



City of Westminster

Licensing Sub-Committee Report

Item No:	
Date:	30 November 2017
Licensing Ref No:	17/08436/LIPV - Premises Licence Variation
Title of Report:	Scandal 78 Wells Street London W1T 3QL
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 Yolanda Wade Senior Licensing Officer
Contact details	Telephone: 020 7641 1884 Email: ywade@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	Variation of a Premises Licence, Licensing Act 2003		
Application received date:	27 July 2017		
Applicant:	Rowar Limited		
Premises:	Scandal		
Premises address:	78 Wells Street London W1T 3QL	Ward:	West End
		Cumulative Impact Area:	West End
Premises description:	The premises currently operate as a night club providing regulated entertainment, sale of alcohol and late night refreshment.		
Variation description:	<p>The applicant is seeking the following variation:</p> <p>1) To vary the licensed hours on Sundays for the retail sale of alcohol from 00:30 to 02:30 (currently permitted until 03:00)</p> <p>2) To add the performance of dance on Sundays 09.00-04.00 (to match existing regulated entertainment permissions)</p> <p>3) Delete conditions 18, 19, 20,24 (in part) and 29 as they are duplicate and/or superfluous conditions</p> <p>4) To vary/update the conditions on the premises: Replace conditions 10, 11 and 12</p> <p>5) Replace conditions 14, 15 and 16</p> <p>6) To amend condition 38</p>		
Premises licence history:	The premises currently benefit from a premises licence (15/04184/LIPVM) which can be found at Appendix 4 of the report		
Applicant submissions:	None		
Plan	Plans are available to view upon request to the Licensing Authority and they will be made available at Licensing Committee.		

1-B Current and proposed licensable activities, areas and hours						
Regulated Entertainment						
Provision of facilities for Dancing, Provision of facilities for entertainment of a similar description to making music or dancing, Anything of a similar description to Live Music, Recorded Music or Performance of Dance						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	09:00	06:00	No Change		No Change	
Tuesday	09:00	06:00				
Wednesday	09:00	06:00				
Thursday	09:00	06:00				
Friday	09:00	06:00				
Saturday	09:00	06:00				
Sunday	09:00	06:00				
Seasonal variations:	Current: On New Year's Eve the premises can remain open for the purpose of providing regulated entertainment from the time when the provision of regulated entertainment must otherwise cease on New Year's Eve to the time when regulated entertainment can commence on New Year's Day (or until midnight on New Year's Eve where no regulated entertainment takes place on New Year's Day).				Proposed: To be deleted from the current licence	

Provision of facilities for making Music Performance of Live Music						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	09:00	06:00	No Change		No Change	
Tuesday	09:00	06:00				
Wednesday	09:00	06:00				
Thursday	09:00	06:00				
Friday	09:00	06:00				
Saturday	09:00	06:00				
Sunday	09:00	04:00				
Seasonal variations	Current: On New Year's Eve the premises				Proposed: To be deleted from the current	

	can remain open for the purpose of providing regulated entertainment from the time when the provision of regulated entertainment must otherwise cease on New Year's Eve to the time when regulated entertainment can commence on New Year's Day (or until midnight on New Year's Eve where no regulated entertainment takes place on New Year's Day).	licence
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Performance of Dance						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	09:00	06:00	No Change		No Change	
Tuesday	09:00	06:00				
Wednesday	09:00	06:00				
Thursday	09:00	06:00				
Friday	09:00	06:00				
Saturday	09:00	06:00				
Sunday			09:00	04:00		
Seasonal variations	Current:				Proposed:	
	On New Year's Eve the premises can remain open for the purpose of providing regulated entertainment from the time when the provision of regulated entertainment must otherwise cease on New Year's Eve to the time when regulated entertainment can commence on New Year's Day (or until midnight on New Year's Eve where no regulated entertainment takes place on New Year's Day).				To be deleted from the current licence	

Anything of a similar description to Live Music or Recorded Music, Provision of facilities for entertainment of a similar description to making music						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Sunday	09:00	04:00	No Change		No Change	
Seasonal variations	Current:				Proposed:	
	On New Year's Eve the premises can remain open for the purpose of				To be deleted from the current	

	providing regulated entertainment from the time when the provision of regulated entertainment must otherwise cease on New Year's Eve to the time when regulated entertainment can commence on New Year's Day (or until midnight on New Year's Eve where no regulated entertainment takes place on New Year's Day).	licence
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Playing of Recorded Music, Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit

Unrestricted

Seasonal variations	Current:	Proposed:
	On New Year's Eve the premises can remain open for the purpose of providing regulated entertainment from the time when the provision of regulated entertainment must otherwise cease on New Year's Eve to the time when regulated entertainment can commence on New Year's Day (or until midnight on New Year's Eve where no regulated entertainment takes place on New Year's Day).	To be deleted from the current licence

Late night refreshment

Indoors, outdoors or both	Current :		Proposed:			
	Indoors		Indoors			
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	23:00	05:00	No changes		No Change	
Tuesday	23:00	05:00				
Wednesday	23:00	05:00				
Thursday	23:00	05:00				
Friday	23:00	05:00				
Saturday	23:00	05:00				
Sunday	23:00	04:30				
Seasonal variations	Current:		Proposed:			
	The terminal hour for late night refreshment on New Year's Eve is extended to 05:00 on New Year's Day.		No change			

Sale by Retail of Alcohol						
On or off sales			Current :		Proposed:	
			Both		On	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	10:00	03:00	No Change		No Change	
Tuesday	10:00	03:00				
Wednesday	10:00	03:00				
Thursday	10:00	03:00				
Friday	10:00	03:00				
Saturday	10:00	03:00				
Sunday	12:00	00:30	12:00	02:30		
Sunday before Bank Holiday	12:00	03:00	No Change			
Seasonal variations	Current:				Proposed:	
	The permitted hours on New Year's Eve will extend to the start of permitted hours on the following day 00.00 on 31st December.				No Change	
Non-standard timings:	Current:				Proposed:	
	On the morning that Greenwich Mean Time changes to British Summer Time one hour will be added to the terminal hour of any activities and to the closing time for the premises where the existing terminal hour for the activities and/or closing hour for the premises ends after 01:00				No change	

