



City of Westminster

# Committee Agenda

Title: **Licensing Sub-Committee (2)**

Meeting Date: **Thursday 20th July, 2017**

Time: **10.00 am**

Venue: **Room 3.1, 3rd Floor, 5 Strand, London, WC2 5HR**

Members: **Councillors:**

Tim Mitchell (Chairman)  
Susie Burbridge  
Jan Prendergast



**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 from 9.30am. 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 Director of Law in advance of the meeting please.

**AGENDA**

**PART 1 (IN PUBLIC)**

**1. MEMBERSHIP**

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. DEAN AND DELUCA, 117 MOUNT STREET, W1**

**(Pages 1 - 76)**

App No	Ward / Cumulative Impact Area	Site Name and Address	Application	Licensing Reference Number
1.	West End Ward / not in cumulative impact area	Dean And DeLuca, 117 Mount Street, W1	New Premises Licence	17/04250/LIPN

**2. HILTON LONDON PADDINGTON HOTEL, 146 PRAED STREET, W2**

**(Pages 77 - 124)**

App No	Ward / Cumulative Impact Area	Site Name and Address	Application	Licensing Reference Number
2.	Hyde Park Ward / not in cumulative impact area	Hilton London Paddington Hotel, 146 Praed Street, W2	Variation of a Premises Licence	17/05777/LIPV

**Charlie Parker  
Chief Executive  
13 July 2017**

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.

### **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.

Item No:	
Date:	20 <sup>th</sup> July 2017
Licensing Ref No:	17/04250/LIPN - New Premises Licence
Title of Report:	Dean And DeLuca 117 Mount Street London W1K 3NJ
Report of:	Director of Public Protection and Licensing
Wards involved:	West End
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Miss Heidi Lawrance Senior Licensing Officer
Contact details	Telephone: 020 7641 2751 Email: hlawrance@westminster.gov.uk

## 1. Application

1-A Applicant and premises			
<b>Application Type:</b>	New Premises Licence, Licensing Act 2003		
<b>Application received date:</b>	24 April 2017		
<b>Applicant:</b>	Dean And DeLuca Mount Limited		
<b>Premises:</b>	Dean And DeLuca		
<b>Premises address:</b>	117 Mount Street London W1K 3NJ	<b>Ward:</b>	West End
		<b>Cumulative Impact Area:</b>	None
<b>Premises description:</b>	<p>The premises intends to operate of a premium retail market/delicatessen/cafe.</p> <p>Customer areas will include the basement and ground floor with external customer seating.</p>		
<b>Premises licence history:</b>	This is an application for a new premises and no history exists for the premises.		
<b>Applicant submissions:</b>	<p>The premises will operate as a premium retail market/delicatessen/cafe concept.</p> <p>Dean &amp; Deluca have 57 market Stores and cafes throughout the world and this is the first premises for the Company in the UK.</p> <p>The Landlord is Grosvenor estates who have granted a community lease to the Company in the iconic location of the former Allans Butchers on Mount street.</p> <p>Although this premise does not fall within any of Westminster's Cumulative Impact Area, the applicant has given the same diligence and consideration to the application and proposed use of the premises. In particular, conditions have been offered to ensure that the licensing objectives are promoted by the use of the premises at all times.</p> <p>The applicant will ensure that the premises comply with all relevant existing legislation. In addition the applicant has pre-consulted with the Ian Watson (Environmental Health Officer) and Alan Lynagh (District Surveyor).</p> <p>The pre application advice report is attached and</p>		

	<p>conditions requested by the Environmental Health Officer and District Surveyor have been included as part of this application.</p> <p>The applicant has also pre consulted with Westminster Police Licensing officer Sandy Russell and in addition residents and local businesses and ward Councillors in the nearby vicinity by way of stakeholders' meetings held at The Connaughton the 20<sup>th</sup> March 2017.</p>
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1-B Proposed licensable activities and hours							
Sale by retail of alcohol				On or off sales or both:			Both
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
<b>Start:</b>	08:00	08:00	08:00	08:00	08:00	08:00	08:00
<b>End:</b>	23:00	23:00	23:00	23:00	23:00	23:00	22:30
<b>Seasonal variations/ Non-standard timings:</b>		None applied for.					

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
<b>Start:</b>	07:00	07:00	07:00	07:00	07:00	07:00	07:00
<b>End:</b>	23:30	23:30	23:30	23:30	23:30	23:30	23:00
<b>Seasonal variations/ Non-standard timings:</b>		None applied for.					
<b>Adult Entertainment:</b>		Not applicable.					

## 2. Representations

2-A Responsible Authorities	
<b>Responsible Authority:</b>	Environmental Health Consultation Team
<b>Representative:</b>	Mr Ian Watson
<b>Received:</b>	18 <sup>th</sup> May 2017
<p>The applicant has submitted plans of the basement and ground floor reference 1063 LO1A.</p> <p>This representation is based on the plans and operating schedule submitted.</p>	

The applicant is seeking the following

1. To provide for the Supply of Alcohol 'On' and 'Off' the premises Monday to Saturday between 08.00 to 23.00 hours and Sunday 08.00 to 22.30 hours.

I wish to make the following representation

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

**2-B Other Persons**

<b>Name:</b>	Mr Keith Gardner
<b>Address and/or Residents Association:</b>	125 & 127 Mount Street
<b>Received:</b>	17 <sup>th</sup> May 2017

We would like to strongly object to the proposed license 17/04250/LIPN in Mount St.

We own properties in 125 (flat 2 and flat 3) and 127 (flat 3) Mount Street, where members of our family have been resident for over 40 years.

The proposed use, with late opening and outside dining will irreversibly damage the character of Mount St for the residents, and indeed the local businesses and community here. We are already plagued by late night rowdy and drunken behaviour from various establishments on Mount St, such as Finos and Delfinos - outside smoking, with drinking in the street/public areas is simply not good. Adding another venue will only increase this disturbance and have a detrimental effect on the area for all.

We would strongly oppose late opening hours, and would suggest that opening be restricted to something reasonable such as 0800-1900 daily.

Outside tables would be very difficult to fit considering the venue and we would certainly object to these for any time after 1800.

Finally, we would suggest that the site not have an alcohol license - as rowdy drunken noisy behaviour is a serious blight to the residents already.



<b>Name:</b>	Alan Hobart
<b>Address and/or Residents Association:</b>	24 Farm Street London W1J 5RQ
<b>Received:</b>	22 <sup>nd</sup> May 2017

I would like to register my objection to the application by Dean and DeLuca, of 117 Mount Street, for the Sale by Retail of Alcohol during the hours of: Monday to Saturday: 08:00 to 23:00, Sunday: 08:00 to 22:30.

Having lost a vital amenity shop with the butchers that closed I was looking forward to the opening of what I believed to be an amenity food shop, but having seen the license application I am very concerned that this premises has applied to sell alcohol, for consumption on and off the premises from early in the morning until late at night. The area certainly doesn't need another bar, never mind about more outside drinking at tables causing noise disturbance, blocking the pedestrian pathways and general public nuisance. There have been many well documented problems with outside drinking at surrounding public houses and the last thing we need is for this problem to grow. In the immediate vicinity of the premises is a church and a school around the Mount Street Gardens, I am also concerned that alcohol may be purchased with the intention of consumption in these public gardens, intoxicated members of the public is a health and safety risk to the children who play freely in these gardens as they coming and go to and from school.

I feel that we are being swamped with outside drinking in our residential area and it is an issue that needs to be reviewed thoroughly in Mayfair. You only have to look to the top of mount Street, on the corner with South Audley St, to see out of control street drinking in Mayfair, one can go anywhere in Europe and America and we do not see it on the scale we have in Mayfair, please do not subject us to any additional . Lastly, for a business selling grocery provisions etc. there is actually no need whatsoever to have drinking on the premises.

<b>Name:</b>	Mr Peter Wetherell
<b>Address and/or Residents Association:</b>	102 Mount Street London W1K 2TH
<b>Received:</b>	18th May 2017

I support the licensing application - the new premises and what they will offer - will have a positive impact on Mount Street and the business and residential community in the area.

I believe that the alcohol offering is complimentary to the retail of the shop and for the wider area.

<b>Name:</b>	Mr Ahmed Nassar
<b>Address and/or Residents Association:</b>	Flat 7 101 Mount Street London W1K 2TQ
<b>Received:</b>	2 <sup>nd</sup> May 2017
<p>I strongly object to having another place that serves alcohol open till late on Mount Street. As it is we have enough drunk people walking around at night disturbing the peace and not that long ago I caught a drunk person trying to snap the side mirror on my car that was parked on Mount Street.</p>	
<b>Name:</b>	Dr Ahmed Tahoun
<b>Address and/or Residents Association:</b>	Flat 2, 125 Mount Street London W1K 3NS
<b>Received:</b>	16 <sup>th</sup> May 2017
<p>In order to protect our beautiful/quiet Mount Street, I wish to lodge three objections: (1) the opening hours, (2) the outside tables, and (3) the consumption of alcohol on site.</p> <p>I propose the following: opening hours to be from 7am-7pm, NO outside tables, and NO consumption of alcohol on site.</p> <p>Currently, the neighbourhood is already plagued by problems and nuisance from those restaurants and wine cellars that serve alcohol and/or have outside tables (e.g., Delfino and Fino's).</p> <p>If the proposed Dean and Delcua Wine Cellar plans are approved, then the Mount Street Mews will be transformed from its current beautiful residential character to a meeting point of smokers and drunkards.</p> <p>Thus, for the record, I am strongly opposed to the current proposal of Dean and Deluca.</p> <p>Thank you very much for taking my opinion into consideration.</p>	
<b>Name:</b>	Mrs Tetiana Torbina
<b>Address and/or Residents Association:</b>	101 Mount Street London W1K2TQ
<b>Received:</b>	30 <sup>th</sup> April 2017
<p>It is extremely noisy as it is on Mount str due to existence of such restaurants as Scott's and George, the pub on the corner of South Audley str and Mount str. Sometimes at night I can hear people shouting and talking very loud, my assumption it is due to an amount of alcohol consumed..I. An hear people leaving the restaurants and the pub. lit disturbs my and my husband's sleep a lot. Many times we had to physically go downstairs and ask people to behave and have some respect as it is a residential area. We certainly do not need another place where people can consume alcohol on Mount str.</p>	

<b>Name:</b>	Mrs Vivienne Loesch
<b>Address and/or Residents Association:</b>	19 Balderton Flats Brown Hart Gardens London W1K 6TD
<b>Received:</b>	15 <sup>th</sup> May 2017
<p>Public nuisance is not sufficiently avoided by the applicants proposals concerning waste/recycling and deliveries times.</p> <p>Instead:</p> <p>There should be no movement of waste/recycling/ goods etc outside the premises between the hours of 8.00pm and 8.00am.</p> <p>There should be no deliveries between 8am and 8pm.</p> <p>Reasons:</p> <p>This is mixed residential/retail street; residents' quality of life will be negatively affected by late evening deliveries, bottles noise, and waste/recycling collections.</p> <p>Deliveries and servicing vehicles have noisy diesel engines - their driving to and from the premises will cause noise nuisance in nearby residential or mixed streets. Numbers of these vehicles using Mayfair streets needs to be reduced.</p> <p>It is to be hoped that the company will at least raise the issue with their suppliers of switching to lpg/electric vehicles.</p>	
<b>Name:</b>	Miss Jacqueline Hurst
<b>Address and/or Residents Association:</b>	1 Carlos Place London W1K 3JB
<b>Received:</b>	1 <sup>st</sup> May 2017
<p>I am looking forward to the new D&amp;D although have two exceptions hence the objection.</p> <ol style="list-style-type: none"> <li>1. 11PM is too late at night to close and I suggest 7AM-7PM Mon-Sun is suitable.</li> <li>2. Alcohol cannot be consumed on the premises. This is desperately important to me not only to maintain the quiet neighbourhood but also that once this starts with one premises, we will have more people trying to have tables outside and it will ruin Mount street. We already have a lot of challenges on the street with the consumption of alcohol at outdoor tables and it is already at max capacity with this issue.</li> </ol> <p>Subject to these two issues being address - I would support the application.</p>	

<b>Name:</b>	Mr Ron Whelan
<b>Address and/or Residents Association:</b>	29A Brook Street London w1k4he
<b>Received:</b>	4 <sup>th</sup> May 2017
<p>The Mayfair Residents Group wishes to object to this application as it stands. Local people were assured that this "Deli" would be some form of community operation which would effectively replace Allen's the butchers. Instead, judging from this application, what is being proposed is yet another licensed 'watering hole' in what is a highly residential street. The MRG asks that (a) no alcohol should be served after 19.00 and (b) that before that time, alcoholic drinks should only be served with a main meal.</p>	
<b>Name:</b>	Mr Bernard Looney
<b>Address and/or Residents Association:</b>	1 Carlos Place London W1K 3AJ
<b>Received:</b>	1 <sup>st</sup> May 2017
<p>Generally very support of our new D&amp;D. It will be a very welcome addition. There are however two exceptions - which form the basis for the objection.</p> <ol style="list-style-type: none"> <li>1. 11PM is too late at night. I suggest 7AM-7PM Mon-Sun.</li> <li>2. Alcohol cannot be consumed on premises. This is desperately important to maintaining the quiet feel of our neighbourhood. We already have sufficient challenges on the street with the consumption of alcohol at outdoor tables.</li> </ol> <p>Subject to these two issues being address - I would support the application.</p>	
<b>Name:</b>	Ms Glenys Roberts
<b>Address and/or Residents Association:</b>	18 Mount Street London W1K 2RL
<b>Received:</b>	30 <sup>th</sup> April 2017
<p>I object on behalf of my constituent neighbours at the late hours for this premises including Sundays , the late sale of alcohol and the outside tables. This was presented to the locals as a deli which would replace the renowned and longstanding butcher as a local amenity in fact it seems an excuse for another alcohol driven cafe of which there are already too many in this residential neighbourhood.. In particular any alcohol fuelled bad behaviour on exiting will affect the Jesuit house next door where the priests retire early in order to rise for early mass and residents immediately opposite who already inconvenienced by customers exiting neighbouring Finos and the Pizza restaurant. What the locals need is a daytime operation where we can buy staples and is not masquerading as that in order to get a late night alcohol licence.</p>	

### 3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
<b>Policy HRS1 applies</b>	(i) Applications for hours within the core hours set out below in this policy will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy.  (ii) Applications for hours outside the core hours set out below in this policy will be considered on their merits, subject to other relevant policies.
<b>Policy PB1 applies:</b>	Applications will only be granted if it can be demonstrated that the proposal meets the relevant criteria in Policies CD1, PS1, PN1 and CH1.

### 4. Appendices

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

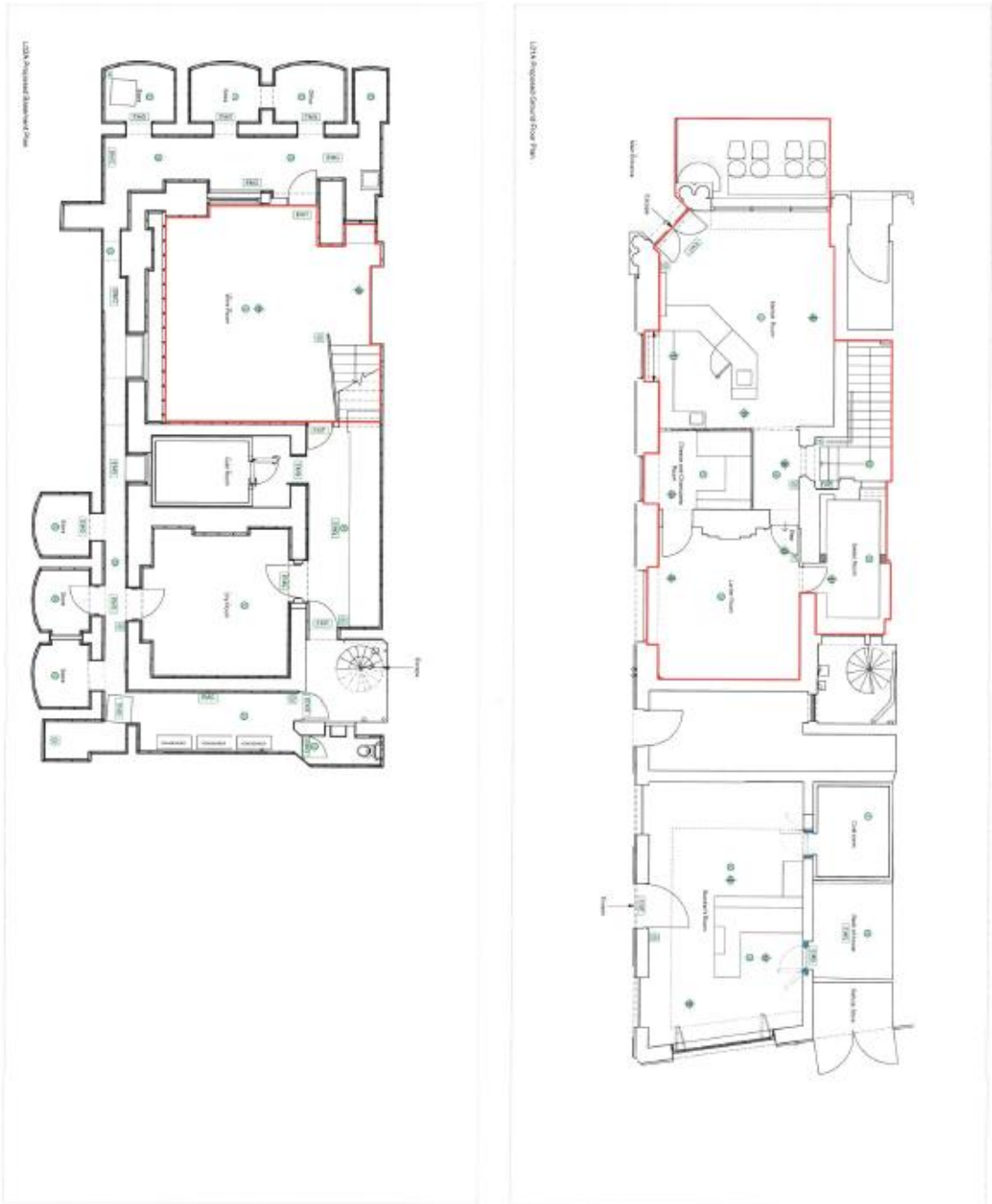
<b>Report author:</b>	Miss Heidi Lawrance Senior Licensing Officer
<b>Contact:</b>	Telephone: 020 7641 2751 Email: hlawrance@westminster.gov.uk


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

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


<b>1</b>	Licensing Act 2003	N/A
<b>2</b>	City of Westminster Statement of Licensing Policy	7 <sup>th</sup> January 2016
<b>3</b>	Amended Guidance issued under section 182 of the Licensing Act 2003	March 2015
<b>4</b>	Application Form	24 <sup>th</sup> April 2017
<b>5</b>	Representation – Environmental Health	18 <sup>th</sup> May 2017
<b>6</b>	Representation – Keith Gardner	17 <sup>th</sup> May 2017
<b>7</b>	Representation – Alan Hobart	22 <sup>nd</sup> May 2017
<b>8</b>	Representation – Peter Wetherell	18 <sup>th</sup> May 2017
<b>9</b>	Representation – Ahmed Nassar	2 <sup>nd</sup> May 2017
<b>10</b>	Representation – Ahmed Tahoun	16 <sup>th</sup> May 2017
<b>11</b>	Representation – Tetiana Torbina	30 <sup>th</sup> April 2017
<b>12</b>	Representation – Vivienne Loesch	15 <sup>th</sup> May 2017
<b>13</b>	Representation – Jacqueline Hurst	30 <sup>th</sup> April 2017
<b>14</b>	Representation – Ron Whelan	4 <sup>th</sup> May 2017
<b>15</b>	Representation – Bernard Looney	30 <sup>th</sup> April 2017
<b>16</b>	Representation – Glenys Roberts	30 <sup>th</sup> April 2017

**Premises Plans**




 The contents and form of any fire safety certificate issued by the Fire Authority in respect of any premises shall be subject to the provisions of the Fire Safety Act 2008 (as amended) and any other relevant legislation.

