



City of Westminster

Committee Agenda

Title: **Licensing Sub-Committee (1)**

Meeting Date: **Thursday 17th August, 2017**

Time: **10.00 am**

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

Members: **Councillors:**

Angela Harvey (Chairman)
Karen Scarborough
Rita Begum

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 via a visitor's pass which is available from the main ground floor reception at 5 Strand 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 Tel: 020 7641 2783
Corporate Website: 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. 11-15 GROSVENOR CRESCENT, SW1

(Pages 1 -
16)

App No	Ward/ Cumulative Impact Area	Site Name and Address	Application	Licensing Reference Number
1.	Knightsbridge And Belgravia Ward / not in cumulative impact area	11-15 Grosvenor Crescent, SW1	New Premises Licence	17/06659/LIPN

2. BASEMENT, 35 THE PIAZZA, COVENT GARDEN, WC2

(Pages 17 - 48)

App No	Ward/ Cumulative Impact Area	Site Name and Address	Application	Licensing Reference Number
2.	St James's Ward / West End Cumulative Impact Area	Basement, 35 The Piazza, Covent Garden, WC2	New Premises Licence	17/06018/LIPN

3. NESPRESSO, AMALCO HOUSE, 26-28 BROADWICK STREET, W1

(Pages 49 - 68)

App No	Ward/ Cumulative Impact Area	Site Name and Address	Application	Licensing Reference Number
3.	West End Ward / West End Cumulative Impact Area	Nespresso , Amalco House, 26- 28 Broadwick Street, W1	New Premises Licence	17/06881/LIPN

4. THE SPICE OF LIFE, 37-39 ROMILLY STREET, W1

(Pages 69 - 102)

App No	Ward/ Cumulative Impact Area	Site Name and Address	Application	Licensing Reference Number
4.	West End Ward / West End Cumulative Impact Area	The Spice Of Life, 37- 39 Romilly Street, W1	Variation of a Premises Licence	17/05592/LIPV

5. 1 ST JAMES'S MARKET, SW1

**(Pages 103 -
116)**

App No	Ward/ Cumulative Impact Area	Site Name and Address	Application	Licensing Reference Number
5.	St James's Ward / West End Cumulative Impact Area	1 St James's Market, SW1	New Premises Licence	17/06464/LIPN

**Charlie Parker
Chief Executive
11 August 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.

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Item No:	
Date:	17 August 2017
Licensing Ref No:	17/06659/LIPN - New Premises Licence
Title of Report:	11-15 Grosvenor Crescent London SW1X 7EE
Report of:	Director of Public Protection and Licensing
Wards involved:	Knightsbridge And Belgravia
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			
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	14 June 2017		
Applicant:	Collection Properties Limited		
Premises:			
Premises address:	11 -15 Grosvenor Crescent London SW1X 7EE	Ward:	Knightsbridge And Belgravia
		Cumulative Impact Area:	None.
Premises description:	<p>According to the applicant the premises are high end serviced apartments/town houses which will allow residents and their guests to have access to a wine cellar where they may store and taste wine.</p> <p>The lobby area on the ground floor will be used for the provision of alcohol and it is proposed that alcohol may also be served in the meeting room.</p> <p>Late night refreshment will also be served in the licensed areas.</p>		
Premises licence history:	This is an application for a new premises licence and therefore no history exists.		
Applicant submissions:	Please see Appendix 1 for applicants submissions.		
Plans:	Copies of the premises plans are available on request and for display at the hearing.		

1-B Proposed licensable activities and hours							
Late Night Refreshment:				Indoors, outdoors or both			Both
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	23:00	23:00	23:00	23:00	23:00	23:00	23:00
End:	05:00	05:00	05:00	05:00	05:00	05:00	05:00
Seasonal variations/ Non-standard timings:	The provision of Late Night Refreshment shall be limited to the residents of 11-15 Grosvenor Crescent and their bona fide guests.						

Sale by retail of alcohol				On or off sales or both:			Both
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	00:00	00:00	00:00	00:00	00:00	00:00	00:00
End:	00:00	00:00	00:00	00:00	00:00	00:00	00:00
Seasonal variations/ Non-standard timings:			The sale of alcohol shall be limited to the residents of 11-15 Grosvenor Crescent and their bona fide guest.				

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

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Environmental Health Consultation Team (withdrawn)
Representative:	Mr Maxwell Koduah
Received:	26 th June 2017
<p>This representation is based on the operating schedule and accompanying plans of Ground Floor; Lower Ground Floor & Basement Floor by CUNDALL consulting engineers ref 1008019.</p> <p>The applicant is seeking the following licensable activities:</p> <ol style="list-style-type: none"> 1. Provision of late night refreshment "Indoors & outdoors" for residents & their bona fide guests from 23:00 – 05:00 Monday to Sunday 2. Supply of Alcohol for consumption "On & off the premises" for residents & their bona fide guests 24 hours Monday to Sunday <p>I wish to make the following representation</p> <ol style="list-style-type: none"> 1. The provision of late night refreshment (LNR) and the hours requested will have the likely effect of causing an increase in Public Nuisance and impact on Public 	

Safety within the area

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

The granting of the application as presented would have the likely effect of causing an increase in Public Nuisance and impact on Public Safety within the area

The applicant has provided some conditions in support of the application which are being considered but do not fully address the concerns of Environmental Health.

Following the agreement of the conditions attached at Appendix 4, Environmental Health has withdrawn their representations in relation to this application.

2-B Other Persons

Name:	Charlotte Foulds
Address and/or Residents Association:	[REDACTED]
Received:	6 th July 2017

The development of 11-15 Grosvenor Crescent Mews has always been presented as residential, vide all the successive planning applications, available on Westminster's website. In this context, a proposal for the sale of alcohol is unexpected, to say the least.

Further, the application is for 24 hours a day, 7 days a week, both inside and outside the premises.

The application would create a licensed premises in three different locations, on three different floors in number 15:

- A ground floor lounge just inside the entrance from Grosvenor Crescent
- A bar / dining room on the lower ground floor
- A wine cellar in the basement 2.

What sort of establishment do the proposers have in mind.

The application refers to restricting access to residents of 11-15 Grosvenor Crescent, and their 'bona fide guests'. However, the verification of status is apparently to be by remotely monitored CCTV. Unless there is member of staff present in the ground floor lounge 24 hours of the day, checking all entrants, it seems unlikely that the applicant will be able to meet this obligation.

I object to the creation of an unsupervised alcohol outlet operating in unsuitable premises, and allowed to do so at all hours.

3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
Policy HRS1 applies	<p>(i) Applications for hours within the core hours set out below in this policy will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy.</p> <p>(ii) Applications for hours outside the core hours set out below in this policy will be considered on their merits, subject to other relevant policies.</p>
Policy FFP1 applies:	Applications will only be granted if it can be demonstrated that the proposal meets relevant criteria in Policies CD1, PS1, PN1 and CH1.
Policy PB1 applies:	Applications will only be granted if it can be demonstrated that the proposal meets the relevant criteria in Policies CD1, PS1, PN1 and CH1.
Policy HOT1 applies:	<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>

4. Appendices

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

Report author:	Miss Heidi Lawrance Senior Licensing Officer
Contact:	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

1	Licensing Act 2003	N/A
2	City of Westminster Statement of Licensing Policy	7 th January 2016
3	Amended Guidance issued under section 182 of the Licensing Act 2003	March 2015
4	Application form	14 th June 2017
5	Representation – Environmental Health	26 th June 2017
6	Representation - Charlotte Foulds	6 th July 2017

Applicant Supporting Documents

11-15 Grosvenor Crescent, London, SW1X 7EE

Premises Licence Application

Proposed Conditions (Part P)

1. The extent of the premises licensed for licensable activity shall be as follows:
 - The wine store in the basement.
 - The meeting room on the lower ground floor.
 - The lobby on the ground floor.
2. The sale of alcohol and the provision of late night refreshment shall be limited to the residents of 11-15 Grosvenor Crescent and their bona fide guests.
3. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. The entry and exit points will be covered enabling frontal identification of every person entering the lobby to the premises 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 entire 31 day period.
4. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
5. A Challenge 21 or Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
6. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and 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, searching equipment or scanning equipment;

(g) any refusal of the sale of alcohol;

(h) any visit by a relevant authority or emergency service.

7. 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.
8. 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.
9. All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.
10. All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device.
11. Curtains and hangings shall be arranged so as not to obstruct emergency safety signs or emergency equipment.
12. The certificates listed below shall be submitted to the licensing authority upon written request:
 - a. Any permanent or temporary emergency lighting battery or system.
 - b. Any permanent or temporary electrical installation.
 - c. Any permanent or temporary emergency warning system.
13. The licence holder shall ensure that no noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance to nearby residents.

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

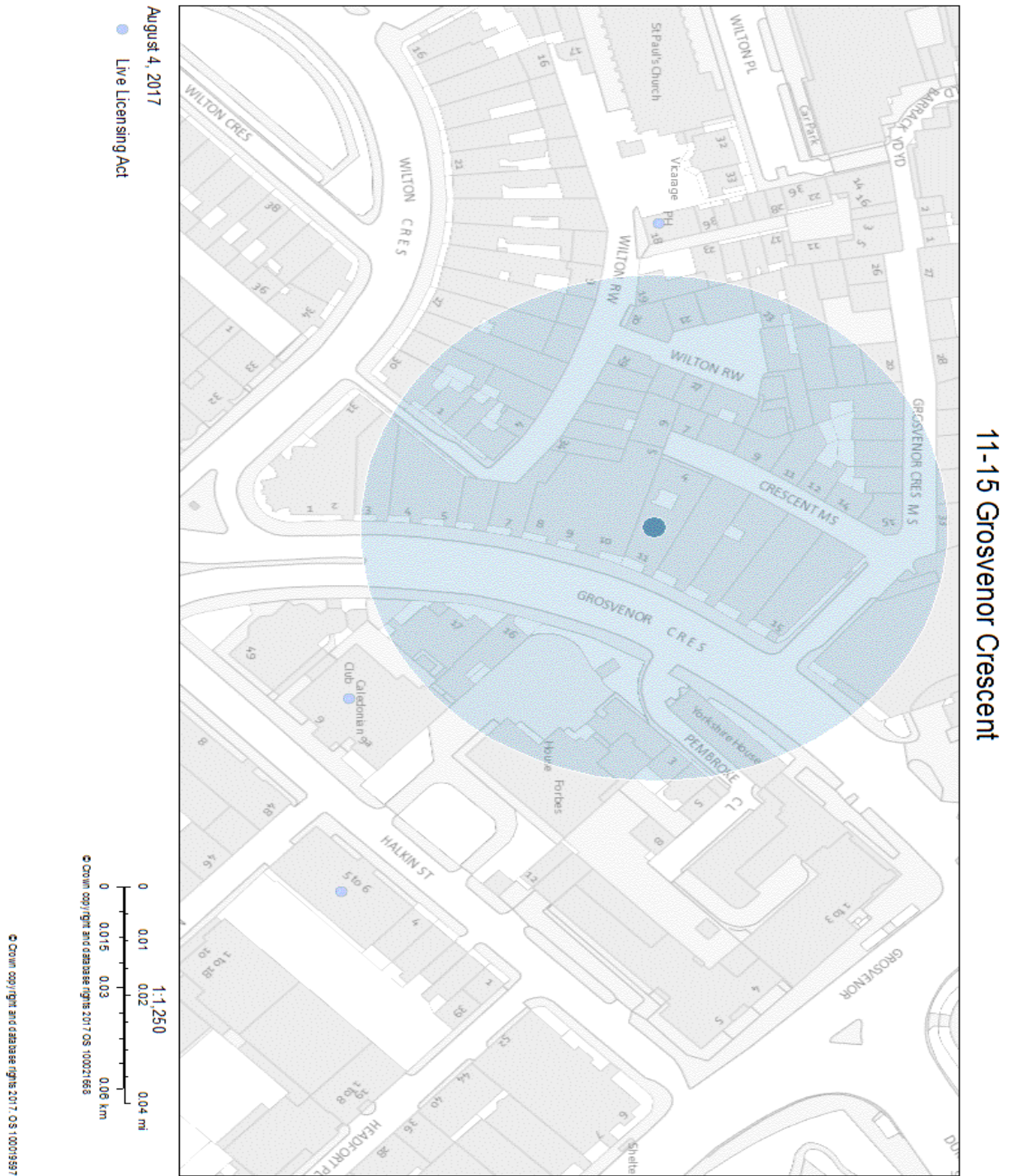
9. The extend of the premises licensed for licensable activity shall be as follows:
 - The wine store in the basement
 - The meeting room on the lower ground floor
 - The lobby on the ground floor
10. The sale of alcohol and the provision of late night freshmen shall be limited to the residents of 11-15 Grosvenor Crescent and their bona fide guest.
11. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. The entry and exit points will be covered enabling frontal identification of every person entering the lobby to the premises 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 immediately upon request of Police or authorised officer throughout the entire 31 day period.
12. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
13. A challenge 21 or challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with PASS Hologram.
14. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and 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, searching equipment or scanning equipment
 - g) Any refusal of the sale of alcohol
 - h) Any visit by a relevant authority or emergency service.
15. 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.

16. 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.
17. All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.
18. All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device.
19. Curtains and hangings shall be arranged so as not to obstruct emergency

Conditions proposed by Environmental Health agreed by the applicant.

