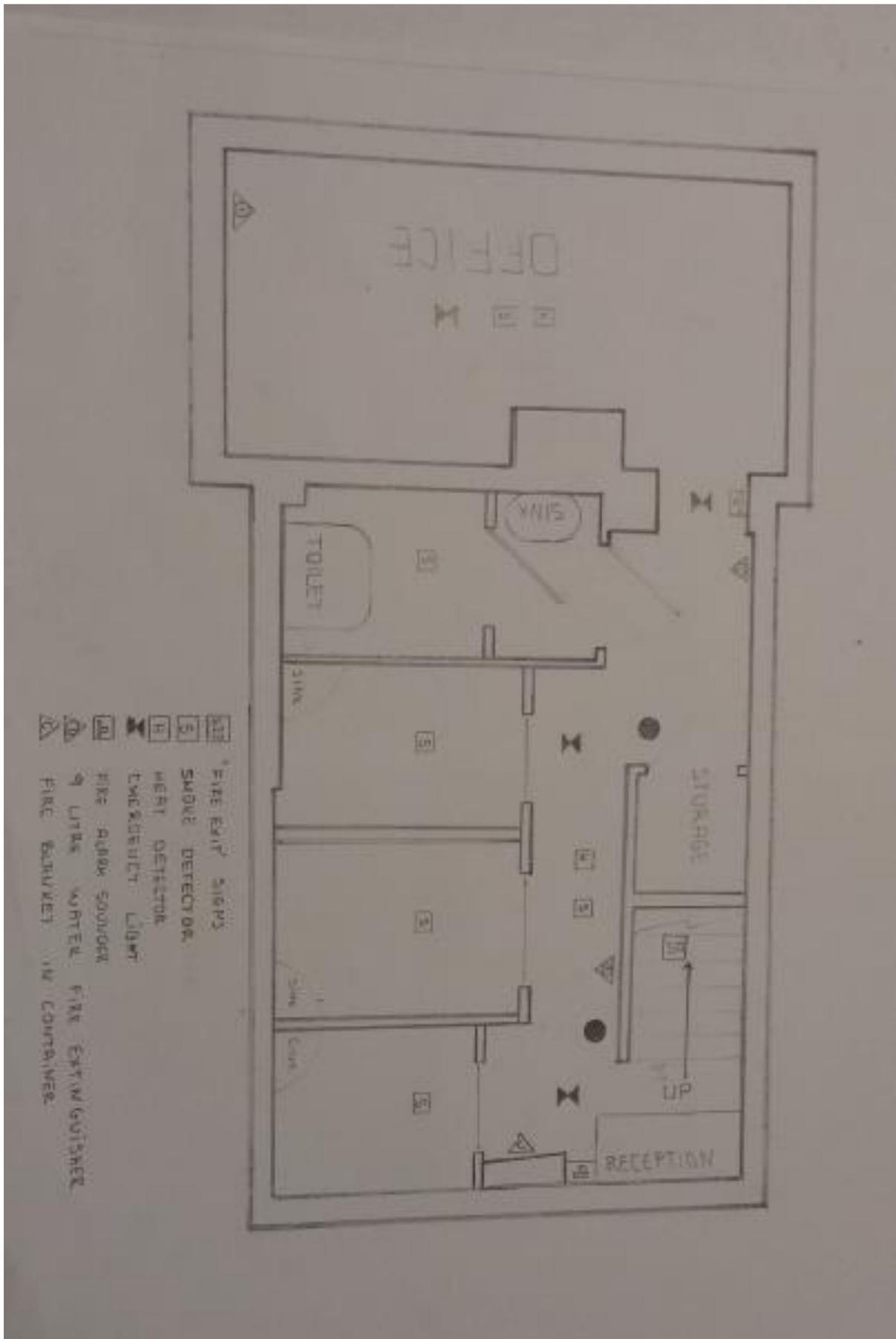
2. Go back to <https://www.gov.uk/apply-for-a-licence/massage-and-special-treatment-premises-licensing-8/westminster/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

< Previous [1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#) [9](#) [10](#) [11](#) [12](#) [13](#)

Premises Licence





City Inspectors Objection

From: Keegan, Francis: WCC
 Sent: 19 November 2016 04:12
 To: Rowe, Steven: WCC; Paul.Hoppe@met.pnn.police.uk;
 Isabella.Grotto@met.pnn.police.uk; Piper, Roald: WCC
 Cc: Cummings, Kay: WCC; Downes, Ian: WCC; Butterfield, Tim: WCC;
 Castine, Jon: WCC; Nweke, Christopher: WCC
 Subject: RE: Special treatment- 26 Wardour street

Steve,

I refer to the application for a new special treatment licence for the ground floor of 26 Wardour Street (App No 16/11243/LIMSTN)

The applicant is Mubao Beauty Ltd, and the sole officer of this company is Ms Ping Lang

This lady only recently surrendered her licence for the same venue, after having been found to be unable to comply with (or even understand) the licence conditions

Before and after the licence was surrendered, Chinese-looking ladies have been found "touting" (offering "massage") outside 26 Wardour Street through the night, but it was not always clear which address the ladies were taking customers to.

The venue was/is linked with the flats above, where Ms Lang was found to be in charge of what I believe to have been a brothel. Following my interventions, the EHO (Residential team) made contact with the freeholder and it seemed (to him) that the flats above had returned to normal residential use (HMOs).

But from the email from Mr C Nweke (dated 12 Nov – see below) it seemed that ladies touting in the street were again taking customers into the venue upstairs.

And this morning, at 02.25 , Tony Miah and I were touted outside the venue by a lady offering "massage". We engaged with her, but she became suspicious of us, and started to walk away. Just then the door to the flats above opened and a Chinese lady (who I recognized from previous visits) left the venue with a white male. I spoke to the two ladies but they refused to engage with me and just walked off

I wish to oppose this application for a new licence

Sgt Hoppe/ PC Grotto, Can we discuss the soliciting and apparent prostitution associated with this address ?

Mr Piper – has this address come to your attention ?

Francis Keegan
 City Inspector Team Manager – City Operations
 Public Protection and Licensing

From: Keegan, Francis: WCC
Sent: 19 November 2016 05:14
To: Rowe, Steven: WCC; Paul.Hoppe@met.pnn.police.uk;
Isabella.Grotto@met.pnn.police.uk; Piper, Roald: WCC
Cc: Cummings, Kay: WCC; Downes, Ian: WCC; Butterfield, Tim: WCC;
Castine, Jon: WCC; Nweke, Christopher: WCC
Subject: RE: Special treatment- 26 Wardour street

UPDATE

Sorry, my visit was at 02.50, not 02.25

Also, Tim Butterfield advises me that he has tried to contact Ms Ping Lang to discuss the application, by calling [REDACTED] (taken from the application form), but that he got through to a man (Martin Mirus) who said he was the applicant's agent. We have met this man before, and he is linked with the hair salon and also with the basement (licensed) restaurant.

He is generally unhelpful, in my own experience, but Tim tells me that he was very defensive when asked about how the venue would be run if licensed again, and more so when the circumstances of why the former licence was surrendered were raised. He agreed that Ms Lang cannot speak English very well, but he would not assist in making arrangement for Tim to speak to her or to meet her.

He has claimed to be married to the manager/owner of the hair salon. He also claims that Ms Lang holds many licences for various salons in London.

We are not convinced that Ms Lang is even aware of the current application, but if she is then we have no confidence in her.

Francis

From: Keegan, Francis: WCC
Sent: 18 November 2016 23:46
To: Nweke, Christopher: WCC
Cc: Cummings, Kay: WCC; Downes, Ian: WCC; Butterfield, Tim: WCC;
'Isabella.Grotto@met.pnn.police.uk'; Castine, Jon: WCC
Subject: RE: Special treatment- 26 Wardour street
Importance: High

Thanks

Can I have a statement ASAP ? And do you know which floor they went to ? (i.e. the ground floor hair salon, the basement restaurant, or the flats above ?).

The ground floor has just applied for a new licence. The applicant is the same lady who recently surrendered her licence for the same part of the venue (the hair salon), but who was found operating the upstairs "flats" for prostitution also....

Francis Keegan

From: Nwke, Christopher: WCC
Sent: 12 November 2016 04:28
To: Keegan, Francis: WCC
Cc: Cummings, Kay: WCC; Downes, Ian: WCC
Subject: Special treatment- 26 Wardour street

Hi Francis,

I am not sure if 26 Wardour Street falls under you, if not please put me in the right direction.

Whilst on busking patrol today, we (Stephen Richards and myself) noticed two Chinese women outside 26 Wardour-street soliciting. We went towards the two women and Stephen Richards offered massage, of which he declined. I also overheard two men who had been talking to one of the two Chinese women saying "massage and happy ending, for £50, is expensive" as they walk away.

The two women denied offering massage to members of the public passing by and walked away.

I later saw one of the women walk into 26 Wardour Street with an IC1 male.

You may want to look into this premises further.

Regards

Chris

City Inspector Further Submission 1

From: [Kevin Francis WCC](#)
To: [Steve Stevens WCC](#)
Cc: [Candice Jay WCC](#); [Bobby Laurie WCC](#); [Peter Bould WCC](#); [Freeman Clark WCC](#); [Marky Chiles WCC](#); [James Givolis WCC](#); [Suzanne Gindoff/WestminsterCouncil](#); [Butcher/John Tim WCC](#); [Gibson Linda WCC](#); [Kurtz/Dave Eric WCC](#); [Dewey Jay WCC](#); [Kevin Francis WCC](#); [Simmonds Alan WCC](#); [Kumar Steve WCC](#); [Nash Tony WCC](#)
Subject: Basement 26 Wardour Street 16/11243/LIMSTN
Date: 02 April 2017 15:36:57

Steve,

Sorry for the delay.

The basement of 26 Wardour Street is a former "clip joint" and later became a small licensed restaurant

The holder of the premises licence (Miss Jodean May Elliott) vacated the venue and later formally surrendered her licence (see 08/09644/LIPN) on 21 November 2016

Ms Ping Liang had a special treatment licence for part of the ground floor hairdressing shop at 26 Wardour Street (see 15/05369/LIMSTN) but she surrendered the licence on 17/5/16 following a number of failures to comply with, or even understand, any of the terms of her licence (Note : she refused/failed to engage in any meaningful discussion with us as to how she might move towards even partial compliance)

As to the upper floors of 26 Wardour Street, these are set out as a number of flats. For a very long time Chinese ladies were seen outside this address throughout most nights touting for/ offering "massage" to male passers-by. On one occasion a colleague and I, posing as potential customers, managed to access the upper floors where we witnessed a number of rooms occupied by scantily clad women in various rooms, some of which had massage tables in, and other had beds. The male customers present quickly fled the scene. We formed the clear view that the venue was being used as a brothel. None of the ladies would engage with us on any meaningful level once we made it know we were employed by the City Council, but eventually (because we would not leave the venue) Ms Ping Liang presented herself and reluctantly accepted that she was "in charge"

For a while after this incident the touting outside the venue at night stopped, and Mr Jon Castine (EHO) contacted the freeholders (a company represented by an agent) and he had discussions about how the flats (HMOs) were arranged/being used

However, the Chinese touts/prostitutes outside the venue soon returned, and the alleged continued use as a brothel has been reported to the police and to the Planning Department

I opposed the current application at an early stage because I have no confidence whatsoever in the sole Director of the applicant company (i.e. Ms Ping Liang). The venue recently opened and commenced trading, unlawfully advertising "massage" (although the licence had not been granted, and the staff were not "exempt")

On the evening of Friday 20 March 2017 Tim Butterfield and I met at City Hall by prior arrangement with Ms Ping Liang and (to help her with translation) Ms Sophie

