



City of Westminster

# Licensing Sub-Committee Report

Item No:	
Date:	7 September 2023
Licensing Ref No:	23/03922/LIPN - New Premises Licence
Title of Report:	Jeru 11 Berkeley Street London W1J 8DS
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:	Mrs Angela Rowe Senior Licensing Officer
Contact details	Telephone: 020 7641 6500 Email: arowe@westminster.gov.uk

## 1. Application

1-A Applicant and premises			
<b>Application Type:</b>	New Premises Licence, Licensing Act 2003		
<b>Application received date:</b>	12 June 2023		
<b>Applicant:</b>	11 Berkeley Street Ltd		
<b>Premises:</b>	Jeru		
<b>Premises address:</b>	11 Berkeley Street London W1J 8DS	<b>Ward:</b>	West End
		<b>Cumulative Impact Area:</b>	None
		<b>Special Consideration Zone:</b>	Mayfair
<b>Premises description:</b>	The premises intends to operate on the basement, ground and first floors for restaurant use with ancillary bars and bakery/patisserie.		
<b>Premises licence history:</b>	Currently the premises operates under licence number 23/02945/LIPDPS which is licenced on the basement and ground floor levels only. A copy of the licence can be found at <b>Appendix 4</b> .		
<b>Applicant submissions:</b>	The applicant has provided a supporting statements and certificates for staff and manager in addition to the application. These can be found in <b>Appendix 3</b> .		
<b>Applicant amendments:</b>	None		

1-B Proposed licensable activities and hours							
<b>Live Music:</b>				<b>Indoors, outdoors or both</b>			Indoors
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	N/A	N/A	N/A	N/A	23:00	23:00	N/A
<b>End:</b>	N/A	N/A	N/A	N/A	01:00	01:00	N/A
<b>Seasonal variations/ Non-standard timings:</b>		None					

<b>Recorded Music:</b>				<b>Indoors, outdoors or both</b>			Indoors
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	23:00	23:00	23:00	23:00	23:00	23:00	N/A
<b>End:</b>	23:30	23:30	23:30	23:30	01:00	01:00	N/A
<b>Seasonal variations/ Non-standard timings:</b>		Hours on Sundays before bank holidays to be 22:30 to Midnight.					

<b>Late Night Refreshment:</b>				<b>Indoors, outdoors or both</b>			Indoors
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	23:00	23:00	23:00	23:00	23:00	23:00	N/A
<b>End:</b>	23:30	23:30	23:30	23:30	01:00	01:00	N/A
<b>Seasonal variations/ Non-standard timings:</b>		Sundays before bank holidays 23:00 to midnight.					

<b>Sale by retail of alcohol</b>				<b>On or off sales or both:</b>			<b>Both</b>
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	10:00	10:00	10:00	10:00	10:00	10:00	12:00
<b>End:</b>	23:30	23:30	23:30	23:30	01:00	01:00	22:30
<b>Seasonal variations/ Non-standard timings:</b>			Sundays before bank holidays 12:00 to midnight.				

<b>Hours premises are open to the public</b>							
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	07:00	07:00	07:00	07:00	07:00	07:00	07:00
<b>End:</b>	23:30	23:30	23:30	23:30	01:00	01:00	22:30
<b>Seasonal variations/ Non-standard timings:</b>			Sundays before bank holidays 07:00 to midnight.				
<b>Adult Entertainment:</b>			None				

## 2. Representations

2-A Responsible Authorities	
<b>Responsible Authority:</b>	Licensing Authority
<b>Representative:</b>	Karyn Abbott
<b>Received:</b>	10 <sup>th</sup> July 2023

Dear Sirs

I write in relation to the application submitted for a new premises licence for 11 Berkeley Street, London, W1J 8DS

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 four Licensing Objectives:

- Public Nuisance
- Prevention of Crime & Disorder
- Public Safety
- Protection of children from harm

The application seeks the following:

- **Live Music Only on Lower Ground Floor**  
Friday to Saturday 23:00 to 01:00
- **Recorded Music**  
Monday to Thursday 23:00 to 23:30  
Friday to Saturday 23:00 to 01:00  
  
Seasonal Variations - Hours on Sundays before bank holidays to be 22:30 to midnight
- **Late Night Refreshment**  
Monday to Thursday 23:00 to 23:30  
Friday to Saturday 23:00 to 01:00  
  
Seasonal Variations - Hours on Sundays before bank holidays to be 22:30 to midnight
- **Supply of Alcohol On and Off Premises**  
Monday to Thursday 10:00 to 23:30  
Friday to Saturday 10:00 to 01:00  
Sunday 12:00 to 22:30  
  
Seasonal Variations - Hours on Sundays before bank holidays to be 22:30 to midnight
- **Opening Hours to Public**  
Monday to Thursday 07:00 to 23:30  
Friday to Saturday 07:00 to 01:00  
Sunday 07:00 to 22:30  
  
Seasonal Variations - Hours on Sundays before bank holidays to be 22:30 to midnight

The premises is located within the Mayfair Special Consideration Zone and as such various policy points must be considered, namely HRS1, RNT1 and PB1.

The premises does currently benefit from a premises licence without the use of Live Music. The Licensing Authority has serious concerns with this application and the proposed addition of Live Music due to a recent promotional event that was held at the premises on the 4<sup>th</sup> May 2023. The event took place with no temporary event notice meaning the premises breached the terms and conditions of its current premises licence by allowing this event to take place, for clarity the Live Music did not fall under the deregulation (deregulated if between the hours of 0800 and 2300 hours for a licensed premises) as a visit was made to the premises at 0040hrs where Live Music was witnessed by the City Inspectors. The Licensing Authority will be calling Westminster's City Inspector Martin Tuohy as a witness and submissions have been attached in relation to the event on the 4<sup>th</sup> May 2023.

The Licensing Authority notes within the operating schedule that the intended use of the premises is a restaurant with an ancillary bar in the basement, ground and first floors plus a bakery/patisserie on the ground floor. The operating hours applied on Fridays and Saturdays for licensable activities currently fall outside of Westminster's core hours, the Licensing Authority encourage that the applicant reduce the hours to be within Westminster's Core hours under HRS1 Policy;

### **Restaurants**

Monday to Thursday: 9am to 11.30pm.

Friday and Saturday: 9am to Midnight.

Sunday: 9am to 10.30pm.

Sundays immediately prior to a bank holiday: 9am to Midnight.

The Licensing Authority notes that within the operating schedule the applicant states that is application is for a restaurant with ancillary bar areas within the Mayfair Special Consideration Zone.

A. Applications outside the West End Cumulative Impact Zone will generally be granted subject to:

1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1.
2. The hours for licensable activities being within the council's Core Hours Policy HRS1.
3. The operation of any delivery services for alcohol and/or latenight refreshment meeting the council's Ancillary Delivery of Alcohol and/or Late-Night Refreshment Policy DEL1.
4. The applicant has taken account of the Special Consideration Zones Policy SCZ1 if the premises are located within a designated zone.
5. The application and operation of the venue meeting the definition of a restaurant as per Clause C.

C. For the purposes of this policy a restaurant is defined as:

1. A premises in which customers are shown to their table or the customer will select a table themselves to which food is either served to them or they have collected themselves.
2. Which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at a table.
3. Which do not provide any takeaway service of food and/or drink for immediate consumption, except if provided via an ancillary delivery service to customers at their residential or workplace address.
4. Where alcohol shall not be sold, supplied, or consumed on the premises otherwise than to persons who are bona fide taking substantial table meals and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.
5. The sale and consumption of alcohol prior to such meals may be in a bar area but must also be ancillary to the taking of such meal.

The Licensing Authority note that the applicant has proposed a varied model condition 66 below within the operating schedule.

*Except for the ground floor holding bar hatched area (the bakery/patisserie) the premises shall operate as a restaurant:*

- i) In which customers are shown to their table*
- ii) Where the supply of alcohol is by waiter or waitress service only,*
- iii) Which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery, iv) Which do not provide any takeaway service of food or drink for immediate consumption,*
- v) Which do not provide any takeaway service of food or drink after 23:00, and*
- vi) Where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking a substantial table meal there and provided always that the consumption of alcohol by such persons is ancillary to taking such meals. Notwithstanding this condition customers are permitted to take from the premises part consumed and resealed bottles of wine supplied ancillary to their meal.*

The Licensing Authority has concerns with the number of people (25) that have been suggested within the hatched areas of this condition and wish the applicant to provide further submissions on the proposed operation of the hatched bar area.

1. Will there be waiter/waitress service?
2. Will these areas be seated or is it vertical drinking?

As mentioned above the premises currently benefits from a separate premises licence (23/02945/LIPDPS). This licence has not been proposed to be surrendered as part of this new premises licence application or operating schedule, does the applicant have capacity to do so? If this is the case The Licensing Authority would propose model conditions 62 as follows;

1. No licensable activities shall take place at the premises until premises 23/02945/LIPDPS (or such other number subsequently issued for the premises) has been surrendered [and is incapable of resurrection].

The Licensing Authority would like confirmation whether the applicant is agreeable to the above proposed condition to be able to assess any further relevant policy considerations.

