



City of Westminster

Licensing Sub-Committee Report

Item No:	
Date:	28 June 2018
Licensing Ref No:	18/05022/LIPV - Premises Licence Variation
Title of Report:	Home Grown 44 Great Cumberland Place London W1H 7BS
Report of:	Director of Public Protection and Licensing
Wards involved:	Bryanston And Dorset Square
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Mrs Shannon Pring Senior Licensing Officer
Contact details	Telephone: 020 7641 3217 Email: spring3@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	Variation of a Premises Licence, Licensing Act 2003		
Application received date:	2 May 2018		
Applicant:	Home Grown Club Ltd (Quintillion Restaurants Ltd)		
Premises:	Home Grown		
Premises address:	44 Great Cumberland Place London W1H 7BS	Ward:	Bryanston and Dorset Square
		Cumulative Impact Area:	No
Premises description:	The premises currently operates as a private member's club.		
Variation description:	The variation application seeks to: <ul style="list-style-type: none"> • Approve new layout • Amend capacity • Amend condition 9 so as to allow licensable activities to additionally be provided to persons using the bedroom facilities and their bona fide guests. 		
Premises licence history:	The premises currently benefits from a premises licence. The full premises licence history can be found at Appendix 3 of the report.		
Applicant submissions:	There are no submissions from the Applicant.		

1-B Current and proposed licensable activities, areas and hours						
Regulated Entertainment: Performance of Live Music, Playing of Recorded Music						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	07:00	01:00	No change		The Portman Room, The Bar (including Lounge), The Library, Silence Room, The Cumberland Room, Sample Suite, The Centenary Suite	No change
Tuesday						
Wednesday						
Thursday						
Friday						
Saturday						
Sunday						
Seasonal variations:	Current: The hours for licensable activities may be extended from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.				Proposed: No change	

Late night refreshment						
Indoors, outdoors or both			Current :			Proposed:
			Indoors			No change
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	23:00	01:30	No change		Basement, Ground Floor, First Floor, Second Floor, Third Floor, Fourth Floor	No change
Tuesday						
Wednesday						
Thursday						
Friday						
Saturday						
Sunday						
Seasonal variations		Current: The hours for licensable activities may be extended from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.			Proposed: No change	

Sale by Retail of Alcohol						
On or off sales			Current :			Proposed:
			Both			No change
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	07:00	01:00	No change		Basement, Ground Floor, First Floor, Second Floor, Third Floor, Fourth Floor	No change
Tuesday						
Wednesday						
Thursday						
Friday						
Saturday						
Sunday						
Seasonal variations		Current: The hours for licensable activities may be extended from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.			Proposed: No change	
No standard timings:		Residents and their guests 00:00 to 00:00.			No change	

Hours premises are open to the public						
	Current Hours		Proposed Hours		Premises Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	00:00	00:00	No change		Basement, Ground Floor, First Floor, Second Floor, Third Floor, Fourth Floor	No change
Tuesday						
Wednesday						
Thursday						
Friday						
Saturday						
Sunday						
Seasonal variations	Current: The hours for licensable activities may be extended from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.				Proposed: No change	

1-C Layout alteration
The applicant has made substantial changes to the layout and therefore are applying to amend the plans for all floors. The applicant is not seeking to add additional floors or areas for licensable activities.

1-D Conditions being varied, added or removed	
Condition	Proposed variation
<p><u>Vary condition 9</u></p> <p>Licensable activities may not be provided other than to:</p> <ul style="list-style-type: none"> i) Members (and their bona fide guests) of the New Cavendish Club as defined in the New Cavendish Club Rules. Any changes to these rules must be notified to the Police and Licensing Authority. ii) Persons attending pre-booked private events, a record of which will be kept on site for a minimum period of 31 days after the events, and made available on request to authorised officers from the Police and Council. The record shall include the details of the organiser, type of event, number of people, timings and date. 	<p><u>Replace with:</u></p> <p>Licensable activities may not be provided other than to:</p> <ul style="list-style-type: none"> i) Members of the Home Grown Club Ltd and their bona fide guests; ii) Persons attending pre-booked private events; iii) Persons using the bedroom facilities and their bone fide guests. <p>Details of all member's guests and non-members attending the premises for licensable activities shall be kept on site for a minimum period of 31 days after the attendance.</p>
<p><u>Vary condition 11</u></p> <p>The number of persons permitted on the premises at any one time (excluding staff) shall not exceed 320 persons (excluding</p>	<p>Capacities to be determined by Environmental Health and the District Surveyor.</p>

Staff). With no more than the number listed below in each room;	
<ul style="list-style-type: none"> • The Portman Room - 35 persons • The Bar (incl. Lounge) - 60 persons • The Library - 25 persons • Silence Room - 10 persons • The Cumberland Room - 60 persons • Sample Suite - 40 persons • The Centenary Suite - 90 persons 	

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Environmental Health Consultation Team
Representative:	Mrs Sally Fabbricatore
Received:	18 May 2018
<p>I refer to the application for variation of a Premises Licence (15/11137/LIPV), issued under the Licensing Act 2003.</p> <p>This representation is based on the Operating Schedule and the submitted plans:</p> <ul style="list-style-type: none"> • Basement - drawing number 10280-L-01-0001-ZB1 rev 4 and dated 25.11.15 • Ground floor - drawing number 10280-L-01-0002-Z00 rev 5 and dated 25.11.15 • 1st floor - drawing number 10280-L-01-0003-Z01 rev 5 and dated 25.11.15 • 2nd floor - drawing number 10280-L-01-0004-Z02 rev 3 and dated 25.11.15 • 3rd floor - drawing number 10280-L-01-0005-Z03 rev 3 and dated 25.11.15 • 4th floor - drawing number 10280-L-01-0006-Z04 rev 3 and dated 25.11.15 <p>The applicant is seeking the following on the throughout the premises:</p> <ol style="list-style-type: none"> 1. To change the layout as detailed in the submitted plans. 2. To amend the capacities. Details have not been supplied. 3. To amend condition 9. <p>I wish to make the following representations in relation to the above application:</p> <ol style="list-style-type: none"> 1. The change to layout may impact on public safety increase in hours of the Supply of Alcohol may have the likely effect of causing an increase in Public Nuisance in the area. 2. The change to capacities may impact may have the likely effect of causing an increase in Public Nuisance in the area and may impact on Public Safety. 3. The amendment to condition 9 may have the likely effect of causing an increase in Public Nuisance in the area. <p>The granting of the variation Premises Licence as presented may have the likely effect of causing an increase in Public Nuisance in the area and may impact on Public Safety.</p>	

Further correspondence between Environmental Health and the Applicant

I have the following comments:

External areas

The use of the external areas is governed by the following:

17. Licensable activities are not permitted on any external terrace.

Proposed to change to:

17. Licensable activities are not permitted on any external terrace or light well.

To remain:

50. Any external terrace areas may only be used for the consumption of alcohol on Fridays and Saturdays;

51. The supply of alcohol for consumption on the terrace must be by waiter or waitress service only;

52. Any external terrace areas shall be vacated by 7pm save for persons using the area to smoke;

53. No more than ten persons, excluding staff, shall be permitted on the first floor terrace at any one time;

54. There shall be no access to any external terrace before 10:00 Monday to Sunday;

Additional proposed condition: **There shall be no consumption of alcohol in the light well.**

Clearance condition

Works clearance condition to change to:

The variation of this premises licence (18/05022/LIPV) will have no effect until the premises have been assessed as satisfactory by the Environmental Health Consultation Team at which time this condition shall be removed from the licence by the licensing authority.

