

Licensing Sub-Committee Report

Item No:	
Date:	29 March 2018
Licensing Ref No:	18/01221/LIPN - New Premises Licence
Title of Report:	Emmanuel Evangelical Church 9-23 Marsham Street London SW1P 3DW
Report of:	Director of Public Protection and Licensing
Wards involved:	St James's
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Miss Yolanda Wade Senior Licensing Officer
Contact details	Telephone: 020 7641 1872 Email: ywade@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	6 February 2018		
Applicant:	Emmanuel Centre		
Premises:			
Premises address:	Emmanuel Evangelical Church 9-23 Marsham Street London SW1P 3DW	Ward:	St James's
		Cumulative Impact Area:	None
Premises description:	The premises will operate as a conference and church meetings venue		
Premises licence history:	The premises licence history can be found at Appendix 3 of the report.		
Applicant submissions:	<p>The Emmanuel Centre is home to Emmanuel Evangelical Church and has operated as a conference and meetings venue since 1997.</p> <p>We are situated on Marsham Street in Westminster adjacent to offices with residential blocks to the rear of the building. The premises is made up of 3 main rooms – Auditorium, Upper Hall and Lower Hall (max seated capacity of each room: 950, 280, 280 respectively) and a few smaller auxiliary rooms over 4 floors.</p> <p>Floor by floor, the building is comprised of:</p> <ul style="list-style-type: none"> - Lower ground floor: lower hall, toilets, snack bar, kitchen, kitchenette, storerooms. - Ground floor: foyer, upper hall, 2 office rooms, garden room, garden, auditorium, store rooms. - First floor: green room, board room, library. - Second floor: music rehearsal room. <p>As a conference centre, we host a very broad range of clients and events. We are regularly used for AGM's & shareholders meetings, award ceremonies, training seminars, council meetings, product launches, church gatherings, charity events, auctions, examinations, exhibitions, rallies, debates, presentations, concerts and conferences.</p> <p>During events and functions held at the Emmanuel Centre, we would like to make provision for the sale of alcohol. We propose temporary serving locations in the</p>		

	Upper Hall, Foyer or in the Kitchen/Snack bar counter. The location of these points has been detailed in the Premises Plan document. Unless attending an event, the general public will not be able to purchase or consume alcohol on the premises. This application is strictly for on-supply of alcohol at the Emmanuel Centre
Plan	Plans are available to view upon request to the Licensing Authority and they will be made available at Licensing Committee.

1-B Proposed licensable activities and hours							
Regulated Entertainment:				Indoors, outdoors or both			Indoors
Exhibition of film							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	10:00	10:00	10:00	10:00	10:00	10:00	10:00
End:	23:00	23:00	23:00	23:00	23:00	23:00	22:30
Seasonal variations/ Non-standard timings:		From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day					

Live Music, Recorded Music, Performance of a Dance, Anything of a similar description to that falling within live music, playing of recorded music and performance of a Dance				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	10:00	10:00	10:00	10:00	10:00	10:00	12:00
End:	23:00	23:00	23:00	23:00	23:00	23:00	22:30
Seasonal variations/ Non-standard timings:		From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day					

Sale by retail of alcohol				On or off sales or both:			On
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	10:00	10:00	10:00	10:00	10:00	10:00	12:00
End:	23:00	23:00	23:00	23:00	23:00	23:00	22:30
Seasonal variations/ Non-standard timings:		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:	08:00	08:00	08:00	08:00	08:00	08:00	08:00
End:	23:30	23:30	23:30	23:30	23:30	23:30	23:30
Seasonal variations/ Non-standard timings:		From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day					

2. Representations

2-A Responsible Authorities	
Responsible Authority:	The Environmental Health Service
Representative:	Mr Ian Watson
Received:	1 st March 2018
<p>I refer to the application for a New Premises Licence for the above premises.</p> <p>This representation is based on the plans and operating schedule submitted.</p> <p>The applicant is seeking the following</p> <ol style="list-style-type: none"> To provide for the Supply of Alcohol 'On' the premises Monday to Saturday between 10.00 and 23.00 hours and Sunday between 12.00 to 22.30 hours. New Year's Eve to New Year's Day. To provide regulated entertainment 'indoors' comprising <ul style="list-style-type: none"> Films Live Music Recorded Music Performance of Dance Anything of a similar description to Live Music, Recorded Music and Performance of Dance Monday to Saturday between 10.00 and 23.00 hours and Sunday between 12.00 to 22.30 hours. New Year's Eve to New Year's Day. <p>I wish to make the following representation</p> <ol style="list-style-type: none"> The hours requested for the Supply of Alcohol will have the likely effect of causing an increase in Public Nuisance within the area. 	