The Licensing Authority looks forward to receiving further submissions from the applicant in due course.

Please accept this as a formal representation.

**The Licensing Authority has submitted a witness statement from Martin Tuohy, Team Manager, Public Protection & Licensing, which can be found at *Appendix 1*.**

**A response was received from the applicant in response to the Licensing Authority's representation on 10th July 2023.**

Karyn

Thanks for your email.

I note the concerns expressed and would comment as follows

1. There is already a licence in force for these premises (23/02945/LIPDPS) in identical format to the application which has been lodged save for the addition of live music on Friday and Saturday until 01.00. You will note that recorded music is already permitted on those days and times
2. The only reason for a new licence application is to add the first floor of the building as an extension to the restaurant area. There are no other changes to the current licence.
3. The existing licence permits off sales of alcohol until 23.00 There would be nothing to

stop the premises using the off sales permission to allow consumption of alcohol in the first floor restaurant area once completed, without the need to obtain a licence for it. However, my client thinks it is more appropriate to obtain a licence so that the area may be properly regulated.

4. I do not intend to comment on the allegations regarding unlicensed activity on the 4<sup>th</sup> May at this time as my client has been invited to attend an interview under caution regarding the matter and it would therefore not be appropriate to do so. I would point out however that these premises have been operating for over 2 years as a high end restaurant in Mayfair with no issues reported regarding crime and disorder nor any other complaint. This was an isolated incident, the relevant staff have been disciplined and action has been taken to prevent a recurrence.
5. Following the incident, the DPS was dismissed the following day, and all staff underwent re-training in relation to their responsibilities under the Licensing Act.
6. You have expressed concerns at the number of people proposed to be in the hatched area (25). I should point out that the current licence permits exactly that number in the hatched area (see condition 10 of the current licence). I do not therefore understand why there should be concerns at the number of people when this is already permitted.
7. I can confirm that there is no vertical drinking in the hatched area and all service is by waiter/waitress.
8. I confirm acceptance of model condition 62.

<b>Responsible Authority:</b>	Environmental Health Service
-------------------------------	------------------------------

<b>Representative:</b>	Anil Drayan
------------------------	-------------

<b>Received:</b>	10 <sup>th</sup> July 2023
------------------	----------------------------

**I refer to the application for a new Premises Licence which is located in the Mayfair Special Consideration Zone.**

The applicant has submitted plans of the premises showing the Ground and Basement Floors (references unreadable) and First Floor (drawing no 07/01, rev B dated 03/23).

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

1. The provision of Live Music 'Indoors' in the basement (lower ground floor) from 23:00 to 01:00 hours Friday and Saturday.
2. The provision of Recorded Music 'Indoors' from 23:00 to 23:30 Monday to Thursday and 23:00 to 01:00 hours Friday and Saturday. In addition Hours on Sundays before bank holidays to be 22:30 to midnight.
3. Supply of Alcohol 'On' and 'Off' the premises, Monday to Thursday from 10:00 to 23:30, Friday and Saturday from 10:00 to 01:00 and Sunday from 12:00 to 23:00 hours. In addition Hours on Sundays before bank holidays to be 22:30 to midnight.
4. Provision of Late-Night Refreshment Monday to Thursday from 23:00 to 23:30 and Friday and Saturday from 23:00 to 01:00. In addition Hours on Sundays before Bank Holidays to be 22:30 to midnight.

**I wish to make the following representations based on the plans and operating schedule submitted:**

1. Provision of Live Music and for the hours requested may have the effect of increasing Public Nuisance in the area and adversely impact on Public Safety.
2. Provision of Recorded Music and for the hours requested may have the effect of increasing Public Nuisance in the area and adversely impact on Public Safety.

3. The Supply of Alcohol 'On' and 'Off' the premises and for the hours requested may have the effect of increasing Public Nuisance in the area.
4. The Provision of Late-Night Refreshment may lead to an increase in Public Nuisance in the area

**Environmental Health also makes the following further comments:**

- The applicant states that '*This application is simply to add the first floor as a restaurant area subject to MC66 to existing licence number 23/00536/LIPT*'. However this application also seeks to add Live Music as a licensable activity.
- Save for the capacity condition the conditions offered largely mirror those on existing Licence 23/00536/LIPT. An indication of the proposed increase in capacity is requested so as to determine adequate means of escape provision and suitable provision of sanitary accommodation. It is noted the applicant has, however, offered a 'works' condition.

The applicant is therefore requested to contact the undersigned to arrange a site visit to discuss all of the above issues.

<b>Responsible Authority:</b>	Metropolitan Police Service – Withdrawn 23.08.2023
<b>Representative:</b>	Adam Deweltz
<b>Received:</b>	28 <sup>th</sup> June 2023

I refer to the above-mentioned application for a new premises licence.

Following consideration of the application and how it may affect the Licensing Objectives, I wish to make the following representation:

The hours for licensable activities are likely to undermine the following licensing objective:

- The Prevention of Crime and Disorder.

The hours requested for licensable activity (Friday and Saturday) are beyond Westminster's core hours policy

The licensed premises is also situated in Westminster's Special Consideration Zone.

Furthermore, the premises was also visited recently by Westminster City Council Inspectors. Upon conducting this licensing inspection, they found the premises unlawfully trading outside it's authorised hours. The Metropolitan Police Service fully support Westminster City Council in objecting to this new premises licence application.

I am happy to discuss my representation in further detail with you.

**Further conditions agreed by the applicant were received by the Metropolitan Police Service on 21<sup>st</sup> August 2023.**

1. No licensable activities shall take place at the premises until premises licence 23/02945/LIPDPS (or such other number subsequently issued for the premises) has been surrendered, and is incapable of resurrection.

**Following agreed conditions the Metropolitan Police Service withdrew their representation on 23<sup>rd</sup> August 2023 and the following statement was received.**



Hello Craig,

Thank you for agreeing to the my proposed condition below.

After much consideration, the Metropolitan Police, as a responsible authority, withdraws its representation.

Many thanks,

Adam.

<b>2-B Other Persons</b>			
<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association:</b>		[REDACTED]	
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	19 <sup>th</sup> June 2023		

[REDACTED], strongly objects to the new licence application '23/03922/LIPN' ([REDACTED]) on grounds of 'prevention of public nuisance' and 'prevention of crime and disorder'. [REDACTED] is a residential building and has a very close proximity to these premises, which are located at [REDACTED].

I note that the application seeks to extend the hours permitted for licensable activities on the lower ground floor, and add the second floor to the licence for the core hours. We strongly object to both the extension of the hours and the expansion of activities. The request is of great concern to our residents who have been plagued over the years by a huge increase in noise, nuisance, anti-social behaviour and other problems, caused by the number of late night licensed premises within a small area. Berkeley Street and its environs are under stress as a result of the number of licensed premises, including a significant number of new premises licences over the years. This has led to Berkeley Street being identified by a detailed study in 2016 as an area with all the characteristics of a 'cumulative impact area', and, more recently, as an area of concern under the City Council's recent 'cumulative impact assessment'. As a result of the latter, the area has been designated as a 'Special Consideration Zone' ("SCZ").

The residents have been relatively successful in recent years at keeping licence hours in Berkeley Street within reasonable bounds - this will go against that and the extension of hours proposed would act as an unfortunate precedent for the area.

Further, it is not clear how the application to extend to 2am complies with the Special Consideration Zone policy for Berkeley Street. This states that:

The local issues that need to be considered by applicants are: o General crime. o Noise nuisance (noise). o Incidents relating to ambulance call outs at night to the locations of licensed premises for intoxication, injury related to intoxication and/or assault

The policy states that 'The Licensing Authority has created this policy to alert future licensing applicants to the importance of taking such significant local issues fully into account in their operating schedules, by particularising the steps that they are proposing to take to promote the licensing objectives in light of those issues in addition to all other matters. This policy will apply to areas of the city that were, until recently a Cumulative Impact Zone, or show significant level of incident rates that are above the borough average but are not yet linked to cumulative impact. This policy aims to prevent areas that have a high concentration of licensed premises and significant levels of incidents from reverting to or becoming a Cumulative Impact Zone.' There is an absence of any indication that the applicant has considered these points.