**Fire Equipment & Lighting Key**  
 ● Fire Extinguisher  
 ● Smoke Detector  
 ● Heat Detector  
 ● Manual Call Point  
 ● Fire Alarm Initiating Device  
 ● Fire Alarm Panel  
 ● Emergency Light  
 ● Emergency Exit Sign  
 ● Emergency Exit Sign  
 ● Emergency Exit Sign


**LICENCE**  
 Licence No: 1063 L01A

Design & Issue: [Signature]  
 Date: 17/03/2017

1063 L01A  
 1:50 at A1  
 1:100 at A3  
 KE  
 March 2017  
 Proposed Basement & Ground Floor Plans  
 W1X 3LA  
 117 Mount Street  
 Deelen UK  
 Deelen UK  
 1063 L01A  
 1:50 at A1  
 1:100 at A3

**Applicant Supporting Documents****Dean & DeLuca****117 Mount Street, Mayfair, W1K 3LA****Evidence Bundle in Support of New Premises Licence Application****Westminster City Council's Licensing Sub-Committee Hearing: Thursday 22<sup>nd</sup> June**

<b>Document Description</b>	<b>Page</b>
Pre-application Report from Ian Watson and Alan Lynagh	1 – 7
Mount Street Presentation	8 – 21
Dean & DeLuca Positioning Statement	22 – 24
Photographs of Dean & DeLuca Stores	25
Photograph of 117 Mount Street (at present)	26
Licensing Statement & Biography – John Barton, Head of Dean & DeLuca London	27 – 29
Correspondence with Interested Parties	30 – 55



Office Name: Ian Watson  
 Designation: Senior Practitioner  
 Environmental Health  
 Date: 28/3/17  
 Contact number: [REDACTED]  
 Email: iwatson@[REDACTED]  
 Signed: Ian Watson  
 Uniform Ref Number: 17/01609/PREAPM

<p>Trading name of business and Address:          Dean &amp; Deluca, 117 Mount Street. W1K 3NJ          Reference Number If Applicable: 17/01609/PREAPM</p>		
Licence: No	Applicant/Solicitor: Clare Eames, Poppleston Allen	Cumulative Impact Area: No.
<p>Type of Business: Delicatessen and Butcher          Proposed Licensed Areas: Ground and Basement Floor.          Proposed Activities: Supply of Alcohol 'On' and 'Off' sales          Proposed Alcohol Hours: Monday to Sunday 08.00 to 23.00 hours.</p>		
<p><b>Pre application advice purpose:</b> To assess the premises in relation to a proposed application for a new Premises Licence to include both 'On' and 'Off' sales of alcohol. The 'On' sale of alcohol would be for the general public and cover events such as wine tasting. To advise on technical suitability and policy implications in advance of the appropriate application. The butchers shop is located to the rear of the premises in Mount Street Mews with no direct connection to the delicatessen.</p> <p><b>Background to application:</b> The premises are currently closed and have never benefitted from a premises licence. This would be the operator's first premises in London.</p> <p><b>Issues discussed and actions taken:</b>          Visit carried out by Alan Lynagh (District Surveyor Licensing - DS) and Ian Watson (Environmental Health - EH). The premises were not accessible at the time of visit but the plans and proposed operation was discussed. The findings are detailed below.</p> <p><b>Proposed changes:</b>          The premises are currently empty but the ground floor will comprise of an espresso bar, bakery, cheese room and general confectionary and packaged goods with the basement being an international wine room.          The butchers shop will be in the mews and serve both raw and cooked meats.</p>		

### **District Surveyor Comments**

#### **Spread of Fire over Surface Finishes**

The design is likely to include a range of surface finishes and all wall and ceiling linings in protected escape routes and stairs, entertainment areas and rooms holding more than 60 people should meet Class 0 (BS 476) or Class B-s3.d2 (BS EN 13501-1) surface spread of flame. This can be reduced to Class 1 for other areas and any materials that are not inherently flame retardant should be suitably treated and certification detailing this be provided.

#### **Provision and Maintenance of Escape Routes**

All escape routes and exits including external exits should be kept unobstructed, with slip – free even surfaces, free of trip hazards and clearly identified. Special care should be given to the rear basement exit route and maintaining this route available for public use.

#### **Spiral Stair**

The spiral stair in the basement is restrictive in width but given the location of the single toilet in this area it is advised that its use is maintained for use in an emergency. The treads should be made conspicuous and good primary and secondary lighting provided to the staircase. In addition if required additional handrails should be provided to assist with any movement up and down the staircase.

#### **Certification**

Certificates should be obtained when appropriate or required by law and be retained on the premises. This is not an exhaustive list but hopefully highlights the main areas for consideration:

- Structural stability, especially temporary structures;
- All suspended ceilings and ornamental plasterwork;
- The electrical installation
- All emergency lighting batteries
- The fire alarm and warning system;
- The fire fighting equipment;
- Automatic door closure devices
- Any emergency telephones, public address systems and refuge alarms;
- Any gas installations and gas appliances
- Any boilers and clarifiers
- All ventilation systems, including smoke and fire dampers;
- Any safety curtains and smoke ventilators;
- Lifts (both passenger and goods), escalators and suspended or lifting equipment;
- Any other mechanical installations;
- Lightning protection;
- Lasers;
- Strobe lighting, fog generators, smoke machines and bomb tanks;
- Film projectors.

A competent person, such as an appropriate qualified engineer or a member of an appropriate accredited body or such other person who has been accepted by the appropriate responsible

authority, should complete each certificate. Persons accredited to BS EN ISO / IEC 17020 will normally be deemed competent to issue certificates within the scope of their accreditation.

### **Lighting**

Management lighting, including emergency lighting, must be provided throughout the premises taking into account any changes of level and key staff locations such as fire alarm panels. This will need to be checked to ensure that it is working satisfactorily and that all parts function before the public are admitted. Any failures of lighting must be checked and appropriate action taken. Major failures of lighting will normally mean that the licensed activities should cease and the public and all other non-essential staff should leave the premises.

### **General Fire/Public Safety Advice**

It is suggested that the following key points are considered in the general fire/public safety strategy for the premises:

- Means of escape from the premises should be based on a simultaneous evacuation upon activation of the fire detection and alarm system and the system should ideally be a minimum L2 system in line with BS5839 part 1. This will allow maximum flexibility when calculating maximum occupancies as will give maximum early warning.
- All fire doors and fire shutters should be maintained effectively self-closing and should not be held open other than by approved devices.
- Travel distances will need to be in line with both Approved Document B and Technical Standards for Places of Entertainment, (18m in one direction and 45m in two).
- All protected exit routes to be provided with a minimum of 30 minutes fire separation to other parts of the premises, confirmation of the basement route and the use of the store areas off this route need to be confirmed for consideration.
- All Fire doors protecting escape routes will be provided with intumescent strips and smoke seals and all fire doors will comply with the relevant provisions of Table B1 of ADB.
- Every escape route (other than those in ordinary use) will be marked by emergency exit signs complying with BS 5499: Part 1 and these will be located in accordance with the recommendations of BS 5499: Part 4

### **Means of Escape and Public Safety:**

The ground floor public space is a small area and is accessed only by the front entrance door (inward opening). The basement is served by a single accommodation staircase with persons in the basement relying on the ground floor entrance to escape the premises in an emergency. The travel distance to this entrance door must be within the permitted maximum of 18m. No capacity is proposed on the ground floor but a maximum of 20 persons (excluding staff) would be a proposed safe capacity for the basement. The basement licensed area would be used for both the display of alcohol and for the tasting of alcohol.

**Public Nuisance and Licensing Policy:**

The premises have never been licensed for any activities so there are no related nuisance complaints. The upper floors of the building are residential use as well as opposite the building in Mount Street Mews.

It is likely that if a premises licence application seeks extensive hours or regulated entertainment then objections may result. This would also be the case that any use of external tables and chairs would have to be time limited to minimise general nuisance from users into the later hours.

The premises only have one WC located in the basement and access to this WC is through staff areas therefore its use by the public should be limited to when the premises are offering pre-booked tasting events/promotion events in the basement.

The premises are not located within a designated cumulative impact area as defined in Westminster City Council's licensing policy. Therefore there is no policy presumption to refuse an application for the supply of alcohol 'On' or 'Off' the premises subject to sufficient and satisfactory conditions being applied to address the licensing objectives.

There is no proposal to add regulated entertainment to the licence application but to rely on the exempt status of entertainment for the premises.

**Licensing Position:**

A new application would be required for the Supply of Alcohol 'On' and 'Off' the premises.

As the premises are not located within any defined cumulative impact area then the hours of operation could reflect the 'core hours' as stated within Westminster's Licensing policy but due to the immediate presence of residents the hours should be more restrained.

This being

Supply of Alcohol 'On' the premises  
Monday to Sunday 10.00 – 23.00 hours.

Supply of Alcohol 'Off' the premises  
Monday to Sunday 08.00 – 23.00 hours.

The proposed trading hours of the premises are 07.00 – 23.30 hours to permit customers to enjoy early morning beverage/food with an additional 30 minutes to finish their drinks/food.

**The advice from the licensing authority is that if the butchers shop within Mount Street Mews wants to sell alcohol then a separate premises licence would be required. This is due to there being no physical internal connection between 117 Mount Street and the butchers shop in Mount Street Mews for either staff members or the public.**

It is advised that any plan submitted includes the private front external area within the licensed area to ensure 'On' sales of alcohol is permitted to those tables and chairs. To minimise nuisance/complaints any consumption of alcohol to the tables and chairs to the side of the building on Mount Street Mews would be as part of an 'Off' sale, if required, but should be limited.

To address the licensing objectives with regard to the Licensing Policy the following conditions are proposed.

- The supply of alcohol for consumption 'On' the premises shall be by waiter or waitress service only except to persons within the basement wine room.
- 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.
- After 21.00 hours alcohol shall only be sold for consumption 'On' the premises by persons attending a pre-booked and bona fide private function or event to which members of the public are not admitted. A register of the event, organiser and number of persons attending the event shall be kept at the premises and made available for immediate inspection by police or an authorised officer of the Council.
- The number of persons permitted within the basement at any one time (excluding staff) shall not exceed 20 persons.
- There shall be no self service of alcohol on the ground floor of the premises.
- Alcohol consumed outside the premises building shall only be consumed by patrons seated at tables.
- All sales of alcohol for consumption 'Off' the premises shall be in sealed containers only, and shall not be consumed on the premises.
- No super-strength beer, lagers or ciders of 5.5% ABV (alcohol by volume) or above shall be sold at the premises except for premium beers sold in glass bottles.
- 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.
- 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.
- 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 premise 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.

- No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
- After 21.00 hours all outside tables and chairs shall be removed or rendered unusable.
- Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
- 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.
- 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.
- The premises licence holder shall ensure that any patrons drinking and/or smoking outside the premises do so in an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.
- The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.
- The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.
- All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.
- All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device.
- The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
- 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 premise is open.
- 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 visit by a relevant authority or emergency service.

- All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
- No deliveries to the premises shall take place between 23.00 and 08.00 hours.
- All outside tables and chairs shall be rendered unusable by 21.00 hours each day.
- No waste or recyclable materials, including bottles, shall be moved, removed or placed in outside areas between 23.00 hours and 08.00 hours.
- 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.
- Before the premises open to the public, the plans as deposited 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.

#### **Conclusion**

Due to the location of residential premises within the immediate vicinity it is advised that any application for a premises licence is suitable limited by hours and activities. The premises should rely on the exempt status of regulated entertainment if this is to be provided. Activities external to the premises, licensable or not, should be restricted by condition to minimise nuisance into the later hours. The use of the external area needs to be properly supervised and managed. A separate premises licence would be required for the butchers shop if licensable activities are sought for this location. Conditions are proposed to minimise the impact on the locality.

The proposed basement capacity of the premises addresses Public Safety and no additional public safety concerns are raised.

As part of the application process it is advised that the other responsible authorities will also need to assess the proposals and may wish to make additional comments.

**Please note that any advice given will not guarantee that your application will be granted by the Licensing Service and the Environmental Health Consultation Team may still choose to make a representation to the application submitted.**

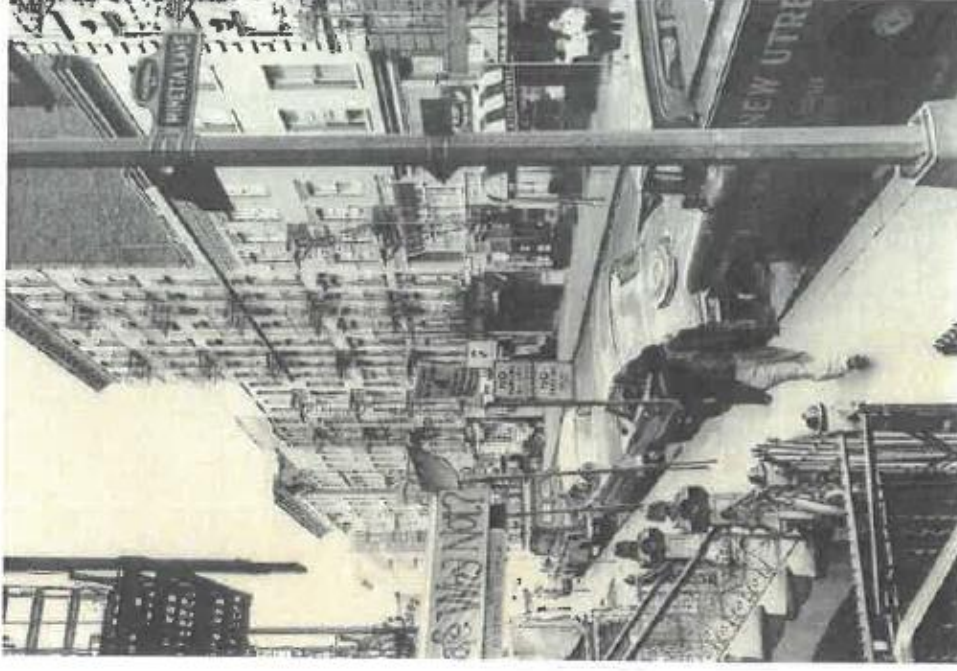
# DEAN & DELUCA®



## HISTORY

For nearly 40 years it has been our mission to find the world's best epicurean treats for cooking, eating and entertaining. Our team of International food experts are committed to this quest for excellence. We work persistently to curate a food-forward assortment of the best and newest food products from around the globe

The DEAN & DELUCA goal is, and has been since the beginning, to discover, introduce and support products that meet our customers' uncompromising standards



## OUR FOUNDERS



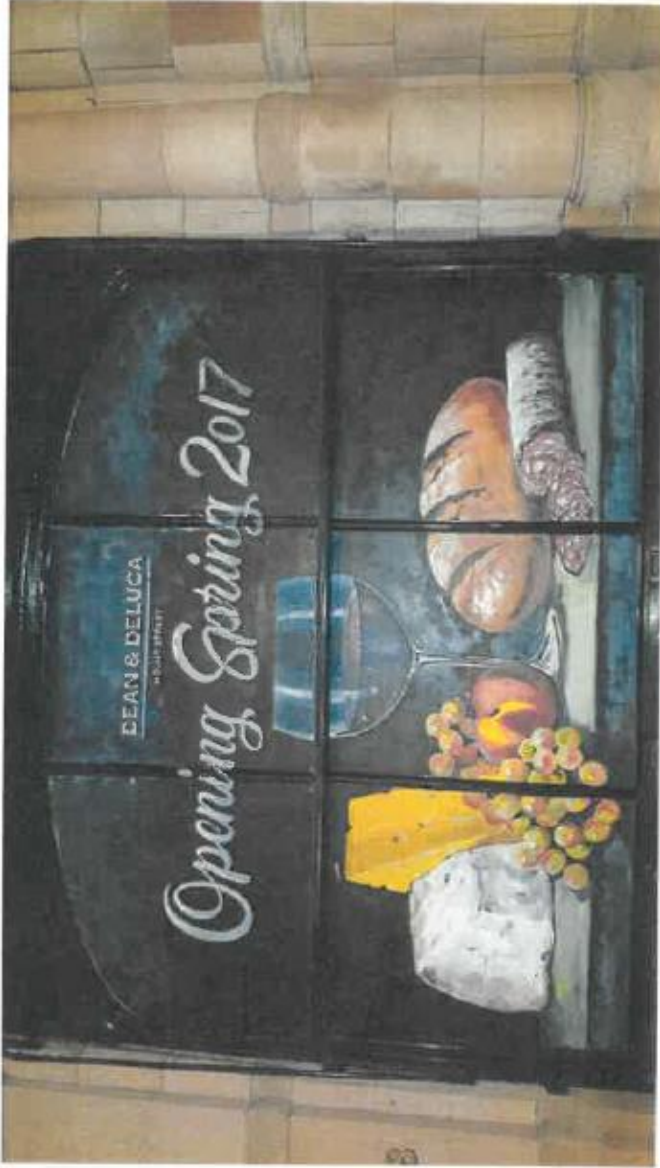
Joel Dean  
'The Brains'



Giorgio DeLuca  
'The Passion'



Jack Ceglic  
'The Look'



**DEAN & DELUCA.**  
MOUNT STREET

## UK LEADERSHIP

- Career Retailer starting in the UK with Marks & Spencer and Tesco
- 2006 - Joined DEAN & DELUCA as International Operations Manager and opened all stores in Middle East (Kuwait, Qatar, Dubai)
- 2010 - Moved to Asia to open Stores in Korea and Thailand
- 2014 - Helped to broker deal between Pace and DEAN & DELUCA
- 2014 - Appointed by Pace as COO of DEAN & DELUCA, tasked with the turnaround of US Business
- 2016 - Appointed Head of DEAN & DELUCA UK, charged with UK Rollout



John Barton

HEAD of DEAN & DELUCA UK

## MOUNT STREET DEAN & DELUCA



Mount Street DEAN & DELUCA will be the perfect location for a new neighbourhood shop serving local residents, the Mayfair office population and both domestic and international Tourists.

We believe the opportunity to showcase our brand and introduce the London and UK public To DEAN & DELUCA will be well served from such an iconic location.

Our Roots are in SoHo, New York, where from our humble beginnings we have grown into the only recognised international gourmet retailer of note with over 50 stores across 8 countries.

We see Mount Street as the ideal location to open our first and indeed our only UK Neighbourhood shop offering the quality and expertise valued in this prestigious area.

Alongside a butcher, the Mount Street Store would offer a comprehensive Espresso program, fresh baked products, a small deli service, seasonal produce from in and around the UK and Ireland.

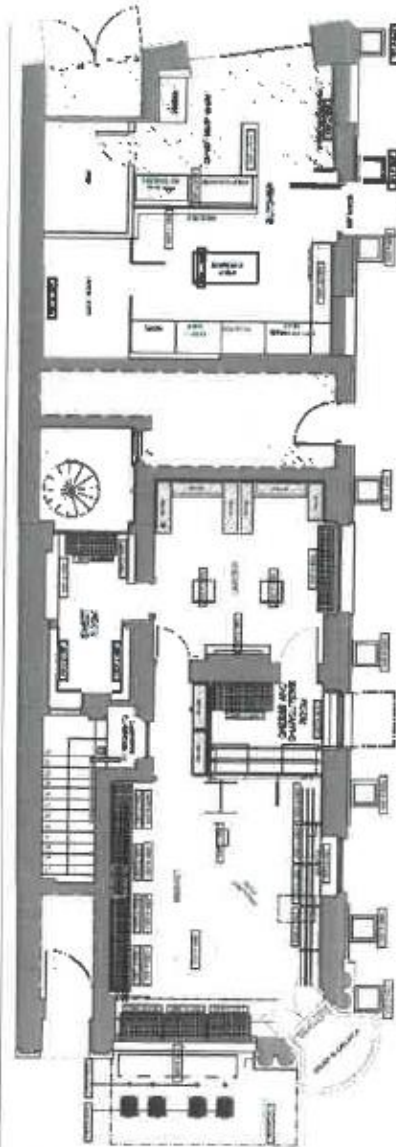
Through a series of pre-selected local and imported unique items, DEAN & DELUCA will provide it's customers with products for occasion, pantry and everyday needs. A coffee and tea element will be done in line with the location and showcase London Roasters and Tea Specialists.

### Potential Collaborators, Products and Thoughts for DEAN & DELUCA Mount Street.

<p>Neil's Yard Monmouth Coffee East India Tea Company</p>	<p>Charbonnel &amp; Walker Chocolates Prestat Chocolates Melt Chocolates</p>	<p>Primrose Bakery The Bread Factory Bread Ahead</p>	<p>Selection of DEAN &amp; DELUCA Private Label Items, Housewares Gifting</p>	<p>Oils, Vinegars Salts, Seasonings, Baking, Pasta, Sauces, Condiments, Conserves, Honey, Syrups</p>	<p>Rice, Noodles, Legumes, Crackers, Snacks, Beverages, Wines &amp; Beers</p>
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## THE SHOP

117 MOUNT STREET



### Ground Floor

- Espresso Bar
- Bakery
- Fresh Produce
- Grab & Go
- Snacks
- Cheese Room
- Packaged Foods
- Confectionary

### Mews Butchers

- Fresh Beef
- Poultry
- Pork
- Lamb
- Game
- Pies
- Pates
- Speciality

### The Product Proposition

Approximately 2,000 SCU's

Hierarchy of Value : 10% Good, 50% Better, 40% Best.