YANG , so as to discuss my concerns and to see if the applicant could say anything that may cause me to reconsider my stance

Ms Sophie YANG described herself as being the manager of a Chinese restaurant (not in WCC)

Ms Ping Liang confirmed that she is the sole officer of the applicant company and that she holds the lease (for one year commencing 16 Nov 2016) and that the refurbishment works started 3 months ago

We then discussed the role of "Martin", who had contacted me by email (muboa.beauty@gmail.com) and presented himself as being the "husband of one of the partners for Mubao Beauty Ltd based in 26 Wardour Street (Basement)". I asked him to confirm his full name for the record, but he failed to do so. I put it to Martin that in fact Ms Ping Liang was the sole officer of the company. We subsequently discovered that "Martin" was (likely to be) Martin MIRUS, who helped fill out the licence application form and had discussions with Jenny Wilson (Licensing Surveyor) after the application was submitted

On 20 February 2017 Martin wrote to WCC to say " *Today my staff had a visit from the Westminster Council ...The man told them to close the shop , because we did not get the approval of the special treatment licence yet . My staff got scared and closed the shop. I heard last time that we can open the shop for waxing and facial which dose not required a special treatment licence , so we had the shop open. Just want to make sure , because the licence takes ages and we have to pay the rent and Business Rates , we can not just close the shop and wait for the licence .Do you have any idea how to talk to this man when he comes back again . I heard he was there already 3 times or so .I am coming back any way on the 2/03 so it's couple of days so it's going to be more easy for me to take care of the shop".*

In fact the officer who visited was Tim Butterfield, and he advises me that he found the premises open and he entered the basement and asked to speak to a manager or supervisor, but the three women seen all claimed they did not work there. He went to the ground floor "barber shop" and got no help from there either. At this point he left the venue.

[Martin later said on 21 February " I believe it was a misunderstanding from my staff." , suggesting that he employs the (rather unhelpful) staff found in the basement]

Tim and I had dealings with Martin Mirus in 2016, and he was generally unhelpful and confrontational. In November he told Tim that he was the applicant's "agent", but refused to discuss how the venue would be run if the licence is granted, or to help arrange a meeting with Ms Ping Liang

At our meeting Ms Ping Liang said she did not know Martin's surname, but that he is the husband of Li Ty "who used to operate downstairs". She has known Martin for 3 years

I put it to Ms Ping Liang that Martin's surname is MIRUS. This was a surprise to her. I asked why Martin had claimed to be married to one of the partners for Mubao Beauty Ltd, but she said she did not know

She confirmed that she meant to apply for WAXING (not VAXING as mentioned on the form) - in addition to Facial and Massage (TuiNa) – and that this was simply a spelling

error. I confirmed that waxing is not a licensable treatment.

Ms Ping Liang claimed to operate several licensed special treatment venues outside of WCC (no details provided) and claimed that she complies with the terms of those licences, but could offer no explanation for her failure to comply with the terms of her now surrendered licence for the ground floor

Looking at the application form, we asked her to confirm her home address (as recorded twice on the form i.e. 30 Goodge Street), but she had no idea why this address appeared on the form, and said she had never lived there... She blamed Martin for putting false information on the form, and could offer no explanation as to why he would do so

Ms Ping Liang claimed to have no involvement with another nearby venue of concern (19 Newport Court which trades in a similar way. The holder of that licence lives in one of the flats above 26 Wardour Street, and he very recently sacked one of his managers following our discovery of several incidents of touting/prostitution at night)

She accepted she had been in charge of the flats when I visited (see above) but denied it was being run as a brothel. She accepted however that unlicensed "massage" was being provided, and that there were touts operating from the venue at that time. She denied any involvement with the current activities on the upper floors, or to know anything about the on-going touting outside her venue at night

She accepted that her history was poor, but feels that she should be given a new licence and a chance to prove herself. I put it to her that she had had a chance (ground floor licence) but had failed completely, so in my view another chance was not appropriate.

I asked why the venue was already advertising "massage" and she said she thought this was OK after Martin spoke to Jenny Wilson (WCC). I said this had not been said (by WCC), and was not correct. She agreed to remove all signs advertising massage.

We discussed at length the nature of the "facials" being provided, and it was later agreed that if there is no element of "massage" then this treatment can continue (and of course exempt treatments can be provided)

During the meeting the applicant gave a number of contradictory and misleading/confusing answers to our questions, and she became rather heated on occasion. The meeting ended with me saying I did not intend to withdraw my objection, and that the venue would be monitored for licensing offences.

It was clear to me that Ms Ping Liang had played no part in filling in the licence application form, and that her command of the English language is minimal.

We also discussed certain emails sent to me, on the face of it from the applicant, but which turned out to have been written by "Sophie"

After the meeting I asked you to set a hearing date to determine the application. I was also informed that the applicant had instructed Mr Nigel Carter (Licensing Consultant, and former WCC Enforcement Officer) to advise her. I was told that the operator was seeking exempt status for all of her therapists (Note: if this is obtained, no licence will be required, and the application MAY be withdrawn)

Francis Keegan
City Inspector Team Manager – City Operations
Public Protection and Licensing

-----Original Message-----

From: Keegan, Francis: WCC
Sent: 14 March 2017 12:21
To: Rowe, Steven: WCC
Cc: Butterfield, Tim: WCC
Subject: Basement 26Wardour street 16/11243/LIMSTN
Importance: High

Hello

Tim Butterfield and I had a very difficult meeting with the applicant last week, following which I have decided NOT to withdraw my objection

Although the application MAY be withdrawn, could I ask that a LSC hearing date now be set ?

I will prepare tomorrow a file note of the meeting for inclusion in the LSC report, and a summary of the reason for my continued objection

Thanks

Francis Keegan
City Inspector Team Manager – City Operations Public Protection and Licensing
Tel: 020 7641 4429

-----Original Message-----

From: Keegan, Francis: WCC
Sent: 14 March 2017 12:14
To: 'yyuping1988@gmail.com'; 'muboa.beauty@gmail.com'
Cc: Wilson, Jenny: WCC; Butterfield, Tim: WCC; Watson, Ian: WCC
Subject: Basement 26Wardour street

Dear Ping Liang,

Thank you for your email.

I would NOT agree that a "facial" is exempt from the licensing regime merely if it INCLUDES "cleanser, exfoliate and mask".

I would agree, however, if the "facial" is LIMITED to cleanser, exfoliate and mask (and includes NO element of "massage")

Whilst writing, I assume you familiarised yourself with the statutory exemptions from the licensing regime (as set out in the Council's information sheets) before you submitted an application for a licence?

In any event, I understand that you are now in discussions with Mr Nigel Carter about seeking exempt status for all the staff working at your venue. Please confirm if this is the case and (if so) whether the application for a licence is to proceed, or if you intend to withdraw the application? (You will appreciate that I do not want to waste the Licensing Sub-Committee's time by scheduling a case when the application is likely to be withdrawn)

Francis Keegan
City Inspector Team Manager – City Operations Public Protection and Licensing

City of Westminster
4th Floor Westminster City Hall
64 Victoria Street
London
SW1E 6QP
Tel: 020 7641 4429

fkeegan@westminster.gov.uk
www.westminster.gov.uk

Please don't print this e-mail unless you really need to.

-----Original Message-----

From: Yuping Yang [<mailto:yuping1988@gmail.com>]
Sent: 11 March 2017 10:24
To: Keegan, Francis: WCC
Subject: Basement 26, Wardour street

Francis,

1: Please advise if we can do facial treatment which includes cleanser, exfoliate and mask.

Sophie
On the behalf of Ping Liang

City Inspector Further Submissions 2

From: Keegan, Francis: WCC
Sent: 19 May 2017 13:42
To: Rowe, Steven: WCC
Cc: Butterfield, Tim: WCC; Isabella.Grotto@met.pnn.police.uk; Marrison, Sarah: WCC; Piper, Roald: WCC
Subject: FW: Basement 26 Wardour Street 16/11243/LIMSTN Application for new special treatment licence
Importance: High

Dear Mr Rowe,

As discussed recently, I have little to add to my email of 2 April (see below) except the following :

Following our meeting with Ms Ping Liang on 20 March , the venue ceased trading (and the night time touting outside the venue ceased)

After the meeting the applicant's agent (Mr Carter) tried to get exempt status for the therapists working at the venue, but he was unable to do so.

This week Mr Carter asked me if the venue could provide non-licensable treatments (as planning issues have been resolved, it seems) , such as waxing, and I said I had no objection to this.

I am happy for this email to be attached to the LSC report

Tim Butterfield and I will attend the hearing.

Francis Keegan



City of Westminster

Licensing Sub-Committee Report

Item No:

Licensing Ref No:

17/04023/LIREVP

Date:

15 June 2017

Classification:

For General Release

Title of Report:

**The Union
88-90 George Street
London
W1U 8PA**

Report of:

Director of Public Protection and Licensing

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
E-mail: hlawrance@westminster.gov.uk**

APPLICATION DETAILS

Application Type:	A review of premises licence application under the Licensing Act 2003.		
Applicant:	Rosemary Hook	Date Application Received:	18 April 2017
Premises Name and Address:	The Union 88-90 George Street London W1U 8PA		
Ward Name:	Marylebone High Street	Cumulative Impact Area:	Not applicable.
Description of Premises:	The premises is operating as a public house and restaurant with an outside drinking area.		
Preliminary Note:			

2. SUMMARY OF APPLICATION

- 2.1 An application has been submitted by a local resident, Mrs Rosemary Hook, for a review of the premises licence for The Union, 88-90 George Street, London, W1U 8PA was received on 18th April 2017 on the grounds of Public Safety and the Prevention of Public Nuisance. **Please see Appendix 1.**
- 2.2 Guidance issued under section 182 of the Licensing Act 2003 (para 11.2) states that at any stage following the grant of a premises licence, a responsible authority, such as the Police or the Environmental Health Service, or any other person who can seek a review, may ask the Licensing Authority to review the premises licence because of a matter arising at the premises in connection with any of the four licensing objectives.
- 2.3 As such, in accordance with section 52(2) of the above-mentioned Act, the Licensing Authority must hold a hearing to consider the application and any relevant representations.
- 2.4 The premises currently benefits from a premises licence that permits:

Late Night Refreshment

Monday to Saturday: 23:00 to 00:30 (Ground Floor)
Monday to Saturday: 23:00 to 23:30 (Basement)
Sunday: 23:00 to 00:00 (Ground Floor)

Sale by Retail of Alcohol

Monday to Saturday: 10:00 to 00:00 (Ground Floor)
Monday to Saturday: 10:00 to 23:00 (Basement)
Sunday: 12:00 to 22:30 (Basement)
Sunday: 12:00 to 23:30 (Ground Floor)

Playing of Recorded Music: Unrestricted

- 2.5 These review proceedings are brought under the licensing objectives on the grounds of Public Safety and the Prevention of Public Nuisance. A history of issues experienced by the resident has been provided by the applicant can be found in **Appendix 1**.
- 2.6 The main issue the resident has experienced is the noise emanating from the outside area of the premises in which patrons congregate to drink and smoke. This was a particular issue during the summer of 2016.
- 2.7 A copy of the existing Premises Licence (16/13469/LIPDPS) is attached at **Appendix 2**.

3. REPRESENTATIONS:

- 3.1 The Environmental Health Service, as a responsible authority supports the review application on both grounds. **Please refer to Appendix 3 for further information.**
- 3.2. The Licensing Authority supports this review on the grounds of public safety and the prevention of public nuisance. **Please refer further to Appendix 4 for further information.**

4. OPTIONS:

- 4.1 The applicant is seeking to resolve the issues by way of conditions being added to the premises and has suggested the following:

‘A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open to the public. This telephone number is to be made available to residents in the vicinity of the premises.’