Hours premises are open to the public						
	Current Hours		Proposed Hours		Premises Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	09:00	06:00	No Change		No change	
Tuesday	09:00	06:00				
Wednesday	09:00	06:00				
Thursday	09:00	06:00				
Friday	09:00	06:00				
Saturday	09:00	06:00				
Sunday	09:00	04:30				
Seasonal variations/ Non-standard timings:	Current:				Proposed:	
	The permitted hours on New Year's Eve will extend to the start of permitted hours on the following day 00.00 on 31st December				No change	

	On the morning that Greenwich Mean Time changes to British Summer Time one hour will be added to the terminal hour of any activities and to the closing time for the premises where the existing terminal hour for the activities and/or closing hour for the premises ends after 01:00	No change
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1-D Conditions being varied, added or removed

Proposed Conditions to be removed

Condition 18

The registered door supervisors and/or management shall patrol, supervise and monitor (would be) patrons' conduct on the pavement from the building line to the kerb edge immediately outside the premises and wherever there is any action involving the registered door supervisors and /or management and patrons or would be patrons either side of the building including any queues forming outside the premises for the purposes of patrons gaining entry to the premises from 9pm until 30 minutes after the terminal hour of the premises licence

Condition 19

To cooperate and continue to co operate with the Licensing Authorities in pursuit of the common objective of preventing public disorder and promoting public safety and to include the management and the registered door supervisors at the premises participating in a location training program with the Police, without expense to the operators and at a time to be agreed with the licensee.

Condition 20

The licensee shall forward a copy of any letter of delegated authority under Rule of Management 7(b) to the Police using their best endeavours to do so within 24 hours.

Condition 24

a) Subject to the following paragraphs, the permitted hours on weekdays shall commence at 10.00 and extend until 03.00 on the morning following, except that -

- (i) the permitted hours shall end at 00.00 midnight on any day on which music and dancing is not provided after midnight; and
- (ii) on any day that music and dancing end between 00.00 midnight and 03.00, the permitted hours shall end when the music and dancing end;

(b) In relation to the morning on which summer time begins, paragraph (a) of this condition shall have effect-

- (i) with the substitution of references to 04.00 for references to 03.00.

(c) Except on Sundays immediately before bank holidays (apart from Easter Sunday), the permitted hours on Sundays shall extend until 00.30 on the morning following, except that-

- (i) the permitted hours shall end at 00.00 midnight on any Sunday on which music and dancing is not provided after midnight;
- (ii) where music and dancing end between 00.00 midnight on any Sunday and 00.30, the permitted hours on that Sunday shall end when the music and dancing end.

(d) On Sundays immediately before bank holidays (other than Easter Sunday), the permitted hours shall extend until 03.00 on the morning following, except that-

- (i) the permitted hours shall end at 00.00 midnight on any Sunday on which music and

dancing is not provided after 00.00 midnight;

(ii) where music and dancing end between 00.00 midnight on any Sunday and 03.00, the permitted hours on that Sunday shall end when the music and dancing end.

(iii) the terminal hour for late night refreshment shall extend to 30 minutes after the end of permitted hour for the sale of alcohol mentioned above in d (i) and (ii)

(e) The sale of alcohol must be ancillary to the use of the premises for music and dancing and substantial refreshment.

(f) The permitted hours on New Year's Eve will extend to the start of permitted hours on the following day 00.00 on 31st December.

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) the sale or supply of alcohol to or the consumption of alcohol by any person residing in the licensed premises;

(d) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;

(e) the sale of alcohol to a trader or registered club for the purposes of the trade or club;

(f) 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;

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

(h) 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;

(i) 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.

Condition 29

All door security employed at the entrance to the venue shall wear high visibility jackets.

Proposed Conditions to be replaced	Proposed replacement
<p>Condition 10</p> <p>This licence is subject to all the former Rules of Management for Places of Public Entertainment licensed by Westminster City Council, in force from 4 September 1998 and incorporating amendments agreed by the Council on 25 October 1999, 30 June 2000, 16 January 2001 and 1 October 2001.</p> <p>Condition 11</p>	<p>1. 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.</p> <ul style="list-style-type: none"> • dry ice and cryogenic fog • smoke machines and fog • generators

On New Year's Eve the premises can remain open for the purpose of providing regulated entertainment from the time when the provision of regulated entertainment must otherwise cease on New Year's Eve to the time when regulated entertainment can commence on New Year's Day (or until midnight on New Year's Eve where no regulated entertainment takes place on New Year's Day).

Condition 12

Notwithstanding the provisions of Rule of Management No 6 the premises may remain open for the purposes of this licence from 11pm on each of the days Monday to Saturday to 6am on the day following and from 11pm on Sunday to 4am on the day following.

- pyrotechnics including fireworks
- firearms
- lasers
- explosives and highly flammable substances.
- real flame.
- strobe lighting

2.No person shall give at the premises any exhibition, demonstration or performance of hypnotism, mesmerism or any similar act or process which produces or is intended to produce in any other person any form of induced sleep or trance in which susceptibility of the mind of that person to suggestion or direction is increased or intended to be increased. NOTE: (1) This rule does not apply to exhibitions given under the provisions of Section 2(1A) and 5 of the Hypnotism Act 1952

3.The licence holder shall enter into an agreement with a hackney carriage and/or private carriage firm to provide transport for customers, with contact numbers made readily available to customers who will be encouraged to use such services.