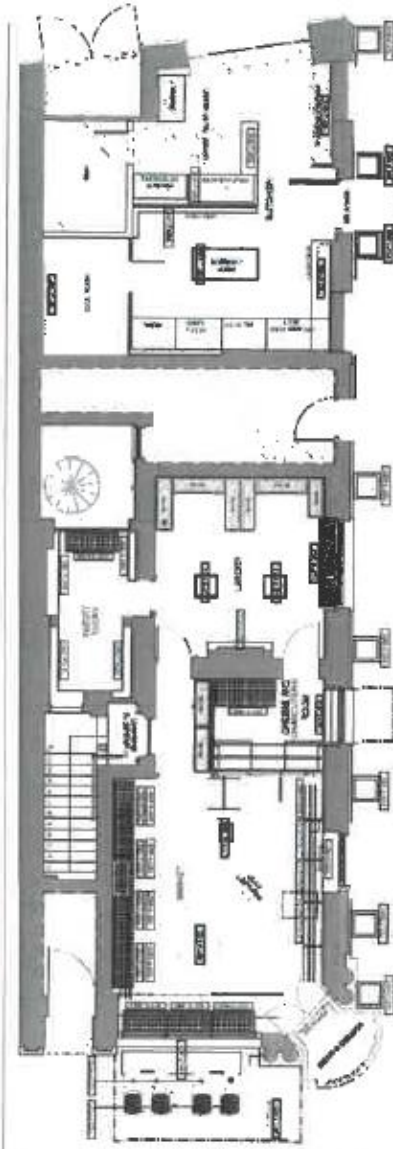
Owned Categories: Seasonings, Salts, Coffee, Tea, Snacks on the Run

Fresh: Seasonal, Local, Hard to find ingredients, Chef Promotions, e.g. Chilli Week

## THE SHOP

117 MOUNT STREET

The Espresso Bar



Pastries from Bread Ahead, Primrose Bakery  
The Bread Factory



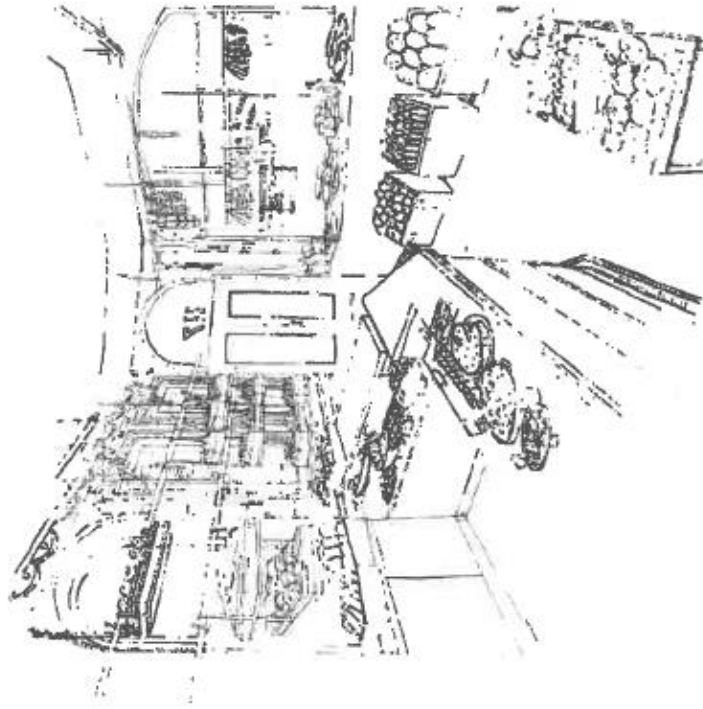
Coffee by Monmouth Coffee, speciality Blends



Guest Supplies + Vegeware, Compostable w/it 3 weeks.

**FACING THE NEIGHBOURHOOD**

**THE DELI**





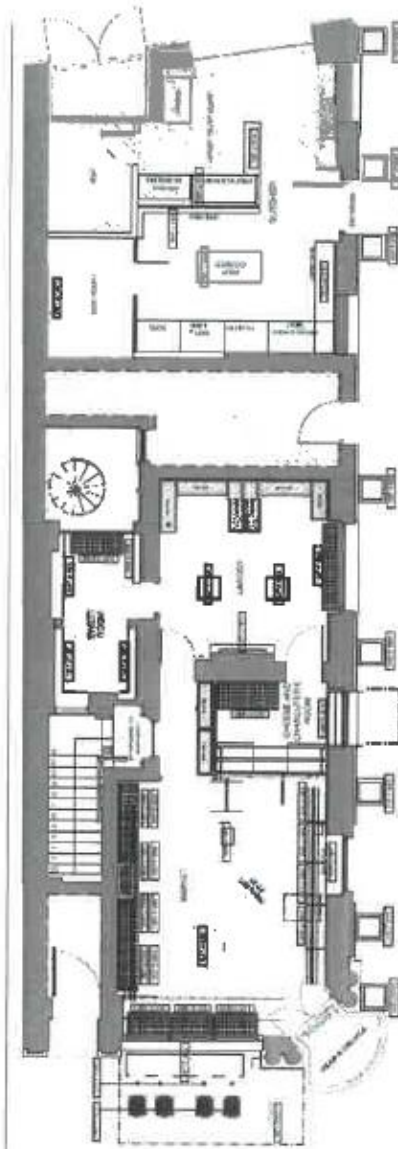
**THE SHOP**

117 MOUNT STREET

**The MEWS BUTCHERY**



**DEAN & DELUCA**



**DEAN & DELUCA  
INSPIRED BUTCHERY**



**Dry Ageing Process  
and Theatre**



**Roast Sandwich of  
the Day**

## THE MEWS BUTCHER

TRADITIONAL SERVICE STYLES AND BRITISH PRODUCE



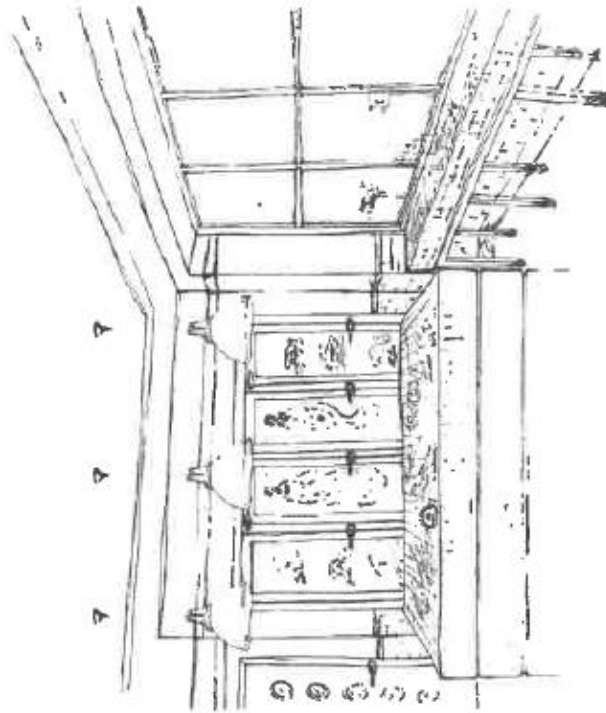
SCOTTISH STEAKS



TRADITIONAL SERVICE



BRITISH PRODUCE



## THE SHOP

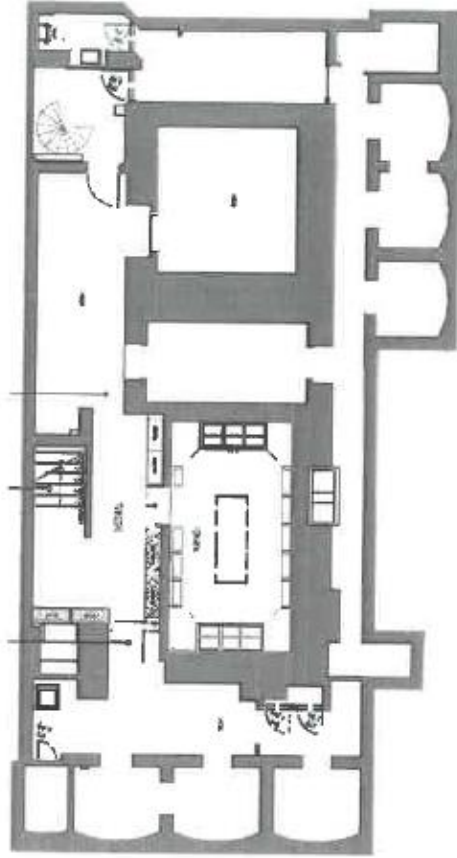
117 MOUNT STREET

### International Wine Room

- Wines
- Champagnes
- Beers
- Enomatic Machines
- Special Events



Harvey Nichols



### Community Events

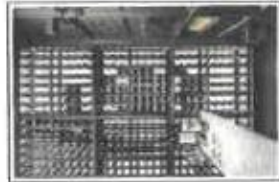
- Cheese and Wine Evening, Hosted by Neil's Yard
- British Wine Tasting Event
- Great Food Award Winners, Meet & Greet
- The Glorious 12<sup>th</sup> Burns Night
- A Mount Street Christmas
- Sushi Evening, Hosted by Rosanjin

## EXTRAORDINARY TASTES

### WINE SELECTION AND TASTING ROOM



WINE SELECTION



WINE SELECTION

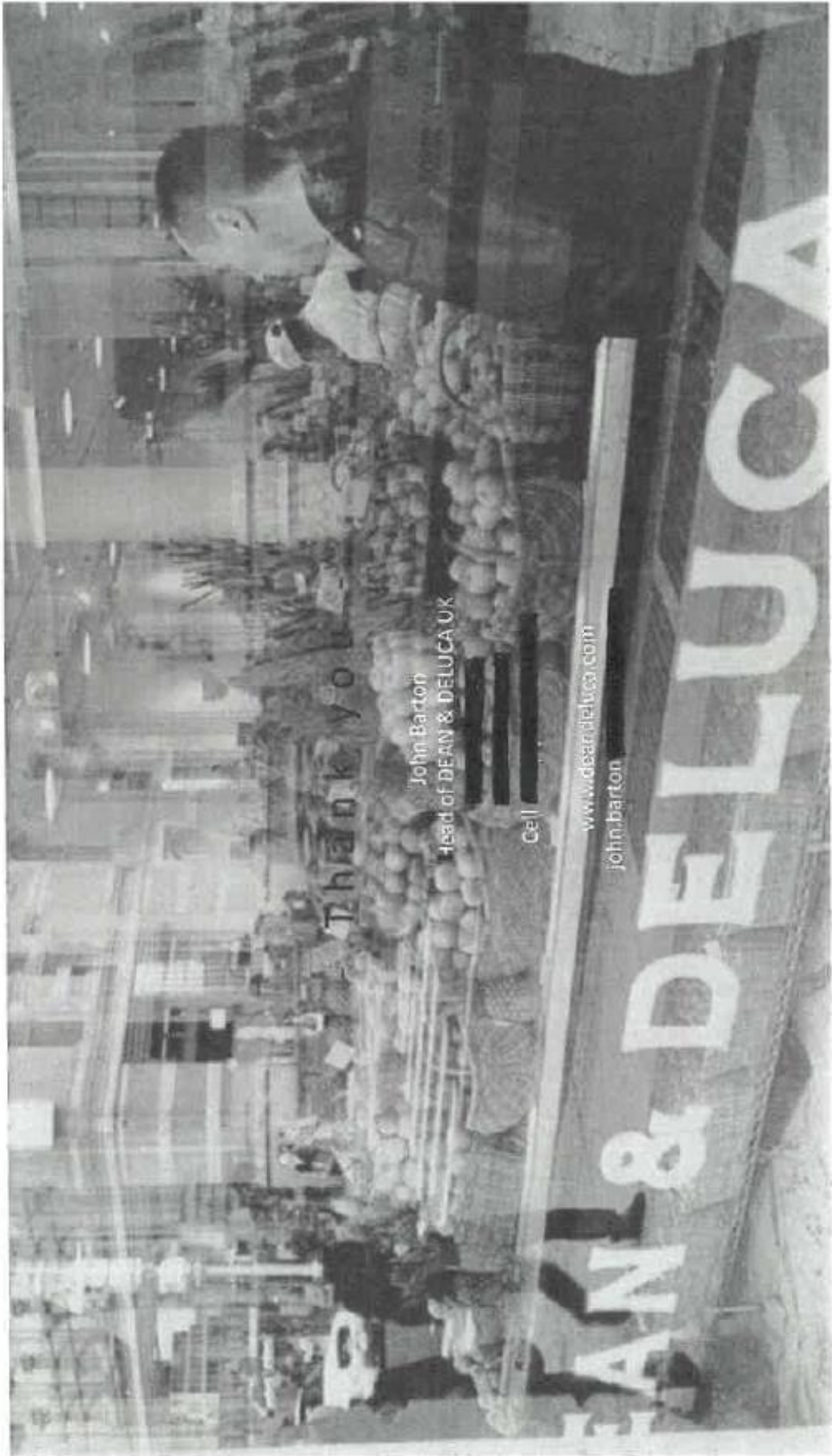


WINE SELECTION



WINE SELECTION





## DEAN & DELUCA MOUNT STREET.



### Place:

In the 1700's Mount Street was the longest road owned by the Grosvenor Estate, and derived its name from an area called Mount Field. At that time, it was an important thoroughfare between Central London and Tyburn where public executions were carried out.

The Street was completely overhauled in the late 1880's where-after it became a fashionable shopping district.

Allen's of Mayfair opened its doors in 1830 and was originally sited on South Audley Street. In 1880 it moved to Mount Street and before its closure in October 2015 was London's oldest Butchers and was a favourite of Residents and some of London's top Chefs providing meat to many of London's finest establishments including, The Connaught, Claridges, The Dorchester, The Berkeley, and The Savoy.

DEAN & DELUCA, a company with a rich heritage, sees Mount Street as the ideal location to open its first, and initially only, Neighbourhood Store, offering the quality and expertise valued in this prestigious area.

Alongside a Butcher, The Mount Street Store will offer an Espresso Bar, Freshly Baked Bread and Pastries, a Deli Service, a Walk-In Cheese and Charcuterie Room, Wines and Beers, and Local Produce from the best British sources. Key to the success of Mount Street will be a drive to offer the best in 'Market Foods' and 'Ingredients' from around the world which is a founding principle of DEAN & DELUCA.

DEAN & DELUCA's roots are in SoHo, NYC, and were born from offering a unique service and unbeatable knowledge of its products. Through a series of pre-selected local and imported items DEAN & DELUCA will provides its customers with products for occasion, pantry, and everyday needs.

DEAN & DELUCA will retain its 'Neighbourhood Heart' in the heart of Mayfair providing a much-needed amenity for residents whilst also hoping to attract London's Foodies looking for those hard to find ingredients, this remains true to the DEAN & DELUCA ethos as a 'Purveyor of Fine Food'

David Collins Design Studio has been trusted with the design, as with 30 years working on iconic and important London interiors they know and understand the market and will ensure to celebrate the importance of the existing location.

**Product:**

The Store itself occupies just under 2,700 square feet and will offer most of the Product Categories DEAN & DELUCA Fans will expect. Although the size of the offer will be smaller than our 10,000-sq. ft. SoHo Store, the same attention to detail and product ethos will be in effect when choosing which products make the cut.

For 40 Years, it has been our Mission to find the world's best epicurean treats for cooking eating and entertaining. We work persistently to curate a food forward assortment of the best and newest food products from around the globe.

Every product at DEAN & DELUCA is chosen for a reason and comes with a provenance and a story. We want to offer our customers the opportunity to explore the world through our wide variety of products, ingredients and ready to eat foods. We hope our store will unfold like a great journey, revealing different experiences as you make your way through the space.

The Store will range just over 1,200 Items across 8 Categories:

- Bread & Pastry
- Packaged Foods
- Confectionary
- Dairy
- Produce
- Wines and Beers
- Cheese and Charcuterie
- Butchers
- Deli

We are working hand in hand with some of the UK's best suppliers to hand craft our range to meet the needs of our customers. Imported Products from around the globe will sit alongside the very best Britain and Ireland has to offer, with a great selection of 'Great Taste Award' winners in evidence.

Food Theatre, Product Sampling and Producer Demonstrations will all be daily occurrences in the store, and each and every member of staff will have been given the best product knowledge which they will be actively encouraged to impart to customers.

We hope to bring those Hard to Find ingredients to your Kitchen Table coupled with an attitude of *'if we do not have it, we will find it for you'*

Alongside our local and internationally inspired range will be a selection of DEAN & DELUCA's most popular private Label items. Ranging from our exceptional DOP Chianti Classico EVOO, to our Iconic New York Cheesecake Caramels.

### Statistics

Area	Area Sq. Ft
Ground Floor Retail	1,350
Basement Retail	400
Basement BOH	850
Total Retail	1,750
Total Gross Area	2,600

### Product Categories\*

Category	Number of Products in Category
Bakery	50
Fresh Produce	50
Espresso Bar	20
Cheese & Charcuterie	70
Packaged Foods	650
Confectionery and Chocolates	150
Sandwiches & Salads	20
Wines & Beers	100
Butchery	100
<b>Total</b>	<b>1210*</b>

\*May be subject to Change

### Store Opening Times\*

Retail Store	Trading Hours	Butchers	Trading Hours
MONDAY	7.30am – 9pm*	MONDAY	9.00am – 6.00pm
TUESDAY	7.30am – 9pm*	TUESDAY	9.00am – 6.00pm
WEDNESDAY	7.30am – 9pm*	WEDNESDAY	9.00am – 6.00pm
THURSDAY	7.30am – 9pm*	THURSDAY	9.00am – 6.00pm
FRIDAY	7.30am – 9pm*	FRIDAY	9.00am – 6.00pm
SATURDAY	8.00am – 9pm*	SATURDAY	9.00am – 4.00pm
SUNDAY	8.00am – 5pm	SUNDAY	Closed

\*May be subject to Change

Opening is to be Confirmed, but we are aiming for End September.







**Dean & DeLuca**  
**117 Mount Street, Mayfair, W1K 3LA**

Licensing Statement of John Barton, Head of Dean & DeLuca UK

As can be seen from my short biography, I have extensive experience in the retail market and have worked at Dean & DeLuca since 2006.

As can be seen in the attached documentation, Dean & DeLuca is first and foremost a retail store. However, along with a number of retail premises such as department stores and other high quality food delicatessens, we hope subject to licensing to have alcohol available for off-sales along with facilities within the store, predominantly for food, with an ancillary alcohol offer.

Having established the former Allen's as a suitable location for Dean & DeLuca and obtaining a community lease, we commenced the appropriate Stakeholder consultation with the local community, together with pre-consultation meetings with Westminster City Council's District Surveyor and Senior Environmental Health Officer, Alan Lynagh and Ian Watson and also, with Sandy Russell of the Metropolitan Police.

On the 20<sup>th</sup> March, we held a Stakeholder meeting at The Connaught Hotel with those persons who we felt would be most relevant to discuss our proposals with and in particular, in relation to the licensing application. The guest list for the event included local Ward Councillors; Glenys Roberts, Jonathan Glanz and Paul Church. Also, in order to reach out to the community at large, we invited Ron Whelan from Mayfair Residents' Group and Lois Peltz from the Residents Society of Mayfair and St James. In addition, we invited our immediate neighbours.

The application for the new Premises Licence was only prepared once we had received feedback from both the Responsible Authorities and also the local community. We have endeavoured to strike a balance between the needs of the business, as balanced with the rights and concerns of the local community, with the overriding consideration of the promotion of the licensing objectives in respect of the sale of alcohol which is the only licensable activity sought.

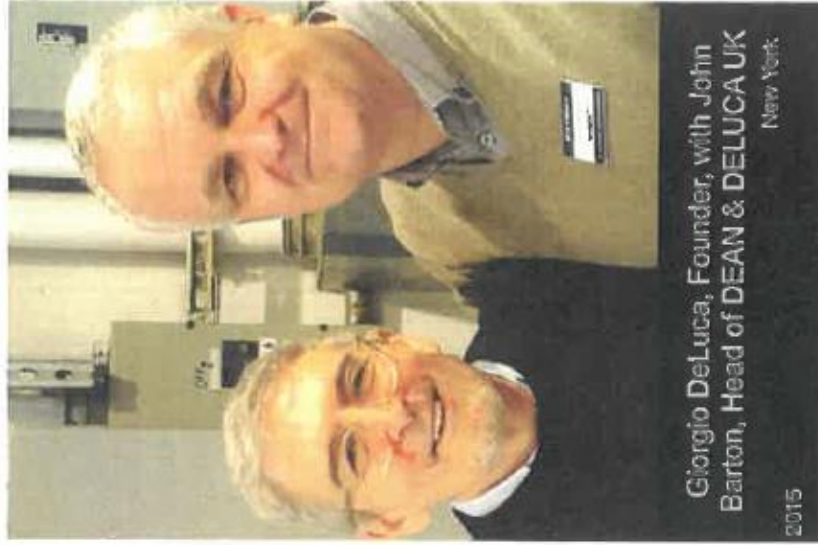
The majority our stores have an alcohol offer and total alcohol sales across the whole of Dean & DeLuca is less than 5%. That figure also includes spirits and we are not seeking to sell spirits at Dean & DeLuca in Mount Street. Of the less than 5% alcohol sales, 83% of those are off-sales with only 17% of sales are represented by in-house consumption. Whilst a small part of the business, it is nevertheless, an important part of the business and this application has also been crafted to take

into account special events. Not only are we required by our community lease to offer a certain number of community events which we feel naturally would benefit from the provision of alcohol, recent events that have taken place in the US have included cook book events and launches of certain Dean & DeLuca products.

In summary we believe our store in Mount Street will be in a positive and welcome addition to the neighbourhood, and the aspect of the business involving the sale of alcohol we are confident, will not have any negative impact, or undermine the licensing objectives and Westminster City Council's Licensing Policy.