EITHER

‘Patrons shall not be permitted to consume alcohol or smoke to the rear of the premises’

OR

‘Consumption of alcohol to the rear of the premises shall be restricted to the terrace area immediately adjacent to the rear door. Patrons and the consumption of alcohol must not be permitted to overspill into the adjoining car park.

‘Patrons permitted to use the area to the rear of the premises described in condition [] shall be restricted to 12 at any one time.’

‘Patrons shall not be permitted to use the area to the rear of the premises described in condition [] for any purpose after 9pm.’

‘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 of the public highway or private land’

‘All external windows and doors to the rear of the premises shall be kept closed after 9pm, except for emergency ingress and egress.’

Or any other conditions that the Licensing Sub-committee should deem appropriate.

- 4.2 The Authority must, having regard to the application and the representations, take such steps (if any), as it considers appropriate for the promotion of the licensing objectives. The steps are:

- (a) to modify the conditions of the licence;
- (b) to exclude a licensable activity from the scope of the licence;



City of Westminster

APPLICATION FOR REVIEW

Please forward one copy of your completed application and any supporting documentation to:

Licensing Service
Westminster City Council
Westminster City Hall
4th Floor
64 Victoria Street
London
SW1E 6QP

AND

You must give one copy of your application and any supporting documentation to the Holder of the Premises Licence and each of the following responsible authorities on the same day that the application is served on the Licensing Service:

1. **The Chief Officer of Police**
Westminster Police Liaison Team
4th Floor, Westminster City Hall
64 Victoria Street, London, SW1E 6QP
2. **Fire Safety Regulation:**
South West Area 4
169 Union Street London SE1 0LL
3. **Premises Management (Environmental Health; Health & Safety; Weights and Measures)**
Westminster City Council
Environmental Health Consultation Team
4th Floor, Westminster City Hall
64 Victoria Street, London, SW1E 6QP

Continued.....

4. **Development Planning Services**
Westminster City Council
64 Victoria Street
London
SW1E 6QP

5. **Area Child Protection Committee**
Head of Commissioning – Child Protection & Quality, Social and Community
Services – Children and Families
4 Frampton Street
NW8 8LF

6. **Public Health**
Estates Lead
NHS Central London Clinical Commissioning Group
15 Marylebone Road
London
NW1 5JD

For boats only:

The Navigation Authority (for vessels not permanently moored)

Tidal Thames
The Harbour Master
The Port of London Authority, 7 Harp Lane, London EC3R 6LB

Non Tidal Thames
The Environment Agency Recreation and Navigation, Thames Region, Kings Meadow
House, Kings Meadow Road, Reading, RG1 8DQ

Canals
The Leisure Manager
British Waterways Board
1 Sheldon Square, Paddington Central, London W2 6TT

And

The Surveyor General
The Maritime & Coastguard Agency, Orpington Marine Office, Central Court, 1 Knoll
Rise

**Application for the review of a premises licence or club premises
certificate under the Licensing Act 2003**

Application for the review of a premises licence or club premises certificate under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

I Rosemary Hook

(Insert name of applicant)

apply for the review of a premises licence under section 51 of the Licensing Act 2003 for the premises described in Part 1 below

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description Union 88-90 George Street	
Post town London	Post code (if known) W1U 8PA

Name of premises licence holder or club holding club premises certificate (if known) Faucet Inn Limited
--

Number of premises licence or club premises certificate (if known) 16/13469/LIPDPS Original reference: 05/08359/LIPC
--

Part 2 - Applicant details

I am

Please tick ✓ yes

1) an individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A) or (B) below)



2) a responsible authority (please complete (C) below)

3) a member of the club to which this application relates
(please complete (A) below)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick ✓ yes

Mr Mrs ✓ Miss Ms Other title

(for example, Rev)

Surname

First names

Hook

Rosemary

Please tick ✓ yes

I am 18 years old or over

**Current postal
address if
different from
premises address**

75 Blandford Street

Post town

London

Post Code

W1U 8AB

Daytime contact telephone number

E-mail address (optional)

rosemary@roberthook.f2s.com

(B) DETAILS OF OTHER APPLICANT

Telephone number (if any)
E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address
Telephone number (if any)
E-mail address (optional)

This application to review relates to the following licensing objective(s)

Please tick one or more boxes ✓

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

✓
✓

Please state the ground(s) for review (please read guidance note 2)

The application seeks to amend and update the premises licence to ensure that the operation of the premises promotes the licensing objectives. The issues experienced can be summarised as follows:

'Prevention of public nuisance' and 'public safety'

- Outside drinking. Although the premises has a designated area at the front on George Street which benefits from a 'tables and chairs' licence, in the warmer months large numbers of customers congregate at the back of the premises either in an area just outside the back door of the pub, or beyond there in a private car park.
- The back of the premises is overlooked by the residential properties on Blandford Street.
- There can be well over 50 customers outside the rear of the premises in the warmer months.
- This creates a din the result of which means it is impossible to relax in our homes in the evening even when all windows are closed.
- The cars using the car park have to negotiate the crowds of drinkers. The car park is also by delivery vehicles delivering to the back of the Tesco Express on George Street. This can be dangerous for the customers of the pub.

Please provide as much information as possible to support the application (please read guidance note 3)

Introduction

I am a local resident who lives in the very close vicinity of the Union ('the premises'). The front of the premises is situated on George Street. It has an outside seating area at the front, on George Street. The rear of the premises opens out on to a small 'patio' area, and then a large open area, a private car park not belonging to the pub. I overlook the rear of the premises only, and so it is on that which the application focuses. I enclose a photograph of the rear of the premises at appendix 5.

The outside area at the front has the benefit of a 'tables and chairs' licence issued by Westminster City Council. The area is not demarcated on the plans which form part of the premises licence.

The rear of the properties comprising nos 73 to 89 Blandford Street overlook the back of the premises. The rear exit of the premises is utilised by the licence holder for the egress of customers out into the large open space between the rear of the premises and our property. I presume that the small 'patio' area is within their demise. It appears to be included on the licence plans. The private car park where customers gather to drink is not within the licence holder's demise. I am not sure whether they have permission to use this area.

I have produced and signed a witness statement which explains in more detail where I live, our circumstances, and our concerns. A number of other local residents have also submitted statements in support of the review. The statements can be found at Appendix 1. I also produce at Appendix 2 a number of photos taken as evidence

Large numbers of customers congregate outside the rear of the premises. The noise they cause constitutes a nuisance for residents. We are not averse to customers drinking outside, even at the rear, to a reasonable time and in reasonable numbers. However, as the photographs we have submitted demonstrate, the numbers permitted outside by the licence holder and the spread of customers in the large open area, is problematic.

The purpose of the review is to amend and update the premises licence to ensure that the operation of the premises promotes the licensing objectives.

Overview

I and other residents have been troubled for a number of years by the operation of this premises. I have sought to engage with the relevant officers at Westminster City Council and with the management of the premises. Unfortunately, the manager at the premises through 2016 was very unpleasant and I had to stop raising concerns with him. He would come out of the back of the premises and encourage customers to look towards our flat, and he made threatening gestures towards us. I was subsequently advised by a noise officer from the City Council not to contact that individual. When I have telephoned the premises itself to make them aware of the noise issues, I have been told but them that 'we can do what we like'.

I and others have put up with these issues over a number of years, and we would like to resolve the problems so that they do not reoccur over the course of this spring and summer.

Glyn Franks and other officers of the City Council has been extremely helpful and fair in his dealings with myself and the premises. We have been close to applying for a review of the premises licence on a number of occasions. Glyn had liaised with the management on a number of occasions in order to seek a resolution. In 2016 a document was drawn up in conjunction with the management, to manage outside drinking at the rear.

Unfortunately, although it did improve for a short period (a week), nuisance has continued. The agreement has not been complied with. It is perhaps noteworthy that, according to the City Council's Licensing Register, there have been numerous changes of DPS within relatively short periods of time.

Accordingly, residents feel it is time that the licence is reviewed so that conditions can be added to resolve the issues we experience.

The principle cause of nuisance is the numbers of customers who drink outside the premises at the rear and the noise this causes, which is intrusive in our houses. There are 9 houses and 2 flats on our stretch of Blandford Street which overlook the rear of the premises and are affected.

Current premises licence

The current premises licence is attached at appendix 4. I am advised that it is an old 'converted' licence, and so does not have conditions which one might expect to find on more modern licences.

In particular, the licence has not changed to take into account (i) the rise in popularity of outside drinking; and (ii) the effect of the smoking ban. Both these factors are at the root of the nuisance we experience. It is in our view clearly appropriate in these circumstances that the licence should be amended.

Reasons for the application: the licensing objectives

The issues fall under the licensing objective of prevention of public nuisance. The statements attached at appendix 1 will have some more detail, but the following is a general summary.

Prevention of public nuisance: Outside drinking and smoking; extent of area used for outside drinking; numbers of customers outside.

I attach at appendix 2 photographs which amply demonstrate the scale of the problem and why residents are asking for conditions to be imposed on the licence.

I and others have had to phone the City Council's Noise Team on numerous occasions. Please note that the number of calls recorded does not seem to reflect the number of times when noise has been an issue. We have not phoned the Noise Team on each occasion. We have also phoned the pub when there has been noise, with very limited success.

The problems which occurred during 2016 were much the same as previous years, and we want to resolve the issue before summer 2017.

As described in my and other supporting statements, the problem is from early to late evening in the summer months and tends to get progressively worse towards the end of the week. It is often the case that upwards of 50 people have spilled out of the rear of the car and into the car park.

Whilst the general pattern is that the actual number of people in the car park starts to fall after from around 9.00pm this does not necessarily mean that the nuisance abates. Those that remain later tend to get louder.

I have found the following email excerpts which show typical examples of the problems.

26 May 2016:

'Unfortunately I do not think that much regard has been paid and on this sunny Thursday evening it was the same problem, with far more people outside the bar and spilling well into the car park than actually in it. Again we have had to close all our windows and are unable to use our terrace or garden.

I am not prepared to accept this so would indeed like to understand how we can take things further ourselves.

In order to establish our position quite clearly I made another call to the noise team and the reference is 16/15198/ENC45. Kevin Stewart was very prompt in getting back to us and has subsequently attended

on site with one of your colleagues - I think he said Mr Keegan, but difficult to hear over the noise!

Corralling people back in has subsequently happened, for which I am grateful, but our reality is that our nice evening on the terrace had already been destroyed.'

27 May 2016:

'I telephoned Union bar at 10.45 when none of us could sleep because of the noise levels even with all our windows closed. To be fair they finally moved their customers side, but did not close the rear doors and why could they not have done that earlier, given that a noise complaint had already made? They have three floors of internal space!

The only solution has to be to prevent them using the rear of the property at all, with the rear door as fire escape only, and otherwise shut at all times. They have plenty of seating at the front which is on a trafficked street and where the noise is therefore far less of an issue than it is immediately outside our bedroom windows.

If we cannot reach this sort of compromise I and my neighbours will have to start campaigning to get their license revoked completely.

We will see what happens tonight but will be complaining and encouraging our neighbours to do so if we yet again experience severe nuisance.

Whilst I appreciate processes may take some time it seems to me that there is a simple and immediate solution as outlined above, thus preventing the time and cost associated with this.

Frankly, heartily sick of being deprived of the peaceful enjoyment of our home.'

