



City of Westminster

# Committee Agenda

Title: **Licensing Sub-Committee (4)**

Meeting Date: **Tuesday 13th January, 2015**

Time: **10.00 am**

Venue: **Rooms 5, 6 & 7 - 17th Floor, City Hall**

Members: **Councillors:**

Jean Paul Floru (Chairman)  
Louise Hyams  
Patricia McAllister

**Members of the public are welcome to attend the meeting and listen to the discussion Part 1 of the Agenda**

**Admission to the public gallery is by ticket, issued from the ground floor reception at City Hall from 9.00am. If you have a disability and require any special assistance please contact the Committee Officer (details listed below) in advance of the meeting.**



**An Induction loop operates to enhance sound for anyone wearing a hearing aid or using a transmitter. If you require any further information, please contact the Committee Officer, Jonathan Deacon.**

**Email: [jdeacon@westminster.gov.uk](mailto:jdeacon@westminster.gov.uk) Tel: 020 7641 2783  
Corporate Website: [www.westminster.gov.uk](http://www.westminster.gov.uk)**

**Note for Members:** Members are reminded that Officer contacts are shown at the end of each report and Members are welcome to raise questions in advance of the meeting. With regard to item 2, guidance on declarations of interests is included in the Code of Governance; if Members and Officers have any particular questions they should contact the Head of Legal & Democratic Services in advance of the meeting please.

## AGENDA

### PART 1 (IN PUBLIC)

#### 1. MEMBERSHIP

The Head of Legal and Democratic Services to report any changes to the membership.

#### 2. DECLARATIONS OF INTEREST

To receive declarations by Members and Officers of any personal or prejudicial interests in matters on this agenda.

#### Licensing Applications for Determination

#### 1. HUSH, 8 LANCASHIRE COURT, W1

(Pages 1 - 52)

App No	Ward/	Site Name and Address	Application	Licensing Reference Number
1.	West End / not applicable	Hush, 8 Lancashire Court, W1	Variation	14/09685/LIPV

#### 2. SHADOW LOUNGE, BASEMENT AND PART GROUND FLOOR, 3-7 BREWER STREET, W1

(Pages 53 - 110)

App No	Ward/	Site Name and Address	Application	Licensing Reference Number
2.	West End / West End	Shadow Lounge, Basement And Part Ground Floor, 3-7 Brewer Street, W1	New	14/08411/LIPN

**3. FRIENDS SUPERMARKET, 82 LUPUS STREET, SW1**

**(Pages 111 -  
174)**

App No	Ward/	Site Name and Address	Application	Licensing Reference Number
3.	Warwick / not applicable	Friends Supermarket, 82 Lupus Street, SW1	New	14/10384/LIPN

**Peter Large  
Head of Legal & Democratic Services  
8 January 2015**

In considering applications for premises licences under the Licensing Act 2003, the sub-committee is advised of the following:

### **POLICY CONSIDERATIONS**

The City of Westminster statement of licensing policy applies to all applications where relevant representations have been made. The Licensing Sub-Committee is required to have regard to the City of Westminster statement of Licensing Policy and the guidance issued by the Secretary of state under Section 182 of the Licensing Act 2003.

### **GUIDANCE CONSIDERATIONS**

The Licensing Authority is required to have regard to any guidance issued by the Secretary of State under the Licensing Act 2003.

### **PERMITTED TEMPORARY ACTIVITIES**

The licensee of any premises is entitled under the Licensing Act 2003 to apply for permission to hold temporary events, authorising licensable activities instead of or in addition to any activities that may be authorised by a premises licence, subject to the following restrictions:

- 1) No more than 12 events over a total of 21 days may be held at any one premises in any year
- 2) Each event must last for no more than 168 hours
- 3) There must be 24 hours between each event
- 4) The number of people at each event must be less than 500.

A Temporary Event Notice for each event (a TEN) is required to be given to the licensing authority, the police and environmental health service no later than 10 working days before the event for a 'standard' TEN or 5 to 9 working days before the event is due to begin for a 'late' TEN. The licensing authority is required to send an acknowledgement by the next working day.

Once a Temporary Event Notice is given the police and environmental health service have a right to object to the event if they are satisfied that the event will undermine any of the licensing objectives of preventing crime and disorder, prevention of public nuisance, protection of children from harm and promotion of public safety. They must serve an objection notice stating their reasons as to why the objectives would be undermined to the licensing authority and the premises user within 3 working days of receiving a copy of the TEN. The licensing authority is required to hold a hearing and may issue a counter notice which will prevent the event taking place.

## **LIVE MUSIC ACT 2012**

The Live Music Act amends the Licensing Act 2003 by:

- removing the licensing requirement for amplified live music taking place between 8am and 11pm before audiences of no more than 200 persons on premises authorised by a premises licence or club premises certificate to supply alcohol for consumption on the premises (at a time when those premises are open for the purposes of being used for the supply of alcohol for consumption on the premises), subject to the right of a licensing authority to impose conditions about live music following a review of a premises licence or club premises certificate
- removing the licensing requirement for amplified live music taking place between 8am and 11pm before audiences of no more than 200 persons in workplaces not otherwise licensed under the 2003 Act (or licensed only for the provision of late night refreshment)
- removing the licensing requirement for unamplified live music taking place between 8am and 11pm in any place, subject to the right of a licensing authority to impose conditions about live music following a review of a premises licence or club premises certificate relating to premises authorised to supply alcohol for consumption on the premises
- removing the licensing requirement for the provision of entertainment facilities
- widens the licensing exemption for live music that is integral to a performance of Morris dancing or dancing of a similar type, so that the exemption applies to both live or recorded music instead of just unamplified live music in that instance.

## **CORE HOURS WHEN CUSTOMERS ARE PERMITTED TO BE ON THE PREMISES**

(As set out in the Council's Statement of Licensing Policy 2011)

- For premises for the supply of alcohol for consumption on the premises:

Friday and Saturday: 10:00 to midnight

Sundays immediately prior to Bank Holidays: Midday to midnight

Other Sundays: Midday to 22:30

Monday to Thursday: 10:00 to 23:30.

- For premises for the supply of alcohol for consumption off the premises:

Monday to Saturday: 08:00 to 23:00

Sundays: 10:00 to 22:30.

- For premises for the provision of other licensable activities:

Friday and Saturday: 09.00 to midnight

Sundays immediately prior to Bank Holidays: 09.00 to midnight

Other Sundays: 09.00 to 22.30

Monday to Thursday: 09.00 to 23.30.



City of Westminster

# Licensing Sub-Committee Report

Item No:	
Licensing Ref No:	14/09685/LIPV
Date:	13 January 2015
Classification:	For General Release
Title of Report:	Hush 8 Lancashire Court London W1S 1EY
Report of:	Operational Director – Premises Management
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Mrs Taruna Adnath, Environmental Health Case Officer
Contact Details:	Telephone: 020 7641 1496 E-mail: <a href="mailto:tadnath@westminster.gov.uk">tadnath@westminster.gov.uk</a>

## APPLICATION DETAILS

<b>Application Type:</b>	Variation of the premises licence under the Licensing Act 2003.		
<b>Applicant:</b>	Hush Brasseries Limited	<b>Date Application Received:</b>	06.11.2014
		<b>Date Application Validated:</b>	07.11.2014
<b>Premises Name and Address:</b>	Hush, 8 Lancashire Court, London, W1S 1EY		
<b>Ward Name:</b>	West End	<b>Stress Area</b>	No
<b>Premises Description:</b>	The premises currently operates as a restaurant with bar facility.		
<b>Variation description</b>	To add a temporary bar server in the external courtyard for an anticipated period to 31 March 2015 as per the plans and subject to existing conditions on the premises licence.		

### 1. Proposed Licensable Activities and Proposed Hours:

1.1 The variation seeks to a temporary bar server in the external courtyard as detailed below.

<u>Licensable activities permitted under the existing Premises Licence</u> <u>13/01575/LIPDPS</u>	<u>Variation to Licensable Activities</u>
<b>Late Night Refreshment:</b> Monday- Saturday 23:00 to 00:00 Sunday 23:00 to 23:30	<b>Late Night Refreshment:</b> No change
<b>Sale of Alcohol: On &amp; Off the premises</b> Monday – Saturday 10:00 to 00:00 Sunday 12:00 to 23:30	<b>Sale of Alcohol: On &amp; Off the premises</b> No change
<b>Opening Hours</b> Monday – Saturday 10:00 to 00:30 Sunday 10:00 to 00:00	<b>Opening Hours</b> No change



## 2. Relevant representations

- 2.1 Police have made an adverse representation stating that the application would undermine the licensing objectives.

The venue is located within a locality where there is traditionally high crime and disorder. There are concerns that this application will cause further policing problems in an already demanding area and add to cumulative impact.

Police have proposed conditions.

- 2.2 The Mayfair Residents Group has submitted an adverse representation stating that the premises has always been a good neighbour. However the current night time noise in and around Lancanshire Court is just about bearable for residents. The Group believes that that proposed new external bar would make life unbearable for local residents.

The Group has stated that they will be satisfied with this application subject to alcohol from the bar will only be served to customers dining at the outside tables.

- 2.3 Environmental Health Consultation Team have made no adverse representation stating this variation will unlikely have an adverse impact on the licensing objectives of public safety and public nuisance. The bar will be dismantled and folded up to be put away at the end of business

## 3. Policies Applicable

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

Prevention of crime and disorder (CD1)  
Public Safety (PS1)  
Prevention of public nuisance (PN1)  
Protection children from harm (CH1)  
Hours (HRS1)  
Restaurants outside the stress area (RNT1)  
Public Houses and Bars outside the stress area (PB1)

- 3.2 **Policy RNT1 applies:**

Applications will generally be granted and reviews determined, subject to the relevant criteria in Policies CD1, PS1, PN1 and CH1.

- 3.4 **Policy PB1 applies:**

Applications will only be granted if it can be demonstrated that the proposal meets the relevant criteria in Policies CD1, PS1, PN1 and CH1.

## 4. Summary

- 4.1 The Licensing Sub-committee may refuse, grant in full or grant in part this proposal, having taken into account the representations received and Westminster's Statement of Licensing Policy. The decision taken should promote the licensing objectives of:

- prevention of public nuisance,

- prevention of crime & disorder,
- public safety and
- protection of children from harm.

4.2 Where the committee is minded to grant the licence it will be granted subject to the mandatory conditions and conditions consistent with the operating schedule modified to such extent as the authority considers appropriate for the promotion of the licensing objectives detailed in Appendix B to this report.

## 5. Current Licensing Position

These premises currently hold a Premises Licence 13/01575/LIPDPS

## 6. Residential Density

32 of the 185 units within a 75m radius of the premises are residential or proposed residential, (17.30%), refer to **Appendix C**.

## 7. Current Planning Position

14/03429/TCH- Application permitted to use of courtyard area for the placing of 20 tables and 60 chairs and three parasols in connection with the existing use at ground floor.

## List of Appendices

- A – Premises Licence History
- B - Conditions
- C – Residential Map and list of premises in the vicinity

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

- Licensing Act 2003
- City of Westminster Statement of Licensing Policy (7<sup>th</sup> January 2011)
- Amended Guidance issued under section 182 of the Licensing Act 2003 (June 2013)

### Background Documents supplied with this report

- Application form and Plan
- Existing Premise Licence inc plans
- Representations received : Police and conditions, Mayfair Residents Group, No representation from Environmental Health team
- Photos

**APPENDIX A**

**Licence & Appeal History**

<b>Application</b>	<b>Details of Application</b>	<b>Date determined</b>	<b>Decision</b>
New Application 05/09832/LIPN	<ol style="list-style-type: none"> <li>1. To permit the Supply of Alcohol on and off the premises Monday – Saturday 10:00 – 00:00 and Sunday 12:00 – 23:30.</li> <li>2. To allow the premises to be open to the public Monday – Saturday 10:00 – 00:30 and Sunday 10:00 – 00:00.</li> </ol> <p>To permit the provision of Late night refreshment (indoors and outdoors) Monday – Saturday to 00:00 and Sunday to 23:30</p>	24.11.2005	Granted by the Licensing Sub Committee subject to conditions
Minor Variation 10/03006/LIPVM	The proposed amendment is that the bar is moving from the back of the premises to beside the entrance door. Boothed seating is to be put in its place and permanent seating is to be removed for the re-positioned bar	21.05.2010	Granted under delegated authority
13/01575/LIPDPS	Change the Designated Premises Supervisor	30.05.2013	Granted under delegated authority
TENS 14/00788/LITENP	Cocktail Party on 17.05.2014 until 03:00	07.12.2010	Notice Granted
Current variation	To add an outside bar	Pending	

**Appeal details**

No appeal comments

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

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

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

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

**Conditions: attached to the existing premises licence (background document)**  
**- 14/09685/LIPDPS**

***Annex 1 – Mandatory conditions***

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
4. (1) The responsible person shall take all reasonable steps to 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 in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children;  
  
(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 (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
  - (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;
  - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on;
    - (i) the outcome of a race, competition or other event or process, or
    - (ii) the likelihood of anything occurring or not occurring;
  - (e) 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.
5. The responsible person shall ensure that no alcohol is dispensed 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).
6. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
7. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
- (2) 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 a holographic mark.
8. The responsible person shall 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; and

- (b) customers are made aware of the availability of these measures.

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.

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

None

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

9. Alcohol shall not be sold to those under the age of 18.
10. There shall be no member of staff who is under the age of 18.
11. No regulated entertainment shall take place on the premises.
12. The management shall manage the premises so as not to cause public nuisance to the neighbourhood and request all departing patrons respect the neighbourhood.
13. Tables and chairs to be set out permanently in hatched areas shown on the plan.
14. The premises shall comply with all the requirements of the LFCDA and occupancy numbers determined by the LFCDA from time to time.
15. Substantial food and suitable beverages other than intoxicating liquor (including drinking water) shall be made available during the whole of the permitted hours in all parts of the premises where intoxicating liquor is sold or supplied.
16. Between the hours: Monday to Saturday 23:00 to 00:00 and Sunday 22:30 to 23:30 alcohol can only be served to persons taking table meals.
17. All drinking outside the premises shall be restricted to persons seated at the tables provided up to 23:00.

### ***Proposed by Police:***

***Re-word condition 17 to 'Alcohol consumed outside the premises building shall only be consumed by patrons seated at tables, consuming a table meal and shall be provided up to 23.00hrs'***

18. All waste is to be properly presented and placed outside for collection no earlier than 30 minutes before the scheduled collection times.
19. No rubbish including bottles will be moved, removed or placed in outside areas between 23:00 and 08:00.

20. Children to be off the premises by 21:00 unless accompanied by an adult and partaking of a table meal.

**Conditions proposed by Police:**

21. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
22. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
23. A Challenge 21 or Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
24. 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 concerning crime and disorder
  - (d) any incidents of disorder
  - (e) all seizures of drugs or offensive weapons
  - (f) any faults in the CCTV system or searching equipment or scanning equipment
  - (g) any refusal of the sale of alcohol
  - (h) any visit by a relevant authority or emergency service.

Re-word condition 17 to 'Alcohol consumed outside the premises building shall only be consumed by patrons seated at tables, consuming a table meal and shall be provided up to 23.00hrs'

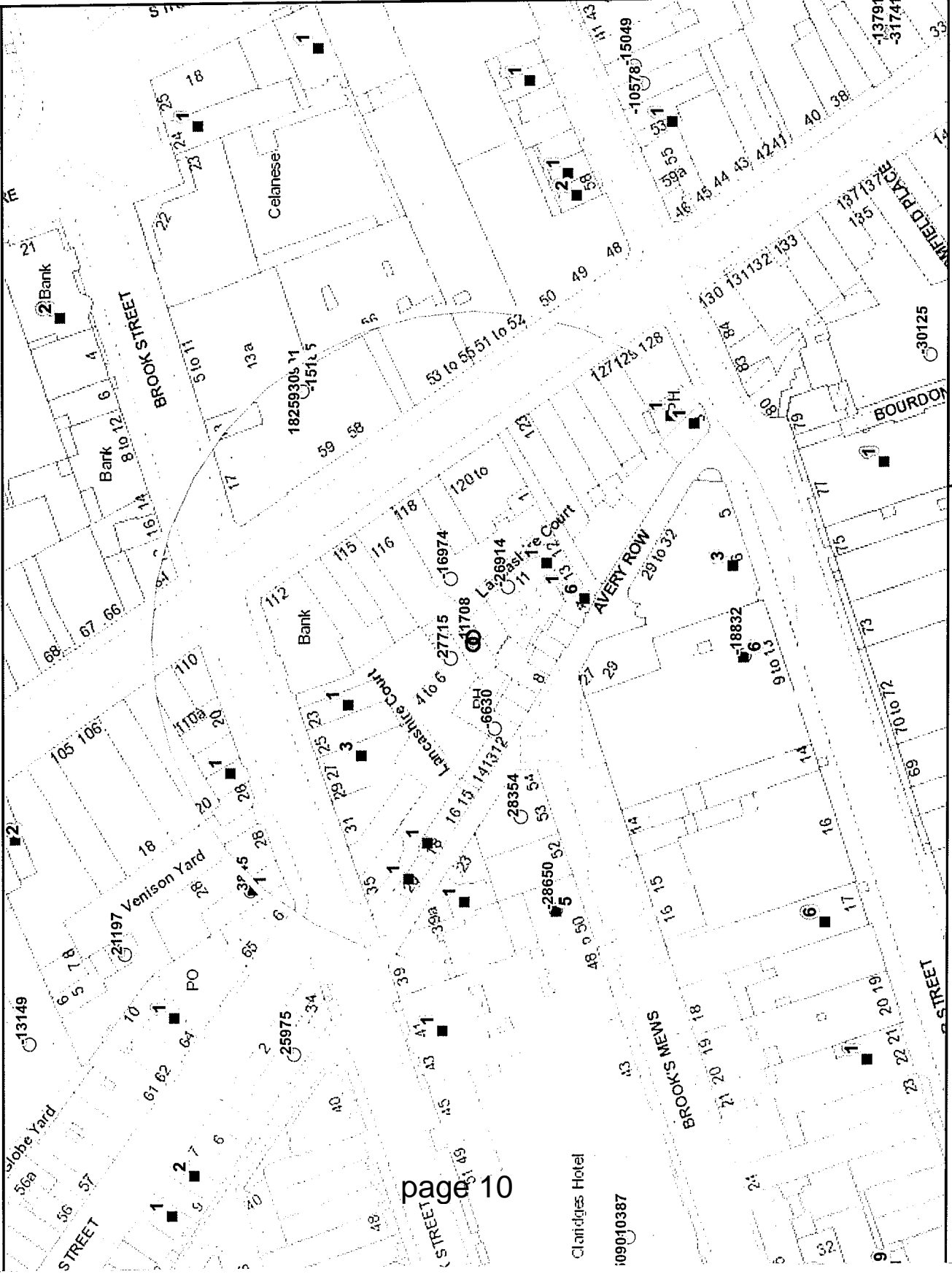
**Condition proposed by Mayfair Residents Group:**

25. Alcohol from the bar shall only be served to customers dining at the outside tables.



City of Westminster

# HUSH 8 Lancanshire court



Appendix C

Residential / Proposed Residential	32
Under Construction	0
Other Uses	153
Proportion Residential of all Uses	17.30%

Data Source: Uniform Database  
 Date: 17/12/2014

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**Premises within 75 metres of: Hush 8 Lancashire Court**

<b>p / n</b>	<b>Name of Premises</b>	<b>Premises Address</b>	<b>Premises Address</b>
-16974	Leander Ventures Limited	4-6 Lancashire Court London W1S 1EY	Mon to Sat 10:00 to 00:30 Sunday 12:00 to 00:00
-6630	Iron Duke	11 Avery Row London W1K 4AN	Mon to Sat 10:00 to 00:00 Sunday 12:00 to 23:30
-11708	Hush	8 Lancashire Court London W1S 1EY	Mon to Sat 10:00 to 00:00 Sunday 12:00 to 23:30
-15185	The Off Licence	Fenwicks 5 - 17 Brook Street Mayfair London W1S 1RJ	Mon to Sat 08:00 to 23:00 Sun 10:00 to 22:30
-18832	Apostrophe	10 Grosvenor Street London W1K 4QB	Mon to fri 10:00 to 18:00 Sat 10:00 to 17:30
-26914	Mews	10 Lancashire Court London W1S 1EY	Mon to Sun 10:00 to 01:00
-28650	The Bath & Racquets Club	49 Brook's Mews London W1K 4EB	Mon to Sat 10:00 to 23:30 Sunday 12:00 to 22:30
30991	Carluccio's @ Fenwicks	Basement Fenwicks 57-63 New Bond Street London W1S 1RJ	Mon to Sat 10:00 to 23:30 Sunday 12:00 to 22:30
28354	La Petite Maison	54 Brook's Mews London W1K 4EG	Mon to Sat 10:00 to 00:00 Sunday 12:00 to 23:30
27715	La Cave	7 Lancashire Court London W1S 1EY	Mon to Sat 10:00 to 23:30 Sunday 10:00 to 22:30
18259	Bond Brook	Fenwicks 5 - 17 Brook Street Mayfair London W1S 1RJ	Mon to Wed 10:00 to 18:30 Thursday 10:00 to 22:30 Fri to Sat 10:00 to 18:30 Sun 12:00 to 18:30

Key : C(F) - Children's Films, Exh - Exhibitions, F - Films, IS - Indoor Sports, M - Weekday Music, M&D - Weekday Music & Dancing, NCL - Night Café, P - Plays, R(F) - Restricted Films, S(D) - Sunday Dancing, S(F) - Sunday Films, S(M) - Sunday Music, S(P) - Sunday Plays, ULP - Premises currently not licensed by the City of Westminster.

# BACKGROUND DOCUMENTS

## Application to vary a premises licence under the Licensing Act 2003

### PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

You may wish to keep a copy of the completed form for your records.