<b>Name:</b>	[REDACTED]		
<b>Address and/or Residents Association:</b>	[REDACTED] [REDACTED] [REDACTED]		
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	25 <sup>th</sup> June 2023		
<p>The applications for this premises has been very confusing with a number of applications being made and then withdrawn but as far as I can conclude it seems that the application is both for an increase in licensed space and an extension of hours.</p> <p>[REDACTED] would like to support local residents who are objecting, on the grounds that the premises are in a Special Consideration Zone and that any extension of area or time is likely to lead to an increase in nuisance unless grounds are shown to the contrary. We do not believe that such grounds have been demonstrated.</p>			
<b>Name:</b>	[REDACTED]		
<b>Address and/or Residents Association</b>	[REDACTED] [REDACTED] [REDACTED]		
<b>Status:</b>	Valid	<b>In support of opposed:</b>	Opposed
<b>Received:</b>	07 <sup>th</sup> July 2023		
<p>I would like to object to this application. Berkeley Street is saturated with restaurants, clubs, hotels and bars and there is no more room for an additional facility of this kind. We, as residents of [REDACTED], do not get a good night sleep due to excessive noise from the customers of these facilities from shouting, their high performance cars and cycle rickshaws not to mention intimidating drivers parking on the resident parking bays and undesirable people on the street.</p>			
<b>Name:</b>	[REDACTED]		
<b>Address and/or Residents Association</b>	[REDACTED] [REDACTED] [REDACTED]		
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	21 <sup>st</sup> June 2023		
<p>I am writing to formally object to the licensing application submitted by Jeru due to the unprecedented noise pollution it would cause. Approving this application would make it unbearable for neighbours to maintain their peaceful existence. Jeru's direct connection to the residential building at [REDACTED] means that the noise level from the premises constantly disturbs the residents. Extending the license would only exacerbate the existing challenges.</p> <p>The range of problems caused by Jeru extends beyond mere noise disruption. As a resident of [REDACTED], I personally face the negative consequences. Jeru's previous late-night events have rendered it impossible to sleep due to the excessive noise and music levels. Moreover, Jeru has violated construction timelines and their noise isolation measures fall short, allowing loud music and late-night events to disturb the neighbourhood. Additionally, Jeru's extensive occupation of the pedestrian area on Berkeley Street contributes to further pollution.</p> <p>The Westminster City Council has long sought to nurture a thriving community. As a member of</p>			

this community for over a decade, my foremost desire is to see it prosper. However, being part of a community necessitates fostering mutual respect and acting in the best interest of all. Bad actors like Jeru represent the opposite, prioritizing their own interests at the expense of the community. Granting an extension to their license would only encourage such behaviour, damaging the tightly-knit community of [REDACTED].

I kindly urge the Licensing Authority to consider the objections raised and the detrimental impact that extending Jeru's license would have on residents' well-being and the overall harmony of the community. It is crucial to prioritize the interests of the residents in order to uphold the values of a thriving community.

### 3. Policy & Guidance

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

#### Policy HRS1 applies

- A. Applications within the core hours set out below in this policy will generally be granted for the relevant premises uses, subject to not being contrary to other policies in the Statement of Licensing Policy.
- B. Applications for hours outside the core hours set out in Clause C will be considered on their merits, subject to other relevant policies, and with particular regard to the following:
1. The demonstration of compliance in the requirements of policies CD1, PS1, PN1 and CH1 associated with the likelihood of the effect of the grant of a licence for later or earlier hours on crime and disorder, public safety, public nuisance and the protection of children from harm.
  2. If the application is located within a Special Consideration Zone they have demonstrated that they have taken account of the issues identified in that area and provided adequate mitigation.
  3. Whether there is residential accommodation in the proximity of the premises that would likely be adversely affected by premises being open or carrying out operations at the hours proposed.
  4. The proposed hours of the licensable activities and when customers will be permitted to remain on the premises.
  5. The proposed hours when any music, including incidental music, will be played.
  6. The hours when customers will be allowed to take food or drink outside the premises or be within open areas which form part of the premises.
  7. The existing hours of licensable activities and the past operation of the premises (if any) and hours of licensable premises in the vicinity.
  8. Whether customers and staff have adequate access to public transport when arriving at and leaving the premises, especially at night.
  9. The capacity of the premises.
  10. The type of use, recognising that some venues are more likely to impact the licensing objectives than others; for example, pubs and bars are higher risk than theatres, cinemas and other cultural and sporting venues due to the nature of the operation.
  11. The Licensing Authority will take into account the active measures proposed for a 'winding down' period including arrangements for people to be collected from the premises to travel home safely.
  12. Conditions on hours may be attached that require that the supply of alcohol for consumption on the premises ceases a suitable period of time before customers are required to leave the premises.
  13. The council, acting as the Licensing Authority, may reduce hours if, after review, it is necessary to impose conditions specifying shorter hours in order to promote the licensing objectives.
  14. Specific days for non-standard hours should be identified and justified as part of the application to allow responsible authorities and interested parties to evaluate the impact that these licensable activities may have, and to plan accordingly. The consideration of applications for later hours for Bank Holiday Mondays will take into account that later hours are generally granted for preceding Sundays and that the next day is a working day. Non-specific days

	<p>are expected to be covered by Temporary Event Notices or variation applications.</p> <p>C. For the purpose of Clauses A and B above, the Core Hours for applications for each premises use type as defined within this policy are:</p> <p><b>Pubs and bars, Fast Food and Music and Dance venues:</b> Monday to Thursday: 10am to 11.30pm. Friday and Saturday: 10am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 12pm to 12am.</p> <p><b>Restaurants:</b> Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to 12am.</p> <p>D. Core hours are when customers are permitted to be on the premises and therefore the maximum opening hours permitted will be to the same start and terminal hours for each of the days where licensable activity is permitted.</p> <p>E. For the purposes of this policy, 'premises uses' are defined within the relevant premises use policies within this statement.</p>
<p><b>Policy RNT1 applies</b></p>	<p>Applications inside the West End Cumulative Impact Zone will generally be granted subject to: 1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1. 2. The hours for licensable activities are within the council's Core Hours Policy HRS1. 3. The operation of any delivery services for alcohol and/or late-night refreshment meeting the council's Ancillary Delivery of Alcohol and/or Late-Night Refreshment Policy DEL1. 4. The applicant has demonstrated that they will not add to cumulative impact within the Cumulative Impact Zone. 5. The application and operation of the venue meeting the definition of a restaurant as per Clause C. C. For the purposes of this policy a restaurant is defined as: 1. A premises in which customers are shown to their table or the customer will select a table themselves to which food is either served to them or they have collected themselves. 2. Which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at a table. 3. Which do not provide any takeaway service of food and/or drink for immediate consumption, except if provided via an ancillary delivery service to customers at their residential or workplace address. 4. Where alcohol shall not be sold, supplied, or consumed on the premises otherwise than to persons who are bona fide taking substantial table meals and provided always that the consumption of alcohol by such persons is ancillary to taking such meals. 5. The sale and consumption of alcohol prior to such meals may be in a bar area but must also be ancillary to the taking of such meal</p>

#### **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, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

## 5. Appendices

<b>Appendix 1</b>	Licensing Authority witness statement
<b>Appendix 2</b>	Premises plans
<b>Appendix 3</b>	Applicant supporting documents
<b>Appendix 4</b>	Current Premises Licence
<b>Appendix 5</b>	Premises history
<b>Appendix 6</b>	Proposed conditions
<b>Appendix 7</b>	Residential map and list of premises in the vicinity

<b>Report author:</b>	Mrs Angela Rowe Senior Licensing Officer
<b>Contact:</b>	Telephone: 020 7641 6500 Email: arowe@westminster.gov.uk

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

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

<b>1</b>	Licensing Act 2003	N/A
<b>2</b>	City of Westminster Statement of Licensing Policy	1 <sup>st</sup> October 2021
<b>3</b>	Amended Guidance issued under section 182 of the Licensing Act 2003	December 2022
<b>4</b>	Licensing Authority	10 <sup>h</sup> July 2023
<b>5</b>	Environmental Health Service	10 <sup>h</sup> July 2023
<b>6</b>	Metropolitan Police Service – Withdrawn 23 <sup>rd</sup> August 2023	28 <sup>h</sup> June 2023
<b>7</b>	Interested Party 1	19 <sup>h</sup> June 2023
<b>8</b>	Interested Party 2	25 <sup>h</sup> June 2023
<b>9</b>	Interested Party 3	07 <sup>h</sup> July 2023
<b>10</b>	Interested Party 4	21 <sup>st</sup> June 2023



On Thursday 04<sup>th</sup> May 2023 at approximately 00:40 hours, I was on duty on Berkeley Street. I was with Tonecas Fumo a City Inspector in my team. I observed several people queuing directly outside Jeru, 11 Berkeley Street, London W1. I knew that the premises terminal hour for licensable activities was 23.30 Monday to Thursday. I contacted my colleague Juliana Hall to check if a Temporary Events Notice (TEN) was in place. Ms Hall confirmed in accordance with Premise licence 23/00536/LIPT the Sale by Retail of Alcohol was 23:30 hours Monday to Thursday and there was no TEN in place.

At approximately 00:50 hours I approached the premises and waited while the security staff allowed customers enter the premises. They charged £20 entry fee. I introduced myself to the security and asked to speak to the manager. I entered the premises and waited in the ground floor lobby area. I could hear that there was loud amplified music coming from the basement area. While we were waiting for the manager I went down the stairs to the basement and I could see that there was staff working behind the bar and serving drinks to waiting customers. There was a DJ set up to the right of the bar area. I estimated that there was approx. 150 people in the basement area. Most of the tables and chairs had been removed from the centre of the restaurant and customers in this area were dancing. Shortly after, a male came to us and introduced himself as [REDACTED] (Operations Executive) he confirmed they had no TEN in place. He then stated, "they were going to apply but was advised by their legal agent it was too late for an application, but the owner/management wanted them to go ahead with the event".