4.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.

5.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.

6. All emergency doors shall be available at all material times without the use of a key, code, card or similar means.

7. All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device

	<p>8.The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.</p> <p>9.Curtains and hangings shall be arranged so as not to obstruct emergency safety signs or emergency equipment.</p> <p>10. All fabrics, curtains, drapes and similar features including materials used in finishing and furnishing shall be either non-combustible or be durably or inherently flame- retarded fabric. Any fabrics used in escape routes (other than foyers), entertainment areas or function rooms, shall be non-combustible.</p> <p>11.Flashing or particularly bright lights on or outside the premises shall not cause a nuisance to nearby properties, save insofar as they are necessary for the prevention of crime.</p>
<p>Conditions 14</p> <p>The existing sound system shall not be altered or modified without the approval of the Environmental Health Officer.</p> <p>Condition 15</p> <p>A sound limiter device shall be fitted to the sound system and shall be set to the levels agreed with the Environmental Health Officer to the intent that such levels comply with the Terms and Reference set down by the Council. The operational panel shall then be secured and will not be altered without the approval of the Environmental Health Officer.</p> <p>Condition 16</p> <p>No additional sound generation equipment shall be used on the premises, without being routed through the sound limiter device.</p>	<p>A noise limiter must be fitted to the musical amplification system set at a level determined by and to the satisfaction of an authorised officer of the Environmental Health Service, so as to ensure that no noise nuisance is caused to local residents or businesses. The operational panel of the noise limiter shall then be secured by key or password to the satisfaction of officers from the Environmental Health Service and access shall only be by persons authorised by the Premises Licence holder. The limiter shall not be altered without prior agreement with the Environmental Health Service. No alteration or modification to any existing sound system(s) should be effected without prior knowledge of an authorised Officer of the Environmental Health Service. No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device.</p>

Proposed condition to be amended	Proposed amendment
<p>Condition 38</p> <p>Any queue for entry to the premises shall be managed to ensure that the highway remains clear and unobstructed, and that any such queue of patrons is conducted in a quiet and orderly manner so as not to cause nuisance.</p>	<p>Any queue for entry to the premises shall be managed to ensure that the highway remains clear and unobstructed, and that any such queue of patrons is conducted in a quiet and orderly manner so as not to cause nuisance, from 9pm until 30 minutes after the terminal hour of the premises licence</p>

Representations

2-A Responsible Authorities	
Responsible Authority:	The Environmental Health Service (withdrawn)
Representative:	Mr Ian Watson
Received:	22 nd August 2017
<p>I refer to the application for variation of the Premises Licence.</p> <p>This representation is based on the information provided within the operating schedule.</p> <p>The applicant is seeking the following variation</p> <ol style="list-style-type: none"> 1. To vary the hours for the supply of alcohol from 00.30 hours to 02.30 hours. 2. To add the Performance of Dance on a Sunday 09.00 to 04.00 hours. 3. Delete conditions 10, 11, 12, 14, 15, 16, 18, 19, 20, 24 (in part) and 29. <p>I wish to make the following representation</p> <ol style="list-style-type: none"> 1. The hours requested for the Supply of Alcohol on a Sunday will have the likely effect of causing an increase in Public Nuisance within the area. 2. No objection. 3. The deletion of conditions will impact on Public Safety at the premises. <p><i>The Environmental Health Service have withdrawn their representation to the application as they have agreed to the changes of condition and are satisfied with the deletion/amendments proposed by the applicant and that public safety and prevention of public nuisance is addressed.</i></p>	
Responsible Authority:	The Licensing Authority
Representative:	Mr David Sycamore
Received:	24 th August 2017

I write in relation to the application submitted to vary the premises licence

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

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

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

We are concerned that the additional hours sought on the Sunday will undermine the licensing objectives as well as being contrary to the Core Hours Policy (HRS1) as stated in the Westminster City Council Licensing Policy. Additional information must be submitted as to why this application should be granted contrary to the policy MD2, which states It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas, other than applications to vary hours within the Core Hours, under Policy HRS1. Other parts of the application also raise concerns that we will address in further correspondence.

Responsible Authority:	The Metropolitan Police
Representative:	PC Reaz Guerra
Received:	2 nd August 2017

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

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

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

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

2-B Other Persons	
Received:	2 nd August 2017
<p>5:39 PM on 02 Aug 2017 Our association strongly objects to the extension of hours for alcohol sales on a Sunday. The current hours are late enough for a Sunday night / Monday morning. We also object to any other extension of licensed activity. With regard to the change of conditions, we welcome some clarification but would like additional conditions to prevent noise and other nuisance to residents living north of the premises. In this respect we hope the licensee will agree to conditions to ensure mini-cabs collect from outside the premises and not in streets to the north and that all patrons leaving are directed towards Oxford Street and Oxford Circus as these are the nearest places to seek transport home.</p> <p>We will further review the suggested conditions and seek advice.</p>	

3. Policy & Guidance

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

Policy MD2 applies:	It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas, other than applications to vary hours within the Core Hours, under Policy HRS1.
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The Council in its capacity as Licensing Authority has a duty to have regard to its public sector equality duty under section 149 of the Equality Act 2010. In summary section 149 provides that 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, and
- (c) foster good relations between persons who share a relevant protected characteristics and persons who do not share it.