21 June 2016:

'Yes, on-going problem on a sunny evening. We called noise team again on 18 June ref 16/17602/ENR345 and noise officer attended some time after 10.50pm. I know that Glyn has visited the premises in recent days but have not had any feedback from him. It seems to me there is a simple solution here. If the licensed area excludes the rear terrace and the license is restricted to sales and consumption ON the premises only they will be in contravention if anyone is outside at the rear. They have adequate external seating already on George St, which is a noisy trafficked commercial street. That is not the case at the rear where the majority of buildings immediately affected are residential and indeed, bedrooms.

At the least the poor weather in recent weeks has given us some peace and quiet, but no thanks to any care or consideration by the licensee to his neighbours, none has ever been demonstrated.

A number of our neighbours have also made complaints, including Carousel who have licensing restrictions in place to absolutely avoid the sort of problems the Union Bar is creating and which, in the most part they respect. Doesn't seem right does it?

I suppose we need an update from Glyn before deciding on next steps, but it is very clear that the problem is not going to go away without further action.'

These incidents took place after a 'Patio Rules' document had been drawn up by the licence holder in conjunction with Mr Franks (see appendix 6). Clearly, the new 'rules' did not have the desired effect. This procedures set out in the document would not in any event have been sufficient as it did NOT prevent people spilling in to the car park area (although they did subsequently say they would stop people from spreading in to the car park area); it did NOT put a terminal hour on use of the outside area at the rear - it only set a terminal hour for use of the car park (10pm), after which customers could and did continue to drink and make noise in the smaller area directly outside the back door.

Unfortunately, the rules are only implemented sporadically in any event. This may have something to do with the frequent changes of DPS evident from the Council's Licensing Register. The car park

continued to be used.

Please see individual witness statements for further details.

Efforts to resolve the problems

For several years we have had to complain with increasing frequency to the manager and to staff by telephoning or visiting the premises. We have regularly contacted Westminster noise team and they and licensing offices have attended on site on plenty of occasions. We no longer call the noise team on every occasion that we experience nuisance due to the time lag between calling the noise team and the attendance of an officer on site. It must also be said that any effect of a visit from the noise team is very short lived.

Westminster City Council's Statement of Licensing Policy 2016

The City Council's Policy regarding public nuisance (PN1) anticipates the potential for problems from outside drinking. The considerations (p.19) state that 'Regard will be had to disturbance of people whether at home, at work, staying in, or visiting the vicinity. However, stricter conditions will be imposed on premises licences in areas that have denser residential accommodation or have residential accommodation close to them.' There are 6 considerations a-g in respect of 'Eating, drinking or smoking outside premises' (p.20). Among them are 'Whether the premises are under or near to residential accommodation', 'The hours for the sale of alcohol in open containers or food for consumption outside the premises' and 'Whether there is a need for door supervisors to prevent or to control customers congregating in outdoor areas to smoke, consume food or drink...between certain hours or at all times.'

The Policy therefore recognises the potential for these types of issues to arise.

Conclusion

It is worth noting that there is a licensed premises at 71 Blandford Street, two doors down from my property. A new licence was applied for in 2013. The applicant wished to use an external area at the back of their premises for drinking and eating. We expressed our reservations about this. Having considered the relevant representations, the Licensing Sub-Committee decided to permit activity in the external area, but only to 9pm. We considered this a reasonable compromise in the circumstances, and we have very good relations with the management of that premises, whose patrons rarely if ever cause an issue. The same cannot be said for the Union.

Slightly further afield, but relevant to this premises, is a pub on Crawford Place which has signs in the window informing customers that outside drinking is not permitted after 9pm.

I respectfully ask that the Licensing Sub-Committee imposes such conditions as it considers to be appropriate and proportionate, to promote the licensing objectives. We suggest the following conditions as a basis for discussion. Ideally, I would like there to be no use of the rear of the premises for the reasons set out in this application. If the Sub-Committee is not minded to take this step, I have set out a number of conditions below. I feel that these conditions are necessary, appropriate and proportionate.

Proposed conditions:

- 'A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open to the public. This telephone number is to be made available to residents in the vicinity of the premises.'

EITHER

- 'Patrons shall not be permitted to consume alcohol or smoke to the rear of the premises'

OR

- 'Consumption of alcohol to the rear of the premises shall be restricted to the terrace area immediately adjacent to the rear door. Patrons and the consumption of alcohol must not be permitted to overspill into the adjoining car park .
- 'Patrons permitted to use the area to the rear of the premises described in condition [] shall be restricted to 12 at any one time.'
- 'Patrons shall not be permitted to use the area to the rear of the premises described in condition [] for any purpose after 9pm.'
- '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 of the public highway or private land'
- 'All external windows and doors to the rear of the premises shall be kept closed after 9pm, except for emergency ingress and egress.'

Any other such conditions as the Sub-Committee decides are appropriate and proportionate following consideration of this application, submissions from the licence holder, and any representations from responsible authorities and other persons.

All timings etc to be as the Sub-Committee decides are appropriate and proportionate following consideration of this application, submissions from the licence holder, and any representations from responsible authorities and other persons.

Have you made an application for review relating to the premises before		No
If yes please state the date of that application	Day	Month Year

If you have made representations before relating to the premises please state what they were and when you made them

n/a

Please tick ✓ yes

- ✓ I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- ✓ I understand that if I do not comply with the above requirements my application will be rejected

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

Part 3 – Signatures (please read guidance note 4)

Signature of applicant or applicant's solicitor or other duly authorised agent (please read guidance note 5). If signing on behalf of the applicant please state in what capacity.

Signature Colin W. Hook

Date 18th April 2017

Capacity **Applicant**

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6) See previous contact details given for Applicant	
Post town	Post Code
Telephone number (if any)	
If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)	

Notes for Guidance

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.

The Union, 88-90 George Street, London W1U 8PA

List of appendices to review application

1. Statements in support of application
 - 1.1 Statement of Rosemary Hook
 - 1.2 Statement of Robert Hook
 - 1.3 Statement of Charlotte Kearon
 - 1.4 Statement of Vojislav Vasic
2. Photographs
3. List of noise complaints recorded by Westminster City Council
4. Premises licence for 88-90 George Street
5. Map of vicinity and photograph of rear of premises
6. Correspondence and documentation from Licensing Inspector

**Statement in support of application to review the premises licence for Union, 88-90 George Street,
London W1U 8PA**

s51 Licensing Act 2003

My name is Rosemary Hook. I live at 75 Blandford Street, London W1U 8AD. I have lived here for almost 11 years.

My house is on Blandford Street, which runs parallel to George Street, one block north. The rear of our property faces the rear of the George Street properties in between which is a large surface car park. The width of the car park is approximately 50 metres. It is a four storey house with a rear garden and external amenity areas (large balconies) on the rear of the first and third floors.

This statement is written in support of my application to review the premises licence for 88-90 George Street. A number of other residents affected by the nuisance created have also submitted statements in support of the review.

This statement sets out my own personal experiences of i) nuisance emanating from the Union; ii) the impact it has on my life; and iii) efforts to resolve the issues. I deal with these in turn:

- i) The problem emanates from the use of the small terrace to the rear of Union Bar, which comprises part of the licensed premises. There is no control over numbers of people outside the rear of the Bar who overspill onto the adjacent surface car park. Noise levels can be very higher with well over 50 people in the car park. The noise is amplified by the canyon effect of the tall buildings surrounding it. Noise levels are much higher at our first floor windows than on the ground and even worse at the higher bedroom floors. A further contributing factor is that whilst the Bar has plenty of external seating to accommodate smokers on George Street (by separate licence I believe) George Street is in shade by early evening and customers therefore congregate in the car park to the rear which is still in full sun. It is often the case on a sunny evening that the George Street external area and the bar itself are virtually empty and the large majority of the customers are not even in the licensed premises, but in the car park outside it. The nuisance to us is most severe during the summer months in the evenings and becomes more intense as the week progresses, culminating in hellish Fridays. Even at this time of year (March) noise from the car park travels and a handful of people outside is disturbing and can be heard in our bedrooms even with the windows closed.

Whilst not of direct concern to the use of our property there is also a conflict between large numbers of people standing around drinking with cars entering and leaving the car park and HGVs servicing the Tesco store immediately next door.

- ii) The nuisance we experience is largely weather dependent. On pleasant sunny evenings when we would like to be enjoying our rear garden and first floor dining terrace the noise levels make this impossible. We are not only forced to retreat indoors but have to

close all our doors and window however hot and humid it is. On occasion we have found that we have to move to rooms at the front of the house. Whilst the number of people in the car park gradually drops off as workers leave for home that does not mean that noise levels abate – fewer people will by 9.00pm being making as much noise if not more than the early evening crowd. The noise often goes on well past 11.00pm making it impossible for us to sleep. Once all the customers have finally dispersed there is then disturbance from staff clearing up. We have provided photographic evidence from last summer showing the large numbers of people gathered in the car park.

This problem has increased year on year because the use of the car park continues to go unchecked and the current licence under review has no conditions to protect the welfare of local residents. Interestingly residents were involved in the licensing of the Carousel restaurant at 71 Blandford Street, a couple of doors away from our home. We have no such problems from this restaurant which is our very near neighbour. To give context, Union bar is located in a predominantly residential neighbourhood (particularly to the rear) which is extremely quiet at night with the exception of unauthorised use of the car park by customers of the Union Bar. The customer base of the Union bar is office workers from Baker Street. It provides no community focus and, indeed, is closed at weekends. This further reflects the lack of natural local night time footfall in the area

- iii) For several years we have regularly complained to the manager and staff both by telephoning or visiting the bar. In the main this has little to no effect. For the last two summers we have requested a meeting with the owners who have refused to meet. We regularly call the noise team and they and licensing officers have attended on site. This does have some short term impact. We no longer call the noise team on every occasion because it can take officers a couple of hours to attend – if we are at 10.00pm that becomes a pointless exercise as not only do we have to stay up even later, often circumstances have moved on.

I feel that the use of the outside space at the rear of the premises and the use of the car park for drinking has caused a public nuisance and will continue to do so unless legally restrained. In order to avoid ANY overspill into the car park and to reduce noise levels at all times we would like the rear terrace to be excluded from the licensed premises and the fire door onto it only be open for an emergency evacuation. Smoking can comfortably be accommodated on George Street which is a commercial street with external seating. There is no need for the external area to the rear to be available to customers.

At the very least the licence should be conditioned to limit the number of customers permitted on the terraced area and no overspill onto the car park be tolerated. I think the terrace could accommodate about 12 people. If this is the case then the use of the terrace should be until no later

than 9.00pm and no one should be allowed out of the back to drink or smoke after that time. The fire door would need to be closed from 9.00pm and used only for escape purposes.

If the licensee cannot demonstrate a workable management plan to implement this and the intention to actually apply it then the use of the terrace should be entirely prohibited at all times. Past experience has clearly demonstrated that such plans are NOT implemented neither is there the intent to implement. If the use of the terrace is entirely prohibited the legal position is clear and the Westminster noise team will have one less regular infringement to deal with. Our quality of life in the summer months would be hugely improved.

I believe that the facts stated in this witness statement are true. I am aware that this statement will be used in support of an application to review the premises licence, and that as supporting documentation it will be seen by the licence holder and will be available to view on the City Council's Licensing Register, and will form part of the Report to Sub-Committee which is a public document.

Signed..... *Gregory Hoyle*
Address..... *75 DUND FCA Street BIUGAD*
Date..... *30th March 2017.*

Statement in support of application to review the premises licence for Union, 88-90 George Street, London W1U 8PA

s51 Licensing Act 2003

My name is Robert Hook. I live at 75 Blandford Street, London W1U 8AD. I have lived here for about 11 years.

My house is approximately 50m north of the premises across the open surface car park.

This statement is written in support of the application to review the premises licence for 88-90 George Street. I am aware that my wife is applying for a review of the premises licence, and I am fully supportive of the application.