[REDACTED] stated, "the event was [REDACTED] Tequila launch, with tequila being supplied for free throughout the night and surprised they went ahead with the event as there was no money been made at the bar".

He then went on to say a famous American rapper called "[REDACTED]" was due to arrive for the event to perform as part of the promotion of this brand. Customers were still arriving at the time; no pre-entry checks/searches were conducted. The door supervisors did not have any security badge displayed.

I asked about the closing time of the event, the manager could not provide a definitive time but said he thinks around 03:00 hours. We requested that all licensable activities must stop. [REDACTED] and another member of staff talked through how they could safely stop the event and decided that the only way they could achieve this was to set off the fire alarm. This was done at approx 0115hrs. We were escorted upstairs to the first floor while this was happening. I asked [REDACTED] if he could show me the till receipts from after 2330 hrs. He showed me on the computer, and I took 2 photographs of these till receipts which showed the sale of alcohol after the terminal hour.

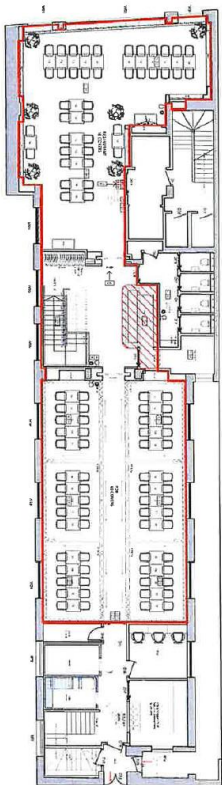
My colleague Juliana have requested a copy of their CCTV and have been in contact with their legal agent. We are investigating the matter further with a view to prosecute under Section 136 the Licensing Act 2003. 2

I continue to support the Licensing Authorities concerns in relation to this application and how the premises would promote the four Licensing Objectives, considering the applicant providing licensable activities other than in accordance with an authorisation.

I can attend a hearing for this application if required.

Martin Tuohy – Team Manager, Public Protection and Licensing





**1** Proposed First Floor Licensing Plan  
Scale: 1:500  
Total First Floor Covers 100

**KEY FIRE DETECTION / PROTECTION**

- 1) Fire detection system to be installed in all rooms.
- 2) Fire alarm system to be installed in all rooms.
- 3) Fire alarm system to be installed in all rooms.
- 4) Fire alarm system to be installed in all rooms.
- 5) Fire alarm system to be installed in all rooms.
- 6) Fire alarm system to be installed in all rooms.
- 7) Fire alarm system to be installed in all rooms.
- 8) Fire alarm system to be installed in all rooms.
- 9) Fire alarm system to be installed in all rooms.
- 10) Fire alarm system to be installed in all rooms.

**KEY NOTES**

- 1) All items of value should be protected with fire extinguishers.
- 2) Fire extinguishers to be installed in all rooms.
- 3) Fire extinguishers to be installed in all rooms.
- 4) Fire extinguishers to be installed in all rooms.
- 5) Fire extinguishers to be installed in all rooms.
- 6) Fire extinguishers to be installed in all rooms.
- 7) Fire extinguishers to be installed in all rooms.
- 8) Fire extinguishers to be installed in all rooms.
- 9) Fire extinguishers to be installed in all rooms.
- 10) Fire extinguishers to be installed in all rooms.

**KEY NOTES**

- 1) This plan has not been surveyed.
- 2) Do not scale from drawing.
- 3) Dimensions prior to construction.
- 4) Fire safety symbols shown are not to scale.
- 5) Fire safety symbols shown are not to scale.
- 6) Fire safety symbols shown are not to scale.
- 7) Fire safety symbols shown are not to scale.
- 8) Fire safety symbols shown are not to scale.
- 9) Fire safety symbols shown are not to scale.
- 10) Fire safety symbols shown are not to scale.

1	1.00	1.00	1.00
2	2.00	2.00	2.00
3	3.00	3.00	3.00
4	4.00	4.00	4.00
5	5.00	5.00	5.00
6	6.00	6.00	6.00
7	7.00	7.00	7.00
8	8.00	8.00	8.00
9	9.00	9.00	9.00
10	10.00	10.00	10.00

1	1.00	1.00	1.00
2	2.00	2.00	2.00
3	3.00	3.00	3.00
4	4.00	4.00	4.00
5	5.00	5.00	5.00
6	6.00	6.00	6.00
7	7.00	7.00	7.00
8	8.00	8.00	8.00
9	9.00	9.00	9.00
10	10.00	10.00	10.00

<p><b>General Notes</b></p> <ol style="list-style-type: none"> <li>1. All heights are to confirm to the required applicable country.</li> <li>2. The Contractor must verify all site specifications and report any discrepancies to the Client prior to construction.</li> <li>3. The Contractor is responsible for the design and construction of the building.</li> <li>4. All specified items are to be installed in accordance with the relevant standards.</li> <li>5. The Contractor is to provide a safe and sound working environment for all persons on the site at all times.</li> <li>6. All risks are to be managed to a high quality.</li> <li>7. All risks are to be managed to a high quality.</li> <li>8. All risks are to be managed to a high quality.</li> <li>9. All risks are to be managed to a high quality.</li> <li>10. All risks are to be managed to a high quality.</li> </ol>	<p><b>Reason Issued</b></p> <p>Local Authority Application</p> <p>Under Issue</p> <p>CONSTRUCTION</p> <p>As Built Information</p>	<p><b>Drawn</b></p> <p>DATE &amp; NAME</p> <p>1/24/23</p> <p>1/24/23</p>	<p><b>Job Details</b></p> <p>1st Floor</p> <p>11 Berkeley St, London W1J 8JS</p> <p>Planning Title: Proposed Licensing Plan</p> <p>Drawn Number: 07/21</p> <p>Scale: 1:500</p>
--	---	--	--



11 Berkeley St, London W1J 8JS

07794 55285

Supporting statement received 24<sup>th</sup> August 2023

Statement on behalf of 11 Berkeley Street Ltd

Berkeley Street Ltd is the premises licence holder of premises licence number 23/02945/LIPDPS for Jeru at 11 Berkeley Street London SW1.

The company acknowledges and accepts that on the 4<sup>th</sup> May 2023 unlicensed activities took place on the premises in contravention of section 136 Licensing Act 2003, in relation to a private event.

The company deeply regrets that this breach took place and has taken the following steps to ensure it does not happen again.

1. The DPS for the premises was immediately replaced on the 5<sup>th</sup> May.
2. The senior manager for the premises has been removed from the premises and no longer has any responsibility for the premises.
3. An external training consultancy was called in and all front of house staff have been retrained and re-educated in their responsibilities under the Licensing Act 2003
4. An external events company has been appointed to deal with and promote all future private events at the premises.

I am authorised to make this statement and sign on behalf of the company

Craig Baylis, Solicitor

.....  


17/8/23

CAPITAL SAFETY  
SOLUTIONS LTD

**CERTIFICATE OF ATTENANCE  
RESPONSIBLE ALCOHOL SERVICE  
AND WELFARE AND VULNERABILITY  
ENGAGEMENT (WAVE) TRAINING**

Presented To :



for attending the above training course on

**18 May 2023**

which includes the following topics:

The Licensing Act 2003, Promoting the Four Licensing Objectives,  
Identifying and Preventing Intoxication, Age Verification, Crime Scene Preservation,  
Factors affecting drinking behaviour, Benefits of WAVE, 5 Principals,  
What is Vulnerability, Factors making a person vulnerable, How to recognize vulnerability,  
Reducing vulnerability, Policy example, Ask for Angela.Support services

CAPITAL SAFETY  
SOLUTIONS LTD

**CERTIFICATE OF ATTENANCE  
RESPONSIBLE ALCOHOL SERVICE  
AND WELFARE AND VULNERABILITY  
ENGAGEMENT (WAVE) TRAINING**

Presented To :



for attending the above training course on

**18 May 2023**

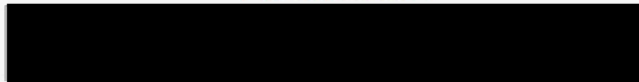
which includes the following topics:

The Licensing Act 2003, Promoting the Four Licensing Objectives,  
Identifying and Preventing Intoxication, Age Verification, Crime Scene Preservation,  
Factors affecting drinking behaviour, Benefits of WAVE, 5 Principals,  
What is Vulnerability, Factors making a person vulnerable, How to recognize vulnerability,  
Reducing vulnerability, Policy example, Ask for Angela.Support services

CAPITAL SAFETY  
SOLUTIONS LTD

**CERTIFICATE OF ATTENANCE  
RESPONSIBLE ALCOHOL SERVICE  
AND WELFARE AND VULNERABILITY  
ENGAGEMENT (WAVE) TRAINING**

Presented To :



for attending the above training course on

**18 May 2023**

which includes the following topics:

The Licensing Act 2003, Promoting the Four Licensing Objectives,  
Identifying and Preventing Intoxication, Age Verification, Crime Scene Preservation,  
Factors affecting drinking behaviour, Benefits of WAVE, 5 Principals,  
What is Vulnerability, Factors making a person vulnerable, How to recognize vulnerability,  
Reducing vulnerability, Policy example, Ask for Angela.Support services