Change to layout and capacities

The current condition reads:

The number of persons permitted on the premises at any one time (excluding staff) shall not exceed 320 persons (excluding Staff). With no more than the number listed below in each room;

- The Portman Room - 35 persons
- The Bar (including Lounge) - 60 persons
- The Library - 25 persons
- Silence Room - 10 persons
- The Cumberland Room - 60 persons
- Sample Suite - 40 persons
- The Centenary Suite - 90 persons

Following on from the site meeting and looking at the plans it looks like the following capacities are requested:

Basement: Lounge 16
Pitch Room 12

Pitch Room 12
Event Room – 100

Ground floor: Drawing Room -20
Drawing Room -20
Study – 24
Study café -20
Formal restaurant -40
Private Dining – 14

First floor: Dining Room -20
Lounge -30
Bar -16
Salon-30
Secret Salon – 15
Lounge 1 – 10
Lounge 2 - 10

So a total of 409 excluding staff. Therefore a proposed increase of 89 people.

However can we leave the capacity TBC as depending on means of escape and the works clearance.

Proposed condition:

No licensable activities shall take at the premises until the capacity of the premises has been determined by the Environmental Health Consultation Team and the licensing authority has replaced this condition on the licence with a condition detailing the capacity so determined.

The WCs required are as follows, I have used table 10 of the British Standard:

- 7 female WCs
- 3 male WCs and 3 urinals
- Staff facilities

I have counted the following provisions:

- Basement – 2 staff, 3 female WCs, 1 accessible, 2 male WCs and 3 urinals and 2 unisex
- Ground – none
- First – 1 accessible, 1 male WC and 3 female WCs.

This provision is compliant.

Membership condition

The current condition 9 reads:

Licensable activities may not be provided other than to:

- I. Members (and their bone fide guests) of the New Cavendish Club as defined in the New Cavendish Club Rules. Any changes to these rules must be notified to the Police and Licensing Authority.
- II. Persons attending pre-booked private events, a record of which will be kept on site for a minimum period of 31 days after the event, and made available on request to authorised officers from the Police and Council. The record shall include the details of the organiser, type of event, number of people, timings and date.

Your proposed condition:

Licensable activities may not be provided other than to:

- a) Members of the Home Grown Club Ltd and their bona fide guests
- b) Persons attending pre-booked private events
- c) Persons using the bedroom facilities and their bona fide guests.

Details of all member's guests and non-members attending the premises for licensable activities shall be kept on site for a minimum period of 31 days after their attendance.

So there is no mention of the rules and changes being notified to the Police and Licensing Authority. This part '*The record shall include the details of the organiser, type of event, number of people, timings and date*' has also been removed.

EH proposed condition:

Licensable activities may not be provided other than to:

- I. Members (and their bona fide guests) of the Home Grown Club as defined in the Home Grown Club Rules. Any changes to these rules must be notified to the Police and Licensing Authority.
- II. Persons attending pre-booked private events, a record of which will be kept on site for a minimum period of 31 days after the event, and made available on request to authorised officers from the Police and Council. The record shall include the details of the organiser, type of event, number of people, timings and date.
- III. Persons using the bedroom facilities and their bona fide guests.

2-B Other Persons	
Name:	The Arch Hotel
Address and/or Residents Association:	50 Great Cumberland Place
Received:	29 May 2018
<p>Re: Application Ref: 18/05022/LIPV Applicant: Home Grown Club Ltd (Quintillion Restaurants Ltd) Location: Home Grown, 44 Great Cumberland Place, London W1H 7BS</p> <p>We act on behalf of The Arch Hotel situated at 50 Great Cumberland Place which is immediately adjacent to the Applicant's premises and parts of which – during the extensive construction works – touches our clients premises.</p> <p>We note the pending application which includes a request to extend various services to either 1:00 am or 1:30am.</p> <p>Our clients object to such extensions specifically the performance of live music and the playing of Recorded Music as they do not believe it is possible to contain the noise which would impact on our premises and disturb our clientele.</p> <p>Whilst it is somehow historical, we understand that when our clients applied some years ago for not dissimilar extensions such applications failed specifically as it would likely to cause nuisance to adjoining occupiers.</p>	

Further we would refer to point 21 'No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance'.

As you maybe aware works have and continue to be carried out and the writer was at the hotel Friday morning – whilst the ongoing works were taking place there was constant vibration and excessive volume of noise despite the fact our clients have specifically installed secondary glazing in certain rooms.

Accordingly our clients are considerably concerned as to the present position and the pending application.

We look forward to hearing from you.

3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
Policy PB1 applies:	Applications will only be granted if it can be demonstrated that the proposal meets the relevant criteria in Policies CD1, PS1, PN1 and CH1.
Policy HOT1 applies:	Subject to the effect on the promotion of the licensing objectives and other relevant policies in this Statement, premises licences for hotels will generally be granted so that: (a) Alcohol is permitted to be sold at any time to people staying in hotel rooms for consumption on the premises. (b) The hours of serving of alcohol to the general public will be subject to conditions limiting the sale of alcohol after a specified time to those attending pre-booked events held at the hotel, (c) The exhibition of film, in the form of recordings or non-broadcast television programmes to be viewed in hotel bedrooms, will generally be permitted.
Policy HRS1 applies:	(i) Applications for hours within the core hours set out below in this policy will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy. (ii) Applications for hours outside the core hours set out below in this policy will be considered on their merits, subject to other relevant policies.

4. Equality Implications

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.