20. All sales of alcohol for consumption off the premises shall be in sealed containers only
21. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance
22. No licensable activities shall take place at the premises until the premises have been assessed as satisfactory by the Environmental Health Consultation Team at which time this condition shall be removed from the Licence by the Licensing Authority

Residential Map and List of Premises in the Vicinity



Resident Count: 77

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Licensing Sub-Committee Agenda Item 2 Report

Item No:	
Date:	17 th August 2017
Licensing Ref No:	17/06018/LIPN - New Premises Licence
Title of Report:	Basement 35 The Piazza Covent Garden London WC2E 8BE
Report of:	Director of Public Protection and Licensing
Wards involved:	St James's
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Miss Yolanda Wade Senior Licensing Officer
Contact details	Telephone: 020 7641 1884 Email: ywade@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	2 June 2017		
Applicant:	Capital & Counties CG Limited And Capital & Counties CG Nomi		
Premises:			
Premises address:	Basement 35 The Piazza Covent Garden London	Ward:	St James's
		Cumulative Impact Area:	West End
Premises description:	The premises will operate as an entertainment venue, bar and restaurant		
Premises licence history:	This is a new application for a new premises licence however the premises benefits from an existing premises licence (Appendix 2)		
Applicant submissions:	The application is for a 'shadow' licence of the existing Roadhouse licence (ref: 15/09173/LIPVM) on the exact same terms as currently permitted. (Appendix 1)		
Plans:	Copies of the premises plans are available on request and for display at the hearing.		

1-B Current and proposed licensable activities, areas and hours				
<u>Regulated Entertainment</u>				
Performance of Dance, Provision of facilities for Dancing, Provision of facilities for making music, Performance of Live Music, Provision of facilities for entertainment of a similar description to making music or dancing, Anything of a similar description to Live Music, Recorded Music or Performance of Dance: Indoors				
	Shadow Licence Current Hours		Proposed Hours	
Monday	09:00	03:00	No change	No change
Tuesday	09:00	03:00	No change	No change
Wednesday	09:00	03:00	No change	No change
Thursday	09:00	03:00	No change	No change
Friday	09:00	03:00	No change	No change
Saturday	09:00	03:00	No change	No change
Sunday	09:00	01:00	No change	No change
Seasonal variations/ Non-standard	Current:		Proposed:	
	N/A		On the morning that British Summertime Commences these	

timings:	hours to be extended until 04:00
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Playing of recorded Music: Indoors				
	Shadow licence Current Hours		Proposed Hours	
Monday	Unrestricted	Unrestricted	No change	No change
Tuesday	Unrestricted	Unrestricted	No change	No change
Wednesday	Unrestricted	Unrestricted	No change	No change
Thursday	Unrestricted	Unrestricted	No change	No change
Friday	Unrestricted	Unrestricted	No change	No change
Saturday	Unrestricted	Unrestricted	No change	No change
Sunday	Unrestricted	Unrestricted	No change	No change


Late night refreshment				
Indoors, outdoors or both			Current :	Proposed:
			Indoors	Indoors
	Shadow Licence Current Hours		Proposed Hours	
	Start:	End:	Start:	End:
Monday	23:00	03:30	No change	No change
Tuesday	23:00	03:30	No change	No change
Wednesday	23:00	03:30	No change	No change
Thursday	23:00	03:30	No change	No change
Friday	23:00	03:30	No change	No change
Saturday	23:00	03:30	No change	No change
Sunday	23:00	01:00	No change	No change
Seasonal variations/ Non-standard timings:	Current:		Proposed:	
	The terminal hour for late night refreshment on New Year's Eve is extended to 05:00 on New Year's Day.		On the morning that British Summertime Commences these hours to be extended until 04:00	

Sale by Retail of Alcohol				
On or off sales			Current :	Proposed:
			Both	Both
	Current Hours		Proposed Hours	
	Start:	End:	Start:	End:
Monday	10:00	03:00	No change	No change
Tuesday	10:00	03:00	No change	No change
Wednesday	10:00	03:00	No change	No change
Thursday	10:00	03:00	No change	No change
Friday	10:00	03:00	No change	No change
Saturday	10:00	03:00	No change	No change

Sunday	12:00	00:30	No change	No change
Seasonal variations/ Non-standard timings:	Current:		Proposed:	
	<p>Except on Sundays immediately before bank holidays (apart from Easter Sunday), the permitted hours on Sundays shall extend until 00.30 on the morning following, except that-</p> <p>i.the permitted hours shall end at 00:00 on any Sunday on which music and dancing is not provided after midnight;</p> <p>ii.where music and dancing end between 00.00 midnight on any Sunday and 00.30, the permitted hours on that Sunday shall end when the music and dancing end.</p> <p>(d)On Sundays immediately before bank holidays (other than Easter Sunday), the permitted hours shall commence at 12:00 and extend until 01:00 on the morning following except that'</p> <p>i.the permitted hours shall end at 00:00 midnight on any Sunday on which music and dancing is not (or, in the case of casino premises, gaming facilities are not) provided after 00:00 midnight;</p> <p>ii.where music and dancing end (or, in the case of casino premises, gaming ends) between 00:00 midnight on any Sunday and 03:00, the permitted hours on that Sunday shall end when the music and dancing end (or, as the case may be, when the gaming ends).</p> <p>iii.The terminal hour for late night refreshment shall extend to 30 minutes after the end of permitted hours for the sale of alcohol set out in d(i) and (ii) above.</p>		<p>On the morning that British Summertime Commences these hours to be extended until 04:00</p>	
Hours premises are open to the public				

	Shadow Licence Current Hours		Proposed Hours	
	Start:	End:	Start:	End:
Monday	09:00	03:30	No change	No change
Tuesday	09:00	03:30	No change	No change
Wednesday	09:00	03:30	No change	No change
Thursday	09:00	03:30	No change	No change
Friday	09:00	03:30	No change	No change
Saturday	09:00	03:30	No change	No change
Sunday	09:00	01:00	No change	No change

2. Representations

2-A Responsible Authorities	
Responsible Authority:	The Licensing Authority
Representative:	Mr David Sycamore
Received:	30 th June 2017
<p>Please accept this as a formal objection to the above application.</p> <p>We are concerned the application could undermine the licencing objectives.</p> <p>The application seeks hours (HRS1) that go beyond that of core hours and us located in the heart of the Westminster Cumulative Impact Zone.</p> <p>Some of the current proposed conditions could be replaced with more suitable ones and I will propose some in due course .</p> <p>We would welcome dialogue with the applicant to move forward with the application .</p>	
2-B Other Persons	
Name:	Mr David Kaner – CGCA
Address and/or Residents Association:	
Received:	30 th June 2017
<p>2:12 PM on 30 Jun 2017 This representation is being made on behalf of the Covent Garden Community Association.</p> <p>The application for is a new licence for the Basement area underneath Jubilee Hall. This currently trades as The Roadhouse which is a music and dancing venue which also serves food with a licence to operate until 03:30 Monday to Saturday and 01:00 on Sunday. The licence is a converted licence which has been the subject of minor variation applications.</p>	

The Roadhouse is one of the very few venues of any type in the area which is open after the end of core hours. It frequently has large numbers of people outside the premises smoking and talking which disturbs residents especially those in Driscoll House.

This is an application for a so-called shadow licence. This is a new licence which is on the same terms as the existing one. As such it is a new licence in the CIA for an operation which is not food led and which operates beyond core hours. The CGCA's view is that this licence, if granted on the terms applied for, would fail to promote the licencing objectives, particularly the prevention of public nuisance and the prevention of crime and disorder.

The CGCA's view is that any new licence granted for these premises should be significantly more restrictive than the existing licence. The particular areas where it should be more restrictive are as follows:

- More restrictive hours of operation (we suggest to core hours)
- If hours remain the same then the addition of a last entry condition
- Conditions regarding noise emanating from the premises
- Requirement for a dispersal policy agreed with WCC and the Police
- Minimum numbers of door staff
- Clear policies for managing queuing and smoking areas
- Requirement to manage the nuisance caused by customers outside the premises

We hope that this representation is clear.

3. Policy & Guidance

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

Policy CIA1 applies:	<p>(i) It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas for: pubs and bars, fast food premises, and premises offering facilities for music and dancing; other than applications to vary hours within the Core Hours under Policy HRS1.</p> <p>(ii) Applications for other licensable activities in the Cumulative Impact Areas will be subject to other policies, and must demonstrate that they will not add to cumulative impact in the Cumulative Impact Areas.</p>
Policy HRS1 applies:	<p>(i) Applications for hours within the core hours set out below in this policy will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy.</p> <p>(ii) Applications for hours outside the core hours set out below in this policy will be considered on their merits, subject to other relevant policies.</p> <p>Applications will be granted subject to other policies in this</p>

Policy RNT2 applies:	Statement and subject to the relevant criteria in Policies CD1, PS1, PN1 and CH1, provided it can be demonstrated that they will not add to cumulative impact in the Cumulative Impact Areas.
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4. Appendices

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

Report author:	Miss Yolanda Wade Senior Licensing Officer
Contact:	Telephone: 020 7641 1884 Email: ywade@westminster.gov.uk

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

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

1	Licensing Act 2003	N/A
2	City of Westminster Statement of Licensing Policy	7 th January 2016
3	Amended Guidance issued under section 182 of the Licensing Act 2003	March 2015
4	The Application Form	2 nd June 2017
5	The Licensing Authority Rep	27 th June 2017
6	David Kaner Rep	30 th June 2017

**Conditions consistent with the operating schedule
Shadow Licence
The Basement, 35 The Piazza, WC2E 8ND**

Proposed Conditions

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

Conditions relating to regulated entertainment

1. 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.
2. Notwithstanding the provisions of Rule of Management No. 6 the premises may remain open for the purposes of this licence from 11pm on each of the days Monday to Saturday to 3am on the day following, and from 11pm on Sunday to 1am on the day following.
3. A telephone line dedicated to the receipt of complaints from the public shall be continuously manned throughout the hours of opening and for 30 minutes after the end of the hours of opening.
4. An announcement shall be made on the public address system at the premises to be audible by all customers therein not less than 15 minutes between a time one and a half hours before closing time and closing time each night directing patrons to the importance of silent departure from the premises.
5. The alteration or modification to any existing sound systems should be effected without prior knowledge of an authorised officer of the Environmental Health Services.
6. The number of persons accommodated at any one time (excluding staff) shall not exceed 575.
7. The use of music and dancing at the premise shall remain ancillary to A3 use.
8. That a comprehensive CCTV system be installed to the satisfaction of the Metropolitan Police Crime Prevention officer and Environmental Health Service. All cameras shall continually record whilst the premises are open to the public which enable frontal identification of every person entering in any light condition. The video recording (i) shall be kept available for a minimum of 31 days with time and date stamping (ii) tape recordings shall be made available to an authorised officer or a police officer together with facilities for viewing (iii) the recordings for the preceding two days shall be made available immediately upon request. Recordings outside the period shall be made available on 24 hours notice.
9. No unauthorised advertisements of any kind (including poster, flyer, sticker, picture, letter, sign, or other mark) is inscribed or affixed upon the surface of the highway, or upon any building, structure, works, street furniture, tree, or any other property, or is

distributed on street to the public that advertises or promotes the establishment, its premises, or any of the events, facilities, goods, or services.

10. All refuse must be paid, properly presented, and can only be placed on street 30 minutes before the scheduled collection time.

11. A minimum of five additional female public WC's shall be installed within the premises prior to the renewal of this licence.

12. The number of persons accommodated at any one time (excluding staff) shall not exceed 575.

Conditions for sale of alcohol

13. In the part of the premises cross hatched in green on the deposited plan there shall be no sale or supply of spirits and no draught beer other than 1 brand of draught beer.

14. Substantial food and suitable beverages other than intoxicating liquor (including drinking water) shall be equally available during the whole of the permitted hours in all parts of the premises where intoxicating liquor is sold or supplied.

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

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

In this condition, permitted hours means:

(a) Subject to the following paragraphs, the permitted hours on weekdays shall commence at 10.00 and extend until 03.00 on the morning following, except that:

i. the permitted hours shall end at 00.00 midnight on any day on which music and dancing is not provided after midnight; and

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

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

i. with the substitution of references to 04:00 for references to 03:00.

(c) Except on Sundays immediately before bank holidays (apart from Easter Sunday), the permitted hours on Sundays shall extend until 00.30 on the morning following, except that-

i. the permitted hours shall end at 00:00 on any Sunday on which music and dancing is not provided after midnight;

ii. where music and dancing end between 00.00 midnight on any Sunday and 00.30, the permitted hours on that Sunday shall end when the music and dancing end.

(d) On Sundays immediately before bank holidays (other than Easter Sunday), the permitted hours shall commence at 12:00 and extend until 01:00 on the morning following except that'

i. the permitted hours shall end at 00:00 midnight on any Sunday on which music and dancing is not (or, in the case of casino premises, gaming facilities are not) provided after 00:00 midnight;

ii. where music and dancing end (or, in the case of casino premises, gaming ends) between 00:00 midnight on any Sunday and 03:00, the permitted hours on that Sunday shall end when the music and dancing end (or, as the case may be, when the gaming ends).

iii. The terminal hour for late night refreshment shall extend to 30 minutes after the end of permitted hours for the sale of alcohol set out in d(i) and (ii) above.