I/We Hush Brasseries Ltd  
*(insert name(s) of applicant)*

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

<b>Premises licence number</b> 13/01575/LIDPS
--

### Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description Hush 8 Lancashire Court			
Post town	London	Postcode	W1S 1EY

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£194,000

### Part 2 – Applicant details

Daytime contact telephone number	
E-mail address (optional)	
Current postal address if different from premises address	
Post town	
Postcode	

**Part 3 - Variation**

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible?

Yes

No

If not, from what date do you want the variation to take effect?

DD		MM		YYYY			

Do you want the proposed variation to have effect in relation to the introduction of the late night levy?  
(Please see Guidance Note 1)

Yes

No

**Please describe briefly the nature of the proposed variation (Please see guidance note 2)**

So as to add a temporary bar servery in the external courtyard for an anticipated period to 31<sup>st</sup> March 2015 as per the plans which have been submitted and subject to the existing conditions on the licence.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:

**Part 4 Operating Schedule**

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

**Provision of regulated entertainment**

**Please tick all that apply**

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

**Provision of late night refreshment** (if ticking yes, fill in box I)

**Sale by retail of alcohol** (if ticking yes, fill in box J)

**In all cases complete boxes K, L and M**

A

Plays Standard days and timings (please read guidance note 7)			<u>Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 3)</u>	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here (please read guidance note 4)</u>		
Mon					
Tue			<u>State any seasonal variations for performing plays (please read guidance note 5)</u>		
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 6)</u>		
Fri					
Sat					
Sun					

**B**

Films Standard days and timings (please read guidance note 7)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon					
Tue			State any seasonal variations for the exhibition of films (please read guidance note 5)		
Wed					
Thur			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 6)		
Fri					
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 7)			Please give further details (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			State any seasonal variations for indoor sporting events (please read guidance note 5)
Wed			
Thur			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 6)
Fri			
Sat			
Sun			



D

<b>Boxing or wrestling entertainments</b> <b>Standard days and timings</b> (please read guidance note 7)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)</u>	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<u>Please give further details here (please read guidance note 4)</u>		
Mon					
Tue			<u>State any seasonal variations for boxing or wrestling entertainment (please read guidance note 5)</u>		
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 6)</u>		
Fri					
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon					
Tue			State any seasonal variations for the performance of live music (please read guidance note 5)		
Wed					
Thur			Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 6)		
Fri					
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 7)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)</u>	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here (please read guidance note 4)</u>		
Mon					
Tue			<u>State any seasonal variations for the playing of recorded music (please read guidance note 5)</u>		
Wed					
Thur			<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 6)</u>		
Fri					
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 7)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon			<b>Please give further details here</b> (please read guidance note 4)		
Tue			<b>State any seasonal variations for the performance of dance</b> (please read guidance note 5)		
Wed			<b>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</b> (please read guidance note 6)		
Thur					
Fri					
Sat					
Sun					

H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<b>Will this entertainment take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<b>Please give further details here</b> (please read guidance note 4)		
Wed					
Thur			<b>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</b> (please read guidance note 5)		
Fri					
Sat			<b>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</b> (please read guidance note 6)		
Sun					

<b>Late night refreshment</b> Standard days and timings (please read guidance note 7)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give further details here</b> (please read guidance note 4)		
Mon					
Tue			<b>State any seasonal variations for the provision of late night refreshment</b> (please read guidance note 5)		
Wed					
Thur			<b>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</b> (please read guidance note 6)		
Fri					
Sat					
Sun					

J

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 7)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 6)	On the premises	<input type="checkbox"/>			
				Off the premises	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 5)					
Mon								
Tue								
Wed								
Thur								
Fri								
Sat								
Sun								
						<b>Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</b> (please read guidance note 6)		

K

<p><b>Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children</b> (please read guidance note 9).</p>
---

L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 7)			<b>State any seasonal variations</b> (please read guidance note 5)
Day	Start	Finish	
Mon			
Tue			
Wed			
Thur			
Fri			
Sat			
Sun			

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

Please tick as appropriate



- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes, please fill in reasons for not including the licence or part of it below

Reasons why I have not enclosed the premises licence or relevant part of premises licence.

**M**

Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

**a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)**

Proposed condition:

The Variation with reference to drawing number (500 rev A) will only have effect until such date the City Council is notified by the licence holder in writing.

**b) The prevention of crime and disorder**

See above

**c) Public safety**

See above

**d) The prevention of public nuisance**

See above

**e) The protection of children from harm**

See above

**Checklist:**

**Please tick to indicate agreement**

- I have made or enclosed payment of the fee.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I understand that I must now advertise my application.
- I have enclosed the premises licence or relevant part of it or explanation.
- I understand that if I do not comply with the above requirements my application will be rejected.

**IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.**

**Part 5 – Signatures (please read guidance note 11)**

**Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent (please read guidance note 12). If signing on behalf of the applicant, please state in what capacity.**

Signature	<i>Thomas &amp; Thomas</i>
Date	6.11.14
Capacity	Thomas & Thomas Partners LLP, Solicitors on behalf fo the applicant

**Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant’s solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

**Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 14)**

Thomas & Thomas Partners LLP  
38a Monmouth Street

Post town	London	Post code	WC2H 9EP
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Telephone number (if any)	020 7042 0417
---------------------------	---------------

**If you would prefer us to correspond with you by e-mail, your e-mail address (optional)**  
rhepworth@tandtp.com

**General Notes**  
 All dimensions to be checked and verified on site. If any discrepancies are found, the contractor shall be responsible for rectifying them immediately.  
 All work to comply with current building regulations.  
 If there is any conflict between the drawings and the schedule of work, the drawings shall prevail.

ACCA ACCREDITED ACTIVITIES

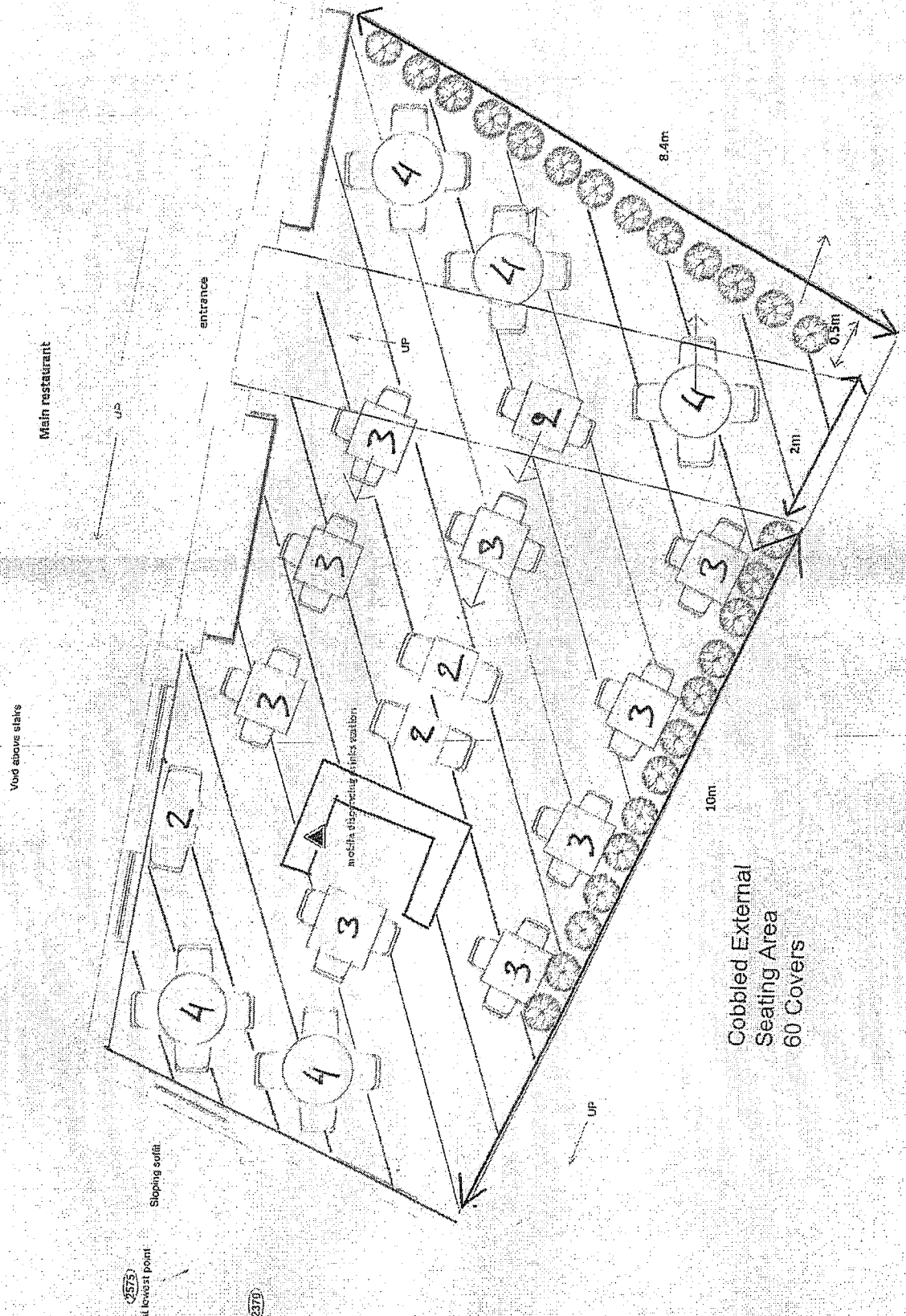
# Sweet Potato

Project Name	Sweet Potato
Client	South Restaurant
Address	9 Lancaster Court
Postcode	LS2 8JG
Project No.	1228
Scale	1:500
External Layout	As Existing
Area	500
Level	A

**Licensing**  
 1228 Sweet Potato  
 9 Lancaster Court  
 LS2 8JG  
 Tel: 0113 275 1111  
 www.cottonthompsoncole.co.uk

**Cotton Thompson Cole**  
 Architects & Design Consultants

2850



Cobbled External Seating Area  
 60 Covers

4



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

Schedule 12  
Part A

WARD: West End  
UPRN: 100023623281

Regulation 33, 34

Premises licence

Premises licence number:

13/01575/LIPDPS

Original Reference:

05/09832/LIPN

**Part 1 – Premises details**

**Postal address of premises:**

Hush  
8 Lancashire Court  
London  
W1S 1EY

**Telephone Number:** 020 7659 1500

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

Not applicable

**Licensable activities authorised by the licence:**

Late Night Refreshment  
Sale by Retail of Alcohol

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

**Late Night Refreshment**

Monday to Saturday:

23:00 to 00:00

Sunday:

23:00 to 23:30

**Sale by Retail of Alcohol**

Monday to Saturday:

10:00 to 00:00

Sunday:

12:00 to 23:30

**The opening hours of the premises:**

Monday to Saturday:

10:00 to 00:30

Sunday:

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:**

Hush Brasseries Limited  
Palladium House  
1-4 Argyll Street  
London  
W1F 7LD  
*Business Phone Number : 020 7493 3292*

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

3670723

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

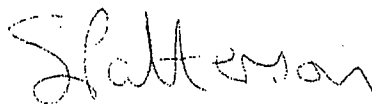
**Name:** Ms Ines Jankowska

*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:** PERS-LIC/2650  
**Licensing Authority:** London Borough Of Camden

**Date:** 30<sup>th</sup> May 2013



**Signed:** PP

**Operational Director - Premises Management**

## 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 shall take all reasonable steps to 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 in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children;
    - (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 (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
    - (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;
    - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on;
      - (i) the outcome of a race, competition or other event or process, or
      - (ii) the likelihood of anything occurring or not occurring;
    - (e) 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.
5. The responsible person shall ensure that no alcohol is dispensed 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).
6. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
7.
  - (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

(2) 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 a holographic mark.

8. The responsible person shall 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; and

(b) customers are made aware of the availability of these measures.

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.



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

None

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

9. Alcohol shall not be sold to those under the age of 18.
10. There shall be no member of staff who is under the age of 18.
11. No regulated entertainment shall take place on the premises.
12. The management shall manage the premises so as not to cause public nuisance to the neighbourhood and request all departing patrons respect the neighbourhood.
13. Tables and chairs to be set out permanently in hatched areas shown on the plan.
14. The premises shall comply with all the requirements of the LFCDA and occupancy numbers determined by the LFCDA from time to time.
15. Substantial food and suitable beverages other than intoxicating liquor (including drinking water) shall be made available during the whole of the permitted hours in all parts of the premises where intoxicating liquor is sold or supplied.
16. Between the hours: Monday to Saturday 23:00 to 00:00 and Sunday 22:30 to 23:30 alcohol can only be served to persons taking table meals.
17. All drinking outside the premises shall be restricted to persons seated at the tables provided up to 23:00.
18. All waste is to be properly presented and placed outside for collection no earlier than 30 minutes before the scheduled collection times.
19. No rubbish including bottles will be moved, removed or placed in outside areas between 23:00 and 08:00.
20. Children to be off the premises by 21:00 unless accompanied by an adult and partaking of a table meal.

---

**Annex 4 – Plans**

**Attached**



**Notes:**

This drawing should not be scaled. The contractor shall verify all dimensions and conditions on site. This drawing is the property of Pisoni and they reserve the copyright. It is issued on the understanding that it will not be copied, reproduced or disclosed in whole or in part without the written permission of Pisoni.

**KEY SYMBOLS:**

- EMERGENCY LIGHTING
- SMOKE DETECTOR
- HEAT DETECTOR
- CO2 EXTINGUISHER
- FOAM EXTINGUISHER
- WATER EXTINGUISHER
- ESCAPE ROUTE
- FIRE BLANKET

**1/2 HOUR FIRE RESISTANT DOOR**

**1/2 HOUR FIRE RESISTANT SELF CLOSING DOOR**

**1 HOUR FIRE RESISTANT SELF CLOSING DOOR**

**FIRE EXTINGUISHER WITH EMERGENCY RELEASE FACILITY**

**EMERGENCY LIGHTING**

**VISION PANEL**

**SIGN - EMERGENCY EXIT ROUTE**

**INDICATE THAT THE DOOR IS SELF CLOSING**

**SIGN - FIRE DOOR KEYS**

**SIGN - FIRE DOOR KEYS**

**SIGN - FIRE ESCAPE ROUTE**

**KEY AREAS:**

EFFECTIVE DRINKING AREA

EFFECTIVE DRINKING AREA WITH SIGNATURE

TOILET/WATER CWAYS - SIGNALLING

ROOMS TO ABANDON AREA

STAFF WAREHOUSE

UNOCCUPIED

UNOCCUPIED

UNOCCUPIED

UNOCCUPIED

UNOCCUPIED

UNOCCUPIED

All dimensions are to be scaled from this drawing.

All dimensions to be checked on site.

**Mark Alford Associates**

DESIGN & PROJECT MANAGEMENT CONSULTANTS

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11th  
10th  
11th  
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11th

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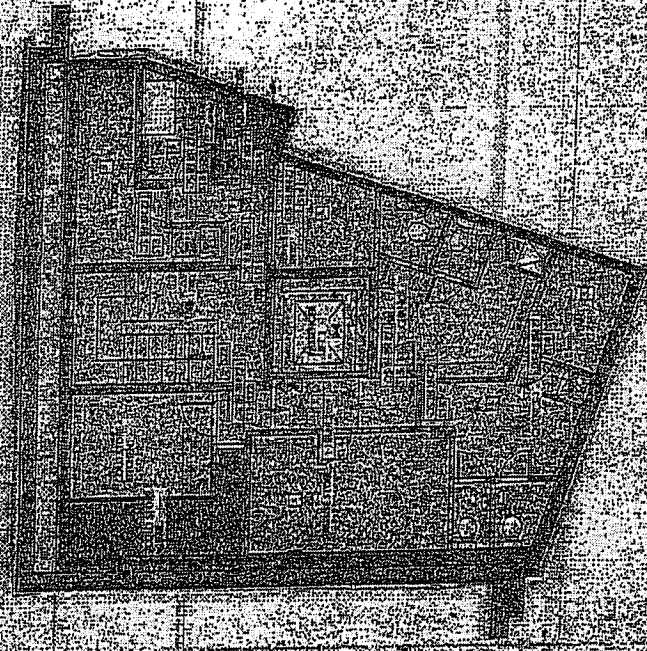
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BASEMENT PLAN

**UPHOLSTERY CLEANING:**  
 UPHOLSTERY CLEANING IS A SERVICE PROVIDED BY SPECIALIZED CONTRACTORS. THE SERVICE IS AVAILABLE FOR ALL TYPES OF UPHOLSTERY, INCLUDING BUT NOT LIMITED TO: SOFAS, CHAIRS, SEATERS, AND CUSHIONS. THE SERVICE IS AVAILABLE FOR ALL TYPES OF UPHOLSTERY, INCLUDING BUT NOT LIMITED TO: SOFAS, CHAIRS, SEATERS, AND CUSHIONS.

**WATER DAMAGE RESTORATION:**  
 WATER DAMAGE RESTORATION IS A SERVICE PROVIDED BY SPECIALIZED CONTRACTORS. THE SERVICE IS AVAILABLE FOR ALL TYPES OF WATER DAMAGE, INCLUDING BUT NOT LIMITED TO: FLOODING, LEAKS, AND CONDENSATION. THE SERVICE IS AVAILABLE FOR ALL TYPES OF WATER DAMAGE, INCLUDING BUT NOT LIMITED TO: FLOODING, LEAKS, AND CONDENSATION.

**EMERGENCY REPAIRS:**  
 EMERGENCY REPAIRS ARE AVAILABLE FOR ALL TYPES OF EMERGENCIES, INCLUDING BUT NOT LIMITED TO: PLUMBING, ELECTRICITY, AND HEATING. THE SERVICE IS AVAILABLE FOR ALL TYPES OF EMERGENCIES, INCLUDING BUT NOT LIMITED TO: PLUMBING, ELECTRICITY, AND HEATING.

**GENERAL INFORMATION:**  
 THIS SERVICE IS PROVIDED BY SPECIALIZED CONTRACTORS. THE SERVICE IS AVAILABLE FOR ALL TYPES OF SERVICES, INCLUDING BUT NOT LIMITED TO: PLUMBING, ELECTRICITY, AND HEATING. THE SERVICE IS AVAILABLE FOR ALL TYPES OF SERVICES, INCLUDING BUT NOT LIMITED TO: PLUMBING, ELECTRICITY, AND HEATING.

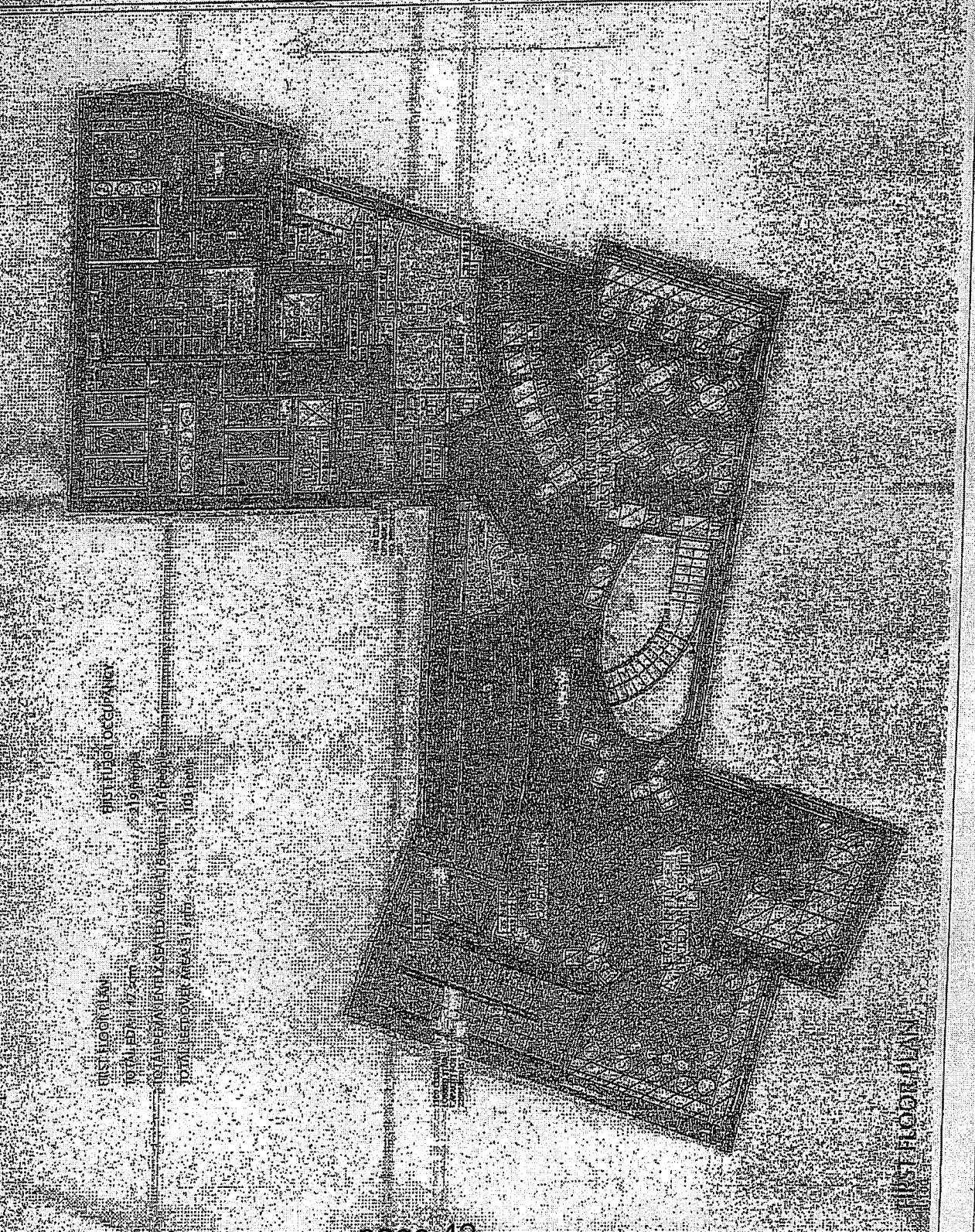
GENERAL INFORMATION



USE THE FOLLOWING SYMBOLS FOR THE STAINED AREA OF THE FLOOR PLAN ONLY.  
 IF A STAINED AREA IS SHOWN ON THE FLOOR PLAN, IT SHALL BE IDENTIFIED AS TO THE LOCATION OF THE STAIN AND THE TYPE OF STAIN. EACH STAIN SHALL BE IDENTIFIED BY A LETTER AND A NUMBER.