5. Appendices

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

Report author:	Mrs Shannon Pring Senior Licensing Officer
Contact:	Telephone: 020 7641 3217 Email: spring3@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

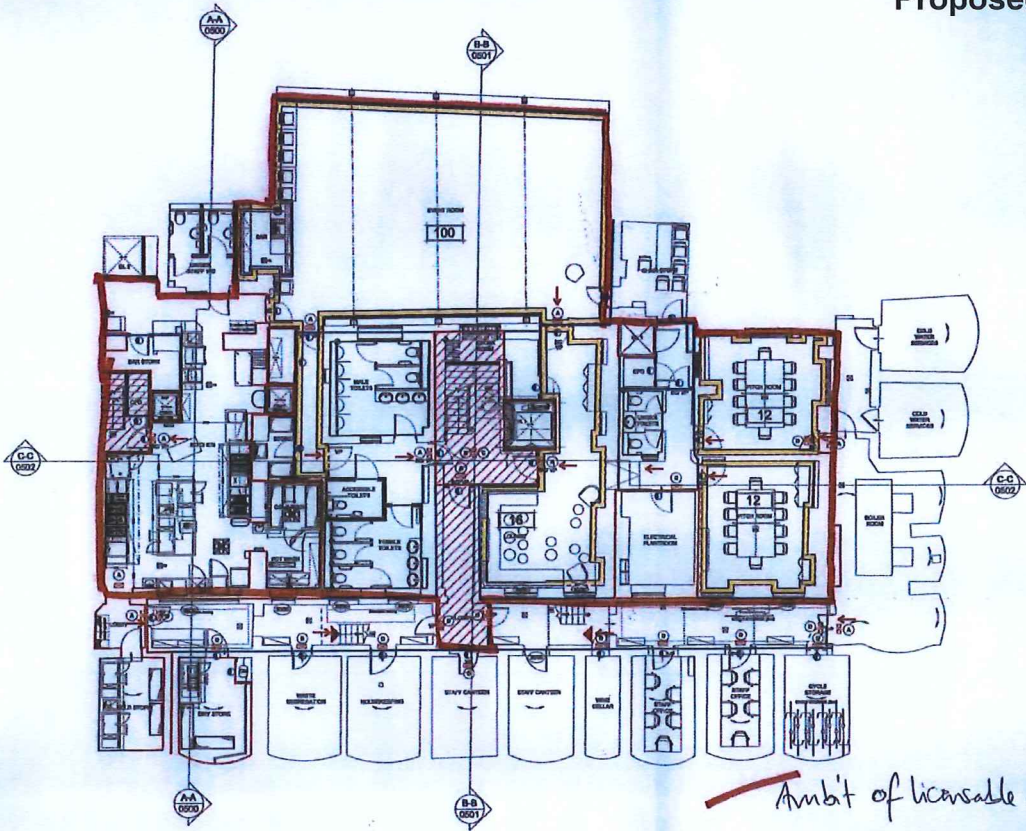
1	Licensing Act 2003	N/A
2	City of Westminster Statement of Licensing Policy	7 th January 2016
3	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2018
4	Environmental Health Service	18 May 2018
5	Representation 1	29 May 2018

Premises Plans

Appendix 1

The proposed and current premises plans are enclosed.

Proposed Plan



- Key**
- ▲ Fire Exit (Ground floor only)
 - ▲ Fire Extinguisher Zone
 - Occupancy - Public Areas
 - Disabled refuge
 - ▭ Fire Signage
- Note: All Emergency Exits must comply with direction of travel
- ① 150A (1.1)
 - ② 150B (1.2)
 - ③ 150C (1.3)
 - ④ 150D (1.4)
- Fire Compartment Rating (By)** (assumed rating for existing walls)
- 1 Hour
 - 1/2 Hour
- Door width**
min clear width (mm)
- Door Fire Rating**
- 1 Hour fire resistance with infillament & smoke seals
 - 1/2 Hour fire resistance with infillament & smoke seals
 - 1 Hour fire resistance
 - VP - Vision Panel
 - SC - Self-Closing
- Window Fire Rating**
- 30 minutes integrity & ventilation
- It is assumed that where existing walls are to provide a fire resistance performance that fire is not intended to penetrate by the existing wall. Existing doors are to be strengthened to confirm fire resistance performance and enhanced required to achieve required performance.
- Proposed Structural member**
- Refer to Structure Schedule for the performance (Strength & service requirements)
- Licensing Key**
- Area used for sub-licensing of alcohol
 - Area used for regulated entertainment (Drugs & music requirements)
 - Public entertainment
 - Point of sale - alcohol
 - Kitchen facility
 - Signage (groups noted) from the premises
 - Access to the premises

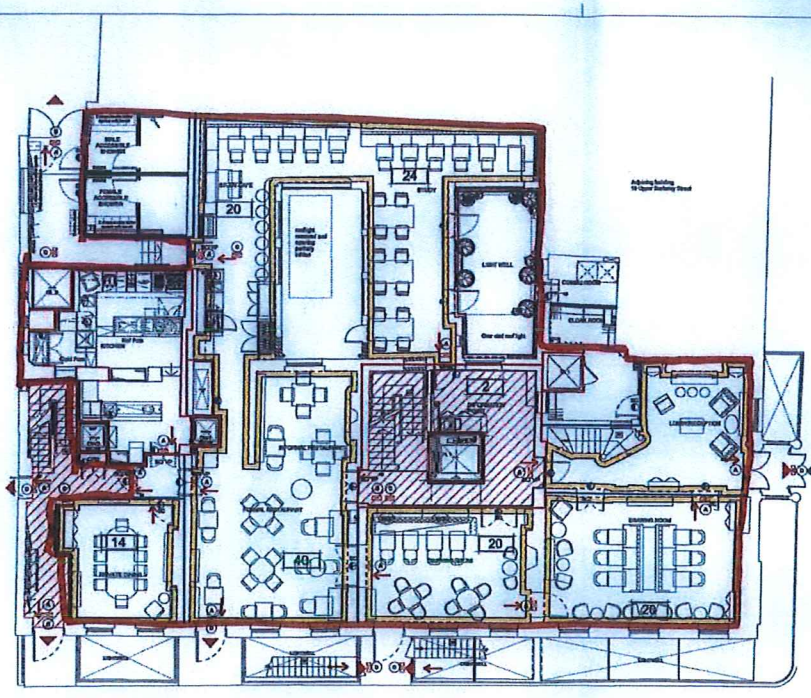
Ambit of licensable activity

Rev	Description	Date
1	Issue for comment	12/11/18
2	Revised	15/11/18
3	Final	15/11/18

EPR 20 years
 40 years
 50 years
 60 years

As per client's brief

Proposed Structural Steel Frame
 Licensed Area Plan
 15/11/18
 10290-L-01-0001-Z01 104



Ambit of licensable activity

- Key**
- ▲ Fire Exit (Ground floor only)
 - ▲ Fire Extinguisher Zone
 - Occupancy - Public Areas
 - Disabled refuge
 - Fire Signs
- Notes:**
 Note All Emergency Escape signs to comply EC directive 2002/22/EC
- Fire Compartment Rating Key (assumed rating for existing work)**
- 1 Hour
 - 1/2 Hour
- Exit width**
 min clear width (m)
- Door Fire Rating Key**
- 1 Hour fire resistance with infill panel & smoke seals
 - 1/2 Hour fire resistance with infill panel & smoke seals
 - 1 Hour fire resistance
 - VP Value Panel
 - DC Self Closing
- Window Fire Rating Key**
- 20 minutes integrity & insulation
- By intention that where seating walls are to provide a fire resistance performance that fire is achieved automatically by the necessary wall. Existing walls will be investigated to confirm the necessary performance and where necessary repaired to achieve required performance.**
- Prohibited Electrical corridor**
- Further to Windows Schedule for fire performance (integrity & insulation requirements)**
- Licensing Key**
- Areas used for entertainment
 - Areas used for regulated entertainment
 - Areas used for the provision of night entertainment
 - Public conveniences
 - Point of sale - alcohol
 - Kitchen facility
 - Escape (escape route) from the premises
 - Access to the premises

