



City of Westminster

# Committee Agenda

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

Meeting Date: **Thursday 16th July, 2015**

Time: **10.00 am**

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

Members: **Councillors:**

Jean Paul Floru (Chairman)  
Nick Evans  
Shamim Talukder

**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. CARMINA CAFE, BASEMENT FLOOR TO GROUND FLOOR, 88 WIGMORE STREET, W1

(Pages 1 - 62)

| App No | Ward/ Stress Area                           | Site Name and Address   | Application | Licensing Reference Number |
|--------|---|---|-------------|----------------------------|
| 1.     | Marylebone High Street / not in stress area | Carmina Café, Basement Floor To Ground Floor, 88 Wigmore Street, W1 | Variation   | 15/03502/LIPV              |

#### 2. THE PROVIDER, DEVELOPMENT SITE AT THE PERCY AND FOUNDERS OFF MORTIMER STREET, W1

(Pages 63 - 104)

| App No | Ward/ Stress Area             | Site Name and Address             | Application | Licensing Reference Number |
|--------|-------------------------------|-----------------------------------|-------------|----------------------------|
| 2.     | West End / not in stress area | The Provider, Development Site At | New         | 15/02407/LIPN              |



|  |  |   |  |  |
|--|--|---|--|--|
|  |  | The Percy<br>And<br>Founders<br>Off<br>Mortimer<br>Street, W1 |  |  |
|--|--|---|--|--|

**3. HIGH SOCIETY, LOWER NORTH, WESTMINSTER PIER, VICTORIA EMBANKMENT, SW1**

**(Pages 105 - 154)**

| App No | Ward/ Stress Area               | Site Name and Address   | Application | Licensing Reference Number |
|--------|---------------------------------|---|-------------|----------------------------|
| 3.     | St James's / not in stress area | High Society, Lower North, Westminster Pier, Victoria Embankment, SW1 | New         | 15/03141/LIPN              |

**4. WYNDHAM GRAND, WESTMINSTER PIER, VICTORIA EMBANKMENT, SW1**

**(Pages 155 - 204)**

| App No | Ward/ Stress Area               | Site Name and Address                                     | Application | Licensing Reference Number |
|--------|---------------------------------|---|-------------|----------------------------|
| 4.     | St James's / not in stress area | Wyndham Grand, Westminster Pier, Victoria Embankment, SW1 | New         | 15/03198/LIPN              |

**5. 38 GROOM PLACE, 38 GROOM PLACE, SW1**

**(Pages 205 - 252)**

| App No | Ward/ Stress Area | Site Name and Address | Application | Licensing Reference Number |
|--------|-------------------|-----------------------|-------------|----------------------------|
|        |                   |                       |             |                            |

|    |  |                                     |     |               |
|----|--|-------------------------------------|-----|---------------|
| 5. | Knightsbridge and Belgravia / not in stress area | 38 Groom Place, 38 Groom Place, SW1 | New | 15/03975/LIPN |
|----|--|-------------------------------------|-----|---------------|

**6. 16 HENRIETTA STREET, WC2**

**(Pages 253 - 310)**

| App No | Ward/ Stress Area     | Site Name and Address    | Application | Licensing Reference Number |
|--------|-----------------------|--------------------------|-------------|----------------------------|
| 6.     | St James's / West End | 16 Henrietta Street, WC2 | New         | 15/03912/LIPN              |

**7. 17-18 HENRIETTA STREET, WC2**

**(Pages 311 - 366)**

| App No | Ward/ Stress Area     | Site Name and Address       | Application | Licensing Reference Number |
|--------|-----------------------|-----------------------------|-------------|----------------------------|
| 7.     | St James's / West End | 17-18 Henrietta Street, WC2 | Variation   | 15/03907/LIPV              |

**8. REVUE BAR AND PEEP SHOW, 1 TISBURY COURT, W1 (REVIEW APPLICATION)**

**(Pages 367 - 456)**

| App No | Ward/ Stress Area   | Site Name and Address                        | Application | Licensing Reference Number |
|--------|---------------------|--|-------------|----------------------------|
| 8.     | West End / West End | Revue Bar And Peep Show, 1 Tisbury Court, W1 | Review      | 15/02078/LIRE VP           |

**9. REVUE BAR AND PEEP SHOW, 1 TISBURY COURT, W1 (SEV APPLICATION)**

**(Pages 457 - 586)**

| App No | Ward                      | Site Name and Address                        | Application                        |
|--------|---------------------------|--|------------------------------------|
| 9.     | West End / Core CAZ North | Revue Bar and Peep Show, 1 Tisbury Court, W1 | Sexual Entertainment Venue renewal |

**Charlie Parker  
Chief Executive  
10 July 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:  | <b>15/03502/LIPV</b>   |
| Date:              | <b>16 July 2015</b>  |
| Classification:    | <b>For General Release</b>   |
| Title of Report:   | <b>Carmina Cafe<br/>Basement Floor To Ground Floor<br/>88 Wigmore Street<br/>London</b>                                      |
| Report of:         | <b>Director of Public Protection and Licensing</b>   |
| Policy context:    | <b>City of Westminster Statement of Licensing Policy</b>   |
| Financial summary: | <b>None</b>  |
| Report Author:     | <b>Ms Susan Patterson<br/>Senior Licensing Officer</b>   |
| Contact Details:   | <b>Telephone: 020 7641 2207<br/>E-mail: <a href="mailto:spatterson@westminster.gov.uk">spatterson@westminster.gov.uk</a></b> |

## APPLICATION DETAILS

|                                   |  |                                   |             |
|-----------------------------------|--|-----------------------------------|-------------|
| <b>Application Type:</b>          | Variation of a premises licence application under the Licensing Act 2003.  |                                   |             |
| <b>Applicant:</b>                 | Ms Anisoara Camelia Olariu   | <b>Date Application Received:</b> | 13 May 2015 |
| <b>Premises Name and Address:</b> | Carmina Cafe<br>Basement Floor To Ground Floor<br>88 Wigmore Street<br>London<br>W1U 3RB   |                                   |             |
| <b>Ward Name:</b>                 | Marylebone High Street   | <b>Stress Area:</b>               | No          |
| <b>Description of Premises:</b>   | The premises are a café over the ground floor and with facilities in the basement<br><br><i>Note: These premises benefit from a private a forecourt around 2 sides of the premises and therefore does not have a Tables and Chairs Licence, see Appendix A(i)</i>  |                                   |             |
| <b>Variation Description:</b>     | <p>The proposed application is to:</p> <p>Remove condition 29 and replace with: Alcohol shall be served and consumed on the outside tables &amp; chairs area, by a waiter or waitress service and until 21:00 everyday.</p> <p>To amend condition 13 to state: The supply of alcohol at the premises shall only be to a person seated and only served by a waiter or waitress only.</p> <p>To remove condition 14, "the supply of alcohol shall be by waiter /waitress only" (Applicant has now agreed with the Police that this will remain on the licence)</p> <p>To amend condition 20 to state: A maximum capacity of 50 persons at the premises.</p> <p>In addition the application is to permit the hours for the sale of alcohol to 10:00 – 21:00, Monday – Sunday, on the outside tables and chairs.</p> |                                   |             |

### Proposed Licensable Activities and Proposed Hours:

| <u>Licensable activities permitted under the existing Premises Licence 11/09338/LIPN</u>                           | <u>Variation to Licensable Activities</u>   |
|--|---|
| <p><b>Sale of Alcohol: On the premises</b></p> <p>Monday to Saturday: 11:00 to 23:00<br/>Sunday:09:00 to 22:00</p> | <p><b>Sale of Alcohol: On the premises</b></p> <p><b>Café inside</b><br/>Monday to Saturday: 11:00 to 23:00<br/>Sunday:09:00 to 22:00</p> <p><b>Tables and chairs outside – BUT ON PREMISES DEMISE</b><br/>Monday to Sunday: 10:00 to 21:00</p> |



|  |  |
|--|--|
| <b>Non Standard Timings</b>                                | <b>Non Standard Timings</b>  |
| Not applicable   | No Change  |
| <b>Capacity</b>  | <b>Capacity</b>  |
| <b>46 exc staff</b>  | <b>50</b>  |
| <b>Opening Hours</b>                                       | <b>Opening Hours</b>   |
| Monday to Saturday: 08:00 to 23:00<br>Sunday 09:00 – 22:00 | <b>Main Cafe</b><br>Monday to Saturday: 08:00 to 23:00<br>Sunday 09:00 – 22:00<br><br><b>Tables and chairs outside</b><br>Monday to Saturday: 10:00 to 21:00<br>Sunday 10:00 – 21:00 |

## 1. Relevant representations

- 1.1 The Environmental Health Service make an adverse representation against this application stating that the removal of conditions 13, 14 and 29 may increase public nuisance and impact adversely on public safety, they have suggested conditions, which are included in Appendix B. Additionally they have supplied a history of licensing enforcement visits to the premises, included with their representation.
- 1.2 The Metropolitan Police service has withdrawn their representation against this application, following the applicant agreeing that condition 14 will stay on the licence.
- 1.3 There are five resident that have made representation against this application on the grounds of public nuisance and promotion of public safety and say inter alia,
- That the existing café is causing problems of public nuisance, and undermining public safety by straying on to the narrow council pavement with their signboards, and sometimes tables and chairs and ice cream vending machine, causing the public to walk in the road..
  - That the licence conditions regarding no consumption of alcohol on the outside tables is being breached regularly.
  - That the consumption of alcohol outside will add to noise and public nuisance that the residents suffer and add to the congestion on the pavement on a busy intersection and a street with heavy traffic.
  - And one has provided photographs from 2013 showing the premises allowing the consumption of alcohol on the outside tables in various styles of glassware.

## 2. Policies Applicable

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

Policy PB1 applies:

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

### **3. Summary**

3.1 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.

3.2 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.

### **4. Current Licensing Position**

These premises currently hold a Premises Licence 11/09338/LIPN. Full licence history can be found in **Appendix A**.

### **5. Residential Density**

56 of the 250 units within a 75m radius of the premises are residential or proposed residential or under construction (22%), refer to **Appendix C**. N.B This map is a version from 2011, as the system is not working currently.

### **6. List of Appendices**

- A – Premises Licence History
- A(i) – Planning clarification
- B - Conditions
- C – Residential Map and list of premises in the vicinity

### **7. 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 (March 2015)
- Application form
- Email clarification to application
- Plans
- Existing Premise Licence
- Representations received including Environmental Health Enforcement visits summaries and Environmental Health Service conditions proposed for this application
- Photos from City Street Management Team

**Licence & Appeal History**

| <b>Application</b>               | <b>Details of Application</b>   | <b>Date Determined</b> | <b>Decision</b>                       |
|----------------------------------|---|------------------------|---------------------------------------|
| New Application<br>11/09338/LIPN | Sale of alcohol<br>Monday to Saturday:<br>11:00 to 23:00<br>Sunday:09:00 to 22:00 | 8.12.2011              | Granted by Licensing<br>Sub Committee |

**There is no appeal history**

**Patterson, Susan**

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**From:** Perkins, Jeff  
**Sent:** 01 December 2011 12:10  
**To:** Eaton, Sam  
**Subject:** RE: Carmina Cafe, 88 Wigmore Street, London W1U 3RB - 11/09338/LIPN

Dear Sam

Private forecourts exist along both frontages (Wigmore St & Mandeville Pl)

Regards

Jeffrey Perkins

Technical Assistant

Development Planning, Built Environment, Westminster City Council

my tel: [02076412642](tel:02076412642)

my ref: DP/HP/JRP/

my address: Highways Planning, 12th floor, Westminster City Hall, SW1E 6QP

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**From:** Eaton, Sam  
**Sent:** 29 November 2011 15:57  
**To:** Perkins, Jeff  
**Subject:** Carmina Cafe, 88 Wigmore Street, London W1U 3RB - 11/09338/LIPN

Dear Jeff,

I wonder if you could give me some information please?

Can you please confirm if the above premises have a private forecourt? I have requested this information from the applicant twice and have not received a response.

Could you please clarify this as I do not see a tables and chairs licence on our system and the application is due to attend licensing sub committee.

Many Thanks

**Miss Sam Eaton**

Environmental Health Case Officer

**Environmental Health Licensing & Consultation - Premises Management**

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

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

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

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

**Conditions: On Current Licence - (This application suggest removal and changes to some of the existing licence conditions and these are detailed and highlighted in bold and underlined)**

**Mandatory:**

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

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

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

- 8(i) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
- 8(ii) For the purposes of the condition set out in paragraph 8(i) above -
- (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

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

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

Where -

- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

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

- (i) the holder of the premises licence,
- (ii) the designated premises supervisor (if any) in respect of such a licence, or
- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

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

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

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

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

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

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

9. A suitably worded sign will be displayed at the point of entry to the premises and at the point of sale advising that proof of age may be required.

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

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

member must be able to show a Police or authorised council officer recent data or footage with the absolute minimum of delay when requested.

12. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following:
  - (a) all crimes reported to the venue
  - (b) all ejections of patrons
  - (c) any complaints received regards crime and disorder
  - (d) any incidents of disorder
  - (e) seizures of drugs or offensive weapons
  - (f) any faults in the CCTV system
  - (g) any refusal of the sale of alcohol
  - (h) any visit by a relevant authority or emergency service.
13. The supply of alcohol at the premises shall only be to a person seated taking substantial food there and for consumption by such a person as ancillary to food.  
**( This application proposes the removal of this condition and the Metropolitan Police Service have agreed this removal, their representation is withdrawn)**
14. The supply of alcohol shall be by waiter or waitress service only. **( This application initially proposes the removal of this condition and the Metropolitan Police Service disagreed so the applicant accepted their comments, their representation is withdrawn)**
15. Substantial food and suitable beverages other than intoxicating liquor shall be available during the whole of the permitted hours in all parts of the premises where intoxicating liquor is sold or supplied.
16. There shall be no self service of alcohol.
17. There shall be no supply of draught beer.
18. No beer or cider above 5.5% ABV to be sold from the premises.
19. A proof of age scheme, such as Challenge (21), shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence or passport.
20. The maximum number of persons accommodated at any one time shall not exceed 46 persons excluding staff.
21. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
22. Clearly legible notices shall be displayed at all exits from the premises requesting patrons to respect the needs of local residents and to leave the premises and area quietly.
23. No entertainment, performance, service, or exhibition involving nudity or sexual stimulation which would come within the definition of a sex establishment in Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 as amended by the Greater London Council (General Powers) Act 1986 (whether or not locally adopted), shall be provided.
24. There shall be no striptease or nudity, and all persons shall be decently attired at all times.
25. The entrance door shall be kept closed after 21:00 hours, except for the immediate access and egress of persons.



26. The pavement from the building line to the kerb edge immediately outside the premises, including gutter/channel at its junction with the kerb edge, shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements.
27. No rubbish, including bottles, shall be moved, removed or placed in outside areas between 2300 hours and 0800 hours.
28. Licensable activities are restricted to the ground floor only.
29. No alcohol purchased at the premises shall be consumed outside the premises including at the tables and chairs outside the premises. **( This application proposes the removal of this condition and the Metropolitan Police Service have agreed this removal, their representation is withdrawn)**
30. Tables and chairs shall not be placed outside the premises before 0730 hours each day.
31. All outside tables and chairs shall be rendered unusable by 2200 hours each day.

#### **END OF EXISTING LICENCE CONDITIONS**

#### **Condition proposed in this application**

32. The supply of alcohol at the premises shall only be to a person seated and by waiter or waitress only

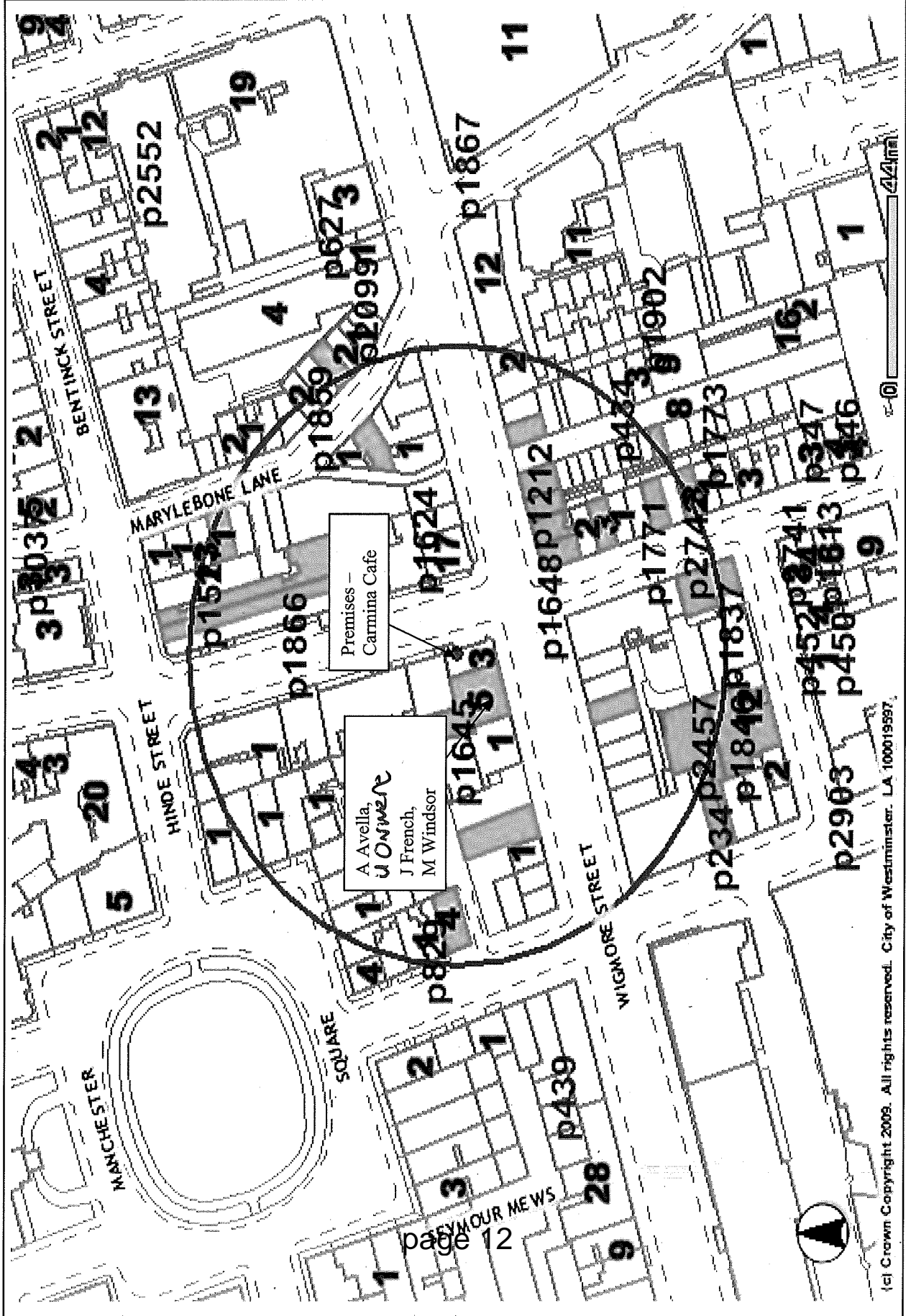
#### **The following conditions are proposed by Environmental Health, 2.7.2015**

33. Alcohol shall only be consumed by persons seated at tables.
34. Alcohol shall not be consumed outside after 21:00 hours every day
35. The maximum number of persons accommodated at any one time shall not exceed 50 persons (excluding staff).
36. A Challenge 21 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.

Carmina Café, 88 Wigmore Street, London



APPENDIX C



|                                    |     |
|------------------------------------|-----|
| Residential                        | 56  |
| Proposed Residential               | 0   |
| Under Construction                 | 0   |
| Other Uses                         | 194 |
| Proportion Residential of all Uses | 22% |

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 Data Source: Uniform Database - Date Created: 01/07/15

Scale: Approx. 1:1000  
 75m Radius

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**Premises within 75 metres of: Carmina Café, 88 Wigmore Street, London**

| <b>p / n</b> | <b>Name of Premises</b>      | <b>Premises Address</b>                            | <b>Licensed Hours</b>  |
|--------------|------------------------------|--|--|
| p829         | Devonshire Arms Public House | Ground Floor<br>7 Duke Street<br>London<br>W1U 3EE | Monday to Saturday - 10:00 to 00:30<br>Sunday - 12:00 to 00:00   |
| p1212        | The Pontefract Castle        | 71 Wigmore Street<br>London<br>W1U 1QA             | Monday to Saturday: 10:00 to 00:00 (Basement)<br>Sunday: 12:00 to 23:30 (Basement)<br>Monday to Thursday: 10:00 to 23:30 (All other areas)<br>Friday to Saturday: 10:00 to 00:00 (All other areas)<br>Sunday: 12:00 to 23:30 (All other areas)<br>Sundays before Bank Holidays: 12:00 to 00:00 (All other areas) |
| p1527        | Cocoro Restaurant            | 31 Marylebone Lane<br>London<br>W1U 2NH            | Monday to Friday: 12:00 to 15:00<br>Monday to Friday: 18:00 to 23:00<br>Saturday: 18:00 to 23:00   |
| p1624        | Levant Restaurant            | 76 Wigmore Street<br>London<br>W1U 2SH             | Monday to Saturday: 10:00 to 02:00<br>Sunday: 12:00 to 01:00   |
| p1645        | Black & Blue                 | 90-92 Wigmore Street<br>London<br>W1U 3RF          | Monday to Saturday: 10:00 to 00:30<br>Sunday: 12:00 to 00:00<br>Bar Area:<br>Monday to Saturday: 10:00 to 23:30<br>Sunday: 12:00 to 23:00  |
| p1648        | Ayoush                       | 77 Wigmore Street<br>London<br>W1U 1QE             | Monday to Saturday: 10:00 to 02:00<br>Sunday: 12:00 to 01:00   |
| p1770        | Made In Italy Group Ltd      | 50 James Street<br>Marylebone<br>London<br>W1U 1HB | Monday to Friday: 10:00 to 00:00<br>Saturday: 11:00 to 00:00<br>Sunday: 12:00 to 23:30   |
| p1771        | Cafe Rouge                   | 48 James Street<br>Marylebone<br>London<br>W1U 1HA | Monday to Saturday: 10:00 to 00:30 (Basement)<br>Sunday: 12:00 to 00:00 (Basement)<br>Monday to Saturday: 10:00 to 23:30 (Ground Floor)<br>Sunday: 12:00 to 23:00 (Ground Floor)   |
| p1808        |                              | 3-4 Picton Place<br>London<br>W1U 1BJ              | Monday to Saturday: 12:00 to 23:00<br>Sunday: 12:00 to 22:30<br>(Time Limited Licence for 22 September 2010 to 20 October 2010)  |
| p1809        | Theatre Delicatessen         | 3-4 Picton Place<br>London<br>W1U 1BJ              | Monday to Saturday: 12:00 to 23:00 (for licensable activities)<br>Sunday: 12:00 to 22:30 (for licensable activities)<br>(Time Limited Licence for 9th February 2010 to 31st March 2011)  |
| p1837        | Giraffe                      | 35 James Street<br>Marylebone<br>London<br>W1U 1EA | Monday to Saturday: 10:00 to 23:30<br>Sunday: 12:00 to 23:00   |
| p1866        | Mandeville Hotel             | 6 - 14 Mandeville Place<br>London<br>W1U 2BE       | Monday to Sunday: 08:00 to 01:00<br>24 Hours for residents and their bona fide guests  |

\* required information

**Section 1 of 17**

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference  This is the unique reference for this application generated by the system.

Your reference  You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

Yes  No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

**Applicant Details**

\* First name

\* Family name

\* E-mail

Main telephone number

Other telephone number

Include country code.

Indicate here if you would prefer not to be contacted by telephone

Are you:

Applying as a business or organisation, including as a sole trader

Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

Continued from previous page...

**Your Address**

Address official correspondence should be sent to.

|                               |   |
|-------------------------------|---|
| * Building number or name     | <input type="text" value="88"/>             |
| * Street                      | <input type="text" value="Wigmore street"/> |
| District                      | <input type="text"/>                        |
| * City or town                | <input type="text" value="London"/>         |
| County or administrative area | <input type="text"/>                        |
| * Postcode                    | <input type="text" value="W1U 3RB"/>        |
| * Country                     | <input type="text" value="United Kingdom"/> |

**Section 2 of 17**

**APPLICATION DETAILS**

**This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.**

I/we, as named in section 1, being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in section 2 below.

|                           |  |
|---------------------------|--|
| * Premises Licence Number | <input type="text" value="11/09338/LIPN"/> |
|---------------------------|--|

Are you able to provide a postal address, OS map reference or description of the premises?

- Address     OS map reference     Description

**Postal Address Of Premises**

|                               |   |
|-------------------------------|---|
| Building number or name       | <input type="text" value="88"/>             |
| Street                        | <input type="text" value="wigmore"/>        |
| District                      | <input type="text"/>                        |
| City or town                  | <input type="text" value="london"/>         |
| County or administrative area | <input type="text"/>                        |
| Postcode                      | <input type="text" value="W1U 3RB"/>        |
| Country                       | <input type="text" value="United Kingdom"/> |

**Premises Contact Details**

|   |  |
|---|--|
| Telephone number                            | <input type="text" value="02072243771"/> |
| Non-domestic rateable value of premises (£) | <input type="text" value="40"/>          |

**Section 3 of 17**

**VARIATION**

Continued from previous page...

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

Yes  No

Do you want the proposed variation to have effect in relation to the introduction of the late night levy?

Yes  No

You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable to the late night levy.

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

50

#### Describe Briefly The Nature Of The Proposed Variation

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.

We would like to remove the condition 29) up to 21.00 hours each day alcohol reveal to the outside tables & chairs shall be by waiter or waitress service and only to person selected. The alcohol outside i want to be served Monday to Sunday from 10- 21 and condition 13) The supply of alcohol at the premises shall only be to a person seated and by waiter or waitress only. 14)- delete , 20) capacity 50 persons in site of the premises.

#### Section 4 of 17

##### PROVISION OF PLAYS

Will the schedule to provide plays be subject to change if this application to vary is successful?

Yes  No

#### Section 5 of 17

##### PROVISION OF FILMS

Will the schedule to provide films be subject to change if this application to vary is successful?

Yes  No

#### Section 6 of 17

##### PROVISION OF INDOOR SPORTING EVENTS

Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?

Yes  No

Continued from previous page...

**Section 7 of 17**

**PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS**

Will the schedule to provide boxing or wrestling entertainments be subject to change if this application to vary is successful?

Yes  No

**Section 8 of 17**

**PROVISION OF LIVE MUSIC**

Will the schedule to provide live music be subject to change if this application to vary is successful?

Yes  No

**Section 9 of 17**

**PROVISION OF RECORDED MUSIC**

Will the schedule to provide recorded music be subject to change if this application to vary is successful?

Yes  No

**Section 10 of 17**

**PROVISION OF PERFORMANCES OF DANCE**

Will the schedule to provide performances of dance be subject to change if this application to vary is successful?

Yes  No

**Section 11 of 17**

**PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE**

Will the schedule to provide anything similar to live music, recorded music or performances of dance be subject to change if this application to vary is successful?

Yes  No

**Section 12 of 17**

**PROVISION OF LATE NIGHT REFRESHMENT**

Will the schedule to provide late night refreshment be subject to change if this application to vary is successful?

Yes  No

**Section 13 of 17**

**SUPPLY OF ALCOHOL**

Will the schedule to supply alcohol be subject to change if this application to vary is successful?

Yes  No

Continued from previous page...

**Standard Days And Timings**

MONDAY

Start

End

Start

End

Provide 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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the sale of alcohol be for consumption?

- On the premises     Off the premises     Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.



Continued from previous page...

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

**Section 14 of 17**

**ADULT ENTERTAINMENT**

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.

Provide 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 etc gambling machines etc.

**Section 15 of 17**

**HOURS PREMISES ARE OPEN TO THE PUBLIC**

**Standard Days And Timings**

MONDAY

Start

End

Start

End

Provide 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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

Continued from previous page...

SATURDAY

|       |       |     |       |
|-------|-------|-----|-------|
| Start | 08:00 | End | 23:00 |
| Start | 10:00 | End | 21:00 |

SUNDAY

|       |       |     |       |
|-------|-------|-----|-------|
| Start | 09:00 | End | 22:00 |
| Start | 10:00 | End | 21:00 |

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

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

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

Reasons why I have failed to enclose the premises licence or relevant part of premises licence.

**Section 16 of 17**

**LICENSING OBJECTIVES**

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

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

Continued from previous page...

13) The supply of alcohol at the premises shall only be to a person seated and by waiter or waitress only  
14) delete  
20) 50 persons capacity  
29) up to 21.00 hours each day alcohol reveal to the outside tables & chairs shall be by waiter or waitress service and only to person selected Change of layout at the permises/ change of trading hours

b) The prevention of crime and disorder

c) Public safety

d) The prevention of public nuisance

e) The protection of children from harm

### Section 17 of 17

#### PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Variation Fees are determined by the non domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at [http://www.voa.gov.uk/business\\_rates/index.htm](http://www.voa.gov.uk/business_rates/index.htm)

|                           |          |
|---------------------------|----------|
| Band A - No RV to £4300   | £100.00  |
| Band B - £4301 to £33000  | £190.00  |
| Band C - £33001 to £8700  | £315.00  |
| Band D - £87001 to £12500 | £450.00* |
| Band E - £125001 and over | £635.00* |

\*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then your are required to pay a higher fee

|                           |           |
|---------------------------|-----------|
| Band D - £87001 to £12500 | £900.00   |
| Band E - £125001 and over | £1,905.00 |

If you own a large premise you are subject to additional fees based upon the number in attendance at any one time

|                       |            |
|-----------------------|------------|
| Capacity 5000-9999    | £1,000.00  |
| Capacity 10000 -14999 | £2,000.00  |
| Capacity 15000-19999  | £4,000.00  |
| Capacity 20000-29999  | £8,000.00  |
| Capacity 30000-39000  | £16,000.00 |

**Continued from previous page...**

|                         |            |
|-------------------------|------------|
| Capacity 40000-49999    | £24,000.00 |
| Capacity 50000-59999    | £32,000.00 |
| Capacity 60000-69999    | £40,000.00 |
| Capacity 70000-79999    | £48,000.00 |
| Capacity 80000-89999    | £56,000.00 |
| Capacity 90000 and over | £64,000.00 |

\* Fee amount (£)

315.00

**ATTACHMENTS**

**AUTHORITY POSTAL ADDRESS**

**Address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

United Kingdom

**DECLARATION**

\* I/we understand it is an offence, liable on conviction to a fine up to 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.

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

\* Full name

\* Capacity

Date (dd/mm/yyyy)

Add another signatory

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/westminster/change-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

**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**

## Patterson, Susan

---

**From:** Camelia <carmina.cafe@yahoo.co.uk>  
**Sent:** 08 July 2015 12:03  
**To:** Patterson, Susan  
**Subject:** Re: Your application

Yes, I confirm is only for outside tables & chairs the alcohol license. Many thanks! Camelia

Sent from my iPhone

On 8 Jul 2015, at 11:25, Patterson, Susan <[spatterson@westminster.gov.uk](mailto:spatterson@westminster.gov.uk)> wrote:

Hello

I have spoken to the Environmental Health Officer today, Ian Watson who tells me that you intended that the hours you have put on the application form 10:00 to 21:00, in fact, you only intended to apply to the service of alcohol to your outside tables and chairs and not to your whole premises licence.

**CAN YOU PLEASE CONFIRM THIS BY RETURN EMAIL TO ME, SO I CAN MAKE IT CLEAR IN THE COMMITTEE REPORT, WHICH YOU CAN SEE AFTER ITS PUBLISHED ON FRIDAY.**

Also, will you be attending the committee hearing on Thursday 16<sup>th</sup> July and will you be on your own or bringing anyone?

Thanks


**Susan Patterson**  
Senior Licensing Officer

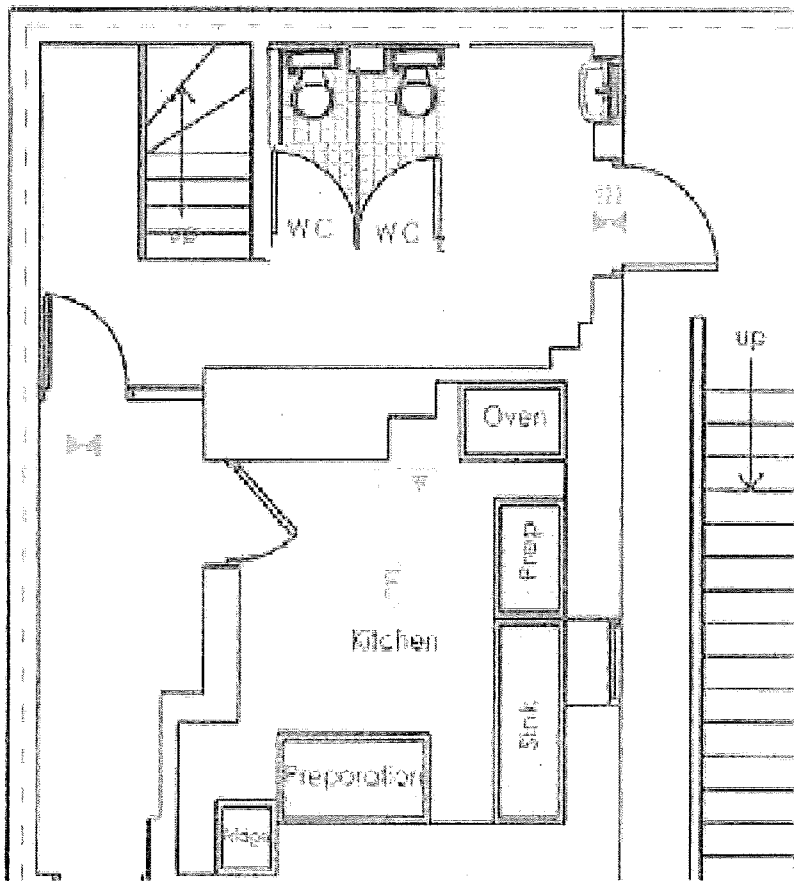
**Licensing Team**  
Public Protection and Licensing Department  
Westminster City Council  
4th Floor East  
64 Victoria Street  
London SW1E 6QP

Tel: 020 7641 2207  
E-mail: [spatterson@westminster.gov.uk](mailto:spatterson@westminster.gov.uk)  
Web: [www.westminster.gov.uk/licensing](http://www.westminster.gov.uk/licensing)









<image001.jpg>      <image002.jpg>      <image003.jpg>

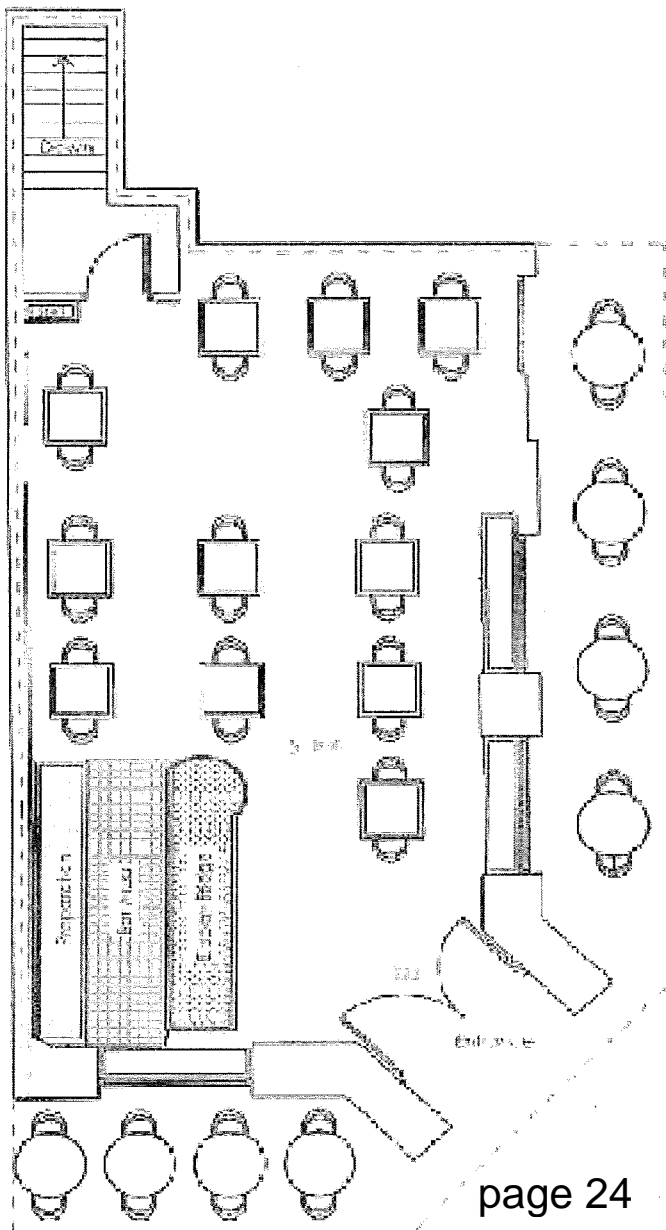
**You can now apply online for the majority of licensing regimes that the authority is responsible for. Please visit [www.westminster.gov.uk/licensing](http://www.westminster.gov.uk/licensing) and following the relevant links to apply.**

 please don't print this e-mail unless you really need to.



### Key Symbols

-  Emergency Lighting
-  Fire Exit
-  CO2 Fire Extinguisher
-  Water Fire Extinguisher
-  Smoke Detectors
-  Fire Alarm
-  CCTV
-  Licensable Area





Schedule 12  
Part A

WARD: Marylebone High  
Street  
UPRN: 010033582191

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

**Premises licence**

Regulation 33, 34

|                                 |               |
|---------------------------------|---------------|
| <b>Premises licence number:</b> | 11/09338/LIPN |
| <b>Original Reference:</b>      | 11/09338/LIPN |

**Part 1 – Premises details**

**Postal address of premises:**

Carmina Cafe  
Basement Floor To Ground Floor  
88 Wigmore Street  
London  
W1U 3RB

**Telephone Number:** Not Supplied

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

Not applicable

**Licensable activities authorised by the licence:**

Sale by Retail of Alcohol

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

**Sale by Retail of Alcohol**

|                     |                |
|---------------------|----------------|
| Monday to Saturday: | 11:00 to 23:00 |
| Sunday:             | 09:00 to 22:00 |

**The opening hours of the premises:**

|                     |                |
|---------------------|----------------|
| Monday to Saturday: | 08:00 to 23:00 |
| Sunday:             | 09:00 to 22:00 |

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

Alcohol is supplied for consumption on the Premises.

**Part 2**

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

Ms Anisoara Camelia Olariu  
50B Natal Road  
London  
N11 2HX

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

Not Applicable

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

**Name:** Vlad-Tudor Mihai

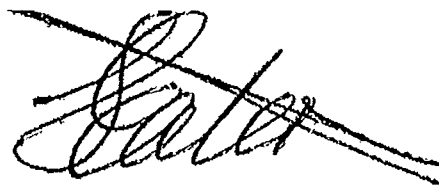
*Please note: It is the policy of the Licensing Authority not to display the address details of a designated premises supervisor.*

**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:** LN/201100427  
**Licensing Authority:** London Borough Of Enfield

**Date:** 15<sup>th</sup> June 2012

**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.

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

None.

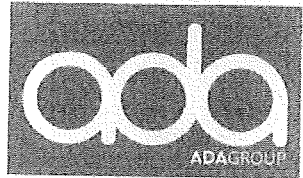
### **Annex 3 – Conditions attached after a hearing by the licensing authority**

9. A suitably worded sign will be displayed at the point of entry to the premises and at the point of sale advising that proof of age may be required.
10. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
11. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to the public. This staff member must be able to show a Police or authorised council officer recent data or footage with the absolute minimum of delay when requested.
12. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following:
  - (a) all crimes reported to the venue
  - (b) all ejections of patrons
  - (c) any complaints received regards crime and disorder
  - (d) any incidents of disorder
  - (e) seizures of drugs or offensive weapons
  - (f) any faults in the CCTV system
  - (g) any refusal of the sale of alcohol
  - (h) any visit by a relevant authority or emergency service.
13. The supply of alcohol at the premises shall only be to a person seated taking substantial food there and for consumption by such a person as ancillary to food.
14. The supply of alcohol shall be by waiter or waitress service only.
15. Substantial food and suitable beverages other than intoxicating liquor shall be available during the whole of the permitted hours in all parts of the premises where intoxicating liquor is sold or supplied.
16. There shall be no self service of alcohol.
17. There shall be no supply of draught beer.
18. No beer or cider above 5.5% ABV to be sold from the premises.
19. A proof of age scheme, such as Challenge (21), shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence or passport.
20. The maximum number of persons accommodated at any one time shall not exceed 46 persons excluding staff.
21. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
22. Clearly legible notices shall be displayed at all exits from the premises requesting patrons to respect the needs of local residents and to leave the premises and area quietly.

23. No entertainment, performance, service, or exhibition involving nudity or sexual stimulation which would come within the definition of a sex establishment in Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 as amended by the Greater London Council (General Powers) Act 1986 (whether or not locally adopted), shall be provided.
24. There shall be no striptease or nudity, and all persons shall be decently attired at all times.
25. The entrance door shall be kept closed after 21:00 hours, except for the immediate access and egress of persons.
26. The pavement from the building line to the kerb edge immediately outside the premises, including gutter/channel at its junction with the kerb edge, shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements.
27. No rubbish, including bottles, shall be moved, removed or placed in outside areas between 2300 hours and 0800 hours.
28. Licensable activities are restricted to the ground floor only.
29. No alcohol purchased at the premises shall be consumed outside the premises including at the tables and chairs outside the premises. ]??
30. Tables and chairs shall not be placed outside the premises before 0730 hours each day.
31. All outside tables and chairs shall be rendered unusable by 2200 hours each day.

**Annex 4 – Plans**

Attached



The condition that is not copied, reproduced, retained or disclosed to any unauthorized person without the prior consent in written of ADA GROUP. Do not scale from this drawing Dimensions in mm. Not construction drawings.

**Key Symbols**

- Emergency Lighting
- Fire Exit
- CO2 Fire Extinguisher
- Water Fire Extinguisher
- Smoke Detectors
- Break Glass Manual Alarm Call-Point
- Fire Alarm
- CCTV
- Licensable Area

**Supplementary Notes:**

N/A

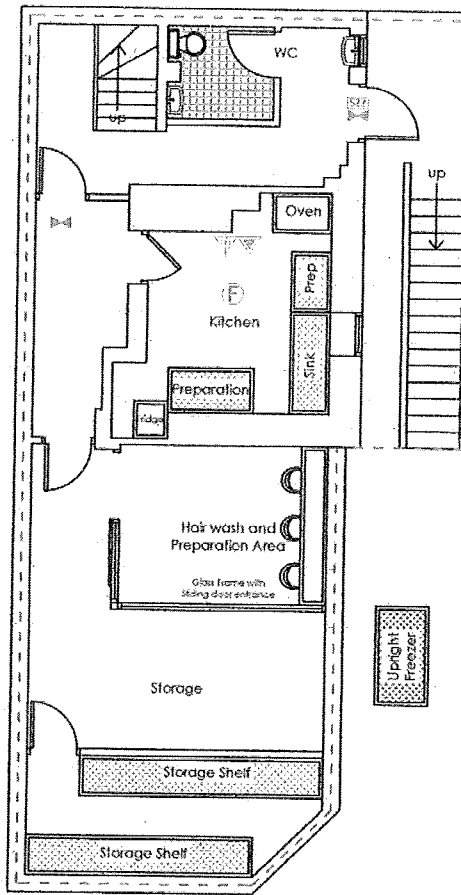
**Client:**  
 Camina Cafe  
 88 Wigmore street, Marylebone  
 London W1U 3RB

**Drawing Title:**  
 Floor Plan

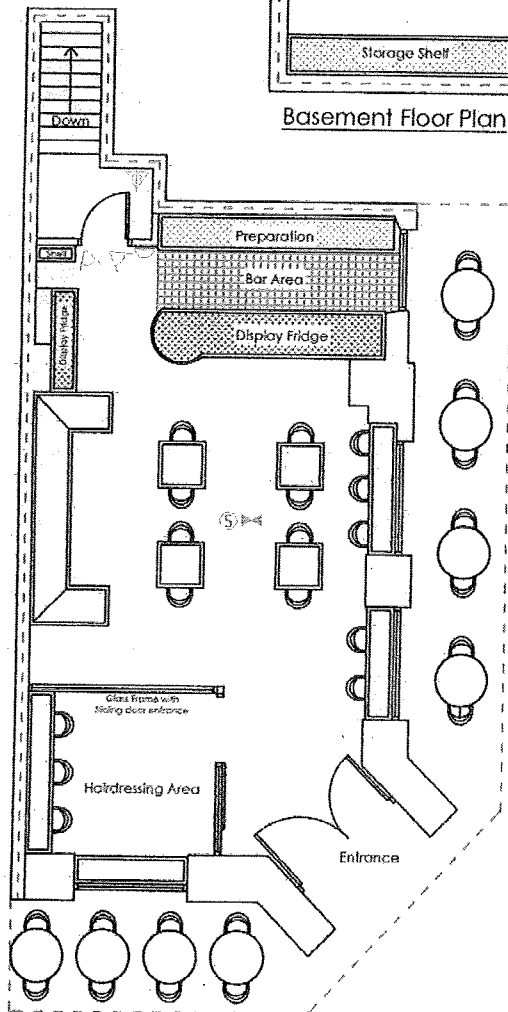
**Date:**  
 01-06-2011

**Drawing no:**  
 88WIG-001

**Scale:**  
 1:100 @ A4



**Basement Floor Plan**



**Ground Floor Plan**



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

Schedule 12  
Part B

WARD: Marylebone High  
Street  
UPRN: 010033582191

Premises licence  
summary

Regulation 33, 34

Premises licence number:

11/09338/LIPN

**Part 1 – Premises details**

**Postal address of premises:**

Carmina Cafe  
Basement Floor To Ground Floor  
88 Wigmore Street  
London  
W1U 3RB

**Telephone Number:** Not Supplied

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

Not applicable

**Licensable activities authorised by the licence:**

Sale by Retail of Alcohol

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

**Sale by Retail of Alcohol**

|                     |                |
|---------------------|----------------|
| Monday to Saturday: | 11:00 to 23:00 |
| Sunday:             | 09:00 to 22:00 |

**The opening hours of the premises:**

|                     |                |
|---------------------|----------------|
| Monday to Saturday: | 08:00 to 23:00 |
| Sunday:             | 09:00 to 22:00 |

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

Alcohol is supplied for consumption on the Premises.



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

Ms Anisoara Camelia Olariu  
50B Natal Road  
London  
N11 2HX

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

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

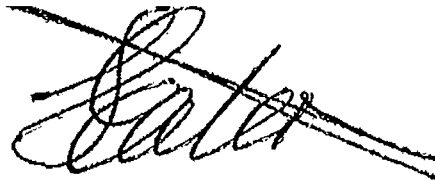
**Name:** Vlad-Tudor Mihai

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

Restricted

**Date:** 15<sup>th</sup> June 2012

**Signed:** pp



**Operational Director - Premises Management**

---

**TO** Licensing Officer

**REFERENCE** 15/03502/LIPV

---

**FROM** EH Consultation Team

**REFERENCE**

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

**TELEPHONE** 020 7641 3183

**DATE** 6th July 2015

---

**The Licensing Act 2003**

**Carmina Café, 88 Wigmore Street, W1**

I refer to the application for variation of the Premises Licence.

Listed is the history of enforcement visits to the premises.

Saturday 23<sup>rd</sup> May 2015. Unlicensed Street trading - ice-cream trolley on private forecourt less than 7m from highway. Premises visited and saw a person selling ice-cream from a stationary trolley on private forecourt less than 7m from public highway outside 88 Wigmore Street. Spoke to owner of business - Ms Anisoara Olariu - who said that they had been doing this for two years and that they had permission from the Council. She could not tell me who had given this permission and a search of Uniform records did not show that any such permission had been given. To get further advice regarding 7m rule and to refer back to Ms Olariu.

