



City of Westminster

# Committee Agenda

Title: **Licensing Sub-Committee (6)**

Meeting Date: **Thursday 18th May, 2017**

Time: **10.00 am**

Venue: **Rooms 5, 6 & 7 - 17th Floor, Westminster City Hall, 64  
Victoria Street, London, SW1E 6 QP**

Members: **Councillors:**

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



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

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

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

## AGENDA

### PART 1 (IN PUBLIC)

#### 1. MEMBERSHIP

To report any changes to the membership and to appoint a Chairman.

#### 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. "14", BASEMENT, VICTORY HOUSE, 14 LEICESTER SQUARE, WC2 - LICENSING ACT 2003 APPLICATION

(Pages 1 - 76)

App No	Ward / Cumulative Impact Area	Site Name and Address	Application	Licensing Reference Number
1.	St James's Ward / West End Cumulative Impact Area	"14", Basement, Victory House, 14 Leicester Square, WC2	Variation of premises licence – LA03	17/01159/LIPV

#### 2. "14", BASEMENT, VICTORY HOUSE, 14 LEICESTER SQUARE, WC2 - SEV APPLICATION

(Pages 77 - 138)

App No	Ward	Site Name and Address	Application	Licensing Reference Number
2.	St James's Ward / Core CAZ	"14", Basement, Victory	Variation – Sexual Entertainme	17/01156/LISE VV

	North	House, 14 Leicester Square, WC2	nt Venue premises licence	
--	-------	--	---------------------------------	--

**3. IRAN RESTAURANT, 27 SHEPHERD MARKET, W1**

**(Pages 139 -  
168)**

App No	Ward / Cumulative Impact Area	Site Name and Address	Application	Licensing Reference Number
3.	West End Ward / not in cumulative impact area	Iran Restaurant , 27 Shepherd Market, W1	Variation	17/02456/LIPV

**4. THE MARYLEBONE KITCHEN, 106 YORK STREET, W1**

**(Pages 169 -  
188)**

App No	Ward / Cumulative Impact Area	Site Name and Address	Application	Licensing Reference Number
4.	Bryanston and Dorset Square Ward / not in Cumulative impact area	The Marylebone Kitchen, 106 York Street, W1	New premises licence	17/02615/LIPN

**Charlie Parker  
Chief Executive  
11 May 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.



City of Westminster

# Licensing Sub-Committee Agenda Item 1 Report

Item No:	
Date:	18 <sup>th</sup> May 2017
Licensing Ref No:	17/01159/LIPV - Premises Licence Variation
Title of Report:	"14" Basement Victory House 14 Leicester Square
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 1872 Email: <a href="mailto:ywade@westminster.gov.uk">ywade@westminster.gov.uk</a>

## 1. Application

1-A Applicant and premises			
<b>Application Type:</b>	Variation of a Premises Licence, Licensing Act 2003		
<b>Application received date:</b>	2 February 2017		
<b>Applicant:</b>	Number Fourteen (Management) Limited		
<b>Premises:</b>	"14"		
<b>Premises address:</b>	Basement	<b>Ward:</b>	St James's
	Victory House 14 Leicester Square London	<b>Cumulative Impact Area:</b>	West End
<b>Premises description:</b>	The premises currently operate as a Sexual Entertainment Venue that provide various licensable actives.		
<b>Variation description:</b>	<p>According to the application the applicant is varying the permitted hours for the following licensable activities, namely,</p> <ul style="list-style-type: none"> <li>-performance of dance 17:00 to 06:00 Mon-Saturday, 17:00 to 03:00 Sunday and 17:00 to 06:00 Sundays before Bank Holiday</li> <li>-exhibition of film 17:00 to 06:00 Mon-Saturday, 17:00 to 03:00 Sunday and 17:00 to 06:00 Sundays before Bank Holiday</li> <li>-performance of live music 17:00 to 06:00 Mon-Saturday, 17:00 to 03:00 Sunday and 17:00 to 06:00 Sundays before Bank Holiday</li> <li>- playing of recorded music to 17:00 to 06:00 Mon-Saturday, 17:00 to 03:00 Sunday and 17:00 to 06:00 Sundays before Bank Holiday</li> <li>-Retail sale of alcohol: 17:00 to 05:30 Mon-Saturday, 17:00 to 03:00 Sunday and 17:00 to 05:30 Sundays before Bank Holiday</li> <li>-Late night refreshment: 23:00 to 05:00 Mon- Saturday, 23:00 to 03:00 Sunday and 23:00 to 05:00 Sundays before Bank Holiday</li> </ul> <p>Vary Condition 49</p> <p><b>so that it reads "There shall be no new admittance or re-admittance to the premises after (1) 02:30 hours Sunday and (2) 04:00 Monday- Saturday and bank holiday Sundays, save for persons temporarily leaving to smoke.</b></p> <p>Remove conditions 43 and 44 from the licence as requested previously.</p>		