Section 149 (7) of the Equality Act 2010 defines the relevant protected characteristics as age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

4. Appendices

Appendix 1	Applicant supporting documents
Appendix 2	Premises history
Appendix 3	Proposed conditions
Appendix 4	Copy of Existing Licence ((15/04184/LIPVM)
Appendix 5	Residential map and list of premises in the vicinity

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

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

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

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	April 2017
4	Application Form	27 th July 2017
5	The Licensing Authority	24 th August 2017
6	The Environmental Health Service (withdrawn)	22 nd August 2017
7	The Metropolitan Service	2 nd August 2017
8	Fitzrovia Neighbourhood Association Representation	2 nd August 2017

Applicant Supporting Documents

Appendix 1

(None)

Licence & Appeal History

Application	Details of Application	Date Determined	Decision
12/09598/LIPN	Application for a new premises licence	26.09.2005	Granted under delegated authority
06/07592/LIPT	Application for transfer of the premises licence from Miss Sally Anita Fox to Rowar Limited	22.08.2006	Granted under delegated authority
06/11187/LIPDPS	Vary the Premises Designated Premises Supervisor	10.11.2006	Granted under delegated authority
06/12095/LIPV	Variation Application: Internal layout alterations	04.01.2007	Granted under delegated authority
06/07498/WCCMAP	Copy of Master Licence	25.06.2007	Granted under delegated authority
11/02038/LIPDPS	Vary the Premises Designated Premises Supervisor	01.04.2011	Granted under delegated authority
11/10211/LIPDPS	Vary the Premises Designated Premises Supervisor	09.11.2011	Granted under delegated authority
11/10284/LIPVM	Application for Minor Variation to delete and amend conditions on the premises licence	07.11.2011	Granted under delegated authority
11/11360/LIPDPS	Vary the Premises Designated Premises Supervisor	05.12.2011	Granted under delegated authority
12/00349/LIPVM	Application for Minor Variation to vary the layout of the premises	07.02.2012	Granted under delegated authority
12/10973/LIPDPS	Vary the Premises Designated Premises Supervisor	28.12.2012	Granted under delegated authority

15/04184/LIPVM	<p>Application for Minor Variation</p> <p>Internal refurbishment works in accordance with Glover & Company Drawing No. 14.18/ 10 Rev B. Changes can be summarized as follows:</p> <ul style="list-style-type: none"> - Re-positioning of DJ booth - Installation of sliding screens as per plan to create VIP room to rear of current DJ booth - Installation of associated toilet in VIP room - Re-configuration of seating within the main area of the premises as per plan - Creation of a cleaners store cupboard within the male WCs 	15.06.2015	Granted under delegated authority
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There is no appeal history

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

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

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

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

Conditions: On Current Licence -

Mandatory:

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

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

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

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

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

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

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

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

Where -

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

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

Conditions reproducing the effect of conditions subject to which the relevant existing licences have effect

Conditions relating to regulated entertainment

10. This licence is subject to all the former Rules of Management for Places of Public Entertainment licensed by Westminster City Council, in force from 4 September 1998 and incorporating amendments agreed by the Council on 25 October 1999, 30 June 2000, 16 January 2001 and 1 October 2001.
11. On New Year's Eve the premises can remain open for the purpose of providing regulated entertainment from the time when the provision of regulated entertainment must otherwise cease on New Year's Eve to the time when regulated entertainment can commence on New Year's Day (or until midnight on New Year's Eve where no regulated entertainment takes place on New Year's Day).
12. Notwithstanding the provisions of Rule of Management No 6 the premises may remain open for the purposes of this licence from 11pm on each of the days Monday to Saturday to 6am on the day following and from 11pm on Sunday to 4am on the day following.
13. An attendant shall be on duty in the cloakroom during the whole time it is in use.
14. The existing sound system shall not be altered or modified without the approval of the Environmental Health Officer.
15. A sound limiter device shall be fitted to the sound system and shall be set to the levels agreed with the Environmental Health Officer to the intent that such levels comply with the Terms and Reference set down by the Council. The operational panel shall then be secured and will not be altered without the approval of the Environmental Health Officer.

16. No additional sound generation equipment shall be used on the premises, without being routed through the sound limiter device.
17. The licensee shall ensure that all staff are satisfactorily trained, instructed and managed to prevent intoxicating liquor being sold to any drunken person.
18. The registered door supervisors and/or management shall patrol, supervise and monitor (would be) patrons' conduct on the pavement from the building line to the kerb edge immediately outside the premises and wherever there is any action involving the registered door supervisors and /or management and patrons or would be patrons either side of the building including any queues forming outside the premises for the purposes of patrons gaining entry to the premises from 9pm until 30 minutes after the terminal hour of the premises licence.
19. To cooperate and continue to co operate with the Licensing Authorities in pursuit of the common objective of preventing public disorder and promoting public safety and to include the management and the registered door supervisors at the premises participating in a location training program with the Police, without expense to the operators and at a time to be agreed with the licensee.
20. The licensee shall forward a copy of any letter of delegated authority under Rule of Management 7(b) to the Police using their best endeavours to do so within 24 hours.

Conditions for Sale of Alcohol

21. No direct access from the street to any bar.
22. No external advertisement of the licensed facilities.
23. Suitable beverages, other than intoxicating liquor including drinking water, shall be equally available for consumption with or otherwise as an ancillary to food supplied in the premises.

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

Permitted hours for the sale of alcohol

24. (a) Subject to the following paragraphs, the permitted hours on weekdays shall commence at 10.00 and extend until 03.00 on the morning following, except that -
 - (i) the permitted hours shall end at 00.00 midnight on any day on which music and dancing is not provided after midnight; and
 - (ii) on any day that music and dancing end between 00.00 midnight and 03.00, the permitted hours shall end when the music and dancing end;
- (b) In relation to the morning on which summer time begins, paragraph (a) of this condition shall have effect-
 - (i) with the substitution of references to 04.00 for references to 03.00.
- (c) Except on Sundays immediately before bank holidays (apart from Easter Sunday), the permitted hours on Sundays shall extend until 00.30 on the morning following, except that-
 - (i) the permitted hours shall end at 00.00 midnight on any Sunday on which music and dancing is not provided after midnight;
 - (ii) where music and dancing end between 00.00 midnight on any Sunday and 00.30, the permitted hours on that Sunday shall end when the music and dancing end.