2. The hours requested to permit the provision of regulated entertainment will have the likely effect of causing an increase in Public Nuisance and impact on Public Safety within the area.

The applicant has provided additional information with the application which is being considered.

Should you wish to discuss the matter further please do not hesitate to contact me.

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 COMB1 applies:

(i) Where a premises proposes to operate as a combined use premises applications will be considered on their merits with regard to each of the relevant policies e.g. Policies CD1, PS1, PN1 CH1 CIP1 and HRS1.

(ii) The Licensing Authority will take into account the current and proposed use of the premises when considering what weight is to be given to the relevant uses and policies.

It will take into account what is the primary use of the premises, if any, and which licensable activities are proposed outside the core hours (see policy HRS1).

(iii) It will consider any premises which include any pub or bar use or provide facilities for fast food and drink or for music and dancing primarily under the policies specific to those uses e.g. PB1&PB2, FFP1 & FFP2, MD1 & MD2.

4. Appendices

Appendix 1	Applicant supporting documents
Appendix 2	Premises history
Appendix 3	Proposed conditions
Appendix 4	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	March 2015
4	Application Form	6 th February 2018
5	The Environmental Health Service - representation	1 st March 2018

Applicant Supporting Documents

Appendix 1

None received

Premises History

Appendix 2

Application	Details of Application	Date Determined	Decision
17/08114/LIPN	Application for new premises licence for 1 day only 12 October 2017 to 13 October 2017	11.09.2017	Granted under delegated authority

Temporary Event Notice

Application	Details of Application	Date Determined	Decision
14/09090/LITENN	Temporary Event Notice	29.10.2014	Notice Granted
14/08701/LITENN	Temporary Event Notice	29.12.2014	Notice Granted
14/10353/LITENN	Temporary Event Notice	30.01.2015	Notice Granted
15/01472/LITENN	Temporary Event Notice	02.03.2015	Notice Refused
15/04512/LITENP	Temporary Event Notice	01.10.2015	Notice Granted
15/05228/LITENP	Temporary Event Notice	09.07.2015	Notice Granted
15/05240/LITENP	Temporary Event Notice	09.07.2015	Notice Granted
16/13185/LITENP	Temporary Event Notice	06.12.2016	Notice Granted

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

10. Clear signs posted in building plus on website plus Terms of Use.
11. Training -regular staff training
12. A personal licence holder will also be on site during all licensable activity on the premises.
13. All staff to be briefed on the licensing objectives and how each person's job role contributes to the meeting of the objectives.
14. The maximum capacity of the building will be restricted to 1350 People at any one time.
15. Signage in compliance with the Weights and Measures Act 1985 as well as the premises policy of verifying the age of customers looking to purchase alcohol and what forms of ID are accepted.
16. Persons wishing to hire the premises must be over 21 years of age.
17. If the supply of alcohol is permitted then no charge shall be made.
18. Only serve alcoholic drinks when snacks are also made available.
19. Do not serve alcohol for anyone under the age of 18 years old and carry out appropriate age verification checks.
20. Don't serve any more drinks to individuals showing signs of being intoxicated, tipsy or otherwise under the effects of excessive alcohol consumption.
21. Use or employ door supervisor at all times when licensable activity is being carried out on the premises to keep an orderly line outside the venue, prevent entry or eject individuals who are drunk or disorderly without causing further disruption or to carry out searches of individuals suspected of carrying drugs, weapons or prohibited items into the venue.
22. All door supervisors will be SIA trained and certified.
23. All door supervisors and centre staff will be equipped with two-way communications equipment.
24. At least two door supervisors will be stationed at the main point of ingress.
25. The premises will be monitored by CCTV throughout the duration of any event. CCTV will cover all public areas as well as all the main points of entrance and egress as well as outside approaches to the building.