- LEGEND SYMBOLS**
- EMERGENCY LIGHTING**
    - SMOKE DETECTOR
    - HEAT DETECTOR
    - COP EXTINGUISHER
    - FOAM EXTINGUISHER
    - WATER EXTINGUISHER
    - CALL POINT
    - FIRE ALARM
  - 1/2 HOUR FIRE RESISTANCE**
  - 1 HOUR FIRE RESISTANCE**
  - 2 HOUR FIRE RESISTANCE**
  - 3 HOUR FIRE RESISTANCE**
  - 4 HOUR FIRE RESISTANCE**
  - 5 HOUR FIRE RESISTANCE**
  - 6 HOUR FIRE RESISTANCE**
  - 7 HOUR FIRE RESISTANCE**
  - 8 HOUR FIRE RESISTANCE**
  - 9 HOUR FIRE RESISTANCE**
  - 10 HOUR FIRE RESISTANCE**
  - 12 HOUR FIRE RESISTANCE**
  - 15 HOUR FIRE RESISTANCE**
  - 20 HOUR FIRE RESISTANCE**
  - 25 HOUR FIRE RESISTANCE**
  - 30 HOUR FIRE RESISTANCE**
  - 35 HOUR FIRE RESISTANCE**
  - 40 HOUR FIRE RESISTANCE**
  - 45 HOUR FIRE RESISTANCE**
  - 50 HOUR FIRE RESISTANCE**
  - 55 HOUR FIRE RESISTANCE**
  - 60 HOUR FIRE RESISTANCE**
  - 65 HOUR FIRE RESISTANCE**
  - 70 HOUR FIRE RESISTANCE**
  - 75 HOUR FIRE RESISTANCE**
  - 80 HOUR FIRE RESISTANCE**
  - 85 HOUR FIRE RESISTANCE**
  - 90 HOUR FIRE RESISTANCE**
  - 95 HOUR FIRE RESISTANCE**
  - 100 HOUR FIRE RESISTANCE**

FIRST FLOOR PLAN  
 TOTAL AREA 4,200 sq. ft.  
 TOTAL AREA OF STAINED AREA 150 sq. ft.  
 TOTAL AREA OF UNSTAINED AREA 4,050 sq. ft.



FIRST FLOOR PLAN





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

Schedule 12  
Part B

**WARD: West End**  
**UPRN: 100023623281**

**Premises licence  
summary**

Regulation 33, 34

**Premises licence number:**

13/01575/LIPDPS

**Part 1 – Premises details**

**Postal address of premises:**

Hush  
8 Lancashire Court  
London  
W1S 1EY

**Telephone Number:** 020 7659 1500

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

Not applicable

**Licensable activities authorised by the licence:**

Late Night Refreshment  
Sale by Retail of Alcohol

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

**Late Night Refreshment**

Monday to Saturday:	23:00 to 00:00
Sunday:	23:00 to 23:30

**Sale by Retail of Alcohol**

Monday to Saturday:	10:00 to 00:00
Sunday:	12:00 to 23:30

**The opening hours of the premises:**

Monday to Saturday:	10:00 to 00:30
Sunday:	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:**

Hush Brasseries Limited  
Palladium House  
1-4 Argyll Street  
London  
W1F 7LD

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

3670723

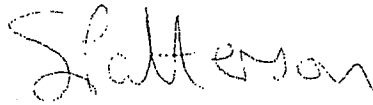
**Name of designated premises supervisor where the premises licence authorises for the supply of alcohol:**

Name: Ms Ines Jankowska

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

Restricted

Date: \_\_\_\_\_ 30<sup>th</sup> May 2013 \_\_\_\_\_



Signed: pp Operational Director - Premises Management

## Adnath, Taruna

---

**From:** Russell, Sandy  
**Sent:** 19 November 2014 12:27  
**To:** Rachel Hepworth  
**Cc:** idoxlicensing  
**Subject:** 14/09685/LIPV (Hush, 8 Lancashire Court)

Dear Ms Hepworth,

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

The venue is situated within a locality where this is traditionally high crime and disorder. There are concerns that this application will cause further policing problems in an already demanding area and add to the cumulative impact. It is for this reason that we are objecting to the application at this stage in the application process.

I have visited the premises and assessed the outside area and the current Premises Licence conditions. We propose the following conditions be added to the current operating schedule should this application be granted:

1. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.

2. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.

3. A minimum of 1 SIA licensed door supervisor shall be on duty at the entrance of the premises from 20.00hrs until closing every Thursday, Friday, Saturday and every Sunday prior to a Bank Holiday.

4. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.

5. A Challenge 21 or Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.

6. 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 concerning crime and disorder
- (d) any incidents of disorder
- (e) all seizures of drugs or offensive weapons
- (f) any faults in the CCTV system or searching equipment or scanning equipment

- (g) any refusal of the sale of alcohol
- (h) any visit by a relevant authority or emergency service.

~~Re-word-condition 17 to 'Alcohol-consumed-outside-the-premises-building shall only be consumed by patrons seated at tables'~~

I look forward to hearing from you.

Best Wishes,

Sandy

PC Sandy Russell 4167CW  
Westminster Police Licensing Team  
4th Floor, 64 Victoria Street,  
LONDON, SW1E 6QP  
Tel: 0207 641 3179

## Adnath, Taruna

---

**From:** Russell, Sandy  
**Sent:** 03 December 2014 13:39  
**To:** mario@hush.co.uk  
**Cc:** idoxlicensing  
**Subject:** FW: 14/09685/LIPV (Hush, 8 Lancashire Court)

Mario,

Thanks for calling me, it has made things clearer and reduced police concerns. Below is the email I have sent to Alun Thomas.

Please give me a call if you need to discuss anything further. The initial application provided was quite sparse so I appreciate your call. Once the conditions have been agreed police may be in a position to withdraw our representation.

Kind Regards,

Sandy Russell.

PC Sandy Russell 4167CW  
Westminster Police Licensing Team  
4th Floor, 64 Victoria Street,  
LONDON, SW1E 6QP  
Tel: 0207 641 3179

---

**From:** Russell, Sandy  
**Sent:** 03 December 2014 13:36  
**To:** 'Alun Thomas'  
**Cc:** Partridge, Frank  
**Subject:** 14/09685/LIPV (Hush, 8 Lancashire Court)

Dear Alun,

I have now spoken to Mario Markoras from Hush and he has fully explained the venue's requirements for the outside area. His explanation has reduced police concerns and we now propose the following conditions, all agreed in principal with Mr Markoras:

1. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
2. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.

3. A Challenge 21 or Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.

4. 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 concerning crime and disorder
- (d) any incidents of disorder
- (e) all seizures of drugs or offensive weapons
- (f) any faults in the CCTV system or searching equipment or scanning equipment
- (g) any refusal of the sale of alcohol
- (h) any visit by a relevant authority or emergency service.

Re-word condition 17 to 'Alcohol consumed outside the premises building shall only be consumed by patrons seated at tables, consuming a table meal and shall be provided up to 23.00hrs'

I look forward to hearing from you.

Best Wishes,

Sandy

PC Sandy Russell 4167CW  
Westminster Police Licensing Team  
4th Floor, 64 Victoria Street,  
LONDON, SW1E 6QP  
Tel: 0207 641 3179

# Comments for Licensing Application 14/09685/LIPV

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## Application Summary

Application Number: 14/09685/LIPV

Address: 8 Lancashire Court London W1S 1EY

Proposal: Premises Licence - Variation

Case Officer: Mrs Taruna Adnath

## Customer Details

Name: Mr Ron Whelan

Address: 29A Brook Street London

## Comment Details

Commenter Type: Residents Association

Stance: Customer objects to the Licensing Application

Comment Reasons:

Comment:8:17 AM on 17 Nov 2014 Hush is a neighbor and over the years a reasonably good one. However the current level of nighttime noise in and around Lancashire Court is just about bearable for local residents and I believe that this new external bar, for the extended time period that is being proposed, would make life unbearable for local residents. A shorter time period - say for the two weeks before Xmas - might be acceptable, but certainly not anything longer than that.

Ron Whelan

Chairman

Mayfair Residents Group

## Adnath, Taruna

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**From:** ron whelan [rwhelan.16@btinternet.com]  
**Sent:** 18 December 2014 11:19  
**To:** Adnath, Taruna  
**Cc:** 'Judy Kuttner'; Mario Markoras; ines jankowska  
**Subject:** RE: Hush 8 Lancashire Court 14/09685/LIPV

I have spoken to Hush management and I am quite prepared to withdraw my objection to this application, subject to the condition that alcohol from this bar will only be served to customers dining at the outside tables.

Yours sincerely,  
Ron Whelan

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**From:** Adnath, Taruna [<mailto:tadnath@westminster.gov.uk>]  
**Sent:** 17 December 2014 10:34  
**To:** [ron@ronwhelan.net](mailto:ron@ronwhelan.net)  
**Subject:** Hush 8 Lancashire Court 14/09685/LIPV

Ron

The Environmental Health have not made an adverse representation and I have attached the police proposed conditions

The hearing is fixed on 13 January 2015, please advise if you have been able to discuss matter with the applicant .

Regards

Mrs Taruna Adnath

Environmental Health Case Officer

Environmental Health Licensing and Consultation/ Street Trading Licensing Team  
**Premises Management**  
Westminster City Council  
4th Floor West  
City Hall  
64 Victoria Street  
London SW1E 6QP

Tel: 020 7641 1496  
Fax: 020 7641 7815  
[tadnath@westminster.gov.uk](mailto:tadnath@westminster.gov.uk)

[www.westminster.gov.uk](http://www.westminster.gov.uk)



# Consultee Comments for Licensing Application

**14/09685/LIPV**

## **Application Summary**

Application Number: 14/09685/LIPV

Address: 8 Lancashire Court London W1S 1EY

Proposal: Premises Licence - Variation

Case Officer: Mrs Taruna Adnath

## **Consultee Details**

Name: Mr Dave Nevitt

Address: Westminster City Hall 64 Victoria Street, London, City of Westminster SW1E 6QP

Email: dnevitt@westminster.gov.uk

On Behalf Of: Environmental Health Administration

## **Comments**

I make no Representation in respect of this application. The applicant seeks to place a temporary bar/servery in place of some tables and chairs in the outside seating area during the winter months. The bar will be dismantled and folded up to be put away at the end of business each day. In my opinion, the Variation sought is not likely to have an adverse impact on the Licensing Objectives Protection of Public Safety and Prevention of Public Nuisance.





City of Westminster

# Licensing Sub-Committee Report

Item No:	
Licensing Ref No:	14/08411/LIPN
Date:	13 January 2015
Classification:	For General Release
Title of Report:	Shadow Lounge Basement And Part Ground Floor 3-7 Brewer Street W1F 0RD
Report of:	Operational Director of Premises Management
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Mr Steven Rowe, Environmental Health Case Officer (Licensing)
Contact Details:	Telephone: 020 7641 7825 E-mail: srowe@westminster.gov.uk

## APPLICATION DETAILS

<b>Application Type:</b>	A new premises licence application under the Licensing Act 2003.		
<b>Applicant:</b>	Alan Poulton Limited	<b>Date Application Received:</b>	6 November 2014
<b>Premises Name and Address:</b>	Shadow Lounge Basement And Part Ground Floor 3-7 Brewer Street London W1F 0RD		
<b>Ward Name:</b>	West End	<b>Stress Area:</b>	West End
<b>Description of Premises:</b>	<p>The premises operate predominately as a nightclub in the basement and part of the ground floor. The premises are also licensed as a sexual entertainment venue.</p> <p><b>Note:</b> The premises are currently licensed under premises licence 14/03475/LIPV. This application has been made by the applicant Alan Poulton Limited (the leaseholders of the premises) for a 'Shadow Licence'.</p>		
<i>Note: Where the committee is minded to grant the licence it will be granted subject to the mandatory conditions and conditions consistent with the operating schedule modified to such extent as the authority considers appropriate for the promotion of the licensing objectives detailed in Appendix D to this report.</i>			
<b>Proposed Licensable Activities, Proposed Hours:</b>			
<b>1.1 Regulated Entertainment: Indoors</b>			
<p><b>Performance of Dance</b>  <b>Provision of facilities for Dancing</b>  <b>Provision of facilities for Making Music</b>  <b>Performance of Live Music</b>  <b>Anything of a similar description to Live Music, Recorded music or Performance of Dance</b>  Monday to Saturday 09:00 to 03:00  Sunday 09:00 to 23:00</p> <p><b>Playing of Recorded Music</b>  <b>Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to a profit</b>  Monday to Sunday 00:00 to 00:00</p>			
<b>1.2 Late Night Refreshment: Indoors</b>			
Monday to Saturday 23:00 to 03:30 Sunday 23:00 to 00:00			
<b>1.3 Sale of Alcohol: On the premises</b>			
Monday to Saturday 10:00 to 03:00 Sunday 12:00 to 23:30			
<b>1.4 Non Standard Timings/Seasonal Variations</b>			

**New Year's Eve**

To extend to the start of permitted hours on New Year's Day for performance of dance, anything of a similar description to live music, recorded music or performance of dance, late night refreshment, sale of alcohol and opening hours.

**On the morning that British Summer Time Begins**

To extend permitted hours by one hour for live music, performance of dance, anything of a similar description to live music, recorded music or performance of dance, late night refreshment, sale of alcohol and opening hours.

**1. 5 Opening hours:**

Monday to Saturday 09:00 to 03:30  
 Sunday 09:00 to 00:00

*(Note: Opening hours are not a licensable activity under the Licensing Act 2003, however they can still be taken into consideration when assessing the application's effect on the licensing objectives.)*

	<b>Relevant representations and policies applicable:</b>	<b>References / Notes</b>
<b>1A</b>	The Environmental Health Service have made adverse representations to this application on the grounds of the Licensing Objectives. <b><i>Please refer to representations received</i></b>	<b>Environmental Health Representation</b>
<b>1B</b>	The following policies within the City Of Westminster Statement of Licensing Policy apply:  Prevention of crime and disorder (CD1) Public Safety (PS1) Prevention of public nuisance (PN1) Protection children from harm (CH1) Hours (HRS1) Stress Areas (STR1) Public houses and bars in the Stress Areas (PB2) Nudity, striptease and sex related entertainment (NS1) Music and Dancing or similar entertainment within the Stress Area within the Stress Areas (MD2)	<b>Policies applicable</b>
<b>1C</b>	<b>Policy HRS1 Applies:</b> (i) Applications for hours within the core hours set out in this policy will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy.(ii) Applications for hours outside the core hours in this policy will be considered on their merits, subject to other relevant policies and with particular regard to criteria set out in the policy:  <b>Policy STR1 Applies:</b> (i) It is the Licensing Authority's policy to refuse applications in the Stress Areas for: pubs and bars; fast food premises and premises offering facilities for music and dancing other than applications to vary hours within the Core Hours under Policy HRS1 (ii) Applications for other licensable activities in the Stress Areas will be subject to other policies and must demonstrate that they will not add to cumulative impact in the Stress Areas.	

1D	<p><b>Policy PB2 Applies:</b> It is the Licensing Authority's policy to refuse applications in the Stress Areas other than applications to vary hours within the Core Hours under Policy HRS1.</p> <p><b>Policy NS1 Applies:</b> (i) Applications involving nudity or striptease or sex related entertainment will only be granted in exceptional circumstances and if the proposal meets the relevant criteria specified in Policies CD1, PS1, PN1, CH1 and HRS1. (ii) Applications will be subject to appropriate conditions which promote the licensing objectives. (iii) Applications will not be granted in proximity to: (a) residential accommodation (b) schools (c) places of worship (d) community facilities or public buildings. (iv) The Licensing Authority will have regard to the cumulative effect of the number of such premises in proximity to each other and in the vicinity.</p> <p><b>Policy MD2 Applies:</b> It is the Licensing Authority's policy to refuse applications in the Stress Areas, other than applications to vary hours within the Core Hours, under Policy HRS1.</p> <p>The Licensing Sub-committee may refuse, grant in full or grant in part this proposal, having taken into account the representations received and Westminster's Statement of Licensing Policy. The decision taken should promote the licensing objectives of:</p> <ul style="list-style-type: none"> <li>• prevention of public nuisance,</li> <li>• prevention of crime &amp; disorder,</li> <li>• public safety and</li> <li>• protection of children from harm.</li> <li>•</li> </ul>	Summary
<b>Current Licensing Position</b>	These premises currently hold a premises licence (14/03475/LIPV). Please refer to <b>Appendix A</b>	
<b>Residential Density:</b>	253 of the 431 units within a 75m radius of the premises are residential or proposed residential, (59%), refer to <b>Appendix C</b> .	
<b>List of Appendices:</b>	A – Licence and appeal history B - Conditions C – Residential Map and list of premises in the vicinity	

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

- Licensing Act 2003
- City of Westminster Statement of Licensing Policy (7<sup>th</sup> January 2011)
- Amended Guidance issued under section 182 of the Licensing Act 2003 (June 2013)
- Current Premises Licence
- Application form
- Plans
- Representation received
- Photos

## Licence & Appeal History

At the time of publishing the report no appeal history had been provided. Therefore this will be made available to all parties before the hearing.

**CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE AND CONDITIONS  
PROPOSED BY A PARTY TO THE HEARING****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 relating to Regulated Entertainment**

10. This licence is subject to all the former Rules of Management for Places of Public Entertainment licensed by Westminster City Council, in force from 4 September 1998 and incorporating amendments agreed by the Council on 25 October 1999, 30 June 2000, 16 January 2001 and 1 October 2001.

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

12. Notwithstanding the provisions of Rule of Management No. 6 the premises may remain open for the purposes of this licence from 11pm on each of the days Monday to Saturday to 3am on the day following.

13.\* Notwithstanding Rule of Management No. 4 dancers may perform topless on the stage area or by table sides.

14.\* The entertainment to be provided under this licence shall be limited to the type commonly known as discotheque, and to topless dancing by performers.

15.\* The agreed activities shall take place only in the designated areas approved by the Council and the approved arrangements for access to the dressing room shall be maintained at all times whilst striptease entertainment is taking place and immediately thereafter.

16.\* The striptease entertainment shall be given only by performers/entertainers and the audience shall not be permitted to participate.

17.\* There shall at the premises or in its immediate vicinity be no external advertising of the striptease entertainment.

- 18.\* Whilst striptease entertainment is taking place no person under the age 18 shall be on the licence premises and a clear notice shall be displayed at the entrance to the premises in a prominent position so that it can be easily read by persons entering the premises in the following terms: NO PERSONS UNDER 18 WILL BE ADMITTED
- 19.\* The licensee, performer and any person concerned in the organisation or management of the entertainment shall not encourage, or permit encouragement to be made, for the audience to throw money at or otherwise to give gratuities to the performers (except as permitted by condition (21) below).
- 20.\* Entertainment under this consent may be provided solely by topless dancers on the stage area and to customers seated at tables in the approved part of the premises. No audience participated shall be permitted.
- 21.\* There shall be no physical contact between customers and dancers except for the placing of money or tokens in a garter or into the hands of the dancer at the beginning or conclusion of the performance. The money or tokens shall not be placed in the G-string of the performers. Whilst the dancers are performing there shall be a minimum distance of three feet between the dancer and the seated customers. Notices to this effect shall clearly be displayed at each table and at the entrance to the premises.
- 22.\* There shall be no physical contact between dancers whilst performing.
- 23.\* The topless dancers shall at all times wear a G-string or similar piece of clothing on the appropriate part of the body.
- 24.\* Whilst table dancing takes place at least two door supervisors shall be employed in the part of the premises used for table dancing.
- 25.\* At least four registered door supervisors shall be employed at the premises at all times when the premises are in operation.
- 26.\* No entertainment involving nudity or partial nudity shall take place in any alcove area or in any area or in any area which is not monitored by the CCTV system.
- 27.\* All exterior doors shall be kept closed after midnight except for immediate entrance and exit.
- 28.\* A shower and changing room facilities for use by the performers shall be provided to the satisfaction of the Environmental Health Officer.
- 29.\* Only dancers engaged by or through Evernote Ltd for so long as James Alan Poulton and Jean-Pierre Foster remain directors thereof shall be permitted to perform striptease.
30. Soundproofing to the satisfaction of the Environmental Health Officer shall be provided.
- 31.\* An attendant shall be in duty in the cloakroom the whole time the premises is in use under this licence.
32. All waste from the premises must be paid for, properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection time.
33. The pavement from the building line to the kerb edge, so as to include the gutter/channel at its junction with the kerb edge, in the vicinity of the premises must be swept at regular intervals whilst customers are queuing to enter the premises. Litter and sweepings must be collected and stored in accordance with the approved refuse storage arrangements.

34. At the close of business each day the premises are open for business, the licensee shall ensure that the pavement from the building line to the kerb edge immediately outside the premises, so as to include the gutter/channel at its junction with the kerb edge, is swept. Litter and sweepings must be collected and stored in accordance with the approved refuse storage arrangements.
35. No unauthorised advertisements of any kind (including placard, poster, sticker, flyer, picture, letter, sign or other mark) that advertises or promotes the establishment, its premises, or any of its events, facilities, goods or services shall be distributed on the street to the public. No such advertisements shall be inscribed or affixed upon the surface of the highway, or upon any building, structure, works, street furniture, tree, or any other property.
36. Food and drink purchased on the premises are not allowed to be taken away by customers on leaving the premises.
37. The number of persons accommodated (excluding staff) at the premises shall not exceed 280.