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

(f) The permitted hours on New Year's Eve will extend to the start of permitted hours on the following day, or if there are no permitted hours on 1 January, to 00:00 on New Year's Eve.

NOTE - The above restrictions do not prohibit:

(a) during the first thirty minutes after the above hours the consumption of the alcohol on the premises;

(b) during the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;

(c) the sale or supply of alcohol to or the consumption of alcohol by any person residing in the licensed premises;

(d) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;

(e) the sale of alcohol to a trader or registered club for the purposes of the trade or club;

(f) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of her Majesty's naval, military or air forces;

(g) the taking of alcohol from the premises by a person residing there;

(h) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied;

(i) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

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

16. No person under fourteen shall be in the bar of the licensed premises during the permitted hours unless one of the following applies:

(a) He is the child of the holder of the premises licence;

(b) He resides in the premises, but is not employed there;

(c) He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress;

(d) The bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary.

In this condition "bar" includes any place exclusively or mainly used for the consumption of intoxicating liquor. But an area is not a bar when it is usual for it to be, and it is, set apart for the

service of table meals and alcohol is only sold or supplied to persons as an ancillary to their table meals.

17. If any entertainment is provided for children or if an entertainment is provided at which the majority of persons attending are children, then, if the number of children attending the entertainment exceeds 100, it shall be the duty of the holder of the premises licence (or the holder of the club premises certificate):

(a) to station and keep stationed wherever necessary a sufficient number of adult attendants, properly instructed as to their duties, to prevent more children or other persons being admitted to the building, or to any part thereof, than the building or part can properly accommodate;

(b) to control the movement of the children and other persons admitted while entering and leaving the building or any part thereof; and

(c) to take all other reasonable precautions for the safety of the children.

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

Annex 2 – Conditions consistent with the operating Schedule

19. On no more than 25 occasions (and in substitution for Temporary Event Notices) per calendar year and following 10 working days notice to be given to the Police and Licensing Authority (or such lesser time as may be agreed with the Police) the hours for the provision of licensable activities currently provided at the premises may be extended to such time as agreed with the Police. The Police have the power to veto any such application.

20. On any occasion when the premises are open to the public, all customers entering the premises after 21:00 hours will have their ID scanned on entry, save for when a Biometric Scanning System is in place (when fingerprint scanning will be required for all customers who have previously shown identification at the premises).

21. Notwithstanding the above condition, a maximum number of 30 guests per night may be admitted at the manager's discretion without ID being scanned and recorded. A legible record of these people's full names shall be retained on the premises for inspection by the licensing authority and police for a period of 31 days. The name of the manager authorising the entrance without scanning will also be recorded.

22. All door supervisors working outside the entrance to the premises, or supervising or controlling queues and the smoking area, shall wear yellow high visibility jackets, vests or tabards.

Licence & Appeal History

Application	Details of Application	Date Determined	Decision
05/06215/LIPCV	Conversion Application.	16.09.2009	Granted Under Delegated Authority
06/13207/WCCMAP	New Premises Application.	01.02.2008	Granted Under Delegated Authority
12/09722/LIPDPS	To Vary Designated Premises Supervisor.	19.11.2012	Granted Under Delegated Authority
14/08002/LIPDPS	To Vary Designated Premises Supervisor	08.10.2014	Granted Under Delegated Authority
14/10240/LIPVM	Minor Variation Application	10.12.2014	Granted Under Delegated Authority
15/07033/LIPDPS	To Vary Designated Premises Supervisor	02.09.2015	Granted Under Delegated Authority
15/09173/LIPVM	Minor Variation Application	24.11.2015	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 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

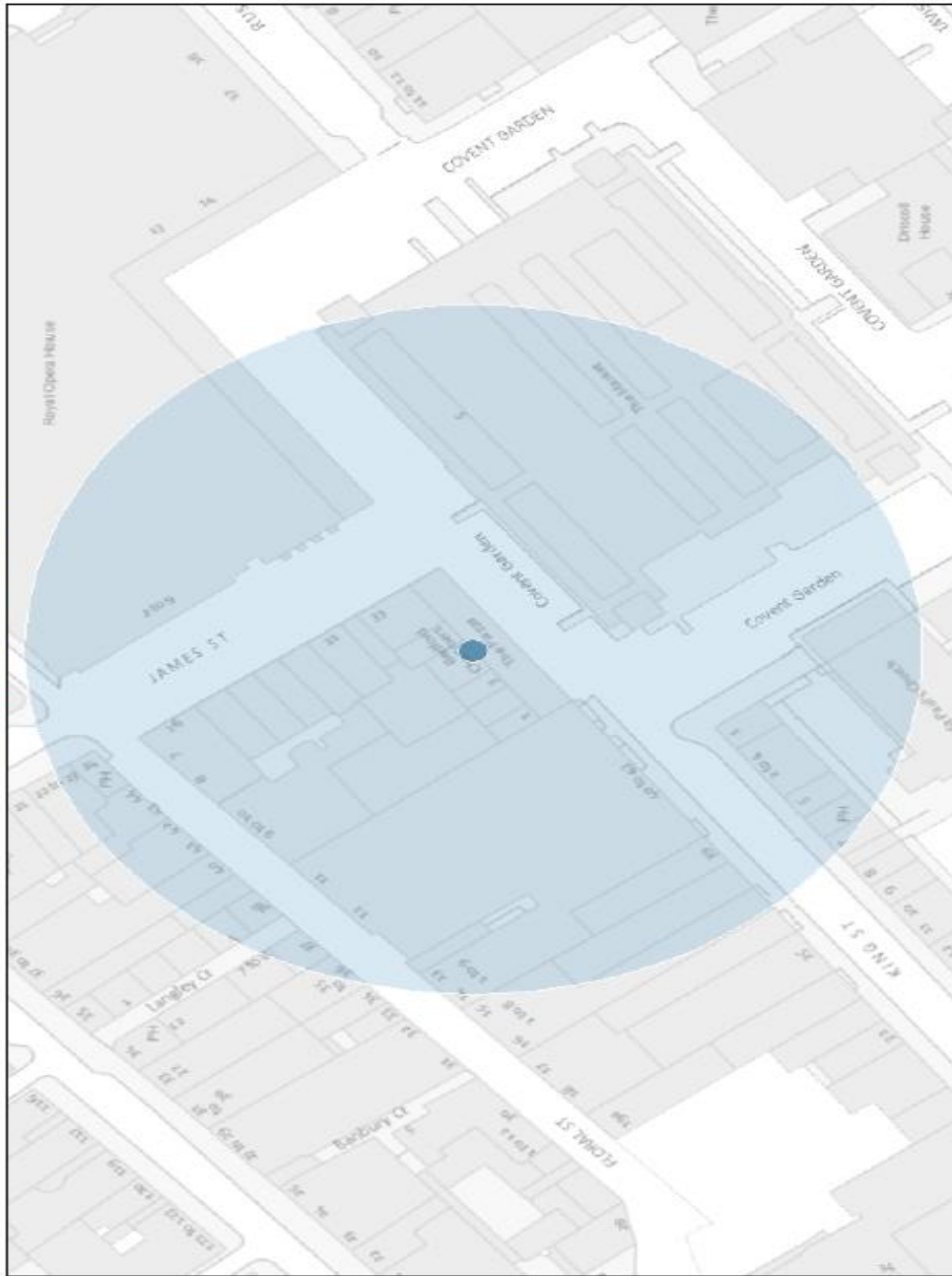
1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol 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.

Basement 35 The Piazza



Copy of Existing licence 15/09173/LIPVM



City of Westminster

64 Victoria Street, London, SW1E 6QP

Schedule 12
Part A

Premises licence

WARD: St James's
UPRN: 010033544648

Regulation 33, 34

Premises licence number:

15/09173/LIPVM

Original Reference:

05/06215/LIPCV

Part 1 – Premises details

Postal address of premises:

The Roadhouse
Basement
35 The Piazza
Covent Garden
London
WC2E 8BE

Telephone Number: 020 7497 0119

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

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

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

Performance of Dance

Monday to Saturday: 09:00 to 03:00
Sunday: 09:00 to 01:00

Performance of Live Music

Monday to Saturday: 09:00 to 03:00
Sunday: 09:00 to 01:00

Playing of Recorded Music

Unrestricted

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

Monday to Saturday: 09:00 to 03:00
Sunday: 09:00 to 01:00

Late Night Refreshment	
Monday to Saturday:	23:00 to 03:30
Sunday:	23:00 to 01:00
Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit Unrestricted	
Sale by Retail of Alcohol	
Monday to Saturday:	10:00 to 03:00
Sunday:	12:00 to 00:30
<i>For times authorised for Christmas, New Year and Good Friday see conditions at Annex 1</i>	

The opening hours of the premises:	
Monday to Saturday:	09:00 to 03:30
Sunday:	09:00 to 01:00

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:
Maxwell's Restaurants Ltd 22 Henrietta Street Covent Garden London WC2E 8ND <i>Business Phone Number : 020 7240 6001</i>

Registered number of holder, for example company number, charity number (where applicable)
1038660

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol:
Name: Mr Simon Rogers
<i>Please note: It is the policy of the Licensing Authority not to display the address details of a designated premises supervisor.</i>

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: 013243
Licensing Authority: London Borough Of Havering

Date: 01 December 2015

This licence has been authorised Mr Yiannis Chrysanthou on behalf of the Director – Public Protection & Licensing

Annex 1 – Mandatory conditions

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

- (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
 - (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
 - (a) a holographic mark, or
 - (b) an ultraviolet feature.
7. The responsible person must ensure that—
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

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

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

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

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

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

Where -

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

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

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

Conditions relating to regulated entertainment

- 10. This licence is subject to all the former Rules of Management for Places of Public Entertainment licensed by Westminster City Council, in force from 4 September 1998 and incorporating amendments agreed by the Council on 25 October 1999, 30 June 2000, 16 January 2001 and 1 October 2001.
- 11. Notwithstanding the provisions of Rule of Management No. 6 the premises may remain open for the purposes of this licence from 11pm on each of the days Monday to Saturday to 3am on the day following, and from 11pm on Sunday to 1am on the day following.
- 12. A telephone line dedicated to the receipt of complaints from the public shall be continuously manned throughout the hours of opening and for 30 minutes after the end of the hours of opening.
- 13. An announcement shall be made on the public address system at the premises to be audible by all customers therein not less than 15 minutes between a time one and a half hours before closing time and closing time each night directing patrons to the importance of silent departure from the premises.

14. The alteration or modification to any existing sound systems should be effected without prior knowledge of an authorised officer of the Environmental Health Services.
15. The number of persons accommodated at any one time (excluding staff) shall not exceed 575.
16. The use of music and dancing at the premise shall remain ancillary to A3 use.
17. That a comprehensive CCTV system be installed to the satisfaction of the Metropolitan Police Crime Prevention officer and Environmental Health Service. All cameras shall continually record whilst the premises are open to the public which enable frontal identification of every person entering in any light condition. The video recording (i) shall be kept available for a minimum of 31 days with time and date stamping (ii) tape recordings shall be made available to an authorised officer or a police officer together with facilities for viewing (iii) the recordings for the preceding two days shall be made available immediately upon request. Recordings outside the period shall be made available on 24 hours notice.
18. No unauthorised advertisements of any kind (including poster, flyer, sticker, picture, letter, sign, or other mark) is inscribed or affixed upon the surface of the highway, or upon any building, structure, works, street furniture, tree, or any other property, or is distributed on street to the public that advertises or promotes the establishment, its premises, or any of the events, facilities, goods, or services.
19. All refuse must be paid, properly presented, and can only be placed on street 30 minutes before the scheduled collection time
20. A minimum of five additional female public WC's shall be installed with in the premises prior to the renewal of this licence.
21. The number of persons accommodated at any one time (excluding staff) shall not exceed 575.

Conditions for sale of alcohol

22. In the part of the premises cross hatched in green on the deposited plan there shall be no sale or supply of spirits and no draught beer other than 1 brand of draught beer.
23. Substantial food and suitable beverages other than intoxicating liquor (including drinking water) shall be equally available during the whole of the permitted hours in all parts of the premises where intoxicating liquor is sold or supplied.

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

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

In this condition, permitted hours means:

- (a) Subject to the following paragraphs, the permitted hours on weekdays shall commence at 10.00 and extend until 03.00 on the morning following, except that:
 - i. the permitted hours shall end at 00.00 midnight on any day on which music and dancing is not provided after midnight; and
 - ii. on any day that music and dancing end between 00.00 midnight and 03.00, the permitted hours shall end when the music and dancing end;

- (b) In relation to the morning on which summer time begins, paragraph (a) of this condition shall have effect:
 - i. with the substitution of references to 04:00 for references to 03:00.
- (c) Except on Sundays immediately before bank holidays (apart from Easter Sunday), the permitted hours on Sundays shall extend until 00.30 on the morning following, except that-
 - i. the permitted hours shall end at 00:00 on any Sunday on which music and dancing is not provided after midnight;
 - ii. where music and dancing end between 00.00 midnight on any Sunday and 00.30, the permitted hours on that Sunday shall end when the music and dancing end.
- (d) On Sundays immediately before bank holidays (other than Easter Sunday), the permitted hours shall commence at 12:00 and extend until 01:00 on the morning following except that'
 - i. the permitted hours shall end at 00:00 midnight on any Sunday on which music and dancing is not (or, in the case of casino premises, gaming facilities are not) provided after 00:00 midnight;
 - ii. where music and dancing end (or, in the case of casino premises, gaming ends) between 00:00 midnight on any Sunday and 03:00, the permitted hours on that Sunday shall end when the music and dancing end (or, as the case may be, when the gaming ends).
 - iii. The terminal hour for late night refreshment shall extend to 30 minutes after the end of permitted hours for the sale of alcohol set out in d(i) and (ii) above.
- (e) The sale of alcohol must be ancillary to the use of the premises for music and dancing and substantial refreshment.
- (f) The permitted hours on New Year's Eve will extend to the start of permitted hours on the following day, or if there are no permitted hours on 1 January, to 00:00 on New Year's Eve.