- (d) On Sundays immediately before bank holidays (other than Easter Sunday), the permitted hours shall extend until 03.00 on the morning following, except that-
- (i) the permitted hours shall end at 00.00 midnight on any Sunday on which music and dancing is not provided after 00.00 midnight;
 - (ii) where music and dancing end between 00.00 midnight on any Sunday and 03.00, the permitted hours on that Sunday shall end when the music and dancing end.
 - (iii) the terminal hour for late night refreshment shall extend to 30 minutes after the end of permitted hour for the sale of alcohol mentioned above in d (i) and (ii)
- (e) The sale of alcohol must be ancillary to the use of the premises for music and dancing and substantial refreshment.
- (f) The permitted hours on New Year's Eve will extend to the start of permitted hours on the following day 00.00 on 31st December.

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) the sale or supply of alcohol to or the consumption of alcohol by any person residing in the licensed premises;
- (d) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- (e) the sale of alcohol to a trader or registered club for the purposes of the trade or club;
- (f) 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;
- (g) the taking of alcohol from the premises by a person residing there;
- (h) 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;
- (i) 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.

25. 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

26. The number of persons accommodated at any one time (excluding staff) shall not exceed 330.
27. The venue shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the venue is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of the Police or authorised officer throughout the preceding 31 day period.
28. The premises shall not be used for the purposes of providing regulated entertainment under this licence or for the testing or rehearsal of discothèque equipment between the hours of 9am and 6:30pm on each of the days Monday to Friday without prior agreement of the British Universities Film and Video Council (whilst they continue in legal occupation of 77 Wells Street).
29. All door security employed at the entrance to the venue shall wear high visibility jackets.
30. Persons under 18 will only be permitted entry into the premises under the supervision of an adult as part of a pre-booked private function being held at the premises.
31. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to the public. This staff members shall be able to show Police recent data or footage with the minimum of delay when requested.
32. A proof of age scheme, such as Challenge 21, shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification for example diving licence or Passport.
33. There shall be no striptease or nudity and all persons shall be decently attired at all times.
34. There shall be no loud speakers located in the entrance lobby.
35. Flashing or particularly bright lights on or outside the premises shall not cause a nuisance to nearby properties (save insofar as they are necessary for the prevention of crime).
36. No rubbish including bottles will be moved, removed or placed outside the building between 23.00 and 08.00 the day following.
37. Any queue for entry to the premises shall be managed to ensure that there is a clear path along the highway.
38. Any queue for entry to the premises shall be managed to ensure that the highway remains clear and unobstructed, and that any such queue of patrons is conducted in a quiet and orderly manner so as not to cause nuisance.
(proposed amendment by Applicant):
Any queue for entry to the premises shall be managed to ensure that the highway remains clear and unobstructed, and that any such queue of patrons is conducted in a quiet and orderly manner so as not to cause nuisance, from 9pm until 30 minutes after the terminal hour of the premises licence
39. There shall be no sales of alcohol for consumption immediately outside the premises; and any sales of alcohol for consumption off the premises shall be in sealed containers only.

40. All drinking containers used within the venue shall be polycarbonate. All glass bottles to be decanted into polycarbonate glassware or polycarbonate carafes, with the exception of champagne or bottles of spirits with a minimum size of 70cl supplied by waiter/waitress service to tables. Staff will clear all empty champagne and spirit bottles promptly.
41. A personal licence holder shall be on duty from 23:00hrs until 30 minutes after the premises close to the public.
42. A search policy shall be implemented as agreed with Westminster Police Licensing Team and documented in writing. In accordance with the search policy, searching will be supplemented by the use of two functional metal detecting wands, and the use of a security arch, either until the end of permitted hours or until there are no further admissions.
43. An incident log shall be kept at the premises and made available on request to an authorised officer of the City Council or Police which will record the following:-
 - a. Any complaints received regarding crime and disorder.
 - b. Any faults in the CCTV system.
 - c. Any visits by a relevant authority or emergency service.
 - d. Full details of door staff on duty including full name, date of birth, SIA licence number.
 - e. All incidents of violence/drug related incidents/collapses/ejections.
 - f. All refusals of sale of alcohol (to include the date and time of refused sale and the name of the member of staff who refused the sale).
 - g. The capacity limit for the premises to be recorded hourly.
44. Whenever the premises are open for licensable activities under the licence, unless otherwise agreed with the Westminster Police Licensing Team in writing (and a copy of any agreement to be held at reception), there shall be a minimum of six registered security staff on duty at the premises. 6. There shall be a minimum of two registered security staff remaining on duty for a further 30 minutes (or until such time as patrons are dispersed) after the premises close to the public to aid in dispersal outside the premises.

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

45. The licensee will adopt a street management plan to be agreed with the EHO in writing.
46. The licensee will employ a dedicated traffic marshal to assist with traffic management of Wells Street between Eastcastle Street and Oxford Street during operational hours and 30 minutes after closing. The Traffic Marshal to wear a high visibility jacket when on duty.
47. The smoking area shall be supervised by an SIA registered door supervisor at all times the area is in operation and shall be limited to 33 people or as agreed with the Council's Environmental Health Officer.
48. Two registered door supervisors will be employed to manage any queues outside the premises. A further registered door supervisor will be employed to manage any queue of more than ten persons. He will be primarily stationed at the rear of the queue. This door supervisor's duties will include making sure that the queues do not spill on to the pavement and to manage would-be patrons expectations of admission.
49. All other door staff shall wear distinctive clothing, so that they can be readily identified at the venue. All exterior door staff shall wear high visibility jackets.
50. There shall be one door supervisor for every thirty customers, with a minimum number of four door supervisors at all times the premises is trading to members of the public.
51. Notices shall be displayed at the premises near the exit asking customers to respect the venue's neighbours and leave quickly and quietly.
52. Customers departing the venue on foot shall be encouraged to leave via Oxford Street.
53. The dedicated hot line telephone 07563 136636 for anyone wishing to comment on the operation of the premises, will be held by the head doorman whenever the premises are operational. Details of the number will be given to the Fitzrovia Residents Association and displayed on the premises.
54. In the event that a serious assault is committed on the premises (or appears to have been committed) the management will immediately ensure that:
 - (a) The Police (and where appropriate, the London Ambulance Service) are called without delay;
 - (b) All measures that are reasonably practicable are taken to apprehend any suspects pending the arrival of the Police;
 - (c) The crime scene is preserved so as to enable a full forensic investigation to be carried out by the Police; and
 - (d) Such other measures are taken (as appropriate) to fully protect the safety of all persons present on the