No further action to be taken as this issue is classed as forecourt trading and as ice-cream is being sold inside the premises will be treated as an extension of the business. Case closed.

Friday 18<sup>th</sup> July 2014. Premises inspector visit.

Premises has conditions on licence stating alcohol must be served with food and that it cannot be consumed at table and chairs outside. The officer in charge of the premises requested that we conduct a test purchase to see if the premises would breach these conditions. Sat outside the premises and were brought menus. Orders made for alcohol and no food. Alcohol brought to us, at no point did staff ask us to move or require us to eat. Whilst we were there 2 men sat at a nearby table and ordered a bottle of wine. They did not order food either. We paid the bill at the table and got a receipt. At the time of our leaving the other 2 customers still had not consumed any food.

Thursday 5<sup>th</sup> June 2014 @ 16.58 hours. Complaint that cafe serving alcohol outside without a licence to customer using the existing licenced tables and chairs. Not investigated.

Friday 23<sup>rd</sup> August 2013 @ 19.16 hours. Complaint of live music outside and serving alcohol outside. Visited complainant @ 20.00 hours and music audible in bedroom of flat (window open) - went to restaurant - singer in doorway with speakers facing into the street - spoke to owner Camelia Olariu - business is operated by Carmina & Lancelot Ltd. Advised that speakers should be removed from the doorway and the music turned down. This was done and the level of the music was deemed to be satisfactory. Advised that any future problems may result in notice service.

Monday 22<sup>nd</sup> July 2013 office meeting held at the request of Ms Olariu, premises owner and Mr Fahmy, Licensing Enforcement and Ian Watson, Environmental Health to discuss recent complaints.

- She accepted that licence condition 29 (which prohibits alcohol purchased at the premises being consumed outside, including at the tables and chairs outside the premises) is sometimes breached. She was advised that this is a criminal offence which (if repeated) could result in prosecution and/or a formal review of the licence). Ms Olariu said she understood, but queried why this condition was in place. She was reminded that the condition was imposed at a public hearing which she attended, and that she did not appeal the decision, as was her right (see below). She said that she may apply to vary the licence (full variation application required) to relax or remove this condition. It was suggested that a suitable application may be to add the words "After 8pm" to the start of condition 19, but that any application may be opposed and ultimately may be refused.
- She confirmed that live musicians do play amplified music at the venue once a month and that for part of the evening they are outside the venue, on the private forecourt. It was stated that she was taking advantage of the recent relaxation of licensing requirements which arose from the Live Music Act 2012. I said that I agreed, from what she said, that such a benefit extended to her up to 11pm for performances INSIDE the venue, but if they perform outside this may well give rise to complaints of noise nuisance and (possibly) a formal review of the premises licence. The licensee agreed to keep the performers inside from now on.

Friday 5<sup>th</sup> July 2013 @ 22.09 hours. Complaint about band outside premises. Very loud music. Also serving alcohol, caller thinks they don't have licence. Premises visited @ 22.29 hours and band had loud speakers set up on pavement, advertised on website. Very loud, now stopped. E-mail to licensing to make them aware of alcohol and outside tables issue. Licensing emailed premises license holder to ask for explanation re allegations.

Friday 21<sup>st</sup> June 2013 @ 22.02 hours. Complaint of loud music. Premises visited @ 22.50 hours and no noise witnessed. Complainant did not want feedback.

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

Ian Watson  
Senior Practitioner Environmental Health (Licensing)

---

TO Licensing Officer

REFERENCE 15/03502/LIPV

---

FROM EH Consultation Team

REFERENCE

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

TELEPHONE 020 7641 3183

DATE 2nd July 2015

---

**The Licensing Act 2003**

**Carmina Café, 88 Wigmore Street, W1**

I refer to the application for variation of the Premises Licence.

The following conditions are proposed by Environmental Health.

1. Alcohol shall only be consumed by persons seated at tables.
2. Alcohol shall not be consumed outside after 21.00 hours every day.
3. The maximum number of persons accommodated at any one time shall not exceed 50 persons (excluding staff).
4. A Challenge 21 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.

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

Ian Watson  
Senior Practitioner Environmental Health (Licensing)

---

TO Licensing Officer

REFERENCE 15/03502/LIPV

---

FROM EH Consultation Team

REFERENCE

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

TELEPHONE 020 7641 3183

DATE 30th June 2015

---

**The Licensing Act 2003**

**Carmina Café, 88 Wigmore Street, W1**

I refer to the application for variation of the Premises Licence.

This representation is based on the operating schedule submitted.

The applicant is seeking the following

1. To remove conditions 13, 14 and 29.
2. To vary condition 20 to increase capacity to 50 persons.
3. To add a condition, 'The supply of alcohol at the premises shall only be to a person seated and by waiter or waitress only.'
4. To vary the hours for the sale of alcohol 'On' the premises to 10.00 – 21.00 hours Monday to Sunday.
5. Change the layout of the premises.

I wish to make the following representation

1. The removal of conditions will have the likely effect of an increase in public nuisance in the area.
2. No objection.
3. No objection.
4. No objection.
5. No objection.

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

Ian Watson  
Senior Practitioner Environmental Health (Licensing)

---

TO Licensing Officer

REFERENCE 15/03502/LIPV

---

FROM EH Consultation Team

REFERENCE

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

TELEPHONE 020 7641 3183

DATE 8th June 2015

---

**The Licensing Act 2003**

**Carmina Café, 88 Wigmore Street, W1**

I refer to the application for variation of the Premises Licence.

This representation is based on the operating schedule submitted.

The applicant is seeking the following

1. To remove conditions 13, 14 and 29.
2. To vary condition 20.
3. To add a condition, 'The supply of alcohol at the premises shall only be to a person seated and by waiter or waitress only.'
4. To vary the hours for the sale of alcohol to 10.00 – 21.00 hours Monday to Sunday.
5. Change the layout of the premises.

I wish to make the following representation

1. The removal of conditions will have the likely effect of an increase in public nuisance in the area.
2. The increase in capacity will impact on Public Safety at the premises.
3. No objection.
4. The increase in hours for the supply of alcohol will have the likely effect of an increase in public nuisance in the area.
5. The change of layout will impact on Public Safety at the premises.

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

Ian Watson  
Senior Practitioner Environmental Health (Licensing)

**Patterson, Susan**

---

**From:** Russell, Sandy  
**Sent:** 19 May 2015 10:36  
**To:** carmina.cafe@yahoo.co.uk  
**Cc:** Anand-Patel, Sumeet; Premises Licensing  
**Subject:** 88 Wigmore Street (15/03502/LIPV)

Dear Camelia,

With reference to the above application, I am writing to inform you that the Metropolitan Police, as a responsible authority, will be objecting to this application to vary premises licence 11/09338/LIPN. It is our belief that if granted the application would undermine the Licensing Objectives.

I am aware that the premises are not situated within the Stress Area however, police do have concerns regarding the changes applied for as they are not clear in the application. I would like to meet with you at the premises to discuss this

Please could this be arranged for one afternoon next week? I am available on Wednesday and Thursday.

I look forward to hearing from you.

Kind Regards,

Sandy Russell

PC Sandy Russell 4167CW  
Westminster Police Licensing Team  
4th Floor, 64 Victoria Street,  
LONDON, SW1E 6QP  
Tel: 0207 641 1721



**Patterson, Susan**

---

**From:** Owojori, Olaposi  
**Sent:** 16 June 2015 10:27  
**To:** Anand-Patel, Sumeet  
**Subject:** FW: 15/03502/LIPV (88 Wigmore Street)


fyi

**Mr Ola Owojori**  
Senior Licensing Officer  
Licensing Team  
Public Protection and Licensing Department  
Westminster City Council  
4th Floor East  
64 Victoria Street  
London SW1E 6QP

Telephone 020 7641 7830  
Fax 020 7641 7815  
email: [oowojori@westminster.gov.uk](mailto:oowojori@westminster.gov.uk)  
Web: [www.westminster.gov.uk](http://www.westminster.gov.uk)




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TO CHECK THEIR PROGRESS OR STATUS

PUBLIC  ACCESS

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 please don't print this e-mail unless you really need to

**From:** Russell, Sandy  
**Sent:** 28 May 2015 19:06  
**To:** Camelia  
**Cc:** Premises Licensing  
**Subject:** RE: 15/03502/LIPV (88 Wigmore Street)

Thank you Camelia,

Based on the agreed changes being made to the current operating schedule, police now withdraw our representation.

Sandy

**From:** Camelia [<mailto:carmina.cafe@yahoo.co.uk>]  
**Sent:** 28 May 2015 18:51

**To:** Russell, Sandy  
**Subject:** Re: 15/03502/LIPV (88 Wigmore Street)

Thank you very much , I totally agree with your conditions! Regards,  
Camelia Olariu  
Sent from my iPhone

On 28 May 2015, at 18:14, Russell, Sandy <[srussell@westminster.gov.uk](mailto:srussell@westminster.gov.uk)> wrote:

Dear Mrs Olariu,

I apologise for not being able to visit you at your premises but thank you for taking the time to speak to me on the telephone. Police propose the following condition changes, if you agree to them please let me know as this will enable me to withdraw my representation.

The addition of : Alcohol consumed inside and outside the premises building shall only be consumed by patrons seated at tables.

The removal of condition 29 from your current licence is agreed

The removal of condition 13 is agreed

Condition 14 should remain.

Police do not make capacity change decisions, this would be down to EH and the Fire Authority

I am back in the office on 8<sup>th</sup> June, 2015, if you have any questions please call me then.

Kind Regards,

Sandy Russell  
Police Licensing  
Tel: 0207 641 1709

PC Sandy Russell 4167CW  
Westminster Police Licensing Team  
4th Floor, 64 Victoria Street,  
LONDON, SW1E 6QP  
Tel: 0207 641 1721

\*\*\*\*\*

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\*\*\*\*\*

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\*\*\*\*\*

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If you are not the intended recipient of this E-mail or any part of it, please telephone Westminster City Council immediately on receipt.  
You should not disclose the contents to any other person or take copies.

\*\*\*\*\*

## Details of public representations relating to 15/03502/LIPV

### Comments received electronically via PublicAccess:

- **Mr John French - Flat 3, 90 Wigmore Street, London**

**Received:**

Dear Sirs,

NOTIFICATION OF A PREMISES LICENCE VARIATION APPLICATION UNDER THE LICENSING ACT 2003

Carmina Cafe, Basement Floor To Ground Floor, 88 Wigmore Street REF: 15/03502/LIPV

*I am resident at 90 Wigmore St, Flat 3 and I am writing to you to object to the proposed application by the above to serve alcohol at the tables on the street front. I have occupied this flat since 1990 and am very much aware of the situation outside this building and below my windows.*

General comments

1. *I find the wording of the application very difficult to understand and suggest that it is re submitted in language that makes it absolutely clear what is being requested.*
2. *Wigmore Street is very busy with traffic. At the crossroads with Mandeville Place and Wigmore Street the pavement is extremely narrow and dangerous (there have been fatalities in the past).*
3. *The tables, chairs and signs for Carmina Cafe are regularly placed on the Council pavement and from time to time alcohol is served at these tables in contravention of the existing licence. You will have records of previous complaints from local residents accompanied by photographs.*
4. *There is now a large ice cream vending machine on the pavement immediately outside Carmina Cafe adding to the congestion. Is Council permission required for this?*
5. *I understood that the existing permission for sale of food is for cold food only. As you will see fish and chips is now widely advertised as being available and the smell can be noticed from the flats above. You will know from your records that the cafe was closed for a week last year for a mouse infestation.*

- **Mr \_ Mrs Sven Becker - 2 Mandeville Place, London, W1U 2BF,**

**Received: 28 May 2015**

**OBJECTION**

To whom it may concern,

*I am writing to object to the premises licence variation application 15/03502/LIPV (submitted by Carmina Cafe) on the basis of Prevention of Public Nuisance.*

*I write as a local resident and neighbour of Carmina Cafe, who lives directly across the street from the outside tables on the Mandeville Place side of Carmina's corner site. Our main bedroom is directly opposite these tables. Allowing alcohol to be served at these outside tables will inevitably mean louder and much more animated conversations which will make it harder for us to sleep, and to have peaceful enjoyment of our main residence. Moreover Carmina's outside space is actually very narrow, and tables and chairs often encroach on the public right of way.*

The area is already very well served by licensed premises serving outside (notably James Street). Records will show that over the years many noise complaints were made to the Westminster Noise Team relating to patrons of establishments very near Carmina (Levant, Ayoush, etc). The proposed variation to Carmina's license will only make it harder for local residents to have peaceful enjoyment of their dwellings. North of Wigmore Street the character of the neighbourhood is much more residential and rights of residents should be defended in the face of encroaching commercial concerns. The site currently occupied by Carmina was originally a kitchen showroom, which then became a cafe, then Carmina came as a cosmetic salon that served food, but then got rid of the salon and began operating only as food and beverage establishment, and now wants to serve alcohol outside. You can see how the use of the site has been allowed to morph from its original intent to a point where commercial interests are allowed to impinge on the rights of residents.

Thank you very much for giving this objection due consideration.

Mr and Mrs Sven Becker

- **U Onwere - Flat 4, 90 Wigmore St, London W1U**  
**Received: 9 Jun 2015**  
**OBJECTION**

I write on account of 90 Wigmore St, Flat 4 and I am writing to you to object to the proposed application by the above cafe to serve alcohol at the tables on the street front.

2. It would be an absolute disaster if you were to grant Carmina Cafe a licence to serve alcohol. Wigmore Street is very busy with traffic and Carmina Cafe is at the crossroads with Mandeville Place and Wigmore Street where the pavement is extremely narrow and dangerous.

3. The tables, chairs and signs for Carmina Cafe are regularly placed on the pavement and obstruct pedestrians. I believe you already have records of previous complaints from local residents accompanied by photographs and also of previous breaches by Carmina Cafe of its licence terms. In addition, I also believe you have records that the cafe was closed for a week last year for a mouse infestation.

1. If alcohol is allowed to be served on the pavement tables this will inevitably add to extra congestion on this dangerous crossing. I very much doubt if the management of Carmina Cafe would be able to control customers standing up drinking on the pavement if the chairs were fully occupied.
2. I also draw to your attention occasional unruly behaviour from street drinking outside Black and Blue restaurant (92 Wigmore Street) together with extra noise and cigarette smoke immediately below our windows.
3. Street drinking will result in this narrow pavement becoming an outside bar with particular danger to pedestrians trying to cross Wigmore St at the traffic lights and facing heavy traffic.
4. There are already enough drinking establishments nearby and Carmina Cafe would be an extremely dangerous place to grant an additional licence.

I am pleading strongly to the Council NOT to grant this application which would have a serious detrimental effect on the lives of local residents and would be a considerable danger to pedestrians and others.

Yours faithfully,

U. Onwere

Comments received via other means:

- **Alex Avella - Flat 2 , 90 Wigmore Street, London**  
*Received: 20 May 2015 by Neighbour Consulted Via Letter*  
**OBJECTION ATTACHED**
  
- **Mr Michael Windsor - Flat 1, Wigmore Mansions, 90 Wigmore Street, London**  
*Received: 8 Jun 2015 by Neighbour*  
**OBJECTION ATTACHED**

**Patterson, Susan**

---

**Subject:** FW: REF 15/03502/LIPV; CARMINA CAFÉ

**From:** Alex Avella [<mailto:alex.avella@gmail.com>]

**Sent:** 20 May 2015 17:36

**To:** Premises Licensing

**Subject:** REF 15/03502/LIPV; CARMINA CAFÉ

I am resident at 90 Wigmore St, Flat 2. I am writing to you to appeal against the application for serving alcohol outside the premises that the Carmina Café has made. I am worried on a number of fronts if this application is granted:

- 1) THREAT OF UNRULY BEHAVIOUR - Since the granting of a license to Black and Blue for alcohol, we have, on several occasions, had to deal with unruly behaviour on the pavement outside 90 Wigmore St. There is a real danger that the "feel" of Wigmore St is being slowly eroded as these licenses are approved. This is starting to create a second Soho. That is not the reason why people choose to live in Marylebone and certainly not the reason why I bought my flat 10 years ago. In simple terms, I fear that Wigmore Street could start seeing more drunkards. Clearly Carmina Café doesn't want to attract such types directly but do we have to trust their judgment by allowing a license to be granted...especially in the light of numerous license breaches already (see point 3).
- 2) NOISE POLLUTION - Carmina has a number of tables outside the restaurant. A late licence would certainly increase the noise coming from the place. During the summer, this would be very disruptive since opening windows would mean hearing a lot of noise from the people sitting outside and smelling smoke.
- 3) CARMINA CAFÉ HAS A HISTORY OF BREACHING ITS ALCOHOL LICENSE WITH IMPUNITY; GRANTING A LICENSE NOW WOULD SEEM TO REWARD SUCH DISDAIN FOR THE COUNCIL - Carmina has a documented history of breaching its license already, ie, serving alcohol liberally OUTSIDE on many occasions. These have been reported to and investigated by Gavin Venamore. IT WOULD SEEM STRANGE TO GRANT A LICENCE TO A BUSINESS THAT HAS BEEN BREACHING ITS CURRENT LICENCE NUMEROUS TIMES ALREADY. It would set a poor precedent for how other businesses should deal with the council on issues where they 'want' what they can't have.

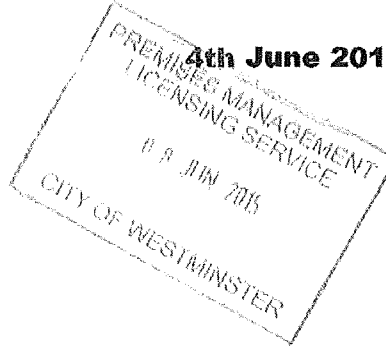
Overall, my fear is that once the slippery slope of outside drinking starts on a street, the ability to control a number of very negative externalities rapidly declines.

ALEX AVELLA

Sent from my iPad

**Michael Windsor**  
**Flat 1, Wigmore Mansions**  
**90 Wigmore Street**  
**London W1U 3RD**

**City of Westminster,**  
**Licensing Authority,**  
**Licensing Services, 14<sup>th</sup> Floor**  
**City Hall,**  
**64 Victoria Street,**  
**London SW1E 6QP**



**Your Ref: 15/03502/LIPV**

**Re: Premises known CARMINA CAFE, 88 Wigmore Street, London W1U 3RB**

**Dear Sir/Madam**

**I am resident at 90 Wigmore Street, flat1.**

**I am opposing this application on the grounds, this application will cause nuisance to Residence of Wigmore Mansions, 90 Wigmore Street and the rest of Wigmore Street. Any alcohol consumed outside premises, also encourage the customers to hang around our residences entrance cause nuisance and danger, and to other pedestrians using the payment. They have seating area outside, also cigarette ends are currently causing nuisance to residents in the area from licensed premises, this will happen on our doorstep.**

**We Wigmore Mansions Residences We Share a wall with Carmina Cafe which we already have problems with existing licensed premises in the area.**

**The Carmina Cafe, already bridge the condition of their license many times over, from day one they were granted licence, they ignored the condition on the license prohibiting them to serve alcohol on the tables outside the cafe, I am enclosing the photos taking from my balcony and**




**from the street shows they have been serving alcohol on the tables outside the cafe.**

**Once Carmina cafe noticed I am taking Photos of bridging their license, they started to serve alcohol in a water glasses, see it on a photos enclosed.**

**They have also bridge the license they hold, by having life music every Friday inside the cafe.**

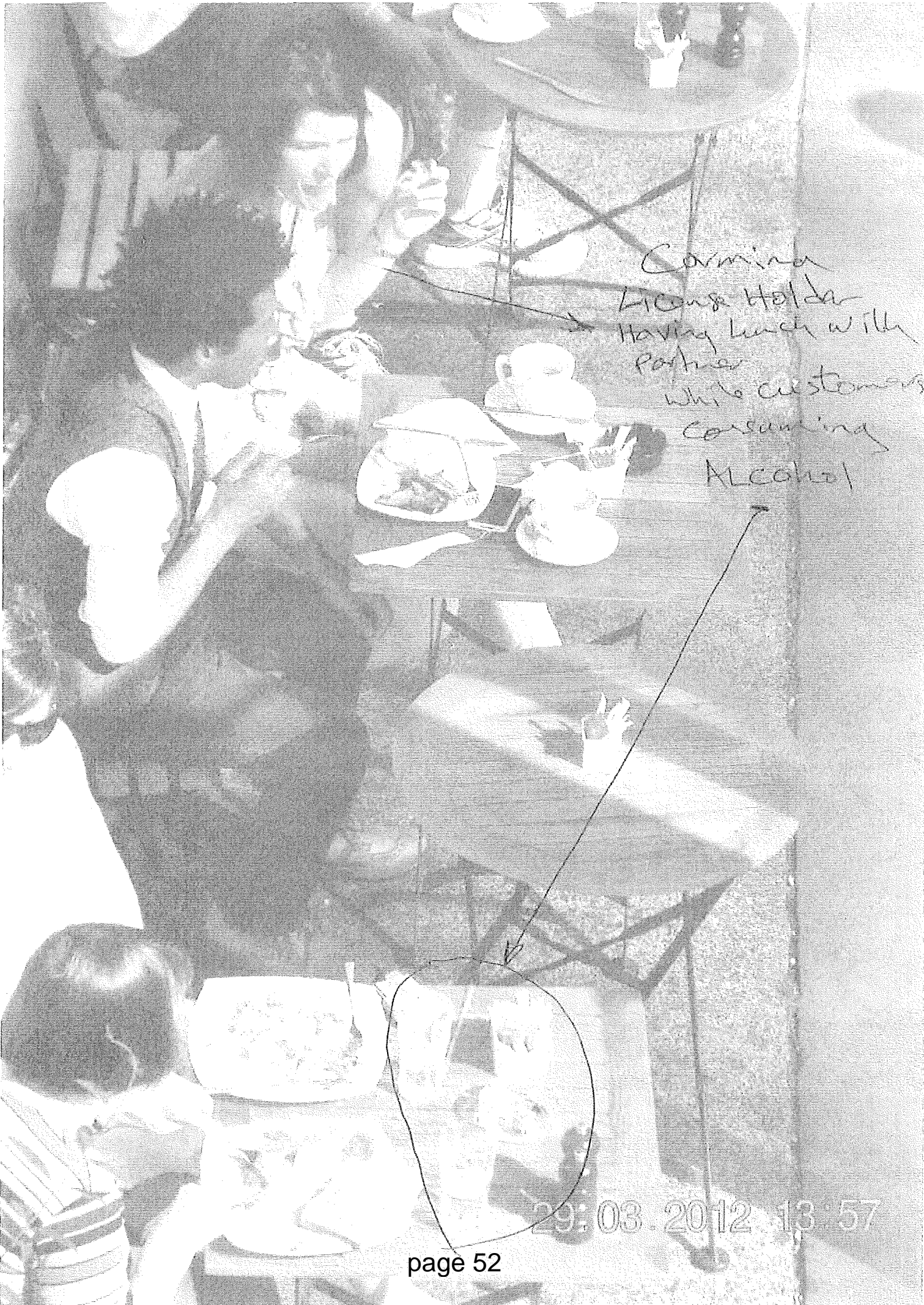
**Finally this premises broke the law many times over , should not be considered Life Music and Alcohol Licence.**

**Yours Faithfully**

A handwritten signature in black ink, appearing to read 'Michael Windsor', with a long horizontal line extending to the right.

**Mr Michael Windsor**

**Enclosed Photos**



Carmina  
License Holder  
Having lunch with  
partner  
while customers  
consuming  
Alcohol

29:03.2012 13:57





29.05.2012 18:47



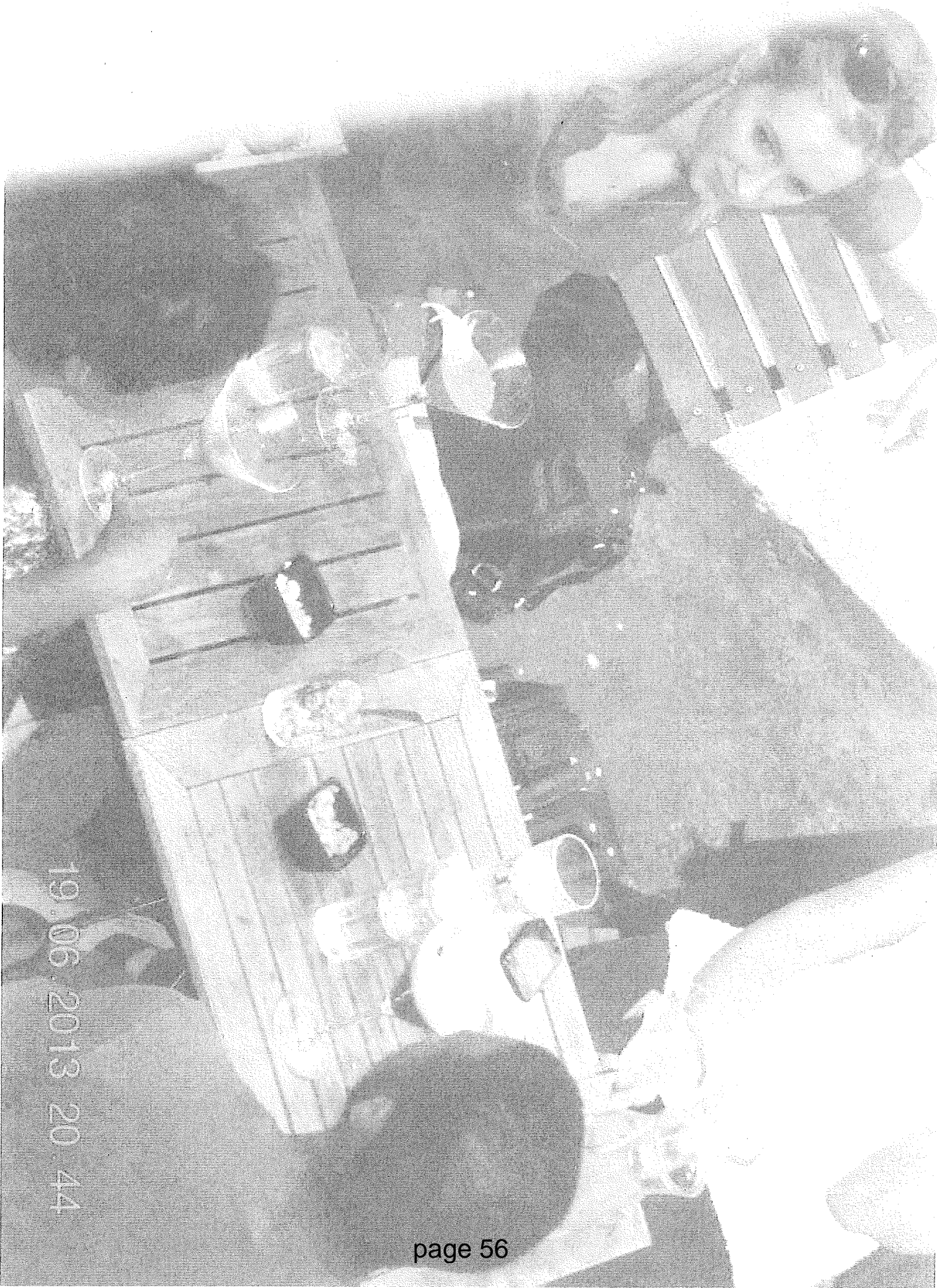
28.03.2012 11:26





29.05.2012 18:47





19.06.2013 20.44





30.06.2013 18:47





09.07.2013 21:12





03.08.2013 18:21







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City of Westminster

# Licensing Sub-Committee Report

|                    |  |
|--------------------|--|
| Item No:           |  |
| Licensing Ref No:  | 15/02407/LIPN  |
| Date:              | 16 July 2015   |
| Classification:    | For General Release  |
| Title of Report:   | The Provider<br>Development Site At The Percy And Founders<br>Off<br>Mortimer Street<br>London                       |
| Report of:         | Director of Public Protection and Licensing  |
| Policy context:    | City of Westminster Statement of Licensing<br>Policy   |
| Financial summary: | None   |
| Report Author:     | Miss Susan Patterson<br>Senior Licensing Officer   |
| Contact Details:   | Telephone: 020 7641 2207<br>E-mail: <a href="mailto:spatterson@westminster.gov.uk">spatterson@westminster.gov.uk</a> |

## APPLICATION DETAILS

|  |  |                                   |              |
|--|--|-----------------------------------|--------------|
| <b>Application Type:</b>   | A new premises licence application under the Licensing Act 2003.   |                                   |              |
| <b>Applicant:</b>  | Open House London Limited  | <b>Date Application Received:</b> | 1 April 2015 |
| <b>Premises Name and Address:</b>  | The Provider<br>Development Site At The Percy And Founders Off<br>Mortimer Street<br>London<br>W1T 3BF   |                                   |              |
| <b>Ward Name:</b>  | West End   | <b>Stress Area:</b>               | No           |
| <b>Description of Premises:</b>  | The premises are in a new development and describe themselves as a café. They are arranged over the ground floor, with the toilet and seating on that floor. |                                   |              |
| <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>Sale by Retail of Alcohol – On and Off</b>  |  |                                   |              |
| Monday to Saturday: 10:00 to 22:00   |  |                                   |              |
| Sunday: 12:00 to 21:00   |  |                                   |              |
| <b>Opening Hours:</b>  |  |                                   |              |
| Monday to Saturday: 07:00 to 22:00   |  |                                   |              |
| Sunday: 08:00 to 21:00   |  |                                   |              |

|    | <b>Relevant representations and policies applicable:</b>  | <b>References / Notes</b>  |
|----|---|--|
| 1A | <p>There is a representation on this application by the Environmental Health Service with reference to public nuisance and public safety. The Officer has informed the Service that following a meeting with the applicants they understand that the application has changed and are new plans are now attached that do not include the mezzanine in the application. They have suggested conditions, that are in Appendix B.</p>   | <p><b>Environmental Health Service Representation and conditions</b></p>                                 |
| 1B | <p>The Metropolitan Police service, initially made representation but after the agreement of their suggested conditions have withdrawn their representation.</p>  | <p><b>Metropolitan Police Service representation and conditions and withdrawal of representation</b></p> |
| 1C | <p>There is a representation from a local neighbourhood association. They have concerns regarding the apparent non ancillary to food nature, of the proposed sale of alcohol, which could lead the premises to being able to operate as a bar. Also they have questions regarding the capacity, delivery times etc. These have been put to the applicant and the Environmental Health Officer is aware of the representation, in order to facilitate suitable conditions.</p>   | <p><b>Fitzrovia Neighbourhood Centre representation</b></p>  |
| 1D | <p>The following policies within the City Of Westminster Statement of Licensing Policy apply:</p> <p>Policy PB1 applies:</p> <p>Applications will only be granted if it can be demonstrated that the proposal meets the relevant criteria in Policies CD1, PS1, PN1 and CH1.</p> <p>Policy HRS1 applies:</p> <p>(i) Applications for hours within the core hours set out below in this policy will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy.</p> <p>(ii) Applications for hours outside the core hours set out below in this policy will be considered on their merits, subject to other relevant policies.</p> | <p><b>Policies applicable</b></p>  |
| 1E | <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> </ul>   | <p><b>Summary</b></p>  |

|                                   |   |
|-----------------------------------|---|
| <b>Current Licensing Position</b> | The premises are located in a new development site and are not currently licensed   |
| <b>Residential Density:</b>       | 64 of the units within a 75m radius of the premises are residential or proposed residential, refer to <b>Appendix C</b> . |
| <b>Planning Position:</b>         | The site is under development and there is no planning categorisation available, as yet.                                  |
| <b>List of Appendices:</b>        | A – Premises Licence History<br>B - Conditions<br>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 (March 2015)
- Application form
- Plans
- Representations received
- Photos of premises





**Licence & Appeal History**

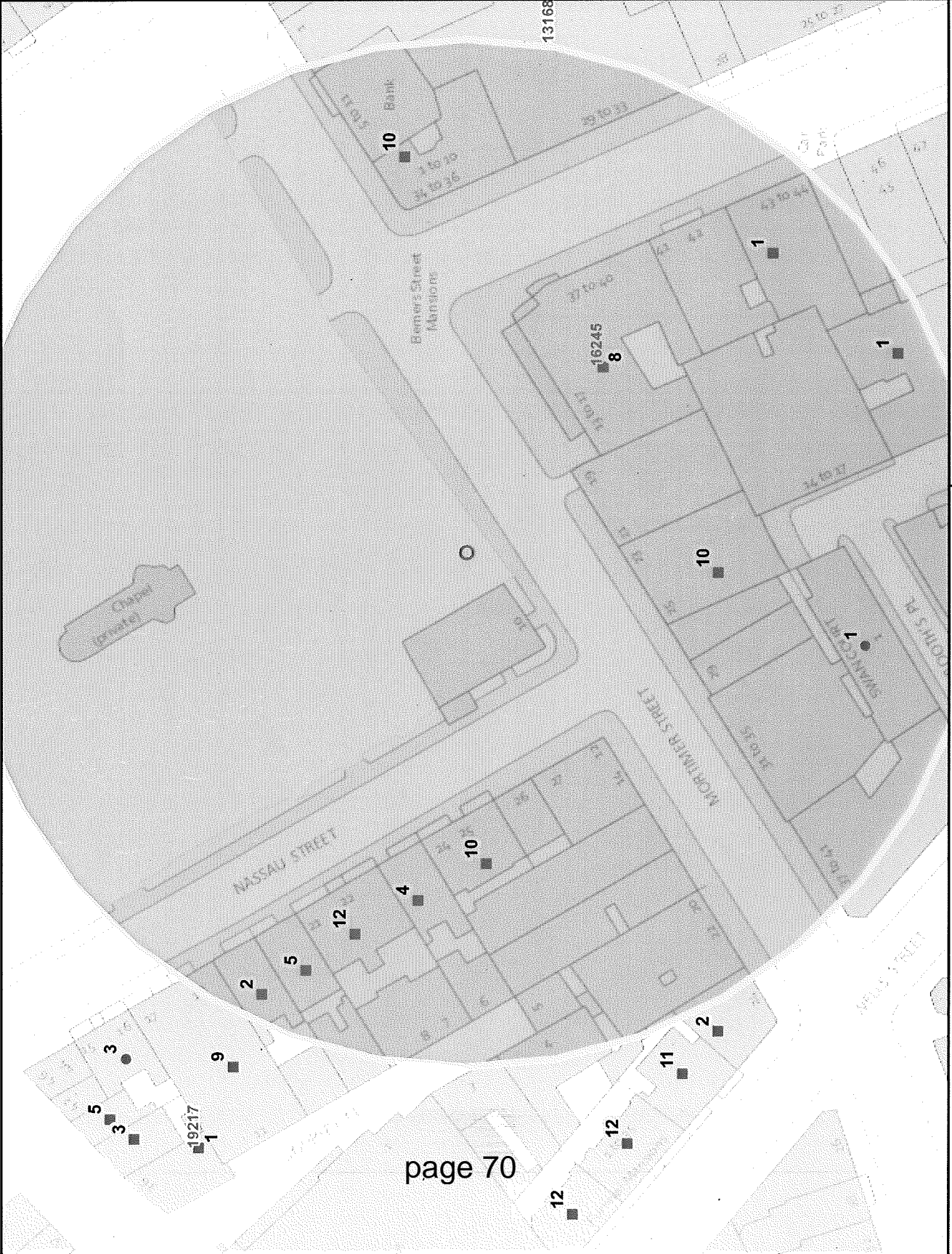
**The premises are not licensed**

**There is no appeal history**





# The Provider, 8 Mortimer Street



## APPENDIX C

|                                    |     |
|------------------------------------|-----|
| Residential / Proposed Residential | 64  |
| Under Construction                 | 0   |
| Other Uses                         | 0   |
| Proportion Residential of all Uses | n/a |

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Data Source: Uniform Database  
Date: 18/06/2015





\* required information

**Section 1 of 19**

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference  This is the unique reference for this application generated by the system.

Your reference  You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?  
 Yes       No  
 Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

**Applicant Details**

\* First name

\* Family name

\* E-mail

Main telephone number  Include country code.

Other telephone number

Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

Applying as a business or organisation, including as a sole trader  
 Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

**Applicant Business**

\* Is the applicant's business registered in the UK with Companies House?  Yes       No

\* Registration number

\* Business name  If the applicant's business is registered, use its registered name.

\* VAT number   Put "none" if the applicant is not registered for VAT.

\* Legal status

Continued from previous page...

\* Applicant's position in the business

Home country

The country where the applicant's headquarters are.

**Registered Address**

Address registered with Companies House.

\* Building number or name

\* Street

District

\* City or town

County or administrative area

\* Postcode

\* Country

**Agent Details**

\* First name

\* Family name

\* E-mail

Main telephone number

Include country code.

Other telephone number

Indicate here if you would prefer not to be contacted by telephone

Are you:

- An agent that is a business or organisation, including a sole trader
- A private individual acting as an agent

A sole trader is a business owned by one person without any special legal structure.

**Agent Business**

\* Is your business registered in the UK with Companies House?  Yes  No

\* Registration number

\* Business name

If your business is registered, use its registered name.

\* VAT number

Put "none" if you are not registered for VAT.

\* Legal status

Continued from previous page...

\* Your position in the business

Home country

The country where the headquarters of your business is located.

**Agent Registered Address**

Address registered with Companies House.

\* Building number or name

\* Street

District

\* City or town

County or administrative area

\* Postcode

\* Country

**Section 2 of 19**

**PREMISES DETAILS**

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 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.

**Premises Address**

Are you able to provide a postal address, OS map reference or description of the premises?

Address     OS map reference     Description

**Postal Address Of Premises**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Further Details**

Telephone number

Non-domestic rateable value of premises (£)



**Section 3 of 19****APPLICATION DETAILS**

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company
- A partnership
- An unincorporated association
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales
- Other (for example a statutory corporation)

**Confirm The Following**

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

**Section 4 of 19****NON INDIVIDUAL APPLICANTS**

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

**Non Individual Applicant's Name**

Name

Open House London Limited

**Details**

Registered number (where applicable)

8511795

Description of applicant (for example partnership, company, unincorporated association etc)

Continued from previous page...

company

**Address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Contact Details**

E-mail

Telephone number

Other telephone number

**Section 5 of 19**

**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

Provide a general description of 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.

Cafe

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

Continued from previous page...

**Section 6 of 19**

**PROVISION OF PLAYS**

Will you be providing plays?

Yes  No

**Section 7 of 19**

**PROVISION OF FILMS**

Will you be providing films?

Yes  No

**Section 8 of 19**

**PROVISION OF INDOOR SPORTING EVENTS**

Will you be providing indoor sporting events?

Yes  No

**Section 9 of 19**

**PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS**

Will you be providing boxing or wrestling entertainments?

Yes  No

**Section 10 of 19**

**PROVISION OF LIVE MUSIC**

Will you be providing live music?

Yes  No

**Section 11 of 19**

**PROVISION OF RECORDED MUSIC**

Will you be providing recorded music?

Yes  No

**Section 12 of 19**

**PROVISION OF PERFORMANCES OF DANCE**

Will you be providing performances of dance?

Yes  No

**Section 13 of 19**

**PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE**

Will you be providing anything similar to live music, recorded music or performances of dance?

Yes  No

**Section 14 of 19**

**LATE NIGHT REFRESHMENT**

Will you be providing late night refreshment?

**Section 15 of 19**

**SUPPLY OF ALCOHOL**

Will you be selling or supplying alcohol?

Yes

No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the sale of alcohol be for consumption:

On the premises

Off the premises

Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Continued from previous page...

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

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

**Name**

First name

Family name

**Enter the contact's address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number (if known)

Issuing licensing authority (if known)

**PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT**

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

Continued from previous page...

**Section 16 of 19**

**ADULT ENTERTAINMENT**

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

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 etc gambling machines etc.

none

**Section 17 of 19**

**HOURS PREMISES ARE OPEN TO THE PUBLIC**

**Standard Days And Timings**

MONDAY

Start

End

Start

End

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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations

*Continued from previous page...*

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

## **Section 18 of 19**

### **LICENSING OBJECTIVES**

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

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

An incident log shall be kept at the premises, and made available on request to an authorised officer of the 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.

Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.

No entertainment, performance, service, or exhibition involving nudity or sexual stimulation which would come within the definition of a sex establishment in Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 as amended by the Greater London Council (General Powers) Act 1986 (whether or not locally adopted), shall be provided.

b) The prevention of crime and disorder

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

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

Continued from previous page...

the absolute minimum of delay when requested.

c) Public safety

d) The prevention of public nuisance

Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.

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

No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.

No rubbish, including bottles, shall be moved, removed or placed in outside areas between 2300 hours and 0800 hours.

All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.

e) The protection of children from harm

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

**Section 19 of 19**

**PAYMENT DETAILS**

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Premises Licence Fees are determined by the non domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at [http://www.voa.gov.uk/business\\_rates/index.htm](http://www.voa.gov.uk/business_rates/index.htm)

|                           |          |
|---------------------------|----------|
| Band A - No RV to £4300   | £100.00  |
| Band B - £4301 to £33000  | £190.00  |
| Band C - £33001 to £8700  | £315.00  |
| Band D - £87001 to £12500 | £450.00* |
| Band E - £125001 and over | £635.00* |

\*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then you are required to pay a higher fee

|                           |           |
|---------------------------|-----------|
| Band D - £87001 to £12500 | £900.00   |
| Band E - £125001 and over | £1,905.00 |

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time



Continued from previous page...

|                         |            |
|-------------------------|------------|
| Capacity 5000-9999      | £1,000.00  |
| Capacity 10000 -14999   | £2,000.00  |
| Capacity 15000-19999    | £4,000.00  |
| Capacity 20000-29999    | £8,000.00  |
| Capacity 30000-39000    | £16,000.00 |
| Capacity 40000-49999    | £24,000.00 |
| Capacity 50000-59999    | £32,000.00 |
| Capacity 60000-69999    | £40,000.00 |
| Capacity 70000-79999    | £48,000.00 |
| Capacity 80000-89999    | £56,000.00 |
| Capacity 90000 and over | £64,000.00 |

\* Fee amount (£)

### ATTACHMENTS

### AUTHORITY POSTAL ADDRESS

#### Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

### DECLARATION

\* I/we understand it is an offence, liable on conviction to a fine up to 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.

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

\* Full name

\* Capacity

Date (dd/mm/yyyy)

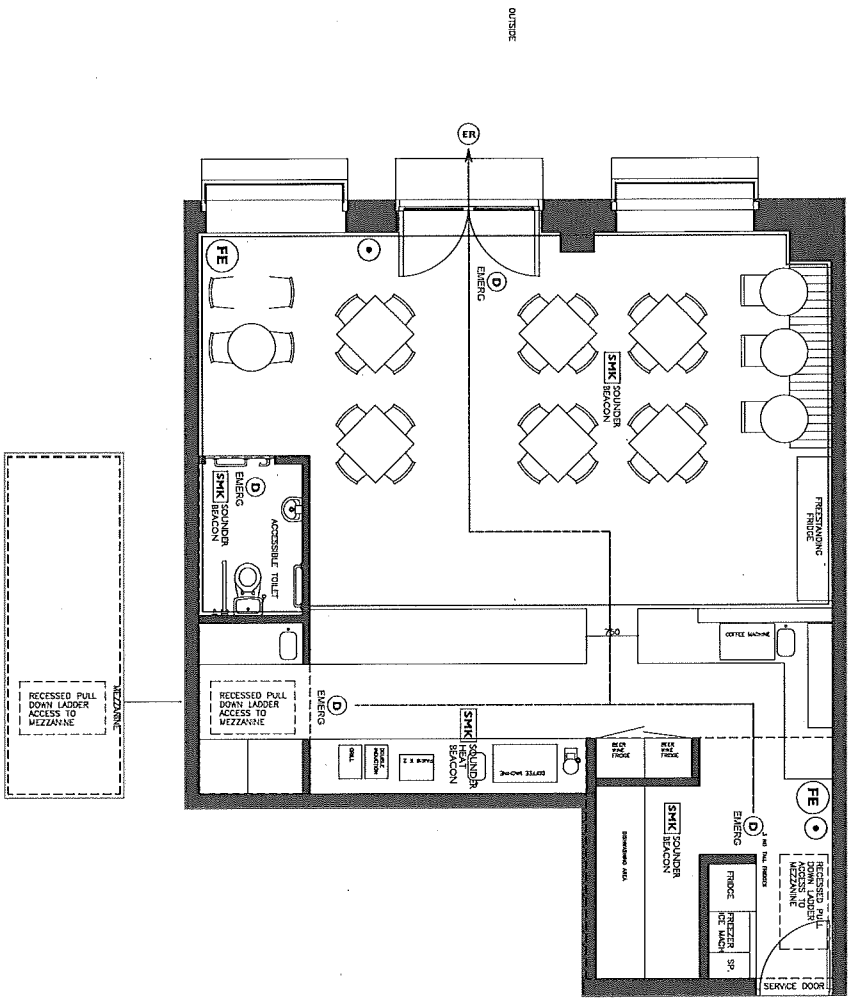
Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/westminster/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

*Continued from previous page...*

**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**



| LEGEND:                                 |       |
|---|-------|
| EXTENT OF BOUNDARY                      | ----- |
| ESCAPE ROUTE                            | ➔     |
| LICENSEABLE ACTIVITIES                  | ..... |
| SMOKE DETECTOR                          | SMK   |
| SOUNDER ALARM DETECTOR WITH BEACON      | SMK   |
| SOUNDER ALARM DETECTOR WITH HEAT BEACON | SMK   |
| EMERGENCY DOWNLIGHT                     | ⊙     |
| FIRE EXTINGUISHERS CO2 & FOAM           | FE    |
| MANUAL CALL POINT                       | ⊙     |
| FIRE BLANKET                            | FB    |

- NOTE:
1. The location of the fire equipment as date hereof but may be moved in consultation with Fire Officer.
  2. Loose furniture is shown for diagrammatic purpose only.

---

TO  
REFERENCE

Miss Susan Patterson  
15/02407/LIPN

---

FROM  
BEING DEALT WITH BY  
TELEPHONE  
DATE

EH Consultation Team, 4<sup>th</sup> Floor, City Hall  
Cliona Coleman  
0207 641 6830  
21<sup>st</sup> April 2015

---

**The Licensing Act 2003**

**Development Site At The Percy And Founders Off Mortimer Street London W1T 3BF**

I refer to the application for a New Premises Licence.

The applicant has submitted a floor plan of the ground floor and mezzanine reference FP-RT2-005 dated 24/03/15

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 both 'On' and 'Off' the premises Monday to Saturday between 10.00- 22:00 hours and Sunday 12.00- 21:00 hours.

I wish to make the following representation

1. The provision and hours requested for the Supply of Alcohol 'On' and 'Off' the premises will impact on Public Safety and have the likely effect of causing an increase in Public Nuisance in the area.

The applicant has provided some conditions in support of the application which are being considered but do not fully address the concerns of Environmental Health. Environmental Health has concerns about the provision and suitability of sanitary accommodation shown on drawing FP-RT2-005 which was submitted with the application.

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

**Cliona Coleman**  
**Environmental Health Officer**

## **Patterson, Susan**

---

**From:** Drayan, Anil  
**Sent:** 17 June 2015 15:08  
**To:** Watson, Ian; Coleman, Cliona; Patterson, Susan  
**Subject:** RE: Notice of hearing for The Provider 15/02407/LIPN - 2 .7.2015

Hi all - they're completely changing things around - no mezzanine, addition of WCs, new plans to be submitted and will not now be connected to Percy and Founders - awaiting plans etc to redo conditions - Anil

Sent from my Windows Phone

---

**From:** Watson, Ian  
**Sent:** 17/06/2015 14:04  
**To:** Coleman, Cliona; Patterson, Susan  
**Cc:** Drayan, Anil  
**Subject:** RE: Notice of hearing for The Provider 15/02407/LIPN - 2 .7.2015

All  
Anil is your man.