This statement sets out my own personal experiences of i) nuisance emanating from the Union; ii) the impact it has on my life; and iii) efforts to resolve the issues. I deal with these in turn:

- i) Very often, particularly in the spring, summer and early autumn months a large and noisy crowd collects at the rear of the premises spilling out over a large area of the car park. This tends to be more prevalent on Thursdays and Friday and as the evening goes on the noise tends to intensify and often goes on until late. Occasionally at weekends there are private parties when the nuisance tends to be loud music with an incessant bass throb heard when the rear doors remain open.
- ii) This prevents our use of our own amenity space and even prevents us from leaving windows open and often delays going to sleep. As the carpark is surrounded by buildings there is a "canyon" effect and this intensifies the noise.
- iii) We have complained to the council on many occasions and also I have complained to the bar staff with varying degrees of response.

I would like the council to control the area that is used by the bar so that they do not use a large part of the car park so that fewer people are outside and that the rear area should be vacated by a certain time each night to prevent this public nuisance.

I believe that the facts stated in this witness statement are true. I am aware that this statement will be used in support of an application to review the premises licence, and that as supporting documentation it will be seen by the licence holder and will be available to view on the City Council's Licensing Register, and will form part of the Report to Sub-Committee which is a public document.



Robert Hook
75 Blandford Street
London W1U 8AD

**Statement in support of application to review the premises licence for Union, 88-90 George Street,
London W1U 8PA**

s51 Licensing Act 2003

My name is Charlotte Kearon. I live at 73 Blandford Street. I have lived here for 1.5 years.

My house is on Blandford Street, which runs parallel to George Street, one block north. The rear of our property faces the rear of the George Street properties, in between which is a large surface car park. It is a four storey house with a rear garden and has large balconies that we enjoy sitting out on at the rear of the first and third floors.

This statement is written in support of the application to review the premises licence for 88-90 George Street. I am aware that my neighbour Ms Hook is applying for a review of the premises licence, and I am fully supportive of the application.

This statement sets out my own personal experiences of i) nuisance emanating from the Union; ii) the impact it has on my life; and iii) efforts to resolve the issues. I deal with these in turn:

- i) Union Bar backs onto the car park behind our house. It has a small outdoor smoking area of its own, both at the front and at the back of the pub. However, these areas are not nearly big enough to fit all their customers and so they spill into the car park and essentially transform the area of the car park that is directly facing our house into an outdoor pub. This is especially the case on warm evenings after work. Sometimes it seems that the pub itself is being used like a shop, only there to sell the drinks, while all of the socialising and drinking is played out in the car park and not on the pub's own premises.*

- ii) The noise is worst on week nights, especially in Summer, when it feels like we are sitting in the middle of a busy pub! The worst night is Friday, but other week nights can also get extremely busy and noisy. My 12 year old son has the hardest time of all of us because his bedroom is on the top of the house and facing into the car park. The canyon effect of the buildings around the car park holding in the sound and propelling it up means that the noise is much worse on that top floor than it is lower down. There is no way he can have any windows open in his bedroom and, even closed, it is often just completely impossible for him to get to sleep. He either lies awake till the pub finally closes, which often carries on well past 11pm - much too late for a child his age, especially on a school night – or, more commonly, I have to move him onto a mattress on the floor in one of his sister's bedrooms. It is very disruptive. My husband and I also have a bedroom that faces onto the car park and we also find it impossible to sleep until the pub closes. There is absolutely no way we can have our large terrace doors in the sitting room open when the pub is busy and neither can we sit outside in our garden or eat on our balcony.*

iii) *We have also had a lot of noise coming through from Carousel Restaurant that is next door to us – the noise comes when they 'throw parties' for clients and play music for dancing. On such occasions, we have sometimes called them and they have responded by reducing level of the noise of the music. We have not found it possible to do this with the Union Bar because the noise is not coming from their music but from customers / members of the public who are standing out in a car park that doesn't even belong to the Union Bar, so it feels much harder to get the management to make it stop! They appear to lack any control of their customers. I am aware my neighbours have complained frequently and I understand the manager has not been cooperative.*

I feel there are a number of potential solutions to this problem... perhaps Union Bar could erect a screen around their outdoor area at the back so as to stop people spilling onto the car park? This would mean only a handful of people could fit out there and the noise level would be massively reduced. Or perhaps the door to the back could be locked at a certain time so that none of the customers could access the back after eg 9pm [they would still have access to the front of the pub where they have a seating area]. We do not have any strong opinion as to what the solution should be, but we just want the current problem to go away so that we can open our windows on warm evening, we can sit outside in our garden or the balcony and so that our children [and us] can get to sleep at a more reasonable time.

I believe that the facts stated in this witness statement are true. I am aware that this statement will be used in support of an application to review the premises licence, and that as supporting documentation it will be seen by the licence holder and will be available to view on the City Council's Licensing Register, and will form part of the Report to Sub-Committee which is a public document.

Signed.....Charlotte Keaton

Address...73 Blandford Street, London W1U 8Ad.....

Date.....29.03.17.....

**Statement in support of application to review the premises licence for Union, 88-90 George Street,
London W1U 8PA**

s51 Licensing Act 2003

My name is Vojislav Vasic. I live at 89 Blandford Street W1U 8AF. I have lived here for 7 years.

My house is the last terraced house approximately 40 meters away from the back of Union Bar

This statement is written in support of the application to review the premises licence for 88-90 George Street. I am aware that my neighbour Ms Coles is applying for a review of the premises licence, and I am fully supportive of the application.

This statement sets out my own personal experiences of i) nuisance emanating from the Union; ii) the impact it has on my life; and iii) efforts to resolve the issues. I deal with these in turn:

- i) During the summer months Union bar is using a terrace at the back of the premises. On several occasions noise, shouting, singing and short screams have been heard. This is usually happening on Thursday and Friday. (much louder on Fridays)
I have complained to the Westminster Council on several occasions (Complaint Ref No 16/16821/ENC45 (10/06/2016) and complaint Ref No 15312 (27/05/2016))
Apart from logged complaint, there were several complaints which were not logged since Mr Glynn Franks (Senior City Inspector) was already aware of the issue and assured me that someone is on its way to Union Bar as we speak.

We haven't experienced any such issues with Carrousel restaurant which is closer to our property.

- ii) Our children's bedrooms are facing parking and it is not possible to have a window open in the summer months because of the noise. On several occasions we had to calm our daughter down and postpone her bedtime. Also, on several occasions noise was disturbing as it sounded like serious argument.
Noise was worst on Fridays. We do have sport activities on Saturday morning and we are getting up at the same time as on working days. With summer approaching, I am concerned that pattern will be repeated.
- iii) We have complained to the Council and they have sent officers to the premises. This procedure lasts few hours and by the time officers arrive we had to postpone child's bedtime. Even though officers have attended the premises pattern would repeat weekly. After few Fridays in a row we did have few noise free Fridays but it in my opinion it had more to do with the rain than with genuine control of noise.

I would like Council to limit the use of the back terrace to 10 p.m. and make sure that this is enforced. In addition there should be a limit to how much people can use the terrace as they frequently use parking space as an informal bar area.

I believe that the facts stated in this witness statement are true. I am aware that this statement will be used in support of an application to review the premises licence, and that as supporting documentation it will be seen by the licence holder and will be available to view on the City Council's Licensing Register, and will form part of the Report to Sub-Committee which is a public document.

V. Vasic 

89 Blandford Street W1U 8AF

23/03/17

This page is intentionally left blank

Appendix 2 – photos.

See email attachment or USB stick as applicable.

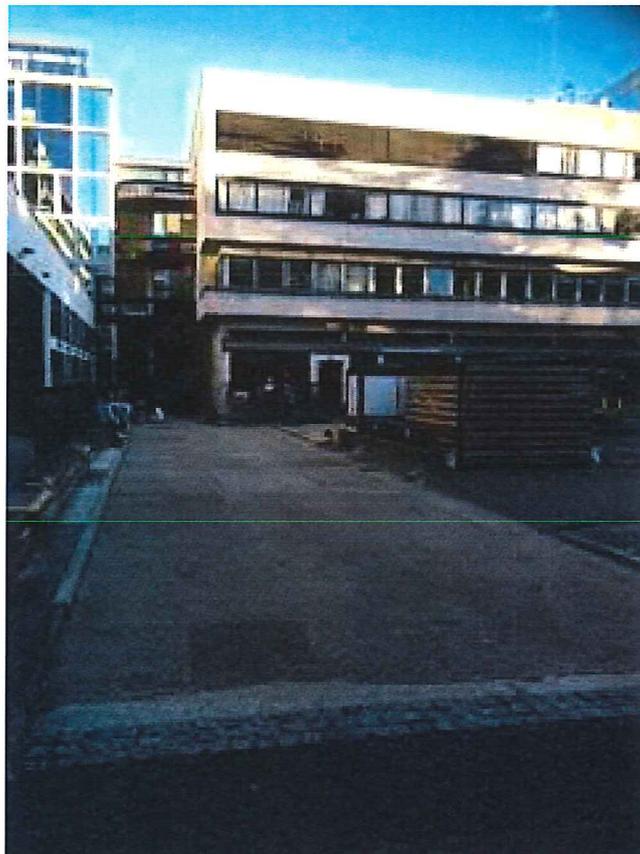


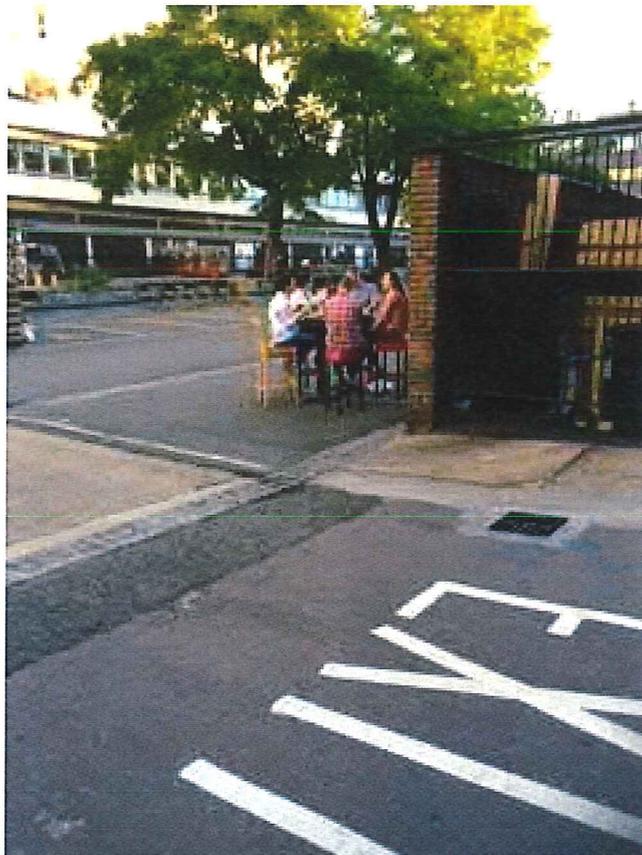
















































Lawrance, Heidi: WCC

From: Rosemary Hook <rosemary@roberthook.f2s.com>
Sent: 30 May 2017 13:45
To: Lawrance, Heidi: WCC
Cc: licensing@westminstercab.org.uk; Rob
Subject: Union Bar

Dear Heidi

I attach two photos from last week - the first from Thursday evening and the second from Friday. The Friday photo is the first time we have seen ANY attempt to control customer overflow. Coincidentally it was also the day that the hearing date was published. I would like to submit these in support of our case for a review, but not sure how to do so formally. Richard is away this week and next. Can you advise?