NOTE - The above restrictions do not prohibit:

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

- (i) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

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

- 25. No person under fourteen shall be in the bar of the licensed premises during the permitted hours unless one of the following applies:
 - (a) He is the child of the holder of the premises licence;
 - (b) He resides in the premises, but is not employed there;
 - (c) He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress;
 - (d) The bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary.

In this condition "bar" includes any place exclusively or mainly used for the consumption of intoxicating liquor. But an area is not a bar when it is usual for it to be, and it is, set apart for the service of table meals and alcohol is only sold or supplied to persons as an ancillary to their table meals.

- 26. If any entertainment is provided for children or if an entertainment is provided at which the majority of persons attending are children, then, if the number of children attending the entertainment exceeds 100, it shall be the duty of the holder of the premises licence (or the holder of the club premises certificate):
 - (a) to station and keep stationed wherever necessary a sufficient number of adult attendants, properly instructed as to their duties, to prevent more children or other persons being admitted to the building, or to any part thereof, than the building or part can properly accommodate;
 - (b) to control the movement of the children and other persons admitted while entering and leaving the building or any part thereof; and
 - (c) to take all other reasonable precautions for the safety of the children.
- 27. The terminal hour for late night refreshment on New Year's Eve is extended to 05:00 on New Year's Day.

Annex 2 – Conditions consistent with the operating Schedule

28. On no more than 25 occasions (and in substitution for Temporary Event Notices) per calendar year and following 10 working days notice to be given to the Police and Licensing Authority (or such lesser time as may be agreed with the Police) the hours for the provision of licensable activities currently provided at the premises may be extended to such time as agreed with the Police. The Police have the power to veto any such application.
29. On any occasion when the premises are open to the public, all customers entering the premises after 21:00 hours will have their ID scanned on entry, save for when a Biometric Scanning System is in place (when fingerprint scanning will be required for all customers who have previously shown identification at the premises).
30. Notwithstanding the above condition, a maximum number of 30 guests per night may be admitted at the manager's discretion without ID being scanned and recorded. A legible record of these people's full names shall be retained on the premises for inspection by the licensing authority and police for a period of 31 days. The name of the manager authorising the entrance without scanning will also be recorded.
31. All door supervisors working outside the entrance to the premises, or supervising or controlling queues and the smoking area, shall wear yellow high visibility jackets, vests or tabards.

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

None

Annex 4 – Plans

Attached



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

Schedule 12
Part B

WARD: St James's
UPRN: 010033544648

Premises licence
summary

Regulation 33, 34

Premises licence number:

15/09173/LIPVM

Part 1 – Premises details

Postal address of premises:

The Roadhouse
Basement
35 The Piazza
Covent Garden
London
WC2E 8BE

Telephone Number: 020 7497 0119

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

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

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

Performance of Dance	
Monday to Saturday:	09:00 to 03:00
Sunday:	09:00 to 01:00
Performance of Live Music	
Monday to Saturday:	09:00 to 03:00
Sunday:	09:00 to 01:00
Playing of Recorded Music	Unrestricted
Anything of a similar description to Live Music, Recorded Music or Performance of Dance	
Monday to Saturday:	09:00 to 03:00
Sunday:	09:00 to 01:00

Late Night Refreshment

Monday to Saturday: 23:00 to 03:30
Sunday: 23:00 to 01:00

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

Sale by Retail of Alcohol

Monday to Saturday: 10:00 to 03:00
Sunday: 12:00 to 00:30

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

The opening hours of the premises:

Monday to Saturday: 09:00 to 03:30
Sunday: 09:00 to 01:00

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:

Maxwell's Restaurants Ltd
22 Henrietta Street
Covent Garden
London
WC2E 8ND

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

1038660

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

Name: Mr Simon Rogers

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

Restricted

Date: 01 December 2015

This licence has been authorised Mr Yiannis Chrysanthou on behalf of the Director – Public Protection & Licensing

Item No:	
Date:	17 August 2017
Licensing Ref No:	17/06881/LIPN - New Premises Licence
Title of Report:	Nespresso Amalco House 26 - 28 Broadwick Street London W1F 8JB
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			
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	20 June 2017		
Applicant:	Nespresso - Do & Co Cafe UK Ltd		
Premises:	Nespresso		
Premises address:	Amalco House 26 - 28 Broadwick Street London W1F 8JB	Ward:	West End
		Cumulative Impact Area:	West End
Premises description:	According to the application, the premises will operate as a cafe.		
Premises licence history:	This is an application for a new premises licence and therefore no history exists.		
Applicant submissions:	Please see Appendix 1.		
Plans:	Copies of the premises plans are available on request and for display at the hearing.		

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
Start:	07:00	07:00	07:00	07:00	07:00	07:00	07:00
End:	23:00	23:00	23:00	23:00	23:00	23:00	23:00
Seasonal variations/ Non-standard timings:		None applied for.					

The applicant has since amended the hours applied for to the following:

Sale by retail of alcohol				On or off sales or both:			On Sales
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	10:00	10:00	10:00	10:00	10:00	10:00	12:00
End:	23:00	23:00	23:00	23:00	23:00	23:00	22:30
Seasonal variations/ Non-standard timings:		None applied for.					

Sale by retail of alcohol				On or off sales or both:			Off Sales
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	08:00	08:00	08:00	08:00	08:00	08:00	10:00
End:	23:00	23:00	23:00	23:00	23:00	23:00	22:30
Seasonal variations/ Non-standard timings:		None applied for.					

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

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Environmental Health Consultation Team
Representative:	Mr Maxwell Koduah
Received:	12 th July 2017
<p>I refer to the application for a new Premises Licence which is located in the West End Cumulative Impact area.</p> <p>This representation is based on the operating schedule and accompanying plans of Basement & Ground Floors by aba Architecture dated 13.06.2017 ref. drawing number 213</p> <p>The applicant is seeking the following licensable activities:</p> <p>Supply of alcohol for consumption “On” and “Off” the premises 07:00 to 23:00 hours Monday to Sunday</p> <p>I wish to make the following representation</p> <p>The provision and hours requested for the Supply of Alcohol will have the likely effect of causing an increase in Public Nuisance and impact on Public Safety within the West</p>	

End Cumulative Impact area

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

The applicant has provided some conditions in support of the application which are being considered but do not fully address the concerns of Environmental Health.

Responsible Authority:	Licensing Authority
Representative:	Mr David Sycamore
Received:	11 th July 2017

I write in relation to the application submitted for a New Premises Licence for the following premises –

As a responsible authority under section 13 (4) of the Licensing Act 2003 as amended under the Police and Social Responsibility Act 2011 the Licensing Authority have considered your application in full. The Licensing Authority has concerns in relation to this application and how the premises would promote the Licensing Objectives:

- Public Nuisance
- Prevention of Crime & Disorder
- Public Safety

The premises is located within the West End Cumulative Impact and as such a number of policy points must be considered.

The application seeks to go beyond the Westminster Core Hours Policy HRS1, and PB2 states that its licensing authorities stance to refuse applications for bars and pubs in the cumulative impact area. No conditions have been proffered that will limit the operation of the premises other than as a bar or vertical drinking establishment. We are concerned that the premises could be used as an alcohol lead premises, should the licence be transferred. We would suggest that conditions are offered so as to limit the operation where alcohol is ancillary to the consumption of food and the style and operation are that of a café, where customers are seated and served by a waiter or waitress.

We would strongly recommend the applicants read the Westminster Statement of Licensing Policy 2016 which is available on the website below and consider why this application should be granted against it, for the reasons listed above.

We look forward to receiving updated conditions and a reduction in hours, to that of core hours and any additional information that may allow us to withdraw our representation. We are particularly interested in the capacity of the premises also.

Please accept this as a formal objection.

Responsible Authority:	Metropolitan Police Service
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Representative:	PC Toby Janes
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Received:	12 th July 2017
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I am writing to inform you that the Metropolitan Police, as a Responsible Authority, make a representation against the above application.

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


The venue is situated in the West End cumulative impact area, a locality where there is traditionally high crime and disorder, we have concerns that this application will cause further policing problems in an already demanding area.

The current proposal to sell alcohol from 0700 - 2300 is not consistent with the Policy set by Westminster City Council as the venue is within the Cumulative impact area. Please consider reducing your hours to within core hours and pay particular attention to Policy 2.4.21 as you have defined the operation as a café.

Police would like you to consider the following conditions as we believe these will address our concerns in relation to crime and disorder.

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

6. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold for consumption on the premises.
7. 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.
8. No draught beer shall be sold or supplied at the premises.
9. 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. It must be completed within 24 hours of the incident and 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) any faults in the CCTV system (f) any refusal of the sale of alcohol (g) any visit by a relevant authority or emergency service.
10. There shall be a personal licence holder on duty on the premises at all times when the premises are authorised to sell alcohol.
11. There shall be no self-service of alcohol for consumption on the premises.
12. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.
13. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.

2-B Other Persons	
Name:	Mr David Gleeson
Address and/or Residents Association:	
Received:	18 th July 2017
<p>I write to make a relevant representation to the above application on behalf of The Soho Society.</p> <p>The Soho Society objects to this application as it is currently presented, on the grounds of prevention of public nuisance, prevention of crime and disorder and cumulative impact in the West End Cumulative Impact Area.</p> <p>The applicant wishes to sell alcohol between the hours of 7.00am and 11.00pm, Monday- Sunday. This directly contravenes Council policy. Soho remains a densely</p>	

populated residential area and these premises are situated in the heart of possibly the most concentrated residential quarter of the neighbourhood. There are many private residences along Broadwick Street on either side of the premises, and in the nearby streets that feed into Broadwick Street: Lexington, Berwick and Hopkins Streets, and Ingestre Place. All residents in the surrounding area are subject to noise and general nuisance every night of the week, and quite why a café that is already surrounded by licensed premises is also applying to sell alcohol is a mystery.

This area has been identified by the Westminster City Council (2.4.1 of the Statement of Licensing Policy, as amended) as under stress because the cumulative effect of the concentration of late night and drink led premises and night cafes has led to serious problems of disorder and/or public nuisance affecting residents, visitors and other businesses.

The policies in relation to the stress areas are directed at the global and cumulative effects of licences on the area as a whole (2.4.5 of the policy). The policies are intended to be strict and will only be overridden in genuinely exceptional circumstances (2.4.2 of the policy). The growth in the entertainment industry in Soho has led to a marked deterioration in the quality of life and well-being of local residents and it has jeopardised the sustainability of the community. Soho has a substantial residential community and many of these residents suffer from problems such as, but not limited to, high levels of noise nuisance, problems with waste, urinating and defecating in the streets, threats to public safety, anti-social behaviour, crime and disorder and the change in character of historic areas.

For the reasons I have set out, we believe that the application, if granted in its present form, would fail to promote the licensing objectives of prevention of public nuisance, prevention of crime and disorder, and cumulative impact in the West End Cumulative Impact Area. I respectfully urge the Licensing Sub-Committee to reject this application.

3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
Policy CIA1 applies	<p>(i) It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas for: pubs and bars, fast food premises, and premises offering facilities for music and dancing; other than applications to vary hours within the Core Hours under Policy HRS1.</p> <p>(ii) Applications for other licensable activities in the Cumulative Impact Areas will be subject to other policies, and must demonstrate that they will not add to cumulative impact in the Cumulative Impact Areas.</p>
Policy HRS1 applies:	(i) Applications for hours within the core hours set out below in this policy will generally be granted, subject to not being

	<p>contrary to other policies in the Statement of Licensing Policy.</p> <p>(ii) Applications for hours outside the core hours set out below in this policy will be considered on their merits, subject to other relevant policies.</p>
Policy OS2 applies:	Applications will be granted subject to the relevant criteria in Policies CD1, PS1, PN1 CH1 and HRS1 and other policies in this Statement, provided it is demonstrated that they will not add to cumulative impact in the Cumulative Impact Areas.
Policy PB2 applies:	It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas other than applications to vary hours within the Core Hours under Policy HRS1.