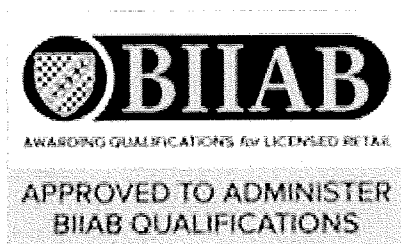
Regards

**Ian Watson**  
Senior Practitioner Environmental Health (Licensing)  
EH Consultation and Licensing  
Public Protection and Licensing

Westminster City Council  
City Hall, 4<sup>th</sup> Floor South  
64 Victoria Street  
London, SW1E 6QP

Tel: 020 7641 3183  
Email: [iwatson@westminster.gov.uk](mailto:iwatson@westminster.gov.uk)

**Westminster Council's Team of the Year 2012**



**From:** Coleman, Cliona  
**Sent:** 17 June 2015 13:41  
**To:** Patterson, Susan  
**Cc:** Watson, Ian  
**Subject:** RE: Notice of hearing for The Provider 15/02407/LIPN - 2 .7.2015

Hi Sue,

Hope you are keeping well.

I think this case has been taken over by Ian Watson

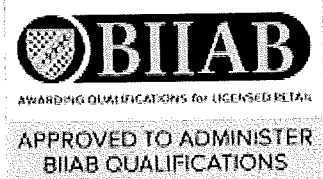
Let me know if you need anything else from me

Kind regards,

**Cliona Coleman**  
Environmental Health Officer  
Health and Safety Team  
Premises Management  
Westminster City Council  
4th Floor West  
City Hall  
64 Victoria Street  
London SW1E 6QP

T: 020 7641 6830

E: [ccoleman@westminster.gov.uk](mailto:ccoleman@westminster.gov.uk)



TRANSPORT

CHOICE

HERITAGE

You can now apply online for the majority of licensing regimes that the authority is responsible for. Please visit [www.westminster.gov.uk/licensing](http://www.westminster.gov.uk/licensing) and following the relevant links to apply.

Please consider your environmental responsibilities before printing this email!

**From:** Patterson, Susan  
**Sent:** 16 June 2015 14:33  
**To:** Coleman, Cliona  
**Subject:** Notice of hearing for The Provider 15/02407/LIPN - 2 .7.2015

Hello SEE attached for 2<sup>nd</sup> July 2015, do you have any further conditions or an update for the report which I am doing this week?

Thanks

**Susan Patterson**  
Senior Licensing Officer

**Licensing Team**  
Public Protection and Licensing Department  
Westminster City Council

---

**TO** Miss Susan Patterson

**REFERENCE** 15/02407/LIPN

---

**FROM** EH Consultation Team, 4<sup>th</sup> Floor, City Hall

**REFERENCE** 15/011185/EHCT

**BEING DEALT WITH BY** Anil Drayan

**TELEPHONE EXT.**

**DATE** 7 July 2015

---

**THE PROVIDER, DEVELOPMENT SITE AT THE PERCY AND FOUNDERS OFF, MORTIMER STREET, LONDON**

**EH Conditions:**

**In addition to the conditions that have been agreed with the Police and the conditions offered in the application operating schedule Environmental Health proposes the following additional conditions for this application:**

1. 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.
2. 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.
3. 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 product in glass bottles.

4. There shall be no self- service of spirits on the premises, save for spirit mixtures less than 5.5% ABV.
5. 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.
6. The number of persons permitted at the premises at any one time (excluding staff and persons shopping) shall not exceed 15 persons.
7. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.
8. 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.
9. No fumes, steam or odours shall be emitted from the licensed premises so as to cause a nuisance to any persons living or carrying on business in the area where the premises are situated.
10. Before the premises open to the public, the plans as deposited (no ref. dated 29.06.2015) will be checked by the Environmental Health Consultation Team to ensure they are an accurate reflection of the premises constructed. Where the premises layout has changed during the course of construction, new plans shall be provided to the Environmental Health Consultation Team and the Licensing Authority.



11. 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.

These conditions are based on there being no clarity as to the principal operation of the premises – is it a bar or delicatessen/café where the alcohol will be ancillary to food or both etc.

The following further comments are also made:

**Sanitary accommodation:**

- Please note the capacity condition 6 above is based on this being a completely new build premises. In such cases where the provision of alcohol is for capacities of more than 15 patrons Environmental Health policy, in order to prevent Public Nuisance issues arising, is that for new build premises the provision of sanitary accommodations must be in compliance with the minimum provision as stated in *British Standard 6465 -1:2006 + A1:2009; Sanitary installations – Part 1: Code of practice for the design of sanitary facilities and scale of provision of sanitary and associated appliances.*
- For capacities of up to 15 patrons one unisex WC is considered acceptable.
- In addition, for food and drink premises, facilities for staff should be separate from that for the public in accordance with guidance to food hygiene legislation

**Nuisance from cooking odour/smell – planning status:**

- I understand that the current planning designation of the premises is as an A1 Use premises. The applicant is advised to contact the Council's Planning Department to ascertain whether if the style of operation also requires a change of use to an A3/A4 Sui Generis Use premises.

- Should such a change of use be necessary the applicant is advised that it is Westminster Environmental Health's and Planning Department's policy for the prevention of Public Nuisance arising from cooking fumes that all new planning applications for change of Use to A3 Use premises will require full height discharge of any kitchen extract ventilation systems no matter the amount of cooking involved.
- Nevertheless the applicant is further advised that the planning status of the premises is generally not considered to be a material consideration as to whether any Premises Licence will be granted. Conversely, under planning legislation, the approval of a Premises Licence does not provide automatic grounds for the planning status to also be changed.

**Please contact me if you require further advice or information**

**Anil Drayan  
Environmental Health Officer  
Environmental Health Consultation Team**

**Patterson, Susan**

---

**From:** Janes, Toby  
**Sent:** 16 April 2015 10:11  
**To:** mjm@joelsonwilson.com  
**Cc:** Premises Licensing; Patterson, Susan  
**Subject:** Application 15/02407/LIPN, The Provider, 8 Mortimer Street, W1

Dear Mark

**Application 15/02407/LIPN, The Provider, 8 Mortimer Street, W1**

With reference to the above application, I am writing to inform you that the Metropolitan Police, as a Responsible Authority, make a representation against the above application.

It is our belief that if granted the application would undermine the Licensing objectives in relation to the prevention of crime and disorder as there are insufficient conditions within the operating schedule.

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

Should you wish to discuss the matter further please contact me on **0207 641 3179** or via email, [tjanes@westminster.gov.uk](mailto:tjanes@westminster.gov.uk)

PC Toby JANES 1275CW  
**Westminster Police Licensing Team**  
4th Floor, 64 Victoria Street,  
LONDON, SW1E 6QP  
Tel: 0207 641 3179

## **Patterson, Susan**

---

**From:** Niall McCann <NMM@joelsonwilson.com>  
**Sent:** 13 May 2015 14:09  
**To:** Janes, Toby  
**Cc:** Premises Licensing; Patterson, Susan  
**Subject:** RE: Application 15/02407/LIPN, The Provider, 8 Mortimer Street, W1

Many thanks.

Kind regards,

**Niall McCann**

Partner, Head of the Licensing & Gambling Team  
Member of the Litigation & Dispute Resolution Team  
Joelson Wilson LLP

T: +44 (0) 20 7580 5721  
F: +44 (0) 20 7580 2251  
M:+44 (0) 7968 841 297

**From:** Janes, Toby [mailto:tjanes@westminster.gov.uk]  
**Sent:** 13 May 2015 14:02  
**To:** Niall McCann  
**Cc:** Premises Licensing; Patterson, Susan  
**Subject:** RE: Application 15/02407/LIPN, The Provider, 8 Mortimer Street, W1

Dear Sir

### **Application 15/02407/LIPN, The Provider, 8 Mortimer Street, W1**

Based on your agreement to the conditions shown below, I can confirm police now withdraw our representation.

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. The supply of alcohol at the premises shall only be to a person seated.
4. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
5. 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.

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.

7. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.

Thank you and Kind regards.

Toby

PC Toby JANES 1275CW  
Westminster Police Licensing Team  
4th Floor, 64 Victoria Street,  
LONDON, SW1E 6QP  
Tel: 0207 641 3179

**From:** Niall McCann [<mailto:NMM@joelsonwilson.com>]  
**Sent:** 07 May 2015 11:23  
**To:** Janes, Toby; Lewis, Bryan  
**Cc:** Mark McDermott  
**Subject:** RE: Application 15/02407/LIPN, The Provider, 8 Mortimer Street, W1

Hi

Following my recent conversation with Toby, given the proposed style of operation, my client is prepared to accept the following conditions:

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. The supply of alcohol at the premises shall only be to a person seated.
4. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
5. 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.

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.

7. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.

I should be grateful if you would confirm that the above conditions are acceptable and that your representation is being withdrawn.

Many thanks.

Kind regards,

**Niall McCann**

Partner, Head of the Licensing & Gambling Team  
Member of the Litigation & Dispute Resolution Team  
Joelson Wilson LLP  
30 Portland Place  
London  
W1B 1LZ  
DX: 83301 West End 2  
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F: +44 (0) 20 7580 2251  
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**From:** Janes, Toby [<mailto:tjanes@westminster.gov.uk>]  
**Sent:** 01 May 2015 15:16  
**To:** Niall McCann  
**Subject:** Application 15/02407/LIPN, The Provider, 8 Mortimer Street, W1

Dear Niall

As discussed I will be away until the 13<sup>th</sup> May so my colleague PC Bryan Lewis will deal with this application.

His email is [Blewis1@westminster.gov.uk](mailto:Blewis1@westminster.gov.uk)

Kind regards

Toby

PC Toby JANES 1275CW  
Westminster Police Licensing Team  
4th Floor, 64 Victoria Street,  
LONDON, SW1E 6QP  
Tel: 0207 641 3179

\*\*\*\*\*

Run the Bupa Westminster Mile on 24th May, the most famous mile in the world.  
Categories for all ages and abilities, free entertainment in Green Park plus meet the stars.  
Register at <http://ow.ly/Kpgsl>

If you have a business in Westminster, we can take care of your commercial waste or recycling.  
Visit <http://cleanstreets.westminster.gov.uk> or call 020 7641 6180.

\*\*\*\*\*

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

\*\*\*\*\*

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## **Patterson, Susan**

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**From:** Janes, Toby  
**Sent:** 16 April 2015 10:27  
**To:** mjm@joelsonwilson.com  
**Cc:** Premises Licensing; Patterson, Susan  
**Subject:** Application 15/02407/LIPN, The Provider, 8 Mortimer Street, W1

Dear Mark

### **Application 15/02407/LIPN, The Provider, 8 Mortimer Street, W1**

The following conditions listed below are those that police would like you to attach to your operating schedule as I believe they will address police concerns in relation to crime and disorder.

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. The supply of alcohol at the premises shall only be to a person seated taking a table meal there and for consumption by such a person as ancillary to the meal.
4. The supply of alcohol shall be by waiter or waitress service only.
5. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
6. 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.
7. 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.
8. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.

Kind regards



Toby

PC Toby JANES 1275CW

Westminster Police Licensing Team

4th Floor, 64 Victoria Street,

LONDON, SW1E 6QP

Tel: 0207 641 3179

# Comments for Licensing Application 15/02407/LIPN

## Application Summary

Application Number: 15/02407/LIPN

Address: Development Site At The Percy And Founders Off Mortimer Street London W1T 3BF

Proposal: Premises Licence - New

Case Officer: Miss Susan Patterson

## Customer Details

Name: Mr Peter Whyatt

Address: Fitzrovia Neighbourhood Centre 39 Tottenham Street London

## Comment Details

Commenter Type: Residents Association

Stance: Customer objects to the Licensing Application

Comment Reasons:

Comment: 7:21 PM on 28 Apr 2015 Taken as a whole, the application will, if granted, have a significant and disproportionate impact on local residents, because of the proliferation of bars and restaurants in the area over recent years

The application seeks to sell alcohol for consumption both on and off the premises. We are concerned about the impact this operation could have on the locality, particularly in the evening. At present, the application does not satisfy us that the licensing objectives would be promoted.

The premises is described in the application as a café. We are concerned about the extent of any bar use. Should the Council be minded to grant a licence, we request that the licence is appropriately conditioned.

1. There are no conditions proposed limiting sale of alcohol to being ancillary to table meals. We would propose conditions limiting alcohol to those eating, customers have to be seated and served by waiter/ess.

2. The hours are below core hours, but as presented, the licence could permit operation as a bar. This would have more negative impact than a food-led operation, a view which is acknowledged in the Council's Statement of Licensing Policy.

3. Is there any intention to increase hours in the future, to core hours or beyond?

4. The opening hour (7am) is very early- although no alcohol can be sold before 10am. What are the delivery arrangements to facilitate opening at that time?

5. What is the proposed capacity?

Although we appreciate that determinations of the planning authority do not restrict the licensing authority when they consider the licensing application, it should be pointed out the current planning permission is for A1 retail premises and we are concerned that such premises are becoming bars by default.

For the reasons stated, We are opposed to the application being granted in the terms applied for. We look forward to being kept informed of any developments, and would like to attend the hearing.

in due course. Peter Whyatt (secretary) FNA





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City of Westminster

# Licensing Sub-Committee Report

Item No:

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Licensing Ref No:

**15/03141/LIPN**

Date:

**16 July 2015**

Classification:

**For General Release**

Title of Report:

**High Society  
Lower North  
Westminster Pier  
Victoria Embankment**

Report of:

**Director of Public Protection and Licensing**

Policy context:

**City of Westminster Statement of Licensing Policy**

Financial summary:

**None**

Report Author:

**Mrs Sumeet Anand-Patel  
Senior Licensing Officer**

Contact Details:

**Telephone: 020 7641 2737  
E-mail: sanandpatel@westminster.gov.uk**

## APPLICATION DETAILS

|   |   |                                   |               |
|---|---|-----------------------------------|---------------|
| <b>Application Type:</b>  | A new premises licence application under the Licensing Act 2003.  |                                   |               |
| <b>Applicant:</b>   | Mr Nigel Stuart Scandrett J.P   | <b>Date Application Received:</b> | 24 April 2015 |
| <b>Premises Name and Address:</b>   | High Society<br>Lower North<br>Westminster Pier<br>Victoria Embankment<br>London  |                                   |               |
| <b>Ward Name:</b>   | St James's  | <b>Stress Area:</b>               | None          |
| <b>Description of Premises:</b>   | This is a riverboat premises which will travel up and down the River Thames and operate from Westminster Pier. The riverboat will be providing regulated entertainment, sale of alcohol and late night refreshment to its customers. Conditions have been agreed that no licensable activities shall take place whilst they are moored at the pier. |                                   |               |
| <b>Preliminary Licensing Note:</b>  | The applicant has amended their application to Core Hours following discussions with EH and Police. Please see <b>Appendix D</b> . The amended hours are reflected below.   |                                   |               |
| <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></p> |   |                                   |               |
| <b>Proposed Licensable Activities, Proposed Hours:</b>  |   |                                   |               |
| <b>Performance of Live Music: Indoors</b>   |   |                                   |               |
| Monday to Thursday: 11:00 to 23:30  |   |                                   |               |
| Friday to Saturday: 11:00 to 00:00  |   |                                   |               |
| Sunday: 11:00 to 22:30  |   |                                   |               |
| Sundays before Bank Holidays: 11:00 to 00:00  |   |                                   |               |
| Non-standard Timings: On New Year's Eve until 02:00   |   |                                   |               |
| <b>Playing of Recorded Music: Indoors</b>   |   |                                   |               |
| Monday to Thursday: 11:00 to 23:30  |   |                                   |               |
| Friday to Saturday: 11:00 to 00:00  |   |                                   |               |
| Sunday: 11:00 to 22:30  |   |                                   |               |
| Sundays before Bank Holidays: 11:00 to 00:00  |   |                                   |               |
| Non-standard Timings: On New Year's Eve until 02:00   |   |                                   |               |
| <b>Late Night Refreshment: Indoors</b>  |   |                                   |               |
| Monday to Thursday: 23:00 to 23:30  |   |                                   |               |
| Friday to Saturday: 23:00 to 00:00  |   |                                   |               |
| Sundays before Bank Holidays: 23:00 to 00:00  |   |                                   |               |
| Non-standard Timings: On New Year's Eve until 02:00   |   |                                   |               |
| <b>Sale by Retail of Alcohol: On the premises</b>   |   |                                   |               |
| Monday to Thursday: 10:00 to 23:30  |   |                                   |               |
| Friday to Saturday: 10:00 to 00:00  |   |                                   |               |
| Sunday: 12:00 to 22:30  |   |                                   |               |



Sundays before Bank Holidays: 12:00 to 00:00  
 Non-standard Timings: On New Year's Eve until 02:00

**Opening Hours:**

Monday to Thursday: 09:00 to 23:30  
 Friday to Saturday: 09:00 to 00:00  
 Sunday: 09:00 to 22:30  
 Sundays before Bank Holidays: 09:00 to 00:00

Non-standard Timings: On New Year's Eve until 02:00 On New Year's Day

|    | <b>Relevant representations and policies applicable:</b>   | <b>References / Notes</b>   |
|----|--|---|
| 1A | An adverse representation has been made by the Metropolitan Police against this application as it is their belief that if granted this application will undermine the licensing objectives. The Police have proposed conditions which have been attached at Appendix B.  | <b>Metropolitan Police Service representation and conditions</b>              |
| 1B | An adverse representation has been made by Environmental Health against this application as it is their belief that the proposals may have the likely effect of causing an increase in Public Nuisance in the area and may impact upon Public Safety. However, following the applicant's agreement of proposed conditions (attached in Appendix B), EH have now withdrawn their representation. An email confirming this is attached to the background documents.  | <b>Environmental Health Service Representation, conditions and withdrawal</b> |
| 1C | 3 local residents have made adverse representations against the application on the grounds of public nuisance.   | <b>3 residential representations</b>  |
| 1D | <p>The following policies within the City Of Westminster Statement of Licensing Policy apply:</p> <p>Policy HRS1 applies:</p> <p>(i) Applications for hours within the core hours set out below in this policy will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy.</p> <p>(ii) Applications for hours outside the core hours set out below in this policy will be considered on their merits, subject to other relevant policies.</p> <p>Policy MD1 applies:</p> <p>Applications will only be granted if it can be demonstrated that the proposal meets the relevant criteria in Policies CD1, PS1, PN1 and CH1.</p> <p>Policy PB1 applies:</p> <p>Applications will only be granted if it can be demonstrated that the proposal meets the relevant criteria in Policies CD1, PS1, PN1 and CH1.</p> | <b>Policies applicable</b>  |
| 1E | 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  | <b>Summary</b>  |

|                                   |   |  |
|-----------------------------------|---|--|
|                                   | <p>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> </ul> |  |
| <b>Current Licensing Position</b> | These premises have not previously benefitted from a premises licence in Westminster.   |  |
| <b>Residential Density:</b>       | 1 unit within a 75m radius of the premises is residential or proposed residential, refer to <b>Appendix C</b> .   |  |
| <b>Planning Position:</b>         | Licensing cannot confirm the planning usage of this premises.   |  |
| <b>List of Appendices:</b>        | A1 – Premises Licence History<br>A2 – Premises Plans<br>B - Conditions<br>C – Residential Map and list of premises in the vicinity<br>D – applicant amendments to hours   |  |

#### **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 (March 2015)
- Application form
- Representations received
- Photos

## Licence & Appeal History

This history is for both High Society and Wyndham Grand applications

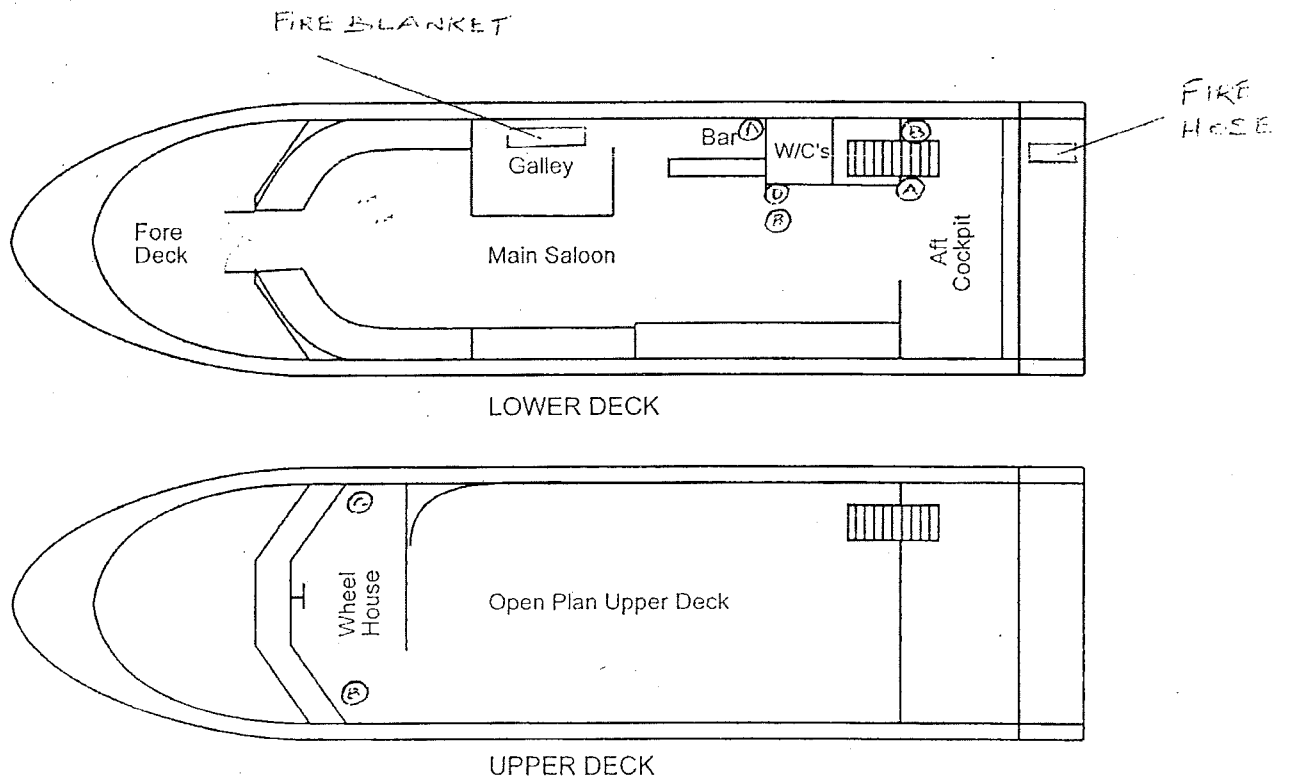
| Application                                      | Details of Application  | Date Determined | Decision       |
|--|---|-----------------|----------------|
| <b>Temporary Event Notice</b><br>15/04082/LITENP | Application to permit the sale of alcohol and regulated entertainment on 5 <sup>th</sup> June from 19:00 to 23:00                           | 05.06.2015      | Notice Granted |
| <b>Temporary Event Notice</b><br>15/04087/LITENP | Application to permit the sale of alcohol and regulated entertainment on 6 <sup>th</sup> June from 12:30 to 16:30                           | 05.06.2015      | Notice Granted |
| <b>Temporary Event Notice</b><br>15/04092/LITENP | Application to permit the sale of alcohol and regulated entertainment on 25 <sup>th</sup> June to 27 <sup>th</sup> June from 12:45 to 23:45 | 22.06.2015      | Notice Granted |
| <b>Temporary Event Notice</b><br>15/04826/LITENP | Application to permit the sale of alcohol and late night refreshment on 3 <sup>rd</sup> July to 4 <sup>th</sup> July from 12:45 to 23:45    | 22.06.2015      | Notice Granted |
| <b>Temporary Event Notice</b><br>15/04980/LITENP | Application to permit the sale of alcohol and late night refreshment on 1 <sup>st</sup> July from 12:45 to 17:00                            | 25.06.2015      | Notice Granted |

There is no appeal history.

66

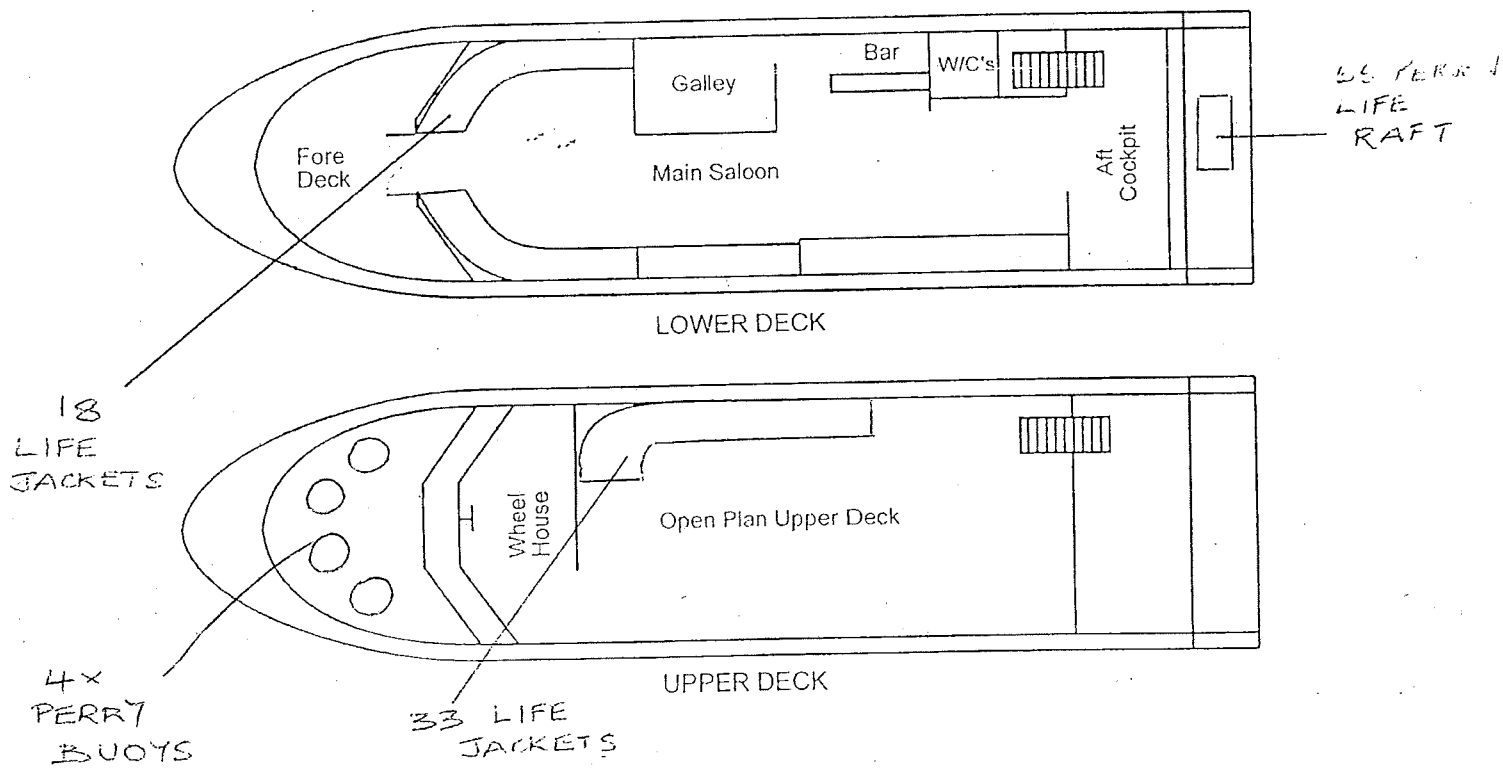
# FIRE EXTINGUISHING APPARATUS LOCATIONS

Ⓐ = CO<sub>2</sub>   Ⓑ = FOAM   Ⓒ = DRY POWDER   Ⓓ = WATER



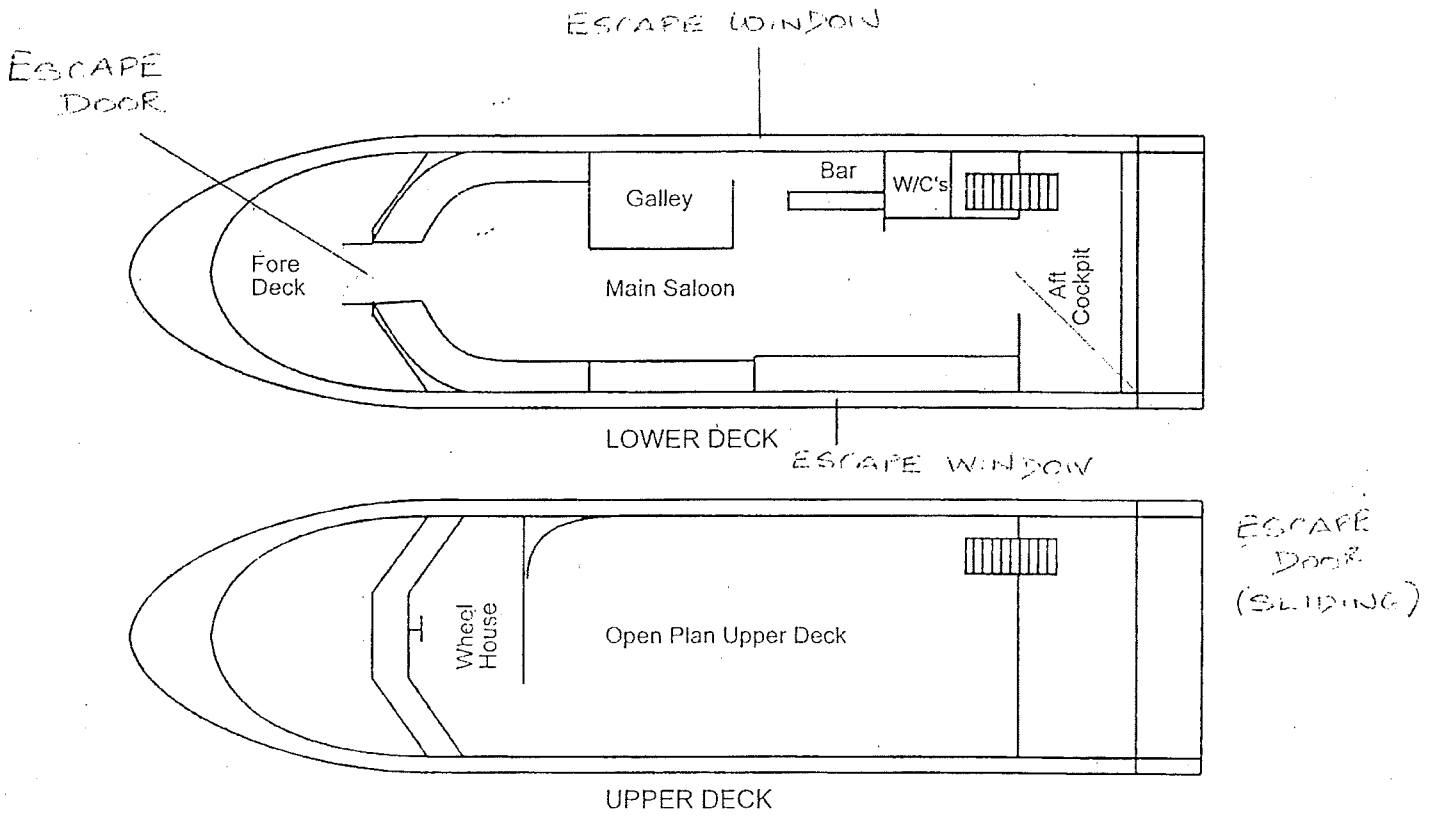
HIGH SOCIETY

# LIFE SAVING APPARATUS LOCATIONS



HIGH SOCIETY

# EMERGENCY EXITS PLAN



HIGH SOCIETY

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

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

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

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

**Mandatory Conditions**

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

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

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

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

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

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



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

Where -

- (i) P is the permitted price,
  - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
  - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
- (i) the holder of the premises licence,
  - (ii) the designated premises supervisor (if any) in respect of such a licence, or
  - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

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

- 8(iv). (1) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

#### **Conditions proposed by EH and agreed by the applicant**

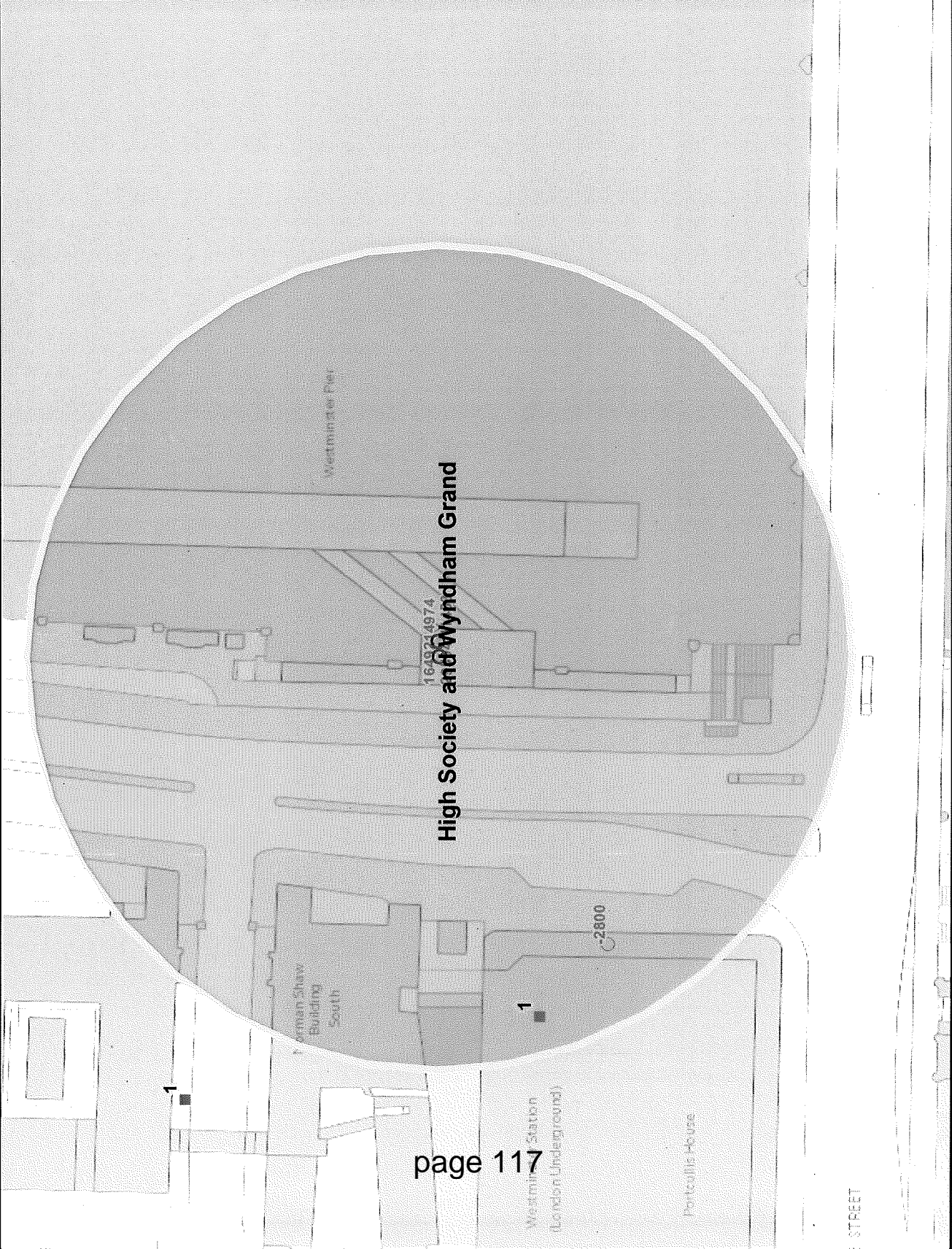
- 9. Regulated Entertainment shall not commence until 5 minutes after the vessel has left a pier, and shall cease 5 minutes before the vessel returns to a pier.
- 10. No noise shall emanate from the vessel which gives rise to a nuisance.
- 11. The number of persons permitted in the vessel at any one time (excluding staff) shall not exceed 45 persons.
- 12. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
- 13. 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.
- 14. 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.

#### **Conditions proposed by Police**

- 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 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.
- 17. There shall be no striptease or nudity, and all persons shall be decently attired at all times, except when the premises are operating under the authority of a Sexual Entertainment Venue licence.

**APPENDIX C**



|                                    |           |
|------------------------------------|-----------|
| Residential / Proposed Residential | 1         |
| Under Construction                 | Not Known |
| Other Uses                         | Not Known |
| Proportion Residential of all Uses | %AllUses% |

**Premises within 75 metres of: High Society and Wyndham Grand, Lower North, Westminster Pier, Victoria Embankment, London**

| <b>p / n</b> | <b>Name of Premises</b>  | <b>Premises Address</b>   | <b>Opening Hours</b>                                     |
|--------------|--------------------------|---|--|
| 16492        | MV Kingwood              | MV Kingwood Barge Moored On The Thames Outside The Houses Of Parliament, Westminster Pier Victoria Embankment London SW1A 2JH             | Monday to Sunday 08:00 - 01:00                           |
| -29594       | The Arcadian King Edward | The Arcadian King Edward Barge Moored On The Thames Outside The Houses Of Parliament Westminster Pier Victoria Embankment London SW1A 2JH | Monday to Sunday 08:00 - 01:00                           |
| -2800        | Tesco Express            | Unit A And B Portcullis House Bridge Street London SW1A 2LW   | Monday to Saturday 08:00 - 23:00<br>Sunday 10:00 - 22:30 |
| 14974        | Henley                   | Henley -Passenger Vessel Moored On The Thames Outside The Houses Of Parliament Westminster Pier Victoria Embankment London SW1A 2JH       | Monday to Sunday 07:00 - 01:00                           |
| -11453       | Cockney Sparrow          | Cockney Sparrow Barge Moored On The Thames Outside The Houses Of Parliament, Westminster Pier Victoria Embankment London SW1A 2JH         | Monday to Sunday 08:00 - 01:00                           |
|              |                          |   |  |

## APPENDIX D

**Anand-Patel, Sumeet**

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**Subject:** FW: Core hours for High Society and Wyndham Grand

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**From:** Curtis, Nicola  
**Sent:** 03 June 2015 11:22  
**To:** [sanandpatel@westminster.gov.uk](mailto:sanandpatel@westminster.gov.uk); Owojori, Olaposi  
**Cc:** Sollars, Jim  
**Subject:** FW: FAO Lester

FYI all – reduction to core hours for 15/03141/LIPN and 15/03198/LIPN, NYE remains as per original

---

**From:** Nigel [<mailto:nigel@mainstreamleisure.co.uk>]  
**Sent:** 28 May 2015 17:50  
**To:** Curtis, Nicola  
**Subject:** RE: FAO Lester

Hi Nicola

We agree to your core hours as set on page 31. This is for our premises license application for the vessels HIGH SOCIETY and WYNDHAM

This is with the understanding that 'New Years Eve' is deemed as a 'seasonal application' and remains as per our application.

It's also with the understanding that should we ever be requested to operate beyond these, we're able to request/apply for such provisions on an individual basis. It's very likely that we won't need to but it's just good to know where we stand if requested.

I'll be in touch next week with a confirmed location for our meeting on the 10<sup>th</sup> June. Furthermore I'd be grateful if you could ensure this updated agreement to adhere to your core hours is updated on our application asap and that our 'Application Managers' are notified.

Regards

Lester

---

**From:** Curtis, Nicola [<mailto:ncurtis@westminster.gov.uk>]  
**Sent:** 28 May 2015 16:10  
**To:** Nigel  
**Subject:** FAO Lester

Good afternoon,

Thank you for your time today. This is the link to our Statement of Licensing Policy – core hours are found at page 31. [http://transact.westminster.gov.uk/docstores/publications\\_store/Statement\\_of\\_Licensing\\_Policy\\_As\\_Published\\_January\\_2011.pdf](http://transact.westminster.gov.uk/docstores/publications_store/Statement_of_Licensing_Policy_As_Published_January_2011.pdf)

This is information about TENs <https://www.westminster.gov.uk/temporary-events-notice>

I hope these are helpful.

Regards

**Nicola Curtis GradCIEH**  
Environmental Health Enforcement Officer  
Environmental Health Consultation Team

Working days - Tuesday, Wednesday, Thursday

Westminster City Council  
4th Floor (South)  
City Hall  
64 Victoria Street  
London SW1E 6QP

Tel: 020 7641 3187  
[ncurtis@westminster.gov.uk](mailto:ncurtis@westminster.gov.uk)

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



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\*\*\*\*\*

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\*\*\*\*\*

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

\*\*\*\*\*

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You should not disclose the contents to any other person or take copies.

\*\*\*\*\*

## Anand-Patel, Sumeet

---

**From:** Lester <info@mainstreamleisure.co.uk>  
**Sent:** 02 July 2015 12:32  
**To:** Chrysanthou, Yiannis  
**Cc:** Anand-Patel, Sumeet; nigel@mainstreamleisure.co.uk  
**Subject:** RE: Wyndham Grand & High Society - Opening Hours

Hi Yiannis

I hereby agree to amending our closing hours in line with the agreed 'end of licensable activities timings'.

This is with the understanding that the 'New Year's Eve' timings are deemed separate (not part of this condition).

As mentioned, for your reports, it's unlikely there'll be many (if any) functions starting before midday – it's just that we may get the odd request to do a 1 way river transfer to a business meeting or sightseeing trip or perhaps host a business meeting with breakfast etc

Lester

---

**From:** Chrysanthou, Yiannis [<mailto:ychrysanthou@westminster.gov.uk>]  
**Sent:** 02 July 2015 12:09  
**To:** Lester  
**Cc:** Anand-Patel, Sumeet; [nigel@mainstreamleisure.co.uk](mailto:nigel@mainstreamleisure.co.uk)  
**Subject:** Wyndham Grand & High Society - Opening Hours

Hi Lester

Further to our conversation a moment ago, as you have now amended all the licensable activities on both applications above, I asked if you also wish to amend your opening times so that the closing hour reflects the end time of licensable activities on each day. I understand that the opening hour will not change.

Please confirm in writing and I will ensure that Sumeet and I amend the database records and committee reports accordingly.

Thanks

Kind regards

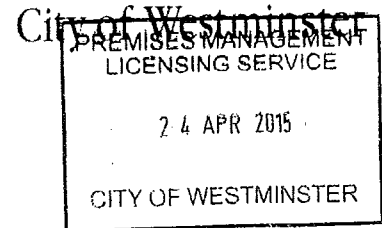
**Yiannis Chrysanthou**  
Senior Licensing Officer

**Licensing Team**  
Public Protection and Licensing Department  
Westminster City Council  
4th Floor East  
64 Victoria Street  
London SW1E 6QP

Tel: 020 7641 1876  
E-mail: [ychrysanthou@westminster.gov.uk](mailto:ychrysanthou@westminster.gov.uk)  
Web: [www.westminster.gov.uk/licensing](http://www.westminster.gov.uk/licensing)

# **BACKGROUND PAPERS**





**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 NIGEL STUART SCANDRETT J.P.  
(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<br>MOTOR VESSEL 'HIGH SOCIETY' MOORED<br>ON THE THAMES AT KINGS REACH UPPER,<br>MIDWAY BETWEEN EMBANKMENT AND<br>WESTMINSTER PIERS. |          |
| Post town<br>LONDON  | Postcode |

|   |     |
|---|-----|
| Telephone number at premises (if any)   | /   |
| Non-domestic rateable value of premises | £ / |

**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)

|   |                              |                                     |                                 |   |  |
|---|------------------------------|-------------------------------------|---------------------------------|---|--|
| Mr <input checked="" type="checkbox"/>                    | Mrs <input type="checkbox"/> | Miss <input type="checkbox"/>       | Ms <input type="checkbox"/>     | Other Title (for example, Rev)                      |  |
| Surname <b>SCANDRETT J.P.</b>                             |                              |                                     | First names <b>NIGEL STUART</b> |   |  |
| I am 18 years old or over                                 |                              |                                     |                                 | <input checked="" type="checkbox"/> Please tick yes |  |
| Current postal address if different from premises address |                              | <b>4 SPICERS FIELD</b>              |                                 |   |  |
| Post town   | <b>OXSHOTT</b>               |                                     | Postcode                        | <b>KT22 0UT</b>                                     |  |
| Daytime contact telephone number                          |                              |                                     | <b>0203 044 2925</b>            |   |  |
| E-mail address (optional)                                 |                              | <b>nigel@mainstreamlenoir.co.uk</b> |                                 |   |  |

**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   |
| Address  |
| Registered number (where applicable)   |
| Description of applicant (for example, partnership, company, unincorporated association) |
| Telephone number (if any)  |
| E-mail address (optional)  |

**Part 3 Operating Schedule**

When do you want the premises licence to start?

|    |    |      |
|----|----|------|
| DD | MM | YYYY |
| 18 | 04 | 2015 |

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)

M.V. HIGH SOCIETY' IS A CLASS CATEGORY V THAMES RIVERBOAT CAPABLE OF A CAPACITY OF 45 PERSONS. MCA REGISTERED AND APPROVED.