	<p>The applicant is seeking to add a further restriction to the capacity breakdown within the premises- <b>Condition 48</b> (on the existing licence) so that it reads</p> <p>The maximum number of persons accommodated at any one time (excluding staff) shall not exceed the following:</p> <p>a) Capacity of 250 (customers) until 2.00am  b) Capacity of 200 (customers) from 2.00am to 3.30am  c) Capacity of 100 (customers) from 3.30am to 4.30am  d) Capacity of 50 (customers) from 4.30am until closing time</p>
<b>Premises licence history:</b>	The premises benefits from the existing premises licence (16/03358/LIPCH)
<b>Applicant submissions:</b>	None received

<b>1-B Current and proposed licensable activities, areas and hours</b>						
<b>Regulated Entertainment</b>						
<b>Exhibition of films</b>						
	<b>Current Hours</b>		<b>Proposed Hours</b>		<b>Licensable Area</b>	
	<b>Start:</b>	<b>End:</b>	<b>Start:</b>	<b>End:</b>	<b>Current:</b>	<b>Proposed:</b>
<b>Monday</b>	20:00	03:00	17:00	06:00	Basement, Mezzanine	No change
<b>Tuesday</b>	20:00	03:00	17:00	06:00	Basement, Mezzanine	No change
<b>Wednesday</b>	20:00	03:00	17:00	06:00	Basement, Mezzanine	No change
<b>Thursday</b>	20:00	06:00	17:00	06:00	Basement, Mezzanine	No change
<b>Friday</b>	20:00	06:00	17:00	06:00	Basement, Mezzanine	No change
<b>Saturday</b>	20:00	06:00	17:00	06:00	Basement, Mezzanine	No change
<b>Sunday</b>	20:00	03:00	17:00	03:00	Basement, Mezzanine	No change
<b>Sundays before Bank Holidays</b>	20:00	06:00	17:00	06:00	Basement, Mezzanine	No change
<b>Seasonal variations:</b>	<b>Current:</b>				<b>Proposed:</b>	
	When the hours authorised by this licence extends beyond 1am, then in relation to the morning on which British Summer Time begins, the hours shall be extended by 1 hour after the authorised hour on the licence.				Sunday before Bank Holidays to 17:00 to 06:00	

<b>Performance of live music</b>			
	<b>Current</b>	<b>Proposed</b>	<b>Licensable Area</b>

	Hours		Hours		Current:	Proposed:
	Start:	End:	Start:	End:		
<b>Monday</b>	20:00	03:00	17:00	06:00	Basement, Mezzanine	No change
<b>Tuesday</b>	20:00	03:00	17:00	06:00	Basement, Mezzanine	No change
<b>Wednesday</b>	20:00	03:00	17:00	06:00	Basement, Mezzanine	No change
<b>Thursday</b>	20:00	06:00	17:00	06:00	Basement, Mezzanine	No change
<b>Friday</b>	20:00	06:00	17:00	06:00	Basement, Mezzanine	No change
<b>Saturday</b>	20:00	06:00	17:00	06:00	Basement, Mezzanine	No change
<b>Sunday</b>	20:00	03:00	17:00	03:00	Basement, Mezzanine	No change
<b>Sundays before Bank Holidays</b>	20:00	06:00	17:00	06:00	Basement, Mezzanine	No change
<b>Seasonal variations/ Non-standard timings:</b>	<b>Current:</b>				<b>Proposed:</b>	
	When the hours authorised by this licence extends beyond 1am, then in relation to the morning on which British Summer Time begins, the hours shall be extended by 1 hour after the authorised hour on the licence.				Sunday before Bank Holidays to 17:00 to 06:00	