### **Conditions for Sale of Alcohol**

38. Substantial food and suitable beverages other than intoxicating liquor (including drinking water) shall be available during the whole of the permitted hours in all parts of the premises where intoxicating liquor is sold or supplied.
39. There shall be no payment made by or on behalf of the licensees to any person for bringing customers to the premises.
40. No gaming otherwise than by machines authorised under part III, Gaming Act, 1968.
- 41.\* No persons under the age of 18 years shall be allowed to enter or remain on the licensed premises, and a clear notice shall be displayed, in the following terms, at the entrance to the premises in a prominent position so that it can be easily read by persons entering: **NO PERSON UNDER 18 YEARS WILL BE ADMITTED.**
42. A premises licence holder, or in the case of a company, an authorised representative, shall be present throughout the whole of the time the premises are operating.
43. On any evening where the premises are open for the purpose of music and dancing, intoxicating liquor shall not be sold or supplied to persons entering the premises or that part of the premises after 10.30pm except to:
  - (a) persons who have paid or had paid on their behalf a minimum admission fee of £3 Mon-Thurs and £5 Fri-Sat, which shall not be credited against consumables; or
  - (b) artistes or persons employed at the premises;
  - (c) persons attending private functions at the premises;
  - (d) guests of the proprietor, a list of whom shall be kept for inspection by the appropriate authorities.
44. Save as provided in and subject to the provisions of condition 42 below, there shall be no striptease, no nudity and all persons shall be decently attired at all times.
45. Intoxicating liquor may be sold or supplied to the following persons:
  - (a) persons paying a minimum annual admission fee of £150 payable in advance (not to be credited against consumables) for music, dancing and entertainment;
  - (b) persons paying a minimum admission fee of £10 (not to be credited against consumables) for music dancing and entertainment;
  - (c) bona fide guests of the proprietor specially invited prior to admission, a list of whom shall be kept at reception for inspection by the statutory authorities;

- (d) artistes or persons employed at the premises;
- (e) persons attending a private function on the premises, a list of whom shall be kept at reception for inspection by the statutory authorities.

46.\* Only dancers engaged by or through Evernote Ltd for so long as James Alan Poulton and Jean-Pierre Foster remain directors thereof shall be permitted to perform striptease.

47.\* Such striptease and topless performers shall be engaged subject to the rules the same as or similar to the Management Rules of Conduct deposited with the Licensing Justices. The striptease dancers shall be provided with copy of those rules.

48.\* Striptease artistes shall only perform striptease on the designated stage area and to seated customers at a table.

49.\* There shall be no physical contact between customers and topless dancers except for placing cash/dance tokens in the garter or from the customers hands to the hands of the dancers at the beginning or conclusion of the performance.

50.\* There shall be a minimum distance of three feet to be kept between the striptease artiste and the customer whilst performing.

51.\* A notice outlining conditions 51 and 52 shall be clearly displayed at each table and at the entrance to the premises.

52.\* All striptease artistes are prohibited from removing their G strings.

53.\* There shall be no physical contact between the striptease artistes whilst performing.

54.\* There shall be a minimum fee of £10 per performance by striptease artiste, for the purpose of a topless dance, except for performances conducted on the designated stage.

55.\* Striptease artistes shall only perform striptease on the designated stage area and to seated customers at a table, except striptease shall be prohibited from all the alcove areas hatched brown on the deposited plan.

56.\* A minimum of four Westminster registered door supervisors will be employed on the premises during opening hours, at least two of whom shall be employed within the basement area monitoring striptease performance.

57. (a) Subject to the following paragraphs, the permitted hours on weekdays shall commence at 10.00 (12.00 on Christmas Day and Good Friday) and extend until 03.00 on the morning following, except that –

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

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

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

(c) On Sundays the permitted hours shall commence at 12.00 and extend until 23.30.

- (d) The sale of alcohol must be ancillary to the use of the premises for music and dancing and substantial refreshment.
- (e) The permitted hours on New Year's Eve will extend to the start of permitted hours on the following day, or if there are no permitted hours on 1 January, to 00.00 on New Year's Eve.

NOTE - The above restrictions do not prohibit:

- (a) during the first thirty minutes after the above hours the consumption of the alcohol on the premises;
- (b) during the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;
- (c) the sale or supply of alcohol to or the consumption of alcohol by any person residing in the licensed premises;
- (d) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- (e) the sale of alcohol to a trader or registered club for the purposes of the trade or club;
- (f) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of her Majesty's naval, military or air forces;
- (g) the taking of alcohol from the premises by a person residing there;
- (h) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied;
- (i) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

In this condition, any reference to a person residing in the premises shall be construed as including a person not residing there but carrying on or in charge of the business on the premises.

58. The terminal hour for late night refreshment on New Year's Eve is extended to 05:00 on New Year's Day.

**\* Conditions indicated shall not apply when a Sexual Entertainment Licence is in effect at the premises**

59. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.

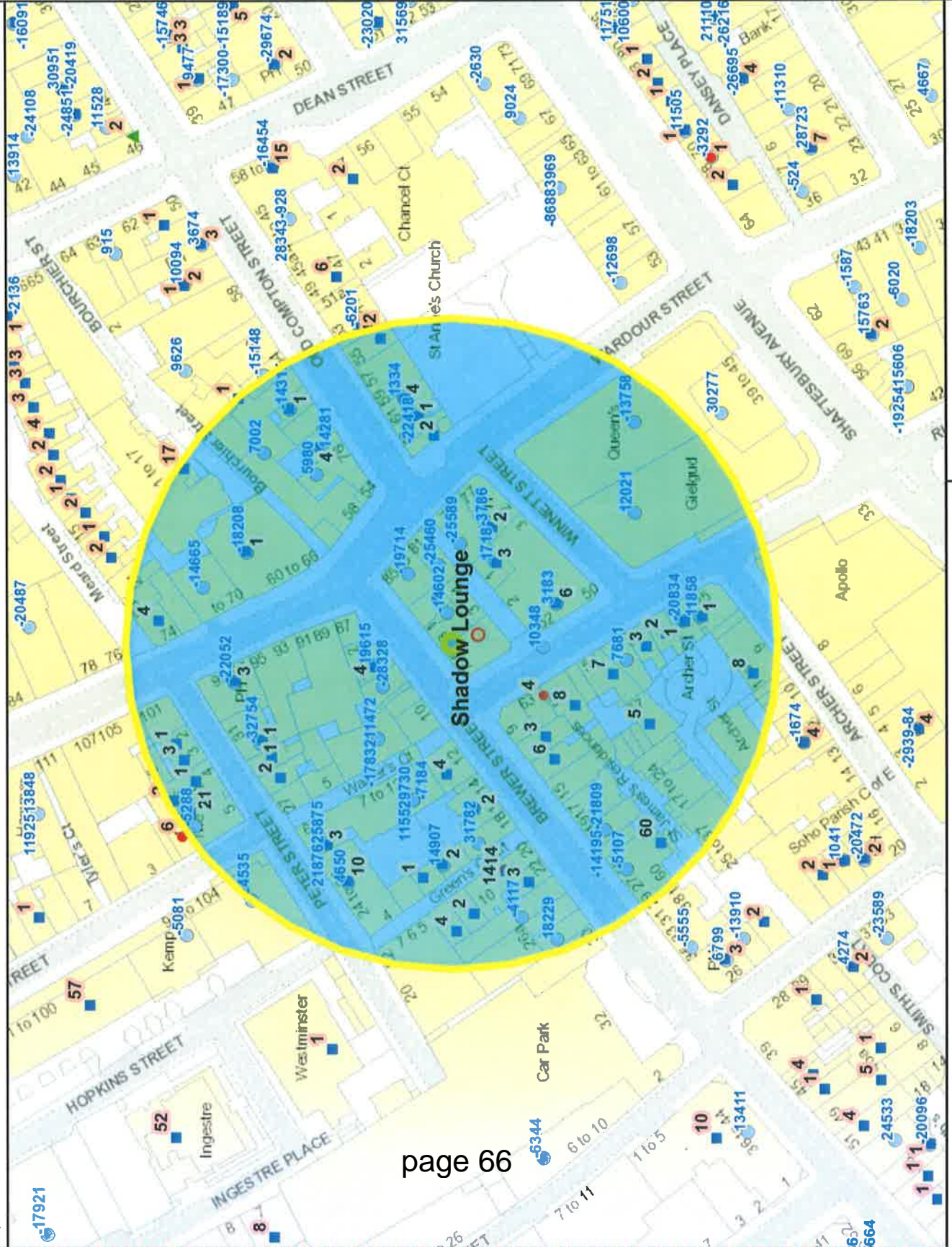
60. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be

able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.

61. 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 concerning crime and disorder
  - (d) any incidents of disorder
  - (e) all seizures of drugs or offensive weapons
  - (f) any faults in the CCTV system or searching equipment or scanning equipment
  - (g) any refusal of the sale of alcohol
  - (h) any visit by a relevant authority or emergency service.
62. No drinks shall be consumed outside the premises nor glasses/bottles removed from the premises by patrons when leaving.
63. The hours for licensable activities may be extended on no more than 15 occasions per calendar year subject to being in substitution of the 12 temporary events covered by the Licensing Act with ten working days notice to the Police and the Police having power of veto for any such occasion and that the Licensing Authority also be given ten days notice of any such occasion.
64. No persons aged under the age of 18 shall be allowed within the premises under any event.
65. Credit sales is allowed subject to them being accompanied with an itemised bill.
66. Permitted hours for live music, performance of dance, anything of a similar description to live music, recorded music or performance of dance, late night refreshment and opening hours shall be extended by one hour on the morning in which British summer time begins.



# Shadow Lounge



## APPENDIX C

Residential / Proposed Residential	253
Under Construction	0
Other Uses	178
Proportion Residential of all Uses	59%

Data Source: Uniform Database  
 Date: 05/01/2015

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**Premises within 75 metres of: Shadow Lounge 3-7 Brewer Street**

<b>p / n</b>	<b>Name of Premises</b>	<b>Premises Address</b>	<b>Opening Hours</b>
31782	Lina Stores	18 Brewer Street London W1F 0SH	Monday to Friday 07:00 - 21:00 Saturday 09:00 - 21:00 Sunday 11:30 - 18:30
-25589	The Friendly Society	Basement 79 Wardour Street London W1D 6QB	Friday to Saturday 10:00 - 00:00 Monday to Thursday 10:00 - 23:30 Sunday 12:00 - 22:30
-25460	Village Bar	Basement Ground Floor And Part First Floor 81 Wardour Street London W1D 6QD	Sunday 09:00 - 00:00 Monday to Saturday 09:00 - 03:30
-23236	Randall & Aubin	16 Brewer Street London W1F 0SQ	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
-20834	Kirazu	47 Rupert Street London W1D 7PD	Monday to Sunday 11:30 - 23:00
-19714	O' Bar	83-85 Wardour Street London W1D 6QE	Monday to Saturday 09:00 - 03:30 Sunday 12:00 - 00:00 Sunday 12:00 - 23:00
-18241	The Box	11-12 Walker's Court London W1F 0ED	Sunday 09:00 - 00:30 Monday to Saturday 09:00 - 04:00
-18206	Freedom	National House 60-66 Wardour Street London W1F 0TA	Sunday 09:00 - 00:00 Monday to Saturday 09:00 - 03:30
-17832	(Nightclub)	Development Site At 1 - 4 Walker's Court And 8 - 10 Brewer Street London W1F 0SB	Monday to Saturday 09:00 - 03:30 Sunday 12:00 - 01:00 Sundays before Bank Holidays 12:00 - 03:30
-14665	Masqmenos	Basement And Ground Floor 68-70 Wardour Street London W1F 0TB	Saturday 10:00 - 00:00 Monday to Thursday 10:00 - 23:30 Sunday 12:00 - 22:00
-14602	Shadow Lounge	1 - 3 Brewer Street London W1F 0RD	Sunday 09:00 - 00:00 Monday to Saturday 09:00 - 03:30
-14195	Adanami	23 Brewer Street London W1F 0SS	Monday to Sunday 00:00 - 00:00
-13758	Queens Theatre	Third Floor 55 Wardour Street London W1D 6BA	Monday to Sunday 09:00 - 00:00
-9181	The Boulevard Theatre	8 - 9 Walker's Court London W1F 0BY	Friday to Saturday 09:00 - 00:00 Sundays before Bank Holidays 09:00 - 00:00 Monday to Saturday 09:00 - 01:00 Monday to Sunday 09:00 - 22:00 Sunday 09:00 - 22:30 Monday to Thursday 09:00 - 23:30
-7184	The Box	11-12 Walker's Court London W1F 0ED	Sunday 09:00 - 00:30 Monday to Saturday 09:00 - 04:00
-5107	El Camion	25-27 Brewer Street London W1F 0RR	Monday to Saturday 09:00 - 03:30 Sunday 12:00 - 23:00
-3786	Duke Of Wellington	77 Wardour Street London W1D 6QA	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
1718	Peep Show And Revue Bar	Basement Floor And Ground Floor 1 Tisbury Court London W1D 6BD	Sunday to Thursday 09:00 - 00:00 Friday to Saturday 09:00 - 01:00
4650	La Pietra	25 Peter Street London W1F 0AG	Friday to Saturday 10:00 - 00:00 Monday to Thursday 10:00 - 23:30 Sundays before Bank Holidays 12:00 - 00:00 Sunday 12:00 - 22:30
14281	Tuscan Delicatessen	Basement And Ground Floor 72 Old Compton Street London W1D 4UN	Monday to Sunday 10:00 - 00:30
18229	Janetira Eat Thai	28 Brewer Street London W1F 0SR	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
19615	Wok To Walk	Ground Floor 4 Brewer Street London W1F 0SB	Sunday 11:00 - 00:00 Monday to Saturday 11:00 - 01:00
21876	(Restaurant)	Basement And Ground Floor 6 Walker's Court London W1F 0BU	Monday to Saturday 10:00 - 01:00 Sunday 12:00 - 00:00
25875	Restaurant	Basement And Ground Floor 6 Walker's Court London W1F 0BU	Monday to Saturday 10:00 - 01:00 Sunday 12:00 - 00:00

-32754	Bone Daddies	30-31 Peter Street London W1F 0AP	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
-28328	Soho Food And News	6 Brewer Street London W1F 0SD	Monday to Sunday 09:00 - 03:00
-22418	Cafe Espana	Basement To First Floor 63 Old Compton Street London W1D 6HT	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
-22052	Byron	97 Wardour Street London W1F 0UF	Friday to Saturday 10:00 - 00:00 Monday to Thursday 10:00 - 23:30 Sundays before Bank Holidays 12:00 - 00:00 Sunday 12:00 - 22:30
-21809	Damson & Co	21 Brewer Street London W1F 0RL	Sundays before Bank Holidays 08:00 - 00:00 Monday to Sunday 08:00 - 21:45
-14317	Selva Food & Wine	68 Old Compton Street London W1D 4UJ	Monday to Sunday 00:00 - 00:00
-5288	Foxcroft & Ginger	3 Berwick Street London W1F 0DR	Friday 08:00 - 00:00 Monday to Thursday 08:00 - 23:00 Saturday 09:00 - 00:00 Sunday 09:00 - 22:30
-4579	The House Of Ho Ltd	55-59 Old Compton Street London W1D 6HP	Sunday 09:00 - 01:00 Monday to Saturday 09:00 - 01:30
-4117	Chilango	24 Brewer Street London W1F 0SN	Saturday 10:00 - 00:00 Monday to Friday 10:00 - 23:00 Sunday 12:00 - 22:30
1334	Camisa & Son	Basement And Ground Floor 61 Old Compton Street London W1D 6HS	Monday to Saturday 08:00 - 23:00 Sunday 10:00 - 22:30
3183	Rupert Street Cafe Bar	50 Rupert Street London W1D 6DR	Friday to Saturday 10:00 - 00:00 Monday to Thursday 10:00 - 23:30 Sundays before Bank Holidays 12:00 - 00:00 Sunday 12:00 - 22:50
5980	Gerry's Wine & Spirits	74-76 Old Compton Street London W1D 4UW	Monday to Saturday 08:00 - 23:00 Sunday 10:00 - 22:30
7002	Jackson + Rye	Basement To First Floor Rear 56 - 58 Wardour Street London W1D 4JG	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
7681	Lils	53 Rupert Street London W1D 7PH	Friday 07:00 - 00:00 Monday to Thursday 07:00 - 23:00 Saturday 08:00 - 00:00 Sundays before Bank Holidays 08:00 - 00:00 Sunday 08:00 - 22:30
9730	Soho Cinema	8 - 9 Walker's Court London W1F 0BY	Monday to Sunday 09:00 - 01:00
10348	Spuntino	Pitch 1205 Rupert Street London W1D 7PW	Monday to Saturday 10:00 - 01:30 Sunday 12:00 - 00:00
11472	Unit D	Development Site A1 1 - 4 Walker's Court And B - 10 Brewer Street London W1F 0SB	Monday to Saturday 09:00 - 03:30 Sunday 12:00 - 01:00 Sundays before Bank Holidays 12:00 - 03:30
11552	The Box	11-12 Walker's Court London W1F 0ED	Sunday 09:00 - 00:30 Monday to Saturday 09:00 - 04:00
11858	White Horse Public House	Second Floor 45 Rupert Street London W1D 7PB	Monday to Saturday 10:00 - 23:30 Sunday 12:00 - 23:00
12021	The Gielgud Theatre	The Gielgud Theatre Shaftesbury Avenue London W1D 6AR	Monday to Sunday 09:00 - 00:00
14907	Yalla Yalla	Ground Floor 1 Green's Court London W1F 0HA	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00

# **BACKGROUND DOCUMENTS**



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

**Premises licence**

Regulation 33, 34

**Premises licence number:**

14/03475/LIPV

**Original Reference:**

05/06633/LIPCV

**Part 1 – Premises details**

**Postal address of premises:**

Shadow Lounge  
Basement And Part Ground Floor  
3 - 7 Brewer Street  
London  
W1F 0RD

**Telephone Number:** 020 7287 8389

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

Not applicable

**Licensable activities authorised by the licence:**

Performance of Dance  
Performance of Live Music  
Playing of Recorded Music  
Anything of a similar description to Live Music, Recorded Music or Performance of Dance  
Late Night Refreshment  
Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit  
Sale by Retail of Alcohol

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

**Performance of Dance**

Monday to Saturday: 09:00 to 03:00  
Sunday: 09:00 to 23:00  
Non-standard Timings: See condition 67

**Performance of Live Music**

Monday to Saturday: 09:00 to 03:00  
Sunday: 09:00 to 23:00  
Non-standard Timings: See condition 67

**Playing of Recorded Music**

Unrestricted

**Anything of a similar description to Live Music, Recorded Music or Performance of Dance**

Monday to Saturday: 09:00 to 03:00  
Sunday: 09:00 to 23:00

Non-standard Timings: See condition 67

**Late Night Refreshment**

Monday to Saturday: 23:00 to 03:30

Sunday: 23:00 to 00:00

Non-standard Timings: See condition 67

**Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit** Unrestricted

**Sale by Retail of Alcohol**

Monday to Saturday: 10:00 to 03:00

Sunday: 12:00 to 23:30

Non-standard Timings: See condition 67

*For times authorised for Christmas, New Year and Good Friday see conditions at Annex 1*

**The opening hours of the premises:**

Monday to Saturday: 09:00 to 03:30

Sunday: 09:00 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:**

A3D2 Limited  
Clareville House  
26-27 Oxendon Street  
London  
SW1Y 4EL  
*Business Phone Number : 0207 968 2400*

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

3506401

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

**Name:** Daniel Zac Gibbison

*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:** 13-134408-1

**Licensing Authority:** The Royal Borough Of Kensington And Chelsea

**Date:** 10 June 2014

A handwritten signature in black ink, appearing to be 'PP', written over a faint horizontal line.

**Signed:** PP

**Operational Director - Premises Management**

## Annex 1 – Mandatory conditions

1. 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.
2. For the purposes of the condition set out in paragraph 1—
  - (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979(6)
  - (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(7)
3. Where the permitted price given by Paragraph (b) of paragraph 2 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.
4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 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.
5. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
6. 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.
7. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.

8. (1) The responsible person shall take all reasonable steps to 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 in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children:
  - (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 (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
  - (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;
  - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on
    - (i) the outcome of a race, competition or other event or process, or
    - (ii) the likelihood of anything occurring or not occurring;
  - (e) 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.
9. The responsible person shall ensure that no alcohol is dispensed 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).
10. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
11. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
- (2) 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 a holographic mark.



12. The responsible person shall 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; and
  - (b) customers are made aware of the availability of these measures.

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.

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

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

**Conditions relating to Regulated Entertainment**

14. This licence is subject to all the former Rules of Management for Places of Public Entertainment licensed by Westminster City Council, in force from 4 September 1998 and incorporating amendments agreed by the Council on 25 October 1999, 30 June 2000, 16 January 2001 and 1 October 2001.
15. On New Year's Eve the premises can remain open for the purpose of providing regulated entertainment from the time when the provision of regulated entertainment must otherwise cease on New Year's Eve to the time when regulated entertainment can commence on New Year's Day (or until midnight on New Year's Eve where no regulated entertainment takes place on New Year's Day).
16. Notwithstanding the provisions of Rule of Management No. 6 the premises may remain open for the purposes of this licence from 11pm on each of the days Monday to Saturday to 3am on the day following.

17.*	Notwithstanding Rule of Management No. 4 dancers may perform topless on the stage area or by table sides.
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18.*	The entertainment to be provided under this licence shall be limited to the type commonly known as discotheque, and to topless dancing by performers.
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19.*	The agreed activities shall take place only in the designated areas approved by the Council and the approved arrangements for access to the dressing room shall be maintained at all times whilst striptease entertainment is taking place and immediately thereafter.
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20.*	The striptease entertainment shall be given only by performers/entertainers and the audience shall not be permitted to participate.
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21.\* There shall at the premises or in its immediate vicinity be no external advertising of the striptease entertainment.