CAPITAL SAFETY  
SOLUTIONS LTD

**CERTIFICATE OF ATTENANCE  
RESPONSIBLE ALCOHOL SERVICE  
AND WELFARE AND VULNERABILITY  
ENGAGEMENT (WAVE) TRAINING**

Presented To :



for attending the above training course on

**18 May 2023**

which includes the following topics:

The Licensing Act 2003, Promoting the Four Licensing Objectives,  
Identifying and Preventing Intoxication, Age Verification, Crime Scene Preservation,  
Factors affecting drinking behaviour, Benefits of WAVE, 5 Principals,  
What is Vulnerability, Factors making a person vulnerable, How to recognize vulnerability,  
Reducing vulnerability, Policy example, Ask for Angela.Support services

CAPITAL SAFETY  
SOLUTIONS LTD

**CERTIFICATE OF ATTENANCE  
RESPONSIBLE ALCOHOL SERVICE  
AND WELFARE AND VULNERABILITY  
ENGAGEMENT (WAVE) TRAINING**

Presented To :



for attending the above training course on

**18 May 2023**

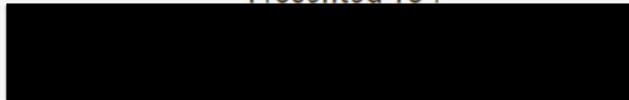
which includes the following topics:

The Licensing Act 2003, Promoting the Four Licensing Objectives,  
Identifying and Preventing Intoxication, Age Verification, Crime Scene Preservation,  
Factors affecting drinking behaviour, Benefits of WAVE, 5 Principals,  
What is Vulnerability, Factors making a person vulnerable, How to recognize vulnerability,  
Reducing vulnerability, Policy example, Ask for Angela.Support services

CAPITAL SAFETY  
SOLUTIONS LTD

**CERTIFICATE OF ATTENANCE  
RESPONSIBLE ALCOHOL SERVICE  
AND WELFARE AND VULNERABILITY  
ENGAGEMENT (WAVE) TRAINING**

Presented To :



for attending the above training course on

**18 May 2023**

which includes the following topics:

The Licensing Act 2003, Promoting the Four Licensing Objectives,  
Identifying and Preventing Intoxication, Age Verification, Crime Scene Preservation,  
Factors affecting drinking behaviour, Benefits of WAVE, 5 Principals,  
What is Vulnerability, Factors making a person vulnerable, How to recognize vulnerability,  
Reducing vulnerability, Policy example, Ask for Angela.Support services



CAPITAL SAFETY  
SOLUTIONS LTD

**CERTIFICATE OF ATTENANCE  
RESPONSIBLE ALCOHOL SERVICE  
AND WELFARE AND VULNERABILITY  
ENGAGEMENT (WAVE) TRAINING**

Presented To :



for attending the above training course on

**18 May 2023**

which includes the following topics:

The Licensing Act 2003, Promoting the Four Licensing Objectives,  
Identifying and Preventing Intoxication, Age Verification, Crime Scene Preservation,  
Factors affecting drinking behaviour, Benefits of WAVE, 5 Principals,  
What is Vulnerability, Factors making a person vulnerable, How to recognize vulnerability,  
Reducing vulnerability, Policy example, Ask for Angela.Support services

CAPITAL SAFETY  
SOLUTIONS LTD

**CERTIFICATE OF ATTENANCE  
RESPONSIBLE ALCOHOL SERVICE  
AND WELFARE AND VULNERABILITY  
ENGAGEMENT (WAVE) TRAINING**

Presented To :



for attending the above training course on

**18 May 2023**

which includes the following topics:

The Licensing Act 2003, Promoting the Four Licensing Objectives,  
Identifying and Preventing Intoxication, Age Verification, Crime Scene Preservation,  
Factors affecting drinking behaviour, Benefits of WAVE, 5 Principals,  
What is Vulnerability, Factors making a person vulnerable, How to recognize vulnerability,  
Reducing vulnerability, Policy example, Ask for Angela.Support services

CAPITAL SAFETY  
SOLUTIONS LTD

**CERTIFICATE OF ATTENDANCE  
RESPONSIBLE ALCOHOL SERVICE  
AND WELFARE AND VULNERABILITY ENGAGEMENT  
(WAVE) TRAINING  
FOR MANAGERS**

[REDACTED]  
for attending the above training course on

**8 May 2023**

which includes the following topics:

The Licensing Act 2003, The Four Licensing Objectives, Closure Powers, Age Verification, Identifying and Dealing with intoxication, Drugs, Guest Welfare, Ejections, Conflict Management; Dealing with serious incidents, Crime Scene Preservation, Writing incident reports, Daily Record Keeping (Due Diligence). Factors affecting drinking behaviour, Benefits of WAVE, 5 Principals, What is Vulnerability, Factors making a person vulnerable, How to recognize vulnerability, Reducing vulnerability, Policy example, Ask for Angela.Support

CAPITAL SAFETY  
SOLUTIONS LTD

**CERTIFICATE OF ATTENDANCE  
RESPONSIBLE ALCOHOL SERVICE  
AND WELFARE AND VULNERABILITY ENGAGEMENT  
(WAVE) TRAINING  
FOR MANAGERS**

Presented To :

[REDACTED]  
for attending the above training course on

**8 May 2023**

which includes the following topics:

The Licensing Act 2003, The Four Licensing Objectives, Closure Powers, Age Verification, Identifying and Dealing with intoxication, Drugs, Guest Welfare, Ejections, Conflict Management; Dealing with serious incidents, Crime Scene Preservation, Writing incident reports, Daily Record Keeping (Due Diligence). Factors affecting drinking behaviour, Benefits of WAVE, 5 Principals, What is Vulnerability, Factors making a person vulnerable, How to recognize vulnerability, Reducing vulnerability, Policy example, Ask for Angela.Support

CAPITAL SAFETY  
SOLUTIONS LTD

**CERTIFICATE OF ATTENDANCE  
RESPONSIBLE ALCOHOL SERVICE  
AND WELFARE AND VULNERABILITY ENGAGEMENT  
(WAVE) TRAINING  
FOR MANAGERS**

Presented To :

[REDACTED]  
for attending the above training course on

**8 May 2023**

which includes the following topics:

The Licensing Act 2003, The Four Licensing Objectives, Closure Powers, Age Verification, Identifying and Dealing with intoxication, Drugs, Guest Welfare, Ejections, Conflict Management; Dealing with serious incidents, Crime Scene Preservation, Writing incident reports, Daily Record Keeping (Due Diligence). Factors affecting drinking behaviour, Benefits of WAVE, 5 Principals, What is Vulnerability, Factors making a person vulnerable, How to recognize vulnerability, Reducing vulnerability, Policy example, Ask for Angela.Support

CAPITAL SAFETY  
SOLUTIONS LTD

**CERTIFICATE OF ATTENDANCE  
RESPONSIBLE ALCOHOL SERVICE  
AND WELFARE AND VULNERABILITY ENGAGEMENT  
(WAVE) TRAINING  
FOR MANAGERS**

Presented To :

[REDACTED]  
for attending the above training course on

**8 May 2023**

which includes the following topics:

The Licensing Act 2003, The Four Licensing Objectives, Closure Powers, Age Verification, Identifying and Dealing with intoxication, Drugs, Guest Welfare, Ejections, Conflict Management; Dealing with serious incidents, Crime Scene Preservation, Writing incident reports, Daily Record Keeping (Due Diligence). Factors affecting drinking behaviour, Benefits of WAVE, 5 Principals, What is Vulnerability, Factors making a person vulnerable, How to recognize vulnerability, Reducing vulnerability, Policy example, Ask for Angela.Support

CAPITAL SAFETY  
SOLUTIONS LTD

**CERTIFICATE OF ATTENDANCE  
RESPONSIBLE ALCOHOL SERVICE  
AND WELFARE AND VULNERABILITY ENGAGEMENT  
(WAVE) TRAINING  
FOR MANAGERS**

Presented To :

[REDACTED]  
for attending the above training course on

**8 May 2023**

which includes the following topics:

The Licensing Act 2003, The Four Licensing Objectives, Closure Powers, Age Verification, Identifying and Dealing with intoxication, Drugs, Guest Welfare, Ejections, Conflict Management; Dealing with serious incidents, Crime Scene Preservation, Writing incident reports, Daily Record Keeping (Due Diligence). Factors affecting drinking behaviour, Benefits of WAVE, 5 Principals, What is Vulnerability, Factors making a person vulnerable, How to recognize vulnerability, Reducing vulnerability, Policy example, Ask for Angela.Support

CAPITAL SAFETY  
SOLUTIONS LTD

**CERTIFICATE OF ATTENDANCE  
RESPONSIBLE ALCOHOL SERVICE  
AND WELFARE AND VULNERABILITY ENGAGEMENT  
(WAVE) TRAINING  
FOR MANAGERS**

Presented To :

[REDACTED]  
for attending the above training course on

**8 May 2023**

which includes the following topics:

The Licensing Act 2003, The Four Licensing Objectives, Closure Powers, Age Verification, Identifying and Dealing with intoxication, Drugs, Guest Welfare, Ejections, Conflict Management; Dealing with serious incidents, Crime Scene Preservation, Writing incident reports, Daily Record Keeping (Due Diligence). Factors affecting drinking behaviour, Benefits of WAVE, 5 Principals, What is Vulnerability, Factors making a person vulnerable, How to recognize vulnerability, Reducing vulnerability, Policy example, Ask for Angela.Support



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

Schedule 12  
Part A

WARD: West End  
UPRN: 100023473522

Premises licence

Regulation 33, 34

Premises licence number:

23/02945/LIPDPS

Original Reference:

21/08226/LIPN

**Part 1 – Premises details**

**Postal address of premises:**

Jeru  
11 Berkeley Street  
London  
W1J 8DS

**Telephone Number:** Not Supplied

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

Not applicable

**Licensable activities authorised by the licence:**

Playing of Recorded Music  
Late Night Refreshment  
Sale by Retail of Alcohol

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

**Playing of Recorded Music**

Sunday to Thursday: 09:00 to 23:30  
Friday to Saturday: 09:00 to 01:00  
*Seasonal Details:* Sundays before Bank Holidays 09:00 to 00:00

**Late Night Refreshment**

Monday to Thursday: 23:00 to 23:30  
Friday to Saturday: 23:00 to 01:00  
*Seasonal Details:* Sundays before Bank Holidays 23:00 to 00:00

**Sale by Retail of Alcohol**

Monday to Thursday: 10:00 to 23:30  
Friday to Saturday: 10:00 to 01:00  
Sunday: 12:00 to 22:30  
*Seasonal Details:* Sundays before Bank Holidays 10:00 to 00:00

**The opening hours of the premises:**

Monday to Thursday: 07:00 to 23:30  
Friday to Saturday: 07:00 to 01:00  
Sunday: 07:00 to 22:30

*Seasonal Details:* Sundays before Bank Holidays 10:00 to 00:00

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

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

**Part 2**

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

11 Berkeley Street Limited  
11 Berkeley Street  
London  
W1J 8DS  
*Electronic Mail : cbaylis@kingsleynapley.co.uk*

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

12430535

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

**Name:** Stefano Luscia

*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:** LAPERS/19/60821  
**Licensing Authority:** London Borough Of Barnet

**Date:** 01 June 2023

**This licence has been authorised by Ola AJose-Adeogun 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.

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

None

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

9. Except for the ground floor holding bar hatched area the premises shall operate as a restaurant:
  - i) In which customers are shown to their table
  - ii) Where the supply of alcohol is by waiter or waitress service only,
  - iii) Which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery,
  - iv) Which do not provide any takeaway service of food or drink for immediate consumption,
  - v) Which do not provide any takeaway service of food or drink after 23:00, and
  - vi) Where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking a substantial table meal there and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.

Notwithstanding this condition customers are permitted to take from the premises part consumed and resealed bottles of wine supplied ancillary to their meal.
10. Notwithstanding the above condition, alcohol may be sold to and consumed by up to a maximum of 25 persons in the holding bar area hatched red on the plan, prior to and after their meal until 23:30 hours when the area will become a holding area.
11. The supply of alcohol for consumption on the premises within the holding area shall only be to persons seated.
12. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
13. There shall be no sales of hot food or hot drink for consumption 'Off' the premises after 23:00 hours.
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. There shall be no supply of alcohol for consumption 'Off' the premises after 23.00 hours.
16. 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 are open for licensable activities and during all times when customers remain on the premises and will include the external area immediately outside the premises entrance. 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 preceding 31-day period.
17. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are 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.
18. A Challenge 21 or Challenge 25 scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as driving licence, military ID card, passport or proof of age card with the PASS Hologram.

19. The smoking area for patrons shall be restricted to the private terrace shown on the attached plan.
20. Patrons permitted to temporarily leave and then re-enter the premises to smoke shall be restricted to the designated smoking area as defined on the licensed plan.
21. Patrons permitted to temporarily leave and then re-enter the premises at ground floor level shall not be permitted to take drinks or glass containers with them.
22. There shall be no smoking on the street immediately outside the premises.
23. The premises licence holder shall ensure that any patrons smoking outside the premises do so in an orderly manner and are supervised by staff so as to ensure that there is no public nuisance.
24. There shall be no admittance or re-admittance to the premises after 23:30 hours.
25. A direct telephone number for the manager at the premises shall be publicly available at all times the premises are open. This telephone number is to be made available to residents and businesses in the vicinity.
26. After 21.00 hours each day there shall be a personal licence holder on duty on the premises at all times when the premises are authorised to sell alcohol.
27. After 21.00 hours at least 1 SIA licensed door supervisor shall be on duty at the entrance of the premises at all times whilst it is open for business.
28. 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 regarding crime and disorder
  - (d) any incidents of disorder
  - (e) any faults in the CCTV system
  - (f) any refusal of the sale of alcohol
  - (g) any visit by a relevant authority or emergency service
29. 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.
30. External doors shall be kept closed after 23.00 hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons.
31. Loudspeakers shall not be located in the entrance lobby or outside the premises building, including any external terraces.
32. 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 affected 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.
33. Notices shall be prominently displayed at all exits requesting patrons to respect the

needs of local residents and businesses and leave the area quietly.

34. 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.
35. 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.
36. All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.
37. All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device.
38. Curtains and hangings shall be arranged so as not to obstruct emergency safety signs or emergency equipment.
39. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.
40. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
41. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 23.00 hours and 08.00 hours on the following day.
42. No collections of waste or recycling materials (including bottles) from the premises shall take place between 23.00 and 08.00 hours on the following day.
43. With the exception of fresh produce, deliveries to the premises shall only take place between the hours of 07:30 and 12:00 hours (midday) Monday to Saturday and between 09:00 and 12:00 hours Sundays and Bank Holidays.
44. 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.
45. The licence holder shall ensure that any queue to enter the premises which forms outside the premises is orderly and supervised by door staff so as to ensure that there is no public nuisance or obstruction to the public highway.
46. The number of persons permitted in the premises at any one time (excluding staff) shall not exceed:  
Ground Floor: 90 persons  
Basement: 90 persons  
With no more than 175 persons at any one time.
47. The Premises Licence Holder shall facilitate a Dispersal Policy which shall include the following provisions:
  - (a) staff and door supervisors to control a slow stream of customers and guests leaving the premises.
  - (b) staff and door supervisors to encourage guests to leave the area quickly and quietly.
  - (c) staff to provide guests with details on transport options and directions for onward travel.

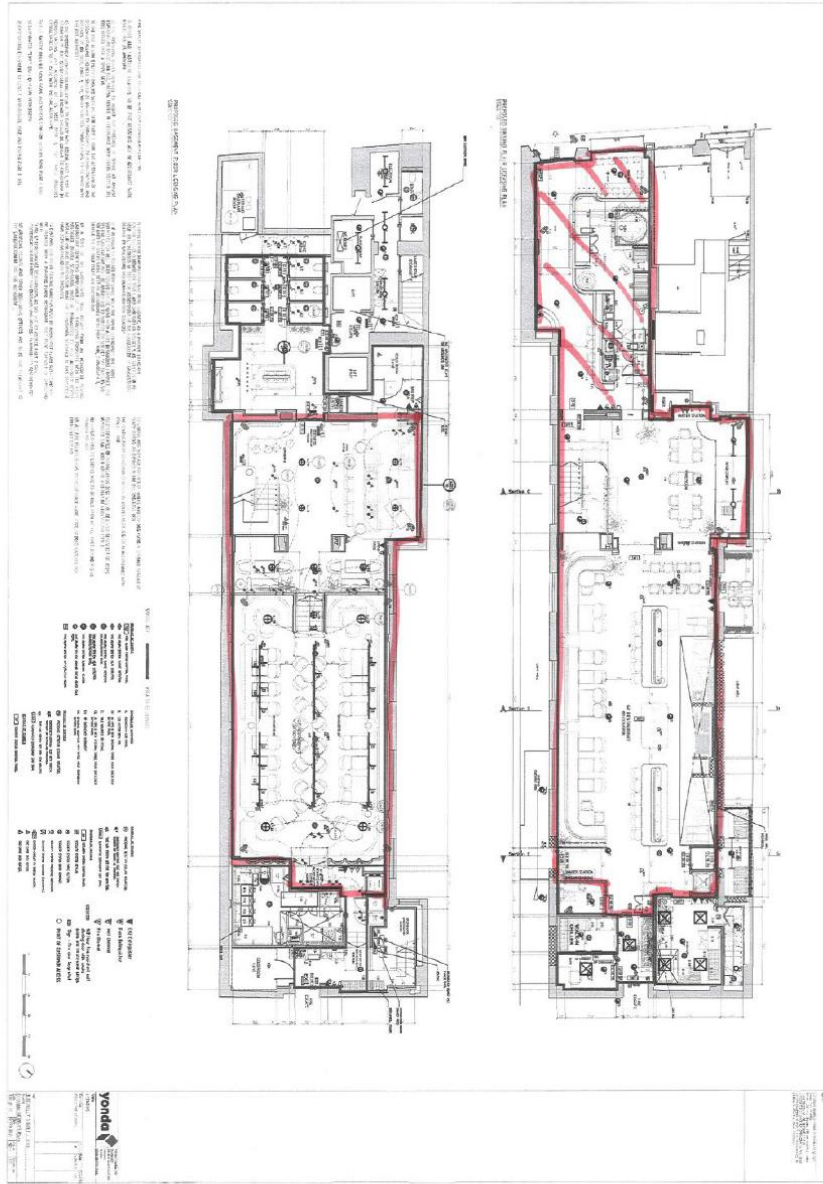
(d) Notices will be prominently displayed at exits requesting guests to respect the needs of local residents and to leave the area quietly, in a considerate manner, directing them towards Piccadilly.