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)

Provision of regulated entertainment

Please tick any 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)

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

In all cases complete boxes K, L and M

**A**

| Plays<br>Standard days and timings<br>(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**

|  |              |               |   |          |                          |
|--|--------------|---------------|---|----------|--------------------------|
| <b>Films</b><br>Standard days and timings<br>(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  |              |               |   |          |                          |
| Tue  |              |               | <b>State any seasonal variations for the exhibition of films</b> (please read guidance note 4)  |          |                          |
| Wed  |              |               |   |          |                          |
| Thur   |              |               | <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) |          |                          |
| Fri  |              |               |   |          |                          |
| Sat  |              |               |   |          |                          |
| Sun  |              |               |   |          |                          |

C

| Indoor sporting events<br>Standard days and timings<br>(please read guidance note 6) |       |        | <u>Please give further details</u> (please read guidance note 3)   |
|--|-------|--------|--|
| Day  | Start | Finish |  |
| Mon  |       |        |  |
|  |       |        |  |
| Tue  |       |        | <u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)  |
|  |       |        |  |
| 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><br>Standard days and timings<br>(please read guidance note 6) |       |        | <b>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</b><br>(please read guidance note 2)   |  | Indoors  | <input type="checkbox"/> |                          |
|   |       |        |   |  | Outdoors | <input type="checkbox"/> |                          |
| Day   | Start | Finish | 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 boxing or wrestling entertainment</b><br>(please read guidance note 4)   |  |          |                          |                          |
| Thur  |       |        |   |  |          |                          |                          |
| Fri   |       |        | <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) |  |          |                          |                          |
| Sat   |       |        |   |  |          |                          |                          |
| Sun   |       |        |   |  |          |                          |                          |



E

| Live music<br>Standard days and timings<br>(please read guidance note 6) <i>NO REAL STANDARD</i> |       |        | Will the performance of live music take place<br><u>indoors or outdoors or both – please tick</u> (please read guidance note 2)  | Indoors  | <input checked="" type="checkbox"/> |
|--|-------|--------|--|----------|-------------------------------------|
| Day  | Start | Finish |  | Outdoors | <input type="checkbox"/>            |
| Mon  | 11.00 | 02.00  | <b>Please give further details here</b> (please read guidance note 3)<br><i>BOAT FOR PRIVATE CHARTERS ONLY.<br/>           POSSIBLE SMALL BANDS, OWN<br/>           AMPLIFIED MP3 MUSIC ON<br/>           DISCOTHEQUE.</i>         | Both     | <input type="checkbox"/>            |
| Tue  | 11.00 | 02.00  |  |          |                                     |
| Wed  | 11.00 | 02.00  | <b>State any seasonal variations for the performance of live music</b> (please read guidance note 4)<br><i>HIGHLY UNLIKELY CHARTERS WILL<br/>           NEED TO CONTINUE TILL 02.00 HRS.<br/>           JUST COVERING OPTIONS.</i> |          |                                     |
| Thur   | 11.00 | 02.00  |  |          |                                     |
| Fri  | 11.00 | 02.00  | <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)                        |          |                                     |
| Sat  | 11.00 | 02.00  |  |          |                                     |
| Sun  | 11.00 | 02.00  |  |          |                                     |

F

| <b>Recorded music</b><br>Standard days and timings<br>(please read guidance note 6) <i>NO REAL STANDARD</i> |              |              | <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"/>            |
| Day   | Start        | Finish       | <b>Please give further details here</b> (please read guidance note 3)<br><i>SMALL BOAT FOR PRIVATE CHARTER ONLY. DISCOTHEQUE OR AMPLIFIED MP3 PLAYER MUSIC FROM TIME TO TIME.</i>                           |          |                                     |
| Mon   | <i>11.00</i> | <i>02.00</i> |   |          |                                     |
| Tue   | <i>11.00</i> | <i>02.00</i> |   |          |                                     |
| Wed   | <i>11.00</i> | <i>02.00</i> | <b>State any seasonal variations for the playing of recorded music</b> (please read guidance note 4)<br><i>DITTO 'E'</i>  |          |                                     |
| Thur  | <i>11.00</i> | <i>02.00</i> |   |          |                                     |
| Fri   | <i>11.00</i> | <i>02.00</i> | <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) |          |                                     |
| Sat   | <i>11.00</i> | <i>02.00</i> |   |          |                                     |
| Sun   | <i>11.00</i> | <i>02.00</i> |   |          |                                     |
|   |              |              |   |          |                                     |

**G**

|  |              |               |   |          |                          |  |  |  |
|--|--------------|---------------|---|----------|--------------------------|--|--|--|
| <b>Performances of dance</b><br>Standard days and timings<br>(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 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  |              |               |   |          |                          |  |  |  |
| Wed  |              |               |   |          |                          | <b>State any seasonal variations for the performance of dance</b> (please read guidance note 4)  |  |  |
| Thur   |              |               |   |          |                          |  |  |  |
| Fri  |              |               |   |          |                          | <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) |  |  |
| Sat  |              |               |   |          |                          |  |  |  |
| Sun  |              |               |   |          |                          |  |  |  |

**H**

|  |       |        |   |          |                          |
|--|-------|--------|---|----------|--------------------------|
| <p><b>Anything of a similar description to that falling within (e), (f) or (g)</b><br/>Standard days and timings<br/>(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

|   |       |        |  |          |                                     |
|---|-------|--------|--|----------|-------------------------------------|
| <b>Late night refreshment</b><br>Standard days and timings<br>(please read guidance note 6) |       |        | <b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b><br>(please read guidance note 2)  | Indoors  | <input checked="" type="checkbox"/> |
|   |       |        |  | Outdoors | <input type="checkbox"/>            |
|   |       |        |  | Both     | <input type="checkbox"/>            |
| Day   | Start | Finish | <b>Please give further details here</b> (please read guidance note 3)  |          |                                     |
| Mon   | 11pm  | 2am    |  |          |                                     |
| Tue   | 11pm  | 2AM    | <b>State any seasonal variations for the provision of late night refreshment</b><br>(please read guidance note 4)  |          |                                     |
| Wed   | 11pm  | 2AM    |  |          |                                     |
| Thur  | 11pm  | 2AM    | <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) |          |                                     |
| Fri   | 11pm  | 2AM    |  |          |                                     |
| Sat   | 11pm  | 2AM    | NEW YEARS EVE<br>MOST FUNCTIONS END AT MIDNIGHT,<br>OCCASIONAL LICENSE REQUIRED<br>FOR 2AM FINISH.   |          |                                     |
| Sun   | 11pm  | 2AM    |  |          |                                     |

J

|  |              |               |   |                  |                                     |
|--|--------------|---------------|---|------------------|-------------------------------------|
| <b>Supply of alcohol</b><br>Standard days and timings<br>(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 checked="" 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 4)  |                  |                                     |
| Mon  | 10.00        | 02.00         |   |                  |                                     |
| Tue  | 10.00        | 02.00         |   |                  |                                     |
| Wed  | 10.00        | 02.00         |   |                  |                                     |
| Thur   | 10.00        | 02.00         |   |                  |                                     |
| Fri  | 10.00        | 02.00         |   |                  |                                     |
| Sat  | 10.00        | 02.00         |   |                  |                                     |
| Sun  | 10.00        | 02.00         |   |                  |                                     |
|  |              |               | <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) |                  |                                     |
|  |              |               | NEW YEAR'S EVE  |                  |                                     |

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

|  |  |
|--|--|
| Name                                   |  |
| Address                                |  |
| Postcode                               |  |
| Personal licence number (if known)     |  |
| Issuing licensing authority (if known) |  |

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).**

N/A

L

| <b>Hours premises are open to the public</b><br>Standard days and timings<br>(please read guidance note 6) |       |        | <b>State any seasonal variations</b> (please read guidance note 4) |
|--|-------|--------|--|
| Day  | Start | Finish | PRIVATE<br>CHARTER<br>ONLY   |
| Mon  | 09.00 | 02.00  |  |
| Tue  | 09.00 | 02.00  |  |
| Wed  | 09.00 | 02.00  |  |
| Thur   | 09.00 | 02.00  |  |
| Fri  | 09.00 | 02.00  |  |
| Sat  | 09.00 | 02.00  |  |
| Sun  | 09.00 | 02.00  |  |
|  |       |        |  |

**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)**

AS RESPONSIBLE BOAT OPERATORS WE TAKE ALL MATTERS LISTED BELOW VERY SERIOUSLY. THE PARTNERJ HAVE OVER 50 YEARJ EXPERIENCE OF PUTTING THESE MEASUREJ INTO PRACTICE.

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

WE ADHERE TO POLICIEJ RECOMMENDED BY THE MET POLICE TO ALL THAMEJ RIVER BOAT OPERATORJ. WE ARE IN TOUCH AT ALL TIMEJ WITH RIVER A POLICE AUTHORITIEJ BY RADIO CAREFUL CONSIDERATION IS GIVEN TO ALL CHARTER REQUESTJ.

**c) Public safety**

THIS VESSEL IS REGULATED ANNUALLJ BY THE MCA TO THE HIGHEST SAFETY STANDARDS. CREW ARE TRAINED IN FIRST AID, CROWD CONTROL AND FIRE FIGHTING. A LIFE RAFT AND LIFE JACKETS ARE PROVIDED FOR EVERYONE ON BOARD.

**d) The prevention of public nuisance**

ALL AMPLIFIED MUSIC HAS A PLA APPROVED NOISE LIMITER (MAX 92 DECIBELS). SMALL BOATJ NEED NOWHERE <sup>LIKE</sup> THIS LEVEL OF SOUND. ALL MUSIC IS CUT OFF WHEN NEARING LAND OR PIEN MOORING.

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

NO ACTIVITY ON BOARD WILL EXPOSE CHILDREN TO HARM. ALL ARE PRIVATE CHARTERJ. SUITABLE NOS OF CHILD LIFE JACKETS ARE CARRIED AT ALL TIMEJ.



|   |               |          |         |
|---|---------------|----------|---------|
| Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13).<br>NIGEL SCANDRETT J.P.<br>UNITS 61 & 62<br>TRIDENT COURT<br>1 OAKCROFT ROAD |               |          |         |
| Post town   | CHESSINGTON   | Postcode | KT9 1BD |
| Telephone number (if any)   | 0203 044 2925 |          |         |
| If you would prefer us to correspond with you by e-mail, your e-mail address (optional).<br>nigel.scandrett@btinternet.com  |               |          |         |

### Notes for Guidance

1. Describe the premises, for example the type of premises, their general situation and layout and any other information which could be relevant to the licensing objectives. Where you are completing Part 4 and 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 applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

|  |
|--|
|  |
|--|

**Checklist:**

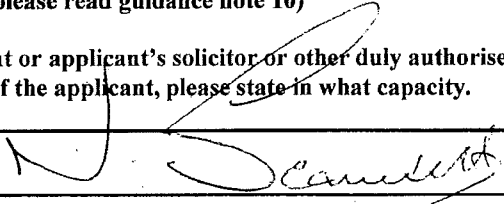
Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- I have enclosed the plans of the works to be done at the premises.
- 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 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 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 |  |
| Date      | 28.3.15  |
| Capacity  | MANAGING DIRECTOR THAMES BOATS LTD.  |

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  |  |

**CITY OF WESTMINSTER****MEMORANDUM**

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|                  |  |
|------------------|--|
| <b>TO</b>        | <b>Sumeet Anand-Patel, Licensing Officer</b> |
| <b>REFERENCE</b> | <b>15/03141/LIPN</b>                         |

---

|                            |   |
|----------------------------|---|
| <b>FROM</b>                | <b>Environmental Health Consultation Team</b>     |
| <b>TELEPHONE</b>           | <b>4<sup>th</sup> Floor West, City Hall</b>       |
| <b>BEING DEALT WITH BY</b> | <b>0207 641 3187</b>                              |
| <b>DATE</b>                | <b>Nicola Curtis (ncurtis@westminster.gov.uk)</b> |
|                            | <b>21<sup>st</sup> May 2015</b>                   |

---

**Licensing Act 2003****High Society, Lower North Westminster Pier, Victoria Embankment, London, SW1A 2JH**

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

The applicant has submitted the following undated plans for the premises:

- ◆ Emergency Exits Plan
- ◆ Lifesaving Apparatus Locations
- ◆ Fire Extinguishing Apparatus Locations

This representation is based on the plans and Operating Schedule submitted.

The applicant is seeking the following licensable activities:

1. Regulated Entertainment 'indoors' Monday to Sunday 1100 to 0200 hours comprising
  - a. Performance of Live Music
  - b. Playing of Recorded Music
2. The Provision of Late Night Refreshment 'indoors' Monday to Sunday 2300 to 0200 hours and on New Year's Eve
3. The Supply of Alcohol 'on' the premises Monday to Sunday 1000 to 0200 hours and on New Year's Eve

I wish to make the following representations in relation to the above application:

1. The Regulated Entertainment and the hours requested for this activity will have the likely effect of causing an increase in Public Nuisance in the area and may impact upon Public Safety.

2. The provision of Late Night Refreshment 'indoors' and the hours requested for this activity will have the likely effect of causing an increase in Public Nuisance in the area.
3. The Supply of Alcohol 'on' the premises and the hours requested for this activity will have the likely effect of causing an increase in Public Nuisance in the area and may impact upon Public Safety.

The applicant has provided additional information within the operating schedule which is being considered but does not fully address the concerns of Environmental Health.

The applicant is advised to contact the undersigned to arrange a suitable time for inspection of the premises.

**The granting of the new Premises Licence as presented would have the likely effect of causing an increase in Public Nuisance and may impact on Public Safety.**

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

Nicola Curtis  
Environmental Health Enforcement Officer

30/06/2015 11:32:04

From: "Guerra, Reaz" </O=CITYOFWESTMINSTER/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=RGUERRA>  
Sent: 23/05/2015 20:03:14  
To: "Anand-Patel, Sumeet" </O=CITYOFWESTMINSTER/OU=CORPORATE/CN=RECIPIENTS/CN=SANAND>  
Subject: High Society - Victoria Embankment - 15/03141/LIPN

Dear Nigel

With reference to the above application I am writing to inform you that the Police, as a Responsible Authority, object to your application for a New Premises Licence as it is our belief that if granted the application would undermine the Crime Prevention Objective.

There is insufficient detail in the operating schedule to address the Crime Prevention Objective.

It is for this reason that we are objecting to the application

Should you wish to discuss the matter further please contact PC Reaz Guerra on 0207 641 1709 or via email, [rguerra@westminster.gov.uk](mailto:rguerra@westminster.gov.uk).

Yours Faithfully,

Reaz Guerra PC1614CW

Westminster Police Licensing Team

PC Reaz Guerra 1614CW

Westminster Police Licensing Team

Westminster City Hall

4th Floor, 64 Victoria Street

London SW1E 6QP

Tel - 0207 641 1708

**CITY OF WESTMINSTER****MEMORANDUM**

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|                  |  |
|------------------|--|
| <b>TO</b>        | <b>Sumeet Anand-Patel, Licensing Officer</b> |
| <b>REFERENCE</b> | <b>15/03141/LIPN</b>                         |

---

|                            |   |
|----------------------------|---|
| <b>FROM</b>                | <b>Environmental Health Consultation Team</b>     |
|                            | <b>4<sup>th</sup> Floor West, City Hall</b>       |
| <b>TELEPHONE</b>           | <b>0207 641 3187</b>                              |
| <b>BEING DEALT WITH BY</b> | <b>Nicola Curtis (ncurtis@westminster.gov.uk)</b> |
| <b>DATE</b>                | <b>21<sup>st</sup> May 2015</b>                   |

---

**Licensing Act 2003****High Society, Lower North Westminster Pier, Victoria Embankment, London, SW1A 2JH**

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

The applicant has submitted the following undated plans for the premises:

- ◆ Emergency Exits Plan
- ◆ Lifesaving Apparatus Locations
- ◆ Fire Extinguishing Apparatus Locations

This representation is based on the plans and Operating Schedule submitted.

The applicant is seeking the following licensable activities:

1. Regulated Entertainment 'indoors' Monday to Sunday 1100 to 0200 hours comprising
  - a. Performance of Live Music
  - b. Playing of Recorded Music
2. The Provision of Late Night Refreshment 'indoors' Monday to Sunday 2300 to 0200 hours and on New Year's Eve
3. The Supply of Alcohol 'on' the premises Monday to Sunday 1000 to 0200 hours and on New Year's Eve

I wish to make the following representations in relation to the above application:

1. The Regulated Entertainment and the hours requested for this activity will have the likely effect of causing an increase in Public Nuisance in the area and may impact upon Public Safety.

2. The provision of Late Night Refreshment 'indoors' and the hours requested for this activity will have the likely effect of causing an increase in Public Nuisance in the area.
3. The Supply of Alcohol 'on' the premises and the hours requested for this activity will have the likely effect of causing an increase in Public Nuisance in the area and may impact upon Public Safety.

The applicant has provided additional information within the operating schedule which is being considered but does not fully address the concerns of Environmental Health.

The applicant is advised to contact the undersigned to arrange a suitable time for inspection of the premises.

**The granting of the new Premises Licence as presented would have the likely effect of causing an increase in Public Nuisance and may impact on Public Safety.**

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

Nicola Curtis  
Environmental Health Enforcement Officer

30/06/2015 11:32:22

From: Lester <info@mainstreamleisure.co.uk>  
Sent: 11/06/2015 18:05:07  
To: "Anand-Patel, Sumeet" </O=CITYOFWESTMINSTER/OU=CORPORATE/CN=RECIPIENTS/CN=SANAND>  
Cc: Anand-Patel, Sumeet  
Subject: RE: High Society 15/03141/LIPN

Thank you Nicola

Yes, we feel yesterday was beneficial to both of us and thank you for your and Alan's time.

Amend – We hereby accept the conditions proposed and would like to amend our application to include them.

I would be grateful if you could provide me with the contact details/concerns of any representations so that we can try and address them with a view of hopefully acknowledging and satisfying any such concerns.

Thanks

Lester

From: Curtis, Nicola [mailto:ncurtis@westminster.gov.uk]  
Sent: 10 June 2015 15:14  
To: Lester; Nigel  
Cc: Anand-Patel, Sumeet  
Subject: High Society 15/03141/LIPN

Good afternoon,

Thank you all for your time this morning, it was very useful. I attach for your consideration proposed conditions to address the licensing objectives. If you are happy to accept these please email Mrs Anand-Patel stating that you would like to amend your application to include them. If you have any comments please let me know.

Regards

Nicola Curtis GradCIEH  
Environmental Health Enforcement Officer  
Environmental Health Consultation Team

Working days - Tuesday, Wednesday, Thursday

Westminster City Council  
4th Floor (South)  
City Hall  
64 Victoria Street  
London SW1E 6QP

Tel:020 7641 3187  
ncurtis@westminster.gov.uk

westminster.gov.uk



<http://www.westminster.gov.uk/PublishingImages/City%20for%20All%20logo.jpg>

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<<http://www.westminster.gov.uk/training-programme>>  
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\*\*\*\*\*  
\*\*\*\*\*

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

\*\*\*\*\*  
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\*\*\*\*\*  
\*\*\*\*\*

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|                  |  |
|------------------|--|
| <b>TO</b>        | <b>Sumeet Anand-Patel, Licensing Officer</b> |
| <b>REFERENCE</b> | <b>15/03141/LIPN</b>                         |

---

|                            |   |
|----------------------------|---|
| <b>FROM</b>                | <b>Environmental Health Consultation Team</b>     |
|                            | <b>4<sup>th</sup> Floor West, City Hall</b>       |
| <b>TELEPHONE</b>           | <b>0207 641 3187</b>                              |
| <b>BEING DEALT WITH BY</b> | <b>Nicola Curtis (ncurtis@westminster.gov.uk)</b> |
| <b>DATE</b>                | <b>10<sup>th</sup> June 2015</b>                  |

---

**High Society, Lower North Westminster Pier, Victoria Embankment, London, SW1A 2JH**

**Proposed Environmental Health Conditions**

1. Regulated Entertainment shall not commence until 5 minutes after the vessel has left a pier, and shall cease 5 minutes before the vessel returns to a pier.
2. No noise shall emanate from the vessel which gives rise to a nuisance.
3. The number of persons permitted in the vessel at any one time (excluding staff) shall not exceed 45 persons.
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 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.

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

Nicola Curtis  
Environmental Health Enforcement Officer

**Anand-Patel, Sumeet**

---

**Subject:** FW: High Society 15/03141/LIPN

**From:** Curtis, Nicola  
**Sent:** 01 July 2015 11:45  
**To:** Anand-Patel, Sumeet  
**Cc:** Lester  
**Subject:** RE: High Society 15/03141/LIPN

Dear Sumeet,

Based on the applicant's below acceptance of my conditions dated 10<sup>th</sup> June, my concerns are addressed and I am happy to withdraw my Representation.

Kind regards

**Nicola Curtis GradCIEH**  
Environmental Health Enforcement Officer  
Environmental Health Consultation Team

Working days - Tuesday, Wednesday, Thursday

Westminster City Council  
4th Floor (South)  
City Hall  
64 Victoria Street  
London SW1E 6QP

Tel: 020 7641 3187  
[ncurtis@westminster.gov.uk](mailto:ncurtis@westminster.gov.uk)

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



ASPIRATION CHOICE HERITAGE



---

**From:** Lester [<mailto:info@mainstreamleisure.co.uk>]  
**Sent:** 11 June 2015 18:05  
**To:** Curtis, Nicola  
**Cc:** Anand-Patel, Sumeet  
**Subject:** RE: High Society 15/03141/LIPN

**Details of public representations relating to 15/03141/LIPN**

Comments received electronically via PublicAccess:

- **Mr Paul Baker - Flat 139, 4 Whitehall Court, London**  
*Received: 29 May 2015*  
**OBJECTION**

*5:21 PM on 05 Jun 2015 Whitehall Court is a residential block of apartments. We already have the noise from party boats on the river. It is totally objectionable to have a boat moored playing music till 2.00 am in the morning. I can not see how such a licence could be granted. It is against both residential and ratepayers interests.*

Comments received via other means:

- **K.S Lam - 90, 3 Whitehall Court, London**  
*Received: 2 Jun 2015 by Neighbour Consulted Via Letter*  
**OBJECTION**
- **T Brady - 123, 4 Whitehall Court, London**  
*Received: 2 Jun 2015 by Neighbour Consulted Via Letter*  
**OBJECTION**















City of Westminster

# Licensing Sub-Committee Report

Item No:

[Empty box for Item No.]

Licensing Ref No:

**15/03198/LIPN**

Date:

**16 July 2015**

Classification:

**For General Release**

Title of Report:

**Wyndham Grand  
Westminster Pier  
Victoria Embankment**

Report of:

**Director of Public Protection and Licensing**

Policy context:

**City of Westminster Statement of Licensing  
Policy**

Financial summary:

**None**

Report Author:

**Mr Yiannis Chrysanthou  
Senior Licensing Officer**

Contact Details:

**Telephone: 020 7641 1876  
E-mail: ychrysanthou@westminster.gov.uk**

## APPLICATION DETAILS

|                                    |  |                                   |               |
|------------------------------------|--|-----------------------------------|---------------|
| <b>Application Type:</b>           | A new premises licence application under the Licensing Act 2003.   |                                   |               |
| <b>Applicant:</b>                  | Mr Nigel Stuart Scandrett  | <b>Date Application Received:</b> | 28 April 2015 |
| <b>Premises Name and Address:</b>  | Wyndham Grand<br>Westminster Pier<br>Victoria Embankment<br>London<br>SW1A 2JH   |                                   |               |
| <b>Ward Name:</b>                  | St James's   | <b>Stress Area:</b>               | None          |
| <b>Description of Premises:</b>    | This is a riverboat premises which will travel up and down the River Thames and operate from Westminster Pier. The riverboat will be providing regulated entertainment, sale of alcohol and late night refreshment to its customers. Conditions have been agreed that no licensable activities shall take place whilst the boat is moored at the pier. |                                   |               |
| <b>Preliminary Licensing Note:</b> | Following discussions with environmental health and the police, the applicant has amended their application in regard to all licensable activities and their opening hours such that their proposed end/closing hour now reflects core hours. Please see <b>Appendix D</b> . The amended hours are reflected below.                                    |                                   |               |

*Note: Where the committee is minded to grant the application it will be granted subject to the mandatory conditions and proposed 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.*

### Proposed Licensable Activities, Proposed Hours:

#### Performance of Live Music: Indoors

Monday to Thursday: 11:00 to 23:30

Friday to Saturday: 11:00 to 00:00

Sunday: 11:00 to 22:30

Sundays before Bank Holidays: 11:00 to 00:00

Non-standard Timings: On New Year's Eve until 02:00 On New Year's Day

#### Playing of Recorded Music: Indoors

Monday to Thursday: 11:00 to 23:30

Friday to Saturday: 11:00 to 00:00

Sunday: 11:00 to 22:30

Sundays before Bank Holidays: 11:00 to 00:00

Non-standard Timings: On New Year's Eve until 02:00 On New Year's Day

#### Late Night Refreshment: Indoors

Monday to Thursday: 23:00 to 23:30

Friday to Saturday: 23:00 to 00:00

Sundays before Bank Holidays: 23:00 to 00:00

Non-standard Timings: On New Year's Eve until 02:00 On New Year's Day

**Sale by Retail of Alcohol: On the premises**

Monday to Thursday: 10:00 to 23:30

Friday to Saturday: 10:00 to 00:00

Sunday: 12:00 to 22:30

Sundays before Bank Holidays: 12:00 to 22:30

Non-standard Timings: On New Year's Eve until 02:00 On New Year's Day

**Opening Hours:**

Monday to Thursday: 09:00 to 23:30

Friday to Saturday: 09:00 to 00:00

Sunday: 09:00 to 22:30

Sundays before Bank Holidays: 09:00 to 00:00

Non-standard Timings: On New Year's Eve until 02:00 On New Year's Day

|    | <b>Relevant representations and policies applicable:</b>  | <b>References / Notes</b>   |
|----|---|---|
| 1A | An adverse representation has been made by the Metropolitan Police against this application as it is their belief that if granted this application will undermine the licensing objectives. The Police have proposed conditions which have been attached at Appendix B.   | <b>Metropolitan Police Service representation and conditions</b>  |
| 1B | An adverse representation was initially made by Environmental Health against this application as it is their belief that the proposals may have the likely effect of causing an increase in public nuisance in the area and may impact upon public safety. However, following the applicant's agreement of proposed conditions (attached in Appendix B), EH have now withdrawn their representation. An email confirming this is attached to the background documents.  | <b>Environmental Health Service Representation and conditions</b> |
| 1C | 2 local residents have made adverse representations against the application on the grounds of public nuisance. These are attached in the background documents.  | <b>2 residential representations</b>                              |
| 1D | <p>The following policies within the City Of Westminster Statement of Licensing Policy apply:</p> <p><b>Policy HRS1 applies:</b></p> <p>(i) Applications for hours within the core hours set out below in this policy will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy.</p> <p>(ii) Applications for hours outside the core hours set out below in this policy will be considered on their merits, subject to other relevant policies.</p> <p><b>Policy MD1 applies:</b></p> <p>Applications will only be granted if it can be demonstrated that the proposal meets the relevant criteria in Policies CD1, PS1, PN1 and CH1.</p> <p><b>Policy PB1 applies:</b></p> <p>Applications will only be granted if it can be demonstrated that the</p> | <b>Policies applicable</b>  |

|                                   |  |                |
|-----------------------------------|--|----------------|
| 1E                                | <p>proposal meets the relevant criteria in Policies CD1, PS1, PN1 and CH1.</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> </ul> | <b>Summary</b> |
| <b>Current Licensing Position</b> | These premises have not previously benefitted from a premises licence in Westminster.  |                |
| <b>Residential Density:</b>       | 1 unit within a 75m radius of the premises is residential or proposed residential, refer to <b>Appendix C</b> .  |                |
| <b>Planning Position:</b>         | Licensing cannot confirm the planning usage of this premises.  |                |
| <b>List of Appendices:</b>        | A1 – Premises Licence History<br>A2 – Premises Plans<br>B - Conditions<br>C – Residential Map and list of premises in the vicinity<br>D – applicant amendments to hours  |                |

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

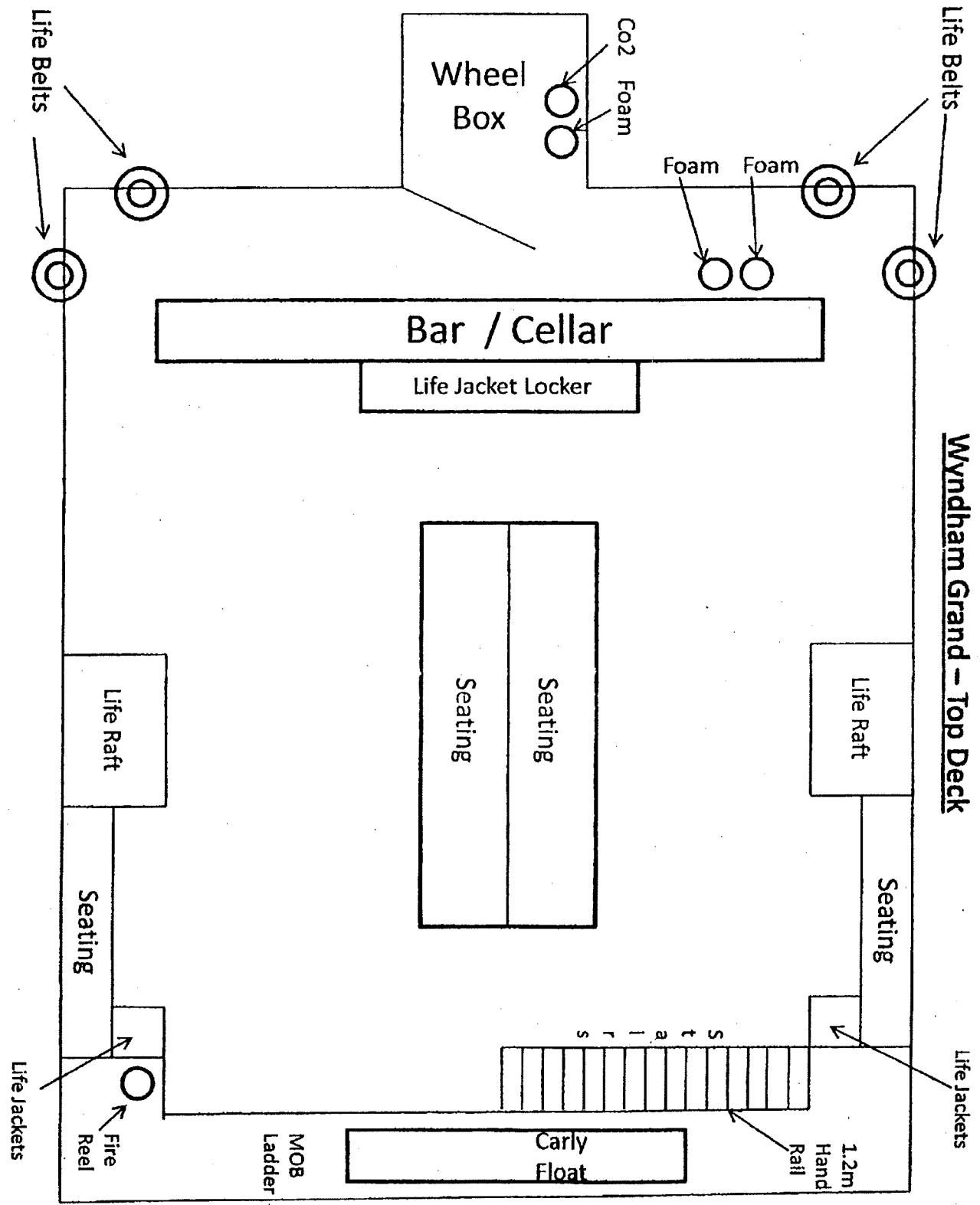
- Licensing Act 2003
- City of Westminster Statement of Licensing Policy (7<sup>th</sup> January 2011)
- Amended Guidance issued under section 182 of the Licensing Act 2003 (March 2015)
- Application form
- Representations received
- Photos

## Licence & Appeal History

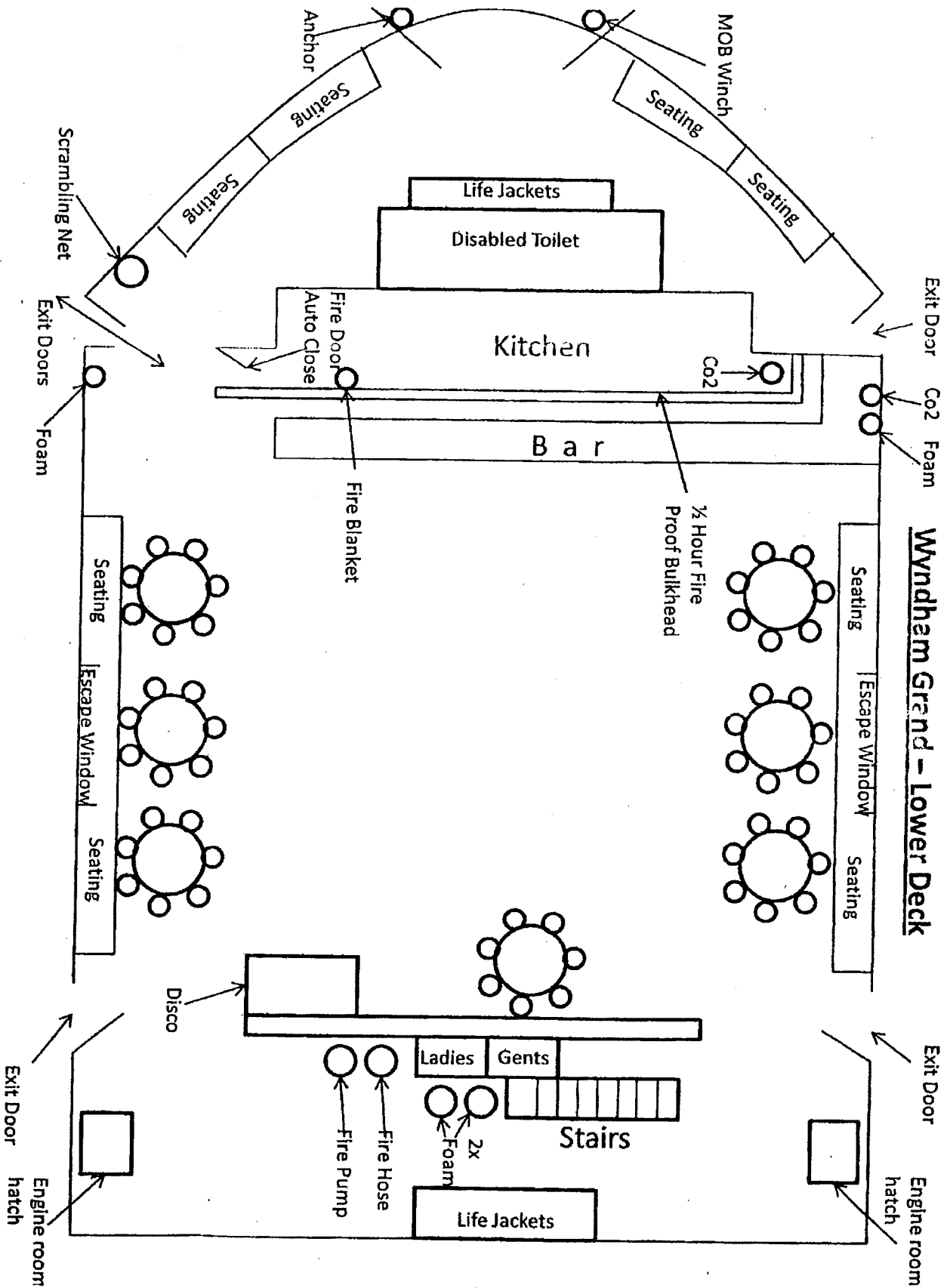
This history is for both High Society and Wyndham Grand applications

| <b>Application</b>                               | <b>Details of Application</b>   | <b>Date Determined</b> | <b>Decision</b> |
|--|---|------------------------|-----------------|
| <b>Temporary Event Notice</b><br>15/04082/LITENP | Application to permit the sale of alcohol and regulated entertainment on 5 <sup>th</sup> June from 19:00 to 23:00                           | 05.06.2015             | Notice Granted  |
| <b>Temporary Event Notice</b><br>15/04087/LITENP | Application to permit the sale of alcohol and regulated entertainment on 6 <sup>th</sup> June from 12:30 to 16:30                           | 05.06.2015             | Notice Granted  |
| <b>Temporary Event Notice</b><br>15/04092/LITENP | Application to permit the sale of alcohol and regulated entertainment on 25 <sup>th</sup> June to 27 <sup>th</sup> June from 12:45 to 23:45 | 22.06.2015             | Notice Granted  |
| <b>Temporary Event Notice</b><br>15/04826/LITENP | Application to permit the sale of alcohol and late night refreshment on 3 <sup>rd</sup> July to 4 <sup>th</sup> July from 12:45 to 23:45    | 22.06.2015             | Notice Granted  |
| <b>Temporary Event Notice</b><br>15/04980/LITENP | Application to permit the sale of alcohol and late night refreshment on 1 <sup>st</sup> July from 12:45 to 17:00                            | 25.06.2015             | Notice Granted  |

There is no appeal history.



(4)



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

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

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

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

### Mandatory Conditions

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



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

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

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

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

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

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

Where -

- (i) P is the permitted price,
  - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
  - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
- (i) the holder of the premises licence,
  - (ii) the designated premises supervisor (if any) in respect of such a licence, or
  - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
- 8(iii). Where the permitted price given by Paragraph 8(ii)(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- 8(iv). (1) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

#### **Conditions proposed by EH and agreed by the applicant**

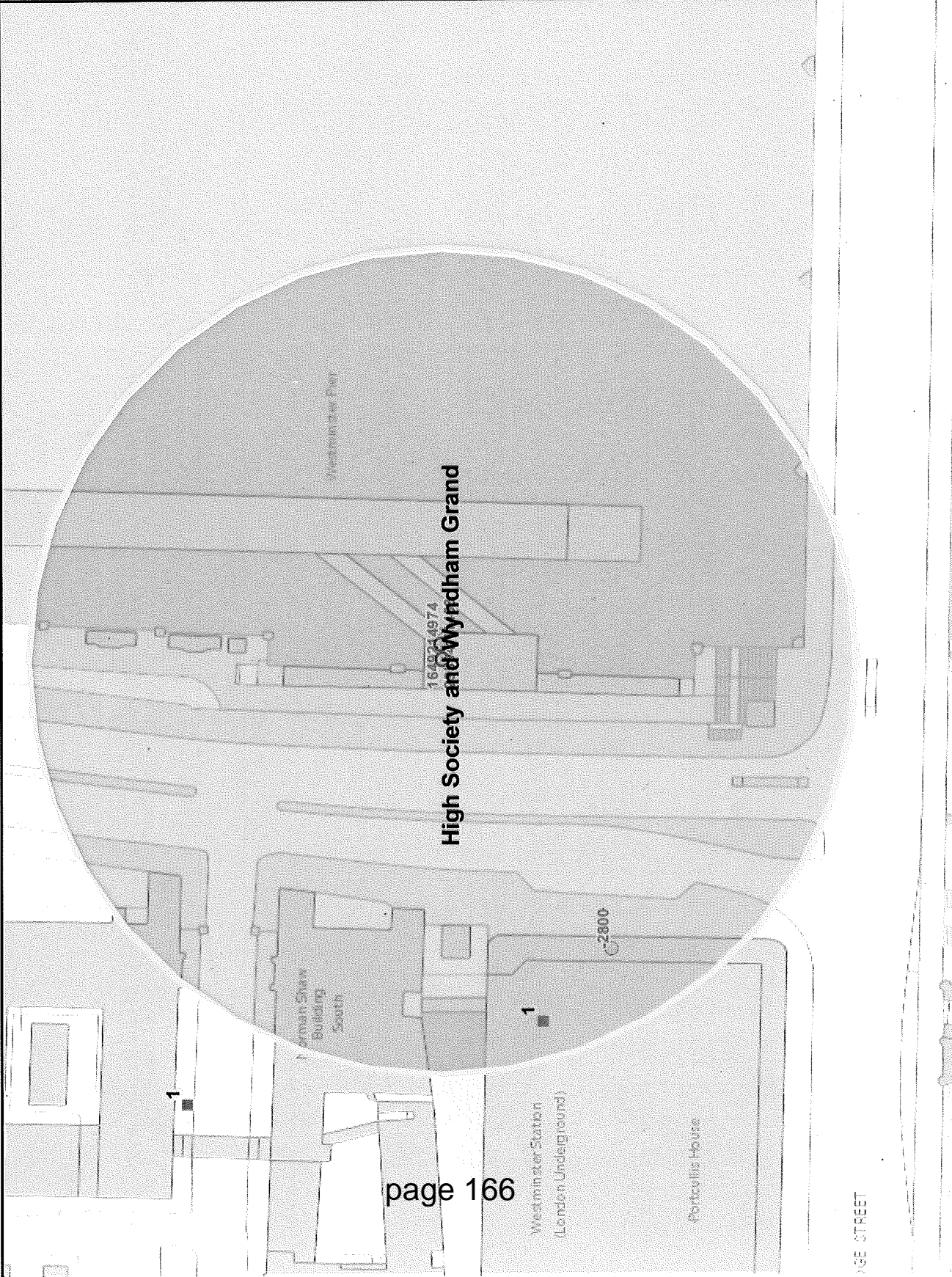
- 9. Regulated Entertainment shall not commence until 5 minutes after the vessel has left a pier, and shall cease 5 minutes before the vessel returns to a pier.
- 10. No noise shall emanate from the vessel which gives rise to a nuisance.
- 11. The number of persons permitted in the vessel at any one time (excluding staff) shall not exceed 120 persons.
- 12. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
- 13. 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.
- 14. 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.

#### **Conditions proposed by Police**

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 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.
17. There shall be no striptease or nudity, and all persons shall be decently attired at all times, except when the premises are operating under the authority of a Sexual Entertainment Venue licence.

APPENDIX C



|                                    |           |
|------------------------------------|-----------|
| Residential / Proposed Residential | 1         |
| Under Construction                 | Not Known |
| Other Uses                         | Not Known |
| Proportion Residential of all Uses | %AllUses% |

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Data Source: Uniform Database  
 Date: 30/06/2015

**Premises within 75 metres of: High Society and Wyndham Grand, Lower North, Westminster Pier, Victoria Embankment, London**

| <b>p / n</b> | <b>Name of Premises</b>  | <b>Premises Address</b>   | <b>Opening Hours</b>                                     |
|--------------|--------------------------|---|--|
| 16492        | MV Kingwood              | MV Kingwood Barge Moored On The Thames Outside The Houses Of Parliament, Westminster Pier Victoria Embankment London SW1A 2JH             | Monday to Sunday 08:00 - 01:00                           |
| -29594       | The Arcadian King Edward | The Arcadian King Edward Barge Moored On The Thames Outside The Houses Of Parliament Westminster Pier Victoria Embankment London SW1A 2JH | Monday to Sunday 08:00 - 01:00                           |
| -2800        | Tesco Express            | Unit A And B Portcullis House Bridge Street London SW1A 2LW   | Monday to Saturday 08:00 - 23:00<br>Sunday 10:00 - 22:30 |
| 14974        | Henley                   | Henley -Passenger Vessel Moored On The Thames Outside The Houses Of Parliament Westminster Pier Victoria Embankment London SW1A 2JH       | Monday to Sunday 07:00 - 01:00                           |
| -11453       | Cockney Sparrow          | Cockney Sparrow Barge Moored On The Thames Outside The Houses Of Parliament, Westminster Pier Victoria Embankment London SW1A 2JH         | Monday to Sunday 08:00 - 01:00                           |
|              |                          |   |  |

# **BACKGROUND PAPERS**

02/07/2015 12:51:49

From: "Curtis, Nicola" </O=CITYOFWESTMINSTER/OU=CORPORATE/CN=RECIPIENTS/CN=NCURTIS>  
Sent: 03/06/2015 11:22:12  
To: "Owojori, Olaposi" </O=CITYOFWESTMINSTER/OU=CORPORATE/CN=RECIPIENTS/CN=OOWOJOR>  
Cc: Sollars, Jim  
Subject: FW: FAO Lester

FYI all - reduction to core hours for 15/03141/LIPN and 15/03198/LIPN,  
NYE remains as per original

From: Nigel [mailto:nigel@mainstreamleisure.co.uk]  
Sent: 28 May 2015 17:50  
To: Curtis, Nicola  
Subject: RE: FAO Lester

Hi Nicola

We agree to your core hours as set on page 31. This is for our premises  
license application for the vessels HIGH SOCIETY and WYNDHAM

This is with the understanding that 'New Years Eve' is deemed as a  
'seasonal application' and remains as per our application.

It's also with the understanding that should we ever be requested to  
operate beyond these, we're able to request/apply for such provisions on  
an individual basis. It's very likely that we won't need to but it's  
just good to know where we stand if requested.

I'll be in touch next week with a confirmed location for our meeting on  
the 10th June. Furthermore I'd be grateful if you could ensure this  
updated agreement to adhere to your core hours is updated on our  
application asap and that our 'Application Managers' are notified.

Regards

Lester

---

From: Curtis, Nicola [mailto:ncurtis@westminster.gov.uk]  
Sent: 28 May 2015 16:10  
To: Nigel  
Subject: FAO Lester

Good afternoon,

Thank you for your time today. This is the link to our Statement of  
Licensing Policy - core hours are found at page 31.  
[http://transact.westminster.gov.uk/docstores/publications\\_store/Statement\\_of\\_Licensing\\_Policy\\_As\\_Published\\_January\\_2011.pdf](http://transact.westminster.gov.uk/docstores/publications_store/Statement_of_Licensing_Policy_As_Published_January_2011.pdf)

This is information about TENS  
<https://www.westminster.gov.uk/temporary-events-notice>

C:\Users\ychrysa\AppData\Local\Microsoft\Windows\Temporary Internet Files\Content.IE5\W7HYOF05\3793905[1].msg

I hope these are helpful.

Regards

Nicola Curtis GradCIEH  
Environmental Health Enforcement Officer  
Environmental Health Consultation Team

Working days - Tuesday, Wednesday, Thursday

Westminster City Council  
4th Floor (South)  
City Hall  
64 Victoria Street  
London SW1E 6QP

Tel:020 7641 3187  
ncurtis@westminster.gov.uk

westminster.gov.uk

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cid:image001.jpg@01CF7B4C.1DA49510  
<<http://www.westminster.gov.uk/training-programme>>  
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## Chrysanthou, Yiannis

---

**From:** Lester <info@mainstreamleisure.co.uk>  
**Sent:** 02 July 2015 12:32  
**To:** Chrysanthou, Yiannis  
**Cc:** Anand-Patel, Sumeet; nigel@mainstreamleisure.co.uk  
**Subject:** RE: Wyndham Grand & High Society - Opening Hours

Hi Yiannis

I hereby agree to amending our closing hours in line with the agreed 'end of licensable activities timings'.

This is with the understanding that the 'New Year's Eve' timings are deemed separate (not part of this condition).

As mentioned, for your reports, it's unlikely there'll be many (if any) functions starting before midday – it's just that we may get the odd request to do a 1 way river transfer to a business meeting or sightseeing trip or perhaps host a business meeting with breakfast etc

Lester

---

**From:** Chrysanthou, Yiannis [<mailto:ychrysanthou@westminster.gov.uk>]  
**Sent:** 02 July 2015 12:09  
**To:** Lester  
**Cc:** Anand-Patel, Sumeet; [nigel@mainstreamleisure.co.uk](mailto:nigel@mainstreamleisure.co.uk)  
**Subject:** Wyndham Grand & High Society - Opening Hours

Hi Lester

Further to our conversation a moment ago, as you have now amended all the licensable activities on both applications above, I asked if you also wish to amend your opening times so that the closing hour reflects the end time of licensable activities on each day. I understand that the opening hour will not change.

Please confirm in writing and I will ensure that Sumeet and I amend the database records and committee reports accordingly.

Thanks

Kind regards

**Yiannis Chrysanthou**  
Senior Licensing Officer

**Licensing Team**  
Public Protection and Licensing Department  
Westminster City Council  
4th Floor East  
64 Victoria Street  
London SW1E 6QP

Tel: 020 7641 1876  
E-mail: [ychrysanthou@westminster.gov.uk](mailto:ychrysanthou@westminster.gov.uk)  
Web: [www.westminster.gov.uk/licensing](http://www.westminster.gov.uk/licensing)

# **BACKGROUND PAPERS**

(2)

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 NIGEL STUART SCANDRETT J.P.  
(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<br><u>MOTOR VESSEL 'WINDHAM GRAND' MOORED<br/>ON THE THAMES AT KING'S REACH UPPER,<br/>MIDWAY BETWEEN EMBANKMENT AND<br/>WESTMINSTER PIERS.</u> |               |          |  |
| Post town  | <u>LONDON</u> | Postcode |  |
| Telephone number at premises (if any)  | /             |          |  |
| Non-domestic rateable value of premises  | £ /           |          |  |

**Part 2 - Applicant Details**

Please state whether you are applying for a premises licence as

Please tick as appropriate

- |   |   |
|---|---|
| a) an individual or individuals *               | <input checked="" type="checkbox"/> please complete section (A) |
| b) a person other than an individual *          |   |
| i. as a limited company                         | <input type="checkbox"/> please complete section (B)            |
| ii. as a partnership                            | <input type="checkbox"/> please complete section (B)            |
| iii. as an unincorporated association or        | <input type="checkbox"/> please complete section (B)            |
| iv. other (for example a statutory corporation) | <input type="checkbox"/> 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)

|   |                              |  |                                 |   |  |
|---|------------------------------|--|---------------------------------|---|--|
| Mr <input checked="" type="checkbox"/>                    | Mrs <input type="checkbox"/> | Miss <input type="checkbox"/>          | Ms <input type="checkbox"/>     | Other Title (for example, Rev)                      |  |
| Surname <b>SPANDRETT J.P.</b>                             |                              |  | First names <b>NIGEL STUART</b> |   |  |
| I am 18 years old or over                                 |                              |  |                                 | <input checked="" type="checkbox"/> Please tick yes |  |
| Current postal address if different from premises address |                              | <b>4 SPICERS FIELD</b>                 |                                 |   |  |
| Post town   | <b>OXSHOTT</b>               |  | Postcode                        | <b>KT22 0UT</b>                                     |  |
| Daytime contact telephone number                          |                              |  | <b>020 3044 2925</b>            |   |  |
| E-mail address (optional)                                 |                              | <b>nigela.mainstream.leisure.co.uk</b> |                                 |   |  |

**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  |
| Address   |
| Registered number (where applicable)  |
| Description of applicant (for example, partnership, company, unincorporated association etc.) |
| Telephone number (if any)   |
| E-mail address (optional)   |

**Part 3 Operating Schedule**

When do you want the premises licence to start?

DD MM YYYY  

|   |   |   |   |   |   |   |   |
|---|---|---|---|---|---|---|---|
| 1 | 8 | 0 | 4 | 2 | 0 | 1 | 5 |
|---|---|---|---|---|---|---|---|

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

DD MM YYYY  

|   |   |   |   |   |   |   |   |
|---|---|---|---|---|---|---|---|
| 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 |
|---|---|---|---|---|---|---|---|

Please give a general description of the premises (please read guidance note 1)

M.V. 'WYNDHAM GRAND' IS A CLASS V THAMES RIVERBOAT CAPABLE OF HOLDING UP TO 120 PERSONS - MCA REGISTERED AND APPROVED.