Incidentally the sign on the outer edge of the pavement made reference to the extent of the licensed premises being at the kerb line. This is not the case, the licence covers the terrace only not the pavement beyond it or any part of the car park.

I do also have a couple of short videos which demonstrate noise levels but these seem to be too big to send.

I look forward to hearing from you.

Kind regards

Rosemary



This page is intentionally left blank

Noise Complaints re The Union; George St.

16/12794/ENC45 6th May 2016 at 19.52;

“Noise accuring from the Union bar on george street. Customers of the bar are spilling out onto the private carpark and making lots of noise.”

(21.25) spoke to general manager saw 28 people outsid of bars boundary on the car park and road area. ?? says no risk as car park not used at this hour but there was a mini parked in the car park area. noted that patrons have glasses outside. talking and laughing but hard to judge if any nuisance being caused. door to bar kept permanenetly open and music being played inside. took photo of scene and have emailed to licensing.

16/14483/ENC45 20th May at 20.25

“She called to report that there is a lot of people in the premises of the UNION BAR and the noise is unbearable and they are doing nothing to control it”

(20.45) Called customer from the front of the premises. Only a handful of people at the front. Customer said all the noise is at the back although the number is half of what was when she called. Went through the Pub. Counted 45 people on the Terrace. General hubbub. Met DPS. He has been in discussion with Glyn and has a barrier system to control the crowd but as well as their terrace they have use of the car park at the back. They also have people of this area by 2200 hours.
Email to Glyn

16/15198/ENC45 26th of May at 20.12

“Loud Noise coming from patrons of Union Bar on George Street”

(20.58) Visited with City Inspector 38 people at rear of premises in car park (accessed via Blandford Street). Noise levels were significant and loud voices and laughter could be clearly heard from where we had parked in Blandford Street. Spoke to DPS. Advised him that the noise was excessive.. He said he was dealing with Glyn Franks. I told DPS he needed to keep noise levels down.

16/15298/ENC45 27th of May at 19.19

“Noise from the customers outside the Union bar overflowing to the carpark as well”

(20.10) at 20:10hrs. 40 persons outside in two distinct groups. Making lots of noise from talking, swearing and laughter. Colleague spoke to Licencee. Job for City Inspectors.

16/16692/ENC45 9th of June at 19.07

“Union bar is allowing its customers to shout swear and drink all over the car park. making alot of noise affecting the tenants that live behind”

(20.15) Only a handful of people at the car park at the back of the pub. front. Counted 28 people talking and laughing. noise not excessive at time of visit. Met duty manager. He has been in discussion with City Inspector and has a barrier system to control the crowd but as well as their terrace they have use of the car park at the back. They also have people of this area by 2200 hours.

16/16693/ENC45 9th of June at 20.28

“Union bar is allowing its customers to shout swear and drink all over the car park. making alot of noise affecting the tenants that live behind”

cx's visited - see 16/16692/ENC45.

16/16811/ENC45 10th of June at 18.33

“Loud Noise/Talking coming from patrons of Union Bar on George Street”

(20.15) visited and saw patrons at the rear of the bar having loud conversations. at the source, met with city inspector, who was also there to deal with the issue. Counted approx. 55 patrons. spoke to the DPS, and advised. He asked his patrons to go inside the bar.

16/16821/ENC45 10th of June at 21.31

“shouting and talking loud”

noise stopped.at 21.46 not visited

16/16835/ENC45 10th of June at 23.23

“Noise coming from the Union Bar people outside the bar”

(23.55) The noise is now much reduced as the patrons now inside. Not visited.

16/17602/ENRE45 17th of June 2016 at 22.18

“Loud Talking coming from Bar Nearby”

(23.30) raining very heavily no one at back of premises, premises closes at 00:00

16/24093/ENC45 12th of August at 19.47

“the caller says that the manager of the union bar has agreed a protocol to control the people on the rear terrace of the property to stop the noise nuisance but the Union Bar is not implementing that protocol. there are people all over the car park making a lot of noise at this moment”

(20.40) visit, no table at rear of restnt. is a private car park. was a drink stain and couple of bottle tops on corner of car park, at rear of restnt. spk to matthew varona, mngr of restnt. he adamant that table nothing to do with them, was taken out by staff of house of fraser, who have large office block overlooking baker st that backs on to car park. took pic of site.

(20.50) rang mrs h. she knows mngr at hse of fraser, so will follow up with them. she does not have probs with restnt so accepted explanantion.

Actions regarding the above

16/12877/ELSELF

On the 7th of May 2016; I contacted the customer; discussed the circumstances; pub closed over the weekend, so no visit made; arranged a meeting for

11th of May 2016; I met with the DPS Barry Edwards, in post since October 2015; Met with DPS as prearranged; discussed recent noise complaints regarding the use of the area to the rear of the bar; which is privately owned, enclosed courtyard; with mixed use; a row of residential accomodation on the far side. Barry has been in charge since October, so this is first summer/fine night; in excess of 80 customers present,. Signs now displayed requesting quiet for neighbours, a barrier to designate area to be used, another 6 ordered to help same. Written instructions to staff to set procedures for the future. I will be supplied a copy for retention against this record.

12th of May 2016, DPS responded by e mail with a set of "The Patio Rules" regarding the management of the terrace and car park at the rear.

13th of May 2016 I made a visit at 18.05

16/15241/ELREAC, 27th of May 2016

This entry was designed to pull everything together following more complaints; details held on notepad of record.

24th of June 2016 at 19.15

I made a visit to the premises

Visit made to check ongoing nuisance from customers at rear of pub. Recently the pub have decided to not make use of the car park at all; tonight's visit showed about 30 customers at the rear all held on the raised patio area; no nuisance seen or heard. Spoke to DPS confirmed that I had passed on his undertakings to the customer and Richard Brown.

No further complaints received thus far; will close this record (5th of July)

4



City of Westminster

64 Victoria Street, London, SW1E 6QP

Schedule 12
Part A

WARD: Marylebone High Street
UPRN: 100023462278

Premises licence

Regulation 33, 34

Premises licence number:

16/13469/LIPDPS

Original Reference:

05/08359/LIPC

Part 1 – Premises details

Postal address of premises:

Union
88-90 George Street
London
W1U 8PA

Telephone Number: 020 7935 8107

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	Unrestricted
Late Night Refreshment	
Monday to Saturday:	23:00 to 00:30 (Ground Floor)
Monday to Saturday:	23:00 to 23:30 (Basement)
Sunday:	23:00 to 00:00 (Ground Floor)
Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit	Unrestricted
Sale by Retail of Alcohol	
Monday to Saturday:	10:00 to 00:00 (Ground Floor)
Monday to Saturday:	10:00 to 23:00 (Basement)
Sunday:	12:00 to 22:30 (Basement)
Sunday:	12:00 to 23:30 (Ground Floor)

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 00:30
Sunday: 12:00 to 00:00

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:

Faucet Inn Limited
88-90 George Street
London
W1U 8PA

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

06824966

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

Name: Renato Luigi Pelizza

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/02286
Licensing Authority: London Borough Of Wandsworth

Date: 04 January 2017

This licence has been authorised by Shannon Pring 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

Conditions for the sale of alcohol

9. (l) Alcohol shall not be sold, supplied, consumed in or taken from the premises except during permitted hours.

In this condition, permitted hours means:

- (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).

Ground Floor Only

- (ii) Alcohol may be sold or supplied for one hour following the hours set out above (other than Christmas Day and New Year's Eve), and on Christmas Day, between 15.00 and 19.00, to persons taking table meals in the premises in a part of the premises usually set apart for the service of such persons and for consumption by such a person in that part of the premises as an ancillary

to his meal. For other purposes or in other parts of the premises the hours set out above shall continue to apply.

NOTE - The above restrictions do not prohibit:

- (a) during the first thirty 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. 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

11. Under 18s shall not be permitted to enter the premises after 21:00 unless accompanied by an adult and attending a private function.

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

None

Annex 4 – Plans

Attached



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

Schedule 12
Part B

WARD: Marylebone High Street
UPRN: 100023462278

Premises licence summary

Regulation 33, 34

Premises licence number:

16/13469/LIPDPS

Part 1 – Premises details

Postal address of premises:

Union
88-90 George Street
London
W1U 8PA

Telephone Number: 020 7935 8107

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	Unrestricted
Late Night Refreshment	
Monday to Saturday:	23:00 to 00:30 (Ground Floor)
Monday to Saturday:	23:00 to 23:30 (Basement)
Sunday:	23:00 to 00:00 (Ground Floor)
Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit	Unrestricted
Sale by Retail of Alcohol	
Monday to Saturday:	10:00 to 00:00 (Ground Floor)
Monday to Saturday:	10:00 to 23:00 (Basement)
Sunday:	12:00 to 22:30 (Basement)
Sunday:	12:00 to 23:30 (Ground Floor)

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 00:30
Sunday: 12:00 to 00:00

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:

Faucet Inn Limited
88-90 George Street
London
W1U 8PA

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

06824966

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

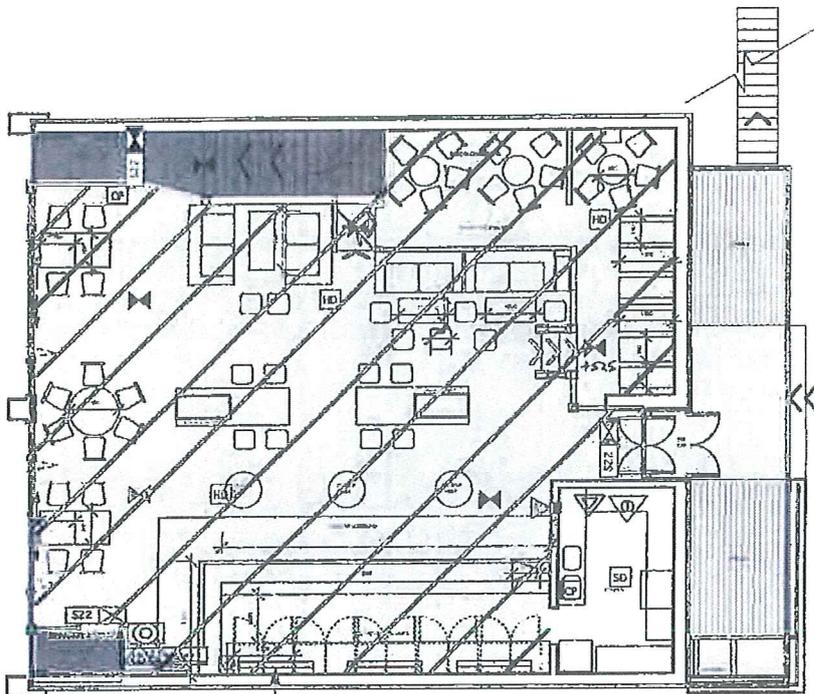
Name: Renato Luigi Pelizza

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

Restricted

Date: 04 January 2017

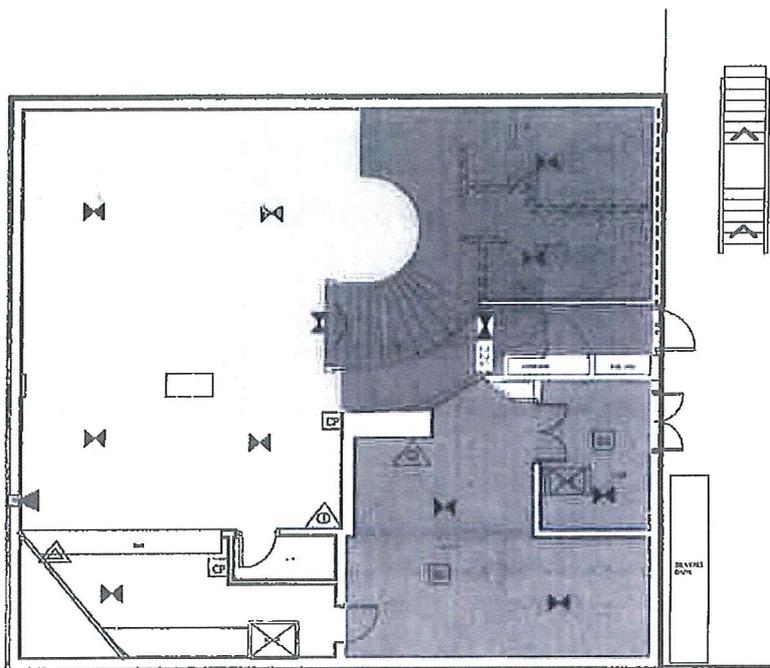
This licence has been authorised by Shannon Pring on behalf of the Director - Public Protection and Licensing.