(e) Staff and security will remain on duty at the premises until 30 minutes after the event ends to assist with the safe dispersal of guests.

(f) Guests will be encouraged to remain inside the premises if waiting for taxis, Ubers or chauffeur cars.

48. A copy of the Premises Dispersal Policy shall be made readily available at the premises for inspection by a Police Officer and/or an authorised officer of the Council.
49. The Premises Licence Holder shall submit a revised plan showing the holding area and the designated smoking area to the Licensing Authority.

Annex 4 – Plans





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

Schedule 12  
Part B

WARD: West End  
UPRN: 100023473522

Premises licence  
summary

Regulation 33, 34

Premises licence number:

23/02949/LIPDPS

**Part 1 – Premises details**

**Postal address of premises:**

Jeru  
11 Berkeley Street  
London  
W1J 8DS

**Telephone Number:** Not Supplied

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

Not applicable

**Licensable activities authorised by the licence:**

Playing of Recorded Music  
Late Night Refreshment  
Sale by Retail of Alcohol

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

**Playing of Recorded Music**

Sunday to Thursday: 09:00 to 23:30  
Friday to Saturday: 09:00 to 01:00  
*Seasonal Details:* Sundays before Bank Holidays 09:00 to 00:00

**Late Night Refreshment**

Monday to Thursday: 23:00 to 23:30  
Friday to Saturday: 23:00 to 01:00  
*Seasonal Details:* Sundays before Bank Holidays 23:00 to 00:00

**Sale by Retail of Alcohol**

Monday to Thursday: 10:00 to 23:30  
Friday to Saturday: 10:00 to 01:00  
Sunday: 12:00 to 22:30  
*Seasonal Details:* Sundays before Bank Holidays 10:00 to 00:00



**The opening hours of the premises:**

Monday to Thursday: 07:00 to 23:30  
Friday to Saturday: 07:00 to 01:00  
Sunday: 07:00 to 22:30

*Seasonal Details:* Sundays before Bank Holidays 10:00 to 00:00

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

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

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

11 Berkeley Street Limited  
11 Berkeley Street  
London  
W1J 8DS

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

12430535

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

Name: Stefano Lucia

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

Restricted

Date: 01 June 2023

This licence has been authorised by Ola Ajose-Adeogun on behalf of the Director - Public Protection and Licensing.

**Premises History****Appendix 5**

<b>Application</b>	<b>Details of Application</b>	<b>Date Determined</b>	<b>Decision</b>
21/08226/LIPN	New Premises Application for Playing of recorded music Monday – Thursday 09:00 - 23:30 Friday - Saturday 09:00 to 01:00 Late night refreshment Monday - Thursday 23:00 - 23:30 Friday - Saturday 23:00 to 01:00 Sale by retail of alcohol Monday - Thursday 10:00 - 23:30 Friday – Saturday 10:00 to 01:00 Sunday 12:00 – 22:30	03.02.2022	Granted Under Delegated Authority
22/07331/LIPVM	Permit opening hour of 07:00 Monday to Saturday for service of breakfast.	14.08.2022	Granted Under Delegated Authority

22/07347/LIPDPS	Application to vary DPS	16.08.2022	Granted Under Delegated Authority
23/00536/LIPT	Application to transfer premises licence from 88 Hudson Limited to 11 Berkeley Street Limited	20.02.2023	Granted Under Delegated Authority
23/01938/LIPV	Permit live and recorded music on lower ground floor until 02.00 Friday and Saturday All other timings and activities to remain the same.		Application Withdrawn
23/02423/LIPV	To permit a terminal hour of 02.00 for all licensable activities on Friday and Saturday on the lower ground floor only. All other timings to remain the same in all other parts of the premises.		Application Withdrawn
23/02945/LIPDPS	Application to vary DPS	19.05.2023	Granted Under Delegated Authority
23/04503/LIPDPS	Application to vary DPS		Application in Consultation

### Application for Temporary Event Notices

Application	Details of Application	Date Determined	Decision
21/13045/LITENP	Application to operate from 02.12.21 23:30 to 01:00 to 5.12.21 00:01 to 01:00	21.12.2021	Event allowed to proceed
21/13047/LITENP	Application to operate from 09.12.21 23:30 to 01:00 to 12.12.21 00:01 to 01:00	04.12.2021	Event allowed to proceed
21/13050/LITENP	Application to operate from 16.12.21 23:30 to 01:00 to 19.12.21 00:01 to 01:00	17.11.2021	Event allowed not allowed to proceed
21/13124/LITENP	Application to operate from 16.12.21 00:01 to	21.12.2021	Event allowed to proceed

	02:00		
21/14703/LITENP	Application to operate from 07.01.22 to 08.01.22 00:01 to 01:00	31.12.2021	Event allowed to proceed
21/14704/LITENP	Application to operate from 13.01.22 23:30 to 01:00 to 15.1.22 00:01 to 01:00	31.12.2021	Event allowed to proceed
22/00057/LITENP	Application to operate from 20.01.22 23:30 to 01:00 to 23.1.22 00:01 to 01:00	11.1.2022	Event allowed to proceed
22/00237/LITENP	Application to operate 19.2.22 00:01 to 03:00	20.1.2022	Event allowed to proceed
22/05219/LITENP	Application to operate 19.2.22 00:01 to 03:00	23.05.2022	Event allowed to proceed
22/10767/LITENP	Application to operate 31.12.22 23:59 to 02:00	22.11.2022	Event allowed to proceed
23/00735/LITENP	Application to operate 11.2.23 01:00 to 02:30	08.02.2023	Event allowed to proceed
23/00736/LITENP	Application to operate 05.3.23 01:00 to 02:30	08.02.2023	Event allowed to proceed
23/00870/LITENP	Application to operate 18.2.23 01:00 to 02:30	15.02.2023	Event allowed to proceed
23/05153/LITENP	Application to operate 10.10.23 23:30 to 03:00	09.08.2023	Event allowed to proceed

**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. All persons guarding premises against unauthorised access or occupation or against outbreaks of disorder or against damage (door supervisors) must be licensed by the Security Industry Authority.

## Conditions consistent with the operating schedule

10. Except for the ground floor holding bar hatched area (the bakery/patisserie) the premises shall operate as a restaurant:
  - i) In which customers are shown to their table
  - ii) Where the supply of alcohol is by waiter or waitress service only,
  - iii) Which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery, iv) Which do not provide any takeaway service of food or drink for immediate consumption, v) Which do not provide any takeaway service of food or drink after 23:00, and vi) Where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking a substantial table meal there and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.

Notwithstanding this condition customers are permitted to take from the premises part consumed and resealed bottles of wine supplied ancillary to their meal.

11. Notwithstanding the above condition, alcohol may be sold to and consumed by up to a maximum of 25 persons in the holding bar areas hatched red on the plan, prior to and after their meal until 23:30 hours when the areas will become a holding area.
12. The supply of alcohol for consumption on the premises within the holding areas shall only be to persons seated.
13. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
14. There shall be no sales of hot food or hot drink for consumption 'Off' the premises after 23:00 hours.
15. All sales of alcohol for consumption 'Off' the premises shall be in sealed containers only and shall not be consumed on the premises.
16. There shall be no supply of alcohol for consumption 'Off' the premises after 23.00 hours.
16. 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 are open for licensable activities and during all times when customers remain on the premises and will include the external area immediately outside the premises entrance. 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 preceding 31-day period.
17. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are 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.
18. A Challenge 21 or Challenge 25 scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as driving licence, military ID card, passport or proof of age card with the PASS Hologram.



19. The smoking area for patrons shall be restricted to the private terrace shown on the plan.
20. Patrons permitted to temporarily leave and then re-enter the premises to smoke shall be restricted to the designated smoking area as defined on the plan.
21. Patrons permitted to temporarily leave and then re-enter the premises at ground floor level shall not be permitted to take drinks or glass containers with them.
22. There shall be no smoking on the street immediately outside the premises.
23. The premises licence holder shall ensure that any patrons smoking outside the premises do so in an orderly manner and are supervised by staff so as to ensure that there is no public nuisance.
24. There shall be no admittance or re-admittance to the premises after 23:30 hours.
25. A direct telephone number for the manager at the premises shall be publicly available at all times the premises are open. This telephone number is to be made available to residents and businesses in the vicinity.
26. After 21.00 hours each day there shall be a personal licence holder on duty on the premises at all times when the premises are authorised to sell alcohol.
27. After 21.00 hours at least 1 SIA licensed door supervisor shall be on duty at the entrance of the premises at all times whilst it is open for business.
28. 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 regarding crime and disorder (d) any incidents of disorder (e) any faults in the CCTV system (f) any refusal of the sale of alcohol (g) any visit by a relevant authority or emergency service
29. 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.
30. External doors shall be kept closed after 23.00 hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons.
31. Loudspeakers shall not be located in the entrance lobby or outside the premises building, including any external terraces.
32. 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 affected 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.

33. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
34. 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.
35. 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.
36. All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.
37. All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device.
38. Curtains and hangings shall be arranged so as not to obstruct emergency safety signs or emergency equipment.
39. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.
40. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
41. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 23.00 hours and 08.00 hours on the following day.
42. No collections of waste or recycling materials (including bottles) from the premises shall take place between 23.00 and 08.00 hours on the following day.
43. With the exception of fresh produce, deliveries to the premises shall only take place between the hours of 07:30 and 12:00 hours (midday) Monday to Saturday and between 09:00 and 12:00 hours Sundays and Bank Holidays.
44. 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.
45. The licence holder shall ensure that any queue to enter the premises which forms outside the premises is orderly and supervised by door staff so as to ensure that there is no public nuisance or obstruction to the public highway.
46. 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.
47. The Premises Licence Holder shall facilitate a Dispersal Policy which shall include the following provisions: (a) staff and door supervisors to control a slow stream of customers and guests leaving the premises. (b) staff and door supervisors to encourage guests to leave the area quickly and quietly. (c) staff to provide guests with details on transport options and directions for onward travel. (d) Notices will be prominently displayed at

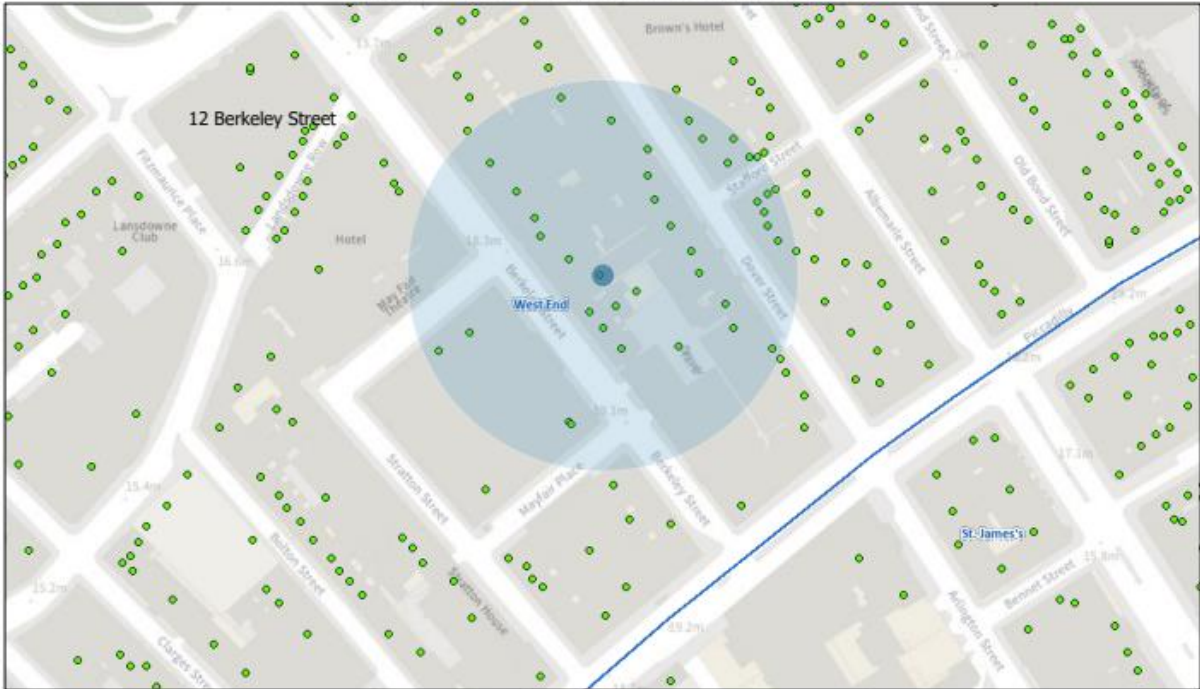
exits requesting guests to respect the needs of local residents and to leave the area quietly, in a considerate manner, directing them towards Piccadilly. (e) Staff and security will remain on duty at the premises until 30 minutes after the event ends to assist with the safe dispersal of guests. (f) Guests will be encouraged to remain inside the premises if waiting for taxis, Ubers or chauffeur cars.

48. A copy of the Premises Dispersal Policy shall be made readily available at the premises for inspection by a Police Officer and/or an authorised officer of the Council.

**Conditions proposed by the Licensing Authority and Metropolitan Police Service and agreed by the applicant.**

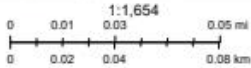
49. No licensable activities shall take place at the premises until premises 23/02945/LIPDPS (or such other number subsequently issued for the premises) has been surrendered [and is incapable of resurrection].

Jeru, 11 Berkeley Street, London, W1J 8DS



23/08/2023, 07:55:00

- Property Mailing List
- Ward Boundaries
- Ward Labels



**Resident Count 36**

**Licensed premises with 75 metres of Jeru, 11 Berkeley Street, London, W1J 8DS**

<b>Licence Number</b>	<b>Trading Name</b>	<b>Address</b>	<b>Premises Type</b>	<b>Time Period</b>
23/02945/LIPDPS	Jeru	11 Berkeley Street London W1J 8DS	Food store	Sunday; 07:00 - 22:30   Monday to Thursday; 07:00 - 23:30   Friday to Saturday; 07:00 - 01:00
22/07913/LIPRW	Shadow Licence	11 Berkeley Street London W1J 8DS	Restaurant	Sunday; 09:00 - 22:30   Monday to Thursday; 07:00 - 23:30   Friday to Saturday; 07:00 - 01:00   Sundays before Bank Holidays; 09:00 - 00:00
21/06202/LIPN	Not Recorded	Ground Floor 11 Berkeley Street London W1J 8DS	Restaurant	Sunday; 09:00 - 22:30   Monday to Thursday; 09:00 - 23:30   Friday to Saturday; 09:00 - 00:00
22/07478/LIPVM	SHOT London	10A Berkeley Street London W1J 8DR	Cafe	Monday; 08:00 - 00:00   Tuesday; 08:00 - 00:00   Wednesday; 08:00 - 00:00   Thursday; 08:00 - 00:00   Friday; 08:00 - 00:00   Saturday; 09:00 - 00:00   Sunday; 09:00 - 00:00
23/05190/LIPVM	The Arts Club	Basement To First Floor 40 Dover Street London W1S 4NP	Club or institution	Monday; 00:00 - 00:00   Tuesday; 00:00 - 00:00   Wednesday; 00:00 - 00:00   Thursday; 00:00 - 00:00   Friday; 00:00 - 00:00   Saturday; 00:00 - 00:00   Sunday; 00:00 - 00:00
12/07557/LIPDPS	The Arts Club	Basement To First Floor 40 Dover Street London W1S 4NP	Club or institution	Monday to Sunday; 00:00 - 00:00   Monday to Sunday; 08:30 - 03:30
23/03277/LIPDPS	Luxx	15 - 16 Berkeley Street	Restaurant	Monday; 09:00 - 03:30   Tuesday; 09:00 - 03:30

		London W1J 8DY		Wednesday; 09:00 - 03:30   Thursday; 09:00 - 03:30   Friday; 09:00 - 03:30   Saturday; 09:00 - 03:30   Sunday; 12:00 - 23:00
23/02315/LIDPSR	Il Borro	Ground Floor 15 Berkeley Street London W1J 8DY	Restaurant	Monday; 09:00 - 02:30   Tuesday; 09:00 - 02:30   Wednesday; 09:00 - 02:30   Thursday; 09:00 - 02:30   Friday; 09:00 - 02:30   Sunday; 12:00 - 00:00
16/00681/LIPV	Novikov	50A Berkeley Street London W1J 8HA	Office	Monday to Sunday; 07:00 - 02:00
23/00933/LIPDPS	Bagatelle	Basement And Ground Floor Dover House 34 Dover Street London W1S 4NG	Restaurant	Monday; 09:00 - 01:00   Tuesday; 09:00 - 01:00   Wednesday; 09:00 - 01:00   Thursday; 09:00 - 01:00   Friday; 09:00 - 01:00   Saturday; 09:00 - 01:00   Sunday; 09:00 - 00:30
09/06623/LIPN	Le Petit Cafe	5A Stafford Street London W1S 4RR	Cafe	Saturday; 08:00 - 20:00   Monday to Friday; 06:00 - 20:00
09/03331/LIPD	Thresher Wine Shop	12 Dover Street London W1S 4LL	Shop	Sunday; 10:00 - 22:30   Monday to Saturday; 08:00 - 23:00