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)

Provision of regulated entertainment

Please tick any 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)

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

In all cases complete boxes K, L and M

**A**

| Plays<br>Standard days and timings<br>(please read guidance note 6) |       |        | Will the performance of a play 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"/> |
|   |       |        |  | 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**

|  |              |               |   |          |                          |
|--|--------------|---------------|---|----------|--------------------------|
| <b>Films</b><br>Standard days and timings<br>(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  |              |               |   |          |                          |
| Tue  |              |               |   |          |                          |
| Wed  |              |               | <b>State any seasonal variations for the exhibition of films</b> (please read guidance note 4)  |          |                          |
| Thur   |              |               |   |          |                          |
| Fri  |              |               | <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) |          |                          |
| Sat  |              |               |   |          |                          |
| Sun  |              |               |   |          |                          |



C

| Indoor sporting events<br>Standard days and timings<br>(please read guidance note 6) |       |        | Please give further details (please read guidance note 3)  |
|--|-------|--------|--|
| Day  | Start | Finish |  |
| Mon  |       |        |  |
|  |       |        |  |
|  |       |        |  |
| Tue  |       |        | <b>State any seasonal variations for indoor sporting events</b> (please read guidance note 4)  |
|  |       |        |  |
| Wed  |       |        | <b>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</b> (please read guidance note 5) |
|  |       |        |  |
| Thur   |       |        |  |
|  |       |        |  |
| Fri  |       |        |  |
|  |       |        |  |
| Sat  |       |        |  |
|  |       |        |  |
| Sun  |       |        |  |
|  |       |        |  |

**D**

| <b>Boxing or wrestling entertainments</b><br>Standard days and timings<br>(please read guidance note 6) |       |        | <b>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</b><br>(please read guidance note 2)   | Indoors  | <input type="checkbox"/> |
|---|-------|--------|---|----------|--------------------------|
| Day   | Start | Finish |   | Outdoors | <input type="checkbox"/> |
| Mon   |       |        | <b>Please give further details here</b> (please read guidance note 3)   | Both     | <input type="checkbox"/> |
| Tue   |       |        |   |          |                          |
| Wed   |       |        | <b>State any seasonal variations for boxing or wrestling entertainment</b><br>(please read guidance note 4)   |          |                          |
| Thur  |       |        |   |          |                          |
| Fri   |       |        | <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) |          |                          |
| Sat   |       |        |   |          |                          |
| Sun   |       |        |   |          |                          |

**E**

|   |              |              |   |          |                                     |
|---|--------------|--------------|---|----------|-------------------------------------|
| <b>Live music</b><br>Standard days and timings<br>(please read guidance note 6) <i>NO REAL STANDARD</i> |              |              | <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"/>            |
| Day   | Start        | Finish       | <b>Please give further details here</b> (please read guidance note 3)<br><i>BOAT FOR PRIVATE CHARTER ONLY. POSSIBLE SMALL BANDS</i>   |          |                                     |
| Mon   | <i>11.00</i> | <i>02.00</i> |   |          |                                     |
| Tue   | <i>11.00</i> | <i>02.00</i> |   |          |                                     |
| Wed   | <i>11.00</i> | <i>02.00</i> | <b>State any seasonal variations for the performance of live music</b> (please read guidance note 4)<br><i>HIGHT UNLIKELY CHARTER WILL NEED TO CONTINUE TILL 02.00 HRS. JUST COVERING OPTIONS.</i>          |          |                                     |
| Thur  | <i>11.00</i> | <i>02.00</i> |   |          |                                     |
| Fri   | <i>11.00</i> | <i>02.00</i> |   |          |                                     |
| Sat   | <i>11.00</i> | <i>02.00</i> | <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) |          |                                     |
| Sun   | <i>11.00</i> | <i>02.00</i> |   |          |                                     |
|   |              |              |   |          |                                     |

F

| Recorded music<br>Standard days and timings<br>(please read guidance note 6)<br><i>NO REAL<br/>STANDARD</i> |       |        | Will the playing of recorded music take place<br><u>indoors or outdoors or both</u> – please tick (please<br>read guidance note 2)   | Indoors  | <input checked="" type="checkbox"/> |
|---|-------|--------|--|----------|-------------------------------------|
|   |       |        |  | Outdoors | <input type="checkbox"/>            |
|   |       |        |  | Both     | <input type="checkbox"/>            |
| Day   | Start | Finish | Please give further details here (please read guidance note 3)<br><i>SMALL BOAT FOR PRIVATE CHARTER<br/>ONLY. DISCOTHEQUE ON AMPLIFIED<br/>MP3 PLAYER MUSIC OCCASIONALLY.</i>                              |          |                                     |
| Mon   | 11.00 | 02.00  |  |          |                                     |
| Tue   | 11.00 | 02.00  |  |          |                                     |
| Wed   | 11.00 | 02.00  | State any seasonal variations for the playing of recorded music (please<br>read guidance note 4)<br><br><i>DITTO 'E'</i>   |          |                                     |
| Thur  | 11.00 | 02.00  |  |          |                                     |
| Fri   | 11.00 | 02.00  | Non standard timings. Where you intend to use the premises for the<br>playing of recorded music at different times to those listed in the column<br>on the left, please list (please read guidance note 5) |          |                                     |
| Sat   | 11.00 | 02.00  |  |          |                                     |
| Sun   | 11.00 | 02.00  |  |          |                                     |
|   |       |        |  |          |                                     |

**G**

|  |       |        |  |  |          |                          |
|--|-------|--------|--|--|----------|--------------------------|
| <b>Performances of dance</b><br>Standard days and timings<br>(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 type="checkbox"/> |
|  |       |        |  |  | Outdoors | <input type="checkbox"/> |
|  |       |        |  |  | Both     | <input type="checkbox"/> |
| Day  | Start | Finish | <b>Please give further details here</b> (please read guidance note 3)  |  |          |                          |
| Mon  |       |        |  |  |          |                          |
| Tue  |       |        | <b>State any seasonal variations for the performance of dance</b> (please read guidance note 4)  |  |          |                          |
| Wed  |       |        |  |  |          |                          |
| Thur   |       |        | <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) |  |          |                          |
| Fri  |       |        |  |  |          |                          |
| Sat  |       |        |  |  |          |                          |
| Sun  |       |        |  |  |          |                          |

**H**

|  |       |        |  |          |                          |
|--|-------|--------|--|----------|--------------------------|
| <p><b>Anything of a similar description to that falling within (e), (f) or (g)</b><br/>Standard days and timings<br/>(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>Will this entertainment take place indoors or outdoors or both – please tick</b> (please read guidance note 2)</p>   | Indoors  | <input type="checkbox"/> |
| Mon  |       |        |  | Outdoors | <input type="checkbox"/> |
|  |       |        |  | Both     | <input type="checkbox"/> |
| Tue  |       |        | <p><b>Please give further details here</b> (please read guidance note 3)</p>   |          |                          |
| Wed  |       |        |  |          |                          |
| Thur   |       |        | <p><b>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</b> (please read guidance note 4)</p>  |          |                          |
| Fri  |       |        |  |          |                          |
| Sat  |       |        | <p><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 5)</p> |          |                          |
| Sun  |       |        |  |          |                          |

I

|   |       |        |  |          |                                     |
|---|-------|--------|--|----------|-------------------------------------|
| <b>Late night refreshment</b><br>Standard days and timings<br>(please read guidance note 6) |       |        | <b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b><br>(please read guidance note 2)  | Indoors  | <input checked="" type="checkbox"/> |
|   |       |        |  | Outdoors | <input type="checkbox"/>            |
|   |       |        |  | Both     | <input type="checkbox"/>            |
| Day   | Start | Finish | <b>Please give further details here</b> (please read guidance note 3)  |          |                                     |
| Mon   | 11pm  | 2am    |  |          |                                     |
| Tue   | 11pm  | 2AM    |  |          |                                     |
| Wed   | 11pm  | 2AM    | <b>State any seasonal variations for the provision of late night refreshment</b><br>(please read guidance note 4)  |          |                                     |
| Thur  | 11pm  | 2AM    |  |          |                                     |
| Fri   | 11pm  | 2AM    |  |          |                                     |
|   |       |        | <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) |          |                                     |
| Sat   | 11pm  | 2AM    | NEW YEAR'S EVE<br>MOST FUNCTIONS END AT MIDNIGHT,<br>OCCASIONAL LICENSE REQUIRED<br>FOR 2AM FINISH.  |          |                                     |
| Sun   | 11pm  | 2AM    |  |          |                                     |

J

|  |       |        |   |                  |                                     |
|--|-------|--------|---|------------------|-------------------------------------|
| <b>Supply of alcohol</b><br>Standard days and timings<br>(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 checked="" type="checkbox"/> |
|  |       |        |   | Off the premises | <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  | 10.00 | 02.00  |   |                  |                                     |
| Tue  | 10.00 | 02.00  |   |                  |                                     |
| Wed  | 10.00 | 02.00  |   |                  |                                     |
| Thur   | 10.00 | 02.00  |   |                  |                                     |
| Fri  | 10.00 | 02.00  |   |                  |                                     |
| Sat  | 10.00 | 02.00  |   |                  |                                     |
| Sun  | 10.00 | 02.00  |   |                  |                                     |
|  |       |        | <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) |                  |                                     |
|  |       |        | NEW YEAR'S<br>EVE   |                  |                                     |

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

|  |                         |  |  |
|--|-------------------------|--|--|
| Name                                   | NICHOLAS TREVOR BEAULEY |  |  |
| Address                                |                         |  |  |
| Postcode                               |                         |  |  |
| Personal licence number (if known)     |                         |  |  |
| Issuing licensing authority (if known) |                         |  |  |



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).

N/A

L

| Hours premises are open to the public<br>Standard days and timings<br>(please read guidance note 6) |       |        | State any seasonal variations (please read guidance note 4) |
|---|-------|--------|---|
| Day   | Start | Finish |   |
| Mon   | 09.00 | 02.00  | PRIVATE<br>CHARTERS<br>ONLY                                 |
| Tue   | 09.00 | 02.00  |   |
| Wed   | 09.00 | 02.00  |   |
| Thur  | 09.00 | 02.00  |   |
| Fri   | 09.00 | 02.00  |   |
| Sat   | 09.00 | 02.00  |   |
| Sun   | 09.00 | 02.00  |   |
|   |       |        |   |

**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 (please read guidance note 5)**

**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)

AS RESPONSIBLE BOAT OPERATORS WE TAKE ALL MATTERS LISTED BELOW VERY SERIOUSLY. THE PARTNERS HAVE OVER 50 YEARS EXPERIENCE OF PUTTING THESE MEASURES INTO PRACTICE.

b) The prevention of crime and disorder

WE ADHERE TO POLICIES RECOMMENDED BY THE MET POLICE TO ALL THAMES RIVER BOAT OPERATORS. WE ARE IN TOUCH AT ALL TIMES WITH RIVER & POLICE AUTHORITIES BY RADIO. CAREFUL CONSIDERATION IS GIVEN TO ALL CHARTER REQUESTS.

c) Public safety

THIS VESSEL IS REGULATED ANNUALLY BY THE MCA TO THE HIGHEST SAFETY STANDARDS. CREW ARE TRAINED IN FIRST AID, CROWD CONTROL AND FIRE FIGHTING. A LIFE RAFT AND LIFE JACKETS ARE PROVIDED FOR EVERYONE ON BOARD.

d) The prevention of public nuisance

ALL AMPLIFIED MUSIC HAS A PLA APPROVED NOISE LIMITER (MAX 92 DECIBELS). SMALL BOATS NEED NOWHERE <sup>LIKE</sup> THIS LEVEL OF SOUND. ALL MUSIC IS CUT OFF WHEN NEARING LAND ON PIEN MOORING.

e) The protection of children from harm

NO ACTIVITY ON BOARD WILL EXPOSE CHILDREN TO HARM. ALL ARE PRIVATE CHARTERS. SUITABLE NOS OF CHILD LIFE JACKETS ARE CARRIED AT ALL TIMES.

|   |               |          |         |
|---|---------------|----------|---------|
| Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13) |               |          |         |
| NIGEL SPANDRETT J.P.<br>UNITS 61 & 62<br>TRIDENT COURT<br>1 OAKCROFT ROAD   |               |          |         |
| Post town   | CHESSINGTON   | Postcode | KT9 1BJ |
| Telephone number (if any)   | 020 3044 2925 |          |         |
| If you would prefer us to correspond with you by e-mail, your e-mail address (optional)   |               |          |         |
| nigel.spandrett@btinternet.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.

|  |
|--|
|  |
|--|

**Checklist:**

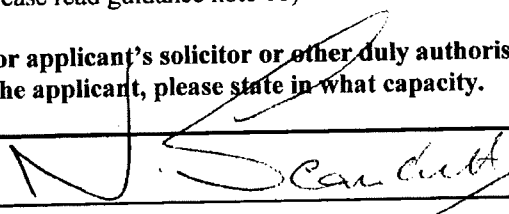
**Please tick to indicate agreement**

- 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 |  |
| Date      | 20.4.15  |
| Capacity  | MANAGING DIRECTOR - THAMES BOATS   |

**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  |  |

30/06/2015 16:59:30

From: "Guerra, Reaz" </O=CITYOFWESTMINSTER/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=RGUERRA>  
Sent: 23/05/2015 20:04:50  
To: "Owojori, Olaposi" </O=CITYOFWESTMINSTER/OU=CORPORATE/CN=RECIPIENTS/CN=OOWOJOR>  
Subject: 15/03198/LIPN - Wyndham Grand Motor Vessel

Dear Nigel,

With reference to the above application I am writing to inform you that the Police, as a Responsible Authority, object to your application for a New Premises Licence as it is our belief that if granted the application would undermine the Crime Prevention Objective.

There is insufficient detail in the operating schedule to address the Crime Prevention Objective.

It is for this reason that we are objecting to the application

Should you wish to discuss the matter further please contact PC Reaz Guerra on 0207 641 1709 or via email, rguerra@westminster.gov.uk.

Yours Faithfully,

Reaz Guerra PC1614CW

Westminster Police Licensing Team

PC Reaz Guerra 1614CW

Westminster Police Licensing Team

Westminster City Hall

4th Floor, 64 Victoria Street

London SW1E 6QP

Tel - 0207 641 1708

**CITY OF WESTMINSTER****MEMORANDUM**

---

|                  |                                       |
|------------------|---------------------------------------|
| <b>TO</b>        | <b>Ola Owojori, Licensing Officer</b> |
| <b>REFERENCE</b> | <b>15/03198/LIPN</b>                  |

---

|                            |   |
|----------------------------|---|
| <b>FROM</b>                | <b>Environmental Health Consultation Team</b>     |
|                            | <b>4<sup>th</sup> Floor West, City Hall</b>       |
| <b>TELEPHONE</b>           | <b>0207 641 3187</b>                              |
| <b>BEING DEALT WITH BY</b> | <b>Nicola Curtis (ncurtis@westminster.gov.uk)</b> |
| <b>DATE</b>                | <b>27<sup>th</sup> May 2015</b>                   |

---

**Licensing Act 2003****Wyndham Grand, Westminster Pier, Victoria Embankment, London, SW1A 2JH**

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

The applicant has submitted the following undated plans for the premises:

- ◆ Wyndham Grand Lower Deck
- ◆ Wyndham Grand Top Deck

This representation is based on the plans and Operating Schedule submitted.

The applicant is seeking the following licensable activities:

1. Regulated Entertainment 'indoors' Monday to Sunday 1100 to 0200 hours comprising
  - a. Performance of Live Music
  - b. Playing of Recorded Music
2. The Provision of Late Night Refreshment 'indoors' Monday to Sunday 2300 to 0200 hours and on New Year's Eve
3. The Supply of Alcohol 'on' the premises Monday to Sunday 1000 to 0200 hours and on New Year's Eve

I wish to make the following representations in relation to the above application:

1. The Regulated Entertainment and the hours requested for this activity will have the likely effect of causing an increase in Public Nuisance in the area and may impact upon Public Safety.

2. The provision of Late Night Refreshment 'indoors' and the hours requested for this activity will have the likely effect of causing an increase in Public Nuisance in the area.
3. The Supply of Alcohol 'on' the premises and the hours requested for this activity will have the likely effect of causing an increase in Public Nuisance in the area and may impact upon Public Safety.

The applicant has provided additional information within the operating schedule which is being considered but does not fully address the concerns of Environmental Health.

The applicant is advised to contact the undersigned to arrange a suitable time for inspection of the premises.

**The granting of the new Premises Licence as presented would have the likely effect of causing an increase in Public Nuisance and may impact on Public Safety.**

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

Nicola Curtis  
Environmental Health Enforcement Officer

---

TO  
REFERENCE

Ola Owojori, Licensing Officer  
15/03198/LIPN

---

FROM

Environmental Health Consultation Team  
4<sup>th</sup> Floor West, City Hall

TELEPHONE

0207 641 3187

BEING DEALT WITH BY

Nicola Curtis (ncurtis@westminster.gov.uk)

DATE

10<sup>th</sup> June 2015

---

**Wyndham Grand, Westminster Pier, Victoria Embankment, London, SW1A 2JH**

**Proposed Environmental Health Conditions**

1. Regulated Entertainment shall not commence until 5 minutes after the vessel has left a pier, and shall cease 5 minutes before the vessel returns to a pier.
2. No noise shall emanate from the vessel which gives rise to a nuisance.
3. The number of persons permitted in the vessel at any one time (excluding staff) shall not exceed 120 persons.
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 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.

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

Nicola Curtis  
Environmental Health Enforcement Officer



02/07/2015 12:53:35

From: Lester <info@mainstreamleisure.co.uk>  
Sent: 11/06/2015 18:12:50  
To: "Owojori, Olaposi" </O=CITYOFWESTMINSTER/OU=CORPORATE/CN=RECIPIENTS/CN=OOWOJOR>  
Subject: RE: Wyndham Grand 15/03198/LIPN

Dear Olaposi

As per Nicola's email, I hereby agree to the conditions set out and ask you to amend our application to include them.

I'd be grateful to hear of any representations asap, as I'm of the understanding that we can write to them in an attempt to try and satisfy their concerns, on the grounds that we believe that any representation may be due to the person thinking we are a permanently moored night club style venue....something Nicola and Alan have now seen that we're not.

I'll appreciate your assistance and speed in the matter

Kind Regards

Lester

From: Curtis, Nicola [mailto:ncurtis@westminster.gov.uk]  
Sent: 10 June 2015 15:13  
To: Lester; Nigel  
Cc: Owojori, Olaposi  
Subject: Wyndham Grand 15/03198/LIPN

Good afternoon,

Thank you all for your time this morning, it was very useful. I attach for your consideration proposed conditions to address the licensing objectives. If you are happy to accept these please email Mr Owojori stating that you would like to amend your application to include them. If you have any comments please let me know.

Regards

Nicola Curtis GradCIEH  
Environmental Health Enforcement Officer  
Environmental Health Consultation Team

Working days - Tuesday, Wednesday, Thursday

Westminster City Council  
4th Floor (South)  
City Hall  
64 Victoria Street  
London SW1E 6QP

Tel:020 7641 3187  
ncurtis@westminster.gov.uk

westminster.gov.uk

http://www.westminster.gov.uk/PublishingImages/City%20for%20All%20logo.jpg

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<http://www.westminster.gov.uk/training-programme>  
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\*\*\*\*\*

## Chrysanthou, Yiannis

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**From:** Curtis, Nicola  
**Sent:** 01 July 2015 11:44  
**To:** Chrysanthou, Yiannis  
**Cc:** Lester  
**Subject:** FW: Wyndham Grand 15/03198/LIPN

Dear Yiannis,

Based on the applicant's below acceptance of my conditions dated 10<sup>th</sup> June, my concerns are addressed and I am happy to withdraw my Representation.

Kind regards

**Nicola Curtis GradCIEH**  
Environmental Health Enforcement Officer  
Environmental Health Consultation Team

Working days - Tuesday, Wednesday, Thursday

Westminster City Council  
4th Floor (South)  
City Hall  
64 Victoria Street  
London SW1E 6QP

Tel: 020 7641 3187  
[ncurtis@westminster.gov.uk](mailto:ncurtis@westminster.gov.uk)

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



ASPIRATION CHOICE HERITAGE



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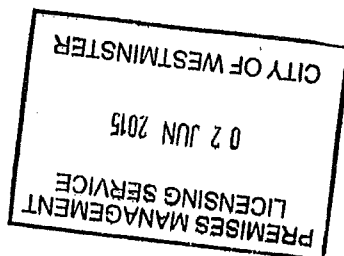
**From:** Lester [<mailto:info@mainstreamleisure.co.uk>]  
**Sent:** 25 June 2015 11:32  
**To:** Curtis, Nicola  
**Cc:** Owojori, Olaposi  
**Subject:** RE: Wyndham Grand 15/03198/LIPN

Hi to you both and good to hear from you Nicola

90, 3 Whitehall Court  
London SW1A 2E1

26 May 2015

Licensing Service  
Westminster City Hall  
64 Victoria Street  
London SW1E 6QP



Dear Sir:

Re: 15/03141/LIPN  
15/03198/LIPN

#### Prevention of Public Nuisance

I refer to licensing application for late night music, refreshment, and alcohol for Motor Vessels "High Society" and "Wyndham Grand," which are to be moored outside my premises at Whitehall Court, a residential building directly above the site of proposed late night licensing.

At present there are noise nuisance issues that emanate under certain weather conditions from across on the south side of the River, where noise of the late night music is carried across the water to disturb the sleep and aggravate the peaceful enjoyment of the residents of this building.

This proposed licensing would be directly outside the residential flats of this building, and the late night noise would create a far more immediate and intolerable nuisance that would inevitably impair the quiet enjoyment of these residential premises, particularly for the residents expecting to sleep.

I would ask the Licensing Board to consider that is a quiet residential area and therefore clearly not suitable for late night entertainment with alcohol and music, and to reject the applications.

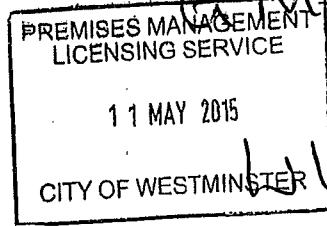
Thank you

Handwritten signature of K.S. Lam in black ink.

K.S. LAM

To Steve Harrison Esq  
Licensing Service  
Westminster City Hall  
64 Victoria Street  
London  
SW1E6BP

8/5/15



Flat 92  
Whitehall Court  
London  
SW1A2ER

Dear Mr Harrison,

Thank you for your letter dated 29th April regarding the proposed licensing of motor vehicles High Society and Wyndham Grand.

I object most strongly to the proposal of live music, playing of recorded music, late night refreshment and the sale of alcohol...

All last Summer we had endless playing of recorded music from the South end of Hungerford Bridge adjoining Jubilee Gardens.

I myself have limited hearing but I was kept awake night after night

until well after midnight

There were endless complaints from my fellow residents in Whitehall Court who like myself are elderly and of poor health.

The very thought of any further noise and disruption is most alarming and for the above reasons I most strongly object to ~~this~~ this noise being granted by the Council

Yrly



(G. MCGRODRIK)













City of Westminster

# Licensing Sub-Committee Report

Item No:

Licensing Ref No:

**15/03975/LIPN**

Date:

**16 July 2015**

Classification:

**For General Release**

Title of Report:

**38 Groom Place  
38 Groom Place  
London  
SW1X 7BA**

Report of:

**Director of Public Protection and Licensing**

Policy context:

**City of Westminster Statement of Licensing Policy**

Financial summary:

**None**

Report Author:

**Yiannis Chrysanthou  
Senior Licensing Officer**

Contact Details:

**Telephone: 020 7641 1876  
E-mail: ychrysanthou@westminster.gov.uk**

## APPLICATION DETAILS

|  |  |                                   |             |
|--|--|-----------------------------------|-------------|
| <b>Application Type:</b>   | A new premises licence application under the Licensing Act 2003.   |                                   |             |
| <b>Applicant:</b>  | Carlo Tambini  | <b>Date Application Received:</b> | 21 May 2015 |
| <b>Premises Name and Address:</b>  | 38 Groom Place<br>38 Groom Place<br>London<br>SW1X 7BA   |                                   |             |
| <b>Ward Name:</b>  | Knightsbridge And Belgravia  | <b>Stress Area:</b>               | No          |
| <b>Description of Premises:</b>  | The applicant describes this premises as an Italian restaurant and pizzeria on the ground and first floor. |                                   |             |
| <p><i>Note: Where the committee is minded to grant the application 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.</i></p>  |  |                                   |             |
| <p><b>Proposed Licensable Activities, Proposed Hours:</b></p> <p><b>Sale by Retail of Alcohol</b></p> <p>Monday to Saturday: 10:00 to 23:00<br/> Sunday: 10:00 to 22:30</p> <p>Non-standard Timings: To extend retail sale of alcohol from end of permitted time on New Year's Eve to the start of permitted hours on New Year's Day. To also allow for the provision of late night refreshment from 23:00 on New Year's Eve until 05:00 on New Year's Day.</p> <p><b>Opening Hours:</b><br/> Monday to Sunday 10:00 to 23:00</p> <p>Non-Standard Timings: From end of permitted hours on New Year's Eve to 03:30 on New Year's Eve.</p> |  |                                   |             |

|    | <b>Relevant representations and policies applicable:</b>   | <b>References / Notes</b>                          |
|----|--|--|
| 1A | The Environmental Health Service has made an adverse representation against this application as it may lead to an increase in public nuisance. The EH officer has proposed conditions which are outlined in Appendix B and attached in the background documents.   | <b>Environmental Health Service Representation</b> |
| 1B | The Metropolitan Police have not made any representation against this application. An email confirming this is attached to the background documents.   | <b>Metropolitan Police Service representation</b>  |
| 1C | Two local residents, Rona Smart and Jan Laboyrie have made an adverse representation against this application as they believe it will lead to an increase in public nuisance. Their correspondences are included in the background documents.  | <b>2 residential representations</b>               |
| 1D | <p>The following policies within the City Of Westminster Statement of Licensing Policy apply:</p> <p><b>Policy HRS1 applies:</b></p> <p>(i) Applications for hours within the core hours set out below in this policy will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy.</p> <p>(ii) Applications for hours outside the core hours set out below in this policy will be considered on their merits, subject to other relevant policies.</p> <p><b>Policy PB1 applies:</b></p> <p>Applications will only be granted if it can be demonstrated that the proposal meets the relevant criteria in Policies CD1, PS1, PN1 and CH1.</p> <p><b>Policy RNT1 applies:</b></p> <p>Applications will generally be granted and reviews determined, subject to the relevant criteria in Policies CD1, PS1, PN1 and CH1.</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> </ul> |  |

|                                   |   |
|-----------------------------------|---|
| <b>Current Licensing Position</b> | These premises have never benefitted from a premises licence.   |
| <b>Residential Density:</b>       | 63 units within a 75m radius of the premises are residential or proposed residential. Refer to <b>Appendix C</b> .      |
| <b>Planning Position:</b>         | Licensing cannot confirm the planning usage of this premises.   |
| <b>List of Appendices:</b>        | A1 – Premises Licence History, A2 - Plans<br>B - Conditions<br>C – Residential Map and list of premises in the vicinity |

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

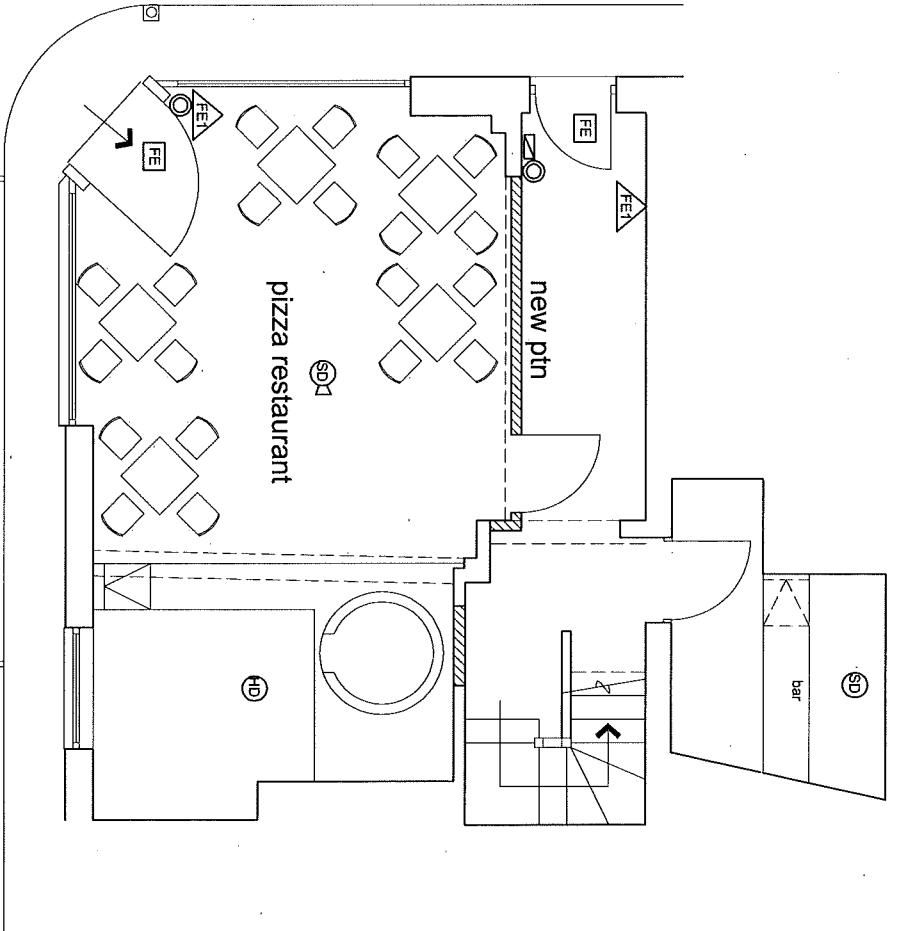
- Licensing Act 2003
- City of Westminster Statement of Licensing Policy (7<sup>th</sup> January 2011)
- Amended Guidance issued under section 182 of the Licensing Act 2003 (March 2015)
- Application form
- Representations received and proposed conditions
- Photos

**Licence & Appeal History**

| <b>Application</b>   | <b>Details of Application</b>                    | <b>Date Determined</b> | <b>Decision</b>                                   |
|--|--|------------------------|---|
| Application for new premises licence<br><br><b>15/03975/LIPN</b> | Proposing to open an Italian restaurant/pizzeria | N/A                    | Licensing Sub-Committee Hearing date 16 July 2015 |

**There is no appeal history**

Groom Place



- [FE] Fire exit signage
- [FET] Fire extinguisher ref 13A water
- (C) Break glass call point
- (SD) Smoke detector
- (SD) Smoke detector with sounder
- [Z] Fire alarm panel
- (HD) Heat detector

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Groom Place

Alterations to 38 Groom Place London SW1X 7BA

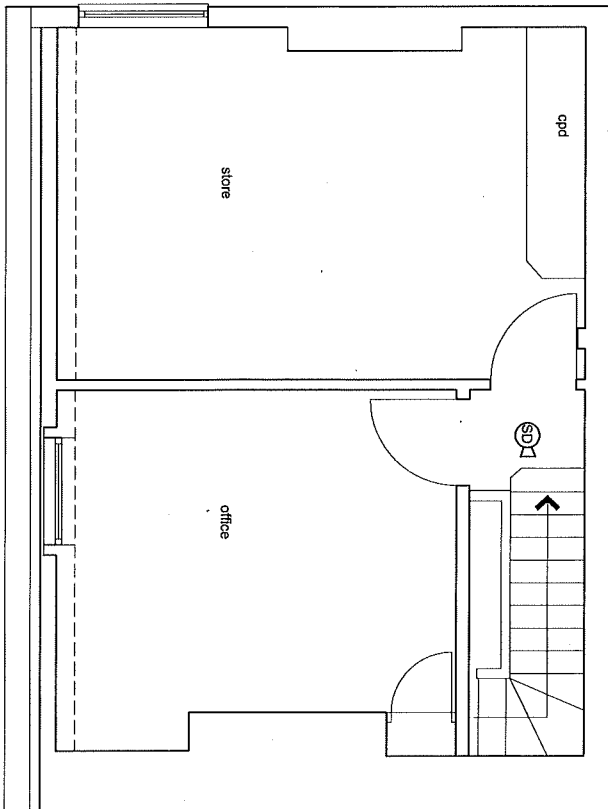
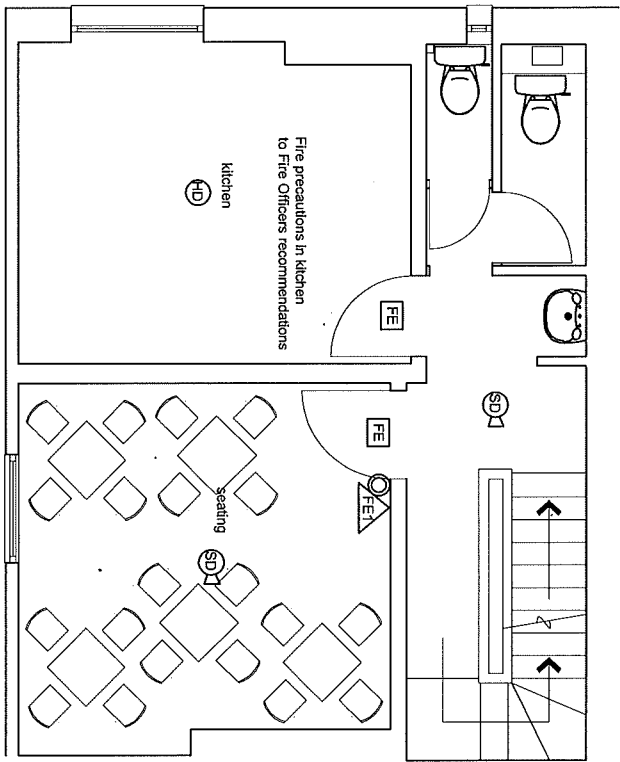
REV C Fire escape amended 26 06 15  
 REV B Pizza oven + counter moved 16 06 15  
 REV A Minor amnds 30 04 15

**audax designs**

3 Bramley Gardens Whitfield Dover Kent CT16 3PL UK tel/fax +44 [0]1304 825113

| title             | address         | Dwg. no.      | rev       |
|-------------------|-----------------|---------------|-----------|
| Ground floor plan | 38 Groom Place  |               |           |
| licensing         | London SW1X 7BA |               |           |
| scale             | date            | drawn         |           |
| 1:50              | April 2015      | Geoff Love    |           |
|                   |                 | For           |           |
|                   |                 | Mr C. Tamblin |           |
|                   |                 |               | 14.27.07C |





- First Floor Plan as proposed**
- Fire exit signage
  - Fire extinguisher ref 13A water
  - Break glass call point
  - Smoke detector
  - Smoke detector with sounder
  - Fire alarm panel
  - Heat detector

- Second Floor Plan as proposed**
- REV C Tables amended 1st floor 16 06 15
  - REV B Minor amnds to 2nd floor 08 06 15
  - REV A Minor amnds 30 04 15

**audax designs**

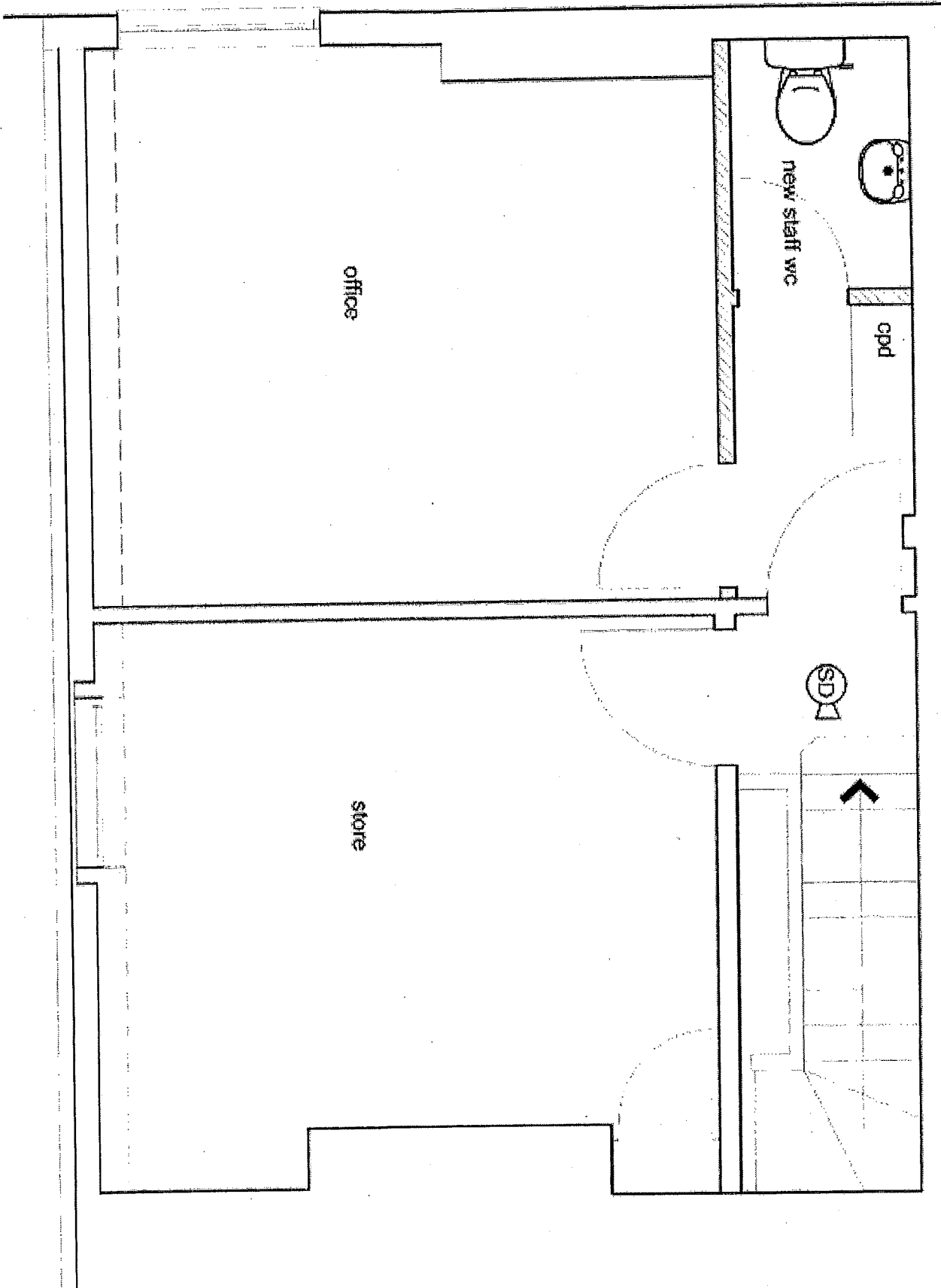
3 Bramley Gardens Whitfield Dover Kent CT16 3PL UK tel/fax +44 [0]1304 825113

|       |                            |         |                                   |          |            |     |               |
|-------|----------------------------|---------|-----------------------------------|----------|------------|-----|---------------|
| title | First + second floor plans | address | 38 Groom Place<br>London SW1X 7BA | Dwg. no. | 14.27.08 C | rev |               |
| scale | 1:50                       | date    | April 2015                        | drawn    | Geoff Love | For | Mr C. Tambini |

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Alterations to 38 Groom Place London SW1X 7BA

Wc and enclosure to meet  
Borough Surveyor reqm'ts



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

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

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

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

**Mandatory Conditions**

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.

**Consistent with the operating schedule and proposed by EH**

9. The number of persons permitted in the premises at any one time excluding staff shall not exceed:  
 Ground Floor - 16 persons  
 First Floor - 24 persons  
 with an overall capacity of 40 persons at any one time.
10. The supply of alcohol for consumption on the premises shall only be to persons who are seated at tables.
11. The supply of alcohol for consumption on the premises shall only be to persons taking a table meal there and for consumption by such a person as ancillary to their meal

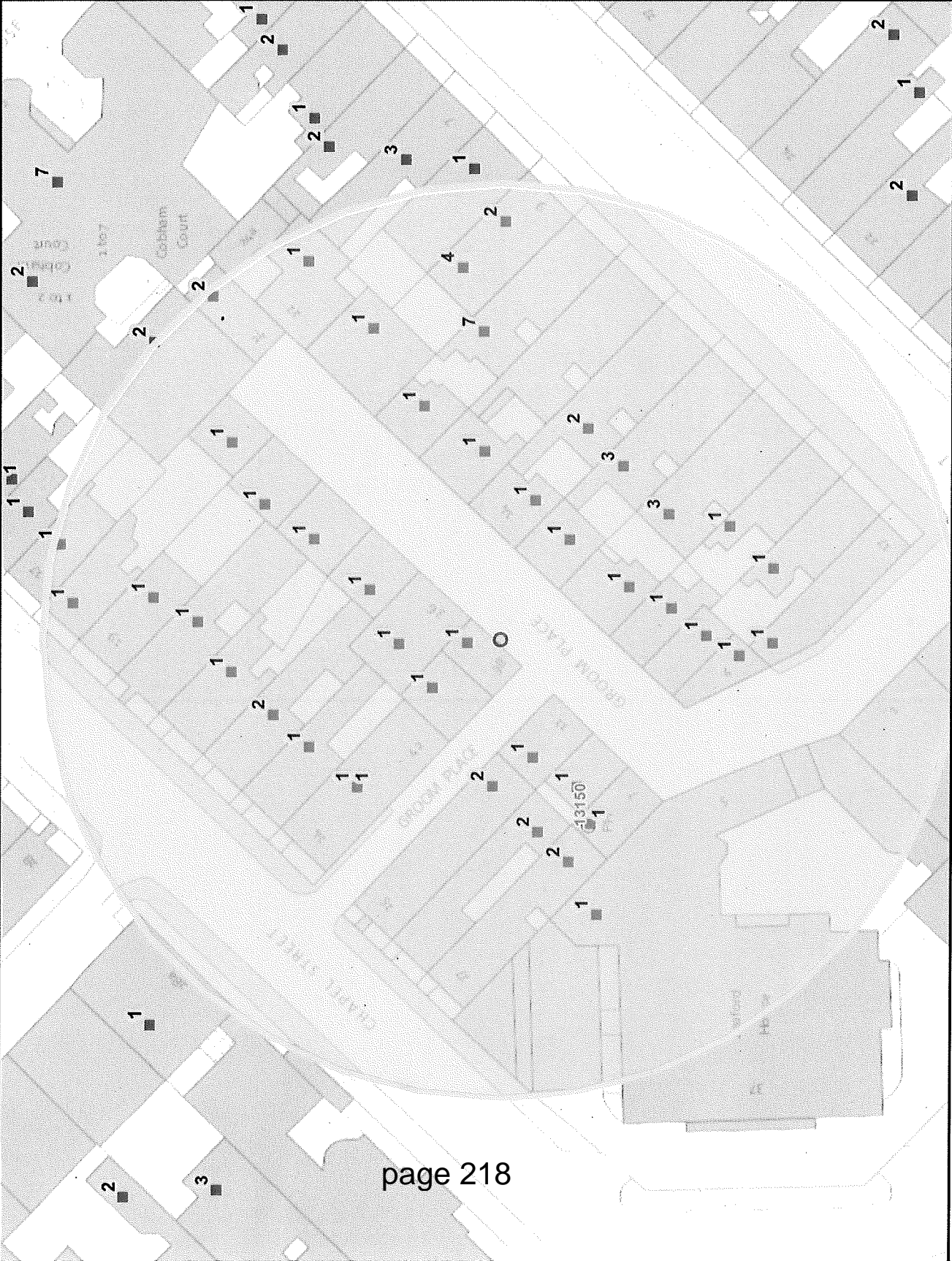
with the exception that there may be up to 15 people in the premises at any one time who are permitted to consume alcohol although not taking a table meal.

12. The supply of alcohol shall be by waiter or waitress service only.
13. Alcohol consumed outside the premises building shall only be consumed by patrons seated at tables.
14. The availability of alcohol without food shall not be promoted or advertised otherwise than on menus and price lists within the premises.
15. Alcohol shall not be supplied for consumption on the premises after 22:30 to persons who are not taking a table meal.
16. Sales of alcohol for consumption off the premises shall only be supplied with, and ancillary to a take-away meal.
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. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them (except to persons seated at tables).
19. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
20. There shall be no striptease or nudity, and all persons shall be decently attired at all times unless the premises are operating under the authority of a Sexual Entertainment Venue Licence.
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 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.

24. A challenge 21 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.
25. All outside tables and chairs shall be rendered unusable by 23.00 hours each day.
26. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall be limited to 15 persons at any one time.
27. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
28. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly
29. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
30. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
31. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 23.00 hours and 08.00 hours on the following day.
32. No collections of waste or recycling materials (including bottles) from the premises shall take place between 23.00 and 08.00 on the following day.
33. No deliveries to the premises shall take place between 23.00 and 08.00 on the following day.
34. During the hours of operation 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 the aforementioned 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.
35. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity
36. 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.



APPENDIX C



|                                    |           |
|------------------------------------|-----------|
| Residential / Proposed Residential | 63        |
| Under Construction                 | Not known |
| Other Uses                         | Not known |
| Proportion Residential of all Uses | Not known |

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Data Source: Uniform Database  
Date: 02/07/2015



**Premises within 75 metres of: 38 Groom Place, London, SW1X 7BA**

| <b>p / n</b> | <b>Name of Premises</b> | <b>Premises Address</b>       | <b>Opening Hours</b>   |
|--------------|-------------------------|-------------------------------|--|
| 13150        | Horse & Groom           | 7 Groom Place London SW1X 7BA | Sunday to Thursday 10:00 - 00:30<br>Friday to Saturday 10:00 - 01:00 |
|              |                         |                               |  |

# **BACKGROUND PAPERS**

PREMISES MANAGEMENT  
LICENSING SERVICE

21 MAY 2015

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 Carlo Tambini

(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 |        |                 |          |
| 38 Groom Place   |        |                 |          |
| <b>Post town</b>   | London | <b>Postcode</b> | SW1X 7BA |

|   |         |
|---|---------|
| Telephone number at premises (if any)   |         |
| Non-domestic rateable value of premises | £14,500 |

**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)**

|   |                              |                               |                             |   |         |
|---|------------------------------|-------------------------------|-----------------------------|---|---------|
| Mr <input checked="" type="checkbox"/>                    | Mrs <input type="checkbox"/> | Miss <input type="checkbox"/> | Ms <input type="checkbox"/> | Other Title (for example, Rev)                      |         |
| <b>Surname</b><br>Tambini                                 |                              |                               | <b>First names</b><br>Carlo |   |         |
| I am 18 years old or over                                 |                              |                               |                             | <input checked="" type="checkbox"/> Please tick yes |         |
| Current postal address if different from premises address |                              | 25 Elliot Road<br>Hendon      |                             |   |         |
| Post town   | London                       |                               |                             | Postcode  | NW4 3DS |
| Daytime contact telephone number                          |                              |                               | 07769 733733                |   |         |
| E-mail address (optional)                                 | charlietam@sky.com           |                               |                             |   |         |

**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  |
| Address   |
| Registered number (where applicable)  |
| Description of applicant (for example, partnership, company, unincorporated association etc.) |
| Telephone number (if any)   |
| E-mail address (optional)   |

**Part 3 Operating Schedule**

When do you want the premises licence to start?

|    |    |             |
|----|----|-------------|
| DD | MM | YYYY        |
| A  | S  | A P 2 0 1 5 |

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)

It is intended to use the premises as an Italian restaurant and pizzeria. The premises are situated on the ground, first and second floors. It would be proposed to have restaurant seating on the ground floor (approximately 30 covers inside) with a pizza oven and a bar area for dispensing drinks only (not for customers to sit/stand and drink at the bar). There may be some outside seating on the area of pavement owned by the premises (not on the public highway) at suitable times of year.

The first floor will contain a kitchen and further restaurant seating (approximately 20 covers) and male and female WCs. The second floor is to be office and storage space.

It is intended to run the premises as a restaurant with waiter and waitress service. As the premises are situated in a residential area, we have only applied for limited trading hours.

The applicant would also like to be able to sell alcohol for consumption of the premises in connection with a take-away service (but not deliveries) but would only sell alcohol to people purchasing food as ancillary to the take-away meal.