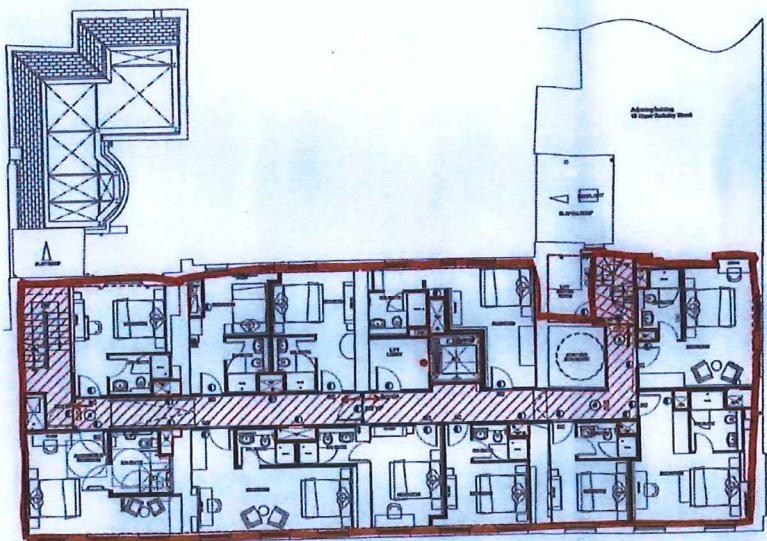
1. Name	2. Date	3. Description	4. Status

EPR
 25th Floor
 100 Broad Street
 London EC2R 2EJ

All All Other Contracted Plans
 London

Project Name: Fire Plan
 Location: Area Plan
 Date: 10/11/10

10280 - L - 01 - 0002 - 200 | 05



Ambit of licensable activity

Key

- ▲ Fire Exit (Ground floor only)
- ▲ Fire Extinguisher Zone
- Occupancy - Public Areas
- Disabled refuge
- ☒ Fire Signage

Notes: All Emergency Escape routes to comply BS 5830:2002

Fire Signage

TYPE 1	TYPE 2	TYPE 3
TYPE 4	TYPE 5	TYPE 6
TYPE 7	TYPE 8	TYPE 9

Fire Compartment Rating Key (assumed rating for existing work)

- 1 Hour
- 1/2 Hour

But within only clear width (type)

Door Fire Rating Key

- FD 150 1 Hour fire resistance with intumescent & smoke seals
- FD 150 1/2 Hour fire resistance with intumescent & smoke seals
- FD 150 1 Hour fire resistance
- VP Vision Panel
- SC Self Closing

Window Fire Rating Key

- W150 1/2 Hour integrity & ventilation

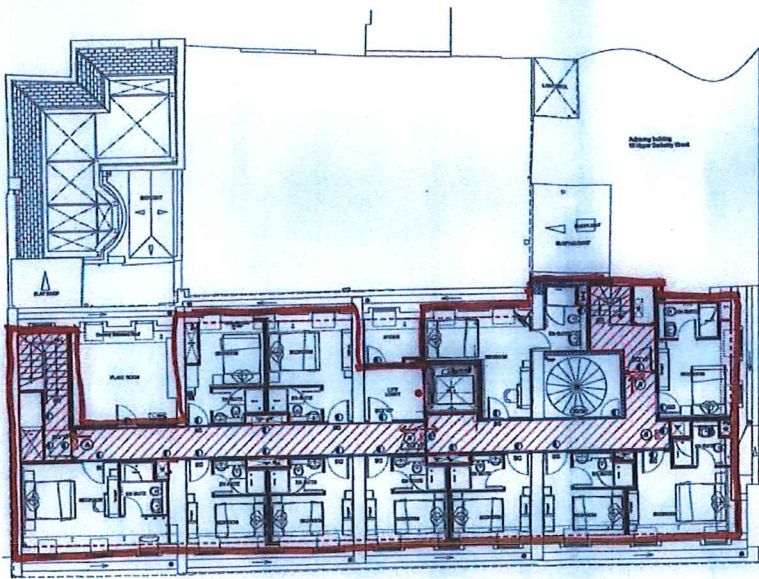
It is assumed that where existing walls are to provide a fire resistance performance that fire is contained inherently by the existing wall. Existing doors are to be upgraded to match the resistance performance and performance replicated to achieve required performance.

Prohibited structural member

Refer to Window Schedule for fire performance (Strength & ventilation requirements)

Leeway Key

- Area used for sub-consumption of alcohol
- Area used for regulated entertainment
- Area used for the provision of late night entertainment
- Public entertainment
- Point of sale - alcohol
- Kitchen facility
- Escape (escape route) from 'the premises'
- Access to 'the premises'



Ambit of licensable activity


- Key**
- ▲ Fire Exit (shown floor only)
 - ▲ Fire Extinguisher Zone
 - Occupancy - Public Areas
 - Disabled refuge
 - Fire Signage
 - ▲ Fire Compartment Rating Key (shown rating for existing work)
 - Door Fire Rating Key
 - Window Fire Rating Key
 - Leasing Key
- Fire Compartment Rating Key (shown rating for existing work)**
- 1 Hour
 - 30 Hour
- Door Fire Rating Key**
- 1 Hour fire resistance with intumescent & smoke seals
 - 30 Hour fire resistance with intumescent & smoke seals
 - 1 Hour fire resistance
- Window Fire Rating Key**
- 30 minutes integrity & insulation
- Leasing Key**
- Areas used for sub-occupation of disabled
 - Areas used for regulated entertainment
 - Areas used for the provision of late night refreshment
 - Public entertainment
 - Point of sale - closed
 - Public facility
 - Access to the premises
 - Access to the premises