22.\* Whilst striptease entertainment is taking place no person under the age 18 shall be on the licence premises and a clear notice shall be displayed at the entrance to the premises in a prominent position so that it can be easily read by persons entering the premises in the following terms: NO PERSONS UNDER 18 WILL BE ADMITTED

23.\* The licensee, performer and any person concerned in the organisation or management of the entertainment shall not encourage, or permit encouragement to be made, for the audience to throw money at or otherwise to give gratuities to the performers (except as permitted by condition (21) below).

24.\* Entertainment under this consent may be provided solely by topless dancers on the stage area and to customers seated at tables in the approved part of the premises. No audience participated shall be permitted.

25.\* There shall be no physical contact between customers and dancers except for the placing of money or tokens in a garter or into the hands of the dancer at the beginning or conclusion of the performance. The money or tokens shall not be placed in the G-string of the performers. Whilst the dancers are performing there shall be a minimum distance of three feet between the dancer and the seated customers. Notices to this effect shall clearly be displayed at each table and at the entrance to the premises.

26.\* There shall be no physical contact between dancers whilst performing.

27.\* The topless dancers shall at all times wear a G-string or similar piece of clothing on the appropriate part of the body.

28.\* Whilst table dancing takes place at least two door supervisors shall be employed in the part of the premises used for table dancing.

29.\* At least four registered door supervisors shall be employed at the premises at all times when the premises are in operation.

30.\* No entertainment involving nudity or partial nudity shall take place in any alcove area or in any area or in any area which is not monitored by the CCTV system.

31.\* All exterior doors shall be kept closed after midnight except for immediate entrance and exit.

32.\* A shower and changing room facilities for use by the performers shall be provided to the satisfaction of the Environmental Health Officer.

33.\* Only dancers engaged by or through Evernote Ltd for so long as James Alan Poulton and Jean-Pierre Foster remain directors thereof shall be permitted to perform striptease.

34. Soundproofing to the satisfaction of the Environmental Health Officer shall be provided.

35.\* An attendant shall be in duty in the cloakroom the whole time the premises is in use under this licence.

36. All waste from the premises must be paid for, properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection time.

37. The pavement from the building line to the kerb edge, so as to include the gutter/channel at its junction with the kerb edge, in the vicinity of the premises must be swept at regular intervals whilst customers are queuing to enter the premises. Litter and sweepings must be collected and stored in accordance with the approved refuse storage arrangements.
38. At the close of business each day the premises are open for business, the licensee shall ensure that the pavement from the building line to the kerb edge immediately outside the premises, so as to include the gutter/channel at its junction with the kerb edge, is swept. Litter and sweepings must be collected and stored in accordance with the approved refuse storage arrangements.
39. No unauthorised advertisements of any kind (including placard, poster, sticker, flyer, picture, letter, sign or other mark) that advertises or promotes the establishment, its premises, or any of its events, facilities, goods or services shall be distributed on the street to the public. No such advertisements shall be inscribed or affixed upon the surface of the highway, or upon any building, structure, works, street furniture, tree, or any other property.
40. Food and drink purchased on the premises are not allowed to be taken away by customers on leaving the premises.
41. The number of persons accommodated (excluding staff) at the premises shall not exceed 280.

#### **Conditions for Sale of Alcohol**

42. Substantial food and suitable beverages other than intoxicating liquor (including drinking water) shall be available during the whole of the permitted hours in all parts of the premises where intoxicating liquor is sold or supplied.
  43. There shall be no payment made by or on behalf of the licensees to any person for bringing customers to the premises.
  44. No gaming otherwise than by machines authorised under part III, Gaming Act, 1968.
- |  |
|--|
| <p>45.* No persons under the age of 18 years shall be allowed to enter or remain on the licensed premises, and a clear notice shall be displayed, in the following terms, at the entrance to the premises in a prominent position so that it can be easily read by persons entering: <b>NO PERSON UNDER 18 YEARS WILL BE ADMITTED.</b></p> |
|--|
46. A premises licence holder, or in the case of a company, an authorised representative, shall be present throughout the whole of the time the premises are operating.
  47. On any evening where the premises are open for the purpose of music and dancing, intoxicating liquor shall not be sold or supplied to persons entering the premises or that part of the premises after 10.30pm except to:
    - (a) persons who have paid or had paid on their behalf a minimum admission fee of £3 Mon-Thurs and £5 Fri-Sat, which shall not be credited against consumables; or
    - (b) artistes or persons employed at the premises;
    - (c) persons attending private functions at the premises;
    - (d) guests of the proprietor, a list of whom shall be kept for inspection by the appropriate authorities.
  48. Save as provided in and subject to the provisions of condition 42 below, there shall be no striptease, no nudity and all persons shall be decently attired at all times.

49. Intoxicating liquor may be sold or supplied to the following persons:
- (a) persons paying a minimum annual admission fee of £150 payable in advance (not to be credited against consumables) for music, dancing and entertainment;
  - (b) persons paying a minimum admission fee of £10 (not to be credited against consumables) for music dancing and entertainment;
  - (c) bona fide guests of the proprietor specially invited prior to admission, a list of whom shall be kept at reception for inspection by the statutory authorities;
  - (d) artistes or persons employed at the premises;
  - (e) persons attending a private function on the premises, a list of whom shall be kept at reception for inspection by the statutory authorities.

50.\* Only dancers engaged by or through Evernote Ltd for so long as James Alan Poulton and Jean-Pierre Foster remain directors thereof shall be permitted to perform striptease.

51.\* Such striptease and topless performers shall be engaged subject to the rules the same as or similar to the Management Rules of Conduct deposited with the Licensing Justices. The striptease dancers shall be provided with copy of those rules.

52.\* Striptease artistes shall only perform striptease on the designated stage area and to seated customers at a table.

53.\* There shall be no physical contact between customers and topless dancers except for placing cash/dance tokens in the garter or from the customers hands to the hands of the dancers at the beginning or conclusion of the performance.

54.\* There shall be a minimum distance of three feet to be kept between the striptease artiste and the customer whilst performing.

55.\* A notice outlining conditions 51 and 52 shall be clearly displayed at each table and at the entrance to the premises.

56.\* All striptease artistes are prohibited from removing their G strings.

57.\* There shall be no physical contact between the striptease artistes whilst performing.

58.\* There shall be a minimum fee of £10 per performance by striptease artiste, for the purpose of a topless dance, except for performances conducted on the designated stage.

59.\* Striptease artistes shall only perform striptease on the designated stage area and to seated customers at a table, except striptease shall be prohibited from all the alcove areas hatched brown on the deposited plan.

60.\* A minimum of four Westminster registered door supervisors will be employed on the premises during opening hours, at least two of whom shall be employed within the basement area monitoring striptease performance.

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

61. (a) Subject to the following paragraphs, the permitted hours on weekdays shall commence at 10.00 (12.00 on Christmas Day and Good Friday) and extend until 03.00 on the morning following, except that –
- (i) the permitted hours shall end at 00.00 midnight on any day on which music and dancing is not provided after midnight; and

- (ii) on any day that music and dancing end between 00.00 midnight and 03.00, the permitted hours shall end when the music and dancing end;

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

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

(c) On Sundays the permitted hours shall commence at 12.00 and extend until 23.30.

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

(e) The permitted hours on New Year's Eve will extend to the start of permitted hours on the following day, or if there are no permitted hours on 1 January, to 00.00 on New Year's Eve.

NOTE - The above restrictions do not prohibit:

- (a) during the first thirty minutes after the above hours the consumption of the alcohol on the premises;
- (b) during the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;
- (c) the sale or supply of alcohol to or the consumption of alcohol by any person residing in the licensed premises;
- (d) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- (e) the sale of alcohol to a trader or registered club for the purposes of the trade or club;
- (f) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of her Majesty's naval, military or air forces;
- (g) the taking of alcohol from the premises by a person residing there;
- (h) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied;
- (i) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

In this condition, any reference to a person residing in the premises shall be construed as including a person not residing there but carrying on or in charge of the business on the premises.

62. The terminal hour for late night refreshment on New Year's Eve is extended to 05:00 on New Year's Day.

**\* Conditions indicated shall not apply when a Sexual Entertainment Licence is in effect at the premises**

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

63. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
64. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
65. 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 concerning crime and disorder
  - (d) any incidents of disorder
  - (e) all seizures of drugs or offensive weapons
  - (f) any faults in the CCTV system or searching equipment or scanning equipment
  - (g) any refusal of the sale of alcohol
  - (h) any visit by a relevant authority or emergency service.
66. No drinks shall be consumed outside the premises nor glasses/bottles removed from the premises by patrons when leaving.

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

67. The hours for licensable activities may be extended on no more than 15 occasions per calendar year subject to being in substitution of the 12 temporary events covered by the Licensing Act with ten working days notice to the Police and the Police having power of veto for any such occasion and that the Licensing Authority also be given ten days notice of any such occasion.
68. No persons aged under the age of 18 shall be allowed within the premises under any event.
69. Credit sales is allowed subject to them being accompanied with an itemised bill.

**Annex 4 – Plans**

Attached





Schedule 12  
Part B

WARD: West End  
UPRN: 010033540855

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

**Premises licence  
summary**

Regulation 33, 34

**Premises licence number:**

14/01266/LIPV

**Part 1 – Premises details**

**Postal address of premises:**

Shadow Lounge  
Basement And Part Ground Floor  
3 - 7 Brewer Street  
London  
W1F 0RD

**Telephone Number:** 020 7287 8389

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

Not applicable

**Licensable activities authorised by the licence:**

Performance of Dance  
Performance of Live Music  
Playing of Recorded Music  
Anything of a similar description to Live Music, Recorded Music or Performance of Dance  
Late Night Refreshment  
Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit  
Sale by Retail of Alcohol

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

**Performance of Dance**

Monday to Saturday: 09:00 to 03:00  
Sunday: 09:00 to 23:00  
Non-standard Timings: See condition 67

**Performance of Live Music**

Monday to Saturday: 09:00 to 03:00  
Sunday: 09:00 to 23:00  
Non-standard Timings: See condition 67

**Playing of Recorded Music**

Unrestricted

**Anything of a similar description to Live Music, Recorded Music or Performance of Dance**

Monday to Saturday: 09:00 to 03:00  
Sunday: 09:00 to 23:00  
Non-standard Timings: See condition 67

**Late Night Refreshment**

Monday to Saturday: 23:00 to 03:30  
Sunday: 23:00 to 00:00  
Non-standard Timings: See condition 67

**Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit** Unrestricted

**Sale by Retail of Alcohol**

Monday to Saturday: 10:00 to 03:00  
Sunday: 12:00 to 23:30  
Non-standard Timings: See condition 67

*For times authorised for Christmas, New Year and Good Friday see conditions at Annex 1*

**The opening hours of the premises:**

Monday to Saturday: 09:00 to 03:30  
Sunday: 09:00 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:**

A3D2 Limited  
Clareville House  
26-27 Oxendon Street  
London  
SW1Y 4EL

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

3506401

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

Daniel Zac Gibbison

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

Prohibited

**Date:** 10 June 2014

A handwritten signature in black ink, appearing to read 'P. P.', located at the top center of the page.

**Signed:**

**PP**

**Operational Director - Premises Management**



**Application for a premises licence to be granted under the Licensing Act 2003**

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

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

You may wish to keep a copy of the completed form for your records.

I/We Alan Poulton Limited  
(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

**Part 1 – Premises Details**

Postal address of premises or, if none, ordnance survey map reference or description <b>Shadow Lounge Basement and Part Ground Floor 3-7 Brewer Street</b>			
<b>Post town</b>	London	<b>Postcode</b>	<b>W1F 0RD</b>

<b>Telephone number at premises (if any)</b>	
<b>Non-domestic rateable value of premises</b>	<b>£123,000</b>

**Part 2 - Applicant Details**

Please state whether you are applying for a premises licence as

Please tick as appropriate

- a) an individual or individuals \*  please complete section (A)
- b) a person other than an individual \*
  - i. as a limited company  please complete section (B)
  - ii. as a partnership  please complete section (B)
  - iii. as an unincorporated association or  please complete section (B)
  - iv. other (for example a statutory corporation)  please complete section (B)
- c) a recognised club  please complete section (B)
- d) a charity  please complete section (B)

- e) the proprietor of an educational establishment  please complete section (B)
- f) a health service body  please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales  please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England  please complete section (B)
- h) the chief officer of police of a police force in England and Wales  please complete section (B)

\* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a statutory function or
- a function discharged by virtue of Her Majesty's prerogative

**(A) INDIVIDUAL APPLICANTS** (fill in as applicable)

<input type="checkbox"/> Mr	<input type="checkbox"/> Mrs	<input type="checkbox"/> Miss	<input type="checkbox"/> Ms	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over					<input type="checkbox"/> Please tick yes
Current postal address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

**SECOND INDIVIDUAL APPLICANT (if applicable)**

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/>	Please tick yes
Current postal address if different from premises address					
Post town		Postcode			
Daytime contact telephone number					
E-mail address (optional)					

**(B) OTHER APPLICANTS**

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name Alan Poulton Limited
Address 5 BREWER STREET LONDON W1F 0RE
Registered number (where applicable) 01580851
Description of applicant (for example, partnership, company, unincorporated association etc.) Private Limited Company
Telephone number (if any)
E-mail address (optional)

**Part 3 Operating Schedule**

When do you want the premises licence to start?

DD	MM	YYYY
┆┆	┆┆	┆┆┆┆

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY
┆┆	┆┆	┆┆┆┆

Please give a general description of the premises (please read guidance note 1)  
 The premises are currently licensed under licence no.14/03475/LIPV.

The application is for a "shadow" premises licence by the freeholder of the premises on the same terms as existing licence 14/03475/LIPV.

The conditions and layout plans attached to the current licence 14/03475/LIPV are also to be attached to the "shadow licence" if granted.

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

**What licensable activities do you intend to carry on from the premises?**  
 (Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

- |   |                                     |
|---|-------------------------------------|
| <b>Provision of regulated entertainment</b>   | <b>Please tick any that apply</b>   |
| a) plays (if ticking yes, fill in box A)  | <input type="checkbox"/>            |
| b) films (if ticking yes, fill in box B)  | <input type="checkbox"/>            |
| c) indoor sporting events (if ticking yes, fill in box C)   | <input type="checkbox"/>            |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D)  | <input type="checkbox"/>            |
| e) live music (if ticking yes, fill in box E)   | <input checked="" type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F)   | <input checked="" type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G)  | <input checked="" type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input checked="" type="checkbox"/> |
| <b><u>Provision of late night refreshment</u></b> (if ticking yes, fill in box I)                           | <input checked="" type="checkbox"/> |
| <b><u>Supply of alcohol</u></b> (if ticking yes, fill in box J)   | <input checked="" type="checkbox"/> |

In all cases complete boxes K, L and M

**A**

<b>Plays</b> Standard days and timings (please read guidance note 6)			<b>Will the performance of a play take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give further details here</b> (please read guidance note 3)		
Mon					
Tue			<b>State any seasonal variations for performing plays</b> (please read guidance note 4)		
Wed					
Thur			<b>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</b> (please read guidance note 5)		
Fri					
Sat					
Sun					



**B**

<b>Films</b> Standard days and timings (please read guidance note 6)			<b>Will the exhibition of films take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give further details here</b> (please read guidance note 3)		
Mon					
			<b>State any seasonal variations for the exhibition of films</b> (please read guidance note 4)		
Tue					
			<b>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</b> (please read guidance note 5)		
Wed					
Thur					
Fri					
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3)	
Day	Start	Finish		
Mon			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)	
Tue				
Wed				
Thur				<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 5)
Fri				
Sat				
Sun				

**D**

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 6)			<b>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give further details here</b> (please read guidance note 3)		
Mon					
			<b>State any seasonal variations for boxing or wrestling entertainment</b> (please read guidance note 4)		
Tue					
			<b>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</b> (please read guidance note 5)		
Wed					
Thur					
Fri					
Sat					
Sun					

E

<b>Live music</b> Standard days and timings (please read guidance note 6)			<b>Will the performance of live music take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give further details here</b> (please read guidance note 3)					
Mon	0900	0300						
Tue	0900	0300						
Wed	0900	0300				<b>State any seasonal variations for the performance of live music</b> (please read guidance note 4)		
Thur	0900	0300						
Fri	0900	0300	<b>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</b> (please read guidance note 5) These hours to be extended by one hour on the morning that British Summer Time commences					
Sat	0900	0300						
Sun	0900	2300						

**F**

<b>Recorded music</b> Standard days and timings (please read guidance note 6)			<b>Will the playing of recorded music take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give further details here</b> (please read guidance note 3)		
Mon	0000	0000			
Tue	0000	0000			
			<b>State any seasonal variations for the playing of recorded music</b> (please read guidance note 4)		
Wed	0000	0000			
Thur	0000	0000			
			<b>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</b> (please read guidance note 5)		
Fri	0000	0000			
Sat	0000	0000			
Sun	0000	0000			

**G**

<b>Performances of dance</b> Standard days and timings (please read guidance note 6)			<b>Will the performance of dance take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give further details here</b> (please read guidance note 3)		
Mon	0900	0300			
			<b>State any seasonal variations for the performance of dance</b> (please read guidance note 4) These hours to be extended from the end of permitted hours on New Year's Eve until the start of permitted hours on New Year's Day		
Tue	0900	0300			
			<b>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</b> (please read guidance note 5) These hours to be extended by one hour on the morning that British Summer Time commences		
Wed	0900	0300			
Thur	0900	0300			
Fri	0900	0300			
Sat	0900	0300			
Sun	0900	2300			

**H**

<p><b>Anything of a similar description to that falling within (e), (f) or (g)</b>  <b>Standard days and timings</b>          (please read guidance note 6)</p>			<p>Please give a description of the type of entertainment you will be providing</p>		
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<p><b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)</p>	Indoors	<input checked="" type="checkbox"/>
Mon	0900	0300		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue	0900	0300	<p><b><u>Please give further details here</u></b> (please read guidance note 3)</p>		
Wed	0900	0300			
Thur	0900	0300	<p><b><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u></b> (please read guidance note 4)          These hours to be extended from the end of permitted hours on New Year's Eve until the start of permitted hours on New Year's Day</p>		
Fri	0900	0300			
Sat	0900	0300	<p><b><u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5)          These hours to be extended by one hour on the morning that British Summer Time commences</p>		
Sun	0900	2300			

I

<b>Late night refreshment</b> Standard days and timings (please read guidance note 6)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give further details here</b> (please read guidance note 3)		
Mon	2300	0330			
Tue	2300	0330			
Wed	2300	0330	<b>State any seasonal variations for the provision of late night refreshment</b> (please read guidance note 4) These hours to be extended from the end of permitted hours on New Year's Eve until the start of permitted hours on New Year's Day		
Thur	2300	0330			
			<b>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</b> (please read guidance note 5) These hours to be extended by one hour on the morning that British Summer Time commences		
Fri	2300	0330			
Sat	2300	0330			
Sun	2300	0000			



J

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 6)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 4) These hours to be extended from the end of permitted hours on New Year's Eve until the start of permitted hours on New Year's Day		
Mon	1000	0300			
Tue	1000	0300			
Wed	1000	0300			
Thur	1000	0300			
Fri	1000	0300			
Sat	1000	0300			
Sun	1200	2330			
			<b>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</b> (please read guidance note 5) These hours to be extended by one hour on the morning that British Summer Time commences		

**State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor:**

<b>Name</b> TBC	
<b>Address</b>	
<b>Postcode</b>	
<b>Personal licence number (if known)</b>	
<b>Issuing licensing authority (if known)</b>	

K

**Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8).**  
 None

L

<b>Hours premises are open to the public</b> <b>Standard days and timings</b> <b>(please read guidance note 6)</b>			<b>State any seasonal variations</b> (please read guidance note 4) These hours to be extended from the end of permitted hours on New Year's Eve until the start of permitted hours on New Year's Day
Day	Start	Finish	
Mon	0900	0330	
Tue	0900	0330	
Wed	0900	0330	
Thur	0900	0330	
Fri	0900	0330	<b>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</b> (please read guidance note 5) These hours to be extended by one hour on the morning that British Summer Time commences
Sat	0900	0330	
Sun	0900	0000	

**M Describe the steps you intend to take to promote the four licensing objectives:**

**a) General – all four licensing objectives (b, c, d and e) (please read guidance note 9)**

The conditions attached to the current licence 14/03475/LIPV are also to be attached to the "shadow licence" if granted.

**b) The prevention of crime and disorder**

The conditions attached to the current licence 14/03475/LIPV are also to be attached to the "shadow licence" if granted.

**c) Public safety**

The conditions attached to the current licence 14/03475/LIPV are also to be attached to the "shadow licence" if granted.

**d) The prevention of public nuisance**

The conditions attached to the current licence 14/03475/LIPV are also to be attached to the "shadow licence" if granted.

**e) The protection of children from harm**

The conditions attached to the current licence 14/03475/LIPV are also to be attached to the "shadow licence" if granted.

**Checklist:**

Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.

**IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.**

**Part 4 – Signatures** (please read guidance note 10)

**Signature of applicant or applicant’s solicitor or other duly authorised agent** (see guidance note 11). If signing on behalf of the applicant, please state in what capacity.

Signature	<i>Thomas &amp; Thomas</i>
Date	03/10/2014
Capacity	Thomas & Thomas Partners LLP, Solicitors on behalf of the Applicant

**For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant’s solicitor or other authorised agent** (please read guidance note 12). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13) A Catlin (AT/AC/ALA.1.1) Thomas & Thomas Partners LLP 38a Monmouth Street			
Post town	London	Postcode	WC2H 9EP
Telephone number (if any)	020 7042 0418		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) acatlin@tandtp.com			

## Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, each of the applicant or their respective agent must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

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rev	by	date	description
A	PN	26/11/14	Approved for planning
B	PN	03/12/14	Approved for fire alarm
C	JDB	03/12/14	Final for fire alarm

- Licensing - Fire Safety Requirements.**
1. Doors & partitions required to be fire resisting or to be in accordance with British Standard BS 470 Pt. 3.
  2. Fire resisting doors required to resist the passage of smoke at ambient temperature conditions should, unless tested in accordance with B.S. 476 section 311, to be fitted with a smoke seal.
  3. The fire alarm system is to comply with British Standard BS 5839 Part 1.
  4. The emergency lighting installation is to comply with British Standard BS 5266.
  5. Illuminated 'EXIT' signs are to conform to British Standard BS 2560.