26. Alcohol drinks are kept securely locked away out of public reach when not being sold and during events alcohol is to be kept behind the bar.
27. Firefighting equipment shall be maintained in a satisfactory working order and regularly tested. All fire escapes are to be kept clear and in a usable state in case of emergency.
28. Conduct regular risk assessments for all events to supplement the general risk assessment and health and safety policy.
29. All Centre Staff are trained as first aiders and fire wardens and all first aid trained staff will be identified to any event organisers renting the venue. 3.1. All staff training is to be regularly reviewed and updated at least once every two years or more often if it is felt necessary.
30. First aid kits and an Automatic Electric Defibrillator (AED) are kept on site. These pieces of equipment will be regularly inspected to ensure that all contents are in good usable condition and all equipment is in good working order.
31. All drinks will be served in cans or in plastic vessels to minimize the risk of people being exposed to broken glass.
32. No person is to be allowed on to the premises if they carry sealed or open glass containers.
33. Where possible all effort shall be made to serve drinks in cans or in plastic vessels, however in cases where this is not practical or possible, all glass bottles will be retained after use and disposed of properly.
34. The use of appropriate management controls to reduce the likelihood of customers causing noise disturbance to local residents when vacating the premises. This should include placing at all exits from the premises, in a place where they can be easily seen and easily read by the public, notices requiring customers to leave the premises and the area quietly. This should also include a reference to vehicles.
33. The PCC or its representative shall conduct periodic assessments of the noise coming from the premises when used for regulated entertainment and shall take steps to reduce the level of noise where it is likely to cause a disturbance to local residents. A written record shall be made of those assessments and shall include, the time and date of the checks, the person making them and the results including any remedial action. All records shall be retained for one year.
34. All external doors and windows shall be kept closed when regulated entertainment is being provided except in the event of an emergency. Any music played within the premises shall not cause a disturbance at the nearest residential premises. Any music shall be played indoors only.
35. Any music played in the premises after 21:00 shall be background music only and inaudible at the nearest residential premises. Music other than background music may be played within the premises between 21:00 and 23:00 for a maximum of six events a year.

36. Signs placed to advise clients to respect neighbours on leaving & entering building and not to loiter in the area.
37. Signs will be posted on the premises, especially next to points of egress, to inform the public that drinks are not permitted outside.
38. Children shall be adequately supervised at all times.
39. A policy for children and youth work shall be maintained for the premises. 1.1. All staff have been DBS checked.
40. Some members of staff have been trained in child safeguarding.
41. Alcohol will not be advertised or offered during events aimed at or where the majority of attendees are children.