## John Barton

- 18 years with Marks & Spencer, in a variety of Store and Head Office Roles across the UK and Europe.
- 3 Years as General Manager with Tesco PLC.
- 2006 - Joined DEAN & DELUCA as International Operations Manager and opened stores in Middle East (Kuwait, Qatar, Dubai).
- 2010 - Moved to Asia to open DEAN & DELUCA Stores in Korea and Thailand.
- 2014 - Appointed as COO of DEAN & DELUCA, based in New York, USA.
- 2016 - Appointed Head of DEAN & DELUCA UK, charged with delivering the UK Rollout Plan.



**George Domleo**

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**From:** Clare Eames  
**Sent:** 20 April 2017 16:42  
**To:** 'chair [REDACTED]'  
**Subject:** Dean & DeLuca, 117 Mount Street, Mayfair - New Premises Licence Application - FAO Lois Peltz  
**Attachments:** Dean & DeLuca - Draft Application Form.pdf  
**DOCID:** 2145885796  
**SENTON:** 20/04/2017 16:41:33

Dear Lois

It was lovely to meet you at the Connaught on the 20<sup>th</sup> March to discuss my client's application for a new Premises Licence for Dean & DeLuca. My clients were delighted with the positive feedback from the local community however, as promised prior to submitting the application, I attach a copy for your further consideration.

My client is confident that we have taken on board all of the concerns of the local community and have found an appropriate balance to meet the licensing requirements of Dean and DeLuca while mindful of their desire to live and work harmoniously with their neighbours.

I will be submitting the application in the next few days but please do not hesitate to contact me should you have any questions.

Kind regards

Clare

30

**George Domleo**

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**From:** Clare Eames  
**Sent:** 20 April 2017 16:43  
**To:** 'groberts [REDACTED]'  
**Subject:** Dean& DeLuca, 117 Mount Street, Mayfair - New Premises Licence Application  
**Attachments:** Dean & DeLuca - Draft Application Form.pdf  
**DOCID:** 2145885803  
**SENTON:** 20/04/2017 16:42:46

Dear Glenys

It was lovely to meet you at the Connaught on the 20<sup>th</sup> March to discuss my client's application for a new Premises Licence for Dean & DeLuca. My clients were delighted with the positive feedback from the local community however, as promised prior to submitting the application, I attach a copy for your further consideration.

My client is confident that we have taken on board all of the concerns of the local community and have found an appropriate balance to meet the licensing requirements of Dean and DeLuca while mindful of their desire to live and work harmoniously with their neighbours.

I will be submitting the application in the next few days but please do not hesitate to contact me should you have any questions.

Kind regards

Clare

**George Domleo**

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**From:** Glenys Roberts <Glenys.Roberts@popall.co.uk>  
**Sent:** 20 April 2017 17:19  
**To:** Clare Eames  
**Subject:** Re: Dean & DeLuca, 117 Mount Street, Mayfair - New Premises Licence Application  
**DOCID:** 2145885890

Dear Clare thank you for sending me the application. I do think these hours including Sundays are quite long and smack more of a wine bar than a deli. I am asking some locals what they think and will get back to you. Alcohol with breakfast? Alcohol to take away till 11 when we are surrounded by homeless drinkers? I'll get back to you  
Glenys

Sent from my iPad

On 20 Apr 2017, at 16:44, Clare Eames <C.Eames@popall.co.uk> wrote:

External Sender

Dear Glenys

It was lovely to meet you at the Connaught on the 20<sup>th</sup> March to discuss my client's application for a new Premises Licence for Dean & DeLuca. My clients were delighted with the positive feedback from the local community however, as promised prior to submitting the application, I attach a copy for your further consideration.

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Kind regards

Clare

Clare Eames | Partner

**Poppleston Allen**

E: [C.Eames@popall.co.uk](mailto:C.Eames@popall.co.uk) | T: 0203 859 7750 | M: 07866 436 464 | W: [www.popall.co.uk](http://www.popall.co.uk)

Authorised and Regulated by the Solicitors Regulation Authority (SRA No: 78244). The professional rules to which we are subject are the Solicitors Code



**George Domleo**

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**From:** Clare Eames  
**Sent:** 20 April 2017 17:33  
**To:** 'Glenys Roberts'  
**Subject:** RE: Dean& DeLuca, 117 Mount Street, Mayfair - New Premises Licence Application

**DOCID:** 2145885895

Dear Glenys

Thanks for your response and I can confirm that the hours are as discussed at the consultation meeting. My client was keen to ensure that we were very transparent in respect of what we would be seeking and how the hours would operate.

If you look at the conditions you will see that post 9pm is only for pre booked private functions and these functions will be in the basement where the capacity is limited to 20. As such off sales will finish at 9pm daily and you may also recall that due to the community lease restrictions that only wines and beer can be sold.

Please do call me for any additional clarification.

Kind regards

Clare

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**From:** Glenys Roberts [mailto:Glenys.Roberts@██████████]  
**Sent:** 20 April 2017 17:19  
**To:** Clare Eames  
**Subject:** Re: Dean& DeLuca, 117 Mount Street, Mayfair - New Premises Licence Application

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Sent from my iPad

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**George Domleo**

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**From:** Glenys Roberts <Glenys.Roberts@popall.co.uk>  
**Sent:** 20 April 2017 19:00  
**To:** Clare Eames  
**Subject:** Re: Dean& DeLuca, 117 Mount Street, Mayfair - New Premises Licence Application  
**Attachments:** image6eab07.PNG  
**DOCID:** 2145891476

In actually away till Tuesday and it's a bit difficult to read the details of attachments. I may be wrong but don't think it says how many people will be able to eat and drink outside or those outside for smoking. We can take this up again when I'm back

Regards Glenys

Sent from my iPhone

On 20 Apr 2017, at 17:34, Clare Eames <C.Eames@popall.co.uk> wrote:

Dear Glenys

Thanks for your response and I can confirm that the hours are as discussed at the consultation meeting. My client was keen to ensure that we were very transparent in respect of what we would be seeking and how the hours would operate.

If you look at the conditions you will see that post 9pm is only for pre booked private functions and these functions will be in the basement where the capacity is limited to 20. As such off sales will finish at 9pm daily and you may also recall that due to the community lease restrictions that only wines and beer can be sold.

Please do call me for any additional clarification.

Kind regards

Clare

**Clare Eames | Partner**

**Poppleston Allen**

E: [C.Eames@popall.co.uk](mailto:C.Eames@popall.co.uk) | T: 0203 859 7750 | M: 07886 438 484 | W: [www.popall.co.uk](http://www.popall.co.uk)

London Office: The Stanley Building, 7 Pancras Square, London, N1C 4AG

<image6eab07.PNG>

**From:** Glenys Roberts [<mailto:Glenys.Roberts@popall.co.uk>]  
**Sent:** 20 April 2017 17:19  
**To:** Clare Eames  
**Subject:** Re: Dean& DeLuca, 117 Mount Street, Mayfair - New Premises Licence Application

**Michelle Steward**

---

**From:** Clare Eames  
**Sent:** 26 April 2017 11:41  
**To:** 'groberts: [REDACTED]'  
**Subject:** FW: Dean& DeLuca, 117 Mount Street, Mayfair - New Premises Licence Application  
**Attachments:** App checked & approved by CE.pdf  
  
**DOCID:** 2145892151  
**SENTON:** 26/04/2017 11:40:47

Dear Glenys,

Further to my email below, there was one condition missing from the draft application that I sent you that has now been incorporated. In particular this deals with the fact that alcohol will not be permitted to be consumed on the Premises until 10am although alcohol can be sold off the Premises from 8am – this is a similar arrangement to Mount Street Deli which might assist.

Any questions, please let me know.

Kind regards

Clare

---

**From:** Clare Eames  
**Sent:** 20 April 2017 16:43  
**To:** 'groberts: [REDACTED]'  
**Subject:** Dean& DeLuca, 117 Mount Street, Mayfair - New Premises Licence Application

Dear Glenys

It was lovely to meet you at the Connaught on the 20<sup>th</sup> March to discuss my client's application for a new Premises Licence for Dean & DeLuca. My clients were delighted with the positive feedback from the local community however, as promised prior to submitting the application, I attach a copy for your further consideration.

My client is confident that we have taken on board all of the concerns of the local community and have found an appropriate balance to meet the licensing requirements of Dean and DeLuca while mindful of their desire to live and work harmoniously with their neighbours.

I will be submitting the application in the next few days but please do not hesitate to contact me should you have any questions.

Kind regards

Clare

**Michelle Steward**

---

**From:** Clare Eames  
**Sent:** 26 April 2017 11:42  
**To:** 'chai: [REDACTED]'  
**Subject:** Dean & DeLuca, 117 Mount Street, Mayfair - New Premises Licence Application - FAO Lois Peltz  
**Attachments:** App checked & approved by CE.pdf  
  
**DOCID:** 2145892156  
**SENTON:** 26/04/2017 11:41:49

Dear Lois,

Further to my email below, there was one condition missing from the draft application that I sent you that has now been incorporated. In particular this deals with the fact that alcohol will not be permitted to be consumed on the Premises until 10am although alcohol can be sold off the Premises from 8am – this is a similar arrangement to Mount Street Dell which might assist.

Any questions, please let me know.

Kind regards

Clare

---

**From:** Clare Eames  
**Sent:** 20 April 2017 16:42  
**To:** 'chai: [REDACTED]'  
**Subject:** Dean & DeLuca, 117 Mount Street, Mayfair - New Premises Licence Application - FAO Lois Peltz

Dear Lois

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My client is confident that we have taken on board all of the concerns of the local community and have found an appropriate balance to meet the licensing requirements of Dean and DeLuca while mindful of their desire to live and work harmoniously with their neighbours.

I will be submitting the application in the next few days but please do not hesitate to contact me should you have any questions.

Kind regards

Clare

**Michelle Steward**

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**From:** Clare Eamés  
**Sent:** 18 May 2017 11:59  
**To:** 'rwhelan.'  
**Subject:** Dean & DeLuca, 117 Mount Street, Mayfair, W1K 3LA - New Premises Licence Application

**DOCID:** 2145922964  
**SENTON:** 18/05/2017 11:58:37

Dear Ron

I hope this email finds you well.

You may recall meeting with my clients at their stakeholder engagement evening on 20<sup>th</sup> March at the Connaught Hotel. During the pre-consultation meeting, my client was able to explain their proposals in relation to the new Premises Licence application for Dean & DeLuca. As you will recall, my clients are working closely with Grosvenor, who have granted them a community lease so as to maintain the amenity in Mount Street of both a butcher and associated delicatessen. As part of the premises offer there is proposed to be an opportunity for customers to purchase wine and certain beers to take away and also there will be limited on sales of alcohol at the premises, which as we explained, primarily relate to private events and perhaps the odd glass of wine that somebody might like to try before buying a bottle, or perhaps with their lunch.

My clients very much consider that the alcohol is ancillary to the overall use of the premises and will make up a very small part of the business. As such, and following extensive pre-consultation with the District Surveyor and Senior Environmental Health Officer at Westminster City Council, a package of very comprehensive conditions have been submitted with the new licence application to ensure that there is no negative impact on the licensing objectives. My client is confident that the premises will have a positive impact on Mount Street and the business and residential community in the area.

In light of all this, I would be grateful if you could consider providing a positive representation in favour of the new premises licence application following your attendance at the stakeholder engagement evening, as I recall you were satisfied with the proposals. Please note that the deadline for providing representations is the 22<sup>nd</sup> May 2017.

You can contact the licensing department in the following ways and please quote 'Ref: 17/04250/LIPN - Dean & DeLuca':

**Post** – Public Protection & Licensing, Westminster City Council, Portland House, 22<sup>nd</sup> Floor, Bressenden Place, Victoria, London, SW1E 5RS

**Email** - [licensing@westminster.gov.uk](mailto:licensing@westminster.gov.uk)

Should you have any queries then please do not hesitate to contact me.

Kind regards

Clare

✦

37

**George Domleo**

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**From:** Clare Eames  
**Sent:** 09 June 2017 13:52  
**To:** 'rwhelan. [REDACTED]'  
**Subject:** RE: Dean & DeLuca, 117 Mount Street, Mayfair, W1K 3LA - New Premises Licence Application

**DOCID:** 2145951635  
**SENTON:** 09/06/2017 13:51:45

Dear Ron,

Further to my email below, I note that you have made a representation to my client's application. I know that when we met at the stakeholder meeting we did discuss with you the operating times and the fact that there would be some consumption of alcohol at the premises in certain limited circumstances.

As such, I would welcome the opportunity to meet with you together with my client, to discuss your concerns and I would be grateful if you could please confirm that you would be agreeable to do that and perhaps we can agree a date and time next week.

I look forward to hearing from you shortly.

Kind regards,

Clare

---

**From:** Clare Eames  
**Sent:** 18 May 2017 11:59  
**To:** 'rwhelan. [REDACTED]'  
**Subject:** Dean & DeLuca, 117 Mount Street, Mayfair, W1K 3LA - New Premises Licence Application

Dear Ron

I hope this email finds you well.

You may recall meeting with my clients at their stakeholder engagement evening on 20<sup>th</sup> March at the Connaught Hotel. During the pre-consultation meeting, my client was able to explain their proposals in relation to the new Premises Licence application for Dean & DeLuca. As you will recall, my clients are working closely with Grosvenor, who have granted them a community lease so as to maintain the amenity in Mount Street of both a butcher and associated delicatessen. As part of the premises offer there is proposed to be an opportunity for customers to purchase wine and certain beers to take away and also there will be limited on sales of alcohol at the premises, which as we explained, primarily relate to private events and perhaps the odd glass of wine that somebody might like to try before buying a bottle, or perhaps with their lunch.

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You can contact the licensing department in the following ways and please quote 'Ref: 17/04250/LIPN - Dean & DeLuca':

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38

**George Domleo**

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**From:** Clare Eames  
**Sent:** 09 June 2017 13:53  
**To:** 'groberts' [REDACTED]  
**Subject:** RE: Dean& DeLuca, 117 Mount Street, Mayfair - New Premises Licence Application

**DOCID:** 2145951638  
**SENTON:** 09/06/2017 13:52:17

Dear Glenys,

Further to my email below, I note that you have made a representation to my client's application.

I wonder if you would be agreeable to meet with my client and I as we would like the opportunity to reassure you that the application reflects the proposals that were put to the local community at the stakeholders meeting where we met.

First and foremost this premises is a delicatessen and my client hopes will be a welcome addition to the area. Perhaps if we could talk to you more about the style of operation and the proposals here we would be able to allay any concerns that you may have.

I look forward to hearing from you so that we can agree a date to meet perhaps next week.

Kind regards.

Clare

---

**From:** Clare Eames  
**Sent:** 26 April 2017 11:41  
**To:** 'groberts' [REDACTED]  
**Subject:** FW: Dean& DeLuca, 117 Mount Street, Mayfair - New Premises Licence Application

Dear Glenys,

Further to my email below, there was one condition missing from the draft application that I sent you that has now been incorporated. In particular this deals with the fact that alcohol will not be permitted to be consumed on the Premises until 10am although alcohol can be sold off the Premises from 8am – this is a similar arrangement to Mount Street Deli which might assist.

Any questions, please let me know.

Kind regards

Clare

---

**From:** Clare Eames  
**Sent:** 20 April 2017 16:43  
**To:** 'groberts' [REDACTED]  
**Subject:** Dean& DeLuca, 117 Mount Street, Mayfair - New Premises Licence Application

Dear Glenys

It was lovely to meet you at the Connaught on the 20<sup>th</sup> March to discuss my client's application for a new Premises Licence for Dean & DeLuca. My clients were delighted with the positive feedback from the local community however, as promised prior to submitting the application, I attach a copy for your further consideration.

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39

Miss Jacqueline Hurst



Date: 14 June 2017  
Our ref: CE/SAU/L12008-1  
Your ref: Doc Ref: 2145956567  
E-mail: c.eames@popall.co.uk  
Direct line: 0203 859 7750

Dear Miss Hurst,

**Dean & DeLuca, 117 Mount Street, Mayfair, London**  
**New Premises Licence**

As you may be aware, I act on behalf of Dean & DeLuca and I note that you were able to attend my client's Stakeholder meeting at the Connaught on the 20<sup>th</sup> March to discuss my client's application for a new Premises Licence.

Following the Stakeholder meeting and in light of pre-consultation with the Metropolitan Police Licensing Officer and Westminster City Council's Senior Environmental Health Officer, and District Surveyor the application was carefully crafted so as to address any potential concerns of the local community.

My clients were pleased to note that you are looking forward to Dean & DeLuca opening; however, you have highlighted two concerns in relation to the trading hours and the consumption of alcohol on the premises.

In relation to the trading hours, I note that you have no concern with the commencement time however; you highlighted a concern surrounding the closing time for the premises. The application has been drafted, so as to limit the number of persons permitted within the basement at any one time to not exceed 20. It is only in the basement area, together with some tables and chairs at the front of the premises that customers will be able to eat, if a Premises Licence is granted, consume alcohol if they choose. In addition the conditions in the application mean that beyond 21:00 hours, the only consumption of alcohol on the premises will be permissible by persons who are attending a pre-booked and bona-fide private function or an event to which members of the public are not admitted.

My clients trading ethos, as can be seen on the attached positioning statement, is to be "a purveyor of fine food". The consumption of alcohol at the premises is very much ancillary to the primary use of the premises. As you will see in the attached document, out of the

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number of products that will be available at Dean & DeLuca, the wine and beers (which will be predominantly sold for off-sales), makes up less than 10% of the overall offer at the premises.

You will also see that the core store trading hours are to be until 9pm Monday to Saturday and 5pm on Sunday. My client would like to retain the flexibility as explained for consumption of alcohol on the premises beyond 9pm and off sales in defined circumstances. An example might be customers who have attended a wine tasting one evening may wish to purchase some wine to take away.

In relation to the external area, you will see on the attached plan submitted with the application that a small number of tables and chairs are on the frontage of Mount Street, which will be available for the occasional consumption of alcohol. Please note, that drinks will not be permitted to be removed from that area in open containers and shall only be served by waiter or waitress service to patrons seated at tables and those tables and chairs will be removed by 21:00 hours each day. Please note, that these restrictions are incorporated within the licence application and if granted, will form part of the licence to which criminal sanctions would apply in the event of breach of the licence.

I hope that this additional information provides you with the reassurance that you require and if you would like to discuss the application further or arrange to meet with my client then please do not hesitate to contact me on 0203 859 7750.

Yours sincerely

Clare Eames  
Poppleston Allen

Encs

Mr Bernard Looney



Date: 14 June 2017  
Our ref: CE/SAU/L12008-1  
Your ref: Doc Ref: 2145956588  
E-mail: c.eames@popall.co.uk  
Direct line: 0203 859 7750

Dear Mr Looney,

**Dean & DeLuca, 117 Mount Street, Mayfair, London**  
**New Premises Licence**

As you may be aware, I act on behalf of Dean & DeLuca and I note that you were able to attend my client's Stakeholder meeting at the Connaught on the 20<sup>th</sup> March to discuss my client's application for a new Premises Licence.

Following the Stakeholder meeting and in light of pre-consultation with the Metropolitan Police Licensing Officer and Westminster City Council's Senior Environmental Health Officer, and District Surveyor the application was carefully crafted so as to address any potential concerns of the local community.

My clients were pleased to note that you are looking forward to Dean & DeLuca opening; however, you have highlighted two concerns in relation to the trading hours and the consumption of alcohol on the premises.

In relation to the trading hours, I note that you have no concern with the commencement time however; you highlighted a concern surrounding the closing time for the premises. The application has been drafted, so as to limit the number of persons permitted within the basement at any one time to not exceed 20. It is only in the basement area, together with some tables and chairs at the front of the premises that customers will be able to eat, if a Premises Licence is granted, consume alcohol if they choose. In addition the conditions in the application mean that beyond 21:00 hours, the only consumption of alcohol on the premises will be permissible by persons who are attending a pre-booked and bona-fide private function or an event to which members of the public are not admitted.

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I hope that this additional information provides you with the reassurance that you require and if you would like to discuss the application further or arrange to meet with my client then please do not hesitate to contact me on 0203 859 7750.

Yours sincerely

Clare Eames  
**Poppleston Allen**

Encs



Mr Ahmed Nassar



Date: 14 June 2017  
Our ref: CE/SAU/L12008-1  
Your ref: Doc Ref: 2145956589  
E-mail: c.eames@popall.co.uk  
Direct line: 0203 859 7750

Dear Mr Nassar,

**Dean & DeLuca, 117 Mount Street, Mayfair, London**  
**New Premises Licence**

I act on behalf of Dean & DeLuca UK in relation to their application for a new Premise Licence which is due to be determined by Westminster's Licensing Sub-Committee on Thursday 22<sup>nd</sup> June.

My client has asked me to contact you in response to your representation to provide you with some further information which we hope will allay the concerns that you have raised in relation to the application.

My clients were pleased to note that you are looking forward to Dean & DeLuca opening; however, you have highlighted concerns in relation to the trading hours and the consumption of alcohol on the premises. The application has been carefully crafted after pre-consultation with the Metropolitan Police Licensing Officer and Westminster City Council's Senior Environmental Health Officer, and District Surveyor so as to address any potential concerns of the local community.