Current plans

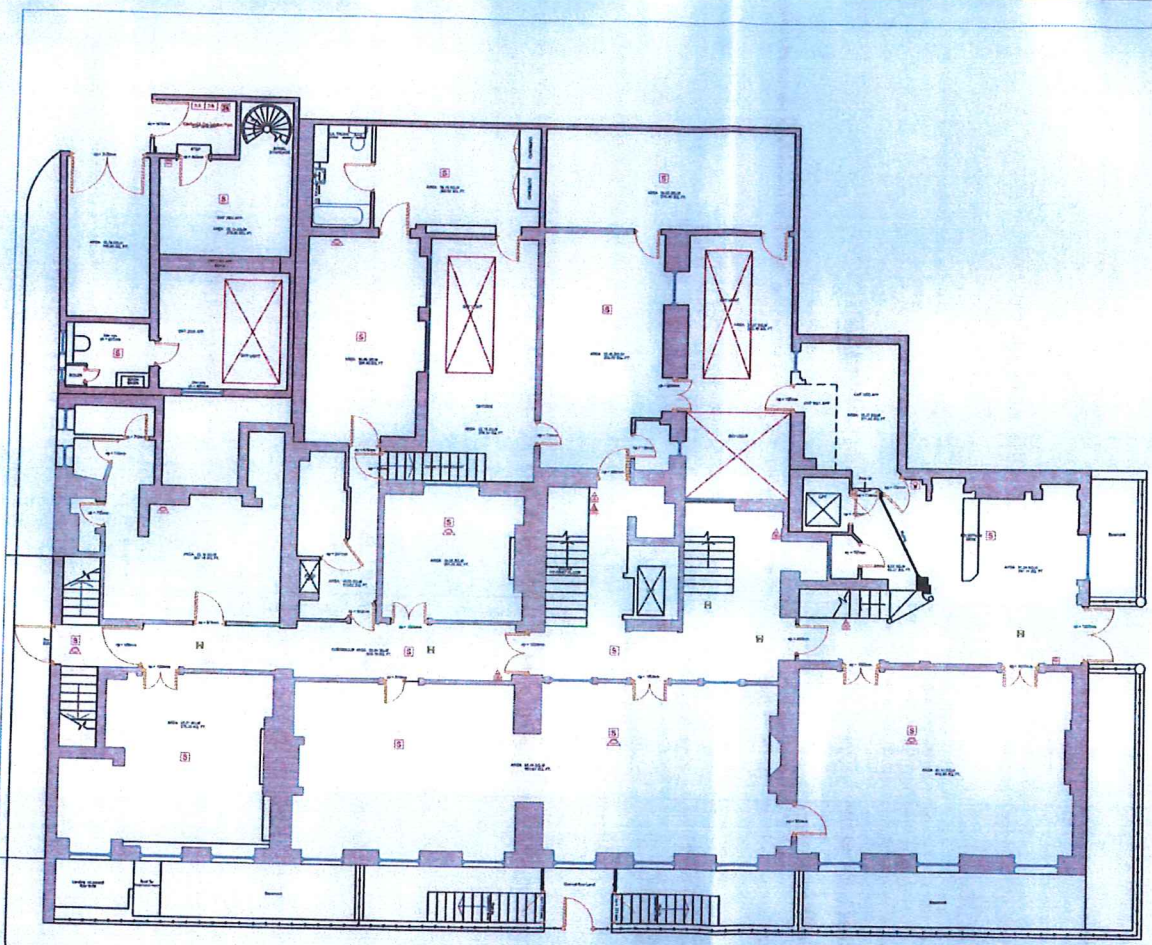
basement level

-  CALL POINT
-  FIRE EXTINGUISHER
-  FIRE HOSE
-  FIRST AID POST
-  CAUTION HAZARD
-  ESCAPE ROUTE FOLLOW ARROW
-  ESCAPE ROUTE FOLLOW ARROW
-  ESCAPE ROUTE FOLLOW ARROW
-  ESCAPE ROUTE FOLLOW ARROW
-  EMERGENCY TELEPHONE

LICENSABLE ACTIVITIES WILL TAKE PLACE THROUGHOUT THE PREMISES




Client - J M North Services Ltd	
Basement Level	2011ND0609F
The New Cavendish Club - Fire Drawings	
Scale - 1:50	Drawn By - ACH
Drawing prepared by - M2 Property Services	

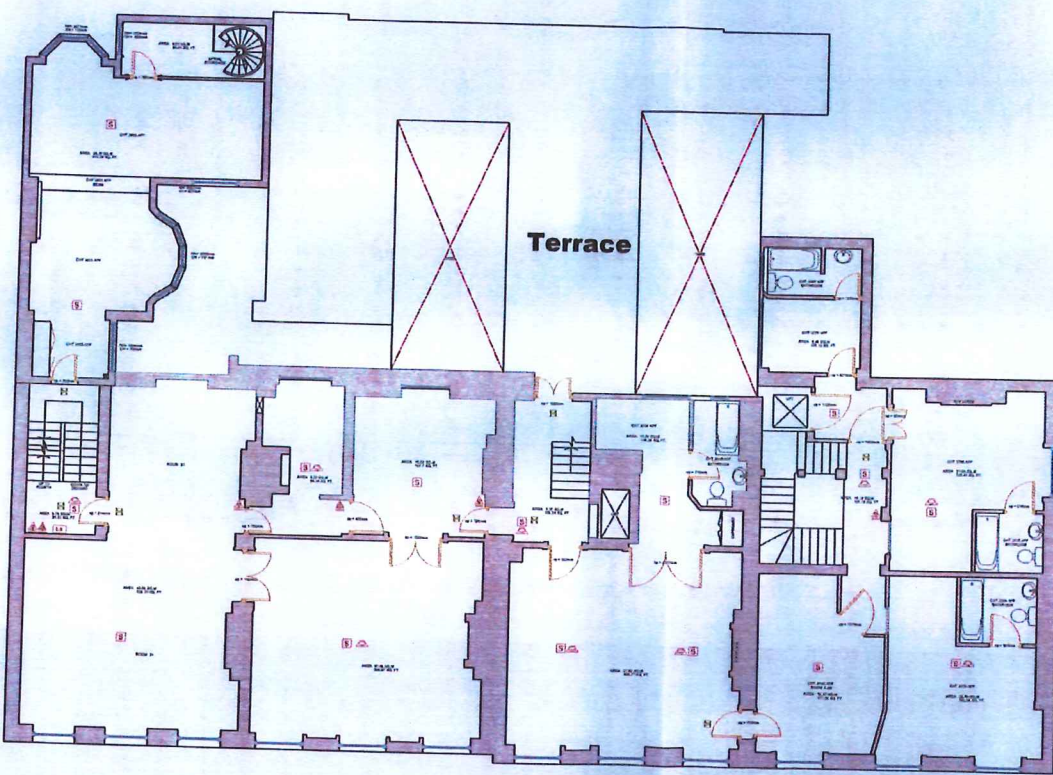


ground floor

LICENSABLE ACTIVITIES WILL TAKE PLACE THROUGHOUT THE PREMISES

-  CALL POINT
-  FIRE EXTINGUISHER
-  FIRE HOSE
-  FIRST AID POST
-  CAUTION HAZARD
-  ESCAPE ROUTE FOLLOW ARROW
-  ESCAPE ROUTE FOLLOW ARROW
-  ESCAPE ROUTE FOLLOW ARROW
-  ESCAPE ROUTE FOLLOW ARROW
-  EMERGENCY TELEPHONE