Proposed Conditions by Environmental Health Service

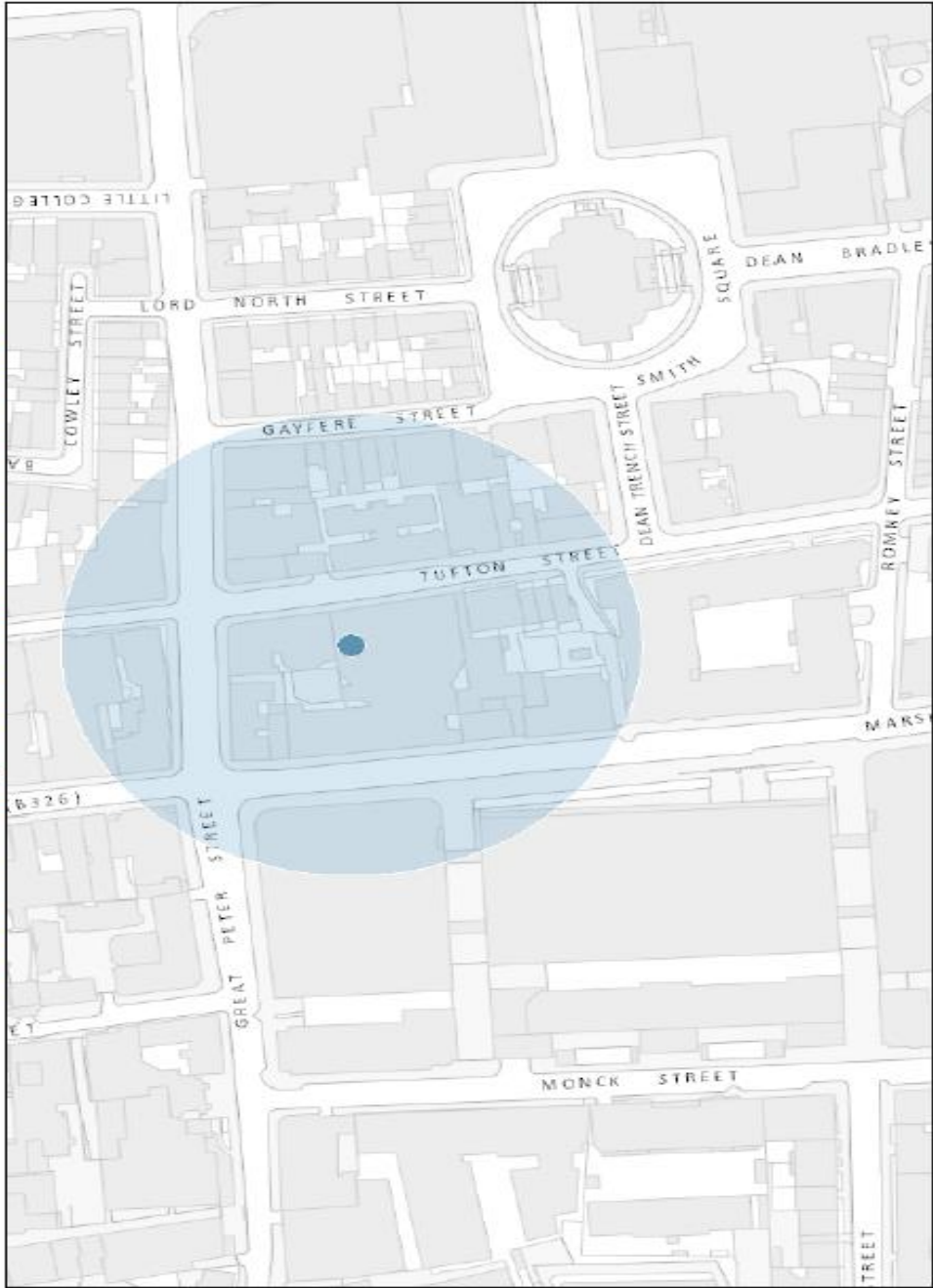
42. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually 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.
43. 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.
44. There shall be a personal licence holder on duty on the premises at all times when the premises are authorised to sell alcohol.
45. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
46. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
47. Outside of the hours authorised for the sale of alcohol and whilst the premises are open to the public, the licence holder shall ensure that all alcohol within the premises (including alcohol behind the counter) is secured in a locked store room or behind locked grilles, locked screens or locked cabinet doors so as to prevent access to the alcohol by both customers and staff
48. Admission to the Auditorium, Upper Hall and Lower Hall (with exception to those requiring disabled access) shall be through the premises lobby area only
49. There shall be no striptease or nudity, and all persons shall be decently attired at all times, except when the premises are operating under the authority of a Sexual Entertainment Venue licence.

50. No advertisements of any kind (including placard, poster, sticker, flyer, picture, letter, sign or other mark) that advertises or promotes the establishment, its premises, or any of its events, facilities, goods or services shall be inscribed or affixed upon the surface of the highway, or upon any building, structure, works, street furniture, tree, or any other property, or be distributed to the public.
51. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
52. 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.
53. Licensable activities at events in the Emmanuel Centre shall only be provided at pre-booked events or bona fide private functions to which direct entry by members of the public is not permitted
54. 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.
55. The premises may remain open for the sale of alcohol and the provision of late night refreshment from the terminal hour for those activities on New Year's Eve through to the commencement time for those activities on New Year's Day.
56. The licensable activities provided at the premises shall be ancillary to the main function of the premises as being a church.
57. Door supervisors shall be employed as determined by a documented management risk assessment taking cognizance of police advice of 1 SIA per 100 customers when the premises deems it appropriate to the type of function being hosted. The risk assessment to be made available upon request to any lawful authority upon request
58. 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.
59. Loudspeakers shall not be located in the entrance lobby or outside the premises building.
60. All windows and external doors shall be kept closed after 22:00 hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons.
61. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.

62. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
63. No deliveries to the premises shall take place between 23.00 and 08.00 hours on the following day.
64. 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.
65. 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.
66. All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.
67. All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device.
68. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
69. Curtains and hangings shall be arranged so as not to obstruct emergency safety signs or emergency equipment.
70. The number of persons permitted in the following rooms at any one time (excluding staff) shall not exceed;

Auditorium 950 persons
Upper Hall 280 persons
Lower Hall 280 persons

Emmanuel Evangelical Church 9-23 Marsham Street



March 15, 2018

Resident Count: 383

DISTANCE	OBJECTID	Licence Number	Trading Name	Address	Premises Type	Time Period
26.97381	52251	06/08985/WCCMAP	Hope House	Fifth Floor East Hope House 45 Great Peter Street London SW1P 3LT	Office	Monday to Sunday; 08:00 - 20:00