GROUND FLOOR 1:100

LEGEND

-  AMBIT OF ENTIRE PREMISES
-  AREAS COVERED BY SUPPER HOURS CERTIFICATE
-  DRINKING AREA INCLUDING BAR
-  KITCHEN AND STAFF AREAS
-  CIRCULATION ROUTES & PUBLIC FACILITIES
-  LIQUOR STORE AND CELLAR
-  EMERGENCY LIGHTING
-  SMOKE DETECTOR
-  DIRECTIONAL FIRE EXIT SIGN MAINTAINED
-  ILLUMINATED FIRE EXIT SIGN MAINTAINED
-  FIRE EXIT SIGN MAINTAINED
-  HEAT DETECTOR
-  FIRE ALARM CALL POINT
-  FIRE ALARM SOUNDER
-  MAIN FIRE ALARM SYSTEM PANEL
-  VISION PANEL
-  H2O FIRE EXTINGUISHER
-  CO2 FIRE EXTINGUISHER
-  FIRE BLANKET
-  DRY POWDER
-  FOAM EXTINGUISHER
-  CCTV CAMERA



BASEMENT 1:100

The provision of fire and safety equipment as shown on the plan or such other position as agreed from time to time in consultation with the fire authority.



Client	FAUCET INN PUB CO	
Project	THE ARISTOCRAT GEORGE STREET LONDON	
Description	LICENSING PLAN	
Scale	1:100	Revision 13/1003
Drawn by	AS	Checked by DGI
Contract No	100	Revision
Job No	478	Command

The above information is provided for your information only. It is not intended to be used as a basis for any legal proceedings. All information is provided on the basis of the information provided to us by the client. We do not accept any liability for any loss or damage caused by the use of this information.

Design Consultants: 51-61 Charlotte Road, London EC2A 4NA Tel: 020 7729 8294 Fax: 020 7729 8295



City of Westminster

1. THE WESTMINSTER CITY COUNCIL hereby grants to Faucet Inn Ltd
A temporary licence to engage in the use of tables and chairs in the City of Westminster from the street outside Union, 88-90 George Street, London, W1U 8PA
2. This licence authorises the holder to trade solely in the articles, and in the manner, and at the places and times specified in the Schedule to the licence and is granted subject (1) to the conditions made under Section 21(2)(b) of the City of Westminster Act 1999; (2) to any Act amending the same and to any Orders made thereunder; and (3) to any other statutory enactment which is in force for the time being.
3. This licence shall remain in force until 22 June 2017 unless it is cancelled or revoked by the Council.

Dated this: 23 December 2016 Director of Public Protection & Licensing

SCHEDULE

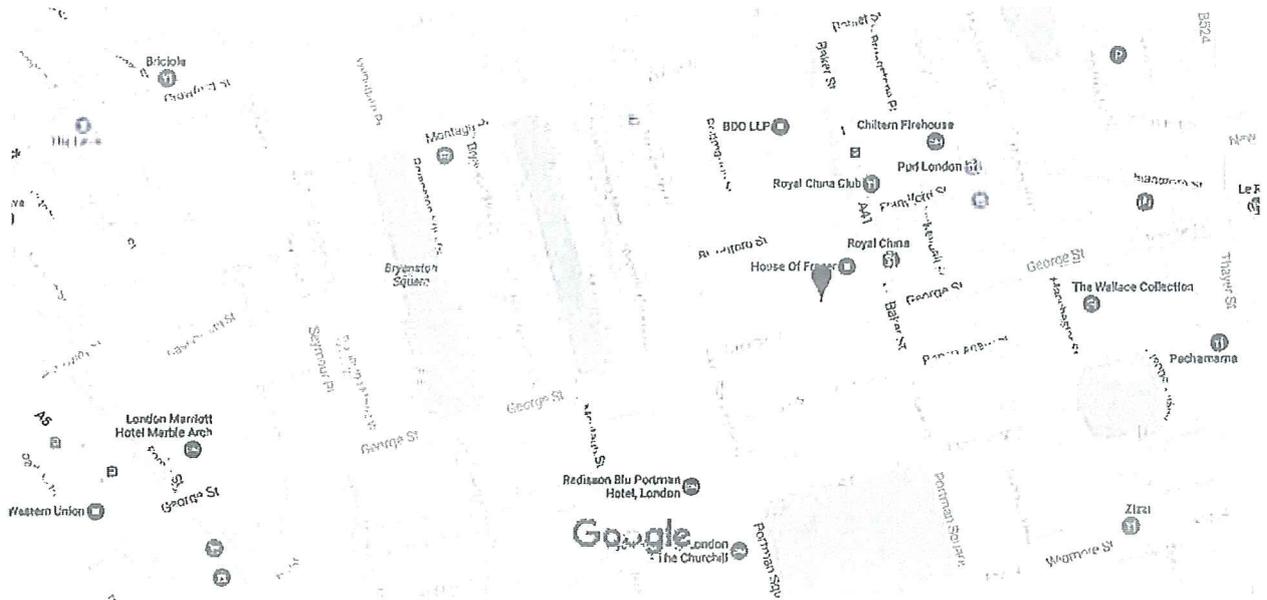
Number Of Places	16						
Type and number of other approved furniture	TABLES: 4 CHAIRS: 16 HEATERS: Nil PLANTERS: Nil						
Location / Premises	Union, 88-90 George Street, London, W1U 8PA						
Dimensions of private forecourt	None						
Dimensions of area licensed	WIDTH: 11.8m DEPTH: 2.0m						
Day	Mon	Tues	Wed	Thurs	Fri	Sat	Sun
From Time	10:00	10:00	10:00	10:00	10:00	10:00	10:00
To Time	23:00	23:00	23:00	23:00	23:00	23:00	23:00

FURTHER CONDITIONS

- (i) No space heaters shall be permitted within the licensed area.
- (ii) The approved furniture shall be removed from the highway no later than 23:00 daily.

5

Google Maps W1U 8PA



Google Maps



Imagery ©2017 Google, Map data ©2017 Google 20 m



licensing licensing

From: Franks, Glyn <gfranks@westminster.gov.uk>
Sent: 23 June 2016 20:18
To: licensing licensing
Cc: Rosemary Hook
Subject: Patio Rules 2016.docx
Attachments: Patio Rules 2016.docx

Richard

Please find the above regarding the Union Bar in George St, these were supplied on the 12th of May;

Subsequently, I met again with the venue, the bar has extended the rule; to not allow any usage of the car park area whatsoever, this started last Friday.

I did not suggest this,

I do not know if it was a direct; or indirect result of my visit.

I have also spoken to the other noise officer "Chris" who did not deem the situation to be a nuisance, or unreasonably noisy.

Glyn Franks

Did you know, your two-year-old could qualify for up to 15 hours of free childcare a week? Apply now at www.westminster.gov.uk/information-childcare

Keep making a Real Change to the lives of rough sleepers in Westminster. Report their location via www.streetlink.org.uk, text REALCHANGE plus the amount you wish to give to 70500, or visit www.westminster.gov.uk/real-change

Westminster City Council switchboard: +44 20 7641 6000.
www.westminster.gov.uk

This E-Mail may contain information which is privileged, confidential and protected from disclosure.

If you are not the intended recipient of this E-mail or any part of it, please telephone Westminster City Council immediately on receipt.

You should not disclose the contents to any other person or take copies.

TO ALL STAFF

BACK PARKING LOT

As you are aware, this past Friday we saw what can happen when it is a sunny day on a Thursday or Friday... You are also aware that we had a couple complaints from our neighbours in the back...so going forward this is what I need to happen, should we ever get another sunny day here in London...

1/ the area must be contained and stopped from spreading at all time (see acceptable boundary)

Barriers to be placed to infer boundaries.

2/ Glasses must be collected though out the entire night.

Ba's to continually go out and collect all empty glasses and bottles all night.

It is also up to Ba's to keep control of the spread of people (see above) or inform MOD.

3/ If people are being rather loud for whatever reason, MOD to ask them to keep the noise down for the sake of respect for our neighbours.

4/ as the night progresses and the crowd thins, herd the guests closer to the patio.

5/ By 10pm (the latest) all guest must be on our patio and NO ONE ON THE PARKING LOT !!!!

6/ If there is ever a "problem" ie/fighting or super drunk, inform the MOD and they will be ask to leave. If it continues then simple... close the parking lot!!!!

7/ at the end of each night, the entire parking lot outside our back door is to be swept of any and all cig butts, broken glass (which there should be none !!!) and an all round general clean of the area.

8/ barriers are to be taken down and stored inside for the night as the front.

If you have any questions about any of the above, please ask !!!!!

Once you have read these rules can you please sign the bottom of the page ... thank you Barry !

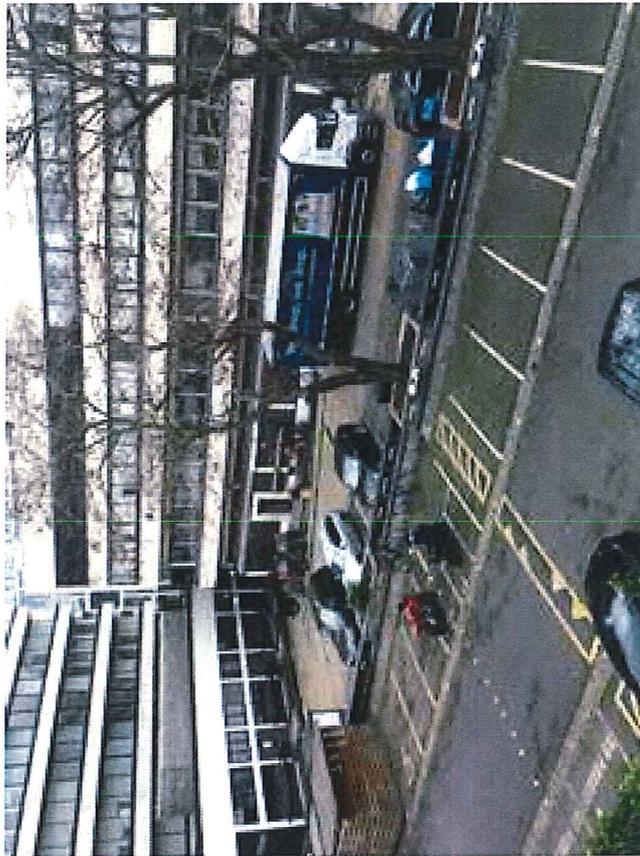
This is a work in progress and can change to adapt to the situation and night of week. Be SMART, USE YOUR COMMON SENSE... DON'T BE ANTAGONISTIC BE FRIENDLY AND ALL THE ABOVE SHOULD NOT BE A PROBLEM WITH OUR GUESTS.