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Principal Office in Nottingham

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the primary use of the premises. As you will see in the attached document, out of the number of products that will be available at Dean & DeLuca, the wine and beers (which will be predominantly sold for off-sales), makes up less than 10% of the overall offer at the premises.

You will also see that the core store trading hours are to be until 9pm Monday to Saturday and 5pm on Sunday. My client would like to retain the flexibility as explained for consumption of alcohol on the premises beyond 9pm and off sales in defined circumstances. An example might be customers who have attended a wine tasting one evening may wish to purchase some wine to take away.

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I hope that this additional information provides you with the reassurance that you require and if you would like to discuss the application further or arrange to meet with my client then please do not hesitate to contact me on 0203 859 7750.

Yours sincerely

Claire Eames  
Poppleston Allen

Enca

Dr Ahmed Tahoun



Date: 14 June 2017  
Our ref: CE/SAU/L12008-1  
Your ref: Doc Ref: 2145956590  
E-mail: c.eames@popall.co.uk  
Direct line: 0203 859 7750

Dear Dr Tahoun,

**Dean & DeLuca, 117 Mount Street, Mayfair, London**  
**New Premises Licence**

I act on behalf of Dean & DeLuca UK in relation to their application for a new Premise Licence which is due to be determined by Westminster's Licensing Sub-Committee on Thursday 22<sup>nd</sup> June.

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Yours sincerely

Ciare Eames  
Poppleston Allen

Encs

~~CONFIDENTIAL~~

Mrs Tetiana Torbina



Date: 14 June 2017  
Our ref: CE/SAU/L12008-1  
Your ref: Doc Ref: 2145956591  
E-mail: c.eames@popall.co.uk  
Direct line: 0203 859 7750

Dear Mrs Torbina,

**Dean & DeLuca, 117 Mount Street, Mayfair, London**  
**New Premises Licence**

I act on behalf of Dean & DeLuca UK in relation to their application for a new Premise Licence which is due to be determined by Westminster's Licensing Sub-Committee on Thursday 22<sup>nd</sup> June.

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Yours sincerely

Clare Eames  
Poppleston Allen

Encs

~~XXXXXXXXXX~~

Mrs Vivienne Loesch



Date: 14 June 2017  
Our ref: CE/SAU/L12008-1  
Your ref: Doc Ref: 2145956592  
E-mail: c.eames@popall.co.uk  
Direct line: 0203 859 7750

Dear Mrs Loesch,

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My clients trading ethos, as can be seen on the attached positioning statement, is to be "a purveyor of fine food". The consumption of alcohol at the premises is very much ancillary to

**Partners** • James R D Anderson Ltd • Nick Arron Ltd • Graeme Cushion Ltd • Clare Eames Ltd • Andy Grimsey Ltd • Lisa Inzani Ltd  
Lisa Sharkey Ltd • Jorithen M Smith Ltd • **Associate** • Sarah Taylor  
The Stanley Building, 7 Pancras Square, London N1C 4AG • T 0203 859 7750 • W popall.co.uk  
Principal Office in Nottingham

Authorised and Regulated by the Solicitors Regulation Authority (SRA no. 78244)

the primary use of the premises. As you will see in the attached document, out of the number of products that will be available at Dean & DeLuca, the wine and beers (which will be predominantly sold for off-sales), makes up less than 10% of the overall offer at the premises.

You will also see that the core store trading hours are to be until 9pm Monday to Saturday and 5pm on Sunday. My client would like to retain the flexibility as explained for consumption of alcohol on the premises beyond 9pm and off sales in defined circumstances. An example might be customers who have attended a wine tasting one evening may wish to purchase some wine to take away.

In relation to the external area, you will see on the attached plan submitted with the application that a small number of tables and chairs are on the frontage of Mount Street, which will be available for the occasional consumption of alcohol. Please note, that drinks will not be permitted to be removed from that area in open containers and shall only be served by waiter or waitress service to patrons seated at tables and those tables and chairs will be removed by 21:00 hours each day. Please note, that these restrictions are incorporated within the licence application and if granted, will form part of the licence to which criminal sanctions would apply in the event of breach of the licence.

I hope that this additional information provides you with the reassurance that you require and if you would like to discuss the application further or arrange to meet with my client then please do not hesitate to contact me on 0203 859 7750.

Yours sincerely

Clare Eames  
Poppleston Allen

Encs

Mr Alan Hobart



Date: 14 June 2017  
Our ref: CE/SAU/L12008-1  
Your ref: Doc Ref: 2145956594  
E-mail: c.eames@popall.co.uk  
Direct line: 0203 859 7750

Dear Mr Hobart,

**Dean & DeLuca, 117 Mount Street, Mayfair, London**  
**New Premises Licence**

I act on behalf of Dean & DeLuca UK in relation to their application for a new Premise Licence which is due to be determined by Westminster's Licensing Sub-Committee on Thursday 22<sup>nd</sup> June.

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Yours sincerely

Clare Eames  
Poppleston Allen

Encs



Mr Keith Gardner



Date: 14 June 2017  
Our ref: CE/TXR/L12008-1  
Doc Ref: 2145958164  
Your ref:  
E-mail: c.eames@popall.co.uk  
Direct line: 0203 859 7750

Dear Mr Gardner,

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Yours sincerely

**Claire Eames**  
**Poppleston Allen**

Encs



Ms Glenys Roberts  
18 Mount Street  
London  
W1K 3RT

Date: 23 June 2017  
Our ref: CE/NAP/L12008-1  
Doc Ref: 2145960469  
Your ref:  
E-mail: c.eames@popall.co.uk  
Direct line: 0203 859 7750

Dear Ms Roberts

**Dean & DeLuca, 117 Mount Street, London, W1K 3NJ**

I write further to my previous correspondence to you and in particular my letters of both the 14<sup>th</sup> June detailing more information surrounding the application and also the 15<sup>th</sup> June enclosing an evidence bundle in support of our client's application for a new Premises Licence.

As you are aware, due to the Council's Officers at Portland House being used for the Grenfell Tower Disaster London Resilience Team the hearing for the determination of the application has now been postponed to a date still to be agreed.

In light of the cancelled hearing and my recent correspondence I wanted to contact you to see whether or not you would be prepared to either discuss on the telephone with myself or meet with my client to discuss your representation.

In light of the concerns that have been generally raised and also to reinforce my client's position in relation to Dean & DeLuca we are proposing that should the Committee grant the Premises Licence it will be subject to a further condition which will read as follows:

*The premises shall be used primarily as a food retail store and the provision of alcohol shall remain ancillary to the main use of the premises as a food retail store.*

As you may be aware, conditions of this nature have been imposed on Premises Licences in Westminster and my client hopes that this will provide the further reassurance in relation to the premises.

Yours sincerely

Clare Eames  
**Poppleston Allen**



**Premises History**

There is no licence or appeal history for the premises.

## 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 consistent with the operating schedule

9. 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.
10. 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 premise 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.
11. The supply of alcohol for consumption 'On' the premises shall commence at 10:00 hours seven days a week .
12. The supply of alcohol for consumption 'On' the premises shall be by waiter or waitress service .
13. Food and non-intoxicating beverages, including drinking water , shall be available in all parts of the premises where alcohol is sold or supplied for consumption 'On' the premises .
14. After 21.00 hours alcohol shall only be sold for consumption 'On' the premises by persons attending a pre-booked and bona fide private function or event to which members of the public are not admitted. A register of the event, organiser and number of persons attending the event shall be kept at the premises and made available for immediate inspection by police or an authorised officer of the Council.
15. 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 CCIV system or searching equipment or scanning equipment
  - (g) any visit by a relevant authority or emergency service .

16. No super-strength beer, lagers or ciders of 5.5% ABV (alcohol by volume) or above shall be sold at the premises except for premium beers sold in glass bottles.
17. The number of persons permitted within the basement at any one time (excluding staff) shall not exceed 20 persons.
18. The Licence will have no effect until the premises have been assessed as satisfactory by the Environmental Health Consultation Team and this condition has been removed from the Licence.
19. Before the premises open to the public, the plans as deposited 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.
20. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises , and that this area shall be swept and or washed , and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.
21. The approved arrangements at the premises, including means of escape provisions, emergency warning equipment , the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.
22. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.
23. All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.
24. All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device .
25. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous .
26. Alcohol consumed outside the premises building shall only be consumed by patrons seated at tables .
27. There shall be no self service of alcohol on the ground floor of the premises .
28. After 21.00 hours all outside tables and chairs shall be removed or rendered unusable .
29. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly .

30. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
31. 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.
32. No waste or recyclable materials , including bottles, shall be moved, removed or placed in outside areas between 23.00 hours and 08.00 hours.
33. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
32. No deliveries to the premises shall take place between 23.00 and 08.00 hours.
33. The premises licence holder shall ensure that any patrons drinking and/or smoking outside the premises do so in an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.
34. 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.
35. 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 premise is open.

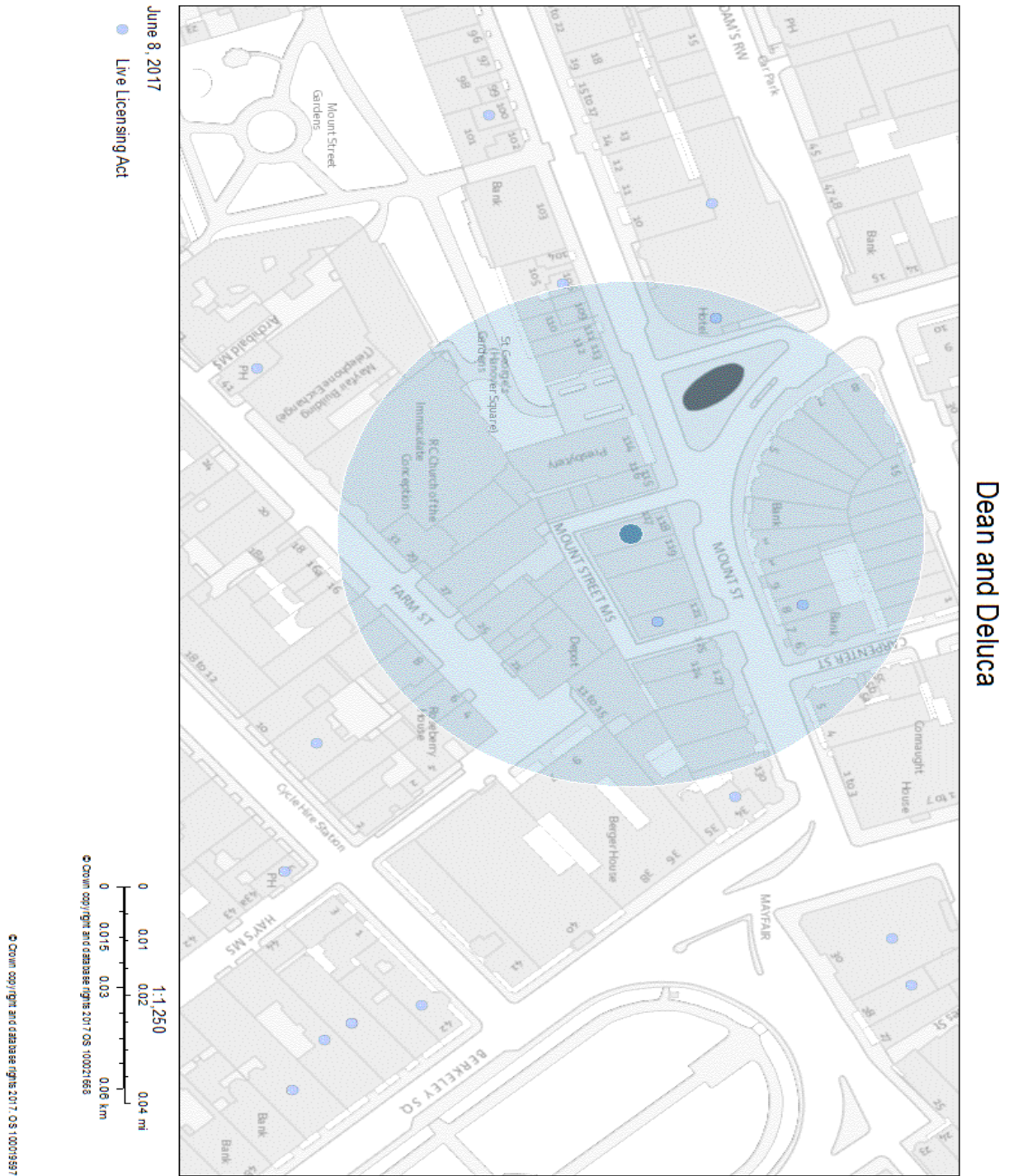
***Further proposed conditions by the applicant following discussions:***

36. The premises shall be used primarily as a food retail store and the provision of alcohol shall remain ancillary to the main use of the premises as a food retail store.

**Conditions proposed by the Environmental Health**

None submitted.

**Residential Map and List of Premises in the Vicinity**



Dean and Deluca

Resident count: 107





City of Westminster

# Licensing Sub-Committee Report

Agenda Item 2

Item No:	
Date:	20 July 2017
Licensing Ref No:	17/05777/LIPV - Premises Licence Variation
Title of Report:	Hilton London Paddington Hotel 146 Praed Street London W2 1RL
Report of:	Director of Public Protection and Licensing
Wards involved:	Hyde Park
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Miss Heidi Lawrance Senior Licensing Officer
Contact details	Telephone: 020 7641 2751 Email: hlawrance@westminster.gov.uk

## 1. Application

1-A Applicant and premises			
<b>Application Type:</b>	Variation of a Premises Licence, Licensing Act 2003		
<b>Application received date:</b>	26 May 2017		
<b>Applicant:</b>	HLT London Manage Limited		
<b>Premises:</b>	Hilton London Paddington Hotel		
<b>Premises address:</b>	Hilton London Paddington 146 Praed Street London W2 1RL	<b>Ward:</b>	Hyde Park
		<b>Cumulative Impact Area:</b>	None.
<b>Premises description:</b>	The premises is operating as a Hotel and Bar.		
<b>Variation description:</b>	<p>To vary all references to 'Steam Bar' so that they read '146 Paddington Bar'.</p> <p>And</p> <p>To vary conditions 1, 13, 21 and 22.</p>		
<b>Premises licence history:</b>	<p>The premises has been licensed since August 2008.</p> <p>A copy of the current premises licence is attached at Appendix 6.</p>		
<b>Applicant submissions:</b>	None submitted		

<b>1-B Current and proposed licensable activities, areas and hours</b>					
<b>Regulated Entertainment</b>					
<b>Performance of Dance and Live Music</b>					
	<b>Current Hours</b>		<b>Proposed Hours</b>		<b>Licensable Area</b>
	<b>Start:</b>	<b>End:</b>	<b>Start:</b>	<b>End:</b>	
<b>Monday</b>	10:00	03:00	No Change		See plan attached at Appendix 1
<b>Tuesday</b>	10:00	03:00			
<b>Wednesday</b>	10:00	03:00			
<b>Thursday</b>	10:00	03:00			
<b>Friday</b>	10:00	03:00			
<b>Saturday</b>	10:00	03:00			
<b>Sunday</b>	10:00	03:00			
<b>Seasonal Variations / Non-standard timings:</b>	<b>Current:</b>			<b>Proposed:</b>	
	Conditions attached at Appendix 4			No change	

<b>Performance of Dance and Live Music</b>					
	<b>Current Hours</b>		<b>Proposed Hours</b>		<b>Licensable Area</b>
	<b>Start:</b>	<b>End:</b>	<b>Start:</b>	<b>End:</b>	
<b>Monday</b>			No Change		In 146 Paddington Bar only.
<b>Tuesday</b>					
<b>Wednesday</b>					
<b>Thursday</b>					
<b>Friday</b>	10:00	04:00			
<b>Saturday</b>	10:00	04:00			
<b>Sunday</b>					
<b>Seasonal Variations / Non-standard timings:</b>	<b>Current:</b>			<b>Proposed:</b>	
	Conditions attached at Appendix 4			No change	

Exhibition of Film					
	Current Hours		Proposed Hours		Licensable Area
	Start:	End:	Start:	End:	
Monday	00:00	00:00	No Change		See plan attached at Appendix 1
Tuesday	00:00	00:00			
Wednesday	00:00	00:00			
Thursday	00:00	00:00			
Friday	00:00	00:00			
Saturday	00:00	00:00			
Sunday	00:00	00:00			
Seasonal Variations / Non-standard timings:	Current:			Proposed:	
	Conditions attached at Appendix 4			No change	

Playing of Recorded Music					
	Current Hours		Proposed Hours		Licensable Area
	Start:	End:	Start:	End:	
Monday	00:00	00:00	No change.		See plan attached at Appendix 1
Tuesday	00:00	00:00			
Wednesday	00:00	00:00			
Thursday	00:00	00:00			
Friday	00:00	00:00			
Saturday	00:00	00:00			
Sunday	00:00	00:00			
Seasonal Variations / Non-standard timings:	Current:			Proposed:	
	Conditions attached at Appendix 4			No change	

Late Night Refreshment					
	Current Hours		Proposed Hours		Licensable Area
	Start:	End:	Start:	End:	
Monday	23:00	03:00	No change.		See plan attached at Appendix 1
Tuesday	23:00	03:00			
Wednesday	23:00	03:00			
Thursday	23:00	03:00			
Friday	23:00	03:00			
Saturday	23:00	03:00			
Sunday	23:00	03:00			
Seasonal variations/ Non-standard timings:	Current:			Proposed:	
	Conditions attached at Appendix 4			No change	

Late Night Refreshment					
	Current Hours		Proposed Hours		Licensable Area
	Start:	End:	Start:	End:	
Monday			No change.		In 146 Paddington Bar only.
Tuesday					
Wednesday					
Thursday					
Friday	23:00	04:00			
Saturday	23:00	04:00			
Sunday					
Seasonal variations/ Non-standard timings:	Current:			Proposed:	
	Conditions attached at Appendix 4			No change	

Sale by Retail of Alcohol					
On or off sales			Current :		Proposed:
			On and Off Sales		No Change.
	Current Hours		Proposed Hours		Licensable Area
	Start:	End:	Start:	End:	
Monday	10:00	03:00	No Change.		See plan attached at Appendix 1
Tuesday	10:00	03:00			
Wednesday	10:00	03:00			
Thursday	10:00	03:00			
Friday	10:00	03:00			
Saturday	10:00	03:00			
Sunday	10:00	03:00			
Seasonal variations/ Non-standard timings:	Current:			Proposed:	
	Conditions attached at Appendix 4			No change	

Sale by Retail of Alcohol					
On or off sales			Current :		Proposed:
			On and Off Sales		No Change.
	Current Hours		Proposed Hours		Licensable Area
	Start:	End:	Start:	End:	
Monday			No Change.		In 146 Paddington Bar only.
Tuesday					
Wednesday					
Thursday					
Friday	10:00	03:30			
Saturday	10:00	03:30			
Sunday					
Seasonal variations/ Non-standard timings:		Current:			Proposed:
		Conditions attached at Appendix 4			No change

Hours premises are open to the public					
	Current Hours		Proposed Hours		Premises Area
	Start:	End:	Start:	End:	
Monday	00:00	00:00	No Change.		See plan attached at Appendix 1
Tuesday	00:00	00:00			
Wednesday	00:00	00:00			
Thursday	00:00	00:00			
Friday	00:00	00:00			
Saturday	00:00	00:00			
Sunday	00:00	00:00			
Seasonal variations/ Non-standard timings:		Current:			Proposed:
		Conditions attached at Appendix 4			No change

1-C Layout alteration	
No changes applied for.	