Proposed conditions by Applicant

55. 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

56. No person shall give at the premises any exhibition, demonstration or performance of hypnotism, mesmerism or any similar act or process which produces or is intended to produce in any other person any form of induced sleep or trance in which susceptibility of the mind of that person to suggestion or direction is increased or intended to be increased. NOTE: (1) This rule does not apply to exhibitions given under the provisions of Section 2(1A) and 5 of the Hypnotism Act 1952
57. The licence holder shall enter into an agreement with a hackney carriage and/or private carriage firm to provide transport for customers, with contact numbers made readily available to customers who will be encouraged to use such services.
58. 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.
59. 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.
60. All emergency doors shall be available at all material times without the use of a key, code, card or similar means.
61. All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device
62. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
63. Curtains and hangings shall be arranged so as not to obstruct emergency safety signs or emergency equipment.
64. All fabrics, curtains, drapes and similar features including materials used in finishing and furnishing shall be either non-combustible or be durably or inherently flame-retarded fabric. Any fabrics used in escape routes (other than foyers), entertainment areas or function rooms, shall be non-combustible.
65. Flashing or particularly bright lights on or outside the premises shall not cause a nuisance to nearby properties, save insofar as they are necessary for the prevention of crime.

66. 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.



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

Schedule 12
Part A

WARD: West End
UPRN: 100023467581

Premises licence

Regulation 33, 34

Premises licence number:	15/04184/LIPVM
Original Reference:	05/08648/LIPC

Part 1 – Premises details

Postal address of premises: Project London 78 Wells Street London W1T 3QL
Telephone Number: 020 7060 1111

Where the licence is time limited, the dates: Not applicable
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Licensable activities authorised by the licence: Performance of Dance Provision of facilities for Dancing Provision of facilities for making Music Performance of Live Music Playing of Recorded Music Provision of facilities for entertainment of a similar description to making music or dancing Anything of a similar description to Live Music or Recorded Music Provision of facilities for entertainment of a similar description to making music Anything of a similar description to Live Music, Recorded Music or Performance of Dance 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:	
Performance of Dance Monday to Saturday:	09:00 to 06:00
Provision of facilities for Dancing Monday to Saturday:	09:00 to 06:00
Provision of facilities for making Music Monday to Saturday:	09:00 to 06:00
Sunday:	09:00 to 04:00
Performance of Live Music Monday to Saturday:	09:00 to 06:00

Sunday:	09:00 to 04:00
Playing of Recorded Music	Unrestricted
Provision of facilities for entertainment of a similar description to making music or dancing	
Monday to Saturday:	09:00 to 06:00
Anything of a similar description to Live Music or Recorded Music	
Sunday:	09:00 to 04:00
Provision of facilities for entertainment of a similar description to making music	
Sunday:	09:00 to 04:00
Anything of a similar description to Live Music, Recorded Music or Performance of Dance	
Monday to Saturday:	09:00 to 06:00
Late Night Refreshment	
Monday to Saturday:	23:00 to 05:00
Sunday:	23:00 to 04:30
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 03:00
Sunday:	12:00 to 00:30
Sundays before Bank Holidays:	12:00 to 03:00
<i>For times authorised for Christmas, New Year and Good Friday see conditions at Annex 1</i>	

The opening hours of the premises:	
Monday to Saturday:	09:00 to 06:00
Sunday:	09:00 to 04:30

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:
Rowar Limited 78 Wells Street London W1T 3QL

Registered number of holder, for example company number, charity number (where applicable)
1322117

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

Name: Mr Matt Rymer

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: 06/01531/LIPERS

Licensing Authority: City Of Westminster Council

Date: 1st April 2016

This licence has been authorised by Miss Yolanda Wade 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 reproducing the effect of conditions subject to which the relevant existing licences have effect

Conditions relating to regulated entertainment

10. This licence is subject to all the former Rules of Management for Places of Public Entertainment licensed by Westminster City Council, in force from 4 September 1998 and incorporating amendments agreed by the Council on 25 October 1999, 30 June 2000, 16 January 2001 and 1 October 2001.
11. On New Year's Eve the premises can remain open for the purpose of providing regulated entertainment from the time when the provision of regulated entertainment must otherwise cease on New Year's Eve to the time when regulated entertainment can commence on New Year's Day (or until midnight on New Year's Eve where no regulated entertainment takes place on New Year's Day).
12. Notwithstanding the provisions of Rule of Management No 6 the premises may remain open for the purposes of this licence from 11pm on each of the days Monday to Saturday to 6am on the day following and from 11pm on Sunday to 4am on the day following.
13. An attendant shall be on duty in the cloakroom during the whole time it is in use.
14. The existing sound system shall not be altered or modified without the approval of the Environmental Health Officer.
15. A sound limiter device shall be fitted to the sound system and shall be set to the levels agreed with the Environmental Health Officer to the intent that such levels comply with the Terms and Reference set down by the Council. The operational panel shall then be secured and will not be altered without the approval of the Environmental Health Officer.