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

Not applicable

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)
- 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)

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

In all cases complete boxes K, L and M

**A**

| Plays<br>Standard days and timings<br>(please read guidance note 6) |       |        | Will the performance of a play 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   |       |        | <b>Please give further details here</b> (please read guidance note 3)  | Both     | <input type="checkbox"/> |
| 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**

|  |       |        |   |          |                          |
|--|-------|--------|---|----------|--------------------------|
| <b>Films</b><br>Standard days and timings<br>(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"/> |
| Day  | Start | Finish | <b>Please give further details here</b> (please read guidance note 3)   |          |                          |
| Mon  |       |        |   |          |                          |
| Tue  |       |        | <b>State any seasonal variations for the exhibition of films</b> (please read guidance note 4)  |          |                          |
| Wed  |       |        |   |          |                          |
| Thur   |       |        | <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) |          |                          |
| Fri  |       |        |   |          |                          |
| Sat  |       |        |   |          |                          |
| Sun  |       |        |   |          |                          |

C

| Indoor sporting events<br>Standard days and timings<br>(please read guidance note 6) |       |        | Please give further details (please read guidance note 3)   |
|--|-------|--------|---|
| Day  | Start | Finish |   |
| Mon  |       |        | State any seasonal variations for indoor sporting events (please read guidance note 4)  |
| Tue  |       |        |   |
| Wed  |       |        | 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 5) |
| Thur   |       |        |   |
| Fri  |       |        |   |
| Sat  |       |        |   |
| Sun  |       |        |   |

**D**

|   |       |        |   |          |                          |
|---|-------|--------|---|----------|--------------------------|
| <b>Boxing or wrestling entertainments</b><br>Standard days and timings<br>(please read guidance note 6) |       |        | <b>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</b><br>(please read guidance note 2)   | Indoors  | <input type="checkbox"/> |
|   |       |        |   | Outdoors | <input type="checkbox"/> |
|   |       |        |   | Both     | <input type="checkbox"/> |
| Day   | Start | Finish | <b>Please give further details here</b> (please read guidance note 3)   |          |                          |
| Mon   |       |        |   |          |                          |
| Tue   |       |        | <b>State any seasonal variations for boxing or wrestling entertainment</b><br>(please read guidance note 4)   |          |                          |
| Wed   |       |        |   |          |                          |
| Thur  |       |        | <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) |          |                          |
| Fri   |       |        |   |          |                          |
| Sat   |       |        |   |          |                          |
| Sun   |       |        |   |          |                          |

**E**

|   |       |        |   |                          |
|---|-------|--------|---|--------------------------|
| <b>Live music</b><br>Standard days and timings<br>(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 type="checkbox"/> |
|   |       |        | Outdoors  | <input type="checkbox"/> |
|   |       |        | Both  | <input type="checkbox"/> |
| Day   | Start | Finish | <b>Please give further details here</b> (please read guidance note 3)   |                          |
| Mon   |       |        |   |                          |
| Tue   |       |        |   |                          |
| Wed   |       |        |   |                          |
| Thur  |       |        |   |                          |
| Fri   |       |        |   |                          |
| Sat   |       |        |   |                          |
| Sun   |       |        | <b>State any seasonal variations for the performance of live music</b> (please read guidance note 4)  |                          |
|   |       |        | <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) |                          |

**F**

|   |              |               |   |          |                          |
|---|--------------|---------------|---|----------|--------------------------|
| <b>Recorded music</b><br>Standard days and timings<br>(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 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 the playing of recorded music</b> (please read guidance note 4)  |          |                          |
| Wed   |              |               |   |          |                          |
| Thur  |              |               | <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   |              |               |   |          |                          |
| Sat   |              |               |   |          |                          |
| Sun   |              |               |   |          |                          |

**G**

|  |       |        |   |  |          |                          |
|--|-------|--------|---|--|----------|--------------------------|
| <b>Performances of dance</b><br>Standard days and timings<br>(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"/> |
| Day  | Start | Finish | Both <input type="checkbox"/>   |  |          |                          |
| Mon  |       |        | <b><u>Please give further details here</u></b> (please read guidance note 3)  |  |          |                          |
| 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**

|   |       |        |  |          |                          |
|---|-------|--------|--|----------|--------------------------|
| <b>Anything of a similar description to that falling within (e), (f) or (g)</b><br>Standard days and timings<br>(please read guidance note 6) |       |        | 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 2)  | 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 3)  |          |                          |
| Wed   |       |        |  |          |                          |
| Thur  |       |        |  |          |                          |
| Fri   |       |        | <b>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</b> (please read guidance note 4)   |          |                          |
| Sat   |       |        |  |          |                          |
| Sun   |       |        |  |          |                          |
|   |       |        | <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><br>(please read guidance note 5) |          |                          |

**I**

|   |              |               |  |          |                          |
|---|--------------|---------------|--|----------|--------------------------|
| <b>Late night refreshment</b><br>Standard days and timings<br>(please read guidance note 6) |              |               | <b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b><br>(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 the provision of late night refreshment</b><br>(please read guidance note 4)  |          |                          |
| 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 5) |          |                          |
| Fri   |              |               |  |          |                          |
| Sat   |              |               |  |          |                          |
| Sun   |              |               |  |          |                          |



**J**

|  |       |        |   |                  |                          |
|--|-------|--------|---|------------------|--------------------------|
| <b>Supply of alcohol</b><br>Standard days and timings<br>(please read guidance note 6) |       |        | <b>Will the supply of alcohol be for consumption –<br/>please tick</b> (please read guidance note 7)  | On the premises  | <input type="checkbox"/> |
|  |       |        |   | Off the premises | <input type="checkbox"/> |
|  |       |        |   | Both             | X                        |
| Day  | Start | Finish | <b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 4)  |                  |                          |
| Mon  | 10:00 | 23:00  |   |                  |                          |
| Tue  | 10:00 | 23:00  |   |                  |                          |
| Wed  | 10:00 | 23:00  |   |                  |                          |
| Thur   | 10:00 | 23:00  |   |                  |                          |
| Fri  | 10:00 | 23:00  |   |                  |                          |
| Sat  | 10:00 | 23:00  |   |                  |                          |
| Sun  | 10:00 | 22:30  |   |                  |                          |
|  |       |        | <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)<br>On New Year's Eve, from 23:00 (or 22:30 if it falls on a Sunday) to 03:00 on New Year's Day. |                  |                          |

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

|                       |
|-----------------------|
| Name<br>Carlo Tambini |
|-----------------------|

Issuing licensing authority (if known)

London Borough of Barnet

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><br>Standard days and timings<br>(please read guidance note 6) |       |        | <b>State any seasonal variations</b> (please read guidance note 4)   |
|--|-------|--------|--|
| Day  | Start | Finish |  |
| Mon  | 10:00 | 23:00  | <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)<br>On New Year's Eve, from 23:00 to 03:30 on New Year's Day. |
|  |       |        |  |
| Tue  | 10:00 | 23:00  |  |
|  |       |        |  |
| Wed  | 10:00 | 23:00  |  |
|  |       |        |  |
| Thur   | 10:00 | 23:00  |  |
|  |       |        |  |
| Fri  | 10:00 | 23:00  |  |
|  |       |        |  |
| Sat  | 10:00 | 23:00  |  |
|  |       |        |  |
| Sun  | 10:00 | 23:00  |  |
|  |       |        |  |

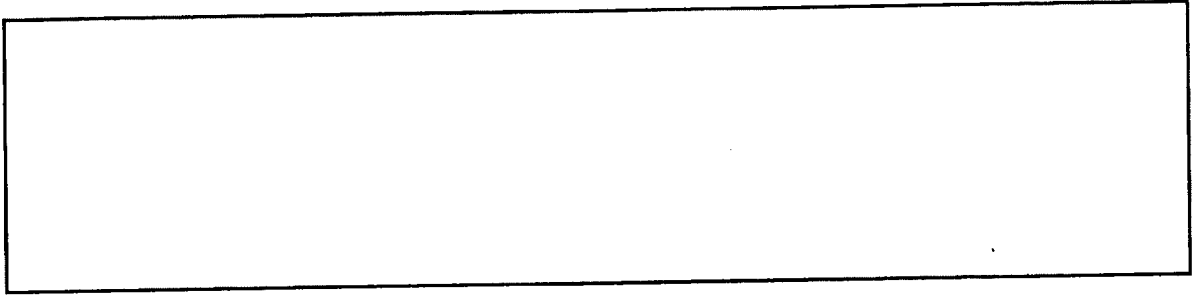
**M** Describe the steps you intend to take to promote the four licensing objectives:

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

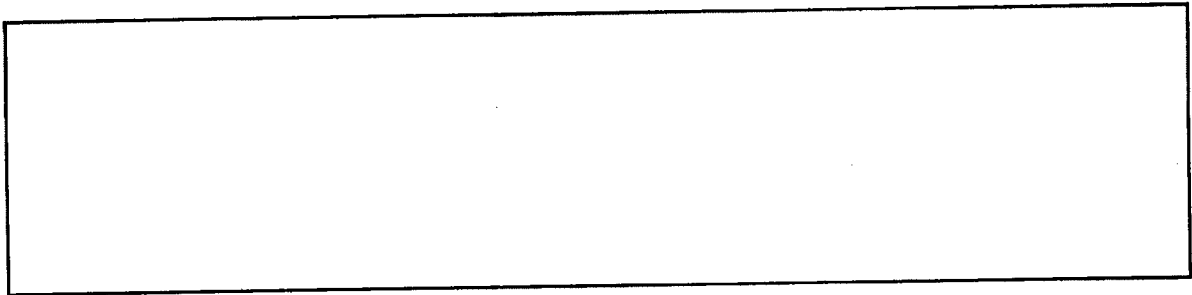
1. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.
2. The supply of alcohol for consumption on the premises shall only be to persons who are seated at tables.
3. The supply of alcohol for consumption on the premises shall only be to a person taking a table meal there and for consumption by such a person as ancillary to their meal with the exception that there may be up to 15 people in the premises at any one time who are permitted to consume alcohol although not taking a table meal.
4. The supply of alcohol shall be by waiter or waitress service only.
5. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
6. Alcohol consumed outside the premises building shall only be consumed by patrons seated at tables.
7. The availability of alcohol without food shall not be promoted or advertised otherwise than on menus and price lists within the premises.
8. Alcohol shall not be supplied for consumption on the premises after 22:30 to persons who are not taking a table meal.
9. Sales of alcohol for consumption off the premises shall only be supplied with and ancillary to a take-away meal.
10. The premises may remain open for the sale of alcohol and the provision of late night refreshment from the terminal hour for those activities on New Year's Eve through to the commencement time for those activities on New Year's Day.

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

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 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 are open.



**c) Public safety**



**d) The prevention of public nuisance**

1. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
2. All tables and chairs shall be rendered unusable by 23:00 each day.
3. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
4. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall be limited to (15) persons at any one time.
5. All waste shall be properly presented and placed outside for collection no earlier than 30 minutes before the scheduled collection times.
6. No waste or recyclable materials, including bottles, shall be moved, removed or placed in outside areas between 23:00 hours and 08:00 hours on the following day.
7. No collections of waste or recycling materials (including bottles) from the premises shall take place between 23:00 and 08:00 on the following day.
8. No deliveries to the premises shall take place between 23:00 and 08:00 on the following day.

e) The protection of children from harm

1. 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.

**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 | <i>Collyer Bristol</i>      |
| Date      | 20 May 2015                 |
| Capacity  | Solicitor for 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) |               |          |          |
| Collyer Bristow LLP (Ref: JLL/16758.8)<br>4 Bedford Row   |               |          |          |
| Post town   | London        | Postcode | WC1R 4TF |
| Telephone number (if any)   | 020 7468 7227 |          |          |
| If you would prefer us to correspond with you by e-mail, your e-mail address (optional)   |               |          |          |
| jane.lindop@collyerbristow.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.

30/06/2015 12:16:17

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From: "Sollars, Jim" </O=CITYOFWESTMINSTER/OU=CORPORATE/CN=RECIPIENTS/CN=JSOLLARS>

Sent: 18/06/2015 07:34:00

To: "Owojori, Olaposi" </O=CITYOFWESTMINSTER/OU=CORPORATE/CN=RECIPIENTS/CN=OOWOJOR>

Cc: Premises Licensing; Alabi, Opeyemi; Met Police Licensing Team; firesafetyregulationsw@london-fire.gov.uk; Service Account, PlanningInformation; licensing.w

Subject: RE: Premises licence application 15/03975/LIPN - 38 Groom Place [CB-Legal.FID1356018]

Thanks for this,

I confirm that Police have no representation to make against this application.

Jim Sollars PC 2142CW

Westminster Police Licensing Team

4th Floor Westminster City Hall,

64, Victoria Street,

LONDON

SW1E 6QP

Tel: 0207 641 3179

From: Jane Lindop [mailto:jane.lindop@collyerbristow.com]

Sent: 16 June 2015 17:12

To: Owojori, Olaposi

Cc: Premises Licensing; Alabi, Opeyemi; Met Police Licensing Team; Sollars, Jim; firesafetyregulationsw@london-fire.gov.uk; Service Account, PlanningInformation; licensing.westminster@inw.l.nhs.uk; Child Protection Licensing

Subject: Premises licence application 15/03975/LIPN - 38 Groom Place [CB-Legal.FID1356018]

Dear Mr Owojori

I understand from my client that he met with Ms Alabi of the environmental health department at the premises for an inspection. As a result of their meeting, my client has produced slightly revised plans and I attach these. You will see that I am copying them to the other responsible authorities.

I believe that Ms Alabi may be making some amendments to her representation that she previously submitted following the inspection. I would be grateful if any correspondence in this regard could also be forwarded to me.

If you have received any other representations, please would you forward copies to me.

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page #1

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**TO** Ola Owojori, Licensing Officer  
**REFERENCE** 15/03975/LIPN

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**FROM** EH Consultation Team  
**REFERENCE** 15/018989/EHCT  
**BEING DEALT WITH BY** Opeyemi Alabi  
**TELEPHONE** 020 7641 7242  
**DATE** 10<sup>th</sup> June 2015

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**The Licensing Act 2003**

**Re: 38 Groom Place, London. SW1X 7BA**

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

The applicant has submitted the Ground Floor plan with drawing number 14.27.07A and First + Second Floor plan with drawing number 14.27.08A all dated April 2015. This representation is based on the plan and operating schedule submitted.

The applicant is seeking the following licensable activities on the ground and first floor:

1. Supply of alcohol both 'on' and 'off' the premises Monday to Saturday 10:00 to 23:00 hours and Sunday 10:00 to 22:30 hours. On New Year's Eve from 23:00 (or 22:30 if it falls on a Sunday) to 03:00 on New Year's Day.

I wish to make the following representation:

1. The supply of alcohol and the hours requested may have the likely effect of causing an increase in Public Nuisance in the area.

The premises is required to comply with British Standard BS6465 – 1:2006 (Sanitary installations - Code of practice for the design of sanitary facilities and scales of provision of sanitary and associated appliances). The applicant should note that with the current sanitary provision on the premises, the maximum number of persons that will be permitted in the premises both on ground and first floor (including staff) shall not exceed 30 persons.

There is no indication of staff toilet on the proposed plan and as this premises is a food business, a dedicated staff toilet is required for food handling staff. Also the toilet as shown on the plan submitted has no door which presently does not comply with food hygiene regulation. A lobby therefore should be provided to the toilets.

The applicant has proposed conditions in the operating schedule; these conditions have been noted but do not fully address Environmental Health concerns. A site visit will be arranged to assess the premises to ensure the premises is satisfactory and following this, additional conditions may be proposed by Environmental Health to support the licensing objectives on Prevention of Public Nuisance.



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

Opeyemi Alabi  
Environmental Health Enforcement Officer

**30<sup>th</sup> June 2015**

**38 Groom Place, London. SW1X 7BA**

**Application Reference - 15/03975/LIPN**

Environmental Health conditions are as follows:

1. The number of persons permitted in the premises at any one time excluding staff shall not exceed:  
Ground Floor - 16 persons  
First Floor - 24 persons  
with an overall capacity of 40 persons at any one time.
2. The supply of alcohol for consumption on the premises shall only be to persons who are seated at tables.
3. The supply of alcohol for consumption on the premises shall only be to persons taking a table meal there and for consumption by such a person as ancillary to their meal with the exception that there may be up to 15 people in the premises at any one time who are permitted to consume alcohol although not taking a table meal.
4. The supply of alcohol shall be by waiter or waitress service only.
5. Alcohol consumed outside the premises building shall only be consumed by patrons seated at tables.
6. The availability of alcohol without food shall not be promoted or advertised otherwise than on menus and price lists within the premises.
7. Alcohol shall not be supplied for consumption on the premises after 22:30 to persons who are not taking a table meal.
8. Sales of alcohol for consumption off the premises shall only be supplied with, and ancillary to a take-away meal.
9. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.
10. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them (except to persons seated at tables).
11. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
12. There shall be no striptease or nudity, and all persons shall be decently attired at all times unless the premises are operating under the authority of a Sexual Entertainment Venue Licence.
13. 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.

14. 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.
15. 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.
16. A challenge 21 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.
17. All outside tables and chairs shall be rendered unusable by 23.00 hours each day.
18. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall be limited to 15 persons at any one time.
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. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly
21. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
22. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
23. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 23.00 hours and 08.00 hours on the following day.
24. No collections of waste or recycling materials (including bottles) from the premises shall take place between 23.00 and 08.00 on the following day.
25. No deliveries to the premises shall take place between 23.00 and 08.00 on the following day.
26. During the hours of operation ~~en~~ 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 the aforementioned 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.

27. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity

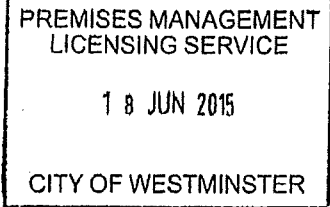
28. The Licence will have no effect until the premises have been assessed as satisfactory by the Environmental Health Consultation Team and this condition has been removed from the Licence.

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

Opeyemi Alabi  
Environmental Health Enforcement Officer

16 Chester St  
London, SW1X 7BB

17<sup>th</sup> June 2015



Licensing Service  
Westminster City Hall  
64 Victoria Street  
London SW1E 6QP

Dear Mr Harrison,

Reference: 15/03975/LIPN 38 Groom Place

Notification of a new premises licence application under the licensing Act 2003.

I am writing to you in response to your letter of 26<sup>th</sup> May 2015. I wish to protest against the request for the granting of a license to sell alcohol at 38 Groom Place. This is a residential area which is being blighted by the very increased noise and rowdy behaviour of the people who use the Horse and Groom Public House (due to the closure of two other premises near by) to add another premises within a few feet would bring the number of people and noise level to even more unacceptable levels. We have people drinking outside on the street both standing and seated at tables. This leads to glasses, rubbish, drunken behaviour and people vomiting on our front step, which is unacceptable. My twelve year old son's sleep is disturbed by the noise in the evenings by these open air drinkers. I highlight this existing problem to emphasize the fact that this neighbourhood cannot face or cope with the increase in the number of people, noise and cars that a 38 Groom Place license would inevitably bring.

The license applied for is for seven days a week according to planning office I spoke to and until 11pm, our already over stretched residents parking will come under even more strain.

The use of these premises in the past has had far shorter opening hours and the proposal is for vastly extended opening hours (until 11pm) this is incompatible with residential homes in such close proximity. The application for a roof terrace will also mean an increase in noise and smell from people dining outside.

The council has granted planning permission for the change of use of 'The Grouse and Claret' Public House in Wilton Mews which is now a private house and for 'The Talbot Bar' in Little Chester Street which is due to be demolished to make way for private flats. This has meant that the custom in Groom Place has

swelled to unacceptable levels, it cannot cope with another premises with similar opening hours in such close proximity.

As regards road safety, the road is blocked by people standing or sitting at tables during opening hours. There is surely a safety issue to be considered.

I very much urge you to consider the effect on a very lovely grade II listed street. There are a great many licensed restaurants nearby in more commercial and suitable locations. Victoria is very near by with all its facilities. Please do not over commercialise this lovely mews and ruin its character as well as subject the residents to a very increased number of people and noise that this restaurant will bring.

Yours sincerely,

*Rona Smart*

Rona Smart

## Chrysanthou, Yiannis

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**From:** Jan Laboyrie <laboyrie@btinternet.com>  
**Sent:** 02 June 2015 09:45  
**To:** Premises Licensing  
**Subject:** 15/03975/LIPN

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Dear Council,

I strongly oppose a license for alcohol for 38 Groom Place. Groom Place is already a very noisy place to begin with, with a pub where people not only occupy the public road but also walk drunk in the area after leaving the pub. Bedrooms of the neighbouring residents of Chapel Street and Chester Street face to the back, i.e. Groom Place. The noise coming from the mews is already a big nuisance and the last thing we need is a pizzeria that serves alcohol on top of that right behind us. I understand that Belgravia is not purely residential but there are limit and the needs and interest of the local residents should equally be respected.

I literally live right behind 38 Groom Place and I truly hope that permission to opening a pizzeria will not be granted.

With kind regards,

Jan Laboyrie  
23 Chapel Street  
London SW1X7BY







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City of Westminster

# Licensing Sub-Committee Report

Item No:

Licensing Ref No:

**15/03912/LIPN**

Date:

**16 July 2015**

Classification:

**For General Release**

Title of Report:

**16 Henrietta Street  
London  
WC2E 8QH**

Report of:

**Director of Public Protection and Licensing**

Policy context:

**City of Westminster Statement of Licensing Policy**

Financial summary:

**None**

Report Author:

**Mr Nick Nelson  
Senior Licensing Officer**

Contact Details:

**Telephone: 020 7641 3431  
E-mail: nnelson@westminster.gov.uk**

## APPLICATION DETAILS

|  |  |                                   |             |
|--|--|-----------------------------------|-------------|
| <b>Application Type:</b>   | A new premises licence application under the Licensing Act 2003. This application is made in conjunction with an application to vary the premises licence for 16 – 18 Henrietta Street (15/03907/LIPV).  |                                   |             |
|  | This application has been made following pre-application advice from the City Council's District Surveyor and Environmental Health Officer.  |                                   |             |
| <b>Applicant:</b>  | Capital & Counties CG Ltd and Capital & Counties CG Nominee Ltd  | <b>Date Application Received:</b> | 20 May 2015 |
| <b>Premises Name and Address:</b>  | 16 Henrietta Street<br>London<br>WC2E 8QH  |                                   |             |
| <b>Ward Name:</b>  | St James's   | <b>Stress Area:</b>               | West End    |
| <b>Description of Premises:</b>  | <p>The premises currently operates as two restaurants under one premises licence (15/02369/LIPT), Covent Garden Grill, ground floor and basement of 16 Henrietta Street and Porter's English Restaurant, ground floor and basement of 17 – 18 Henrietta Street.</p> <p>The applicant has submitted a variation application (15/03907/LIPV) so as to reduce the licensable area for the existing premises licence (15/02369/LIPT) to within 17 – 18 Henrietta Street, and creating a new premises licence at 16 Henrietta Street with this application.</p> |                                   |             |
| <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 <b>Appendix B</b> to this report.</i></p> |  |                                   |             |
| <b>Proposed Licensable Activities, Proposed Hours:</b>   |  |                                   |             |
| <b>Playing of Recorded Music</b>   |  |                                   |             |
| Monday to Saturday: 23:00 to 00:30   |  |                                   |             |
| Sunday: 23:00 to 00:00   |  |                                   |             |
| Non-standard Timings: From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.   |  |                                   |             |
| <b>Late Night Refreshment</b>  |  |                                   |             |
| Monday to Saturday: 23:00 to 00:30   |  |                                   |             |
| Sunday: 23:00 to 00:00   |  |                                   |             |
| Non-standard Timings: From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.   |  |                                   |             |
| <b>Sale by Retail of Alcohol (On and Off sales)</b>  |  |                                   |             |
| Monday to Saturday: 10:00 to 00:00   |  |                                   |             |
| Sunday: 12:00 to 23:30   |  |                                   |             |
| Non-standard Timings: From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.   |  |                                   |             |
| <b>Opening Hours</b>   |  |                                   |             |
| Monday to Saturday: 10:00 to 00:30   |  |                                   |             |
| Sunday: 12:00 to 00:00   |  |                                   |             |

Non-standard Timings: From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

|    | <b>Relevant representations and policies applicable:</b>   | <b>References / Notes</b>  |
|----|--|--|
| 1A | <p>On 16 June 2015, the Environmental Health Service made a representation against this application on the following grounds:</p> <ol style="list-style-type: none"> <li>1. The Licensable Activity and hours requested for recorded Music (Indoors) will have the likely effect of causing an increase in Public Nuisance within the West End Stress Area.</li> <li>2. The Licensable Activity and hours requested for Late Night Refreshment (Indoors) will have the likely effect of causing an increase within the West End Stress Area.</li> <li>3. The Licensable and hours requested for the Supply of Alcohol (On &amp; Off) will have the likely effect of causing an increase in the West End Stress Area.</li> </ol> <p>The representation states that 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.</p> | <p><b>Environmental Health Service Representation</b></p>        |
| 1B | <p>On 16 June 2015, a representation against this application was made by Philip and Caroline McIntyre, local residents living in close proximity to the premises, on the grounds of public nuisance and cumulative impact within the designated stress area. Mr &amp; Mrs McIntyre request measures to be imposed on the licence regarding the following:</p> <ul style="list-style-type: none"> <li>• The full restaurant condition (model condition 66) to apply;</li> <li>• That the licence be restricted to core hours;</li> <li>• Limiting the times for deliveries and collections of rubbish and bottles between 08:00 and 21:00 Monday to Friday and 09:00 to 20:00 on Saturday and Sunday;</li> <li>• Outside drinking to be forbidden;</li> <li>• Limits to the number of smokers permitted outside at any one time.</li> </ul>  | <p><b>Local resident representation</b></p>                      |
| 1C | <p>On 29 June 2015, the applicant wrote to Mr &amp; Mrs McIntyre to further explain the application and to offer a schedule of Model Conditions which would apply to both licences, if granted (see <b>Appendix B</b>).</p>  | <p><b>Applicant submissions to local resident</b></p>            |
| 1D | <p>Following receipt of the letter referred to in 1C above, Mrs McIntyre emailed the Licensing Service on 2 July 2015, in which she restated the concern regarding drinking in the street, late night hours and refuse on the street.</p>  | <p><b>Local resident response to applicant's submissions</b></p> |
| 1E | <p>The following policies within the City Of Westminster Statement of Licensing Policy apply:</p> <p><b>Policy HRS1 (ii)</b><br/>Applications for hours outside the core hours in this policy will</p>   | <p><b>Policies applicable</b></p>                                |

|                                   |  |                |
|-----------------------------------|--|----------------|
| 1F                                | <p>be considered on their merits, subject to other relevant policies and with particular regard to the criteria specified.</p> <p><b>Policy RNT2</b><br/>Applications will be granted subject to other policies in this Statement and subject to the relevant criteria in Policies CD1, PS1, PN1 and CH1, provided it can be demonstrated that they will not add to cumulative impact in the Stress Areas.</p> <p><b>Policy STR1</b></p> <p>(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.</p> <p>(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.</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> </ul> | <b>Summary</b> |
| <b>Current Licensing Position</b> | The premises currently holds a premises licence (15/02369/LIPT) for 16 – 18 Henrietta Street. A full licence history has been provided at <b>Appendix A</b> .  |                |
| <b>Residential Density:</b>       | 69 units within a 75m radius of the premises are residential or proposed residential, refer to <b>Appendix C</b> .   |                |
| <b>Planning Position:</b>         | Licensing cannot confirm the planning usage of this premises.  |                |
| <b>List of Appendices:</b>        | A – Premises Licence History<br>B - Conditions<br>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 (March 2015)
- Application form
- Plans
- Applicant's letter to Mr & Mrs McIntyre
- Existing Premises Licence
- Representations received
- Photos

## Licence &amp; Appeal History

| <b>Application</b>                                    | <b>Details of Application</b>   | <b>Date Determined</b> | <b>Decision</b>                   |
|---|---|------------------------|-----------------------------------|
| Conversion Application<br><b>05/04651/LIPC</b>        | Application to convert the Justices on Licence  | 02.08.2005             | Granted Under Delegated Authority |
| Application to vary the DPS<br><b>09/02377/LIPDPS</b> | Application to vary the DPS   | 11.05.2009             | Granted Under Delegated Authority |
| Application to transfer<br><b>15/02369/LIPT</b>       | Application to transfer the premises licence to Capital & Counties CG Ltd And Capital & Counties CG Nominee Ltd | 02.07.2005             | Granted Under Delegated Authority |
| New application<br><b>15/03912/LIPN</b>               | Current application   | Pending                |                                   |

**There is no appeal history**

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

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

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

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

**Mandatory Conditions**

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



encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;

(e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

5. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

6. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either -

- (a) a holographic mark, or
- (b) an ultraviolet feature.

7. The responsible person must ensure that -

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures -

- (i) beer or cider: ½ pint;
- (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
- (iii) still wine in a glass: 125 ml;

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

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

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

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

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

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

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

Where -

- (i) P is the permitted price,
  - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
  - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
- (i) the holder of the premises licence,
  - (ii) the designated premises supervisor (if any) in respect of such a licence, or
  - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
- 8(iii). Where the permitted price given by Paragraph 8(ii)(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- 8(iv). (1) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

#### **Consistent with the operating schedule**

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

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

10. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
11. Substantial food and non-intoxicating beverages, including drinking water shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
12. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
13. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
14. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 23:00 and 08:00 hours on the following day.
15. 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 sweeping collected and stored in accordance with the approved refuse storage arrangements by close of business.
16. There shall be no striptease or nudity, and all persons shall be decently attired at all times, except when the premises are operating under the authority of a sexual entertainment Venue Licence.
17. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke shall not be permitted to take drinks or glass containers with them.
18. 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.
19. 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.
20. 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.

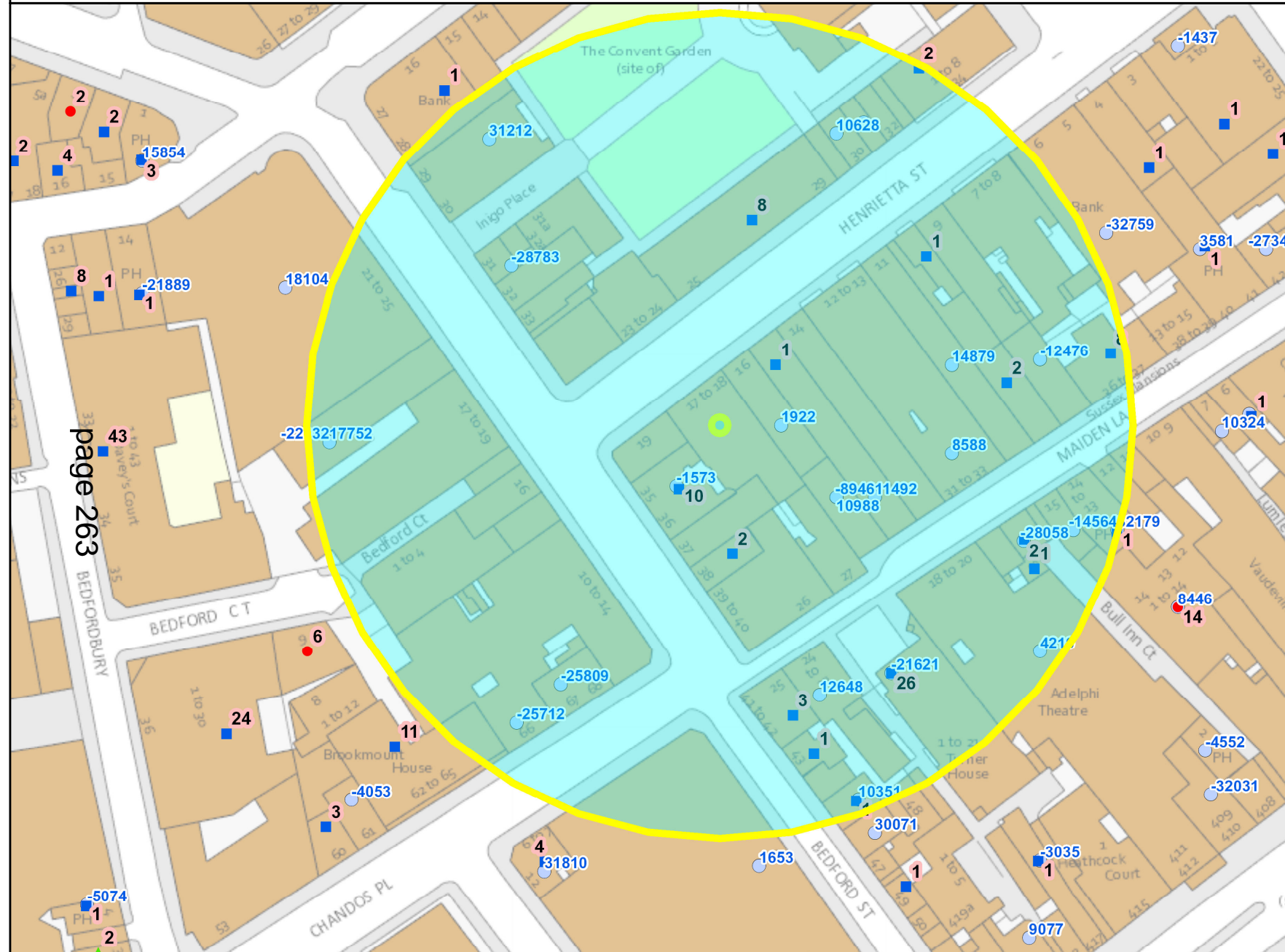
21. The number of persons accommodated at any one time (excluding staff) shall not exceed 140 (or such other limit agreed with the Environmental Health Consultation Team).
22. The application will have no effect until the Licensing authority are satisfied that the premises is constructed or altered in accordance with the appropriate provisions of the district surveyor's association – technical standards for spaces of entertainment and the reasonable requirements of Westminster environmental health consultation team, at which time this condition will be removed from the licence.

**Additional condition proposed by the applicant:**

23. No deliveries to the premises shall take place between **(23.00)** and **(08.00)** on the following day.



# 17 - 18 Henrietta Street



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|                                    |           |
|------------------------------------|-----------|
| Residential / Proposed Residential | 67        |
| Under Construction                 | Not known |
| Other Uses                         | Not known |
| Proportion Residential of all Uses | Not known |

10  
 Meters

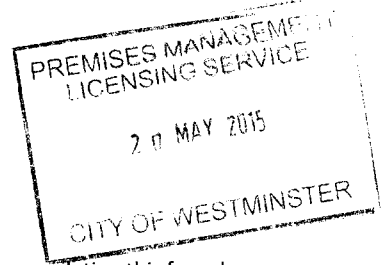
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Data Source: Uniform Database  
 Date: 02/07/2015

**Premises within 75 metres of: 17 - 18 Henrietta Street**

| <b>p / n</b>    | <b>Name of Premises</b>      | <b>Premises Address</b>                                     | <b>Opening Hours</b>  |
|-----------------|------------------------------|---|---|
| 06/08749/WCCMAP | La Perla                     | 28 Maiden Lane London WC2E 7JS                              | Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00   |
| 06/08725/WCCMAP | Covent Garden News           | 31 Henrietta Street London WC2E 8NA                         | Monday to Saturday 08:00 - 23:00 Sunday 10:00 - 22:30   |
| 06/08066/WCCMAP | Pasta Brown                  | 31 Bedford Street London WC2E 9EH                           | Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00   |
| 13/05198/LIPDPS | Cafe Proper                  | 16 Maiden Lane London WC2E 7NA                              | Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00   |
| 14/06660/LIPDPS | Nando's                      | 67-68 Chandos Place London WC2N 4HG                         | Monday to Saturday 07:30 - 00:30 Sunday 10:00 - 00:30   |
| 14/02182/LIPDPS | Adventure Bar                | Ground Floor And Basement 20 Bedford Street London WC2E 9HP | Friday to Saturday 10:00 - 00:00 Monday to Thursday 10:00 - 23:30<br>Sundays before Bank Holidays 12:00 - 00:00 Sunday 12:00 - 22:30    |
| 14/06782/LIPVM  | The Porterhouse Public House | 21-22 Maiden Lane London WC2E 7NA                           | Monday to Saturday 09:00 - 00:30 Sunday 12:00 - 23:00   |
| 13/01880/LIPN   | Condesa Tapas Bar            | 15 Maiden Lane London WC2E 7NA                              | Friday to Saturday 10:00 - 00:00 Monday to Thursday 10:00 - 23:30<br>Sundays before Bank Holidays 12:00 - 00:00 Sunday 12:00 - 22:30    |
| 13/02447/LIPVM  | La Perla                     | 28 Maiden Lane London WC2E 7JS                              | Monday to Thursday 10:00 - 00:00 Friday to Saturday 10:00 - 00:30<br>Sunday 10:00 - 23:00 Sundays before Bank Holidays 12:00 - 00:00    |
| 09/02377/LIPDPS | Porter's English Restaurant  | Ground Floor 16 Henrietta Street London WC2E 8QH            | Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00   |
| 14/01218/LIPDPS | Paul Patisserie              | Ground Floor Inigo House 29 Bedford Street London WC2E 9ED  | Monday to Saturday 07:30 - 23:30 Sunday 09:00 - 23:00   |
| 14/11037/LIPDPS | Wahaca                       | 66 Chandos Place London WC2N 4HG                            | Sunday 10:00 - 00:00 Monday to Saturday 10:00 - 00:30   |
| 11/08783/LIPVM  | Rules Restaurant             | 34-35 Maiden Lane London WC2E 7LB                           | Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00   |
| 14/06917/LIPVM  | All Bar One                  | 35 - 36 Bedford Street London WC2E 9EN                      | Friday to Saturday 08:00 - 00:00 Sundays before Bank Holidays<br>08:00 - 00:00 Sunday 08:00 - 22:50 Monday to Thursday 08:00 -<br>23:30 |
| 14/02390/LIPDPS | Adelphi Theatre              | 411 Strand London WC2R 0NS                                  | Saturday to Sunday 09:00 - 00:00 Monday to Friday 09:00 - 04:00   |
| 13/05083/LIPDPS | Fire And Stone               | 31-32 Maiden Lane London WC2E 7JS                           | Monday to Sunday 00:00 - 00:00  |
| 11/10224/LIPDPS | Strand Tandoori              | Ground 45 Bedford Street London WC2E 9HA                    | Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00   |
| 14/09093/LIPDPS | Bella Italia                 | 30 Henrietta Street London WC2E 8NA                         | Monday to Saturday 10:00 - 01:00 Sunday 12:00 - 00:00   |
| 15/01057/LIPVM  | Mabel's                      | 29-30 Maiden Lane London WC2E 7JS                           | Sunday to Tuesday 09:00 - 01:00 Wednesday to Saturday 09:00 -<br>01:30  |
| 12/07790/LIPDPS | La Tasca                     | 23-24 Maiden Lane London WC2E 7NA                           | Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00   |
| 14/03454/LIPV   | Sticks 'n' Sushi             | 11 Henrietta Street London WC2E 8PY                         | Monday to Thursday 10:00 - 00:00 Friday to Saturday 10:00 - 00:30<br>Sunday 12:00 - 22:50   |
| 06/13626/WCCMAC | Concert Artistes Association | 20 Bedford Street London WC2E 9HP                           | Monday to Saturday 11:00 - 01:00 Sunday 12:00 - 22:30   |

# **Background Documents**



**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** Capital & Counties CG Ltd and Capital & Counties CG Nominee 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<br><b>16 Henrietta Street</b> |        |                 |                 |
| <b>Post town</b>   | London | <b>Postcode</b> | <b>WC2E 8QH</b> |

|   |                 |
|---|-----------------|
| Telephone number at premises (if any)   |                 |
| Non-domestic rateable value of premises | <b>£325,000</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)

|   |                              |                               |                             |                                |                 |
|---|------------------------------|-------------------------------|-----------------------------|--------------------------------|-----------------|
| 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) |  |
| 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<br>Capital & Counties CG Ltd and Capital & Counties CG Nominee Ltd  |
| Address<br>15 GROSVENOR STREET<br>LONDON<br>W1K 4QZ  |
| Registered number (where applicable)<br>05860223 and 05860230  |
| Description of applicant (for example, partnership, company, unincorporated association etc.)<br>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)  
 Restaurant and bar.

Premises licence no. 15/02369/LIPT authorises licensable activities across no.16 and no.17-18 Henrietta Street. The premises historically operated as 2 restaurants (Covent Garden Grill at no. 16 and Porter's English Restaurant at no.17-18) under the same premises licence.

The application proposes to regularise that position by splitting the licence into 2 separate licences, effectively on the same terms as existing. Following pre application advice 15/00954/ECPALM this will be achieved by:

- (a) No. 17-18 - varying the existing licence 15/02369/LIPT to remove no.16 from the licensed area and change the layout.
- (b) No. 16 - a new premises licence application with appropriate model conditions.

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)*

Provision of regulated entertainment

Please tick any 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)

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



In all cases complete boxes K, L and M

**A**

|  |              |               |  |          |                          |
|--|--------------|---------------|--|----------|--------------------------|
| <b>Plays</b><br>Standard days and timings<br>(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><br>Standard days and timings<br>(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"/> |
| <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  |              |               | <b><u>State any seasonal variations for the exhibition of films</u></b> (please read guidance note 4)  |          |                          |
| Wed  |              |               |  |          |                          |
| Thur   |              |               | <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) |          |                          |
| Fri  |              |               |  |          |                          |
| Sat  |              |               |  |          |                          |
| Sun  |              |               |  |          |                          |

C

|   |       |        |   |
|---|-------|--------|---|
| <b>Indoor sporting events</b><br>Standard days and timings<br>(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**

|   |       |        |   |          |                          |
|---|-------|--------|---|----------|--------------------------|
| <b>Boxing or wrestling entertainments</b><br>Standard days and timings<br>(please read guidance note 6) |       |        | <b>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</b><br>(please read guidance note 2)   | Indoors  | <input type="checkbox"/> |
|   |       |        |   | Outdoors | <input type="checkbox"/> |
|   |       |        |   | Both     | <input type="checkbox"/> |
| Day   | Start | Finish | <b>Please give further details here</b> (please read guidance note 3)   |          |                          |
| Mon   |       |        |   |          |                          |
| Tue   |       |        | <b>State any seasonal variations for boxing or wrestling entertainment</b><br>(please read guidance note 4)   |          |                          |
| Wed   |       |        |   |          |                          |
| Thur  |       |        | <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) |          |                          |
| Fri   |       |        |   |          |                          |
| Sat   |       |        |   |          |                          |
| Sun   |       |        |   |          |                          |

**E**

|   |              |               |   |          |                          |
|---|--------------|---------------|---|----------|--------------------------|
| <b>Live music</b><br>Standard days and timings<br>(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 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 the performance of live music</b> (please read guidance note 4)  |          |                          |
| Wed   |              |               |   |          |                          |
| Thur  |              |               | <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) |          |                          |
| Fri   |              |               |   |          |                          |
| Sat   |              |               |   |          |                          |
| Sun   |              |               |   |          |                          |



F

| Recorded music<br>Standard days and timings<br>(please read guidance note 6) |       |        | Will the playing of recorded music take place<br><b>indoors or outdoors or both – please tick</b> (please read guidance note 2)   | Indoors  | <input checked="" type="checkbox"/> |
|--|-------|--------|---|----------|-------------------------------------|
| Day  | Start | Finish |   | Outdoors | <input type="checkbox"/>            |
| Mon  | 23:00 | 00:30  | <b>Please give further details here</b> (please read guidance note 3)   | Both     | <input type="checkbox"/>            |
| Tue  | 23:00 | 00:30  |   |          |                                     |
| Wed  | 23:00 | 00:30  | <b>State any seasonal variations for the playing of recorded music</b> (please read guidance note 4)  |          |                                     |
| Thur   | 23:00 | 00:30  |   |          |                                     |
| Fri  | 23:00 | 00:30  | <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)<br>From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. |          |                                     |
| Sat  | 23:00 | 00:30  |   |          |                                     |
| Sun  | 23:00 | 00:00  |   |          |                                     |

**G**

|  |              |               |  |          |                          |
|--|--------------|---------------|--|----------|--------------------------|
| <b>Performances of dance</b><br>Standard days and timings<br>(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 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 the performance of dance</b> (please read guidance note 4)  |          |                          |
| Wed  |              |               |  |          |                          |
| Thur   |              |               | <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) |          |                          |
| Fri  |              |               |  |          |                          |
| Sat  |              |               |  |          |                          |
| Sun  |              |               |  |          |                          |

# H

|  |       |        |  |          |                          |
|--|-------|--------|--|----------|--------------------------|
| <b>Anything of a similar description to that falling within (e), (f) or (g)</b><br>Standard days and timings (please read guidance note 6) |       |        | Please give a description of the type of entertainment you will be providing   |          |                          |
| Day  | Start | Finish | <b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)   | Indoors  | <input type="checkbox"/> |
| Mon  |       |        |  | Outdoors | <input type="checkbox"/> |
|  |       |        |  | Both     | <input type="checkbox"/> |
| Tue  |       |        | <b><u>Please give further details here</u></b> (please read guidance note 3)   |          |                          |
| Wed  |       |        |  |          |                          |
| Thur   |       |        | <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)  |          |                          |
| Fri  |       |        |  |          |                          |
| Sat  |       |        | <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) |          |                          |
| Sun  |       |        |  |          |                          |

|   |       |        |   |          |                                     |
|---|-------|--------|---|----------|-------------------------------------|
| <b>Late night refreshment</b><br>Standard days and timings<br>(please read guidance note 6) |       |        | <b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b><br>(please read guidance note 2)   | Indoors  | <input checked="" type="checkbox"/> |
|   |       |        |   | Outdoors | <input type="checkbox"/>            |
|   |       |        |   | Both     | <input type="checkbox"/>            |
| Day   | Start | Finish |   |          |                                     |
| Mon   | 23:00 | 00:30  | <b><u>Please give further details here</u></b> (please read guidance note 3)  |          |                                     |
| Tue   | 23:00 | 00:30  |   |          |                                     |
| Wed   | 23:00 | 00:30  | <b><u>State any seasonal variations for the provision of late night refreshment</u></b><br>(please read guidance note 4)  |          |                                     |
| Thur  | 23:00 | 00:30  |   |          |                                     |
| Fri   | 23:00 | 00:30  | <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)<br>From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. |          |                                     |
| Sat   | 23:00 | 00:30  |   |          |                                     |
| Sun   | 23:00 | 00:00  |   |          |                                     |

J

|  |              |               |   |                  |                                     |
|--|--------------|---------------|---|------------------|-------------------------------------|
| <b>Supply of alcohol</b><br>Standard days and timings<br>(please read guidance note 6) |              |               | <b>Will the supply of alcohol be for consumption –<br/>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)  |                  |                                     |
| Mon  | 10:00        | 00:00         |   |                  |                                     |
|  |              |               |   |                  |                                     |
| Tue  | 10:00        | 00:00         |   |                  |                                     |
|  |              |               |   |                  |                                     |
| Wed  | 10:00        | 00:00         |   |                  |                                     |
|  |              |               |   |                  |                                     |
| Thur   | 10:00        | 00:00         | <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)<br>From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day. |                  |                                     |
|  |              |               |   |                  |                                     |
| Fri  | 10:00        | 00:00         |   |                  |                                     |
|  |              |               |   |                  |                                     |
| Sat  | 10:00        | 00:00         |   |                  |                                     |
|  |              |               |   |                  |                                     |
| Sun  | 12:00        | 23:30         |   |                  |                                     |
|  |              |               |   |                  |                                     |

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).

L

| Hours premises are open to the public<br>Standard days and timings<br>(please read guidance note 6) |       |        | State any seasonal variations (please read guidance note 4)  |
|---|-------|--------|--|
| Day   | Start | Finish |  |
| Mon   | 10:00 | 00:30  | <p><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)</p> <p>From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.</p> |
|   |       |        |  |
| Tue   | 10:00 | 00:30  |  |
|   |       |        |  |
| Wed   | 10:00 | 00:30  |  |
|   |       |        |  |
| Thur  | 10:00 | 00:30  |  |
|   |       |        |  |
| Fri   | 10:00 | 00:30  |  |
|   |       |        |  |
| Sat   | 10:00 | 00:30  |  |
|   |       |        |  |
| Sun   | 12:00 | 00:00  |  |
|   |       |        |  |

**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)**

Please see attached operating schedule following pre-application advice from the District Surveyor and Environmental Health Officer.