6. Fire lighting equipment to conform to British Standard BS 5423.
7. Fire safety related signs & notices are to conform to British Standard BS 5449 Pt. 1.
8. Wall & ceiling lighting are to be class 1 surface or cord of flame per defined in British Standard BS 476 Pt. 2 in non-public areas & class 0 (as defined in the Building Regulations) in public spaces.
9. Upholstered seating furniture should satisfy, as a minimum standard, (London source) (cigarette test) specified in British Standard BS 5852 Pt. 1. The tests for furniture - Methods of test for flammability by smokers - materials of upholstery components for seating & British Standard BS 5852 Pt. 2. Fire tests for furniture - Methods of test for flammability of upholstered components for seating by flaming source. For water-bater standard cigarette source 5.6. The minimum requirement.

10. Any plastics which have required a flame retardant treatment should be subjected to the water-bater test specified in British Standard BS 5852 Pt. 2. The tests for furniture - Methods of test for flammability by smokers - materials of upholstery components for seating & British Standard BS 5852 Pt. 2. Fire tests for furniture - Methods of test for flammability of upholstered components for seating by flaming source. For water-bater standard cigarette source 5.6. The minimum requirement.
11. Curtains & drapes are to satisfy type B performance requirements of British Standard BS 5867 Pt. 2.
12. Artificial lighting & other decorative effects are to be fire resistant to the satisfaction of the Fire Authority.
13. Telexide floor coverings should be tested to British Standard BS 4791 (Effects of small ignition source hot metal rule method).
14. Vertically hung textile should conform to British Standard BS 5439.

A copy of the laboratory test report from an accredited testing laboratory identifying compliance of the furniture components with the above requirements should be submitted to the Fire Authority for their review. Installation & confirmation that the furniture specified in this certificate have been installed in the premises.

**NOTES**

1. FIRE ALARM INSTALLATION TO BE L1 SYSTEM
2. FIRE SUPPRESSION TO BE INSTALLED OVER THE COOKING APPLIANCES WITHIN THE COOKLINE AREA

**harrison**  
REALISING CREATIVE ENVIRONMENTS

LONDON: 77 Market Street, London E16 1JG  
Tel: 020 4600 0700  
BIRMINGHAM: 100 Colmore Row, Birmingham B3 2QA  
Tel: 0121 221 2000  
info@harrison.co.uk www.harrison.co.uk

**Novus Leisure**

Shadow Lounge  
5 Brewer St, London W1F 0RF

Proposed Licensing Plan  
Grid Floor & Bsm Plan

checked  
date 06/11/14  
2995/20C

- Fire safety installation legend**
- 9 litre water extinguisher
  - 9 litre foam extinguisher
  - 2kg carbon dioxide extinguisher
  - Fire blanket
  - Fire alarm call point (BS 5839)

- All fire extinguishers to have plywood panels bolted into wall
- Fire alarm call point (BS 5839)
- All doors and walls in thick lines to conform to the definition of fire resisting.
- Doors including frames are to be tested and installed in accordance with the current British Standard BS476: Part 22 (and BS 476: Section 31.1 where a specification requires smoke stopping).

- Exit widths and staircases to conform to BS 5588: Part 2 or Part 6.
- Arrow denotes upward direction.
- Occupation densities to BS 5588: Part 2 or Part 6 as appropriate.

- Area covered by smoke detector (BS 5839)
- Area covered by heat detector (BS 5839)
- Area covered by void smoke detector (BS 5839)

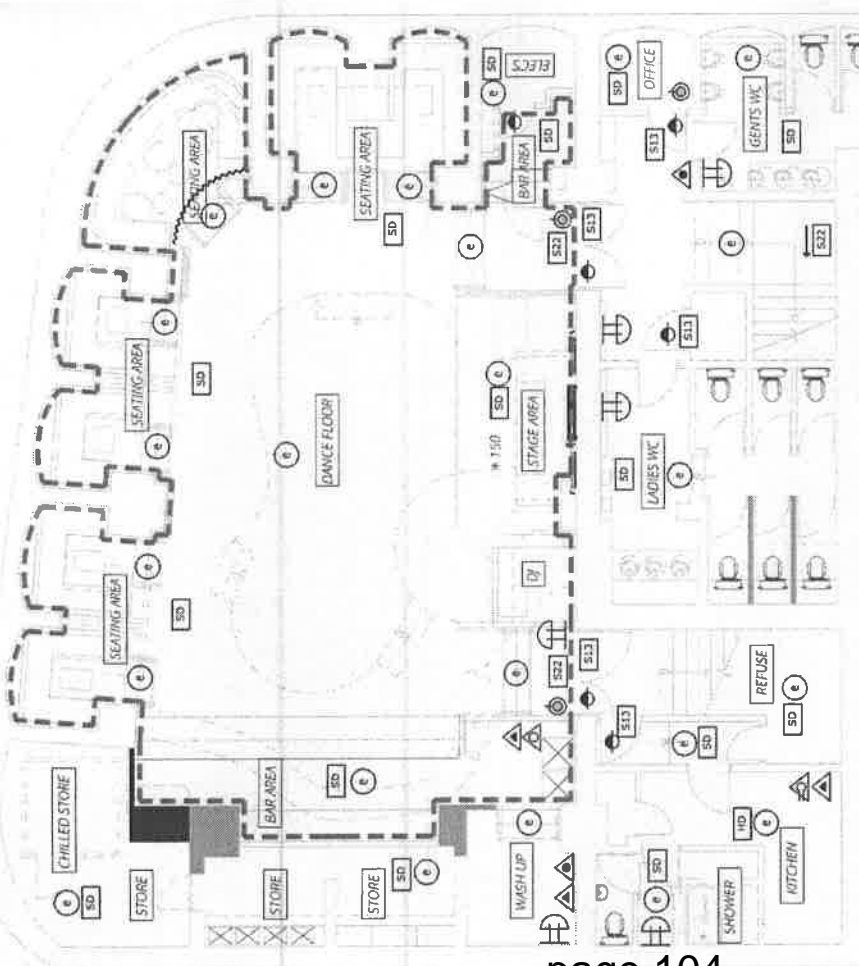
- Sign - FIRE DOOR KEEP SHUT - 75mm letters to both sides of door leaf
- Sign - FIRE DOOR KEEP LOCKED - 75mm letters to both sides of door leaf
- Sign - FIRE EXIT KEEP CLEAR - 75mm letters to external face of door leaf

- Sign - Internally illuminated FIRE EXIT or graphic equivalent - 75mm high letters
- Directional arrow to be provided in the direction indicated
- Area covered by alarm sounder (at high level to be agreed on site)

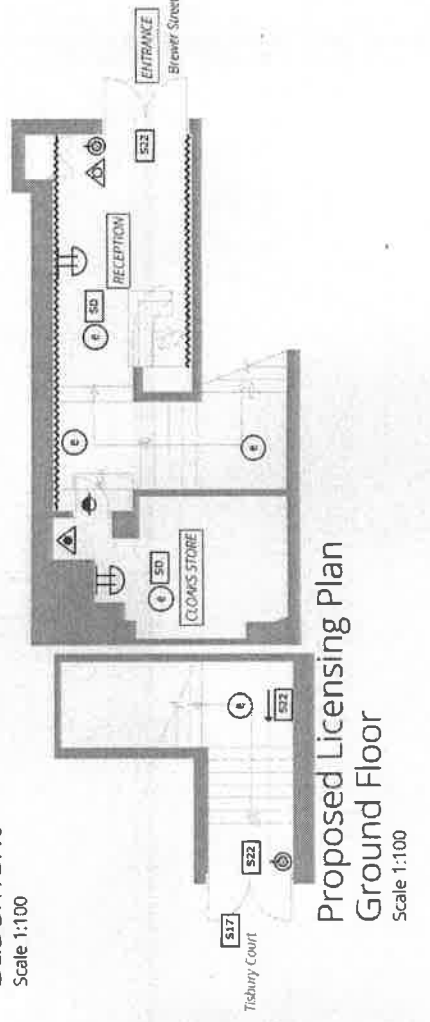
- Area covered by visual and audible alarm sounder (at high level to be agreed on site)
- Area covered by emergency lighting (BS 5266: Part 1 or BS 5266: Part 2)
- Alarm panel or BS 5266 (Emergency Lighting) to be provided to the Fire Authority.

- Wagon panel
- FD305
- FD605
- Fire alarm panel

Area shown plus indicates -  
1. Area to be licensed for late night refreshments.  
2. Area to be licensed for sale and consumption of alcohol.  
3. Area to be licensed for regulated entertainment.



Proposed Licensing Plan  
Basement  
Scale 1:100



Proposed Licensing Plan  
Ground Floor  
Scale 1:100

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TO Licensing Officer

REFERENCE 14/08411/LIPN

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FROM EH Consultation Team

REFERENCE

BEING DEALT WITH BY Ian Watson (iwatson@westminster.gov.uk)

TELEPHONE 020 7641 3183

DATE 31st October 2014

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**The Licensing Act 2003**

**Shadow Lounge, 3-7 Brewer St, W1**

I refer to the application for a New Premises Licence for the above premises.

**The premises are located within the West End Stress Area as stated in the City of Westminster's Statement of Licensing Policy.**

The applicant has submitted floor plans of the premises reference 2995/20C dated 6/11/14

This representation is based on the plans and operating schedule submitted.

The applicant is seeking the following

1. To provide for the Supply of Alcohol 'On' and 'Off' the premises Monday to Saturday between 10.00 and 03.00 hours and Sunday between 12.00 to 23.30 hours.
2. To provide Late Night Refreshment 'Indoors' Monday to Saturday between 23.00 and 03.30 hours and Sunday between 23.00 to 00.00 hours.
3. To provide regulated entertainment 'indoors' comprising
  - Live Music
  - Recorded Music (unrestricted)
  - Performance of Dance
  - Anything of a similar description to Live Music, Recorded Music and Performance of DanceMonday to Saturday between 09.00 and 03.00 hours and Sunday between 09.00 to 23.00 hours.
4. On New Years Eve to provide regulated entertainment, late night refreshment and Supply of Alcohol from the end of authorised hours to commencement of authorised hours on New Years Day.
5. On the morning on which summer time commences regulated entertainment, late night refreshment and supply of alcohol will extend by one hour.

I wish to make the following representation

1. The hours requested for the Supply of Alcohol, provision of regulated entertainment and the type of regulated entertainment and Late Night Refreshment will have the likely effect of causing an increase in Public Nuisance within the West End Stress Area.
2. The hours requested to permit the provision of regulated entertainment, late night refreshment and Supply of Alcohol from the end of authorised hours on New Years Eve to commencement of authorised hours on New Years Day will have the likely effect of causing an increase in Public Nuisance and impact on Public Safety within the West End Stress Area.
3. The additional hour requested to permit regulated entertainment, late night refreshment and supply of alcohol on the morning on which summer time begins will have the likely effect of causing an increase in Public Nuisance within the West End Stress Area.

The granting of the application as presented would have the likely effect of causing an increase in Public Nuisance and impact on Public Safety within the West End Stress Area.

The applicant has stated that conditions attached to Premises Licence 14/03475/LIPV will apply to this application.

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

Ian Watson  
Senior Practitioner Environmental Health (Licensing)









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City of Westminster

# Licensing Sub-Committee Report

Item No:	
Licensing Ref No:	<b>14/10384/LIPN</b>
Date:	<b>13 January 2015</b>
Classification:	<b>For General Release</b>
Title of Report:	<b>Friends Supermarket 82 Lupus Street London SW1V 3EB</b>
Report of:	<b>Operational Director of Premises Management</b>
Policy context:	<b>City of Westminster Statement of Licensing Policy</b>
Financial summary:	<b>None</b>
Report Author:	<b>Miss Sam Eaton, Environmental Health Case Officer (Licensing)</b>
Contact Details:	<b>Telephone: 020 7641 1868 E-mail: <a href="mailto:seaton1@westminster.gov.uk">seaton1@westminster.gov.uk</a></b>

## APPLICATION DETAILS

<b>Application Type:</b>	A new premises licence application under the Licensing Act 2003.		
<b>Applicant:</b>	Lupus 82 Ltd	<b>Date Application Received:</b>	20 November 2014
<b>Premises Name and Address:</b>	Friends Supermarket 82 Lupus Street London SW1V 3EB		
<b>Ward Name:</b>	Warwick	<b>Stress Area:</b>	No
<b>Description of Premises:</b>	The premises operate as a Supermarket.		
<b>Preliminary Note:</b>	The Premises were reviewed by the Licensing Service on the grounds of Prevention of Crime and Disorder and the Protection of Children From Harm following inspections where it has been found that alcohol has been sold to persons under age, a history of breaches relating to the sale of alcohol and the sale of tobacco to a minor and unpaid Customs and Excise duty. The Licensing Sub Committee revoked the premises licence (Ref: 10/06089/LIPD) on 11 <sup>th</sup> September 2014 and a copy of the decision has been included within the Background papers. The licence holder has submitted an appeal in relation to the decision.		
<i>Note: Where the committee is minded to grant the licence it will be granted subject to the mandatory conditions and conditions consistent with the operating schedule modified to such extent as the authority considers appropriate for the promotion of the licensing objectives detailed in Appendix D to this report.</i>			
<b>Proposed Licensable Activities, Proposed Hours:</b>			
<b><u>1.1 Sale of Alcohol: Off the Premises</u></b>			
Monday to Saturday – 08:00 to 23:00 Sunday – 10:00 to 22:30			
<b><u>1.2 Opening Hours:</u></b>			
Monday to Saturday – 08:00 to 23:00 Sunday – 10:00 to 22:30			
<i>(Note: Opening hours are not a licensable activity under the Licensing Act 2003, however they can still be taken into consideration when assessing the application's effect on the licensing objectives.)</i>			
	<b>Relevant representations and policies applicable:</b>		<b>References / Notes</b>
<b>1A</b>	The Environmental Health Service has made an adverse representation against the application as presented would have the likely effect of not promoting the prevention of Crime and Disorder, increasing Public Nuisance and effecting Public Safety in the area.		<b>Environmental Health Service representation</b>
<b>1B</b>	The Metropolitan Police Service has made an adverse representation against the application in order to Prevent Crime and Disorder. Conditions have been proposed and can be found in <b>Appendix B.</b>		<b>Metropolitan Police Service Representation &amp; Conditions</b>



**Licence & Appeal History**

The premises previously held a licence under reference 10/06089/LIPD which was revoked by Licensing Sub Committee on 11<sup>th</sup> September 2014. The licence history is as follows:

<b>Application</b>	<b>Details of Application</b>	<b>Date determined</b>	<b>Decision</b>
Conversion Application <b>05/09952/LIPC</b>	Application to convert the Justices On Licence	02.10.2005	Granted Under Delegated Authority
Duplicate Request <b>10/06089/LIPD</b>	Request for a duplicate copy of the licence.	13.08.2010	Granted Under Delegated Authority
Review Application <b>14/06086/LIREVP</b>	Application to review the premises licence on the grounds of Prevention of Crime and Disorder and Protection of Children from Harm.	11.09.2014	Review Determined – Licence Revoked
New Premises Licence Application <b>14/10384/LIPN</b>	Application for a New Premises Licence		Pending

**Awaiting appeal comments.**



## APPENDIX B

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

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

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

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

#### **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 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.
- 5(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.
- 5(ii) For the purposes of the condition set out in paragraph 5(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.
- 5(iii). Where the permitted price given by Paragraph 5(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.
- 5(iv). (1) Sub-paragraph 5(iv)(2) below applies where the permitted price given by Paragraph 5(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

**Conditions consistent with the Operating Schedule:**

6. No super-strength beer, lagers, ciders or spirit mixtures of 5.5% ABV (alcohol by volume) or above shall be sold at the premises, except for premium beers and ciders supplied in glass bottles.

***Alternative Conditions Proposed by the Environmental Health Service & Metropolitan Police Service:***

- (i) No super-strength beer, lagers or ciders of 5.5% ABV (alcohol by volume) or above shall be sold at the premises except for premium beers and ciders sold in glass bottles.
  - (ii) No super-strength beer, lagers, ciders or spirit mixtures of 5.5% ABV (alcohol by volume) or above shall be sold at the premises.
7. There shall be no self service of spirits on the premises, save for spirit mixtures less than 5.5% ABV.  
***(Also proposed by the Environmental Health Service & Metropolitan Police Service).***

8. A Challenge 21 or Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram

***Alternative Condition Proposed by the Metropolitan Police Service & the Environmental Health Service:***

A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.

9. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by the police or an authorised officer of the City Council at all times whilst the premises is open.  
***(Also proposed by the Environmental Health Service & Metropolitan Police Service).***
10. The premises licence holder shall ensure that any patrons drinking and/or smoking outside the premises do so in an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.

**Conditions Proposed by the Metropolitan Police Service:**

11. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
12. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
13. The licence holder shall ensure that outside of the hours authorised for the sale of alcohol and whilst the premises are open to the public, all alcohol within the trading area is to be secured behind locked grilles, locked screens or locked cabinet doors so as to prevent access to the alcohol by both customers and staff.

***Alternative Condition Proposed by the Environmental Health Service:***

Outside of the hours authorised for the sale of alcohol, all alcohol within the trading area is to be secured behind locked grilles/screens or secured behind locked cabinet doors so as to prevent access to the alcohol by both customers and staff.

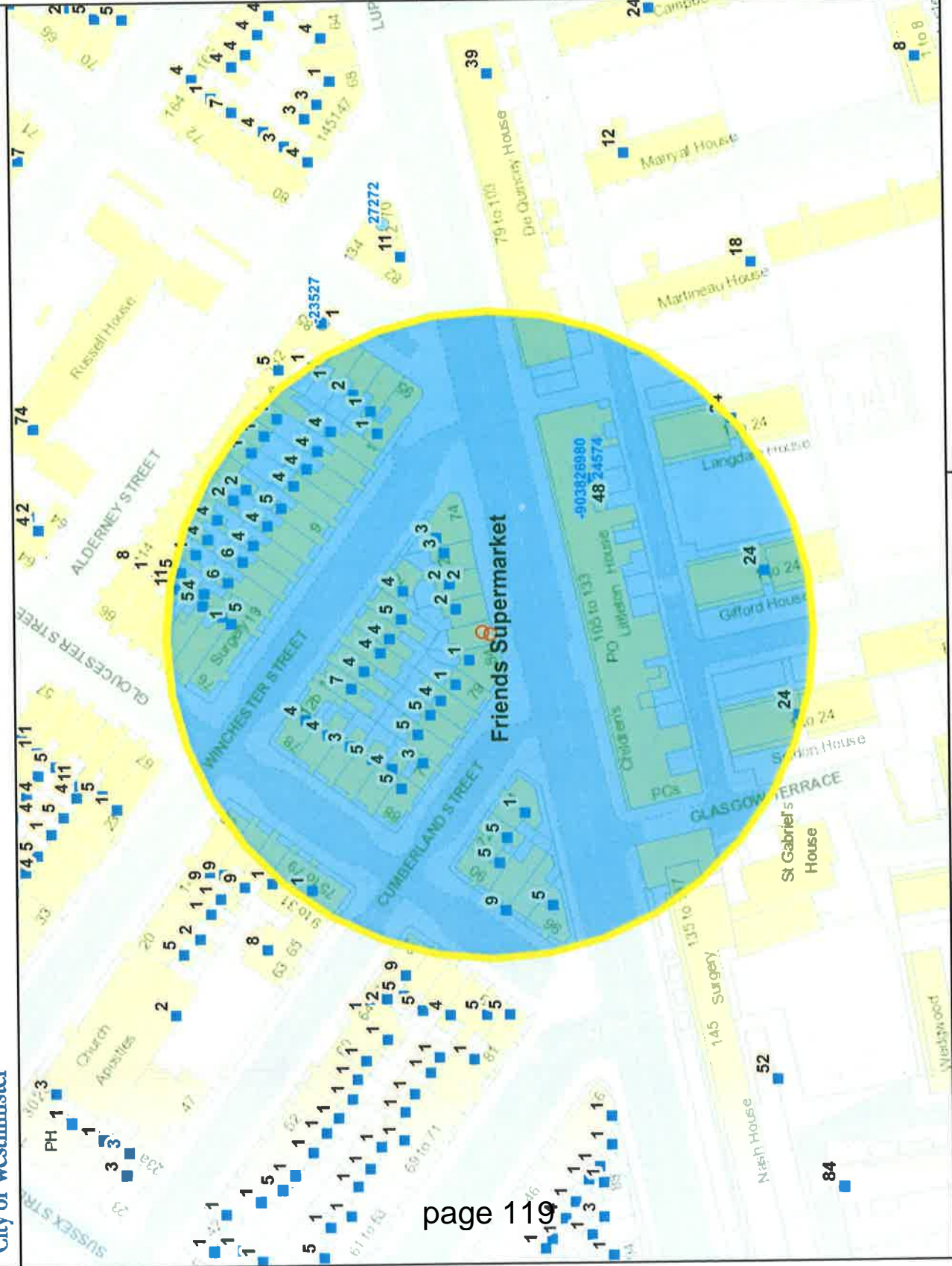
14. No single cans or bottles of beer or cider or spirit mixtures shall be sold at the premises.
15. Licensable activity shall only be carried out on the ground floor of the premises
16. There shall be a personal licence holder on duty on the premises at all times when the premises are authorised to sell alcohol.

17. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.
18. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and leave the area quietly.
19. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
20. 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.
21. No rubbish, including bottles, shall be moved, removed or placed in outside areas between 2300 hours and 0800 hours.
22. The Licence will have no effect until the premises have been assessed as satisfactory by the Environmental Health Consultation Team and this condition has been removed from the Licence.