16. No additional sound generation equipment shall be used on the premises, without being routed through the sound limiter device.
17. The licensee shall ensure that all staff are satisfactorily trained, instructed and managed to prevent intoxicating liquor being sold to any drunken person.
18. The registered door supervisors and/or management shall patrol, supervise and monitor (would be) patrons' conduct on the pavement from the building line to the kerb edge immediately outside the premises and wherever there is any action involving the registered door supervisors and /or management and patrons or would be patrons either side of the building including any queues forming outside the premises for the purposes of patrons gaining entry to the premises from 9pm until 30 minutes after the terminal hour of the premises licence.
19. To cooperate and continue to co operate with the Licensing Authorities in pursuit of the common objective of preventing public disorder and promoting public safety and to include the management and the registered door supervisors at the premises participating in a location training program with the Police, without expense to the operators and at a time to be agreed with the licensee.
20. The licensee shall forward a copy of any letter of delegated authority under Rule of Management 7(b) to the Police using their best endeavours to do so within 24 hours.

Conditions for Sale of Alcohol

21. No direct access from the street to any bar.
22. No external advertisement of the licensed facilities.
23. Suitable beverages, other than intoxicating liquor including drinking water, shall be equally available for consumption with or otherwise as an ancillary to food supplied in the premises.

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

Permitted hours for the sale of alcohol

24. (a) Subject to the following paragraphs, the permitted hours on weekdays shall commence at 10.00 and extend until 03.00 on the morning following, except that -
 - (i) the permitted hours shall end at 00.00 midnight on any day on which music and dancing is not provided after midnight; and
 - (ii) on any day that music and dancing end between 00.00 midnight and 03.00, the permitted hours shall end when the music and dancing end;
- (b) In relation to the morning on which summer time begins, paragraph (a) of this condition shall have effect-
 - (i) with the substitution of references to 04.00 for references to 03.00.
- (c) Except on Sundays immediately before bank holidays (apart from Easter Sunday), the permitted hours on Sundays shall extend until 00.30 on the morning following, except that-
 - (i) the permitted hours shall end at 00.00 midnight on any Sunday on which music and dancing is not provided after midnight;
 - (ii) where music and dancing end between 00.00 midnight on any Sunday and 00.30, the permitted hours on that Sunday shall end when the music and dancing end.

- (d) On Sundays immediately before bank holidays (other than Easter Sunday), the permitted hours shall extend until 03.00 on the morning following, except that-
 - (i) the permitted hours shall end at 00.00 midnight on any Sunday on which music and dancing is not provided after 00.00 midnight;
 - (ii) where music and dancing end between 00.00 midnight on any Sunday and 03.00, the permitted hours on that Sunday shall end when the music and dancing end.
 - (iii) the terminal hour for late night refreshment shall extend to 30 minutes after the end of permitted hour for the sale of alcohol mentioned above in d (i) and (ii)
- (e) The sale of alcohol must be ancillary to the use of the premises for music and dancing and substantial refreshment.
- (f) The permitted hours on New Year's Eve will extend to the start of permitted hours on the following day 00.00 on 31st December.

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) the sale or supply of alcohol to or the consumption of alcohol by any person residing in the licensed premises;
- (d) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- (e) the sale of alcohol to a trader or registered club for the purposes of the trade or club;
- (f) 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;
- (g) the taking of alcohol from the premises by a person residing there;
- (h) 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;
- (i) 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.

- 25. 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

26. The number of persons accommodated at any one time (excluding staff) shall not exceed 330.
27. The venue shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the venue is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of the Police or authorised officer throughout the preceding 31 day period.
28. The premises shall not be used for the purposes of providing regulated entertainment under this licence or for the testing or rehearsal of discothèque equipment between the hours of 9am and 6:30pm on each of the days Monday to Friday without prior agreement of the British Universities Film and Video Council (whilst they continue in legal occupation of 77 Wells Street).
29. All door security employed at the entrance to the venue shall wear high visibility jackets.
30. Persons under 18 will only be permitted entry into the premises under the supervision of an adult as part of a pre-booked private function being held at the premises.
31. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to the public. This staff members shall be able to show Police recent data or footage with the minimum of delay when requested.
32. A proof of age scheme, such as Challenge 21, shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification for example diving licence or Passport.
33. There shall be no striptease or nudity and all persons shall be decently attired at all times.
34. There shall be no loud speakers located in the entrance lobby.
35. Flashing or particularly bright lights on or outside the premises shall not cause a nuisance to nearby properties (save insofar as they are necessary for the prevention of crime).
36. No rubbish including bottles will be moved, removed or placed outside the building between 23.00 and 08.00 the day following.
37. Any queue for entry to the premises shall be managed to ensure that there is a clear path along the highway.
38. Any queue for entry to the premises shall be managed to ensure that the highway remains clear and unobstructed, and that any such queue of patrons is conducted in a quiet and orderly manner so as not to cause nuisance.
39. There shall be no sales of alcohol for consumption immediately outside the premises; and any sales of alcohol for consumption off the premises shall be in sealed containers only.