	Client - J M North Services Ltd	2011/MCC/006P
	Ground Floor	
	The New Casuarina Club - Fire Drawings	
	Scale - 1:50	Drawn By - ACH
	Drawing prepared by - ME Property Services	



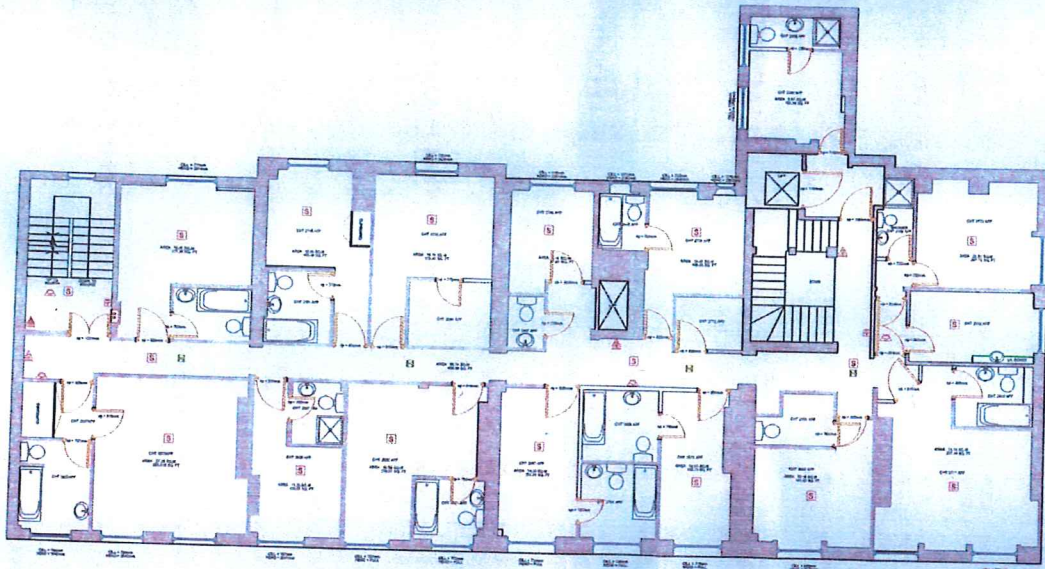
-  CALL POINT
-  FIRE EXTINGUISHER
-  FIRE HOSE
-  FIRST AID POST
-  CAUTION HAZARD
-  ESCAPE ROUTE FOLLOW ARROW
-  ESCAPE ROUTE FOLLOW ARROW
-  ESCAPE ROUTE FOLLOW ARROW
-  ESCAPE ROUTE FOLLOW ARROW
-  EMERGENCY TELEPHONE

first floor

LICENSABLE ACTIVITIES WILL TAKE PLACE THROUGHOUT THE PREMISES




Client - J M North Services Ltd	
First Floor	2011NCC-0009
The New Cavendish Club - Fire Drawings	
Scale - 1:50	Drawn By - JCH
Drawing prepared by - ME Property Services	



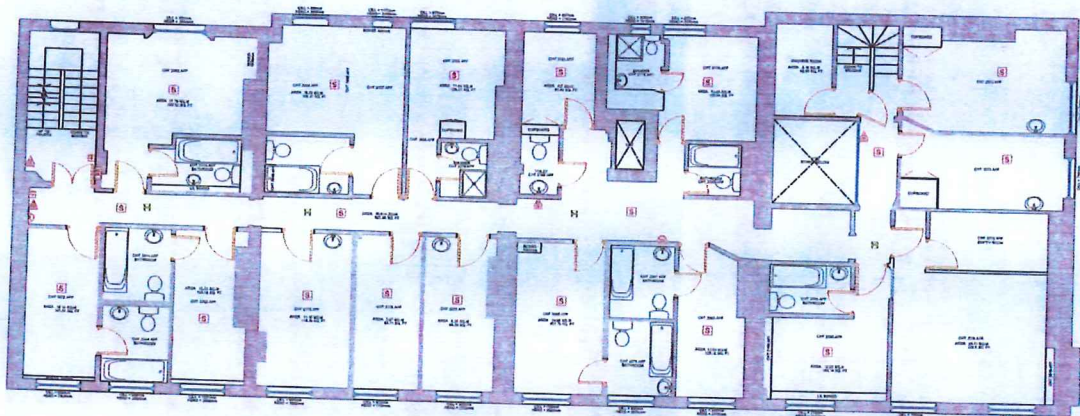
second floor

-  CALL POINT
-  FIRE EXTINGUISHER
-  FIRE HOSE
-  FIRST AID POST
-  CAUTION HAZARD
-  ESCAPE ROUTE FOLLOW ARROW
-  ESCAPE ROUTE FOLLOW ARROW
-  ESCAPE ROUTE FOLLOW ARROW
-  ESCAPE ROUTE FOLLOW ARROW
-  EMERGENCY TELEPHONE

LICENSABLE ACTIVITIES WILL TAKE PLACE THROUGHOUT THE PREMISES




Client - J.M. North Services Ltd	
Second Floor	2015MCC610F
The Nine Corners Club - Fire Drawings	
Scale - 1:50	Drawn By - ACH
Drawing prepared by - M.E. Property Services	



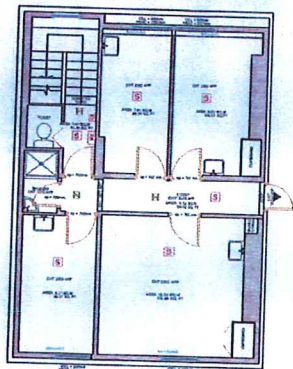
third floor

-  CALL POINT
-  FIRE EXTINGUISHER
-  FIRE HOSE
-  FIRST AID POST
-  CAUTION HAZARD
-  ESCAPE ROUTE FOLLOW ARROW
-  ESCAPE ROUTE FOLLOW ARROW
-  ESCAPE ROUTE FOLLOW ARROW
-  ESCAPE ROUTE FOLLOW ARROW
-  EMERGENCY TELEPHONE

LICENSABLE ACTIVITIES WILL TAKE PLACE THROUGHOUT THE PREMISES




Client - J M North Services Ltd	2011/NC001/1F
Third Floor	
The New Clarendon Club - Fire Drawings	
Scale - 1:50	Drawn By - ACH
Drawing prepared by - ME Property Services	



fourth floor

-  CALL POINT
-  FIRE EXTINGUISHER
-  FIRE HOSE
-  FIRST AID POST
-  CAUTION HAZARD
-  ESCAPE ROUTE FOLLOW ARROW
-  ESCAPE ROUTE FOLLOW ARROW
-  ESCAPE ROUTE FOLLOW ARROW
-  ESCAPE ROUTE FOLLOW ARROW
-  EMERGENCY TELEPHONE

LICENSABLE ACTIVITIES WILL TAKE PLACE THROUGHOUT THE PREMISES

	Client - J M North Services Ltd	
	Fourth Floor	2011/ACC/012F
	The New Cornish Club - Fire Design	Drawn By - ACH
	Scale - 1:50	Drawing prepared by - M2 Property Services

Applicant Supporting Documents

Appendix 2

There are no additional supporting documents from the Applicant.