The proposed conditions will ensure the promotion of all four licensing objectives. The proposed licensable activities and hours are consistent with the existing premises licence. This will ensure no addition to the cumulative impact in the City Council's Stress Area.

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

Please see a) above

**c) Public safety**

Please see a) above

**d) The prevention of public nuisance**

Please see a) above

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

Please see a) above

**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      | 20/05/2015  |
| Capacity  | Thomas & Thomas Partners LLP, Solicitors on behalf of the Applicant |

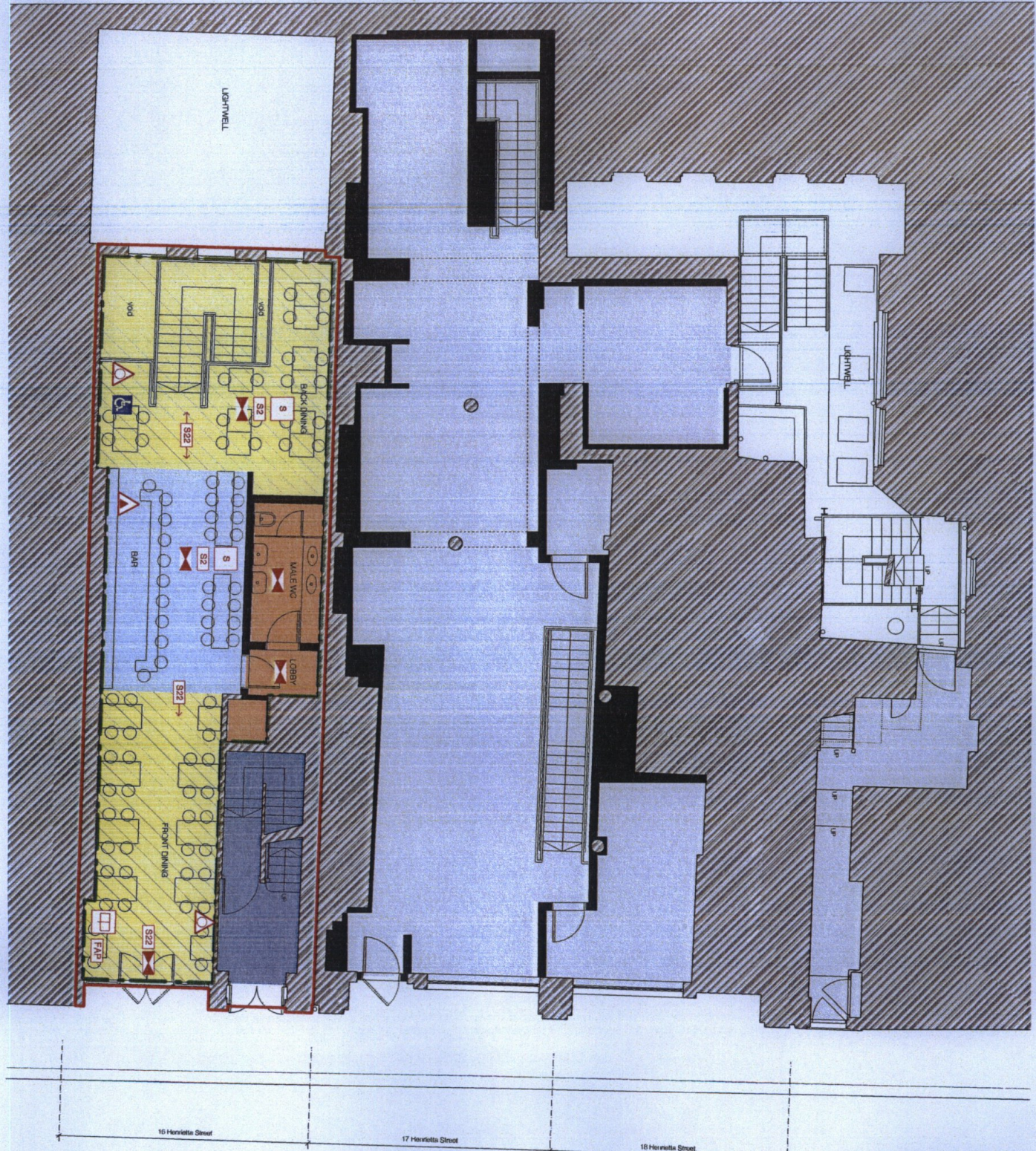
**For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant’s solicitor or other authorised agent** (please read guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

|           |  |
|-----------|--|
| Signature |  |
| Date      |  |
| Capacity  |  |

|   |               |          |                 |
|---|---------------|----------|-----------------|
| Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)<br>Our ref: AT/JS/COV.5.7<br>Ryan Peermamode<br>Thomas & Thomas Partners LLP<br>38a Monmouth Street |               |          |                 |
| Post town   | <b>London</b> | Postcode | <b>WC2H 9EP</b> |
| Telephone number (if any)   | 020 7042 0417 |          |                 |
| If you would prefer us to correspond with you by e-mail, your e-mail address (optional)<br>rpeeramode@tandtp.com  |               |          |                 |



NOTE:  
Setting layout indicative only



DO NOT SCALE FROM THIS DRAWING.

- PHASED and CHANGE NEW**
- Existing state
  - Proposed state
  - Shared Commercial area
  - Neighbouring property
  - Demolish by
- FIRE STRATEGY NOTES**
- Use: Licensed premises
- This drawing is to be read in conjunction with:
1. M&E services engineering drawings.
  2. Fire alarm system drawings.
  3. Fire engineer's report.
- All fire alarms, detection systems and escape lighting to be shown on Services Engineers drawings and specifications.
- Production and location of Fire Extinguishers subject to review by Building Control and Fire and Rescue Services.
- All signage to be positioned in accordance with BS 5406: Part 4
- Head to be used for kerbside activities
  - Extent of restaurant
  - Extent of bar
  - Extent of back of house and WC facilities

- Fire alarm call point with action Fire Action sign adjacent
- Doors free from all obstructions
- action panel
- Door with smoke seals
- Water Fire Extinguisher
- Fire Blanket in container
- Carbon Dioxide Fire Extinguisher
- Emergency Lighting
- Refuge Area
- Also covered by Automatic Fire Detectors
- Also covered by Automatic Smoke Detectors

- Directional Arrow
- Notice suspended above hand height at right hand end of escape route with graphic symbol on the opposite side
- Notice suspended above hand height at right hand end of escape route with graphic symbol of back stairs of refuge
- Notice internally illuminated
- Fire exit, Emergency exit notice
- No Smoking
- Fire escape keep clear
- Fire Door Keep Shut
- Fire Rated Window
- Fire Door Keep Locked Shut
- Fire Alarm Panel
- Accessible WC Alarm System

- Access to WC Alarm System
- 196/115 RB
- 146/115 RB
- 130/115 RB
- 07/0015 AC

1773 (06/011)

16 Henrietta Street

Proposed Ground Floor Plan

1:50 @ A1 Scale bar / 1:100 @ A3 Scale bar

16 Henrietta Street

Proposed Ground Floor Plan

1:50 @ A1 Scale bar / 1:100 @ A3 Scale bar

16 Henrietta Street

Proposed Ground Floor Plan

1:50 @ A1 Scale bar / 1:100 @ A3 Scale bar

16 Henrietta Street

Proposed Ground Floor Plan

1:50 @ A1 Scale bar / 1:100 @ A3 Scale bar

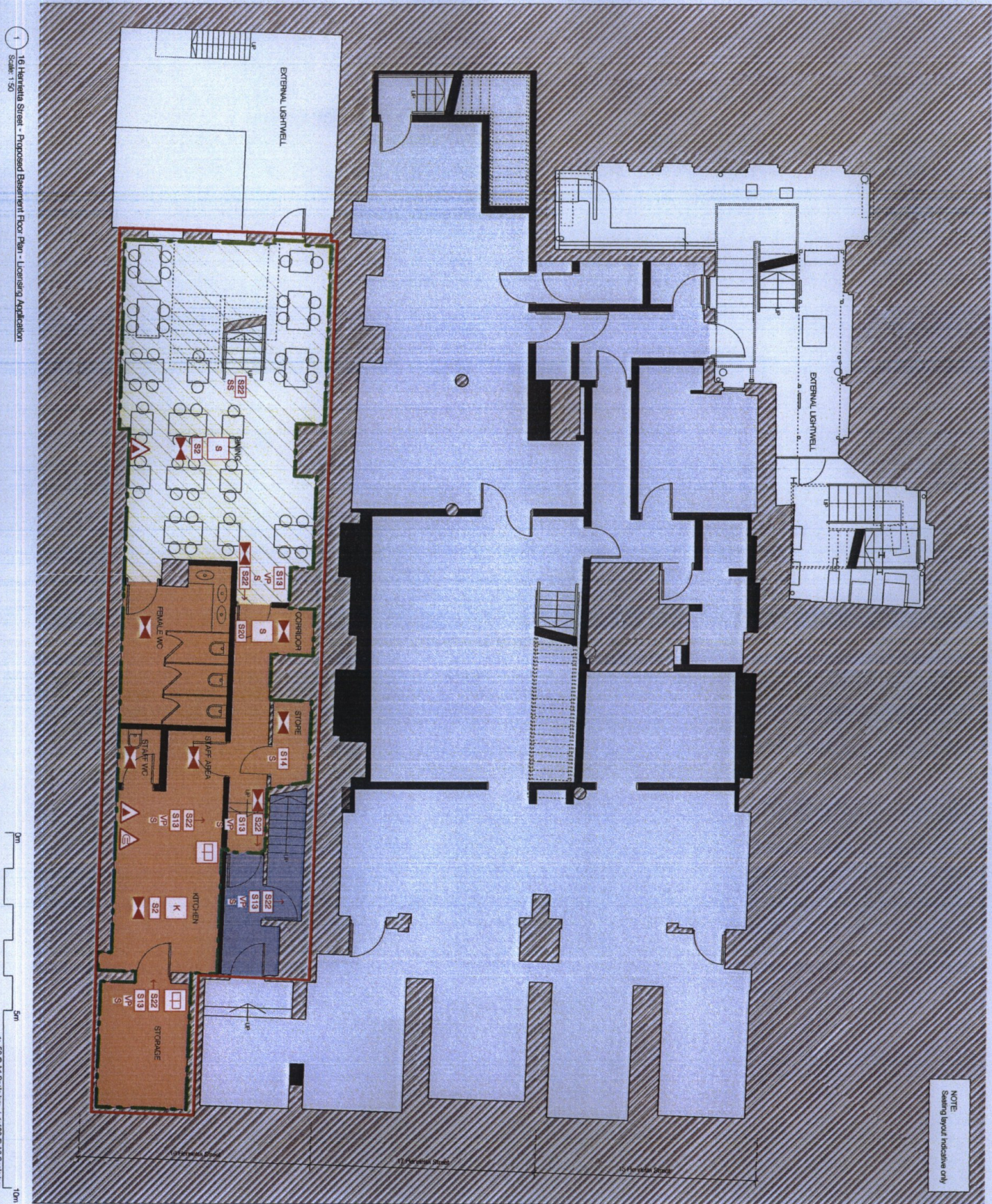
16 Henrietta Street

Proposed Ground Floor Plan

1:50 @ A1 Scale bar / 1:100 @ A3 Scale bar



NOTE:  
Seating layout indicative only



DO NOT SCALE FROM THIS DRAWING.

PROPOSED AND EXISTING (REF):  
 Ceiling slab  
 Proposed slab  
 Proposed lift  
 Slab/Concrete wall  
 Existing property  
 Existing lift  
 Existing stairs

Fire Strategy Notes  
 Use of Leaded Glasses

1. This drawing is to be used in conjunction with the following documents:  
 2. Structural engineers drawings  
 3. Fire engineers report.

All fire alarms, detection systems, fire escape lighting to be shown on Services Engineers drawings and specification.

Position and location of fire extinguishers subject to review by Building Control and the fire and rescue services.

All signage to be installed in accordance with BS 5489, Part 4 Areas to be used for kerbside activities

- Extent of bar
- Extent of back of house and WC facilities
- Fire alarm call point with action fire action sign support
- Doors free from all listings vision panel
- Door with smoke seals
- Water Fire Extinguisher
- Fire Burster in corridor
- Carbon Dioxide Fire Extinguisher
- Emergency Lighting
- Relay Area
- Area covered by Automatic Detectors
- Area covered by Automatic Smoke Detectors
- Directional Arrow

- S22 → Notice suspended above head height at right angles to the escape route with graphic symbol on the approach side
- S22 Notice suspended above head height at right angles to the escape route with graphic symbol on both sides of notice
- S22 Notice internally illuminated
- S22 Fire exit, Emergency exit notice
- S22 Fire escape help clear
- S20 No Smoking
- S2 Fire Door Keep Shut
- S13 Fire Rated Window
- S13a Fire Door Keep Locked Shut
- S14 Fire Alarm Panel
- FAP Accessible WC Alarm System
- FAS

1773 (06/01/10) D  
 18 Herwilla Street  
 Proposed Basement Floor Plan  
 License Application  
 16-18 Herwilla Street  
 Paul Davis + Partners Architects Urban Designers  
 License Application  
 18 Herwilla Street  
 16-18 Herwilla Street  
 Paul Davis + Partners  
 Architects Urban Designers



# COVENT GARDEN

capco

Mr & Mrs P McIntyre  
14/17-19 Bedford Street  
Covent Garden  
WC2E 9HE

29 June 2015

Dear Mr & Mrs McIntyre

## **Application for Premises Licences 16-18 Henrietta Street London WC2E 8QH**

We have been passed a copy of your letter in respect of our Premises Licence applications. We hope to address your concerns below.

Capital and Counties own the buildings at 16-18 Henrietta Street and are currently implementing substantial improvement works. As you may know, the premises were previously operated as 'Covent Garden Grill' and 'Porters English Restaurant'. They operated under one Licence, which could still be used by either one or two restaurants.

The historical Licence still permits each restaurant to have a designated bar area and hours beyond Westminster's core hours. Our proposal is to regularise and improve the existing Licence by splitting it in two individual Licences on the same terms as the existing Licence. In addition, we have agreed to add a comprehensive schedule of the Council's Model Licence Conditions to both Licences, a copy of which is enclosed.

Thank you for your consideration of this letter. If you would like to discuss our applications further, please do not hesitate to contact us.

Yours sincerely,



Sam Cotton  
Asset Manager

Encl.



**Operating Schedule – Agreed Licence Conditions for:**  
**16 Henrietta Street**  
**And**  
**17-18 Henrietta Street**

1 - 8 Mandatory Conditions;

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

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

10. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
11. Substantial food and non-intoxicating beverages, including drinking water shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
12. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
13. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
14. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 23:00 and 08:00 hours on the following day.
15. 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 sweeping collected and stored in accordance with the approved refuse storage arrangements by close of business.
16. There shall be no striptease or nudity, and all persons shall be decently attired at all times, except when the premises are operating under the authority of a sexual entertainment Venue Licence.

17. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke shall not be permitted to take drinks or glass containers with them.
18. 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.
19. 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.
20. 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.
21. The number of persons accommodated at any one time (excluding staff) shall not exceed [140 for 16 Henrietta Street and 220 for 17-18 Henrietta Street](or such other limit agreed with the Environmental Health Consultation Team).
22. The application will have no effect until the Licensing authority are satisfied that the premises is constructed or altered in accordance with the appropriate provisions of the district surveyor's association – technical standards for spaces of entertainment and the reasonable requirements of Westminster environmental health consultation team, at which time this condition will be removed from the licence.

Additional condition proposed by the applicant:

23. No deliveries to the premises shall take place between **(23.00)** and **(08.00)** on the following day.



Schedule 12  
Part A

WARD: St James's  
UPRN: 010033551344

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

**Premises licence**

Regulation 33, 34

**Premises licence number:**

15/02369/LIPT

**Original Reference:**

05/04651/LIPC

**Part 1 – Premises details**

**Postal address of premises:**

Porter's English Restaurant  
Ground Floor  
16 Henrietta Street  
London  
WC2E 8QH

**Telephone Number:** Not Supplied

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

Not applicable

**Licensable activities authorised by the licence:**

Playing of Recorded Music  
Late Night Refreshment  
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:**

**Playing of Recorded Music** Unrestricted

**Late Night Refreshment**

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

**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 00:00  
Sunday: 12:00 to 23:30

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

**The opening hours of the premises:**

Monday to Saturday: 10:00 to 00:30

Sunday: 12:00 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:**

Capital \_CountiesCG Ltd And Capital \_Counties CG Nominee Ltd  
15 Grosvenor Street  
London  
W1K 4QZ

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

05860223 and 05860230

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

**Name:** Adam James Garfield

***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:** 2009/00404/LAPER  
**Licensing Authority:** Brighton And Hove City Council

**Date:** 2 July 2015

**This licence has been authorised by Miss Susan Patterson on behalf of the Director - Public Protection and Licensing.**

## Annex 1 – Mandatory conditions

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
4.
  - (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
  - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
    - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
      - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
      - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
    - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
    - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
    - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
    - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
5. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
6.
  - (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
  - (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.



- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
- (a) a holographic mark, or
  - (b) an ultraviolet feature.
7. The responsible person must ensure that—
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
    - (i) beer or cider: ½ pint;
    - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
    - (iii) still wine in a glass: 125 ml;
  - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
  - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

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

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

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

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

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

Where -

- (i) P is the permitted price,
  - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
  - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
- (i) the holder of the premises licence,

- (ii) the designated premises supervisor (if any) in respect of such a licence, or
  - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
- 8(iii). Where the permitted price given by Paragraph 8(ii)(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- 8(iv). (1) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

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

**Conditions for Sale of Alcohol**

9. In the area hatched black on the deposited plan intoxicating liquor shall not be sold or supplied on the premises otherwise than to persons taking table meals there and for consumption by such a person as an ancillary to his meal.
10. 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.
11. The maximum number of persons, including staff, to be present in the licensed premises shall not exceed the number specified from time to time by the proper officer of the London Fire and Civil Defence Authority. The number specified are:
- (a) as to the ground floor in Porters Bar (no. 16) 100 persons.
  - (b) as to the basement in Porters Bar (no. 16) 40 persons.

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

12. (i). Alcohol may be sold or supplied:
- (a) On weekdays, other than Christmas Day, Good Friday or New Year's Eve, 10:00 to 23:00
  - (b) On Sundays, other than Christmas Day or New Year's Eve, 12:00 to 22:30
  - (c) On Good Friday, 12:00 to 22:30
  - (d) On Christmas Day, 12:00 to 15:00 and 19:00 to 22.30
  - (e) On New Year's Eve, except on a Sunday, 10:00 to 23:00
  - (f) On New Year's Eve on a Sunday, 12:00 to 22:30

- (g) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).
- (ii). Alcohol may be sold or supplied for one hour following the hours set out above (other than Christmas Day and New Year's Eve), and on Christmas Day, between 15.00 and 19.00, to persons taking table meals in the premises in a part of the premises usually set apart for the service of such persons and for consumption by such a person in that part of the premises as an ancillary to his meal. For other purposes or in other parts of the premises the hours set out above shall continue to apply.

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) during the first thirty minutes after the above hours the consumption of the alcohol on the premises by persons taking table meals there if the alcohol was supplied for consumption as ancillary to the meals;
- (d) the sale or supply of alcohol to or the consumption of alcohol by any person residing in the licensed premises;
- (e) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- (f) the sale of alcohol to a trader or registered club for the purposes of the trade or club;
- (g) 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;
- (h) the taking of alcohol from the premises by a person residing there;
- (i) 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;
- (j) 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.

- 13. No person under fourteen shall be in the bar of the licensed premises during the permitted hours unless one of the following applies:
  - (a) He is the child of the holder of the premises licence.
  - (b) He resides in the premises, but is not employed there.
  - (c) He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress.

- (d) The bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary.

In this condition "bar" includes any place exclusively or mainly used for the consumption of intoxicating liquor. But an area is not a bar when it is usual for it to be, and it is, set apart for the service of table meals and alcohol is only sold or supplied to persons as an ancillary to their table meals.

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

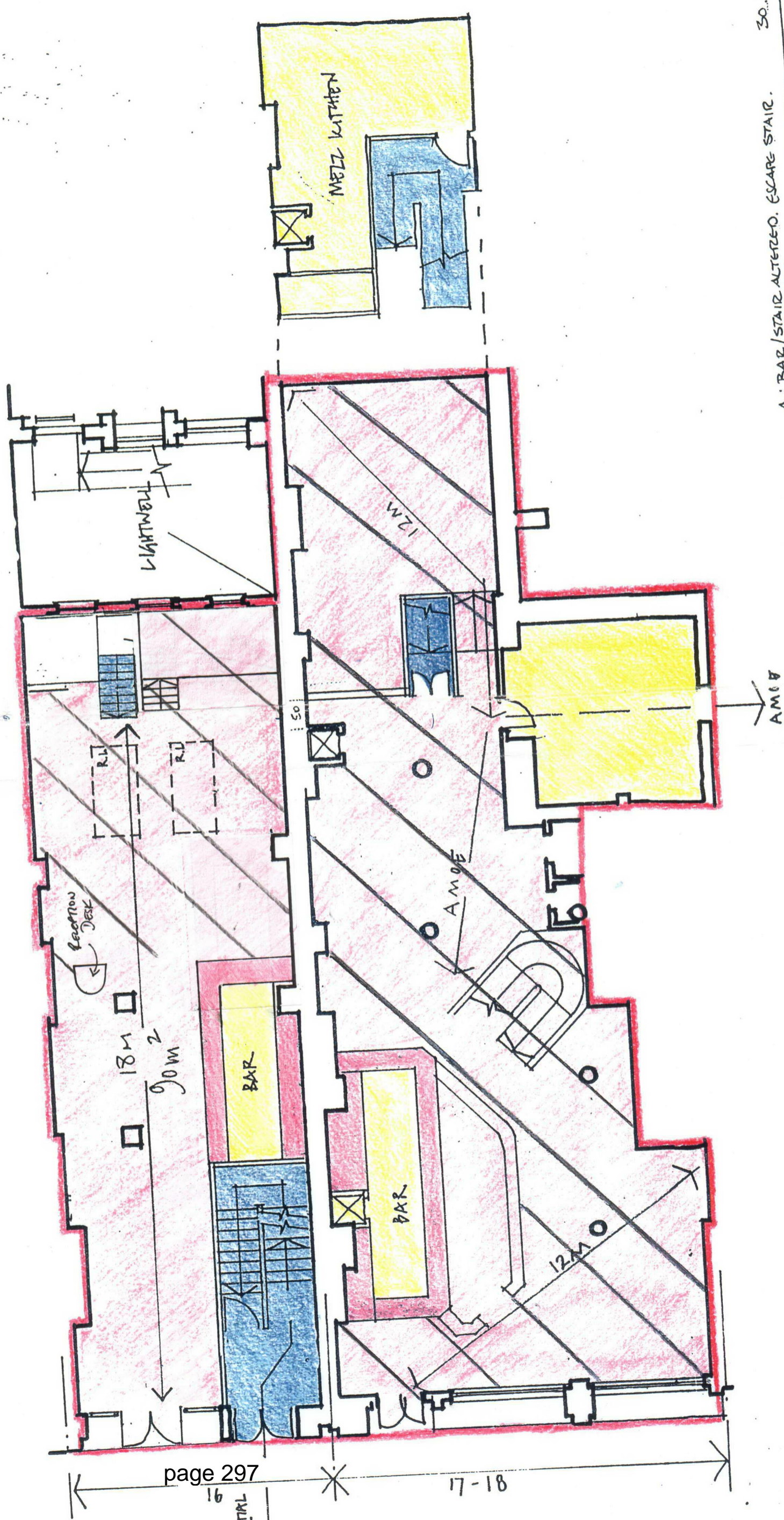
**Annex 2 – Conditions consistent with the operating Schedule**

None

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

None





30.04.97

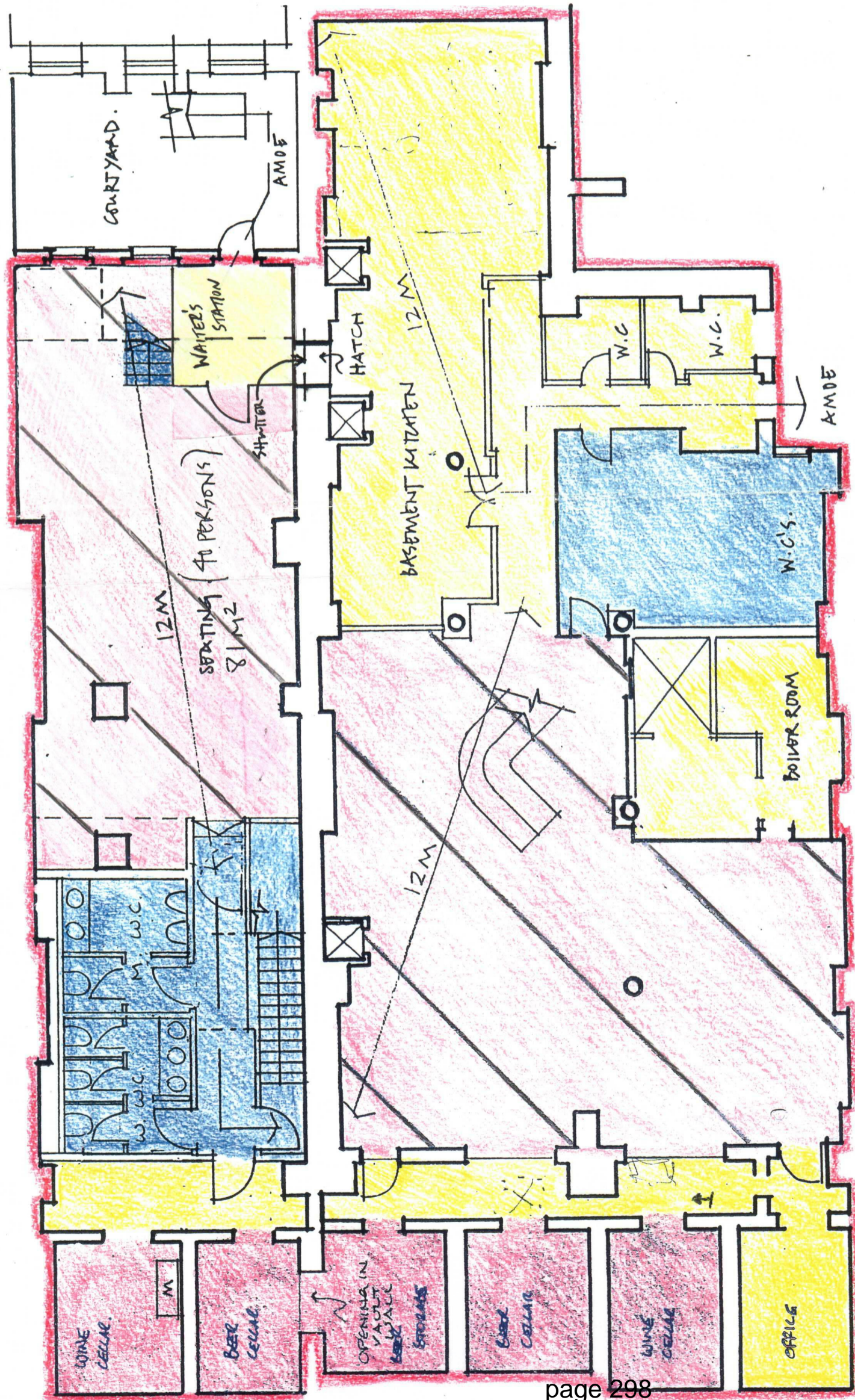
A: BAR/STAIR ALTERED. ESCAPE STAIR. FRONT DOORS.

PROJECT: 16-18 HENRIETTA ST. W.02

|  |                       |                                     |
|--|-----------------------|-------------------------------------|
| DRAWING STATUS   | FOR INFORMATION       | <input checked="" type="checkbox"/> |
|  | FOR TENDER            | <input type="checkbox"/>            |
| DRAWING NO.  | 644/GA/03             | REVISION                            |
|  | A                     | A                                   |
| DRAWING TITLE  | PROPOSED GROUND FLOOR | DATE                                |
| SCALE  | 1:100                 | APRIL 04                            |
| DRAWN BY   | AH                    | FOR CONSTRUCTION                    |
| <small>INFORMATION CONTAINED IN THIS DRAWING IS THE SOLE PROPERTY OF ORMS ARCHITECTURE DESIGN AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS WITHOUT THE WRITTEN PERMISSION OF ORMS ARCHITECTURE DESIGN.</small> |                       |                                     |
| ORMS ARCHITECTURE DESIGN<br>1 PINE STREET LONDON EC4A 0AF<br>TEL 0171 833 8533 FAX 0171 837 1515   |                       |                                     |

Proposed Ground floor





30.04.97

A : TOILETS/ STAIR ALTERED

PROJECT 16-18 HENRIETTA ST. W.C.

|   |   |   |
|---|---|---|
| DRAWING TITLE<br><b>PROPOSED BASEMENT</b> | SCALE 1:100   | FOR INFORMATION <input type="checkbox"/>  |
|   | DATE <b>APRIL 04</b>  | FOR TENDER <input type="checkbox"/>       |
| DRAWING NO<br><b>644/GA/04</b>            | OWN BY<br><b>AH</b>   | FOR CONSTRUCTION <input type="checkbox"/> |
| REVISION<br><b>A</b>                      | <small>INFORMATION CONTAINED IN THIS DRAWING IS THE SOLE COPYRIGHT OF ORMS ARCHITECTURE DESIGN AND IS TO BE REPRODUCED WITHOUT THE PERMISSION OF ORMS ARCHITECTURE DESIGN</small> |   |

**ORMS**  
 ARCHITECTURE  
 DESIGN  
 1 PINE STREET LONDON EC1R 0PH  
 TEL 0171 833 8433 FAX 0171 837 7575

Proposed Basement



---

**TO** Licensing Officer

**REFERENCE** 15/03912/LIPN

---

**FROM** EH Consultation Team  
**REFERENCE** 15/018494/EHCT  
**BEING DEALT WITH BY** Rebecca St. Rose (rstrose@westminster.gov.uk)  
**TELEPHONE** 020 7641 2291  
**DATE** 16<sup>th</sup> June 2015

---

**The Licensing Act 2003**

**Restaurant & Bar, Ground Floor, 16 Henrietta Street**

I refer to the application for a New Premises Licence for the above named premises. The applicant has submitted plans; Drawing Number (06)011, Rev D – Ground Floor dated May 2015 and Drawing Number (06)010, Rev D - Basement, dated April 2015.

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

**The premises are located within the West End Stress Area.**

The applicant is seeking the following:

1. To permit the playing of recorded Music (indoors) on Monday on Saturday from 23:00 to 00:30, Sunday from 23:00 to 00:00 and from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.
2. To permit the provision of Late Night Refreshment (Indoors) on Monday to Saturday from 23:00 to 00:30, Sunday from 23:00 to 00:00 and from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.
3. To permit the Supply of Alcohol (Off & On) on Monday to Saturday from 10:00 to 00:00, Sunday from 12:00 to 23:30 and from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

I wish to make Representations on the following grounds:

1. The Licensable Activity and hours requested for recorded Music (Indoors) will have the likely effect of causing an increase in Public Nuisance within the West End Stress Area.
2. The Licensable Activity and hours requested for Late Night Refreshment (Indoors) will have the likely effect of causing an increase within the West End Stress Area.

3. The Licensable and hours requested for the Supply of Alcohol (On & Off) will have the likely effect of causing an increase in 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 provided additional information along with proposed conditions with the application which is being considered but do not fully address the concerns of Environmental Health

Rebecca St. Rose  
Environmental Health Officer

**From:** [Liz Keegan](#)  
**To:** [Premises Licensing](#)  
**Subject:** Application for new premises licence ref: 15/03912/LIPN  
**Date:** 16 June 2015 09:19:41

---

Licensing Applications  
Westminster City Council  
4th Floor (South)  
City Hall  
64 Victoria Street  
London SW1E 6QP

By email: [premiseslicensing@westminster.gov.uk](mailto:premiseslicensing@westminster.gov.uk)

16 June 2015

Dear Sir/Madam,

**16-18 Henrietta Street, London WC2E 8QH**  
**Application for new premises licence ref: 15/03912/LIPN**

We live at 14/17-19 Bedford Street Covent Garden WC2E 9HE almost directly opposite this premises.

We write to object to this application on the grounds that the likely effect will be to harm the licensing objective of 'prevention of public nuisance'. I also object on the grounds of cumulative impact in what is a designated 'stress area' under Westminster City Council's Statement of Licensing Policy 2011.

#### Background

We live opposite the premises and our two bedrooms, living room and kitchen windows look directly on it.

We are aware that this application is one of two (the other being 15/03907/LIPV) which have the combined effect of seeking to create two licences from one licence. We believe that the premises has previously been licensed under ref: 09/02377/LIPDPS. We are advised that the licence is a 'converted' licence from the previous legislation, and therefore contains no modern conditions which are commonly proposed/agreed to promote the licensing objectives.

This application seeks a new licence which seems to be broadly in similar terms to the existing licence. However, due to the points made below about the public nuisance already experienced by us and other residents, We do not think that the application should be granted on the terms applied for; the hours granted should

comply with the Council's 'core hours' policy, and the licence granted should be restricted to restaurant use only. Although the applicant has proposed some additional conditions, they do not cover all our concerns by any means.

#### Prevention of public nuisance, and Cumulative impact

-

The application raises a number of issues. We fear that the whole area is losing its heart and community and theatre land in favour of late night drinking culture and all that comes with it. Both the applications for this site propose a later terminal hour, beyond the Council's 'core hours' Policy, and neither are restricted to full 'restaurant' conditions. The streets surrounding are already inundated with eateries theatre pubs bars and restaurants do making the establishments bigger and longer hours will set a precedence for all the other bars and clubs. Resident life is being squeezed out as closing hours lengthen, bottle collection and refuse collection mounts up, revellers roam the streets and early deliveries make living in the area harder and harder. All these issues are explicitly recognised in the City Council's Statement of Licensing Policy, and get worse with late licences being granted. Creating two licences from the existing licence could increase these current issues. We do not know who the proposed operators are, or how they intend to operate the premises.

These are very real problems, and have a day-to-day effect on residents' lives. However, in this case, we appreciate that a licence already exists, which reduces the prospect of these two applications being refused entirely. We appreciate that the current licence requires 'restaurant' conditions in only part of the premises. However, given the problems that residents in this area experience with increasing noise and nuisance as more and more applications are granted, we think it is appropriate that the full restaurant condition (Model Condition 66) applies to this licence throughout the premises. Ideally, we would also like the licence to be restricted to core hours. The licence applied for is to a terminal hour of 12.30am. This is a time when residents really should be able to expect to sleep, not to be woken up by customers leaving this premises.

Other conditions could be agreed (or, if not, imposed by Licensing Sub-Committee), such as limits on the times when deliveries take place, and when rubbish, including glass bottles, is collected. We think that servicing of this type should only be carried out between 8am and 9pm Mon-Fri, 9am to 8pm Saturday and Sunday.

We would like outside drinking to be forbidden, so at least noise is restricted inside

the premises apart from when people leave, which is a concern. Does the applicant have an operator in mind for this premises? Do they have robust policies, procedures and training to ensure that customers are directed away from residential areas? Given the proximity to residential accommodation, a limit on the number of smokers permitted outside at any one time should be imposed, to alleviate noise nuisance.

We should be grateful if the applicant confirm a couple of points for clarification:

- Is the overall licensable area increasing as a result of these two applications?
- Is the overall capacity increasing as a result of these two applications?

If the answer to either or both of these questions is 'yes', then this directly on the cumulative impact policies which the City Council has in place.

### Conclusion

We look forward to being kept informed of any developments and would like to attend or be represented at any subsequent hearing in this matter.

Yours faithfully,

Philip and Caroline McIntyre  
14/17-19 Bedford Street  
Covent Garden  
WC2E 9HE

**From:** [Liz Keegan](#)  
**To:** [Nelson, Nicholas](#)  
**Subject:** Notice of hearing for 16-18 Henrietta Street variation (15/03912/LIPN)  
**Date:** 02 July 2015 09:23:11

---

Dear Mr Nelson

I believe that the application has now reverted back to 2 separate applications with strong conditions that exist already: No drinking without food etc.

If this is correct then maybe there is no reason for a hearing?

I am hoping that the new application on Henrietta street will not allow drinking in the street it will add to the noise pollution and encouraging an already out of control drinking culture surely?

It seems that the government are informing of dangers of binge drinking and anti social behaviour on the one hand and encouraging and expanding the drinking culture on the other.

We cannot attend that day but can we be informed if someone can represent the residents of the area and stand up for a diminishing quality of life in the area forcing people to chose alternative areas to live in.

Eventually the vital life force of the area will be beaten by the ever increasing late night activity. Policing is nonexistent and sleep deprivation is a problem with the loss of office and retail in favour of restaurants and drinking. As it is the building garbage pile ups on every street alley, doorway, roadside and street corner and it will just be come intolerable.

It is a real drain on resources and waste.

With regards

Mrs CJ McIntyre  
14,19 Bedford Street  
London  
WC2E 9HE

Begin forwarded message:

**From:** "Nelson, Nicholas"  
<[nnelson@westminster.gov.uk](mailto:nnelson@westminster.gov.uk)>  
**Date:** 1 July 2015 15:48:58 BST  
**To:** Liz Keegan <[Liz@mcintyre-ents.com](mailto:Liz@mcintyre-ents.com)>  
**Subject: Notice of hearing for 16-18 Henrietta Street variation (15/03912/LIPN)**

Dear Mr McIntyre,

Please find attached the notice of hearing letter for the above application.

Kind regards,

Nick

**Nick Nelson**  
Senior Licensing Officer  
**Licensing Team**  
Public Protection and Licensing Department  
Westminster City Council  
4th Floor East  
64 Victoria Street  
London SW1E 6QP  
Tel: 020 7641 3431  
E-mail: [nnelson@westminster.gov.uk](mailto:nnelson@westminster.gov.uk)  
Web: [www.westminster.gov.uk/licensing](http://www.westminster.gov.uk/licensing)

<image001.png>

<image003.jpg>

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\*\*\*\*\*

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WARNING  
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page 307



ANDERSTON  
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01/06/2015 15:43



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01/06/2015 15:43





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01/06/2015 15:43

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City of Westminster

# Licensing Sub-Committee Report

Item No:

Licensing Ref No:

**15/03907/LIPV**

Date:

**16 July 2015**

Classification:

**For General Release**

Title of Report:

**17 – 18 Henrietta Street  
London  
WC2E 8QH**

Report of:

**Director of Public Protection and Licensing**

Policy context:

**City of Westminster Statement of Licensing Policy**

Financial summary:

**None**

Report Author:

**Mr Nick Nelson  
Senior Licensing Officer**

Contact Details:

**Telephone: 020 7641 3431  
E-mail: nnelson@westminster.gov.uk**

## APPLICATION DETAILS

|                                   |   |                                   |             |
|-----------------------------------|---|-----------------------------------|-------------|
| <b>Application Type:</b>          | Variation of a premises licence application under the Licensing Act 2003. This application is made in conjunction with a new premises licence application for 16 Henrietta Street (15/03912/LIPN).  |                                   |             |
| <b>Applicant:</b>                 | Capital & Counties CG Ltd and Capital & Counties CG Nominee Ltd   | <b>Date Application Received:</b> | 20 May 2015 |
| <b>Premises Name and Address:</b> | 17 – 18 Henrietta Street<br>London<br>WC2E 8QH  |                                   |             |
| <b>Ward Name:</b>                 | St James's  | <b>Stress Area:</b>               | West End    |
| <b>Description of Premises:</b>   | The premises currently operates as two restaurants under one premises licence (15/02369/LIPT), Covent Garden Grill, ground floor and basement of 16 Henrietta Street and Porter's English Restaurant, ground floor and basement of 17 – 18 Henrietta Street.  |                                   |             |
| <b>Variation Description:</b>     | <p>The current premises licence (15/02369/LIPT) authorised licensable activities across numbers 16 and 17 – 18 Henrietta Street. The premises historically operated as two restaurants, Covent Garden Grill at number 16 and Porter's English Restaurant at number 17 – 18 under the same premises licence. This application, in conjunction with the new premises licence application for 16 Henrietta Street (15/03912/LIPN), proposes to regularise that position by splitting the licence into two separate licences, effectively removing 16 Henrietta Street from the ambit of this licence, and associated condition 11, and to vary the remaining layout of the ground floor and basement.</p> <p>Please note, although the application form refers to removing condition 6 from the premises licence, the application was made without the benefit of the transferred licence 15/02369/LIPT and the updated mandatory conditions. Therefore, what was condition 6 became renumbered as condition 11. Condition 11 reads as follows:</p> <p style="padding-left: 40px;">The maximum number of persons, including staff, to be present in the licensed premises shall not exceed the number specified from time to time by the proper officer of the London Fire and Civil Defence Authority. The number specified are:</p> <p style="padding-left: 40px;">(a) as to the ground floor in Porters Bar (no. 16) 100 persons<br/>(b) as to the basement in Porters Bar (no. 16) 40 persons</p> <p>This application has been made following pre-application advice from the City Council's District Surveyor and Environmental Health Officer.</p> |                                   |             |

**This application proposes no changes to the existing licensable activities or hours.**

## 1. Relevant representations

- 1.1 On 16 June 2015, the Environmental Health Service made a representation against the removal of condition 11 from the premises licence under the prevention of public nuisance and public safety licensing objectives. It states that conditions offered by the applicant in the operating schedule do not fully satisfy the concerns of Environmental Health. No representation is made against the removal of number 16 Henrietta Street from the licensed area, nor to the change of layout to accommodate this.
- 1.2 On 16 June 2015, a representation against this application was made by Philip and Caroline McIntyre, local residents living in close proximity to the premises, on the grounds of public nuisance and cumulative impact within the designated stress area. Mr & Mrs McIntyre request measures to be imposed on the licence regarding the following:
- The full restaurant condition (model condition 66) to apply;
  - That the licence be restricted to core hours;
  - Limiting the times for deliveries and collections of rubbish and bottles between 08:00 and 21:00 Monday to Friday and 09:00 to 20:00 on Saturday and Sunday;
  - Outside drinking to be forbidden;
  - Limits to the number of smokers permitted outside at any one time.
- 1.3 On 29 June 2015, the applicant wrote to Mr & Mrs McIntyre to further explain the application and to offer a schedule of Model Conditions which would apply to both licences, if granted (see **Appendix B**).
- 1.4 Following receipt of the letter referred to in 1.3 above, Mrs McIntyre emailed the Licensing Service on 2 July 2015, in which she restated the concern regarding drinking in the street, late night hours and refuse on the street.

## 2. Policies Applicable

- 2.1 The following policy within the City of Westminster Statement of Licensing Policy applies:

### **Policy RNT2:**

Applications will be granted subject to other policies in this Statement and subject to the relevant criteria in Policies CD1, PS1, PN1 and CH1, provided it can be demonstrated that they will not add to cumulative impact in the Stress Areas.

### **Policy STR1**

- (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.

## 3. Summary

- 3.1 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.

3.2 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.

#### **4. Current Licensing Position**

These premises currently hold a Premises Licence (15/02369/LIPT). A full licence history can be found in **Appendix A**.

#### **5. Residential Density**

67 units within a 75m radius of the premises are residential or proposed residential or under construction, refer to **Appendix C**.

#### **6. List of Appendices**

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

#### **7. 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 (March 2015)
- Application form
- Plans
- Applicant's letter to Mr & Mrs McIntyre
- Existing Premises Licence
- Representations received
- Photos



## Licence &amp; Appeal History

| <b>Application</b>                                    | <b>Details of Application</b>   | <b>Date Determined</b> | <b>Decision</b>                   |
|---|---|------------------------|-----------------------------------|
| Conversion Application<br><b>05/04651/LIPC</b>        | Application to convert the Justices on Licence  | 02.08.2005             | Granted Under Delegated Authority |
| Application to vary the DPS<br><b>09/02377/LIPDPS</b> | Application to vary the DPS   | 11.05.2009             | Granted Under Delegated Authority |
| Application to transfer<br><b>15/02369/LIPT</b>       | Application to transfer the premises licence to Capital & Counties CG Ltd And Capital & Counties CG Nominee Ltd | 02.07.2005             | Granted Under Delegated Authority |
| Variation application<br><b>15/03907/LIPV</b>         | Current application   | Pending                |                                   |

**There is no appeal history**

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

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

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

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

**Conditions: On Current Licence -**

**Mandatory:**

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

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

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

- 8(i) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
- 8(ii) For the purposes of the condition set out in paragraph 8(i) above -
- (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

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

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

Where -

- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

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

- (i) the holder of the premises licence,
- (ii) the designated premises supervisor (if any) in respect of such a licence, or
- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

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

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

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

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

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

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

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

9. In the area hatched black on the deposited plan intoxicating liquor shall not be sold or supplied on the premises otherwise than to persons taking table meals there and for consumption by such a person as an ancillary to his meal.

10. 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.

11. The maximum number of persons, including staff, to be present in the licensed premises shall not exceed the number specified from time to time by the proper officer of the London Fire and Civil Defence Authority. The number specified are:

- (a) as to the ground floor in Porters Bar (no. 16) 100 persons.
- (b) as to the basement in Porters Bar (no. 16) 40 persons.

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

12. (i). Alcohol may be sold or supplied:
- (a) On weekdays, other than Christmas Day, Good Friday or New Year's Eve, 10:00 to 23:00
  - (b) On Sundays, other than Christmas Day or New Year's Eve, 12:00 to 22:30
  - (c) On Good Friday, 12:00 to 22:30
  - (d) On Christmas Day, 12:00 to 15:00 and 19:00 to 22.30
  - (e) On New Year's Eve, except on a Sunday, 10:00 to
  - (f) On New Year's Eve on a Sunday, 12:00 to 22:30
  - (g) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).
- (ii). Alcohol may be sold or supplied for one hour following the hours set out above (other than Christmas Day and New Year's Eve), and on Christmas Day, between 15.00 and 19.00, to persons taking table meals in the premises in a part of the premises usually set apart for the service of such persons and for consumption by such a person in that part of the premises as an ancillary to his meal. For other purposes or in other parts of the premises the hours set out above shall continue to apply.

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) during the first thirty minutes after the above hours the consumption of the alcohol on the premises by persons taking table meals there if the alcohol was supplied for consumption as ancillary to the meals;
- (d) the sale or supply of alcohol to or the consumption of alcohol by any person residing in the licensed premises;
- (e) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- (f) the sale of alcohol to a trader or registered club for the purposes of the trade or club;
- (g) 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;
- (h) the taking of alcohol from the premises by a person residing there;
- (i) 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;
- (j) 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.

13. No person under fourteen shall be in the bar of the licensed premises during the permitted hours unless one of the following applies:
- (a) He is the child of the holder of the premises licence.
  - (b) He resides in the premises, but is not employed there.
  - (c) He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress.
  - (d) The bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary.

In this condition "bar" includes any place exclusively or mainly used for the consumption of intoxicating liquor. But an area is not a bar when it is usual for it to be, and it is, set apart for the service of table meals and alcohol is only sold or supplied to persons as an ancillary to their table meals.

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

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

None

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

None

#### **Conditions proposed by the applicant**

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

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

16. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.

17. Substantial food and non-intoxicating beverages, including drinking water shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
18. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
19. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
20. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 23:00 and 08:00 hours on the following day.
21. 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 sweeping collected and stored in accordance with the approved refuse storage arrangements by close of business.
22. There shall be no striptease or nudity, and all persons shall be decently attired at all times, except when the premises are operating under the authority of a sexual entertainment Venue Licence.
23. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke shall not be permitted to take drinks or glass containers with them.
24. 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.
25. 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.
26. 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.
27. The number of persons accommodated at any one time (excluding staff) shall not exceed 220 (or such other limit agreed with the Environmental Health Consultation Team).
28. The application will have no effect until the Licensing authority are satisfied that the premises is constructed or altered in accordance with the appropriate provisions of the district surveyor's association – technical standards for spaces of entertainment and the reasonable requirements of Westminster environmental health consultation team, at which time this condition will be removed from the licence.
29. No deliveries to the premises shall take place between **(23.00)** and **(08.00)** on the following day.