<b>1-D Conditions being varied, added or removed</b>	
<b>Condition</b>	<b>Proposed variation</b>
<p><b><u>Condition 12</u></b></p> <p>On Friday and Saturday nights a minimum of 4 SIA licensed door supervisors shall be on duty at the premises from 22:00 to close of business.</p>	<p><b><u>Amend to:</u></b></p> <p>On Friday and Saturday nights when 146 Paddington Bar is open to non-residents, who are not bona fide guests of residents, after midnight:</p> <ul style="list-style-type: none"> <li>• A minimum of 4 SIA licensed door supervisors shall be on duty at the premises from 22:00 to the close of business.</li> </ul>
<p><b><u>Condition 13</u></b></p> <p>On Friday and Saturday nights the premises must employ 1 female SIA door woman from 22:00 to close of business</p>	<p><b><u>Amended to:</u></b></p> <p>On Friday and Saturday nights when 146 Paddington Bar is open to non-residents, who are non bona fide guests of non residents after midnight:</p> <ul style="list-style-type: none"> <li>• The premises must employ 1 female SIA door woman from 22:00 to close of business</li> </ul>
<p><b><u>Condition 21:</u></b></p> <p>The supply of alcohol in the Steam Bar after 23:00 hours shall be ancillary to music and/or dancing and substantial refreshment</p>	<p><b><u>Amended to:</u></b></p> <p>The supply of alcohol in the 146 Paddington Bar to non-residents after midnight shall be ancillary to music and/or dancing and substantial refreshment.</p>
<p><b><u>Condition 22</u></b></p> <p>For any persons admitted to the Steam Bar after 23:00 hours, the supply of alcohol shall only take place if they fall into one of the following categories, namely:</p> <ol style="list-style-type: none"> <li>persons who have paid a minimum admission fee of £5 Sunday to Thursday and £7 Friday and Saturday, such sum not to be credited against consumables, or</li> <li>persons attending a pre-booked private function at the premises, or</li> </ol>	<p><b><u>Amended to:</u></b></p> <p>For any persons admitted to the 146 Paddington Bar after midnight, the supply of alcohol shall only take place if they fall into one of the following categories, namely:</p> <ol style="list-style-type: none"> <li>persons who have paid a minimum admission fee of £5 Sunday to Thursday and £7 Friday and Saturday, such sum not to be credited against consumables, or</li> <li>persons attending a pre-booked</li> </ol>

<p>c) artistes or persons employed at the premises, or</p> <p>d) bona fide guests of the proprietor, or</p> <p>e) persons who are taking or have taken a table meal within the hotel, or</p> <p>f) persons residing at the hotel and their bona fide guests.</p>	<p>private function at the premises, or</p> <p>c) artistes or persons employed at the premises, or</p> <p>d) bona fide guests of the proprietor, or</p> <p>e) persons who are taking or have taken a table meal within the hotel, or</p> <p>f) persons residing at the hotel and their bona fide guests.</p>	
<b>Adult entertainment:</b>	<b>Current position:</b>	<b>Proposed position:</b>
	Not applicable	Not applicable

## 2. Representations

<b>2-A Responsible Authorities</b>	
<b>Responsible Authority:</b>	Environmental Health Consultation Team
<b>Representative:</b>	Mr Maxwell Koduah
<b>Received:</b>	15 <sup>th</sup> June 2017
<p><b>The applicant is seeking to:</b></p> <ol style="list-style-type: none"> <li>1. Amend condition 12 of premises licence number 17/01039/LIPDPS to read “On Friday and Saturday nights when 146 Paddington Bar is open to non-residents, who are not bona fide guests of residents, after midnight: <ul style="list-style-type: none"> <li>▪ A minimum of 4 SIA licensed door supervisors shall be on duty at the premises from 2200</li> </ul> </li>   <li>2. Amend condition 13 of premises licence number 17/01039/LIPDPS to read On Friday and Saturday nights when 146 Paddington Bar is open to non-residents, who are not bona fide guests of residents, after midnight: <ul style="list-style-type: none"> <li>▪ The premises must employ 1 female SIA door woman from 2200 hours to close of business</li> </ul> </li>   <li>3. Amend condition 22 of premises licence number 17/01039/LIPDPS to read “For any persons admitted to the Steam Bar after 12 midnight, the supply of alcohol shall only take place if they fall into one of the following categories, namely: <ol style="list-style-type: none"> <li>a) persons who have paid a minimum admission fee of £5 Sunday to Thursday and £7 Friday and Saturday, such sum not to be credited against consumables, or</li> <li>b) persons attending a pre-booked private function at the premises, or</li> <li>c) artistes or persons employed at the premises, or</li> <li>d) bona fide guests of the proprietor, or</li> <li>e) persons who are taking or have taken a table meal within the hotel, or</li> <li>f) persons residing at the hotel and their bona fide guests.</li> </ol> </li> </ol>	



**I wish to make the following representation**

1. The proposed amendment to Condition 12 is confusing and will have the likely effect of causing an increase in Public Nuisance and impact on public safety within the area
2. The proposed amendment to Condition 13 is confusing will have the likely effect of causing an increase in Public Nuisance and impact on public safety within the area
3. Extending the time to apply restrictions on the supply of alcohol in the Steam Room from 2300 hours to 12 midnight will have the likely effect of causing an increase in Public Nuisance and impact on public safety within the area

The applicant is asked to contact the undersigned to arrange a site visit to assess premises to ensure the premises is satisfactory and following this, additional conditions may be recommended by Environmental Health to support the licensing objectives Prevention of Public Nuisance and Public Safety.

***Further comments from Environmental Health :***

Conditions 12, 13, 21, 22, 29, 30 and 42 of Premises Licence ref. 17/01039/LIPDPS to be replaced with:

1. After midnight on Friday & Saturday, the supply of alcohol at the Steam Bar shall only be sold for consumption by:
  - a. Persons attending a pre-booked and bona fide private function or event to which members of the public are not admitted. A register of persons attending the event shall be kept at the premises and made available for immediate inspection by police or an authorised officer of the Council
  - b. Residents of the hotel and their bona fide guest
2. When the Steam Bar is open for the sale of alcohol after 12 midnight, other than to residents and their bona fide guests, a minimum of two SIA security officers including one female will be on duty at the entrance to the Steam Bar
3. No recorded and/or Live music in the Steam bar after 12 midnight
4. Entrance to the Steam Bar after 2300 on a Friday and Saturday night shall be via the hotel lobby

<b>Responsible Authority:</b>	Metropolitan Police Service
<b>Representative:</b>	PC Toby Janes
<b>Received:</b>	21 <sup>st</sup> June 2017

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.

The conditions offered within the application do address some of our concerns. However we have concerns that this application may cause further policing problems in an already demanding area.

<b>2-B Other Persons</b>			
<b>Name:</b>	Mr John Zamit		
<b>Address and/or Residents Association:</b>	South East Bayswater Residents' Association (SEBRA) 2, Claremont Court Queensway LONDON W2 5HX		
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	21 <sup>st</sup> June 2017		

South East Bayswater Residents' Association (SEBRA) objects to this variation as we are concerned as to residential amenity (noise etc) in the surrounding area from customers arriving or leaving the Steam Bar. We are also concerned as potential increase in crime & disorder in area.

We have difficulty understanding application and full effect on area if changes permitted

We were hoping to have a meeting with applicant and his advisors along with Richard Brown of WCAB (whose office is around the corner from the premises) and are still happy to meet up.

We are confused as where door supervisors are based as there is relatively new/revamped entrance to the Steam Bar at western end of hotel near to junction with Eastbourne Terrace as well as another entrance via main hotel entrance in Praed Street.

We are confused because:

condition 42 of current licence states: 42. The entrance to the Steam Bar shall only be via the hotel reception.

### 3. Policy & Guidance

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

<b>Policy HOT1 applies</b>	<p>Subject to the effect on the promotion of the licensing objectives and other relevant policies in this Statement, premises licences for hotels will generally be granted so that:</p> <p>(a) Alcohol is permitted to be sold at any time to people staying in hotel rooms for consumption on the premises.</p> <p>(b) The hours of serving of alcohol to the general public will be subject to conditions limiting the sale of alcohol after a specified time to those attending pre-booked events held at the hotel,</p> <p>(c) The exhibition of film, in the form of recordings or non-broadcast television programmes to be viewed in hotel bedrooms, will generally be permitted.</p>
<b>Policy PB1 applies:</b>	Applications will only be granted if it can be demonstrated that the proposal meets the relevant.

### 4. Appendices

<b>Appendix 1</b>	Premises plans
<b>Appendix 2</b>	Applicant supporting documents
<b>Appendix 3</b>	Premises history
<b>Appendix 4</b>	Proposed conditions
<b>Appendix 5</b>	Residential map and list of premises in the vicinity
<b>Appendix 6</b>	Current Premises Licence (17/01039/LIPDPS)

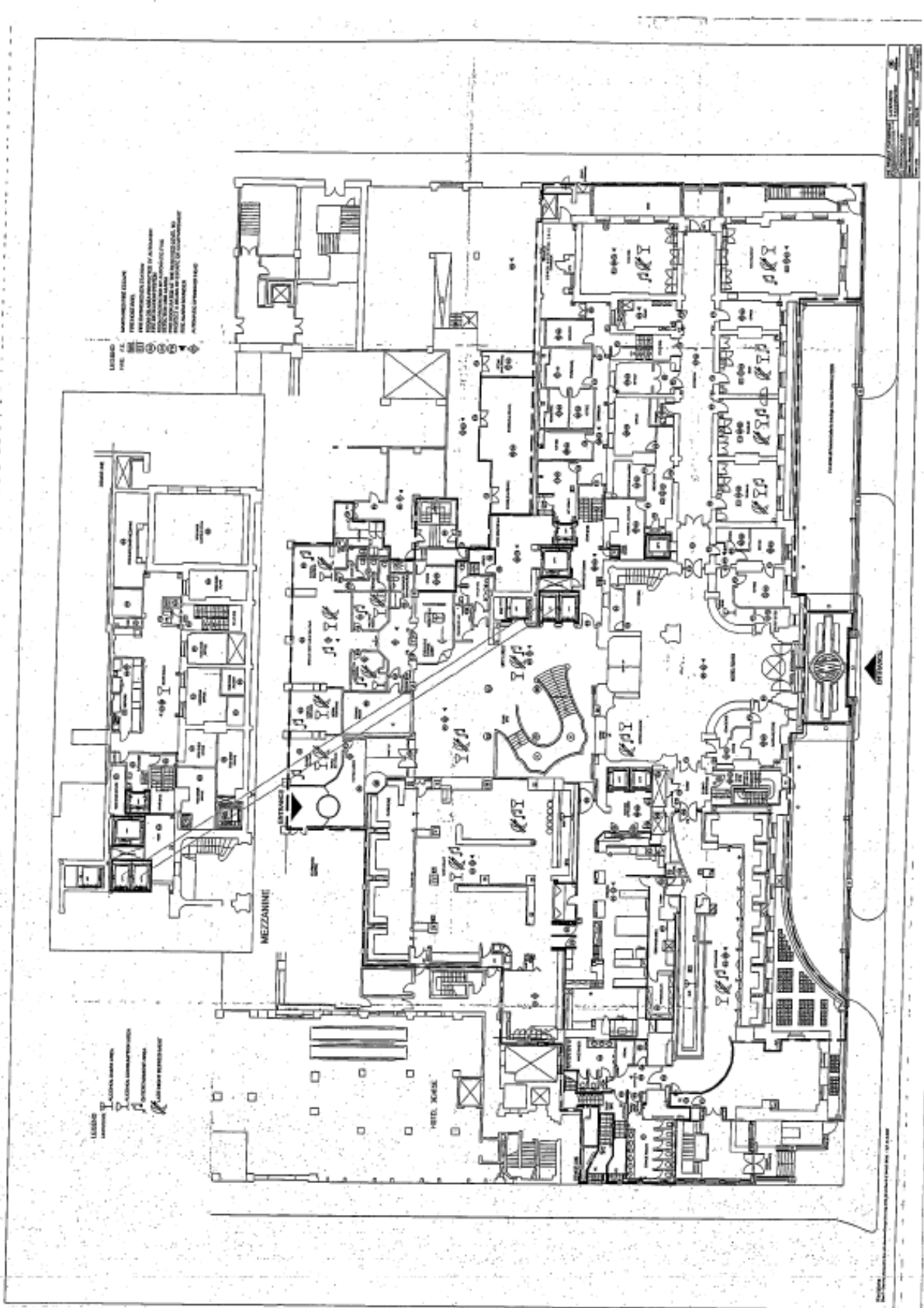
<b>Report author:</b>	Miss Heidi Lawrance Senior Licensing Officer
<b>Contact:</b>	Telephone: 020 7641 2751 Email: hlawrance@westminster.gov.uk

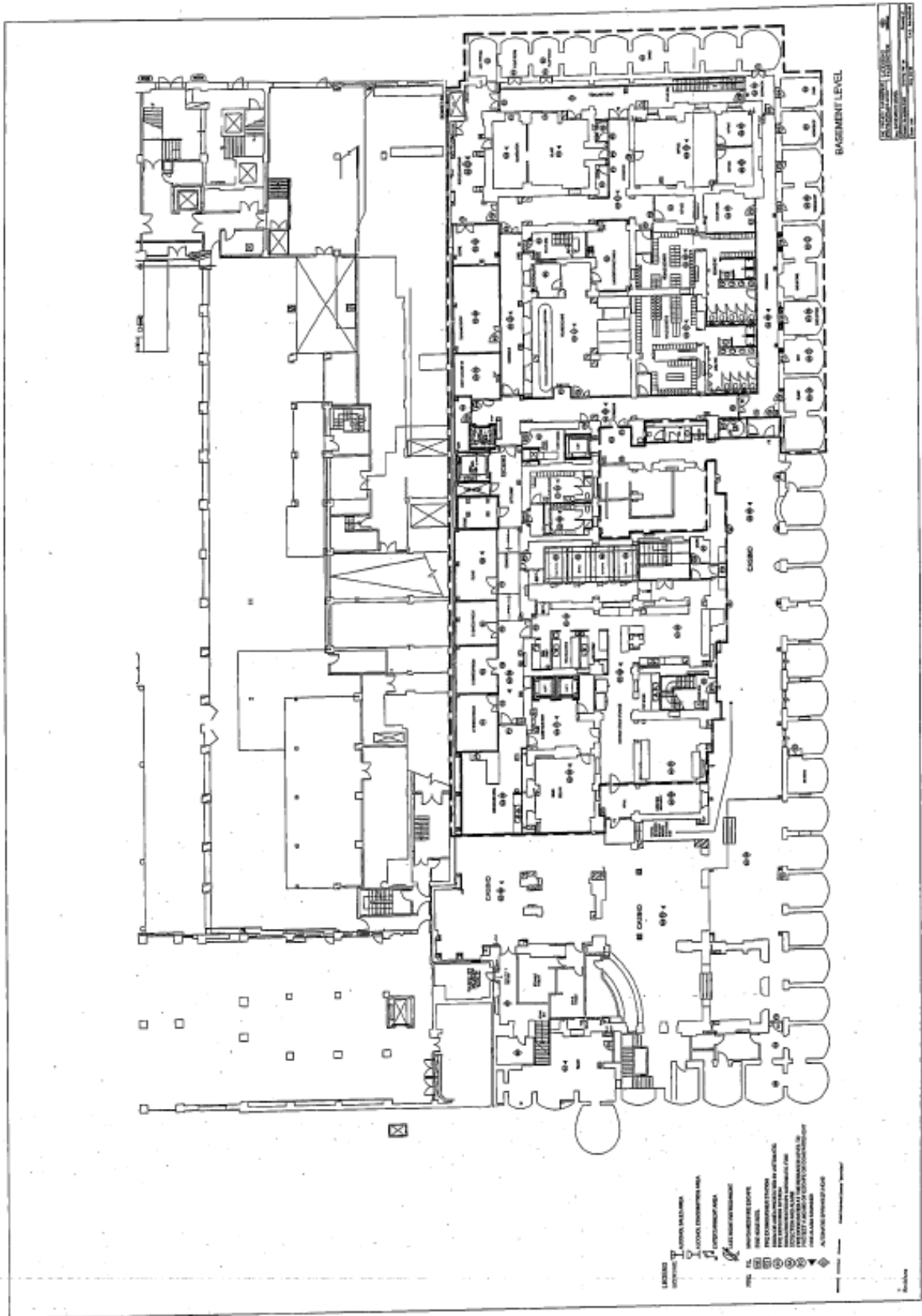
**If you have any queries about this report or wish to inspect one of the background papers please contact the report author.**

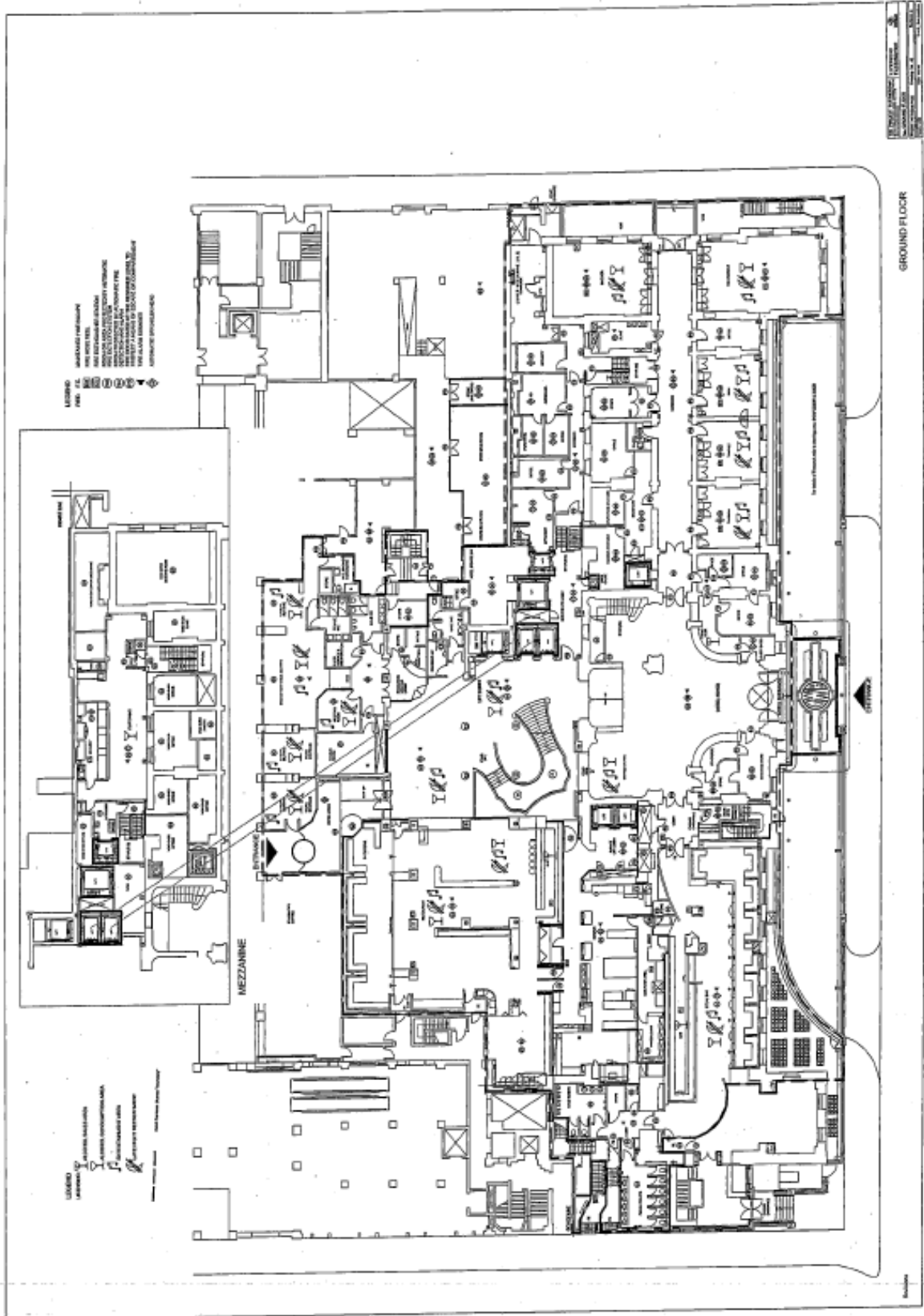
**Background Documents – Local Government (Access to Information) Act 1972**