4. Appendices

Appendix 1	Applicant Submissions
Appendix 2	Premises history
Appendix 2	Proposed conditions
Appendix 4	Residential map and list of premises in the vicinity

Report author:	Miss Heidi Lawrance Senior Licensing Officer
Contact:	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

1	Licensing Act 2003	N/A
2	City of Westminster Statement of Licensing Policy	7 th January 2016
3	Amended Guidance issued under section 182 of the Licensing Act 2003	March 2015
4	Application Form	20 th June 2017
5	Representation – Environmental Health	12 th July 2017
6	Representation – MET Police	12 th July 2017

7	Representation – Licensing Authority	11 th July 2017
8	Representation – Soho Society	18 th July 2017

Applicant Supporting Documents

Premises Licence Application – Broadwick Street

Suggested amended hours to the supply of alcohol:

For the supply of alcohol for consumption on the premises:

Monday to Saturday: 10:00 to 23:00

Sundays: Midday to 22:30

For the supply of alcohol for consumption off the premises:

Monday to Saturday: 08:00 to 23:00

Sundays: 10:00 to 22:30

Proposed Licensing Conditions:

14. 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 entire 31 day period.
15. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
16. The sale of alcohol on the premises shall at all times be ancillary to the main use of the premises as a café.
17. The supply of alcohol on the premises shall be by waiter or waitress service only to persons seated at tables or bar counter.
18. The supply of alcohol at the premises shall only be ancillary to food.
19. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold for consumption on the premises.
20. 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.
21. No draught beer shall be sold or supplied at the premises.

22. 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. It must be completed within 24 hours of the incident and 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) any faults in the CCTV system (f) any refusal of the sale of alcohol (g) any visit by a relevant authority or emergency service.
23. There shall be a personal licence holder on duty on the premises at all times when the premises are authorised to sell alcohol.
24. There shall be no self-service of alcohol for consumption on the premises.
25. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.
26. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.
27. Prominent signage indicating permitted hours for the sale of alcohol shall be displayed so as to be visible before entering the premises, where alcohol is on public display, and at the point of sale.
28. All staff shall be suitably trained for their job function for the premises. The training shall be written into a programme of ongoing review and shall be made available to a responsible authority on reasonable request.
29. Notices shall be prominently displayed at the exit/entrance requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
30. Loudspeakers shall not be located near the entrance lobby or outside the premises building.
31. No deliveries shall take place between 23:00 and 08:00 hours.
32. No noise or odour shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.

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 entire 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 premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
11. The sale of alcohol on the premises shall at all times be ancillary to the main use of the premises as a café.
12. The supply of alcohol on the premises shall be by waiter or waitress service only to persons seated at tables or bar counter.
13. The supply of alcohol at the premises shall only be ancillary to food.
14. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold for consumption on the premises.
15. 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.
16. No draught beer shall be sold or supplied at the premises.
17. 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. It must be completed within 24 hours of the incident and 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) any faults in the CCTV system
 - (f) any refusal of the sale of alcohol
 - (g) any visit by a relevant authority or emergency service.

18. There shall be a personal licence holder on duty on the premises at all times when the premises are authorised to sell alcohol.
19. There shall be no self-service of alcohol for consumption on the premises.
20. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.
21. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.
22. Prominent signage indicating permitted hours for the sale of alcohol shall be displayed so as to be visible before entering the premises, where alcohol is on public display, and at the point of sale.
23. All staff shall be suitably trained for their job function for the premises. The training shall be written into a programme of ongoing review and shall be made available to a responsible authority on reasonable request.
24. Notices shall be prominently displayed at the exit/entrance requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
25. Loudspeakers shall not be located near the entrance lobby or outside the premises building.
26. No deliveries shall take place between 23:00 and 08:00 hours.
27. No noise or odour shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.

Conditions proposed by the Police

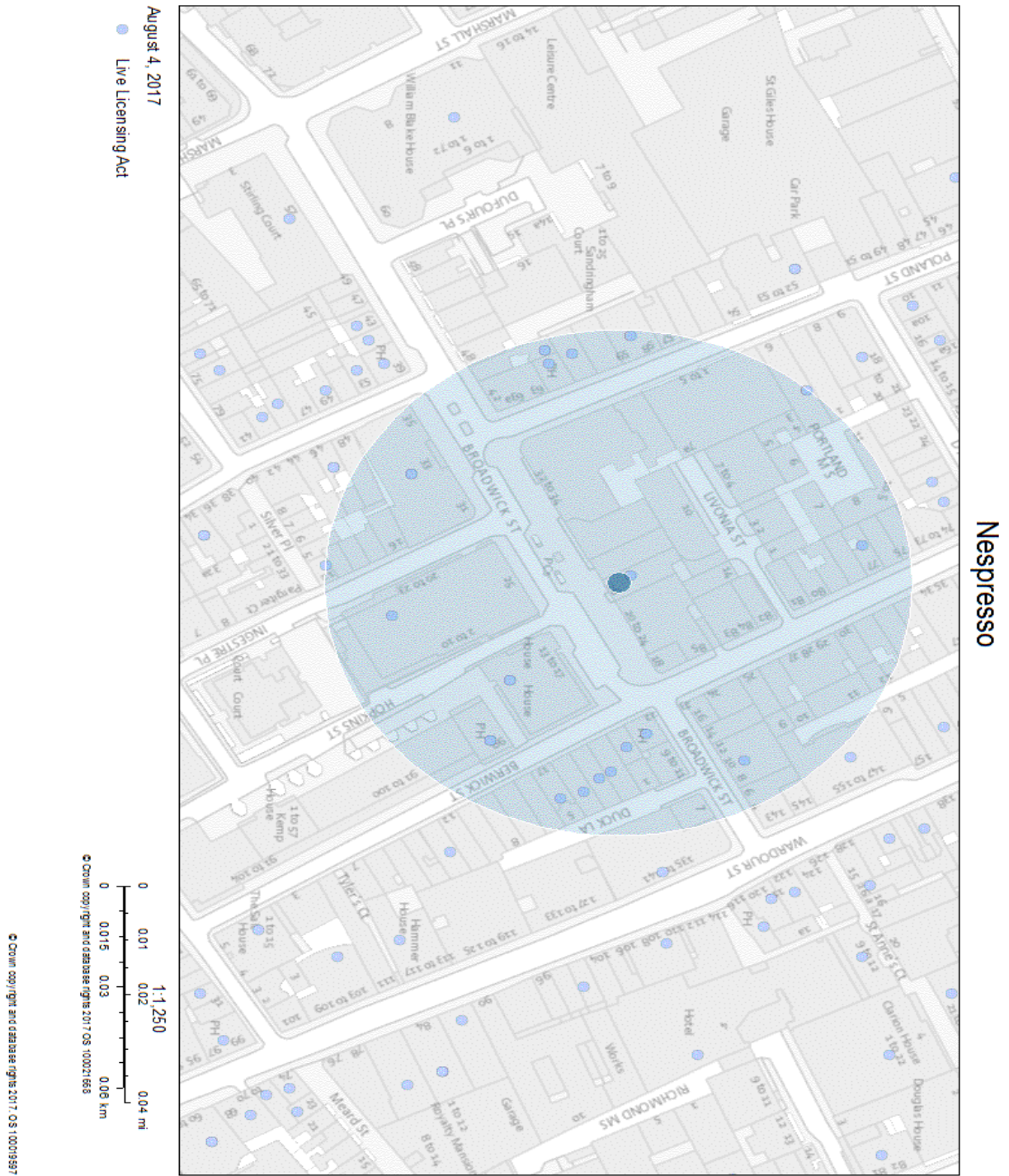
28. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually 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 entire 31 day period.
29. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.

30. The sale of alcohol on the premises shall at all times be ancillary to the main use of the premises as a café.
31. The supply of alcohol on the premises shall be by waiter or waitress service only to persons seated at tables or bar counter.
32. The supply of alcohol at the premises shall only be ancillary to food.
33. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold for consumption on the premises.
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. No draught beer shall be sold or supplied at the premises.
36. 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. It must be completed within 24 hours of the incident and 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) any faults in the CCTV system
 - (f) any refusal of the sale of alcohol
 - (g) any visit by a relevant authority or emergency service.
37. There shall be a personal licence holder on duty on the premises at all times when the premises are authorised to sell alcohol.
38. There shall be no self-service of alcohol for consumption on the premises.
39. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.
40. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.

Conditions proposed by the Environmental Health

None.

Residential Map and List of Premises in the Vicinity



Resident Count : 84

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City of Westminster

Licensing Sub-Committee Report

Agenda Item 4

Item No:	
Date:	17 th August 2017
Licensing Ref No:	17/05592/LIPV - Premises Licence Variation
Title of Report:	The Spice Of Life 37-39 Romilly Street London W1D 5NA
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 Yolanda Wade Senior Licensing Officer
Contact details	Telephone: 020 7641 1884 Email: ywade@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	Variation of a Premises Licence, Licensing Act 2003		
Application received date:	24 May 2017		
Applicant:	McMullen & Sons Limited		
Premises:	The Spice Of Life		
Premises address:	37-39 Romilly Street London W1D 5NA	Ward:	West End
		Cumulative Impact Area:	West End
Premises description:	The premises currently operate as public house.		
Variation description:	<p>According to the application the applicant is seeking the following variation, with no changes proposed on Monday to Wednesdays:</p> <ul style="list-style-type: none"> To extend the hours for the provision of late night refreshment on: Thursday 00:00 to 00:30 Friday- Saturday 01:00 to 01:30 Sunday 23:00 to 23:30 To extend the hours for the sale of alcohol on: Thursday: 10:00 to 00:00 Friday and Saturday: 10:00 to 01:00 Sundays: 10:00 to 23:00 To extend the hours that the premises is open to the public on: Thursday: 09:00 to 23:30 Friday and Saturday: 09:00 to 01:30 Sundays: 09:00 to 23:30 <p>Since the application has been made the applicant is seeking to amend the hours for licensable activities to core hours plus 30 minutes for both late night refreshment and opening hours.</p>		
Premises licence history:	Appendix 2		
Applicant submissions:	None		
Plans	Copies of the premises plans are available on request and for display at the hearing.		

1-B Current and proposed licensable activities, areas and hours

Regulated Entertainment

Performance of Dance, Provision of facilities for Dancing, Provision of facilities for making music, Performance of Live Music, Provision of facilities

for entertainment of a similar description to making music or dancing, Anything of a similar description to Live Music, Recorded Music or Performance of Dance: Indoors				
	Current Hours		Proposed Hours	
Monday	09:00	23:00	No change	No change
Tuesday	09:00	23:00	No change	No change
Wednesday	09:00	23:00	No change	No change
Thursday	09:00	23:00	No change	No change
Friday	09:00	23:00	No change	No change
Saturday	09:00	23:00	No change	No change
Sunday	09:00	23:00	No change	No change
Seasonal Variations/ Non-standard timings::	Current:		Proposed:	
	On New Year's Eve the premises can remain open for the purpose of providing regulated entertainment from the time when the provision of regulated entertainment must otherwise cease on New Year's Eve to the time when regulated entertainment can commence on New Year's Day (or until midnight on New Year's Eve where no regulated entertainment takes place on New Year's Day).		No change	

Licensable Area	
Current:	Proposed:
Basement, Ground Floor	No change

Playing of recorded Music: Indoors				
	Current Hours		Proposed Hours	
Monday	Unrestricted	Unrestricted	No change	No change
Tuesday	Unrestricted	Unrestricted	No change	No change
Wednesday	Unrestricted	Unrestricted	No change	No change
Thursday	Unrestricted	Unrestricted	No change	No change
Friday	Unrestricted	Unrestricted	No change	No change
Saturday	Unrestricted	Unrestricted	No change	No change
Sunday	Unrestricted	Unrestricted	No change	No change
Seasonal Variations/ Non-standard timings::	Current:		Proposed:	
	On New Year's Eve the premises can remain open for the purpose of providing regulated entertainment from the time when the provision of regulated entertainment must otherwise cease on New Year's Eve to the time when regulated entertainment can commence on New Year's Day (or until midnight		No change	

	on New Year's Eve where no regulated entertainment takes place on New Year's Day).	
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Licensable Area	
Current:	Proposed:
Basement, Ground Floor	No change

Late night refreshment				
Indoors, outdoors or both			Current :	Proposed:
			Indoors	Indoors
	Current Hours		Proposed Hours	
	Start:	End:	Start:	End:
Monday	23:00	23:30	23:00	23:30
Tuesday	23:00	23:30	23:00	23:30
Wednesday	23:00	23:30	23:00	23:30
Thursday	23:00	23:30	00:00	00:30
Friday	23:00	23:30	01:00	01:30
Saturday	23:00	23:30	01:00	01:30
Sunday	n/a	n/a	23:00	23:30
Seasonal variations/ Non-standard timings:	Current:		Proposed:	
	The terminal hour for late night refreshment on New Year's Eve is extended to 05:00 on New Year's Day.		Christmas Eve 10:00 to 00:30 (unless Christmas Eve falls on a Friday or Saturday then 10:00 to 01:30 will apply)	

Licensable Area	
Current:	Proposed:
Basement, Ground Floor	No change

Sale by Retail of Alcohol				
On or off sales			Current :	Proposed:
			Both	On
	Current Hours		Proposed Hours	
	Start:	End:	Start:	End:
Monday	10:00	23:00	10:00	23:00
Tuesday	10:00	23:00	10:00	23:00
Wednesday	10:00	23:00	10:00	23:00
Thursday	10:00	23:00	10:00	00:00
Friday	10:00	23:00	10:00	01:00
Saturday	10:00	23:00	10:00	00:00
Sunday	12:00	22:30	10:00	23:00
Seasonal variations/ Non-standard timings:	Current:		Proposed:	
	On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the		Christmas Eve 10:00 to 00:00 (unless Christmas Eve falls on a Friday or Saturday then 10:00 to 01:00 will apply)	

	following day, midnight on 31 st December).	
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Licensable Area	
Current:	Proposed:
Basement, Ground Floor	No change

Hours premises are open to the public				
	Current Hours		Proposed Hours	
	Start:	End:	Start:	End:
Monday	09:00	23:30	09:00	23:30
Tuesday	09:00	23:30	09:00	23:30
Wednesday	09:00	23:30	09:00	23:30
Thursday	09:00	23:30	09:00	00:30
Friday	09:00	23:30	09:00	01:30
Saturday	09:00	23:30	09:00	01:30
Sunday	09:00	23:00	09:00	23:30
Seasonal variations/ Non-standard timings:	Current:		Proposed:	
	N/A		Christmas Eve 09:00 to 00:30 (unless Christmas Eve falls on a Friday or Saturday then 10:00 to 01:30 will apply)	

2. Representations

2-A Responsible Authorities	
Responsible Authority:	The Licensing Authority
Representative:	Mr David Sycamore
Received:	15 th June 2017
<p>I write in relation to the application submitted to vary a premises Licence for the above premises.</p> <p>As a responsible authority under section 13 (4) of the Licensing Act 2003 as amended under the Police and Social Responsibility Act 2011 the Licensing Authority have considered your application in full. The Licensing Authority has concerns in relation to this application and how the premises would promote the Licensing Objectives:</p> <ul style="list-style-type: none"> • Public Nuisance • Prevention of Crime & Disorder • Public Safety <p>The premises is located in the heart of the Cumulative Impact Area and as such must demonstrate why the increase of hours for a bar should be granted as an exemption to our statement of licensing Policy, as the requested hours go beyond our Core Hours(CIP1).</p>	

(PB2 and HRS1) It is the Licensing Authority policy to refuse variations that seek to vary the licence other than to vary the hours to within core hours. The provision of late night refreshment again is sort well beyond those of core hours for licensable activities.