Licence & Appeal History

Application	Details of Application	Date Determined	Decision
12/03933/LIPN	New premises licence application	05/07/2012	Granted by Licensing Sub-Committee
12/06155/LIPDPS	Variation of the designated premises supervisor	30/07/2012	Granted under delegated authority
14/05076/LIPT	Application to transfer the premises licence	09/07/2014	Granted under delegated authority
15/11098/LIPT	Application to transfer the premises licence	17/02/2016	Granted under delegated authority
15/11109/LIPDPS	Variation of the designated premises supervisor	17/02/2016	Granted under delegated authority
15/11137/LIPV	Application to vary the premises licence	04/02/2016	Granted by Licensing Sub-Committee
18/05022/LIPV	Current application		

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

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

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

Conditions: On Current Licence -

Mandatory:

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

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

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

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

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

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

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

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

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

Where -

(i) P is the permitted price,

(ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

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

(i) the holder of the premises licence,

(ii) the designated premises supervisor (if any) in respect of such a licence, or

(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

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

(e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

8(iii). Where the permitted price given by Paragraph 8(ii)(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

8(iv). (1) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Annex 2 – Conditions consistent with the operating Schedule

None

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

9. Licensable activities may not be provided other than to:

- I. Members (and their bona fide guests) of the New Cavendish Club as defined in the New Cavendish Club Rules. Any changes to these rules must be notified to the Police and Licensing Authority.
- II. Persons attending pre-booked private events, a record of which will be kept on site for a minimum period of 31 days after the event, and made available on request to authorised officers from the Police and Council. The record shall include the details of the organiser, type of event, number of people, timings and date.

Applicants proposed amendment – amend condition 9 to read:

Licensable activities may not be provided other than to:

- i) Members of the Home Grown Club Ltd and their bona fide guests;
- ii) Persons attending pre-booked private events;
- iii) Persons using the bedroom facilities and their bona fide guests.

Details of all member's guests and non-members attending the premises for licensable activities shall be kept on site for a minimum period of 31 days after the attendance.

Environmental Health proposed amendment – amend condition 9 to read:

Licensable activities may not be provided other than to:

- i) Members (and their bona fide guests) of the Home Grown Club as defined in the Home Grown Club Rules. Any changes to these rules must be notified to the Police and Licensing Authority.
- ii) Persons attending pre-booked private events, a record of which will be kept on site for a minimum period of 31 days after the event, and made available on request to authorised officers from the Police and Council. The record shall include the details of the organiser, type of event, number of people, timings and date.
- iii) Persons using the bedroom facilities and their bona fide guests.

10. Regulated Entertainment shall only be permitted in the areas listed in condition 11 of this licence.

11. The number of persons permitted on the premises at any one time (excluding staff) shall not exceed 320 persons (excluding Staff). With no more than the number listed below in each room;

- The Portman Room - 35 persons
- The Bar (including Lounge) - 60 persons
- The Library - 25 persons
- Silence Room - 10 persons
- The Cumberland Room - 60 persons
- Sample Suite - 40 persons
- The Centenary Suite - 90 persons

Applicant proposed amendment – to vary the above capacities to be determined by the Environmental Health Consultation Team and the District Surveyor.

12. Arrangements will be made to ensure that any capacity limit set for the premises can be properly monitored. Information regarding the capacity should be given to an authorised officer on request.
13. Substantial food and non-intoxicating beverages shall be available throughout the permitted hours in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
14. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.
15. With the exception of residents and their bona fide guests, no alcohol shall be consumed more than 30 minutes after the permitted hours for the supply of alcohol.
16. The provision of alcohol shall be ancillary to food between 07:00 and 10:00 hours for non-residents.
17. Licensable activities are not permitted on any external terrace.

Environmental Health proposed amendment to condition 17:

Licensable activities are not permitted on any external terrace or light well.

18. No drinks shall be consumed outside the premises nor glasses/bottles removed from the premises by patrons when leaving, save for off sales in sealed containers, and patrons using the terrace.
19. Loudspeakers shall not be located in the entrance lobby or outside the premises building.
20. All windows and external doors to areas where regulated entertainment is permitted shall be kept closed at any time when regulated entertainment takes place, except for the immediate access and egress of persons.
21. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
22. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and leave the area quietly.
23. 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.
24. No deliveries shall be made to the premises between 23:00 and 08:00 hours.
25. 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.
26. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
27. No rubbish, including bottles, shall be moved, removed or placed in outside areas between 2300 hours and 0800 hours.
28. The pavement from the building line to the kerb edge immediately outside the premises, including gutter / channel at its junction with the kerb edge, shall be swept and or

washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements.

29. A sound limiting device located in a separate and remote lockable cabinet from the volume control shall be fitted to any musical amplification system and set at a level determined by and to the satisfaction of an authorised officer of the Environmental Health Service to ensure that no noise nuisance is caused to local residents. The operational panel of the noise limiter shall then be secured to the satisfaction of officer from the Environmental Health Service. The keys securing the noise limiter cabinet shall be held by the licence holder or authorised manager only, and shall not be accessed by any other person. The limiter shall not be altered without prior agreement with the Environmental Health Service.
30. The approved arrangements at the premises, including means of escape provisions, emergency warning and emergency equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.
31. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.
32. All exit doors shall be available at all material times without the use of a key, code, card or similar means.
33. All emergency doors will be maintained effectively self-closing, and not held open other than by an approved device.
34. The edge of the treads of steps and stairways shall be maintained so as to be conspicuous.
35. Only hangings, curtains, upholstery and temporary decorations, complying with the relevant British (or where appropriate European) Standard shall be used. Where necessary these shall be periodically tested for flame resistance and re-treated as necessary.
36. Curtains and hangings shall be arranged so as not to obstruct safety signs other emergency equipment.
37. 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 7 days prior notice being given to Westminster City Council Consultation Team where consent has not previously been given:
 - a. dry ice and cryogenic fog;
 - b. smoke machines and fog generators;
 - c. pyrotechnics including fire works;
 - d. firearms;
 - e. lasers;
 - f. explosives and highly flammable substances;
 - g. real flame;
 - h. strobe lighting.
38. 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.

39. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received regards crime and disorder
 - (d) any incidents of disorder
 - (e) seizures of drugs or offensive weapons
 - (f) any refusal of the sale of alcohol
 - (g) any visit by a relevant authority or emergency service.
40. The certificates listed below shall be submitted to Westminster City Council Consultation Team upon written request:
 - a. Any emergency lighting battery or system
 - b. Any electrical installation
 - c. Any fire alarm system.
41. A log shall be kept detailing all refused sales of alcohol. The log should include the date and time of the refused sale and the name of the member of staff who refused the sale. The log shall be available for inspection at the premises by the police or an authorised officer of the City Council at all times whilst the premises is open.
42. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
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 are open to the public. This staff member shall be able to show Police recent data or footage with the absolute minimum of delay when requested.
44. No entertainment, performance, service, or exhibition involving nudity or sexual stimulation which would come within the definition of a sex establishment in Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 as amended by the Greater London Council (General Powers) Act 1986 (whether or not locally adopted), shall be provided.
45. There shall be no striptease or nudity, and all persons shall be decently attired at all times, except in the guest bedrooms.
46. A proof of age scheme, such as Challenge 21, shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence or passport.

47. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents in the vicinity.
48. As soon as possible, and in any event within 1 month from the grant of this licence, the premises shall join the local pubwatch, clubwatch or other local crime reduction scheme approved by the police, and local radio scheme if available.
49. The hours for licensable activities may be extended from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.
50. Any external terrace areas may only be used for the consumption of alcohol on Fridays and Saturdays;
51. The supply of alcohol for consumption on the terrace must be by waiter or waitress service only;
52. Any external terrace areas shall be vacated by 7pm save for persons using the area to smoke;
53. No more than ten persons, excluding staff, shall be permitted on the first floor terrace at any one time;
54. There shall be no access to any external terrace before 10:00 Monday to Sunday.
55. The variation of this premises licence (14/05076/LIPT) will have no effect until the premises have been assessed as satisfactory by the Environmental Health Consultation Team at which time this condition shall be removed from the licence by the licensing authority.

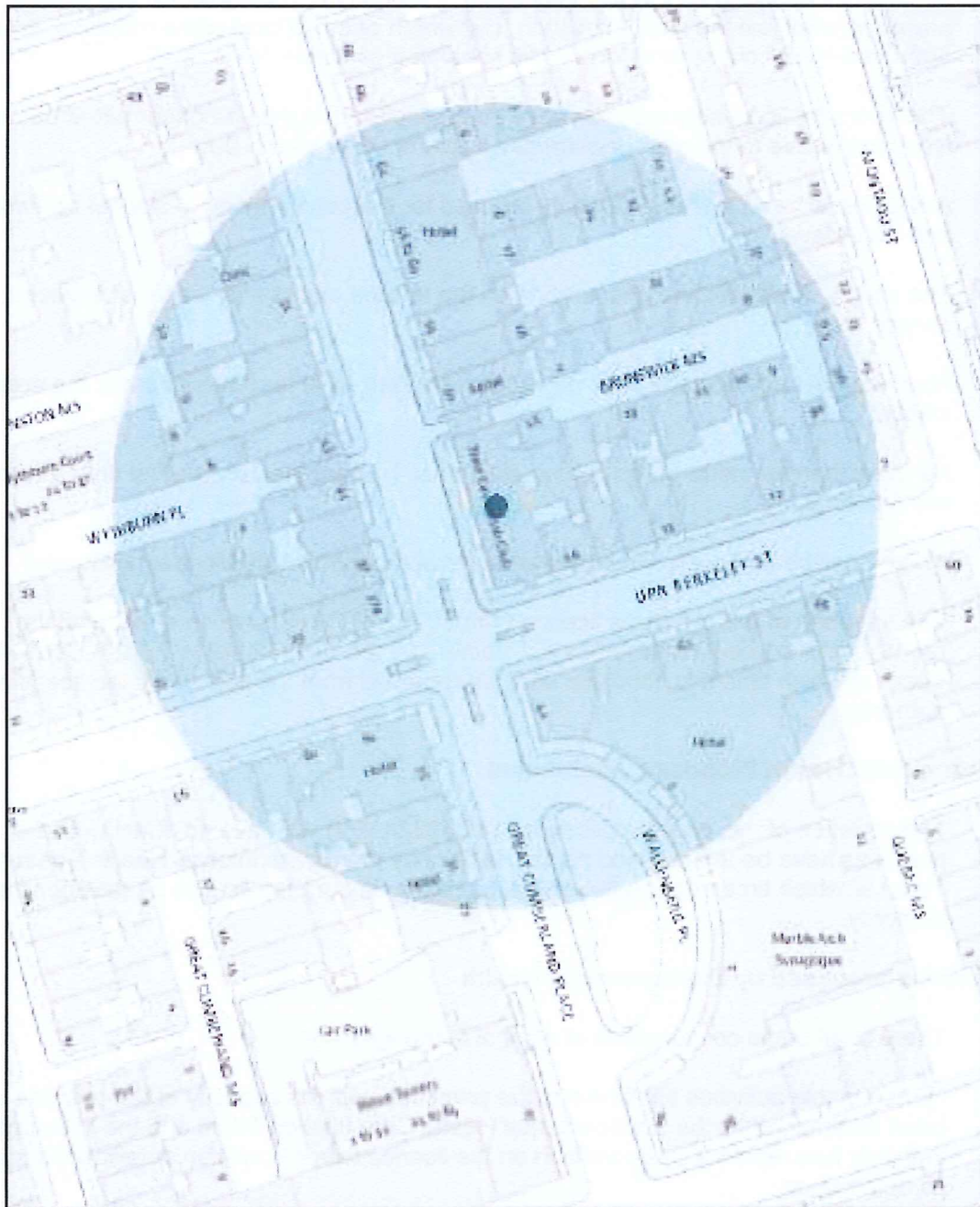
Environmental Health Proposed amendment:

The variation of this premises licence (18/05022/LIPV) will have no effect until the premises have been assessed as satisfactory by the Environmental Health Consultation Team at which time this condition shall be removed from the licence by the licensing authority.

Conditions proposed by Environmental Health

56. There shall be no consumption of alcohol in the light well.
57. No licensable activities shall take at the premises until the capacity of the premises has been determined by the Environmental Health Consultation Team and the licensing authority has replaced this condition on the licence with a condition detailing the capacity so determined.

Home Grown, 44 Great Cumberland Place



June 18, 2018



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Resident count: 202

Premises within a 75 metre radius of Home Grown, 44 Great Cumberland Place, W1H 7BS

Licence Number	Trading Name	Address	Premises Type	Time Period
11/10786/LIPDPS	The Arch	50 Great Cumberland Place London W1H 7FD	Hotel, 4+ star or major chain	Monday to Sunday; 00:00 - 00:00
17/05074/LIPDPS	Shaftesbury Suites Marble Arch	41 Great Cumberland Place London W1H 7LG	Hotel, 4+ star or major chain	Monday to Sunday; 00:00 - 00:00
17/05077/LIPDPS	Montcalm Hotel And Grand Ballroom	2 Wallenberg Place City Of Westminster London W1H 7TN	Hotel, 4+ star or major chain	Monday to Sunday; 00:00 - 00:00
17/05081/LIPDPS	The Marble Arch By Montcalm London	31 Great Cumberland Place London W1H 7TA	Restaurant	Monday to Sunday; 00:00 - 00:00