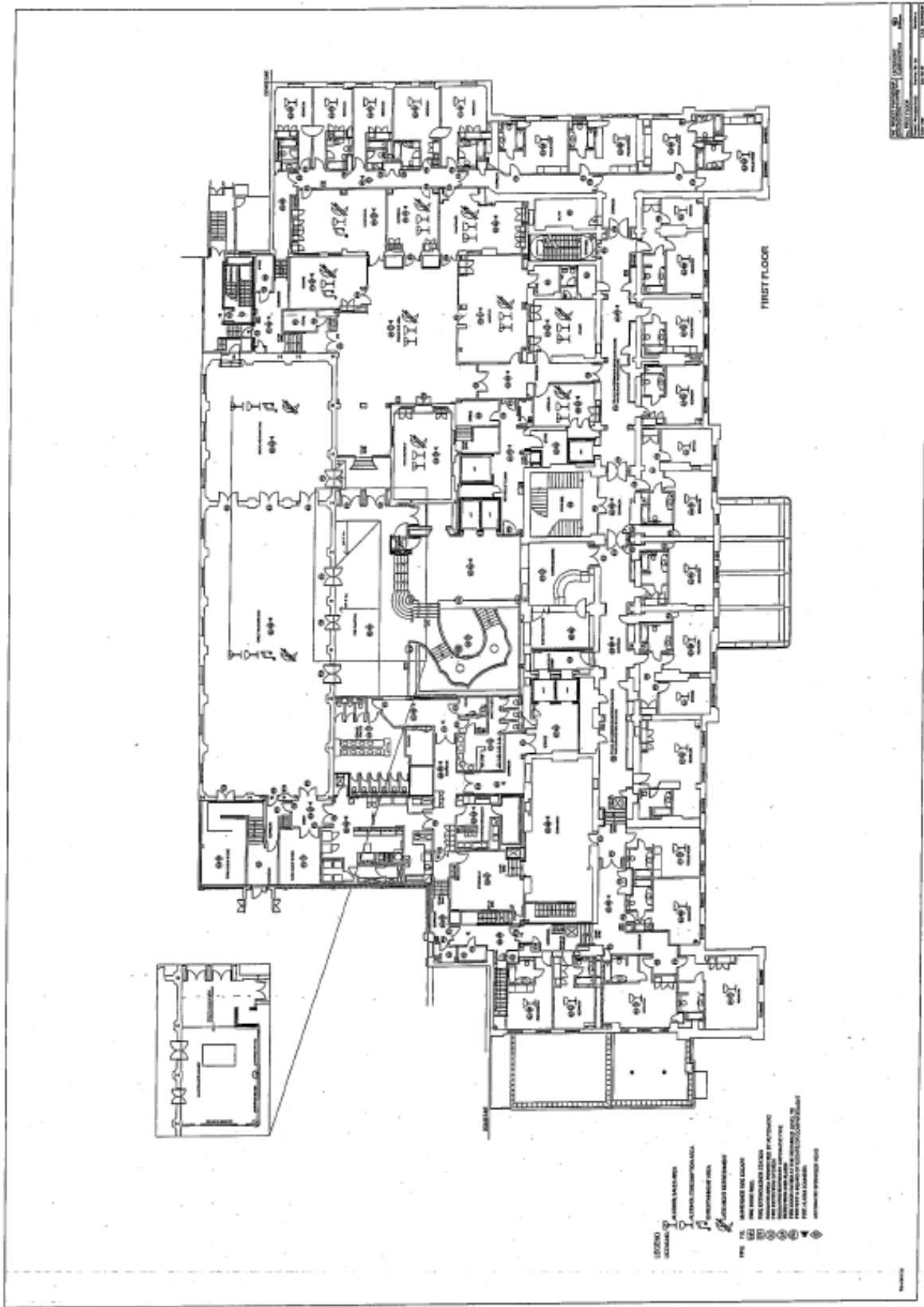
<b>1</b>	Licensing Act 2003	N/A
<b>2</b>	City of Westminster Statement of Licensing Policy	7 <sup>th</sup> January 2016
<b>3</b>	Amended Guidance issued under section 182 of the Licensing Act 2003	March 2015
<b>4</b>	Application Form	26 <sup>th</sup> May 2017
<b>5</b>	Representation – Environmental Health	15 <sup>th</sup> June 2017
<b>6</b>	Representation – MET Police Service	21 <sup>st</sup> June 2017
<b>7</b>	Representation – SEBRA	21 <sup>st</sup> June 2017

**Premises Plans**



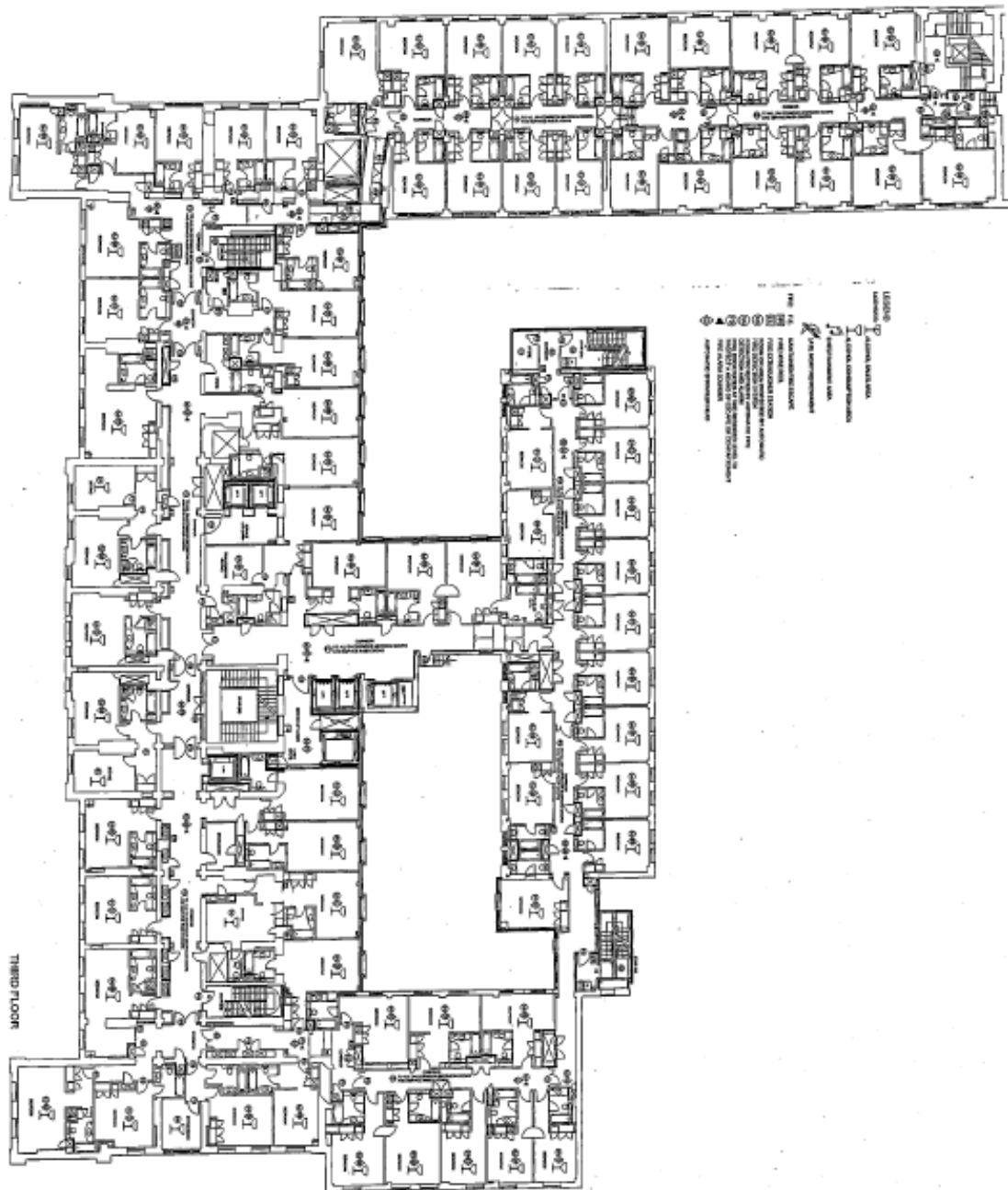




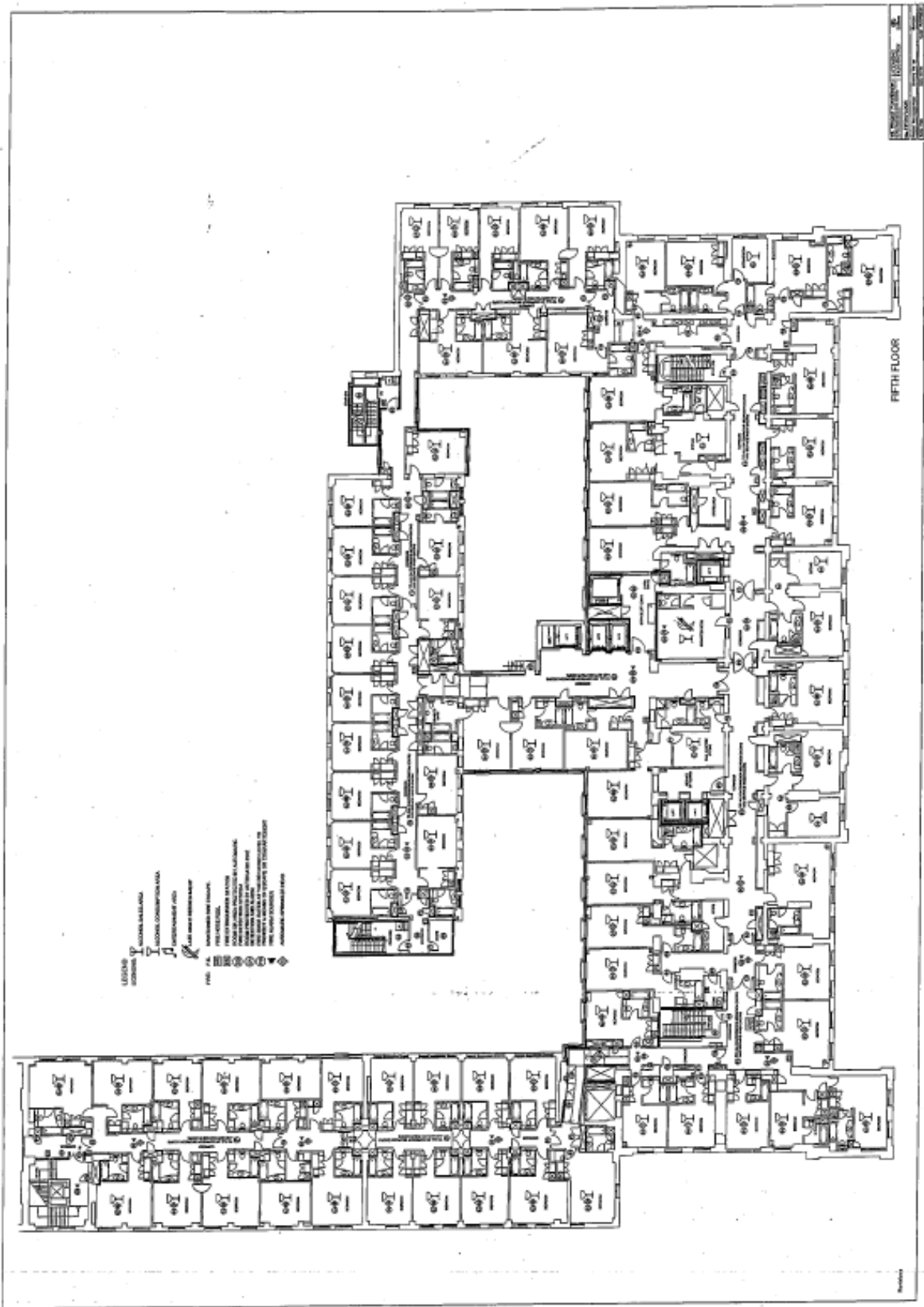


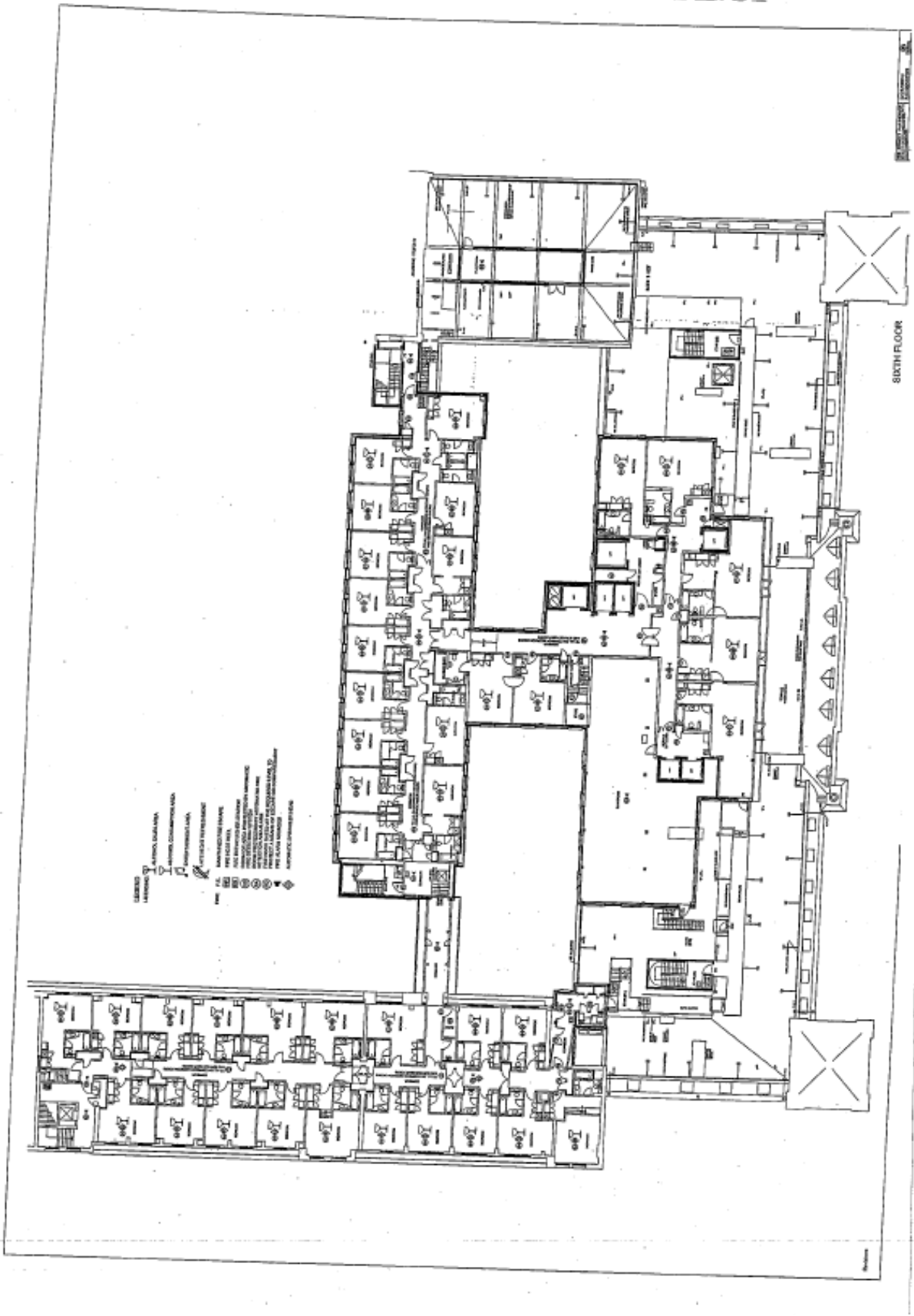


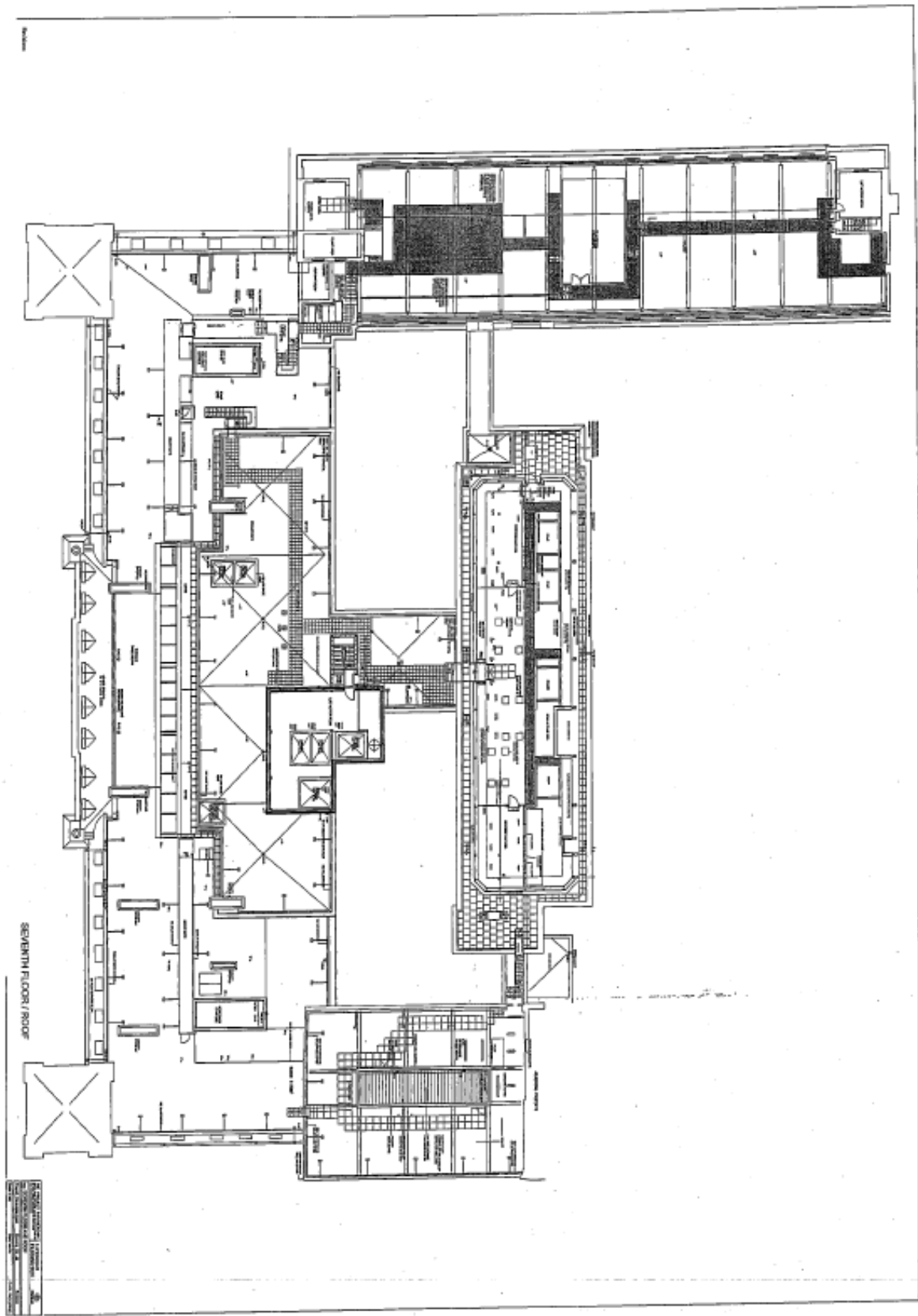












**Applicant Supporting Documents**

None submitted.

**Licence & Appeal History**

<b>Application</b>	<b>Details of Application</b>	<b>Date Determined</b>	<b>Decision</b>
06/05734/LIPN	Application for a new premises licence	10.08.2006	Granted by Licensing Sub Committee
06/08002/LIPDPS	Application to vary the Designate Premises Supervisor	01.09.2008	Granted under Delegated Authority
06/11773/LIPDPS	Application to vary the Designate Premises Supervisor	06.02.2007	Granted under Delegated Authority
07/00340/LIPDPS	Application to vary the Designate Premises Supervisor	06.02.2007	Granted under Delegated Authority
10/05623/LIPDPS	Application to vary the Designate Premises Supervisor	11.08.2010	Granted under Delegated Authority
11/09051/LIPV	<p>Application to Vary the Premises Licence</p> <p>To amend the finish time from 0300 to 0400 hours for the sale of alcohol , regulated entertainment and late night refreshment (leaving sale of alcohol and late night refreshment unrestricted for hotel residents and their guests and also leaving recorded music and films</p>	10.11.2011	Application granted by Licensing Sub-Committee



	unrestricted).		
12/08558/LIPDPS	Application to vary the Designate Premises Supervisor	01.11.2012	Granted under Delegated Authority
12/11131/LIPDPS	Application to vary the Designate Premises Supervisor	27.12.2012	Granted under Delegated Authority
13/06452/LIPDPS	Application to vary the Designate Premises Supervisor	11.10.2013	Granted under Delegated Authority
14/03269/LIPV	Application to Vary the Premises Licence  To amend the capacity in the Steam Bar condition 28 from 180 persons to 230 persons.	10.06.2014	Granted under Delegated Authority
17/01039/LIPDPS	Application to vary the Designate Premises Supervisor	01.03.2017	Granted under Delegated Authority

**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 variation of a 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.
9. Admission of children to the premises must be restricted in accordance with the film classification recommended by the British Board of Film Classification or recommended by this licensing authority as appropriate.
10. All persons guarding premises against unauthorised access or occupation or against outbreaks of disorder or against damage (door supervisors) must be licensed by the Security Industry Authority.

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

11. All door staff engaged at **146 Paddington Bar** whether inside the bar or outside shall wear fluorescent arm bands displaying their SIA badges.
12. On Friday and Saturday nights a minimum of 4 SIA licensed door supervisors shall be on duty at the premises from 2200 to close of business

### **Condition 12 amended to (EH proposes this condition is removed):**

***On Friday and Saturday nights when 146 Paddington Bar is open to non-residents, who are not bona fide guests of residents, after midnight:***

- ***A minimum of 4 SIA licensed door supervisors shall be on duty at the premises from 22:00 to the close of business.***
13. On Friday and Saturday nights the premises must employ 1 female SIA door woman from 2200 to close of business.

### **Condition 13 to be amended to (EH proposes this condition is removed) :**

***On Friday and Saturday nights when 146 Paddington Bar is open to non-residents, who are non bona fide guests of non residents after midnight:***

- ***The premises must employ 1 female SIA door woman from 22:00 to close of business***

14. In the event that a serious assault is committed on the premises (or appears to have been committed) the management will immediately ensure that:
  - (a) The Police (and where appropriate, the London Ambulance Service) are called without delay;
  - (b) All measures that are reasonably practicable are taken to apprehend any suspects pending the arrival of the Police;
  - (c) The crime scene is preserved so as to enable a full forensic investigation to be carried out by the Police; and
  - (d) Such other measures are taken (as appropriate) to fully protect the safety of all persons present on the premises.
  
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 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.
  