**Conditions Proposed by the Environmental Health Service & Metropolitan Police Service:**

23. All tills shall automatically prompt staff to ask for age verification identification when presented with an alcohol sale.
24. No more than 15% of the sales area to be used at any one time for the sale, exposure for sale, or display of alcohol.
25. Prominent signage indicating the permitted hours for the sale of alcohol shall be displayed so as to be visible before entering the premises, where alcohol is on public display, and at the point of sale.
26. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
27. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public. This staff member shall be able to show Police recent data or footage with the absolute minimum of delay when requested.

# Friends Supermarket, 82 Lupus Street, London



10 Meters

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Residential / Proposed Residential	300
Under Construction	0
Other Uses	92
Proportion Residential of all Uses	77%

Data Source: Uniform Database:  
Date: 29/12/2014

# APPENDIX C

**Premises within 75 metres of: Friends Supermarket, 82 Lupus Street, London**

<b>p / n</b>	<b>Name of Premises</b>	<b>Premises Address</b>	<b>Opening Hours</b>
24574	Norrls News	Basement And Ground Floor 29 Lupus Street London SW1V 3EN	Monday to Saturday 06:00 - 23:00 Sunday 06:00 - 22:30
-9038	Tesco Stores Ltd	111 Lupus Street London SW1V 3EN	Monday to Sunday 06:00 - 23:00
26980	Pizza Hut Delivery	Basement And Ground Floor 117 Lupus Street London SW1V 3EN	Monday to Sunday 11:00 - 00:00

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# Background Documents

CITY OF WESTMINSTER



**Application for a premises licence to be granted  
under the Licensing Act 2003**

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

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

You may wish to keep a copy of the completed form for your records.

**I/We LUPUS 82 LTD**

*(Insert name(s) of applicant)*

**apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003**

**Part 1 – Premises Details**

Postal address of premises or, if none, ordnance survey map reference or description <b>Friends Supermarket 82 Lupus Street LONDON SW1V 3EL</b>			
<b>Post town</b>	<b>LONDON</b>	<b>Postcode</b>	<b>SW1V 3EL</b>

Telephone number at premises (if any)	<b>0207 460 0833</b>
Non-domestic rateable value of premises	<b>£14750</b>

**Part 2 - Applicant Details**

Please state whether you are applying for a premises licence as

Please tick as appropriate

- a) an individual or individuals \*  please complete section (A)
- b) a person other than an individual \*
- i. as a limited company  please complete section (B)
- ii. as a partnership  please complete section (B)
- iii. as an unincorporated association or  please complete section (B)
- iv. other (for example a statutory corporation)  please complete section (B)



- c) a recognised club  please complete section (B)
- d) a charity  please complete section (B)
- e) the proprietor of an educational establishment  please complete section (B)
- f) a health service body  please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales  please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England  please complete section (B)
- h) the chief officer of police of a police force in England and Wales  please complete section (B)

\* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or  yes

I am making the application pursuant to a

statutory function or

a function discharged by virtue of Her Majesty's prerogative

**(A) INDIVIDUAL APPLICANTS (fill in as applicable)**

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/> Please tick yes	
Current postal address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

**SECOND INDIVIDUAL APPLICANT (if applicable)**

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
<b>Surname</b>			<b>First names</b>		
I am 18 years old or over					<input type="checkbox"/> Please tick yes
Current postal address if different from premises address					
Post town		Postcode			
<b>Daytime contact telephone number</b>					
<b>E-mail address (optional)</b>					

**(B) OTHER APPLICANTS**

**Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.**

Name LUPUS 82 LTD
Address R/O 3 BROOKS PARADE GREEN LANE ILFORD ESSEX IG3 9RT
Registered number (where applicable) 09199279
Description of applicant (for example, partnership, company, unincorporated association etc.) LIMITED COMPANY
Telephone number (if any) 0207 460 0833
E-mail address (optional) C/O ATE@TVEDWARDS.COM

**Part 3 Operating Schedule**

When do you want the premises licence to start? Immediately DD MM YYYY  

±	±	±	±	±	±	±	±
---	---	---	---	---	---	---	---

If you wish the licence to be valid only for a limited period, when do you want it to end? N/A DD MM YYYY  

N/A							
-----	--	--	--	--	--	--	--

Please give a general description of the premises (please read guidance note 1)  
 General supermarket providing for the needs of local residents and businesses

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend. N/A

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

- | Provision of regulated entertainment  | Please tick any that apply |
|---|----------------------------|
| a) plays (if ticking yes, fill in box A)  | <input type="checkbox"/>   |
| b) films (if ticking yes, fill in box B)  | <input type="checkbox"/>   |
| c) indoor sporting events (if ticking yes, fill in box C)   | <input type="checkbox"/>   |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D)  | <input type="checkbox"/>   |
| e) live music (if ticking yes, fill in box E)   | <input type="checkbox"/>   |
| f) recorded music (if ticking yes, fill in box F)   | <input type="checkbox"/>   |
| g) performances of dance (if ticking yes, fill in box G)  | <input type="checkbox"/>   |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input type="checkbox"/>   |

**Provision of late night refreshment** (if ticking yes, fill in box I)

**Supply of alcohol** (if ticking yes, fill in box J)

x

**In all cases complete boxes K, L and M**

**A N/a**

Plays Standard days and timings (please read guidance note 6)			<b>Will the performance of a play take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon			<b>Please give further details here</b> (please read guidance note 3)		
Tue					
Wed			<b>State any seasonal variations for performing plays</b> (please read guidance note 4)		
Thur					
Fri			<b>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</b> (please read guidance note 5)		
Sat					
Sun					

**B N/A**

<b>Films</b> Standard days and timings (please read guidance note 6)			<b><u>Will the exhibition of films take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 3)		
Mon					
Tue					
Wed			<b><u>State any seasonal variations for the exhibition of films</u></b> (please read guidance note 4)		
Thur					
Fri					
Sat			<b><u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5)		
Sun					

C N/A

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 6)			<b><u>Please give further details</u></b> (please read guidance note 3)
Day	Start	Finish	
Mon			<b><u>State any seasonal variations for indoor sporting events</u></b> (please read guidance note 4)
Tue			
Wed			
Thur			<b><u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5)
Fri			
Sat			
Sun			

D N/A

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

E N/A

Live music Standard days and timings (please read guidance note 6)			<b><u>Will the performance of live music take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day				Start	Finish
				Outdoors	<input type="checkbox"/>
Mon			<b><u>Please give further details here</u></b> (please read guidance note 3)	Both	<input type="checkbox"/>
Tue					
Wed			<b><u>State any seasonal variations for the performance of live music</u></b> (please read guidance note 4)		
Thur					
Fri			<b><u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5)		
Sat					
Sun					



F N/A

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			<b><u>Please give further details here</u></b> (please read guidance note 3)	Both	<input type="checkbox"/>
Tue					
Wed			<b><u>State any seasonal variations for the playing of recorded music</u></b> (please read guidance note 4)		
Thur					
Fri			<b><u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5)		
Sat					
Sun					

**G N/A**

<b>Performances of dance</b> Standard days and timings (please read guidance note 6)			<b><u>Will the performance of dance take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b><u>Please give further details here</u></b> (please read guidance note 3)		
Mon					
Tue					
Wed			<b><u>State any seasonal variations for the performance of dance</u></b> (please read guidance note 4)		
Thur					
Fri			<b><u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5)		
Sat					
Sun					

**H N/A**

<p><b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 6)</p>			<p>Please give a description of the type of entertainment you will be providing</p>		
Day	Start	Finish	<p><b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)</p>	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<p><b><u>Please give further details here</u></b> (please read guidance note 3)</p>		
Wed					
Thur			<p><b><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u></b> (please read guidance note 4)</p>		
Fri					
Sat			<p><b><u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5)</p>		
Sun					

I N/A

<b>Late night refreshment</b> Standard days and timings (please read guidance note 6)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 2)			
			Indoors	<input type="checkbox"/>		
			Outdoors	<input type="checkbox"/>		
			Both	<input type="checkbox"/>		
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 3)			
Mon						
Tue						
Wed					<b><u>State any seasonal variations for the provision of late night refreshment</u></b> (please read guidance note 4)	
Thur						
Fri						
Sat					<b><u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u></b> (please read guidance note 5)	
Sun						

**J**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 6)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 7)	On the premises	<input type="checkbox"/>			
				Off the premises	x <input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 4)					
Mon	0800	2300						
Tue	0800	2300						
Wed	0800	2300						
Thur	0800	2300						
Fri	0800	2300						
Sat	0800	2300						
Sun	1000	2230						
						<b>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</b> (please read guidance note 5).		

K

**Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8).**  
 NONE

L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 6)			<b>State any seasonal variations</b> (please read guidance note 4)
Day	Start	Finish	
Mon	0800	2300	<p><b><u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u></b> (please read guidance note 5)</p>
Tue	0800	2300	
Wed	0800	2300	
Thur	0800	2300	
Fri	0800	2300	
Sat	0800	2300	
Sun	1000	2230	

**M** Describe the steps you intend to take to promote the four licensing objectives:

**a) General – all four licensing objectives (b, c, d and e) (please read guidance note 9)**

The supermarket complies with all local authority and statutory requirements and proposes to adopt the standard conditions for the City of Westminster set out on the sheet attached

**b) The prevention of crime and disorder**

See attached sheet

**c) Public safety**

See attached sheet

**d) The prevention of public nuisance**

See attached sheet

**e) The protection of children from harm**

See attached sheet

**Checklist:**

**Please tick to indicate agreement**

- I have made or enclosed payment of the fee. x
- I have enclosed the plan of the premises. x
- I have sent copies of this application and the plan to responsible authorities and others where applicable. x
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable. x
- I understand that I must now advertise my application. x
- I understand that if I do not comply with the above requirements my application will be rejected. x

**IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.**

**Part 4 – Signatures** (please read guidance note 10)

**Signature of applicant or applicant’s solicitor or other duly authorised agent** (see guidance note 11).  
**If signing on behalf of the applicant, please state in what capacity.**

Signature	T V EDWARDS LLP for and on behalf of LUPUS 62 LTD
Date	18.11.14
Capacity	Solicitors for the applicants

**For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant’s solicitor or other authorised agent** (please read guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	



Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)

T V EDWARDS LLP  
35 MILE END ROAD LONDON E1 4TP

Post town	LONDON	Postcode	E1 4TP
-----------	--------	----------	--------

Telephone number (if any)	0203 440 8000
---------------------------	---------------

If you would prefer us to correspond with you by e-mail, your e-mail address (optional)  
ate@tvedwards.com

### Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, each of the applicant or their respective agent must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

## **Attached Sheet - Part M**

No super-strength beer, lagers, ciders or spirit mixtures of 5.5% ABV (alcohol by volume) or above shall be sold at the premises, except for premium beers and ciders supplied in glass bottles.

There shall be no self service of spirits on the premises, save for spirit mixtures less than 5.5% ABV.

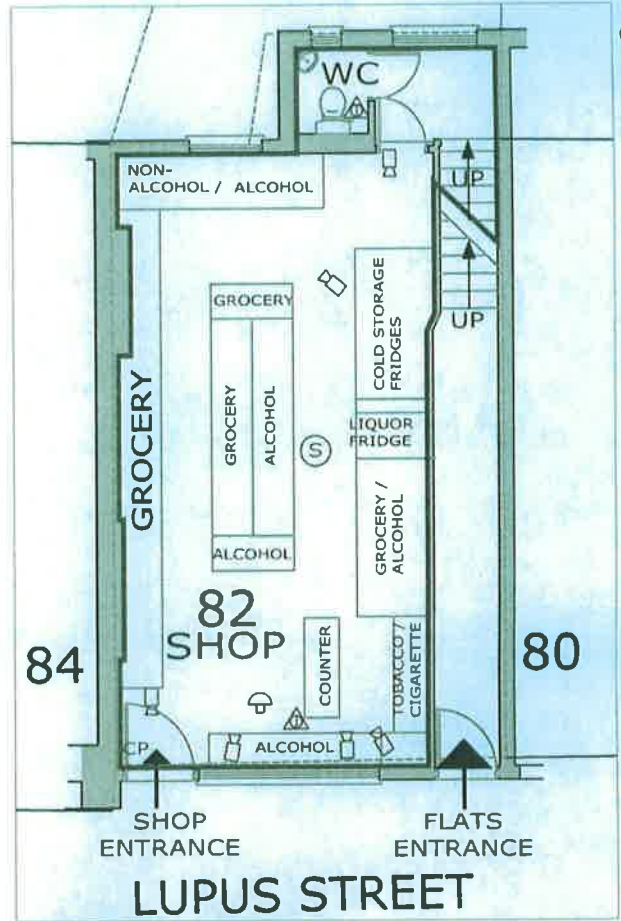
A Challenge 21 or Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram

A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by the police or an authorised officer of the City Council at all times whilst the premises is open.

The premises licence holder shall ensure that any patrons drinking and/or smoking outside the premises do so in an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.

3

PLEASE NOTE - A4 PLANS TO BE PRINTED "AS IN DOCUMENT" NOT ENLARGED OR SHRUNK TO FIT PAGE



**KEY**

- CCTV
- FIRE EXTINGUISHER - WATER
- FIRE ALARM CALL POINT
- SMOKE DETECTOR
- FIRE EXIT
- FIRE ALARM SOUNDER

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client	address 82 LUPUS STREET PIMLICO, LONDON SW1V 3EL	location LICENSING PLAN	date 09-OCT-2014	scale 1:100	sheet A4	<p>Boham Consult Limited 191 Leamings Avenue London E2 6JH Tel: 08430533724 Fax: 07082238990 mail@bohamconsult.co.uk www.bohamconsult.co.uk</p>
			dwg no. BC1069-02	revision		



Schedule 12  
Part A

WARD: Warwick  
UPRN: 999000071341

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

**Premises licence**

Regulation 33, 34

**Premises licence number:**

10/06089/LIPD

**Part 1 – Premises details**

**Postal address of premises:**

Friends Supermarket  
82 Lupus Street  
London  
SW1V 3EL

**Telephone Number:** 020 7460 0033

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

N/A

**Licensable activities authorised by the licence:**

Regulated Entertainment:

- Playing of Recorded Music
- Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit

Sale by Retail of Alcohol

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

Regulated Entertainment:

- Playing of Recorded Music: Unrestricted
- Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit: Unrestricted

Sale by Retail of Alcohol: Monday to Saturday - 08:00 to 23:00

Sale by Retail of Alcohol: Sunday - 10:00 to 22:30

*For times authorised for Christmas and Good Friday see conditions at Annex 1*

**The opening hours of the premises:**

Monday to Saturday - 08:00 to 23:00

Sunday - 10:00 to 22:30

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

Off

**Part 2**

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

Mr Abdur Razzique  
7 Coverley Close  
Hanbury Street  
London  
E1 5HY  
*Telephone Number : 07947 254 608*

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

N/A

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

<b>Name:</b>	Abdur Rahman
<b>Address:</b>	8 Coverley Close Hanbury Street London E1 5HY
<b>Phone:</b>	07944 780219

**Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol:**

<b>Licence Number:</b>	Not Supplied
<b>Licensing Authority:</b>	Not Supplied

**Date:** 13<sup>th</sup> Augsut 2010 \_\_\_\_\_

**Signed:** \_\_\_\_\_

**p.p. Operational Director - Premises Management**

## **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.

Condition 4 will come into force from 1st October 2010

4. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.  
  
(2) 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 a holographic mark.

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

#### **Conditions applicable to the Sale of Alcohol**

5. Alcohol shall not be sold or supplied except during permitted hours.

In this condition, permitted hours means:

- (a) On weekdays, other than Christmas Day, 08:00 to 23:00;
- (b) On Sundays, other than Christmas Day, 10:00 to 22:30;
- (c) On Christmas Day, 12:00 to 15:00 and 19:00 to 22:30;
- (d) On Good Friday, 08:00 to 22:30.

The above restrictions do not prohibit:

- (a) during the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;
  - (b) ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
  - (c) sale of alcohol to a trader or club for the purposes of the trade or club;
  - (d) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces.
6. Alcohol shall not be sold in an open container or be consumed in the licensed premises.

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

None

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

None







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

Schedule 12  
Part B

WARD: Warwick  
UPRN: 999000071341

Premises licence  
summary

Regulation 33, 34

Premises licence number:

10/06089/LIPD

**Part 1 – Premises details**

**Postal address of premises:**

Friends Supermarket  
82 Lupus Street  
London  
SW1V 3EL

**Telephone Number:** 020 7460 0033

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

N/A

**Licensable activities authorised by the licence:**

Regulated Entertainment:

- Playing of Recorded Music
- Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit

Sale by Retail of Alcohol

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

Regulated Entertainment:

- Playing of Recorded Music: Unrestricted
- Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit: Unrestricted

Sale by Retail of Alcohol: Monday to Saturday - 08:00 to 23:00

Sale by Retail of Alcohol: Sunday - 10:00 to 22:30

*For times authorised for Christmas and Good Friday see conditions at Annex 1*

**The opening hours of the premises:**

Monday to Saturday - 08:00 to 23:00

Sunday - 10:00 to 22:30

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

Off

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

Mr Abdur Razzique  
7 Coverley Close  
Hanbury Street  
London  
E1 5HY

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

N/A

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

**Name:** Abdur Rahman

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

N/A

**Date:** 13<sup>th</sup> August 2010 \_\_\_\_\_

**Signed:** \_\_\_\_\_

p.p. Operational Director - Premises Management

### LICENSING SUB-COMMITTEE No. 3

Thursday 11 September 2014

Membership: Councillors Melvyn Caplan (Chairman), Peter Freeman and Patricia McAllister

Legal Adviser: Anita Sharman

Policy Adviser: Chris Wroe

Committee Officer: Mick Steward

Relevant Representations: Environmental Health Team, Metropolitan Police Service, Local Residents

Present: Dario Saracini (Licensing Inspector), PC Jim Sollars, Louise Joyce (Environmental Health Team), Farhana Cook, Solicitor for Licensees

#### **Friends Supermarket, 82 Lupus Street, London, SW1V 3EL**

**14/06086/LIREVP**

1. The Sub-Committee heard from Dario Saracini (Licensing Inspector) who outlined the background to the review, as set out in the report. The amount of the alcohol which had been seized was significant to the value of £150k and would attract Excise duty of about £31k. Both the Licensee and the Designated Premises Supervisor admitted the offence which could have attracted a Level 3 fine of £1,000. The Custom and Excise Officers who had secured the goods had written to the Licensee warning that further problems would lead to prosecution but in the meantime they would allow the licensing authorities to undertake a review if they so determined. . He also drew the Sub-Committee's attention to the guidance issued under Section 182 of the Licensing Act 2003 which advised in these circumstances that the Sub-Committee should give serious consideration to revoking the licence, in extreme cases such as this. PC Jim Sollars spoke on behalf of the Police in support of the review which in view of the serious nature of the recent incident should lead to revocation of the licence particularly in view of the vast amount of alcohol involved.

Louise Joyce, Environmental Health Service, spoke in support of the review and for revocation as the matters were not capable of resolution by the imposition of additional conditions.

Ms Farhana Rahman Cook, Solicitor for the Licensees, addressed the Sub-Committee. She explained that her clients had been under pressure as a result of a new Tesco's Express and other economic pressures. They had admitted the offence and had given a full account to the authorities to assist in identifying the supplier. They had attended all meetings which had been requested by the authorities. The Licensees wished to keep the business in the community but they appreciated that their actions had led to serious problems. Accordingly, it was proposed that the licence be transferred to other members of the family. It was emphasised that at each stage the Licensees had cooperated with the

	<p>authorities. The letters of support for the premises from local residents, which had been circulated, were drawn to the particular attention of the Sub-Committee. The Solicitor for the Licensee suggested that conditions as follows could be added so as to avoid revoking the licence:</p> <ol style="list-style-type: none"> <li>1. To change the Designated Premises Supervisor by October 2014;</li> <li>2. No self service of spirits;</li> <li>3. No supply of alcohol for drinking outside the premises;</li> <li>4. The introduction of a Challenge 21 Scheme;</li> <li>5. A requirement to produce on a monthly basis all invoices to Environmental Health.</li> </ol> <p>Ms Cook asked, on behalf of her clients, for forgiveness and assured the Sub-Committee that no further problems would arise.</p> <p>The Sub-Committee withdrew to consider and reach its decision.</p>
	<p>Decision (including reasons if different from those set out in report):</p>
	<p>The Chairman advised that in reaching its decision the Sub-Committee had not had regard to the historic incidents as far back as 2008 as these were, as had been stated, a long time ago. The most recent incident had involved a particularly large quantity of items. It was noted that the guidance, issued under Section 182 of the Licensing Act, advised that Local Authorities should use the review process to deal effectively with situations like those in this particular case and that the Customs and Excise authorities were expecting the authorities to use these powers rather than go through the Courts. The Sub-Committee did not consider it appropriate or possible to add additional conditions to resolve. In the circumstances of the serious nature of this case the Sub-Committee considered that the only appropriate and proportionate option was to revoke the licence.</p>

TO  
REFERENCE

Samantha Eaton  
14/10384/LIPN

FROM  
REFERENCE  
BEING DEALT WITH BY  
TELEPHONE  
DATE

EH Consultation Team, 4<sup>th</sup> Floor, City Hall  
CT/LXJ/14/051290/EHCT  
Louise Joyce  
0207 641 1773  
23.12.2014

**Re: Basement And Ground Floor, 82 Lupus Street, London**

I refer to the application for a new premises Licence for the above premises. The applicant has submitted plans for the premises Name: Licensing Plan; dated 09-Oct-2014; dwg no: BC1069-02.

This representation is based on the application submitted and the operating schedule.

The applicant is seeking the following licensable activities:

1. To permit the Supply of Alcohol 'Off' the premises Monday to Saturday 0800 hours to 2300 hours and Sunday 1000 hours to 2230 hours.