40. All drinking containers used within the venue shall be polycarbonate. All glass bottles to be decanted into polycarbonate glassware or polycarbonate carafes, with the exception of champagne or bottles of spirits with a minimum size of 70cl supplied by waiter/waitress service to tables. Staff will clear all empty champagne and spirit bottles promptly.
41. A personal licence holder shall be on duty from 23:00hrs until 30 minutes after the premises close to the public.
42. A search policy shall be implemented as agreed with Westminster Police Licensing Team and documented in writing. In accordance with the search policy, searching will be supplemented by the use of two functional metal detecting wands, and the use of a security arch, either until the end of permitted hours or until there are no further admissions.
43. An incident log shall be kept at the premises and made available on request to an authorised officer of the City Council or Police which will record the following:-
 - a. Any complaints received regarding crime and disorder.
 - b. Any faults in the CCTV system.
 - c. Any visits by a relevant authority or emergency service.
 - d. Full details of door staff on duty including full name, date of birth, SIA licence number.
 - e. All incidents of violence/drug related incidents/collapses/ejections.
 - f. All refusals of sale of alcohol (to include the date and time of refused sale and the name of the member of staff who refused the sale).
 - g. The capacity limit for the premises to be recorded hourly.
44. Whenever the premises are open for licensable activities under the licence, unless otherwise agreed with the Westminster Police Licensing Team in writing (and a copy of any agreement to be held at reception), there shall be a minimum of six registered security staff on duty at the premises. 6. There shall be a minimum of two registered security staff remaining on duty for a further 30 minutes (or until such time as patrons are dispersed) after the premises close to the public to aid in dispersal outside the premises.

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

45. The licensee will adopt a street management plan to be agreed with the EHO in writing.
46. The licensee will employ a dedicated traffic marshal to assist with traffic management of Wells Street between Eastcastle Street and Oxford Street during operational hours and 30 minutes after closing. The Traffic Marshall to wear a high visibility jacket when on duty.
47. The smoking area shall be supervised by an SIA registered door supervisor at all times the area is in operation and shall be limited to 33 people or as agreed with the Council's Environmental Health Officer.
48. Two registered door supervisors will be employed to manage any queues outside the premises. A further registered door supervisor will be employed to manage any queue of more than ten persons. He will be primarily stationed at the rear of the queue. This door supervisor's duties will include making sure that the queues do not spill on to the pavement and to manage would-be patrons expectations of admission.
49. All other door staff shall wear distinctive clothing, so that they can be readily identified at the venue. All exterior door staff shall wear high visibility jackets.
50. There shall be one door supervisor for every thirty customers, with a minimum number of four door supervisors at all times the premises is trading to members of the public.
51. Notices shall be displayed at the premises near the exit asking customers to respect the venue's neighbours and leave quickly and quietly.
52. Customers departing the venue on foot shall be encouraged to leave via Oxford Street.
53. The dedicated hot line telephone 07563 136636 for anyone wishing to comment on the operation of the premises, will be held by the head doorman whenever the premises are operational. Details of the number will be given to the Fitzrovia Residents Association and displayed on the premises.
54. In the event that a serious assault is committed on the premises (or appears to have been committed) the management will immediately ensure that:
 - (a) The Police (and where appropriate, the London Ambulance Service) are called without delay;
 - (b) All measures that are reasonably practicable are taken to apprehend any suspects pending the arrival of the Police;
 - (c) The crime scene is preserved so as to enable a full forensic investigation to be carried out by the Police; and
 - (d) Such other measures are taken (as appropriate) to fully protect the safety of all persons present on the premises.

Annex 4 – Plans

Attached



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

Schedule 12
Part B

WARD: West End
UPRN: 100023467581

Premises licence
summary

Regulation 33, 34

Premises licence number:

15/04184/LIPVM

Part 1 – Premises details

Postal address of premises:

Project London
78 Wells Street
London
W1T 3QL

Telephone Number: 020 7060 1111

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Performance of Dance
Provision of facilities for Dancing
Provision of facilities for making Music
Performance of Live Music
Playing of Recorded Music
Provision of facilities for entertainment of a similar description to making music or dancing
Anything of a similar description to Live Music or Recorded Music
Provision of facilities for entertainment of a similar description to making music
Anything of a similar description to Live Music, Recorded Music or Performance of Dance
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:

Performance of Dance

Monday to Saturday: 09:00 to 06:00

Provision of facilities for Dancing

Monday to Saturday: 09:00 to 06:00

Provision of facilities for making Music

Monday to Saturday: 09:00 to 06:00

Sunday: 09:00 to 04:00

Performance of Live Music

Monday to Saturday:	09:00 to 06:00
Sunday:	09:00 to 04:00
Playing of Recorded Music	Unrestricted
Provision of facilities for entertainment of a similar description to making music or dancing	
Monday to Saturday:	09:00 to 06:00
Anything of a similar description to Live Music or Recorded Music	
Sunday:	09:00 to 04:00
Provision of facilities for entertainment of a similar description to making music	
Sunday:	09:00 to 04:00
Anything of a similar description to Live Music, Recorded Music or Performance of Dance	
Monday to Saturday:	09:00 to 06:00
Late Night Refreshment	
Monday to Saturday:	23:00 to 05:00
Sunday:	23:00 to 04:30
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 03:00
Sunday:	12:00 to 00:30
Sundays before Bank Holidays:	12:00 to 03:00
<i>For times authorised for Christmas, New Year and Good Friday see conditions at Annex 1</i>	

The opening hours of the premises:	
Monday to Saturday:	09:00 to 06:00
Sunday:	09:00 to 04:30

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:	
Rowar Limited 78 Wells Street London W1T 3QL	

Registered number of holder, for example company number, charity number (where applicable)	
1322117	

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

Name: Mr Matt Rymer

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

Restricted

Date: 1st April 2016

This licence has been authorised by Miss Yolanda Wade on behalf of the Director - Public Protection and Licensing.

Premises within 75 metres of: Scandal 75 Wells Street

p / n	Name of Premises	Premises Address	Licensed Hours
3.590639	Project London	78 Wells Street London W1T 3QL	Monday to Saturday; 09:00 - 06:00 Sunday; 09:00 - 04:30
35.33389	Adam & Eve	77A Wells Street London W1T 3QP	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
66.35706	China White	Whole Building Mappin House 4 Winsley Street London W1W 8HF	Monday to Saturday; 09:00 - 03:30 Sunday; 09:00 - 23:00
74.54613	Arirang Korean Restaurant	31-32 Poland Street London W1F 8QN	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00