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|                                    |           |
|------------------------------------|-----------|
| Residential / Proposed Residential | 67        |
| Under Construction                 | Not known |
| Other Uses                         | Not known |
| Proportion Residential of all Uses | Not known |

10 Meters

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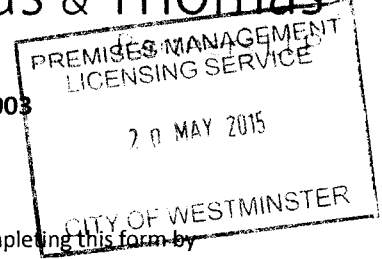
Data Source: Uniform Database  
Date: 02/07/2015



**Premises within 75 metres of: 17 - 18 Henrietta Street**

| <b>p / n</b>    | <b>Name of Premises</b>      | <b>Premises Address</b>                                     | <b>Opening Hours</b>  |
|-----------------|------------------------------|---|---|
| 06/08749/WCCMAP | La Perla                     | 28 Maiden Lane London WC2E 7JS                              | Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00   |
| 06/08725/WCCMAP | Covent Garden News           | 31 Henrietta Street London WC2E 8NA                         | Monday to Saturday 08:00 - 23:00 Sunday 10:00 - 22:30   |
| 06/08066/WCCMAP | Pasta Brown                  | 31 Bedford Street London WC2E 9EH                           | Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00   |
| 13/05198/LIPDPS | Cafe Proper                  | 16 Maiden Lane London WC2E 7NA                              | Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00   |
| 14/06660/LIPDPS | Nando's                      | 67-68 Chandos Place London WC2N 4HG                         | Monday to Saturday 07:30 - 00:30 Sunday 10:00 - 00:30   |
| 14/02182/LIPDPS | Adventure Bar                | Ground Floor And Basement 20 Bedford Street London WC2E 9HP | Friday to Saturday 10:00 - 00:00 Monday to Thursday 10:00 - 23:30<br>Sundays before Bank Holidays 12:00 - 00:00 Sunday 12:00 - 22:30    |
| 14/06782/LIPVM  | The Porterhouse Public House | 21-22 Maiden Lane London WC2E 7NA                           | Monday to Saturday 09:00 - 00:30 Sunday 12:00 - 23:00   |
| 13/01880/LIPN   | Condesa Tapas Bar            | 15 Maiden Lane London WC2E 7NA                              | Friday to Saturday 10:00 - 00:00 Monday to Thursday 10:00 - 23:30<br>Sundays before Bank Holidays 12:00 - 00:00 Sunday 12:00 - 22:30    |
| 13/02447/LIPVM  | La Perla                     | 28 Maiden Lane London WC2E 7JS                              | Monday to Thursday 10:00 - 00:00 Friday to Saturday 10:00 - 00:30<br>Sunday 10:00 - 23:00 Sundays before Bank Holidays 12:00 - 00:00    |
| 09/02377/LIPDPS | Porter's English Restaurant  | Ground Floor 16 Henrietta Street London WC2E 8QH            | Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00   |
| 14/01218/LIPDPS | Paul Patisserie              | Ground Floor Inigo House 29 Bedford Street London WC2E 9ED  | Monday to Saturday 07:30 - 23:30 Sunday 09:00 - 23:00   |
| 14/11037/LIPDPS | Wahaca                       | 66 Chandos Place London WC2N 4HG                            | Sunday 10:00 - 00:00 Monday to Saturday 10:00 - 00:30   |
| 11/08783/LIPVM  | Rules Restaurant             | 34-35 Maiden Lane London WC2E 7LB                           | Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00   |
| 14/06917/LIPVM  | All Bar One                  | 35 - 36 Bedford Street London WC2E 9EN                      | Friday to Saturday 08:00 - 00:00 Sundays before Bank Holidays<br>08:00 - 00:00 Sunday 08:00 - 22:50 Monday to Thursday 08:00 -<br>23:30 |
| 14/02390/LIPDPS | Adelphi Theatre              | 411 Strand London WC2R 0NS                                  | Saturday to Sunday 09:00 - 00:00 Monday to Friday 09:00 - 04:00   |
| 13/05083/LIPDPS | Fire And Stone               | 31-32 Maiden Lane London WC2E 7JS                           | Monday to Sunday 00:00 - 00:00  |
| 11/10224/LIPDPS | Strand Tandoori              | Ground 45 Bedford Street London WC2E 9HA                    | Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00   |
| 14/09093/LIPDPS | Bella Italia                 | 30 Henrietta Street London WC2E 8NA                         | Monday to Saturday 10:00 - 01:00 Sunday 12:00 - 00:00   |
| 15/01057/LIPVM  | Mabel's                      | 29-30 Maiden Lane London WC2E 7JS                           | Sunday to Tuesday 09:00 - 01:00 Wednesday to Saturday 09:00 -<br>01:30  |
| 12/07790/LIPDPS | La Tasca                     | 23-24 Maiden Lane London WC2E 7NA                           | Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00   |
| 14/03454/LIPV   | Sticks 'n' Sushi             | 11 Henrietta Street London WC2E 8PY                         | Monday to Thursday 10:00 - 00:00 Friday to Saturday 10:00 - 00:30<br>Sunday 12:00 - 22:50   |
| 06/13626/WCCMAC | Concert Artistes Association | 20 Bedford Street London WC2E 9HP                           | Monday to Saturday 11:00 - 01:00 Sunday 12:00 - 22:30   |

# 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 Capital & Counties CG Ltd and Capital & Counties CG Nominee 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><br>15/02369/LIPT |
|---|

### Part 1 – Premises Details

|  |        |          |          |
|--|--------|----------|----------|
| Postal address of premises or, if none, ordnance survey map reference or description<br>17-18 Henrietta Street |        |          |          |
| Post town  | London | Postcode | WC2E 8QH |

|   |          |
|---|----------|
| Telephone number at premises (if any)   |          |
| Non-domestic rateable value of premises | £325,000 |

### 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)**

Restaurant and bar.

Premises licence no. 15/02369/LIPT authorises licensable activities across no.16 and no.17-18 Henrietta Street. The premises historically operated as 2 restaurants (Covent Garden Grill at no. 16 and Porter's English Restaurant at no.17-18) under the same premises licence.

The application proposes to regularise that position by splitting the licence into 2 separate licences, effectively on the same terms as existing. Following pre application advice 15/00954/ECPALM this will be achieved by:

(a) No. 17-18 - varying the existing licence 15/02369/LIPT to remove no.16 from the licensed area and change the layout.

(b) No. 16 - a new premises licence application with appropriate model conditions.

A summary of the current variation in respect of No. 17-18 is as follows:

1. Removing 16 Henrietta Street from the ambit of the licence, and associated condition 6.
2. Vary the remaining premises layout, including:

Ground Floor:

- Reposition front bar counter and associated bar area
- Inclusion of front Butcher room
- Inclusion of DDA compliant toilet
- Inclusion of front & back staircases
- Reconfiguration of restaurant dining area with associated fixed seating

Basement:

- Inclusion of central restaurant bar area with counter seating
- Reconfiguration of restaurant dining area with associated fixed seating
- Improvement and reposition of WC facilities

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<br>Standard days and timings<br>(please read guidance note 7) |       |        | Will the performance of a play 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 performing plays (please read guidance note 5)  |          |                          |
| Wed   |       |        |   |          |                          |
| Thur  |       |        | 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) |          |                          |
| Fri   |       |        |   |          |                          |
| Sat   |       |        |   |          |                          |
| Sun   |       |        |   |          |                          |

B

|   |       |        |  |          |                          |
|---|-------|--------|--|----------|--------------------------|
| Films<br>Standard days and timings<br>(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<br>Standard days and timings<br>(please read guidance note 7) |       |        | Please give further details (please read guidance note 4)   |
| Day  | Start | Finish |   |
| Mon  |       |        | State any seasonal variations for indoor sporting events (please read guidance note 5)  |
| Tue  |       |        |   |
| 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

|  |       |        |   |          |                          |
|--|-------|--------|---|----------|--------------------------|
| Boxing or wrestling entertainments<br>Standard days and timings<br>(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"/> |
| Day  | Start | Finish | <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<br>Standard days and timings<br>(please read guidance note 7) |       |        | <u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 3) | Indoors  | <input type="checkbox"/> |   |  |  |
|  |       |        |  | Outdoors | <input type="checkbox"/> |   |  |  |
|  |       |        |  | Both     | <input type="checkbox"/> |   |  |  |
| Day  | Start | Finish | <u>Please give further details here</u> (please read guidance note 4)  |          |                          |   |  |  |
| Mon  |       |        |  |          |                          |   |  |  |
| Tue  |       |        |  |          |                          |   |  |  |
| Wed  |       |        |  |          |                          | <u>State any seasonal variations for the performance of live music</u> (please read guidance note 5)  |  |  |
| Thur   |       |        |  |          |                          |   |  |  |
| Fri  |       |        |  |          |                          |   |  |  |
| Sat  |       |        |  |          |                          | <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> (please read guidance note 6) |  |  |
| Sun  |       |        |  |          |                          |   |  |  |

F

|  |       |        |  |          |                          |
|--|-------|--------|--|----------|--------------------------|
| Recorded music<br>Standard days and timings<br>(please read guidance note 7) |       |        | Will the playing of recorded 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 playing of recorded music (please read guidance note 5)  |          |                          |
| Wed  |       |        |  |          |                          |
| Thur   |       |        | 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) |          |                          |
| Fri  |       |        |  |          |                          |
| Sat  |       |        |  |          |                          |
| Sun  |       |        |  |          |                          |

G

|  |              |               |   |          |                          |
|--|--------------|---------------|---|----------|--------------------------|
| <b>Performances of dance</b><br>Standard days and timings<br>(please read guidance note 7) |              |               | <b><u>Will the performance of dance take place indoors or outdoors or both – please tick</u></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><u>Please give further details here</u></b> (please read guidance note 4)  |          |                          |
| Mon  |              |               |   |          |                          |
| Tue  |              |               | <b><u>State any seasonal variations for the performance of dance</u></b> (please read guidance note 5)  |          |                          |
| Wed  |              |               |   |          |                          |
| Thur   |              |               | <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 6) |          |                          |
| Fri  |              |               |   |          |                          |
| Sat  |              |               |   |          |                          |
| Sun  |              |               |   |          |                          |

H

|   |       |        |   |          |                          |
|---|-------|--------|---|----------|--------------------------|
| <b>Anything of a similar description to that falling within (e), (f) or (g)</b><br>Standard days and timings<br>(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><br>Standard days and timings<br>(please read guidance note 7) |       |        | <b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b><br>(please read guidance note 3)  |  | Indoors  | <input type="checkbox"/> |
|   |       |        |  |  | Outdoors | <input type="checkbox"/> |
|   |       |        |  |  | Both     | <input type="checkbox"/> |
| Day   | Start | Finish | <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><br>(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><br>Standard days and timings<br>(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

**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 9).

L

|  |       |        |  |
|--|-------|--------|--|
| <b>Hours premises are open to the public</b><br>Standard days and timings<br>(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.

Condition 6;

6. The maximum number of persons, including staff, to be present in the licensed premises shall not exceed the number specified from time to time by the proper officer of the London Fire and Civil Defence Authority. The number specified are:

(a) as to the ground floor in Porters Bar (no. 16) 100 persons.

(b) as to the basement in Porters Bar (no. 16) 40 persons.

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)**

This application follows pre-application advice from the City Councils' District Surveyor and Environmental Health Officer; ref: 15/00954/ECPALM.

There are no proposed changes to the licensable activities or the permitted hours.

The existing conditions promote the licensing objectives. The following additional works conditions are proposed:

- The number of persons accommodated at any one time (excluding staff) shall not exceed [220](or such other limit agreed with the Environmental Health Consultation Team).

- The variation application will have no effect until the Licensing authority are satisfied that the premises is constructed or altered in accordance with the appropriate provisions of the district surveyor's association – technical standards for spaces of entertainment and the reasonable requirements of Westminster environmental health consultation team, at which time this condition will be removed from the licence.

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

Please see a) above

### **c) Public safety**

Please see a) above

### **d) The prevention of public nuisance**

Please see a) above

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

|                     |
|---------------------|
| Please see a) 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      | 20/05/2015  |
| 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)**

Our ref: AT/JS/COV.5.7

Ryan Peermamode

Thomas & Thomas Partners LLP

38a Monmouth Street

**Post town**

London

**Post code**

WC2H 9EP

**Telephone number (if any)**

020 7042 0417

**If you would prefer us to correspond with you by e-mail, your e-mail address (optional)**

rpeermamode@tandtp.com

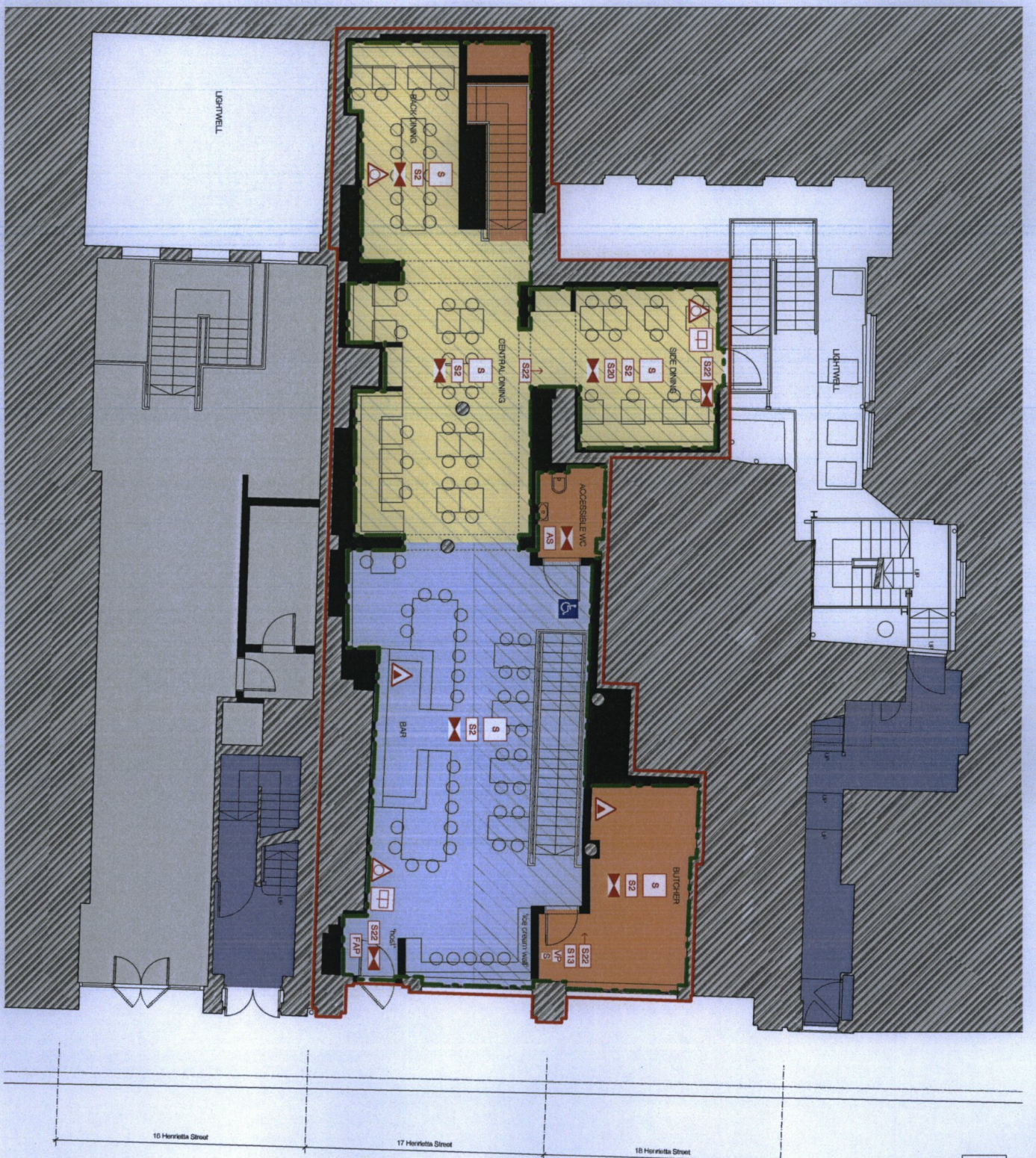
### Notes for Guidance

**This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.**

1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable to the late night levy.
2. 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.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
4. For example state 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.
5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
7. 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.
8. 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'.
9. 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.
10. Please list here steps you will take to promote all four licensing objectives together.
11. The application form must be signed.
12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
13. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
14. This is the address which we shall use to correspond with you about this application.



NOTE:  
Seating layout indicative only



- DO NOT SCALE FROM THIS DRAWING**
- Public and private use
  - Existing walls
  - Proposed walls
  - Structural columns
  - Structural beams
  - Neighbouring property
  - Demolition
- FIRE STRATEGY NOTES**
- This drawing is to be used in conjunction with:
1. Latest services engineering drawings.
  2. Structural engineers drawings.
  3. Fire engineers report.
- All fire alarm, detection systems and escape lighting to be shown on Services Engineers drawings and specification.
- Evacuation and location of Fire Escapables subject to review by Building Control and Fire and Rescue Services.
- All signage to be positioned in accordance with BS 5836: Part 4
- Areas to be used for fireable activities
  - Extent of restaurant
  - Extent of bar
  - Extent of back of house and WC facilities

- Fire alarm call point with action fire alarm sign adjacent
- Door fire free from all listings
- Video panel
- Door with arched stairs
- Water Fire Extinguisher
- Fire Extinguisher in container
- Carbon Dioxide Fire Extinguisher
- Emergency Lighting
- Range Area
- Area covered by Automatic Heat Detectors
- Area covered by Automatic Smoke Detectors
- Directional arrow
- Notes suspended above head height at right
- Notes suspended above head height at left
- Notes suspended above head height at right
- Notes suspended above head height at left
- Notes suspended above head height at right
- Notes suspended above head height at left
- Notes internally illuminated
- Fire exit, Emergency exit notice
- Fire escape keep clear
- No Smoking
- Fire Door Keep Shut
- Fire Rated Window
- Fire Door Keep Locked Shut
- Fire Alarm Panel
- Accessible WC Alarm System

**LICENSING APPLICATION**

1773 (06)0103

17-18 Henrietta Street

Proposed Ground Floor Plan

15-18 Henrietta Street

Capital & Counties

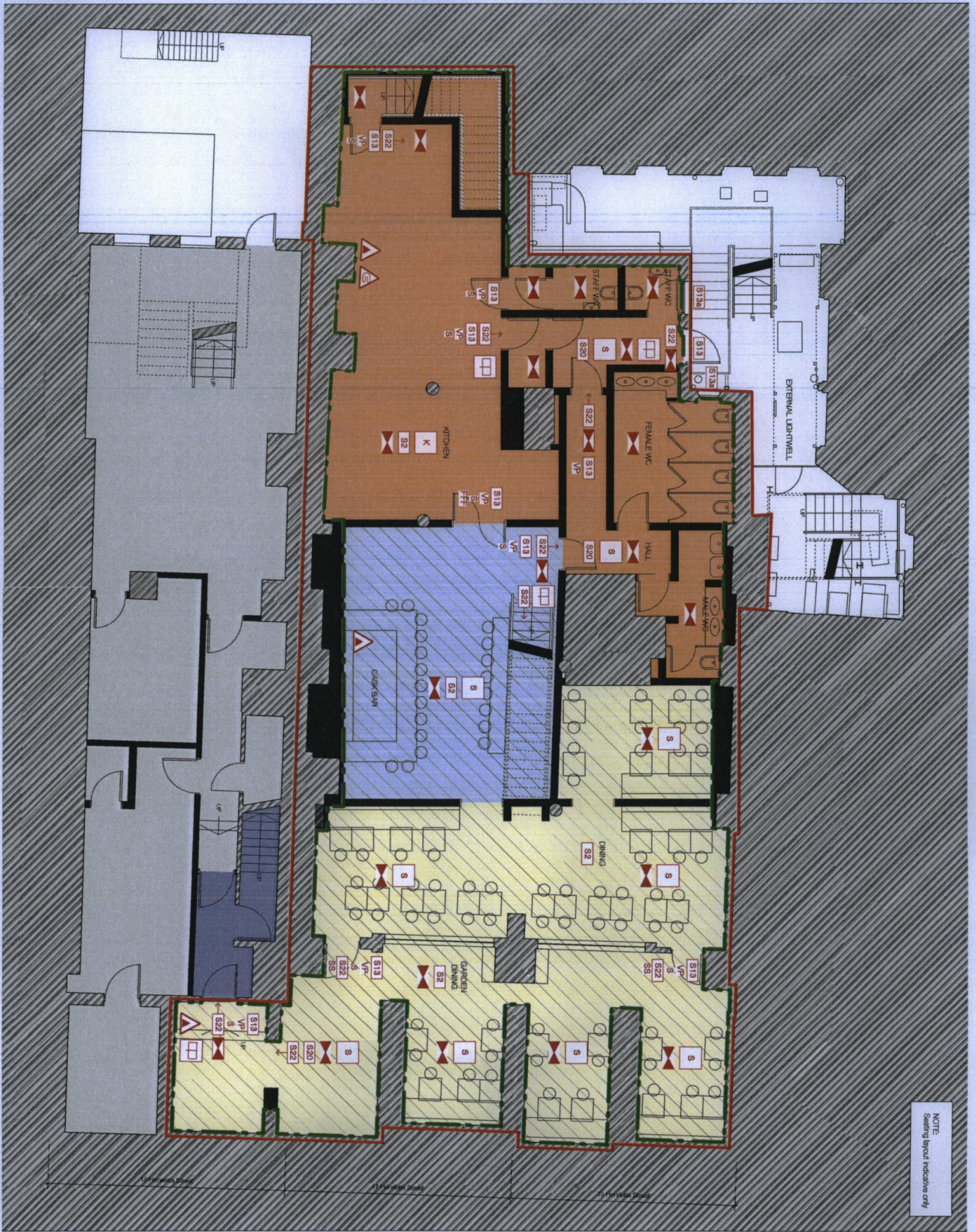
1773 (06)0103

17-18 Henrietta Street

15-18 Henrietta Street



NOTE:  
Setting layout indicative only



17-18 Heretape Street - Proposed Basement Floor Plan - Licensing Application  
Scale: 1:50

1: 50 @ A1 Scale bar / 1:100 @ A3 Scale bar

DO NOT SCALE FROM THIS DRAWING.

- PROTECT AND COVER SET:**
- Existing work
  - Proposed works
  - Structural concrete areas
  - Neighbouring property
  - Overhead line
- FIRE STRATEGY NOTES:**
- Use: Licensed premises
  - 200mm concrete

This drawing is to be used in conjunction with the following documents:  
1. Structural engineers drawings  
2. Structural engineers report  
3. Fire engineers report

All fire alarms, detection systems, and escape lighting to be drawn on Services Engineers drawings and specification.

Position and location of Fire Extinguishers subject to review by Building Control and the Fire Service.

All lighting to be positioned in accordance with SS 5408 Part 4

- Extent of back of house and WC facilities
- Fire alarm call point with action fire action sign adjacent
- Doors that form all stairwells
- Water fire extinguisher
- Fire Alarm Panel
- Carbon Dioxide Fire Extinguisher
- Emergency Lighting
- Relief Area
- Area covered by Automatic Fire Detectors
- Area covered by Automatic Smoke Detectors
- Directional Arrow
- Notice suspended above hand height at right hand end of the action panel with graphic symbol on the upper panel
- Notice suspended above hand height at right hand end of the action panel with graphic symbol on both sides of notice
- Notice Internally Illuminated
- Fire exit, Emergency exit notice
- Fire escape help clear
- No Smoking
- Fire Door Keep Shut
- Fire Door Keep Shut
- Fire Alarm Panel
- Accessible WC Alarm System

1773 (09)012

|         |                       |          |            |
|---------|-----------------------|----------|------------|
| Project | 17-18 Heretape Street | Scale    | 1:50 @ A1  |
| Client  | Capital & Counties    | Date     | 17/08/2011 |
| Author  | Paul Davis            | Drawn    | Paul Davis |
| Checked | Paul Davis            | Approved | Paul Davis |

**paul davis + partners**  
Architects Urban designers



# COVENT GARDEN

capco

Mr & Mrs P McIntyre  
14/17-19 Bedford Street  
Covent Garden  
WC2E 9HE

29 June 2015

Dear Mr & Mrs McIntyre

## **Application for Premises Licences 16-18 Henrietta Street London WC2E 8QH**


We have been passed a copy of your letter in respect of our Premises Licence applications. We hope to address your concerns below.

Capital and Counties own the buildings at 16-18 Henrietta Street and are currently implementing substantial improvement works. As you may know, the premises were previously operated as 'Covent Garden Grill' and 'Porters English Restaurant'. They operated under one Licence, which could still be used by either one or two restaurants.

The historical Licence still permits each restaurant to have a designated bar area and hours beyond Westminster's core hours. Our proposal is to regularise and improve the existing Licence by splitting it in two individual Licences on the same terms as the existing Licence. In addition, we have agreed to add a comprehensive schedule of the Council's Model Licence Conditions to both Licences, a copy of which is enclosed.

Thank you for your consideration of this letter. If you would like to discuss our applications further, please do not hesitate to contact us.

Yours sincerely,



Sam Cotton  
Asset Manager

Encl.



**Operating Schedule – Agreed Licence Conditions for:**  
**16 Henrietta Street**  
**And**  
**17-18 Henrietta Street**

1 - 8 Mandatory Conditions;

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

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

10. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
11. Substantial food and non-intoxicating beverages, including drinking water shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
12. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
13. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
14. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 23:00 and 08:00 hours on the following day.
15. 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 sweeping collected and stored in accordance with the approved refuse storage arrangements by close of business.
16. There shall be no striptease or nudity, and all persons shall be decently attired at all times, except when the premises are operating under the authority of a sexual entertainment Venue Licence.



17. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke shall not be permitted to take drinks or glass containers with them.
18. 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.
19. 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.
20. 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.
21. The number of persons accommodated at any one time (excluding staff) shall not exceed [140 for 16 Henrietta Street and 220 for 17-18 Henrietta Street](or such other limit agreed with the Environmental Health Consultation Team).
22. The application will have no effect until the Licensing authority are satisfied that the premises is constructed or altered in accordance with the appropriate provisions of the district surveyor's association – technical standards for spaces of entertainment and the reasonable requirements of Westminster environmental health consultation team, at which time this condition will be removed from the licence.

Additional condition proposed by the applicant:

23. No deliveries to the premises shall take place between **(23.00)** and **(08.00)** on the following day.



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

**Premises licence**

Regulation 33, 34

**Premises licence number:**

15/02369/LIPT

**Original Reference:**

05/04651/LIPC

**Part 1 – Premises details**

**Postal address of premises:**

Porter's English Restaurant  
Ground Floor  
16 Henrietta Street  
London  
WC2E 8QH

**Telephone Number:** Not Supplied

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

Not applicable

**Licensable activities authorised by the licence:**

Playing of Recorded Music  
Late Night Refreshment  
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:**

**Playing of Recorded Music** Unrestricted

**Late Night Refreshment**

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

**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 00:00  
Sunday: 12:00 to 23:30

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

**The opening hours of the premises:**

Monday to Saturday: 10:00 to 00:30

Sunday: 12:00 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:**

Capital \_CountiesCG Ltd And Capital \_Counties CG Nominee Ltd  
15 Grosvenor Street  
London  
W1K 4QZ

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

05860223 and 05860230

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

**Name:** Adam James Garfield

***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:** 2009/00404/LAPER  
**Licensing Authority:** Brighton And Hove City Council

**Date:** 2 July 2015

**This licence has been authorised by Miss Susan Patterson on behalf of the Director - Public Protection and Licensing.**

## Annex 1 – Mandatory conditions

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
4.
  - (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
  - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
    - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
      - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
      - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
    - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
    - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
    - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
    - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
5. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
6.
  - (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
  - (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
- (a) a holographic mark, or
  - (b) an ultraviolet feature.
7. The responsible person must ensure that—
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
    - (i) beer or cider: ½ pint;
    - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
    - (iii) still wine in a glass: 125 ml;
  - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
  - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

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

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

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

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

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

Where -

- (i) P is the permitted price,
  - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
  - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
- (i) the holder of the premises licence,

- (ii) the designated premises supervisor (if any) in respect of such a licence, or
  - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
- 8(iii). Where the permitted price given by Paragraph 8(ii)(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- 8(iv). (1) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

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

**Conditions for Sale of Alcohol**

9. In the area hatched black on the deposited plan intoxicating liquor shall not be sold or supplied on the premises otherwise than to persons taking table meals there and for consumption by such a person as an ancillary to his meal.
10. 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.
11. The maximum number of persons, including staff, to be present in the licensed premises shall not exceed the number specified from time to time by the proper officer of the London Fire and Civil Defence Authority. The number specified are:
- (a) as to the ground floor in Porters Bar (no. 16) 100 persons.
  - (b) as to the basement in Porters Bar (no. 16) 40 persons.

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

12. (i). Alcohol may be sold or supplied:
- (a) On weekdays, other than Christmas Day, Good Friday or New Year's Eve, 10:00 to 23:00
  - (b) On Sundays, other than Christmas Day or New Year's Eve, 12:00 to 22:30
  - (c) On Good Friday, 12:00 to 22:30
  - (d) On Christmas Day, 12:00 to 15:00 and 19:00 to 22.30
  - (e) On New Year's Eve, except on a Sunday, 10:00 to 23:00
  - (f) On New Year's Eve on a Sunday, 12:00 to 22:30

- (g) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).
- (ii). Alcohol may be sold or supplied for one hour following the hours set out above (other than Christmas Day and New Year's Eve), and on Christmas Day, between 15.00 and 19.00, to persons taking table meals in the premises in a part of the premises usually set apart for the service of such persons and for consumption by such a person in that part of the premises as an ancillary to his meal. For other purposes or in other parts of the premises the hours set out above shall continue to apply.

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) during the first thirty minutes after the above hours the consumption of the alcohol on the premises by persons taking table meals there if the alcohol was supplied for consumption as ancillary to the meals;
- (d) the sale or supply of alcohol to or the consumption of alcohol by any person residing in the licensed premises;
- (e) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- (f) the sale of alcohol to a trader or registered club for the purposes of the trade or club;
- (g) 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;
- (h) the taking of alcohol from the premises by a person residing there;
- (i) 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;
- (j) 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.

- 13. No person under fourteen shall be in the bar of the licensed premises during the permitted hours unless one of the following applies:
  - (a) He is the child of the holder of the premises licence.
  - (b) He resides in the premises, but is not employed there.
  - (c) He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress.

- (d) The bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary.

In this condition "bar" includes any place exclusively or mainly used for the consumption of intoxicating liquor. But an area is not a bar when it is usual for it to be, and it is, set apart for the service of table meals and alcohol is only sold or supplied to persons as an ancillary to their table meals.

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



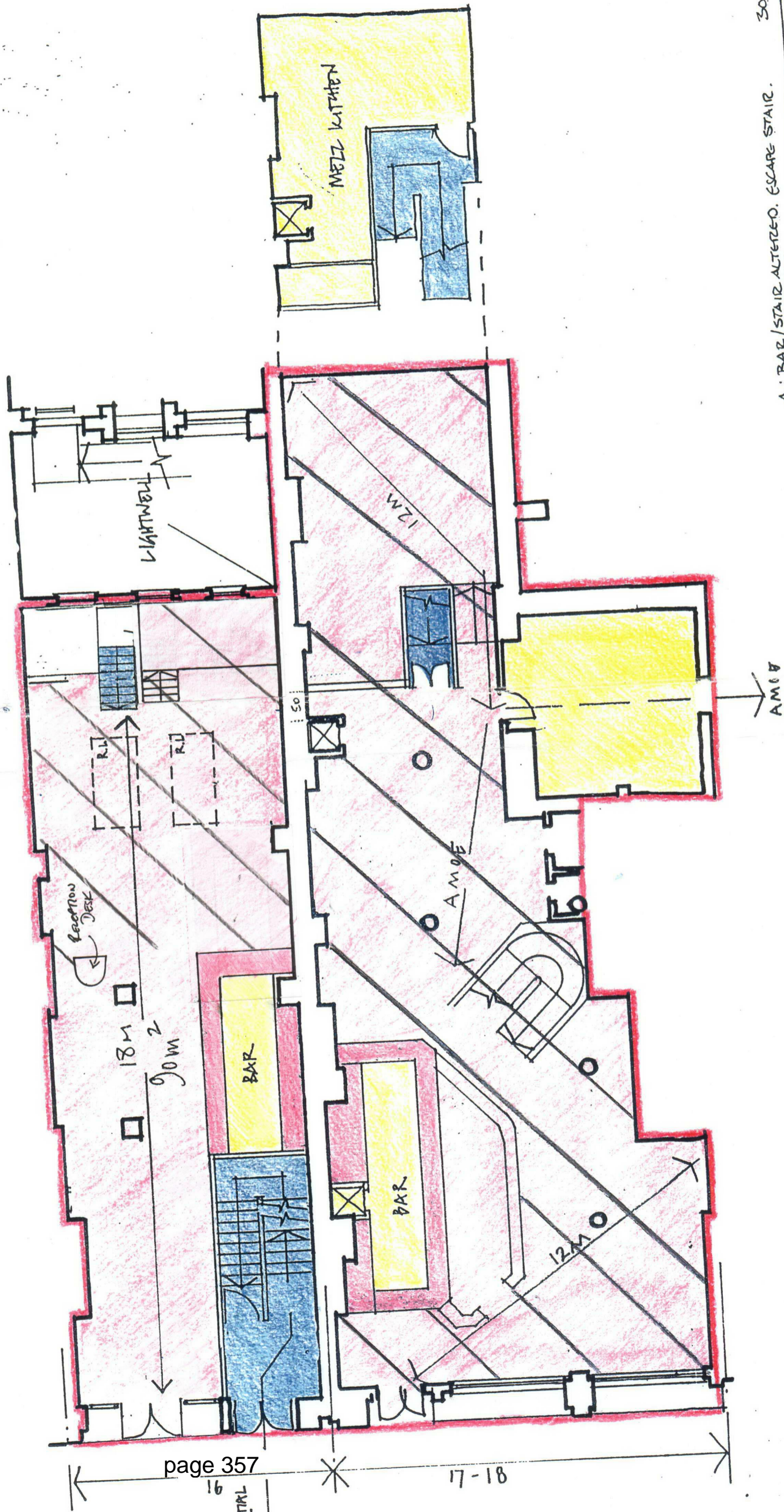
**Annex 2 – Conditions consistent with the operating Schedule**

None

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

None





30.04.97

A: BAR/STAIR ALTERED. ESCAPE STAIR. FRONT DOORS.

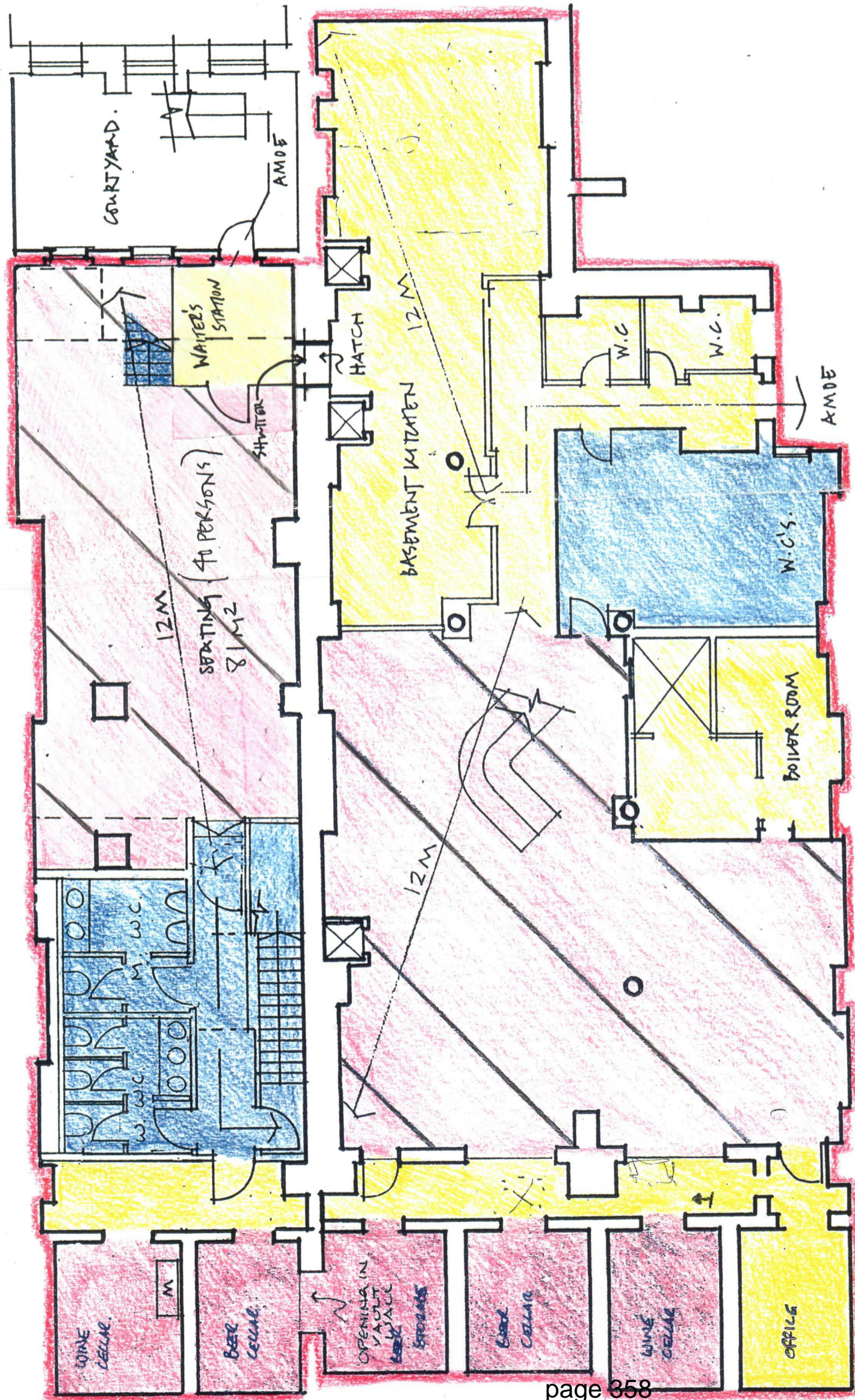
PROJECT: 16-18 HENRIETTA ST. W.02

|   |             |          |                  |                                     |
|---|-------------|----------|------------------|-------------------------------------|
| DRAWING TITLE<br><b>PROPOSED GROUND FLOOR</b> | SCALE       | 1:100    | FOR INFORMATION  | <input checked="" type="checkbox"/> |
|   | DATE        | APRIL 04 | FOR TENDER       | <input type="checkbox"/>            |
| DRAWING NO.<br><b>644/GA/03</b>               | DESIGNED BY | AH       | FOR CONSTRUCTION | <input type="checkbox"/>            |
| REVISION                                      | A           |          | DRAWING STATUS   |                                     |

**ORMS**  
ARCHITECTURE  
DESIGN  
1 PINE STREET LONDON EC4A 3DF  
TEL 0171 833 8533 FAX 0171 837 1515

Proposed Ground floor





30.04.97

A : TOILETS/ STAIR ALTERED

PROJECT 16-18 HENRIETTA ST. W.C.

|   |          |          |                  |                          |
|---|----------|----------|------------------|--------------------------|
| DRAWING TITLE<br><b>PROPOSED BASEMENT</b> | SCALE    | 1:100    | FOR INFORMATION  | <input type="checkbox"/> |
|   | DATE     | APRIL 04 | FOR TENDER       | <input type="checkbox"/> |
| DRAWING NO.<br><b>644/GA/04</b>           | DESIGNER | AH       | FOR CONSTRUCTION | <input type="checkbox"/> |
| REVISION                                  | <b>A</b> |          |                  |                          |

ORMS  
ARCHITECTURE  
DESIGN  
1 PINE STREET LONDON EC1R 0PH  
TEL 0171 833 8433 FAX 0171 837 7575

Proposed Basement



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**TO** Licensing Officer

**REFERENCE** 15/03907/LIPV

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**FROM** EH Consultation Team  
**REFERENCE** 15/018464/EHCT  
**BEING DEALT WITH BY** Rebecca St. Rose (rstrose@westminster.gov.uk)  
**TELEPHONE** 020 7641 2291  
**DATE** 16<sup>th</sup> June 2015

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### The Licensing Act 2003

#### Restaurant & Bar, Ground Floor, 16 – 18 Henrietta Street

I refer to the application to vary the Premises Licence for the above named premises. The applicant has submitted plans; Drawing Number (06)013, Rev D – Ground Floor dated May 2015 and Drawing Number (06)012, Rev D - Basement, dated April 2015.

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

#### **The premises are located within the West End Stress Area.**

The applicant is seeking the following:

1. To vary the current Premises Licence to remove No.16 from the licensed area and to change the layout to accommodate this.
2. To remove condition 6 from the Premises Licence which reads ‘The maximum number of persons, including staff, to be present in the licensed premises shall not exceed the number specified from time to time by the proper officer of the London Fire and Civil defence Authority. The number specified are:
  - (a) As to the ground floor in Porters Bar (no 16) 100 persons
  - (b) As to the basement in Porters Bar (No.16) 40 persons.

I wish to make Representations on the following grounds:

1. No representation – the applicant has offered a works conditions within the operating schedule which satisfies the Licensing Objectives.
2. Representation is made to the removal of Condition 6 under the Prevention of Public Nuisance and Public Safety, Licensing Objectives. The applicant has offered conditions within the Operating Schedule but these do not fully satisfy the concerns of Environmental Health

**From:** [Liz Keegan](#)  
**To:** [Premises Licensing](#)  
**Subject:** 16-18 Henrietta Street, London WC2E 8QH  
**Date:** 16 June 2015 09:11:05

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Licensing Applications  
Westminster City Council  
4th Floor (South)  
City Hall  
64 Victoria Street  
London SW1E 6QP

By email: [premiseslicensing@westminster.gov.uk](mailto:premiseslicensing@westminster.gov.uk)

16 June 2015

Dear Sir/Madam,

**16-18 Henrietta Street, London WC2E 8QH**  
**Application for new premises licence ref: 15/03907/LIPV**

We live at 14/17-19 Bedford Street Covent Garden WC2, almost directly opposite this premises.

We write to object to this application on the grounds that the likely effect will be to harm the licensing objective of 'prevention of public nuisance'. We also object on the grounds of cumulative impact in what is a designated 'stress area' under Westminster City Council's Statement of Licensing Policy 2011.

#### Background

We live opposite the premises and our two bedrooms, living room and kitchen windows look directly upon it.

We are aware that this application is one of two (the other being 15/03912/LIPN) which have the combined effect of seeking to create two licences from one licence. We believe that the premises has previously been licensed under ref: 09/02377/LIPDPS. We are advised that the licence is a 'converted' licence from the previous legislation, and therefore contains no modern conditions which are commonly proposed/agreed to promote the licensing objectives.

This application seeks to remove no16 from the ambit of the premises licence, and to make various changes to the layout. One of the changes in layout is to provide a 'central restaurant bar area with counter seating' in the basement. As far as we are aware, the premises has always been a restaurant and should remain so, with

no bar use except for those waiting to dine.

### Prevention of public nuisance, and Cumulative impact

-

The application raises a number of issues. We fear that the whole area is losing its heart and community and theatre land in favour of late night drinking culture and all that comes with it. Both the applications for this site propose a later terminal hour, beyond the Council's 'core hours' Policy, and neither are restricted to full 'restaurant' conditions. The streets surrounding are already inundated with eateries theatre pubs bars and restaurants do making the establishments bigger and longer hours will set a precedence for all the other bars and clubs.

Resident life is being squeezed out as closing hours lengthen, bottle collection and refuse collection mounts up, revellers roam the streets and early deliveries make living in the area harder and harder. All these issues are explicitly recognised in the City Council's Statement of Licensing Policy, and get worse with late licences being granted. Creating two licences from the existing licence could increase these current issues. We do not know who the proposed operators are, or how they intend to operate the premises.

These are very real problems, and have a day-to-day effect on residents' lives. However, in this case, We appreciate that a licence already exists, which reduces the prospect of these two applications being refused entirely. We appreciate that the current licence requires 'restaurant' conditions in only part of the premises. However, given the problems that residents in this area experience with increasing noise and nuisance as more and more applications are granted, We think it is appropriate that the full restaurant condition (Model Condition 66) applies to this licence throughout the premises. Ideally, we would also like the licence to be restricted to core hours.

Other conditions could be agreed (or, if not, imposed by Licensing Sub-Committee), such as limits on the times when deliveries take place, and when rubbish, including glass bottles, is collected. I think that servicing of this type should only be carried out between 8am and 9pm Mon-Fri, 9am to 8pm Saturday and Sunday.

We would like outside drinking to be forbidden, so at least noise is restricted inside the premises apart from when people leave, which is a concern. Does the applicant have an operator in mind for this premises? Do they have robust policies, procedures and training to ensure that customers are directed away from residential areas? Given the proximity to residential accommodation, a limit on the

number of smokers permitted outside at any one time should be imposed, to alleviate noise nuisance.

We should be grateful if the applicant could confirm a couple of points for clarification:

- Is the overall licensable area increasing as a result of these two applications?
- Is the overall capacity increasing as a result of these two applications?

If the answer to either or both of these questions is 'yes', then this directly on the cumulative impact policies which the City Council has in place.

### Conclusion

We look forward to being kept informed of any developments and would like to attend or be represented at any subsequent hearing in this matter.

Yours faithfully,

Philip and Caroline McIntyre  
14/17-19 Bedford Street  
Covent Garden  
WC2E 9HE



**From:** [Liz Keegan](#)  
**To:** [Nelson, Nicholas](#)  
**Subject:** Notice of hearing for 16-18 Henrietta Street variation (15/03912/LIPN)  
**Date:** 02 July 2015 09:23:11

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Dear Mr Nelson

I believe that the application has now reverted back to 2 separate applications with strong conditions that exist already: No drinking without food etc.

If this is correct then maybe there is no reason for a hearing?

I am hoping that the new application on Henrietta street will not allow drinking in the street it will add to the noise pollution and encouraging an already out of control drinking culture surely?

It seems that the government are informing of dangers of binge drinking and anti social behaviour on the one hand and encouraging and expanding the drinking culture on the other.

We cannot attend that day but can we be informed if someone can represent the residents of the area and stand up for a diminishing quality of life in the area forcing people to chose alternative areas to live in.

Eventually the vital life force of the area will be beaten by the ever increasing late night activity. Policing is nonexistent and sleep deprivation is a problem with the loss of office and retail in favour of restaurants and drinking. As it is the building garbage pile ups on every street alley, doorway, roadside and street corner and it will just be come intolerable.

It is a real drain on resources and waste.

With regards

Mrs CJ McIntyre  
14,19 Bedford Street  
London  
WC2E 9HE

Begin forwarded message:

**From:** "Nelson, Nicholas"  
<[nnelson@westminster.gov.uk](mailto:nnelson@westminster.gov.uk)>  
**Date:** 1 July 2015 15:48:58 BST  
**To:** Liz Keegan <[Liz@mcintyre-ents.com](mailto:Liz@mcintyre-ents.com)>  
**Subject: Notice of hearing for 16-18 Henrietta Street variation (15/03912/LIPN)**

Dear Mr McIntyre,

Please find attached the notice of hearing letter for the above application.

Kind regards,

Nick

page 364

COVENT GARDEN  
capco

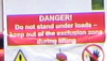
23-24 HENR ETTA STREET  
COVENT GARDEN  
capco



CG

Bringing new life  
to the Garden

01/06/2015 15:42





page 365

We apologise  
for any  
inconvenience  
caused



01/06/2015 15:41







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# Agenda Item 8

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# Agenda Item 9

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