I wish to raise the following representations:

1. The provision of the supply of alcohol 'Off' the premises and the hours requested may have the likely effect of not promoting the prevention of Crime and Disorder, increasing Public Nuisance and effecting Public Safety in the area.

I would also like to include in this representation recent history and breeches of conditions on the previous premises licence that was held at this premises.

<b>Date</b>	<b>Licence</b>	<b>Issue</b>	<b>Decision by WCC</b>
20.11.2014	14/10384/LIPN	Application submitted for a new premises licence for the supply of alcohol 'Off' the premises	Representation made by Environmental Health
13.11.2014	**Visit by HMRC Visit under section 112 of the customs & Excise Management Act 1979	Located in the premises behind the till a number of spirits which had counterfeit rear labels. Admission by Mr Ahmed that non UK duty paid stock had been purchased as no receipt available	Stock seized under section 139 of the customs and excise management Act 1979
11.09.2014	14/06086/LIREVP	An application to Review the PL was submitted following the discovery of a large quantity of 'alcohol which had had no excise duty paid. Review application submitted as premises failure to promote the licensing objectives of Crime and	The Sub-Committee did not consider it appropriate or possible to add additional conditions to resolve. In the circumstances of the

		Disorder and Children and Young persons.	serious nature of this case the Sub-Committee considered that the only appropriate and proportionate option was to revoke the licence.
22.05.2014	10/06089/LIPD	<p>Visit to premises following information from Trading Standards that premises was having alcohol seized by HM Revenue and Customs. Premises had been visited as part of a tobacco operation but officers had discovered large amounts of alcohol in a store room in the basement. Lots of it was found to be counterfeit, or with fake duty stamp marks on them. The operators were unable to provide any paperwork in relation to the alcohol on the premises so Revenue and Customs were seizing it all. The volume of alcohol in the basement store room was enormous so Revenue and Customs had called in a side loading truck to carry it all.</p> <p>Outcome - The DPS for the premises (Mr Abdur RAHMAN 9521 Tower Hamlets 190 Woodseer Street E1 5HQ) was present so his personal licence details were obtained. His personal licence did not contain his current address.</p>	

From the above history check of the premises it is clear that the previous DPS Mr. Rahman and his brother Mr. Razzique were in breach of their licence and was revoked.

Environmental Health is maintaining their representation and will have additional comments to make to the application. Witnesses from trading standards and Licensing inspectors may also attend the hearing to support this representation.

The applicant has not submitted any conditions in support of the application; however any new Premises Licence that may be granted will be subject to conditions to address the licensing objectives of the Prevention of Crime and Disorder, the Prevention of Public Nuisance and Public Safety.

A site visit will be arranged to assess the premises to ensure the premises is satisfactory and following this, conditions may be recommended by Environmental Health to support the licensing objectives for the Prevention of Crime and Disorder, the Prevention of Public Nuisance and Public Safety.

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

**Louise Joyce**  
**Environmental Health Officer**

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**TO** Samantha Eaton, Licensing Officer  
**REFERENCE** 14/10384/LIPN

---

**FROM** EH Consultation Team  
**REFERENCE** CT/LXJ/14/051290/EHCT  
**BEING DEALT WITH BY** Louise Joyce (ljoyce@westminster.gov.uk)  
**TELEPHONE** 020 7641 1773  
**DATE** 5<sup>th</sup> January 2015

---

**The Licensing Act 2003**

**Ground Floor, 82 Lupus Street, London**

I refer to the application for a New Premises Licence.

The following conditions are proposed by Environmental Health.

1. Licensable activity shall only be carried out on the ground floor of the premises
2. There shall be a personal licence holder on duty on the premises at all times when the premises are authorised to sell alcohol.
3. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.
4. All tills shall automatically prompt staff to ask for age verification identification when presented with an alcohol sale.
5. Outside of the hours authorised for the sale of alcohol, all alcohol within the trading area is to be secured behind locked grilles/screens or secured behind locked cabinet doors so as to prevent access to the alcohol by both customers and staff.
6. No super-strength beer, lagers or ciders of 5.5% ABV (alcohol by volume) or above shall be sold at the premises except for premium beers and ciders sold in glass bottles.
7. No more than 15% of the sales area to be used at any one time for the sale, exposure for sale, or display of alcohol.
8. There shall be no self service of spirits on the premises except for spirit mixtures below 5.5% Alcohol by Volume.
9. Prominent signage indicating the permitted hours for the sale of alcohol shall be displayed so as to be visible before entering the premises, where alcohol is on public display, and at the point of sale.



10. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and leave the area quietly.
11. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
12. 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.
13. No rubbish, including bottles, shall be moved, removed or placed in outside areas between 2300 hours and 0800 hours.
14. A challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram
15. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
16. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public. This staff member shall be able to show Police recent data or footage with the absolute minimum of delay when requested.
17. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by the police or an authorised officer of the City Council at all times whilst the premises is open.
18. The Licence will have no effect until the premises have been assessed as satisfactory by the Environmental Health Consultation Team and this condition has been removed from the Licence.

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

Louise Joyce  
Environmental Health Officer

## Eaton, Sam

---

**From:** Joyce, Louise  
**Sent:** 07 January 2015 11:42  
**To:** Eaton, Sam  
**Subject:** Friends Supermarket Additional

Hi Sam,

Please see the document that I have submitted to you that I will refer to during LSC. It contains a memo from Dario Saracini Licensing Inspector and a witness statement from Nicola Leak Officer of the HMRC.

Kind Regards,

**Louise Joyce**

Environmental Health Officer  
Environmental Health Consultation Team  
**Premises Management**

Westminster City Hall - 4th Floor  
64 Victoria Street  
London SW1E 6QP

---

Tel: 020 7641 1773  
Fax: 020 7641 3436

Email: [ljoyce@westminster.gov.uk](mailto:ljoyce@westminster.gov.uk)  
[www.westminster.gov.uk](http://www.westminster.gov.uk)

**CITY OF WESTMINSTER  
PREMISES LICENSING INSPECTOR**

**MEMORANDUM**

**TO:** Louise Joyce

**REFERENCE:** 14/10384/LIPN

**FROM:** Dario Saracini  
Licensing Inspector  
Premises Management

**DATE:** 25th November 2015

---

**Re: Application for a new Premises Licence – 82 Lupus Street, W1**

As you will be aware this current application was received by WCC on 20th November 2014 and appears to have been submitted following the revocation of a previous premises licence (please see 14/06086/LIREVP for full details). The decision to revoke the licence was based upon evidence that the premises was selling alcohol with no excise duty paid contrary to S144 Licensing Act 2003, following a visit carried out by Customs and Trading Standards officer. The DPS and owner of the premises at that time was Mr Abdur Rahman of **8 Cloverley Close, Hanbury Street, E1** and the holder of the licence was his brother, Mr Abdur Razzique. Although the decision to revoke the licence was made by the Sub Committee on 11th September 2014 the appeal period ends on 3rd December 2014 and therefore the premises continues to trade selling alcohol. On 13th November 2014 however further visit was carried out by customs officers who once again found alcohol on the premises with no duty paid (see attached statement).

The current application is made by T V Edwards Solicitors on behalf 'Lupus 82 Ltd' (company No 09199279). The Director of this company is shown as Mr Abdus Subhan of **8 Cloverley Close, Hanbury Street, E1**. Crucially this appears to be the same address as the 'old' DPS and owner of the premises whose licence the Sub-committee revoked on 11th September 2014. (Please see attached printouts from Companies House)

The offences which Mr Rahman and his brother, Mr Razzique were accused were serious and appear to have been repeated again on 13th November 2014. I would therefore have concerns over anyone who has a connection with either of them.

Dario Saracini  
Licensing Inspector

COMPANY APPOINTMENTS

Registered No.: 09199279  
Name: LUPUS 82 LTD

Address: 3 BROOKS PARADE GREEN LANE  
ILFORD  
ESSEX  
ENGLAND  
IG3 9RT

Company Appointments: 2 / Resignations: 0

**Exclude**

Resignations

To view details of other appointments held, click on the appropriate underlined name.

(Charge : £1.00 per officer selection)

LUDI, MD NOOR UDDIN MR

6 BATH ROAD  
FOREST GATE  
LONDON  
UNITED KINGDOM  
E7 8QQ

DIRECTOR  
Appointed: 01/10/2014  
Nationality: BRITISH  
Occupation: SALESMAN

Country/State of Residence: UNITED KINGDOM  
Date of Birth: 05/07/1976  
Appointments: 1

SUBHAN, ABDUS MR

8 COVERLEY CLOSE  
HANBURY STREET  
LONDON  
UNITED KINGDOM  
E15 4HY

DIRECTOR  
Appointed: 02/09/2014  
Nationality: BRITISH  
Occupation: SALESMAN

Country/State of Residence: UNITED KINGDOM  
Date of Birth: 11/09/1982  
Appointments: 1

**COMPANY DETAILS**

---

**Name & Registered Office:**

LUPUS 82 LTD  
3 BROOKS PARADE  
GREEN LANE  
ILFORD  
ESSEX  
ENGLAND  
IG3 9RT

**Company No.:** 09199279

**Date of Incorporation:** 02/09/2014  
**Country of Origin:** United Kingdom

**Status:** Active

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**Company Type:** Private Limited Company

**Nature Of Business (SIC):**

None Supplied

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**Accounting Reference Date:** 30/09

**Last Accounts Made Up To:** (NO ACCOUNTS FILED)

**Next Accounts Due:** 02/06/2016

**Last Return Made Up To:**

**Next Return Due:** 30/09/2015

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**Mortgage: Number of Charges:** ( 0 outstanding / 0 satisfied / 0 part satisfied )

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**Previous Names**

No previous name information has been recorded over the last 20 years.

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**WITNESS STATEMENT OF NICOLA LEAK**

**Visit to Friends Supermarket, 82 Lupus Street, London SW1V 3EL on 13<sup>th</sup>  
November 2014.**

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I, Nicola Leak, Officer of Her Majesty's Revenue & Customs, (HMRC) based at Custom House, 20 Lower Thames Street, London EC3R 6EE WILL SAY as follows:

On 13<sup>th</sup> November 2014, accompanied by other Officers of HMRC, I attended Friends Supermarket, 82 Lupus Street, London SW1V 3EL, under the authority of section 112 of the Customs & Excise Management Act 1979.

The owner of the business, Mr Abdur Rahman was present during the inspection.

I located a number of spirits behind the till which had counterfeit rear labels. This included:

19 x 70cl bottles of Glens Vodka

5 x 70cl bottles of High Commissioner Whisky

14 x 70cl bottles of Teachers Whisky

9 x 35cl bottles of High Commissioner Whisky

I also located 20 x 70cl bottles of Smirnoff Vodka that had UK diversion indicators.

Mr Rahman produced a number of invoices from August 2014 to date, which did include purchases of the brands found to have counterfeit or diverted indicators, but I could not confirm if these invoices related to the actual stock on hand.

Following the questioning of employee, Mr Iftakhar Ahmed, regarding the purchase of Echo Falls and Blossom Hill being sold for £3.99 per bottle, it was ascertained that he had purchased a number of cases of these brands from a 'white van man' for £15 per case, paid in cash with no receipt. The purchase price of £15 indicates that this stock is non UK duty paid. Mr Rahman claimed he had no knowledge of this transaction.

Due to the admission by Mr Ahmed that non UK Duty paid stock had been purchased, and the detection of spirits with counterfeit and UK diverted indicators, I seized the goods pursuant to section 139 of the Customs & Excise management Act 1979 as it was liable to forfeiture on the basis that, on the balance of probabilities, the UK excise duty had not been paid. The relevant seizure paperwork, ENF156 and ENF3174, was issued to Mr Ahmed following Mr Rahman's departure from the premises.

In total, 80.25 litres of wine and 43.75 litres spirits was seized.

The duty figures of the seized stock amounted to £693.92 of Excise Duty and £154.84 of VAT.

To date, I have not received an appeal against the seizure.

**Statement of Truth**

I believe that the facts contained in this witness statement are true.

Signed:

.....  
NICOLA LEAK,

Dated 24<sup>TH</sup> November 2014

## Eaton, Sam

---

**From:** Simpkin, Kerry  
**Sent:** 07 January 2015 11:32  
**To:** Joyce, Louise  
**Cc:** Eaton, Sam  
**Subject:** FW: Personal Licence Enquiry

Hi Louise

Here's the response from Newham re Mr Ludi's personal licence.

Kerry

---

**From:** Gemma.Main@newham.gov.uk [mailto:Gemma.Main@newham.gov.uk] **On Behalf Of** Licensing@newham.gov.uk  
**Sent:** 07 January 2015 11:05  
**To:** Simpkin, Kerry  
**Subject:** RE: Personal Licence Enquiry

Hi Kerry,

Yes I can confirm that Mr MD Noor Uddin Ludi holds a Personal Licence with us. The expiry date is 10.07.2022  
The Licence number is different from the one you have. His Personal Licence number is 12/00628/LAPER

Kind regards

Gemma  
Gemma Main, Licensing Officer, Licensing Team  
*Enforcement and Safety - Specialist Operations*  
*Strategic Commissioning Directorate*  
London Borough of Newham  
Town Hall Annexe, 330-354 Barking Road, East Ham, London E6 2RT  
DDI: 0203 373 0822, Int: 30822

---

**From:** Simpkin, Kerry [mailto:ksimpkin@westminster.gov.uk]  
**Sent:** 06 January 2015 16:19  
**To:** Licensing  
**Subject:** Personal Licence Enquiry

Hi

Can you please confirm whether you currently have a Personal Licence issued for Mr MD Noor Uddin Ludi of [REDACTED]  
[REDACTED] Personal Licence number 09199279. This individual is named as a DPS for a new premises licence application which has been lodged with Westminster City Council.

I would appreciate if you could provide me with this information before the end of this week.

If you have any questions relating to this please do not hesitate to contact me on 020 7641 1840 or email me at this address.

Kind regards




Mr Kerry Simpkin  
Assistant Service Manager

**Environmental Health Consultation and Licensing**  
Premises Management Delivery Unit  
Westminster City Council  
4th Floor South  
64 Victoria Street  
London SW1E 6QP

Tel: 020 7641 1840  
E-mail: [ksimpkin@westminster.gov.uk](mailto:ksimpkin@westminster.gov.uk)  
Team E-mail: [generallicensing@westminster.gov.uk](mailto:generallicensing@westminster.gov.uk)  
Web: [www.westminster.gov.uk](http://www.westminster.gov.uk)



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INFORMATION ON APPLICATIONS,  
TO CHECK THEIR PROGRESS OR STATUS

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\*\*\*\*\*

Westminster City Council: [www.westminster.gov.uk](http://www.westminster.gov.uk)

\*\*\*\*\*

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## Eaton, Sam

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**From:** Sollars, Jim  
**Sent:** 19 December 2014 18:24  
**To:** AnthonyEdwards  
**Cc:** idoxlicensing; Eaton, Sam  
**Subject:** RE: 14/10384/LIPN friends supermarket, 82 Lupus Street

Seems like they are directly connected to me!

I'm struggling to believe why they should benefit from relicensing their premises.

You must be aware that, once a licence is granted, it may be transferred.

Police have made this representation to deter other criminals.

S182 guidance suggests both that a Review for Crime and Disorder can be used as a deterrent ( I can't find the reference at the moment!) and:

11.27 There is certain criminal activity that may arise in connection with licensed premises which should be treated particularly seriously. These are the use of the licensed premises:

- for the sale of smuggled tobacco and alcohol.

Jim Sollars PC 2142CW

Westminster Police Licensing Team  
4th Floor Westminster City Hall,  
64, Victoria Street,  
LONDON  
SW1E 6QP

Tel: 0207 641 3179

---

**From:** AnthonyEdwards [<mailto:Anthony.Edwards@tvedwards.com>]  
**Sent:** 19 December 2014 15:26  
**To:** Sollars, Jim  
**Cc:** idoxlicensing  
**Subject:** RE: 14/10384/LIPN friends supermarket, 82 Lupus Street

Thank you We must emphasise that the old owners will be totally unconnected (other than as landlords receiving rent) with the new business

Anthony Edwards – Senior Partner  
For and on behalf of TV Edwards LLP



Direct Dial: +44(0)20 3440 8310  
Reception: +44 (0)20 3440 8000  
Fax: +44 (0)20 3357 9587

35 Mile End Road  
London, E1 4TP

DX: 300 700 Tower Hamlets

[www.tvedwards.com](http://www.tvedwards.com)

All Crime correspondence and casepapers should be sent via secure email to [cjsm.crime.inbox@tvedwards.com.cjsm.net](mailto:cjsm.crime.inbox@tvedwards.com.cjsm.net)

---

**From:** Sollars, Jim [<mailto:jsollars@westminster.gov.uk>]  
**Sent:** 19 December 2014 15:03  
**To:** AnthonyEdwards  
**Cc:** idoxlicensing  
**Subject:** 14/10384/LIPN friends supermarket, 82 Lupus Street

Police make a representation against the above application in order to prevent crime and disorder.

The premises has recently been reviewed as a result of being found in possession of more than £30,000 worth of unpaid duty alcohol.

Also, although the application suggests that I see the 'attached sheet' for operating schedule conditions to promote the licensing objectives, I have no such sheet.

Jim Sollars PC 2142CW

Westminster Police Licensing Team  
4th Floor Westminster City Hall,  
64, Victoria Street,  
LONDON  
SW1E 6QP

Tel: 0207 641 3179

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## Eaton, Sam

---

**From:** Sollars, Jim  
**Sent:** 19 December 2014 17:44  
**To:** AnthonyEdwards  
**Cc:** idoxlicensing; Eaton, Sam  
**Subject:** RE: Friends supermarket 14/10384/lipn

Anthony,

Thanks for your email.

This is a very basic starting point.

I'll attach the full off licence conditions we will seek, should the LSC decide to grant.

The rep against the application remains .

- MC01 The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
- MC02 A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.

All tills shall automatically prompt staff to ask for age verification identification when presented with an alcohol sale.

The licence holder shall ensure that outside of the hours authorised for the sale of alcohol and whilst the premises are open to the public, all alcohol within the trading area is to be secured behind locked grills, locked screens or locked cabinet doors so as to prevent access to the alcohol by both customers and staff.

No super-strength beer, lagers, ciders or spirit mixtures of 5.5% ABV (alcohol by volume) or above shall be sold at the premises.

No single cans or bottles of beer or cider or spirit mixtures shall be sold at the premises.

No more than (15)% of the sales area shall be used at any one time for the sale, exposure for sale, or display of alcohol.

There shall be no self service of spirits on the premises, save for spirit mixtures less than 5.5% ABV.

Prominent signage indicating the permitted hours for the sale of alcohol shall be displayed so as to be visible before entering the premises, where alcohol is on public display, and at the point of sale.

A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.

Jim Sollars PC 2142CW

Westminster Police Licensing Team  
4th Floor Westminster City Hall,  
64, Victoria Street,  
LONDON  
SW1E 6QP

Tel: 0207 641 3179

---

**From:** Anthony Edwards [<mailto:Anthony.Edwards@tvedwards.com>]

**Sent:** 19 December 2014 16:31

**To:** Sollars, Jim

**Subject:** Friends supermarket

This was sent on earlier but I attach an additional copy  
Thank you

Anthony Edwards – Senior Partner  
For and on behalf of TV Edwards LLP



Direct Dial: +44(0)20 3440 8310  
Reception: +44 (0)20 3440 8000  
Fax: +44 (0)20 3357 9587

35 Mile End Road  
London, E1 4TP

**Eaton, Sam**

---

**Subject:** FW: 14/10384/LIPN LUPUS ST OFF LICENCE APPLICATION

**From:** Sollars, Jim  
**Sent:** 05 January 2015 13:29  
**To:** [anthony.edwards@tvedwards.com](mailto:anthony.edwards@tvedwards.com)  
**Cc:** idoxlicensing; Eaton, Sam  
**Subject:** 14/10384/LIPN LUPUS ST OFF LICENCE APPLICATION

Sir,

Please find the most recent S182 guidance re Crime and Disorder, parts highlighted in bold and underlined.

Police suggest that by licensing a tenant, the purpose of the Review is undermined.

The landlords benefit from the premises being licensed.

11.27 There is certain criminal activity that may arise in connection with licensed premises which should be treated particularly seriously. These are the use of the licensed premises:

- for the sale and distribution of Class A drugs and the laundering of the proceeds of drugs crime;
- for the sale and distribution of illegal firearms;
- for the evasion of copyright in respect of pirated or unlicensed films and music, which does considerable damage to the industries affected;
- for the illegal purchase and consumption of alcohol by minors which impacts on the health, educational attainment, employment prospects and propensity for crime of young people;
- for prostitution or the sale of unlawful pornography;
- by organised groups of paedophiles to groom children;
- as the base for the organisation of criminal activity, particularly by gangs;
- for the organisation of racist activity or the promotion of racist attacks;
- for knowingly employing a person who is unlawfully in the UK or who cannot lawfully be employed as a result of a condition on that person's leave to enter;
- for unlawful gambling; and
- **for the sale of smuggled tobacco and alcohol.**

11.28 It is envisaged that licensing authorities, **the police and other law enforcement agencies,**

which are responsible authorities, will use the review procedures effectively to deter such activities and crime. Where reviews arise and the licensing authority determines that the crime prevention objective is being undermined through the premises being used to further crimes, it is expected that revocation of the licence – even in the first instance – should be seriously considered.

Jim Sollars PC 2142CW

Westminster Police Licensing Team  
4th Floor Westminster City Hall,  
64, Victoria Street,  
LONDON  
SW1E 6QP

Tel: 0207 641 3179



FRIENDS SUPERMARKET

OFF LICENCE

Lupus Dry Cleaners

Pasta Palace



DO NOT ENTER

TELEPHONE

STAIRS





Lupus Dry C

FRIENDS SUPERMARKÉT

FRIENDS SUPERMARKET

27 LUPUS ST  
TEL: 017- 556 2832

Lupus Dry

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