- (c) to remove the designated premises supervisor;
- (d) to suspend the licence for a period not exceeding three months;
- (e) to revoke the licence;

and for this purpose the conditions of the licence are modified if any of them is altered or omitted or any new condition added.

- 4.3 In accordance with section 52(6) of the 2003 Act, if the authority takes measures to modify conditions or exclude licensable activities from the licence, it may stipulate that the modification or exclusion is to have effect for only such period (not exceeding three months) as it may specify.
- 6.3 The licensing authority's determination of this application does not have effect until the 21 day appeal period has expired or if the decision is appealed the date the appeal is determined and / or disposed of.

5. LICENSING ACT 2003 APPLICATIONS AND APPEAL HISTORY

- 5.1 Any applications under the Licensing Act 2003 are set out in Appendix 5.

List of Appendices:	<ul style="list-style-type: none"> Appendix 1 – Review Application and supporting documents Appendix 2 – Current Premises Licence Appendix 3 – Environmental Health Representation Appendix 4 – Licensing Authority Appendix 5 – Premises History Appendix 6 – Conditions
----------------------------	---

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

- Licensing Act 2003
- City of Westminster Statement of Licensing Policy (7th January 2016)
- Amended Guidance issued under section 182 of the Licensing Act 2003 (March 2015)

Current Premises Licence – 16/13469/LIPDPS

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

Schedule 12
Part A

WARD: Marylebone High
Street
UPRN: 100023462278

Premises licence

Regulation 33, 34

Premises licence number:

16/13469/LIPDPS

Original Reference:

05/08359/LIPC

Part 1 – Premises details

Postal address of premises:

Union
88-90 George Street
London
W1U 8PA

Telephone Number: 020 7935 8107

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	Unrestricted
Late Night Refreshment	
Monday to Saturday:	23:00 to 00:30 (Ground Floor)
Monday to Saturday:	23:00 to 23:30 (Basement)
Sunday:	23:00 to 00:00 (Ground Floor)
Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit	Unrestricted
Sale by Retail of Alcohol	
Monday to Saturday:	10:00 to 00:00 (Ground Floor)
Monday to Saturday:	10:00 to 23:00 (Basement)
Sunday:	12:00 to 22:30 (Basement)
Sunday:	12:00 to 23:30 (Ground Floor)

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 00:30
Sunday: 12:00 to 00:00

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:

Faucet Inn Limited
88-90 George Street
London
W1U 8PA

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

06824968

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

Name: Renato Luigi Pelizza

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/02288
Licensing Authority: London Borough Of Wandsworth

Date: 04 January 2017

This licence has been authorised by Shannon Pring 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

Conditions for the sale of alcohol

9. (i) Alcohol shall not be sold, supplied, consumed in or taken from the premises except during permitted hours.

In this condition, permitted hours means:

- (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).

Ground Floor Only

- (ii) Alcohol may be sold or supplied for one hour following the hours set out above (other than Christmas Day and New Year's Eve), and on Christmas Day, between 15.00 and 19.00, to persons taking table meals in the premises in a part of the premises usually set apart for the service of such persons and for consumption by such a person in that part of the premises as an ancillary

to his meal. For other purposes or in other parts of the premises the hours set out above shall continue to apply.

NOTE - The above restrictions do not prohibit:

- (a) during the first thirty 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. 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

11. Under 18s shall not be permitted to enter the premises after 21:00 unless accompanied by an adult and attending a private function.

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

None

Annex 4 – Plans

Attached



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

Schedule 12
Part B

Premises licence
summary

WARD: Marylebone High
Street
UPRN: 100023462278

Regulation 33, 34

Premises licence number:

16/13469/LIPDPS

Part 1 – Premises details

Postal address of premises:

Union
88-90 George Street
London
W1U 8PA

Telephone Number: 020 7935 8107

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	Unrestricted
Late Night Refreshment	
Monday to Saturday:	23:00 to 00:30 (Ground Floor)
Monday to Saturday:	23:00 to 23:30 (Basement)
Sunday:	23:00 to 00:00 (Ground Floor)
Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit	Unrestricted
Sale by Retail of Alcohol	
Monday to Saturday:	10:00 to 00:00 (Ground Floor)
Monday to Saturday:	10:00 to 23:00 (Basement)
Sunday:	12:00 to 22:30 (Basement)
Sunday:	12:00 to 23:30 (Ground Floor)

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 00:30
Sunday: 12:00 to 00:00

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:

Faucet Inn Limited
88-90 George Street
London
W1U 8PA

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

06824966

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

Name: Renato Luigi Pelizza

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

Restricted

Date: 04 January 2017

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

Representation – Environmental Health

CITY OF WESTMINSTER

MEMORANDUM

TO
REFERENCE

Miss Heidi Lawrance
17/04023/LIREVP

FROM
EH Reference
BEING DEALT WITH BY
TELEPHONE
DATE

EH Consultation Team
17/018204/EHCT
Maxwell Owusu Koduah
020 7641 7242
11 May 2017

The Licensing Act 2003The Union, 88-90 George Street, London, W1U 8PA

I refer to the application for review of the Premises Licence.

The review is being taken by residents on the 'Prevention of public nuisance' and 'public safety' licensing objectives due to the premises not promoting the objectives with the necessary outcome of additional conditions to help promote the licensing objectives.

Environmental Health have checked the premises file that shows between May and August 2016, three residents had reasons to make a total of eleven (11) noise related complaints to the council with an additional complaint in March 2017. This impacted on enforcement resources of the city council.

Environmental Health will be supporting the review application and additional information will be submitted at a later date.

Regards

Maxwell Owusu Koduah
Environmental Health Officer

Lawrance, Heidi: WCC

From: Sycamore, David: WCC
Sent: 15 May 2017 11:08
To: Lawrance, Heidi: WCC
Cc: Sycamore, David: WCC; Rowe, Steven: WCC
Subject: The Union - 88-90 George Street - 17/04023/LIREVP

Follow Up Flag: Follow up
Flag Status: Completed

Dear Heidi

I write in relation to the application submitted for a Review of a 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. We wish to support the review as we are concerned with how the below licensing objectives will be upheld moving forward.

- Public Nuisance
- Public Safety

We share the concerns raised by the residents group and wish to support the review. Officers from the service have provided information to the applicants and we wish to party to any discussion to deal collaboratively together to address the concerns. We will continue to investigate the allegations made will provide more information prior to the scheduled hearing for the benefit of the committee members.

Please accept this as representation that supports the review application.

Kind regards

David Sycamore
Senior Licensing Officer

T – 020 7641 8556
E – dsycamore@westminster.gov.uk

Licensing Team
Public Protection and Licensing Department
Westminster City Council
Portland House
Bressenden Place
Victoria
London
SW1E 5RS

Web: www.westminster.gov.uk/licensing

You can now apply online for the majority of licensing regimes that the authority is responsible for. Please visit www.westminster.gov.uk/licensing and following the relevant links to apply.

Licence & Appeal History

Application	Details of Application	Date Determined	Decision
05/08359/LIPC	Conversion Application	19.09.2005	Granted Under Delegated Authority
07/11610/LIPDPS	Application to Vary the Designated Premises Supervisor	18.12.2007	Granted Under Delegated Authority
06/10523/WCCMAP	New Premises Application	18.12.2007	Granted Under Delegated Authority
08/06675/LIPDPS	Application to Vary the Designated Premises Supervisor	12.03.2009	Granted Under Delegated Authority
10/00605/LIPT	Transfer Application	08.02.2010	Withdrawn Application
10/00898/LIPT	Transfer Application	21.04.2010	Granted Under Delegated Authority
10/01815/LIPDPS	Application to Vary the Designated Premises Supervisor	09.06.2010	Granted Under Delegated Authority
10/07969/LIPDPS	Application to Vary the Designated Premises Supervisor	05.11.2010	Granted Under Delegated Authority
12/07911/LIPDPS	Application to Vary the Designated Premises Supervisor	16.10.2012	Granted Under Delegated Authority
13/03738/LIPDPS	Application to Vary the Designated Premises Supervisor	25.07.2013	Granted Under Delegated Authority
14/01344/LIPVM	Minor Variation Application	14.03.2014	Granted Under Delegated Authority
14/01442/LIPDPS	Application to Vary the Designated Premises Supervisor	14.03.2014	Granted Under Delegated Authority
14/03051/LIPDPS	Application to Vary the Designated Premises Supervisor	13.06.2014	Granted Under Delegated Authority

14/03572/LIPDPS	Application to Vary the Designated Premises Supervisor	13.06.2014	Granted Under Delegated Authority
14/06705/LIPDPS	Application to Vary the Designated Premises Supervisor	03.09.2014	Granted Under Delegated Authority
15/00707/LIPDPS	Application to Vary the Designated Premises Supervisor	19.05.2015	Granted Under Delegated Authority
16/00945/LIPDPS	Application to Vary the Designated Premises Supervisor	26.02.2016	Granted Under Delegated Authority
16/03602/LIPDPS	Application to Vary the Designated Premises Supervisor	22.04.2016	Granted Under Delegated Authority
16/13469/LIPDPS	Application to Vary the Designated Premises Supervisor	04.01.2017	Granted Under Delegated Authority

There is no appeal history for this premises.

TENS history for premises:

Application	Details of Application	Date Determined	Decision
16/12236/LITENP	Temporary Event Notice	21.11.2016	Notice Granted
16/12262/LITENP	Temporary Event Notice	21.11.2016	Notice Granted
16/12264/LITENP	Temporary Event Notice	21.11.2016	Notice Granted
16/12265/LITENP	Temporary Event Notice	21.11.2016	Notice Granted

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

When determining a review application the authority must have regard to the application and the representations under the provisions of the Licensing Act 2003 and take such steps (if any) it considers appropriate for the promotion of the licensing objectives.

At a hearing the licensing authority may, in accordance with section 52(6) of the 2003 Act, modify the licence conditions or exclude licensable activities, it may stipulate that the modification or exclusion is to have effect for only such period (not exceeding three months) as it may specify.

This schedule lists those conditions (if any) 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.

Current conditions on the existing licence: 16/13469/LIPDPS

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

Conditions for the sale of alcohol

9. (l) Alcohol shall not be sold, supplied, consumed in or taken from the premises except during permitted hours.

In this condition, permitted hours means:

- (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).

Ground Floor Only

- (ii) Alcohol may be sold or supplied for one hour following the hours set out above (other than Christmas Day and New Year's Eve), and on Christmas Day, between 15.00 and 19.00, to persons taking table meals in the premises in a part of the premises usually set apart for the service of such persons and for consumption by such a person in that part of the premises as an ancillary to his meal. For other purposes or in other parts of the premises the hours set out above shall continue to apply.

NOTE - The above restrictions do not prohibit:

- (a) during the first thirty 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. 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

- 11. Under 18s shall not be permitted to enter the premises after 21:00 unless accompanied by an adult and attending a private function.

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

None

Conditions proposed by applicant

12. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open to the public. This telephone number is to be made available to residents in the vicinity of the premises.'

EITHER

13. Patrons shall not be permitted to consume alcohol or smoke to the rear of the premises

OR

14. Consumption of alcohol to the rear of the premises shall be restricted to the terrace area immediately adjacent to the rear door. Patrons and the consumption of alcohol must not be permitted to overspill into the adjoining car park.
15. Patrons permitted to use the area to the rear of the premises described in condition [] shall be restricted to 12 at any one time.
16. Patrons shall not be permitted to use the area to the rear of the premises described in condition [] for any purpose after 9pm.
17. 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 of the public highway or private land.
18. All external windows and doors to the rear of the premises shall be kept closed after 9pm, except for emergency ingress and egress.

This page is intentionally left blank