17. The number of persons accommodated at any one time (excluding staff) shall not exceed the following:
  - a) Ground Floor
    - 146 Paddington Bar:** 180 (Sunday to Thursday)
    - 146 Paddington Bar:** 230 (Friday to Saturday)
    - Restaurant: 150
    - Executive Lounge: 100
    - Maclver Function Room: 40
    - Thunderbolt Function Room: 50
    - Maine Function Room: 20
    - Tangley Function Room: 20
    - Talisman Function Room: 20
  
  - b) First Floor
    - Hobart Function Room: 20
    - Campanula Function Room: 25
    - Hurricane Function Room: 15
    - Kingfisher Function Room: 25
    - Redstar Function Room: 40
    - Comet Function Room: 20
    - Hotspur Function Room: 10
    - King George Function Room: 25
    - Great Western 1 and Great Western 2 Function Rooms: 400

- c) Second Floor  
Somerset Function Room: 12
- d) Fourth Floor  
Cornwall Function Room: 20
- e) Fifth Floor  
Arlington Function Room: 20

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

- 18. Substantial food will be available throughout the permitted hours.
- 19. The supply of alcohol and provision of regulated entertainment in the Function and Meeting Rooms shall be restricted to pre-booked functions only.
- 20. The supply of alcohol in the Restaurant after 23:00 hours until 03:00 hours shall be ancillary to table meals or to persons who are:
  - (i) Residents of the hotel
  - (ii) Guests of residents of the hotel
  - (iii) Persons attending a pre-booked function at the hotel
  - (iv) Bona fide guests of the proprietor
  - (v) Artistes or persons employed at the premises.
- 21. The supply of Alcohol in the Steam Bar after 23:00 hours shall be ancillary to music and/ or dancing and substantial refreshment.

**Condition 21 to be amended to (EH proposes this condition is removed):**

***The supply of alcohol in the 146 Paddington Bar to non-residents after midnight shall be ancillary to music and/or dancing and substantial refreshment.***

**EH proposes Condition 22 is removed:**

- 22. For any persons admitted to the Steam Bar after 23:00 hours, the supply of alcohol shall only take place if they fall into one of the following categories, namely:
  - a) persons who have paid a minimum admission fee of £5 Sunday to Thursday and £7 Friday and Saturday, such sum not to be credited against consumables, or
  - b) persons attending a pre-booked private function at the premises, or
  - c) artistes or persons employed at the premises, or
  - d) bona fide guests of the proprietor, or
  - e) persons who are taking or have taken a table meal within the hotel, or
  - f) persons residing at the hotel and their bona fide guests.

**Condition 22 to be amended to:**

***For any persons admitted to the 146 Paddington Bar after midnight, the supply of alcohol shall only take place if they fall into one of the following categories, namely:***

- a) persons who have paid a minimum admission fee of £5 Sunday to Thursday and £7 Friday and Saturday, such sum not to be credited against consumables, or***
- b) persons attending a pre-booked private function at the premises, or***
- c) artistes or persons employed at the premises, or***
- d) bona fide guests of the proprietor, or***
- e) persons who are taking or have taken a table meal within the hotel, or***
- f) persons residing at the hotel and their bona fide guests.***

- 23. With the exception of residents and their bona fide guests, all alcohol must be consumed within 30 minutes after the end of permitted hours.
- 24. Persons under 16 shall not be permitted in the bar areas unless accompanied by an adult.
- 25. No striptease, no nudity and all persons shall be decently attired at all times in all parts of the premises.
- 26. This licence is subject to all the former Rules of Management for Places of Public Entertainment licensed by Westminster City Council, in force from 4 September 1998 and incorporating amendments agreed by the Council on 25 October 1999, 30 June 2000, 16 January 2001 and 1 October 2001.
- 27. The provision of Regulated entertainment shall be ancillary to the main use of the premises as a hotel.
- 28. Food and non-alcoholic drinks including drinking water shall be available in all parts of the premises where alcohol is available.

**EH proposes Condition 29 is removed:**

- 29. On Sunday to Thursdays if there is a pre-booked party of 100 persons or more at the **146 Paddington Bar** then an SIA registered door supervisor shall be present at the entrance to the **146 Paddington Bar** from 21:00 until the close of the said **146 Paddington Bar**



**EH proposes Condition 30 is removed:**

30. On Fridays and Saturdays an SIA registered door supervisor shall be present at the entrance to the ground floor **146 Paddington Bar** from 21:00 until close for the said **146 Paddington Bar** and if there is a party of 100 persons or more booked at the said **146 Paddington Bar** then there shall be 2 door supervisors at the entrance to the said **146 Paddington Bar** from 21:00 until close for the **146 Paddington Bar**.
31. In relation to licensable activities or the provision of facilities to enable licensable activities to take place no noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
32. Entrance to the Executive Lounge shall be restricted to those guests who are residing in an Executive room at the premises, or to those people who pay an entry fee.
33. The Executive Lounge shall be supervised at all times by a dedicated member of staff.
34. All 'off' sales are to be in sealed containers and for consumption off the premises.
35. To permit Regulated Entertainment consisting of Live Music, Performance of Dance, Anything of a similar description to Live Music, Recorded Music or Performance of Dance, on New Year's Eve from 10:00 hours until 03:00 on 2 January.
36. To permit Late Night Refreshment on New Year's Eve from 23:00 hours until 03:00 on 2 January.
37. To permit the Sale of Alcohol on New Year's Eve from 10:00 hours until 03:00 on 2 January.
38. 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 shall be able to show Police recent data or footage with the absolute minimum of delay when requested.
39. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the Following.
  - (a) all crimes reported to the venue
  - (b) any complaints received regarding crime and disorder
  - (c) any incidents of disorder
  - (d) any faults in the CCTV system
  - (e) any refusal of the sale of alcohol
  - (f) any visit by a relevant authority or emergency service.
40. There shall be no admittance after 02:30 hours to the **146 Paddington Bar**.

41. There shall be no re-admittance after 02:30 hours to the **146 Paddington Bar** except for those wishing to smoke.

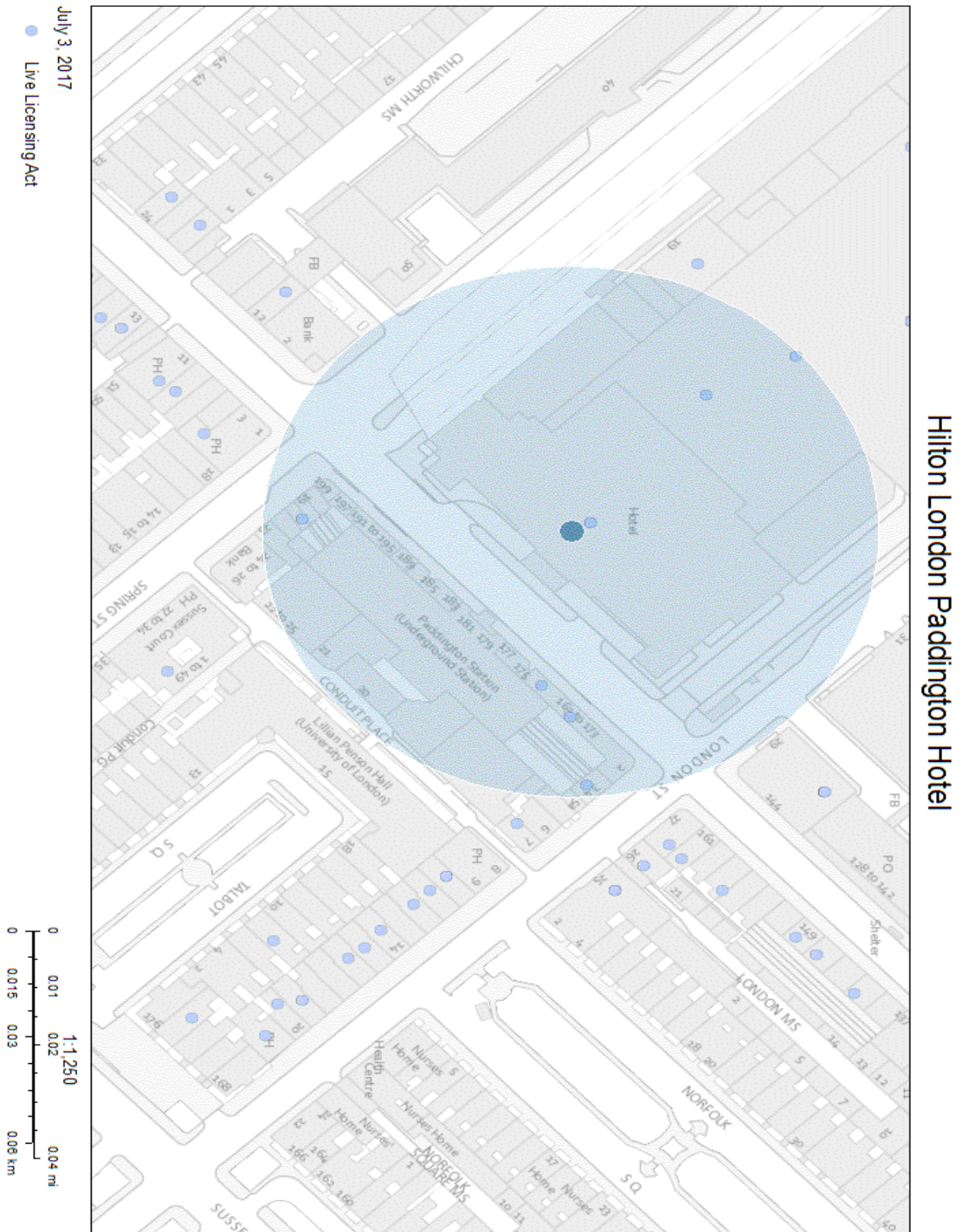
**EH proposes Condition 42 is removed:**

42. The entrance to the **146 Paddington Bar** shall only be via the hotel reception.

**Environmental Health propose that conditions 12, 13, 21, 22, 29, 30 & 42 be replaced with:**

43. After midnight on Friday & Saturday, the supply of alcohol at the Steam Bar shall only be sold for consumption by:
- a. Persons attending a pre-booked and bona fide private function or event to which members of the public are not admitted. A register of persons attending the event shall be kept at the premises and made available for immediate inspection by police or an authorised officer of the Council
  - b. Residents of the hotel and their bona fide guest
44. When the Steam Bar is open for the sale of alcohol after 12 midnight, other than to residents and their bona fide guests, a minimum of two SIA security officers including one female will be on duty at the entrance to the Steam Bar
45. No recorded and/or Live music in the Steam bar after 12 midnight
46. Entrance to the Steam Bar after 2300 on a Friday and Saturday night shall be via the hotel lobby

**Residential Map and List of Premises in the Vicinity**



Hilton London Paddington Hotel

Resident Count : 8

**Current Premises Licence (17/01039/LIPDPS)**



Schedule 12  
Part A

WARD: Hyde Park  
UPRN: 010033570890

## City of Westminster

64 Victoria Street, London, SW1E 6QP

Premises licence

Regulation 33, 34

Premises licence number:

17/01039/LIPDPS

Original Reference:

06/05734/LIPN

### Part 1 – Premises details

#### Postal address of premises:

Hilton London Paddington Hotel  
146 Praed Street  
London  
W2 1RL

Telephone Number: 020 7850 0500

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

Not applicable

#### Licensable activities authorised by the licence:

Performance of Dance  
Exhibition of a Film  
Performance of Live Music  
Playing of Recorded Music  
Late Night Refreshment  
Sale by Retail of Alcohol

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

##### Performance of Dance

Monday to Sunday: 10:00 to 03:00  
Friday to Saturday: 10:00 to 04:00 (in Steam Bar only)

##### Exhibition of a Film

Monday to Sunday: 00:00 to 00:00

##### Performance of Live Music

Monday to Sunday: 10:00 to 03:00  
Friday to Saturday: 10:00 to 04:00 (in Steam Bar only)

##### Playing of Recorded Music

Monday to Sunday: 00:00 to 00:00

##### Late Night Refreshment

Monday to Sunday: 23:00 to 03:00  
Friday to Saturday: 23:00 to 04:00 (in Steam Bar only)

**Sale by Retail of Alcohol**

Monday to Sunday: 00:00 to 00:00 (for residents and their bona fide guests)

Monday to Sunday: 10:00 to 03:00

Friday to Saturday: 10:00 to 03:30 (in Steam Bar only)

*For times authorised for New Year see conditions at Annex 3*

**The opening hours of the premises:**

Monday to Sunday: 00:00 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:**

HLT London Manage Limited  
Maple Court  
Reed Crescent  
Watford  
Hertfordshire  
WD24 4QQ

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

6398413

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

Name: Piotr Pawel Bubnowski

*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: 829956  
Licensing Authority: London Borough of Southwark

Date: 01 March 2017

This licence has been authorised by Shannon Pring on behalf of the Director - Public Protection and Licensing.

## Annex 1 – Mandatory conditions

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
4.
  - (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
  - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
    - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
      - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
      - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
    - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
    - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
    - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
    - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
5. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
6.
  - (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
  - (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
  - (a) a holographic mark, or
  - (b) an ultraviolet feature.

7. The responsible person must ensure that—

- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
  - (i) beer or cider: ½ pint;
  - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
  - (iii) still wine in a glass: 125 ml;
- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

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

- 8. (i) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
- (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.
- (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.
  - (iv) (1) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
  - (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.
- 9. Admission of children to the premises must be restricted in accordance with the film classification recommended by the British Board of Film Classification or recommended by this licensing authority as appropriate.
  - 10. All persons guarding premises against unauthorised access or occupation or against outbreaks of disorder or against damage (door supervisors) must be licensed by the Security Industry Authority.

## Annex 2 – Conditions consistent with the operating Schedule

11. All door staff engaged at Steam Bar whether inside the bar or outside shall wear fluorescent arm bands displaying their SIA badges.
12. On Friday and Saturday nights a minimum of 4 SIA licensed door supervisors shall be on duty at the premises from 2200 to close of business
13. On Friday and Saturday nights the premises must employ 1 female SIA door woman from 2200 to close of business.
14. In the event that a serious assault is committed on the premises (or appears to have been committed) the management will immediately ensure that:
  - (a) The Police (and where appropriate, the London Ambulance Service) are called without delay;
  - (b) All measures that are reasonably practicable are taken to apprehend any suspects pending the arrival of the Police;
  - (c) The crime scene is preserved so as to enable a full forensic investigation to be carried out by the Police; and
  - (d) Such other measures are taken (as appropriate) to fully protect the safety of all persons present on the premises.
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 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.
17. The number of persons accommodated at any one time (excluding staff) shall not exceed the following:
  - a) Ground Floor
    - Steam Bar: 180 (Sunday to Thursday)
    - Steam Bar: 230 (Friday to Saturday)
    - Restaurant: 150
    - Executive Lounge: 100
    - Maclver Function Room: 40
    - Thunderbolt Function Room: 50
    - Maine Function Room: 20
    - Tangley Function Room: 20
    - Talisman Function Room: 20
  - b) First Floor
    - Hobart Function Room: 20
    - Campanula Function Room: 25
    - Hurricane Function Room: 15
    - Kingfisher Function Room: 25
    - Redstar Function Room: 40
    - Comet Function Room: 20
    - Hotspur Function Room: 10

King George Function Room: 25  
Great Western 1 and Great Western 2 Function Rooms: 400

- c) Second Floor  
Somerset Function Room: 12
- d) Fourth Floor  
Cornwall Function Room: 20
- e) Fifth Floor  
Arlington Function Room: 20

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

18. Substantial food will be available throughout the permitted hours.
19. The supply of alcohol and provision of regulated entertainment in the Function and Meeting Rooms shall be restricted to pre-booked functions only.
20. The supply of alcohol in the Restaurant after 23:00 hours until 03:00 hours shall be ancillary to table meals or to persons who are:
  - (i) Residents of the hotel
  - (ii) Guests of residents of the hotel
  - (iii) Persons attending a pre-booked function at the hotel
  - (iv) Bona fide guests of the proprietor
  - (v) Artistes or persons employed at the premises.
21. The supply of Alcohol in the Steam Bar after 23:00 hours shall be ancillary to music and/ or dancing and substantial refreshment.
22. For any persons admitted to the Steam Bar after 23:00 hours, the supply of alcohol shall only take place if they fall into one of the following categories, namely:
  - a) persons who have paid a minimum admission fee of £5 Sunday to Thursday and £7 Friday and Saturday, such sum not to be credited against consumables, or
  - b) persons attending a pre-booked private function at the premises, or
  - c) artistes or persons employed at the premises, or
  - d) bona fide guests of the proprietor, or
  - e) persons who are taking or have taken a table meal within the hotel, or
  - f) persons residing at the hotel and their bona fide guests.
23. With the exception of residents and their bona fide guests, all alcohol must be consumed within 30 minutes after the end of permitted hours.
24. Persons under 16 shall not be permitted in the bar areas unless accompanied by an adult.
25. No striptease, no nudity and all persons shall be decently attired at all times in all parts of the premises.
26. This licence is subject to all the former Rules of Management for Places of Public Entertainment licensed by Westminster City Council, in force from 4 September 1998 and incorporating amendments agreed by the Council on 25 October 1999, 30 June 2000, 16 January 2001 and 1 October 2001.
27. The provision of Regulated entertainment shall be ancillary to the main use of the premises as a hotel.
28. Food and non-alcoholic drinks including drinking water shall be available in all parts of the premises where alcohol is available.
29. On Sunday to Thursdays if there is a pre-booked party of 100 persons or more at the Steam Bar then an SIA registered door supervisor shall be present at the entrance to the Steam Bar from 21:00 until the close of the said Steam Bar.
30. On Fridays and Saturdays an SIA registered door supervisor shall be present at the entrance to the ground floor steam bar from 21:00 until close for the said Steam Bar and if there is a party of 100 persons or more booked at the said Steam Bar then

there shall be 2 door supervisors at the entrance to the said Steam Bar from 21:00 until close for the Steam Bar.

31. In relation to licensable activities or the provision of facilities to enable licensable activities to take place no noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
32. Entrance to the Executive Lounge shall be restricted to those guests who are residing in an Executive room at the premises, or to those people who pay an entry fee.
33. The Executive Lounge shall be supervised at all times by a dedicated member of staff.
34. All 'off' sales are to be in sealed containers and for consumption off the premises.
35. To permit Regulated Entertainment consisting of Live Music, Performance of Dance, Anything of a similar description to Live Music, Recorded Music or Performance of Dance, on New Year's Eve from 10:00 hours until 03.00 on 2 January.
36. To permit Late Night Refreshment on New Year's Eve from 23:00 hours until 03:00 on 2 January.
37. To permit the Sale of Alcohol on New Year's Eve from 10:00 hours until 03:00 on 2 January.
38. 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 shall be able to show Police recent data or footage with the absolute minimum of delay when requested.
39. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the Following.
  - (a) all crimes reported to the venue
  - (b) any complaints received regarding crime and disorder
  - (c) any incidents of disorder
  - (d) any faults in the CCTV system
  - (e) any refusal of the sale of alcohol
  - (f) any visit by a relevant authority or emergency service.
40. There shall be no admittance after 02:30 hours to the Steam Bar.
41. There shall be no re-admittance after 02:30 hours to the Steam Bar except for those wishing to smoke.
42. The entrance to the Steam Bar shall only be via the hotel reception.

**Annex 4 – Plans**

Attached



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

Schedule 12  
Part B

WARD: Hyde Park  
UPRN: 010033570890

Premises licence  
summary

Regulation 33, 34

Premises licence number:

17/01039/LIPDPS

**Part 1 – Premises details**

**Postal address of premises:**

Hilton London Paddington Hotel  
Hilton London Paddington  
146 Praed Street  
London  
W2 1RL

**Telephone Number:** 020 7850 0500

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

Not applicable

**Licensable activities authorised by the licence:**

Performance of Dance  
Exhibition of a Film  
Performance of Live Music  
Playing of Recorded Music  
Late Night Refreshment  
Sale by Retail of Alcohol

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

**Performance of Dance**

Monday to Sunday: 10:00 to 03:00  
Friday to Saturday: 10:00 to 04:00 (in Steam Bar only)

**Exhibition of a Film**

Monday to Sunday: 00:00 to 00:00

**Performance of Live Music**

Monday to Sunday: 10:00 to 03:00  
Friday to Saturday: 10:00 to 04:00 (in Steam Bar only)

**Playing of Recorded Music**

Monday to Sunday: 00:00 to 00:00

**Late Night Refreshment**

Monday to Sunday: 23:00 to 03:00  
Friday to Saturday: 23:00 to 04:00 (in Steam Bar only)

**Sale by Retail of Alcohol**

Monday to Sunday: 00:00 to 00:00 (for residents and their bona fide guests)

Monday to Sunday: 10:00 to 03:00

Friday to Saturday: 10:00 to 03:30 (in Steam Bar only)

*For times authorised for New Year see conditions at Annex 3*

**The opening hours of the premises:**

Monday to Sunday: 00:00 to 00:00

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

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

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

HLT London Manage Limited  
Maple Court  
Reed Crescent  
Watford  
Hertfordshire  
WD24 4QQ

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

6398413

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

**Name:** Piotr Pawel Bubnowski

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

Restricted

**Date:** 01 March 2017

This licence has been authorised by Shannon Pring on behalf of the Director - Public Protection and Licensing.