The Basement capacity is restricted to 100 persons (Condition 18) but the rest of the premises is unrestricted and there is a risk if granted that this premises will become a destination venue that does not have the provision of any SIA security by way of condition on the licence.

We are concerned that no additional conditions have been offered to address the increase in risk associated with the application. We would expect to see from the applicant an explanation as to why the premises should be permitted to deviate from the policy. A suggestion would be to offer to cap the number of people allowed on the premises and a policy that relates to last admission to the premises. SIA door staff could be used to assist in dispersal of crowds and assist them to leave the premises in a quiet manner.

Please accept this as a formal objection and we look forward to hearing from the applications in regards to our concerns listed above.

Further Email dialogue between Applicant and Local Authority:

From: Sycamore, David: WCC [<mailto:dsycamore@westminster.gov.uk>]
Sent: Tue 11/07/2017 16:01
To: Steven Gill [<mailto:sgill@mcmullens.co.uk>]
Cc: Wade, Yolanda: WCC <ywade@westminster.gov.uk>
Subject: RE: Spice of Life - 37 - 39 Romilly Street, W1 - 17/05592/LIPV

Hi Steven

To grant the current application there would need to be an exemption to policy which you will need to explain at committee.

With regards to your customers, they would currently leave the premises and start to disperse earlier. If granted, customers could stay later and could arrive on the premises later, It is my argument that this will increase cumulative impact.

The main focus will be around why your application should be an exemption to policy.

Thanks

David

From: Steven Gill [<mailto:sgill@mcmullens.co.uk>]
Sent: 11 July 2017 15:51
To: Sycamore, David: WCC
Subject: RE: Spice of Life - 37 - 39 Romilly Street, W1 - 17/05592/LIPV

Hi David

Help me understand. How does our premises who's customers will currently leave to go to premises that have the additional hours increase the number of people within the C.I.A.

Thanks

Steven

From: Sycamore, David: WCC [<mailto:dsycamore@westminster.gov.uk>]
Sent: 11 July 2017 15:40
To: Steven Gill <sgill@mcmullens.co.uk>
Cc: Licensing: WCC <Licensing@westminster.gov.uk>; Wade, Yolanda: WCC <ywade@westminster.gov.uk>
Subject: RE: Spice of Life - 37 - 39 Romilly Street, W1 - 17/05592/LIPV

Good Afternoon Steven

The licensing authority will be maintaining the representation to this application. As stated, due the increase in hours sought, it is our belief that this will add to cumulative impact in the West End Cumulative Impact area. The policy states at 2.5.23 that the granting of new or variations for pubs and bars, within the C.I.A should limited except in exceptional circumstances. The capacity of the premises, if granted would result in more people in the C.I.A later than currently permitted.

Kind regards

David

From: Steven Gill [<mailto:sgill@mcmullens.co.uk>]
Sent: 20 June 2017 21:54
To: Deweltz, Adam: WCC; Sycamore, David: WCC
Cc: Licensing: WCC; Wade, Yolanda: WCC; Nevitt, Dave: WCC
Subject: RE: Spice of Life - 37 - 39 Romilly Street, W1 - 17/05592/LIPV

Hello Adam / David

I believe I misunderstood the core hours policy. I think we need to dispense with the 30 minute wind down time and make the terminal hour for sale of alcohol and the time that the premises will close to the public the same.

David is this now acceptable in terms of the Council's policy?

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

The premises is open to the public to:

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

The provision of late night refreshment would become:

Friday and Saturday: 23:00 to midnight
Sundays immediately prior to Bank Holidays: 23:00 to midnight
Other Sundays: no requirement
Monday to Thursday: 23:00 to 23:30

I have copied the other responsible authorities on this email so that everyone is aware of this latest revision.

Responsible Authority:	The Metropolitan Police (withdrawn)
Representative:	PC Adam Deweltz
Received:	25 th May 2017

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

The venue is situated within the Cumulative Impact Area. It is our belief that if granted the application would undermine the Licensing Objectives in relation to The Prevention of Crime and Disorder.


Further to ongoing conversations between the Applicant and the Police and agreement of conditions by both parties, the Police have withdrawn their representation

Responsible Authority:	The Environmental Health Service (withdrawn)
Representative:	Dave Nevitt
Received:	2 nd June 2017

I wish to make Representations on the following grounds: Representation is made in relation to the application, as the proposals are likely to increase Public.

Nuisance and may impact upon Public Safety.

The Environmental Health Service has withdrawn their representation on the application.

2-B Other Persons			
Name:	David Gleeson		
Address and/or Residents Association:			
Status:	Resident Association	In support or opposed:	Opposed
Received:	20 th June 2017		

I write to make a relevant representation to the above application on behalf of The Soho Society.

The Soho Society objects to this application as it is currently presented, on the grounds of prevention of public nuisance, prevention of crime and disorder and cumulative impact in the West End Cumulative Impact Area.

About The Soho Society

The Soho Society is a charitable company limited by guarantee established in 1972. The society is a recognised amenity group and was formed to make Soho a better place to live, work or visit by preserving and enhancing the area's existing diversity of character and uses, and by improving its facilities, amenities and environment. In particular, the society supports the Westminster City Council's policies, including the cumulative impact policy, as set out in the Statement of Licensing Policy 2016.

Application summary

The application is described in Westminster Licensing News (09 April 2017) as follows:

To extend the hours for the provision of late night refreshment on: Thursday- 00:00 to 00:30 Friday-Saturday 01:00 to 01:30 and Sunday 23:00 to 23:30 To extend the hours for the sale of alcohol on: Thursday- 10:00 to 00:00 ,Friday- Saturday 10:00 to 01:00 and Sunday 10:00 to 23:00 To extend the hours that the premises is open to the public on: Thursday- 09:00 to 00:30 , Friday- Saturday 09:00 to 01:30 and Sunday 09:00 to 23:30.

Hours of operation

With reference to the current premises license, the application therefore seeks to set the terminal hour for late night refreshment to half past midnight on Thursdays, 1.30am Saturday and Sunday mornings, and 11.30pm on Sunday evenings; and bring the terminal hour for the sale of alcohol from currently within core hours to midnight on Thursdays, 1am on Saturday and Sunday mornings, and 11pm on Sunday evenings. The application further seeks the extension of opening hours at the premises until half past midnight on Thursdays, until 1.30am on Friday and Saturday nights and 11.30 on Sundays. There are private homes in nearby buildings, and residents in the surrounding area are subject to noise and general nuisance every night of the week. The premises are highly visible from both Charing Cross Road and Shaftesbury Avenue and will therefore effectively draw more people into Soho at these late hours when patrons of other licensed premises will be leaving or will already have left the West End Cumulative Impact Area. We therefore feel it is necessary to keep to the currently licensed operating hours.

Licensing policy

This area has been identified by the Westminster City Council (2.4.1 of the Statement of Licensing Policy, as amended) as under stress because the cumulative effect of the concentration of late night and drink led premises and night cafes has led to serious problems of disorder and/or public nuisance affecting residents, visitors and other businesses.

The policies in relation to the stress areas are directed at the global and cumulative effects of licences on the area as a whole (2.4.5 of the policy). The policies are intended to be strict and will only be overridden in genuinely exceptional circumstances (2.4.2 of the policy). The growth in the entertainment industry in Soho has led to a marked deterioration in the quality of life and well-being of local residents and it has jeopardised the sustainability of the community. Soho has a substantial residential community and many of these residents suffer from problems such as, but not limited to, high levels of noise nuisance, problems with waste, urinating and defecating in the streets, threats to public safety, anti-social behaviour, crime and disorder and the change in character of historic areas.

For the reasons I have set out, we believe that the application, if granted in its present form, would fail to promote the licensing objectives of prevention of public nuisance, prevention of

crime and disorder, and cumulative impact in the West End Cumulative Impact Area. I respectfully urge the Licensing Sub-Committee to reject this application. Please let me know if any proposals are made to amend the application; particularly in respect of the hours sought or any further conditions proposed.

3. Policy & Guidance

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

Policy HRS1 applies:	(i) Applications for hours within the core hours set out below in this policy will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy.
Policy CIA1 applies:	(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.
Policy PB2 applies:	(i) It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas for: pubs and bars, fast food premises, and premises offering facilities for music and dancing; other than applications to vary hours within the Core Hours under Policy HRS1.
	(ii) Applications for other licensable activities in the Cumulative Impact Areas will be subject to other policies, and must demonstrate that they will not add to cumulative impact in the Cumulative Impact Areas.
	It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas other than applications to vary hours within the Core Hours under Policy HRS1.

4. Appendices

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

Report author:	Miss Yolanda Wade Senior Licensing Officer
Contact:	Telephone: 020 7641 1884 Email: ywade@westminster.gov.uk

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

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

1	Licensing Act 2003	N/A
2	City of Westminster Statement of Licensing Policy	7 th January 2016
3	Amended Guidance issued under section 182 of the Licensing Act 2003	March 2015
4	The Application Form	24 th May 2017
5	The Metropolitan Police Representation	25 th May 2017
6	The Licensing Authority Representation	15 th June 2017
7	The Environmental Health Service Representation	2 nd June 2017
8	David Gleeson c/o The Soho Society Representation	20 th June .2017

Licence & Appeal History

Application	Details of Application	Date Determined	Decision
05/06215/LIPCV	Conversion Application.	16.09.2009	Granted Under Delegated Authority
06/13207/WCCMAP	New Premises Application.	01.02.2008	Granted Under Delegated Authority
12/09722/LIPDPS	To Vary Designated Premises Supervisor.	19.11.2012	Granted Under Delegated Authority
14/08002/LIPDPS	To Vary Designated Premises Supervisor	08.10.2014	Granted Under Delegated Authority
14/10240/LIPVM	Minor Variation Application	10.12.2014	Granted Under Delegated Authority
15/07033/LIPDPS	To Vary Designated Premises Supervisor	02.09.2015	Granted Under Delegated Authority
15/09173/LIPVM	Minor Variation Application	24.11.2015	Granted Under Delegated Authority

Temporary Event Notices

Application	Details of Application	Date Determined	Decision
16/01961/LITENP	Temporary Event Notice	01.03.2016	Notice Allowed
16/08351/LITENP	Temporary Event Notice	12.08.2016	Notice Allowed
16/12592/LITENP	Temporary Event Notice	30.11.2016	Notice Refuse
16/12595/LITENP	Temporary Event Notice	29.11.2016	Notice Allowed
16/12597/LITENP	Temporary Event Notice	29.11.2016	Notice Allowed
16/13171/LITENP	Temporary Event Notice	19.12.2016	Notice Allowed
17/00695/LITENP	Temporary Event Notice	16.02.2017	Notice Allowed

17/00700/LITENP	Temporary Event Notice	18.02.2017	Notice Allowed
17/03282/LITENP	Temporary Event Notice	12.04.2017	Notice Allowed
17/03283/LITENP	Temporary Event Notice	12.04.2017	Notice Allowed

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 the premise 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.

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.

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

Conditions relating to regulated entertainment:

9. 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.
10. On New Year's Eve the premises can remain open for the purpose of providing regulated entertainment from the time when the provision of regulated entertainment must otherwise cease on New Year's Eve to the time when regulated entertainment can commence on New Year's Day (or until midnight on New Year's Eve where no regulated entertainment takes place on New Year's Day).
11. Except for private parties the entertainment to be provided under this licence shall be restricted to live entertainment, specifically Jazz, Classical and Modern Folk, provided by a maximum of five performers.
12. Entertainment of a type known as discotheque shall not be provided under this licence, except for private parties.
13. The premises shall be covered by CCTV as reasonably specified by the Metropolitan Police Crime Prevention Officer.
14. The existing noise limiter shall be inspected and set to the satisfaction of officers from the Environmental Health Department's Noise Section. The operational panel shall then be secured and the system shall not be altered without prior agreement with the Environmental Health Department.
15. No alteration or modification to any existing sound system(s) should be effected without prior knowledge of an authorised officer of the Environmental Health Department.
16. All doors giving access / egress to the premises shall not be fixed open after 11pm, except those on the Cambridge Circus elevation, which shall not be fixed open after 23:30.
17. No music is to be played in the lobbied stairwell.

18. The number of persons accommodated at any one time in the premises shall not exceed: Basement - 100 (excluding staff).

Conditions which reproduce the effect of any restriction imposed on the use of the premises by specified enactment

19. Alcohol may be sold or supplied:
- (a) On weekdays, other than Christmas Day, Good Friday or New Year's Eve, 10:00 to 23:00.
 - (b) On Sundays, other than Christmas Day or New Year's Eve, 12:00 to 22:30.
 - (c) On Good Friday, 12:00 to 22:30
 - (d) On Christmas Day, 12:00 to 15:00 and 19:00 to 22:30.
 - (e) On New Year's Eve, except on a Sunday, 10:00 to 23:00.
 - (f) On New Year's Eve on a Sunday, 12:00 to 22:30.
 - (g) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).

NOTE - The above restrictions do not prohibit:

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

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

20. No person under fourteen shall be in the bar of the licensed premises during the permitted hours unless one of the following applies:
 - (a) He is the child of the holder of the premises licence.
 - (b) He resides in the premises, but is not employed there.
 - (c) He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress.
 - (d) The bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary.
21. In this condition "bar" includes any place exclusively or mainly used for the consumption of intoxicating liquor. But an area is not a bar when it is usual for it to be, and it is, set apart for the service of table meals and alcohol is only sold or supplied to persons as an ancillary to their table meals.

If any entertainment is provided for children or if an entertainment is provided at which the majority of persons attending are children, then, if the number of children attending the entertainment exceeds 100, it shall be the duty of the holder of this premises licence / club premises certificate:

- (a) to station and keep stationed wherever necessary a sufficient number of adult attendants, properly instructed as to their duties, to prevent more children or other persons being admitted to the building, or to any part thereof, than the building or part can properly accommodate,
 - (b) to control the movement of the children and other persons admitted while entering and leaving the building or any part thereof, and
 - (c) to take all other reasonable precautions for the safety of the children.
22. The terminal hour for late night refreshment on New Year's Eve is extended to 05:00 on New Year's Day.

Annex 2 – Conditions consistent with the operating Schedule

None

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

None

Conditions proposed by the Police and agreed by Applicant so as to form part of the Operating Schedule

22. 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 entire 31 day period.
23. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
24. 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.
25. 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. It must be completed within 24 hours of the incident and 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, searching equipment or scanning equipment,
 - (g) any refusal of the sale of alcohol,
 - (h) any visit by a relevant authority or emergency service.
26. There shall be no drinking outside the premises after 23:00 hours.
27. On Friday, Saturday and the Sunday immediately before Bank Holiday, at least 1 SIA licensed door supervisor shall be on duty at the entrance of the premises from 21:00 hours until closing

Copy of Existing Licence



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

Schedule 12
Part A

WARD: West End UPRN: 010033555785

Premises licence

Regulation 33, 34

Premises licence number:	12/11305/LIPDPS
Original Reference:	05/05361/LIPCV

Part 1 – Premises details

Postal address of premises: The Spice Of Life 37-39 Romilly Street London W1D 5NA
Telephone Number: 020 7437 7013

Where the licence is time limited, the dates: Not applicable

Licensable activities authorised by the licence: Performance of Dance Provision of facilities for Dancing Provision of facilities for making Music Performance of Live Music Playing of Recorded Music Provision of facilities for entertainment of a similar description to making music or dancing Anything of a similar description to Live Music, Recorded Music or Performance of Dance Late Night Refreshment Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit Sale by Retail of Alcohol
--

The times the licence authorises the carrying out of licensable activities:	
Performance of Dance Monday to Sunday:	09:00 to 23:00
Provision of facilities for Dancing Monday to Sunday:	09:00 to 23:00
Provision of facilities for making Music Monday to Sunday:	09:00 to 23:00
Performance of Live Music Monday to Sunday:	09:00 to 23:00
Playing of Recorded Music	Unrestricted

Provision of facilities for entertainment of a similar description to making music or dancing	
Monday to Sunday:	09:00 to 23:00
Anything of a similar description to Live Music, Recorded Music or Performance of Dance	
Monday to Sunday:	09:00 to 23:00
Late Night Refreshment	
Monday to Saturday:	23:00 to 23:30
Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit Unrestricted	
Sale by Retail of Alcohol	
Monday to Saturday:	10:00 to 23:00
Sunday:	12:00 to 22:30
<i>For times authorised for Christmas, New Year and Good Friday see conditions at Annex 1</i>	

The opening hours of the premises:	
Monday to Saturday:	09:00 to 23:30
Sunday:	09:00 to 23:00

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:
McMullen & Sons Limited 26 Old Cross Hertford Hertfordshire SG14 1RD <i>Telephone Number : 01992 584 911</i>

Registered number of holder, for example company number, charity number (where applicable)
51456

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol:
Name: Mr Patrick Pittard
<i>Please note: It is the policy of the Licensing Authority not to display the address details of a designated premises supervisor.</i>

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: 06/00061/LAPER
Licensing Authority: Spelthorne Borough Council

Date: 25 January 2013

Signed: pp
Operational Director - Premises Management

Annex 1 – Mandatory conditions

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
4. (1) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children;
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;
 - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on;
 - (i) the outcome of a race, competition or other event or process, or
 - (ii) the likelihood of anything occurring or not occurring;
 - (e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
5. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
6. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
7. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

- (2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.
8. The responsible person shall ensure that;
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures;
- (i) beer or cider: ½ pint;
- (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
- (iii) still wine in a glass: 125 ml; and
- (b) customers are made aware of the availability of these measures.

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

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

Conditions relating to regulated entertainment:

9. 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.
10. On New Year's Eve the premises can remain open for the purpose of providing regulated entertainment from the time when the provision of regulated entertainment must otherwise cease on New Year's Eve to the time when regulated entertainment can commence on New Year's Day (or until midnight on New Year's Eve where no regulated entertainment takes place on New Year's Day).
11. Except for private parties the entertainment to be provided under this licence shall be restricted to live entertainment, specifically Jazz, Classical and Modern Folk, provided by a maximum of five performers.
12. Entertainment of a type known as discotheque shall not be provided under this licence, except for private parties.
13. The premises shall be covered by CCTV as reasonably specified by the Metropolitan Police Crime Prevention Officer.
14. The existing noise limiter shall be inspected and set to the satisfaction of officers from the Environmental Health Department's Noise Section. The operational panel shall then be secured and the system shall not be altered without prior agreement with the Environmental Health Department.
15. No alteration or modification to any existing sound system(s) should be effected without prior knowledge of an authorised officer of the Environmental Health Department.

16. All doors giving access / egress to the premises shall not be fixed open after 11pm, except those on the Cambridge Circus elevation, which shall not be fixed open after 23:30.
17. No music is to be played in the lobbied stairwell.
18. The number of persons accommodated at any one time in the premises shall not exceed: Basement - 100 (excluding staff).

Conditions which reproduce the effect of any restriction imposed on the use of the premises by specified enactment

19. Alcohol may be sold or supplied:
 - (a) On weekdays, other than Christmas Day, Good Friday or New Year's Eve, 10:00 to 23:00.
 - (b) On Sundays, other than Christmas Day or New Year's Eve, 12:00 to 22:30.
 - (c) On Good Friday, 12:00 to 22:30
 - (d) On Christmas Day, 12:00 to 15:00 and 19:00 to 22:30.
 - (e) On New Year's Eve, except on a Sunday, 10:00 to 23:00.
 - (f) On New Year's Eve on a Sunday, 12:00 to 22:30.
 - (g) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).

NOTE - The above restrictions do not prohibit:

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

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

20. No person under fourteen shall be in the bar of the licensed premises during the permitted hours unless one of the following applies:
 - (a) He is the child of the holder of the premises licence.
 - (b) He resides in the premises, but is not employed there.
 - (c) He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress.
 - (d) The bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary.
21. In this condition "bar" includes any place exclusively or mainly used for the consumption of intoxicating liquor. But an area is not a bar when it is usual for it to be, and it is, set apart for the service of table meals and alcohol is only sold or supplied to persons as an ancillary to their table meals.

If any entertainment is provided for children or if an entertainment is provided at which the majority of persons attending are children, then, if the number of children attending the entertainment exceeds 100, it shall be the duty of the holder of this premises licence / club premises certificate:

- (a) to station and keep stationed wherever necessary a sufficient number of adult attendants, properly instructed as to their duties, to prevent more children or other persons being admitted to the building, or to any part thereof, than the building or part can properly accommodate,
 - (b) to control the movement of the children and other persons admitted while entering and leaving the building or any part thereof, and
 - (c) to take all other reasonable precautions for the safety of the children.
22. The terminal hour for late night refreshment on New Year's Eve is extended to 05:00 on New Year's Day.

Annex 2 – Conditions consistent with the operating Schedule

None

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

None

Annex 4 – Plans

Attached



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

Schedule 12
Part B

WARD: West End
UPRN: 010033555785

Premises licence
summary

Regulation 33, 34

Premises licence number:

12/11305/LIPDPS

Part 1 – Premises details

Postal address of premises:

The Spice Of Life
37-39 Romilly Street
London
W1D 5NA

Telephone Number: 020 7437 7013

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

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

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

Performance of Dance	
Monday to Sunday:	09:00 to 23:00
Provision of facilities for Dancing	
Monday to Sunday:	09:00 to 23:00
Provision of facilities for making Music	
Monday to Sunday:	09:00 to 23:00
Performance of Live Music	
Monday to Sunday:	09:00 to 23:00
Playing of Recorded Music	Unrestricted
Provision of facilities for entertainment of a similar description to making music or dancing	
Monday to Sunday:	09:00 to 23:00

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

Monday to Sunday: 09:00 to 23:00

Late Night Refreshment

Monday to Saturday: 23:00 to 23:30

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

Sale by Retail of Alcohol

Monday to Saturday: 10:00 to 23:00

Sunday: 12:00 to 22:30

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

The opening hours of the premises:

Monday to Saturday: 09:00 to 23:30

Sunday: 09:00 to 23:00

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:

McMullen & Sons Limited
26 Old Cross
Hertford
Hertfordshire
SG14 1RD

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

51456

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

Name: Mr Patrick Pittard

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

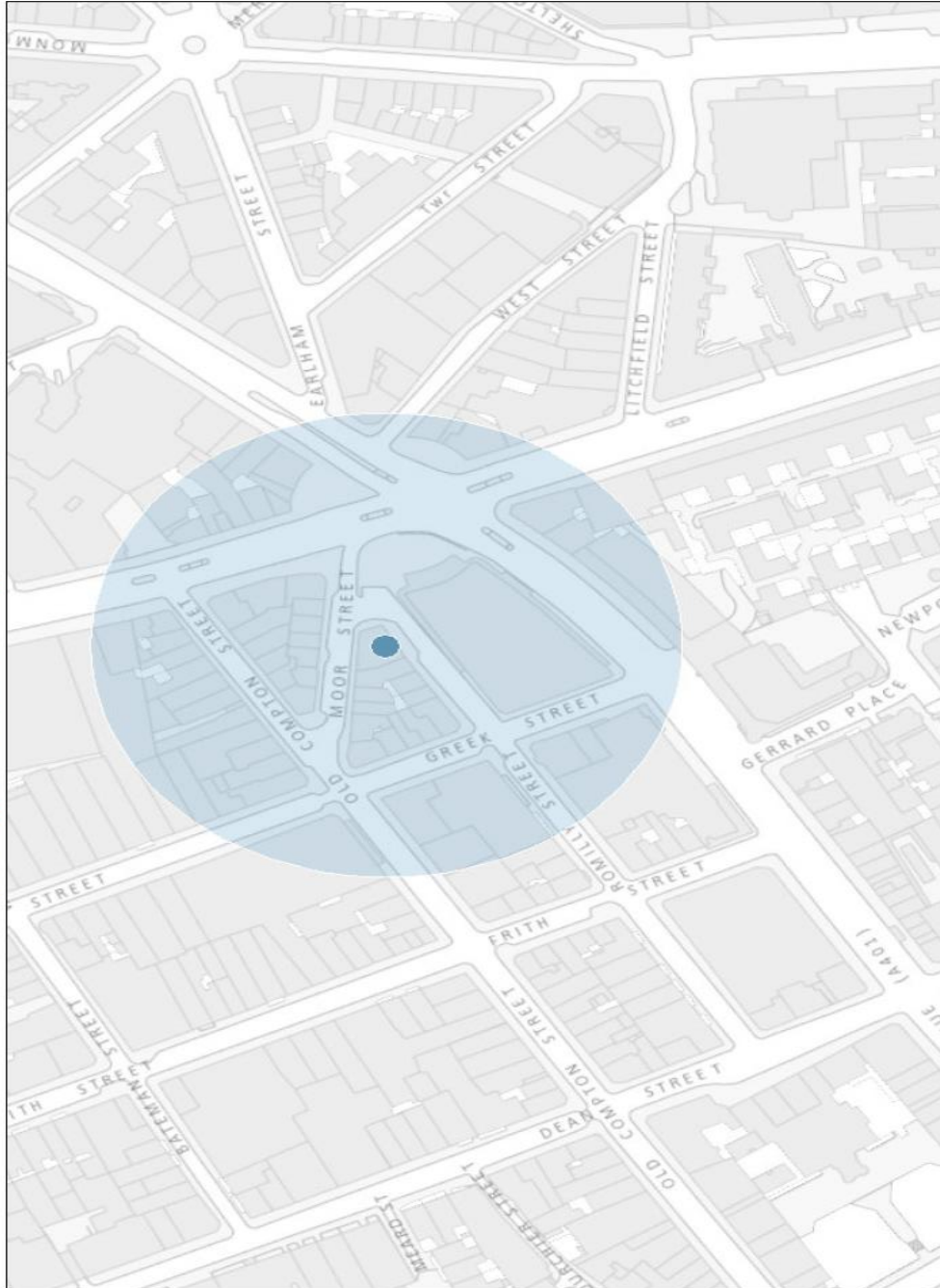
Restricted

Date: 25 January 2013

Signed: pp
Operational Director - Premises Management

Residential Map and List of Premises in the Vicinity

The Spice Of Life 37 -39 Romilly Street



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Item No:	
Date:	17 th August 2017
Licensing Ref No:	17/06464/LIPN - New Premises Licence
Title of Report:	1 St James's Market London SW1Y 4AH
Report of:	Director of Public Protection and Licensing
Wards involved:	St James's
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Miss Yolanda Wade Senior Licensing Officer
Contact details	Telephone: 020 7641 1884 Email: ywade@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	12 June 2017		
Applicant:	The Crown Estate		
Premises:	1 St James's Market London SW1Y 4AH		
Premises address:	1 St James's Market London SW1Y 4AH	Ward:	St James's
		Cumulative Impact Area:	West End
Premises description:	According to the application the proposed licensed area is to be located on the 7th floor of the premises to cover office catering, staff canteen and corporate hospitality facilities.		
Premises licence history:	The premises does not benefit from a premises licence, therefore does not have a current premises history.		
Applicant submissions:	The general public do not have access to the premises and there will be no external advertising of licensed facilities. Off-sales are restricted to other areas within the building.		
Plans:	Copies of the premises plans are available on request and for display at the hearing.		

1-B Proposed licensable activities and hours				On or off sales or both:				Both
Sale by retail of alcohol								
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun	
Start:	10:00	10:00	10:00	10:00	10:00	10:00	12:00	
End:	23:00	23:00	23:00	23:00	23:00	23:00	22:30	
Seasonal variations/ Non-standard timings:								

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	00:00	00:00	00:00	00:00	00:00	00:00	00:00
End:	00:00	00:00	00:00	00:00	00:00	00:00	00:00
NOTE:	The general public do not have access to the premises and there will be no external advertising of licensed facilities. Off-sales are restricted to other areas within the building.						

2. Representations

2-A Responsible Authorities	
Responsible Authority:	The Environmental Health Service
Representative:	6 July 2017
Received:	Maxwell Kodusah
<p>I refer to the application for a new Premises Licence which is located in the West End Cumulative Impact area</p> <p>The applicant is seeking the following licensable activities:</p> <ol style="list-style-type: none"> 1. Supply of Alcohol for consumption "On & off" the premises 10:00 to 23:00 hours Monday to Saturday and 12:00 to 22:30 hours on Sunday <p>I wish to make the following representation</p> <ol style="list-style-type: none"> 1. The provision and hours requested for the Supply of Alcohol will have the likely effect of causing an increase in Public Nuisance and impact on Public Safety within the West End Cumulative Impact area <p>The granting of the application as presented would have the likely effect of causing an increase in Public Nuisance and impact on Public Safety within the West End Cumulative Impact area</p> <p>The applicant has provided some conditions in support of the application which are being considered but do not fully address the concerns of Environmental Health</p>	
Responsible Authority:	The Licensing Authority
Representative:	Mr David Sycamore
Received:	10 th July 2017
<p>I write in relation to the application submitted for a variation of a Premises Licence for the following premises –</p> <p>As a responsible authority under section 13 (4) of the Licensing Act 2003 as amended under the Police and Social Responsibility Act 2011 the Licensing Authority have considered your application in full. The Licensing Authority has concerns in relation to this application and how the premises would promote the Licensing Objectives:</p> <ul style="list-style-type: none"> • Public Nuisance 	

- Prevention of Crime & Disorder
- Public Safety

The premises is located within the West End Cumulative Impact and as such a number of policy points must be considered.

The applicant seeks to allow an office space to be used as an event space in cumulative impact area. whilst we accept conditions have been proffered, we do not believe they address our concerns, specifically in relation to PBS2 of the Westminster Statement of Licensing Policy. It is currently the policy to refuse new applications for bars and pubs in the cumulative impact area.

Whilst we accept the hours proffered are within core hours, we are concerned, that with an as yet unspecified capacity, when these patrons leave, they will continue their night in the cumulative impact area. We would propose that the applicants seeks to limit the number of 'Persons attending by prior invitation to a private or organised function' to a set figure, rather than unlimited.

We are pleased to see that external promoters won't be used, however, the licence holder themselves would be free to promote any events they wished, should the licence be granted.

Please accept this as a formal representation, in short we believe this application does not comply with the policy for the reasons set out above. We welcome any further submissions for us to consider that may allow us to withdraw our objection.

3. Policy & Guidance

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

Policy CIA1 applies:	<p>(i) It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas for: pubs and bars, fast food premises, and premises offering facilities for music and dancing; other than applications to vary hours within the Core Hours under Policy HRS1.</p> <p>(ii) Applications for other licensable activities in the</p>
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	Cumulative Impact Areas will be subject to other policies, and must demonstrate that they will not add to cumulative impact in the Cumulative Impact Areas.
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4. Appendices

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

Report author:	Miss Yolanda Wade Senior Licensing Officer
Contact:	Telephone: 020 7641 1884 Email: ywade@westminster.gov.uk

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

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

1	Licensing Act 2003	N/A
2	City of Westminster Statement of Licensing Policy	7 th January 2016
3	Amended Guidance issued under section 182 of the Licensing Act 2003	March 2015
4	The Application Form	12 th June 2017
5	The Environmental Health Service	6 July 2017
6	The Licensing Authority	10 th July 2017

Application for Premises Licence

1 St James's Market, London SW1Y 4AH

APPLICATION SUMMARY

Proposed Hours

Sale of Alcohol (on and off)	Monday – Saturday: 10:00 – 23:00 Sunday: 12:00 – 22:30
Opening Hours	Monday – Sunday: 00:00 – 24:00

Proposed Conditions

1. The licence shall remain ancillary to the use of the premises as corporate offices.
2. Alcohol shall not be sold or supplied otherwise than to
 - a) Directors, partners, officers and employees of the Licensee (and subsidiaries and affiliated companies thereof) and their bona fide guests
 - b) Persons attending by prior invitation to a private or organised function in the premises a list of whom is to be kept at reception and made available for inspection by the relevant authorities immediately upon request.
3. There shall be no events involving licensable activities organised by an external promotor at the premises.
4. No draught beers shall be sold.
5. Non-alcoholic drinks including drinking water shall be available at all times when alcohol is sold or supplied.
6. There shall be no sales of alcohol for consumption off the premises, with the exception of alcohol sold for consumption in other non-licensed areas of the building.
7. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.
8. When the premises licence is in use, notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
9. When this premises licence is in use, the number of persons permitted in the premises at any one time (excluding staff) shall not exceed [TBC] persons or such lesser number imposed on the safety certificate or by other statutory regulations.
10. No advertising of the licensed premises outside of the premises.
11. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by the Police or an authorised officer of the City Council at all times whilst the premises is open.

Thomas & Thomas Partners LLP, 38a Monmouth Street, London WC2H 9EP
020 7042 0410 www.tandtp.com info@tandtp.com

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.

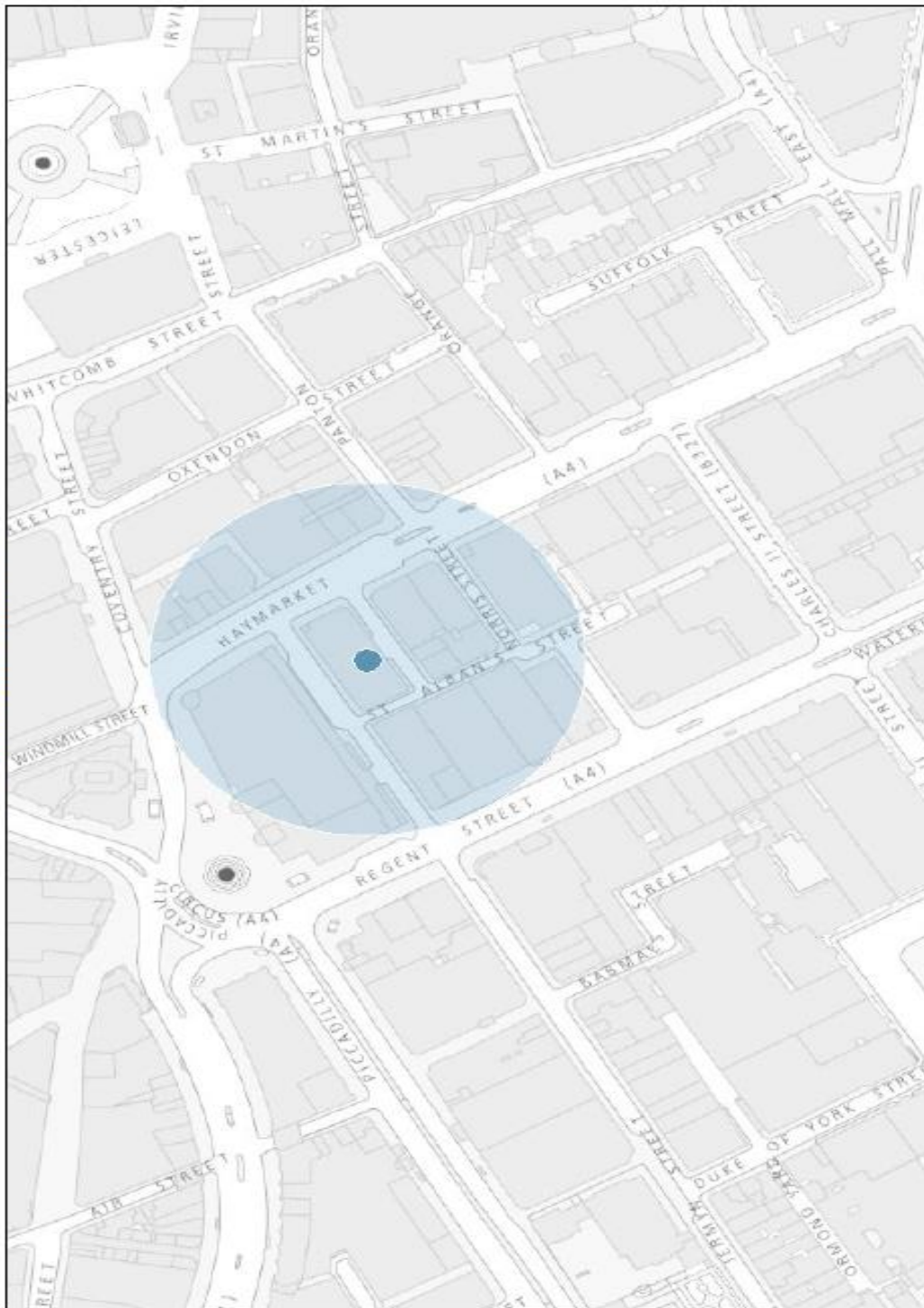
Conditions consistent with the operating schedule

9. The licence shall remain ancillary to the use of the premises as corporate offices.
10. Alcohol shall not be sold or supplied otherwise than to
 - a. Directors, partners, officers and employees of the Licensee (and subsidiaries and affiliated companies thereof) and their bona fide guests
 - b. Persons attending by prior invitation to a private or organised function in the premises a list of whom is to be kept at reception and made available for inspection by the relevant authorities immediately upon request.
11. There shall be no events involving licensable activities organised by an external promoter at the premises.
12. No draught beers shall be sold.
13. Non-alcoholic drinks including drinking water shall be available at all times when alcohol is sold or supplied.
14. There shall be no sales of alcohol for consumption off the premises, with the exception of alcohol sold for consumption in other non-licensed areas of the building.
15. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.
16. When the premises licence is in use, notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
17. When this premises licence is in use, the number of persons permitted in the premises at any one time (excluding staff) shall not exceed [TBC] persons or such lesser number imposed on the safety certificate or by other statutory regulations.
18. No advertising of the licensed premises outside of the premises.
19. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by the Police or an authorised officer of the City Council at all times whilst the premises is open.

Proposed Environmental Health conditions additional to those contained within the operating schedule

1. There shall be no bar area at any time at the premises
2. The external doors to the 7th Floor terraces shall be kept closed after 21:00 hours except for the immediate access and egress of persons
3. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance
4. 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.
5. 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.
6. All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.
7. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.

1 St James's Market



August 4, 2017

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