<b>Performance of Dance</b>						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
<b>Monday</b>	20:00	03:00	17:00	06:00	Basement, Mezzanine	No change
<b>Tuesday</b>	20:00	03:00	17:00	06:00	Basement, Mezzanine	No change
<b>Wednesday</b>	20:00	03:00	17:00	06:00	Basement, Mezzanine	No change
<b>Thursday</b>	20:00	06:00	17:00	06:00	Basement, Mezzanine	No change
<b>Friday</b>	20:00	06:00	17:00	06:00	Basement, Mezzanine	No change
<b>Saturday</b>	20:00	06:00	17:00	06:00	Basement, Mezzanine	No change
<b>Sunday</b>	20:00	03:00	17:00	03:00	Basement, Mezzanine	No change
<b>Sundays before Bank Holidays</b>	20:00	06:00	17:00	06:00	Basement, Mezzanine	No change
<b>Seasonal variations/ Non-standard timings:</b>	<b>Current:</b>				<b>Proposed:</b>	
	When the hours authorised by this licence extends beyond 1am, then in relation to the morning on which British Summer Time begins, the hours shall be extended by 1 hour after the authorised hour on the				Sunday before Bank Holidays to 17:00 to 06:00	



licence.	
----------	--

Playing of Recorded Music						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
<b>Monday</b>	20:00	03:00	17:00	06:00	Basement, Mezzanine	No change
<b>Tuesday</b>	20:00	03:00	17:00	06:00	Basement, Mezzanine	No change
<b>Wednesday</b>	20:00	03:00	17:00	06:00	Basement, Mezzanine	No change
<b>Thursday</b>	20:00	06:00	17:00	06:00	Basement, Mezzanine	No change
<b>Friday</b>	20:00	06:00	17:00	06:00	Basement, Mezzanine	No change
<b>Saturday</b>	20:00	06:00	17:00	06:00	Basement, Mezzanine	No change
<b>Sunday</b>	20:00	03:00	17:00	03:00	Basement, Mezzanine	No change
<b>Sundays before Bank Holidays</b>	20:00	06:00	17:00	06:00	Basement, Mezzanine	No change
<b>Seasonal variations/ Non-standard timings:</b>	<b>Current:</b>				<b>Proposed:</b>	
	When the hours authorised by this licence extends beyond 1am, then in relation to the morning on which British Summer Time begins, the hours shall be extended by 1 hour after the authorised hour on the licence.				Sunday before Bank Holidays to 17:00 to 06:00	

Late night refreshment						
Indoors, outdoors or both		Current :			Proposed:	
		Indoors			Indoors	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
<b>Monday</b>	23:00	03:00	23:00	05:00	Basement, Mezzanine	No change
<b>Tuesday</b>	23:00	03:00	23:00	05:00	Basement, Mezzanine	No change
<b>Wednesday</b>	23:00	03:00	23:00	05:00	Basement, Mezzanine	No change
<b>Thursday</b>	23:00	05:00	No change	No change	Basement, Mezzanine	No change
<b>Friday</b>	23:00	05:00	No change	No change	Basement, Mezzanine	No change
<b>Saturday</b>	23:00	05:00	No change	No change	Basement, Mezzanine	No change
<b>Sunday</b>	23:00	03:00	No change	No change	Basement, Mezzanine	No change
<b>Sundays</b>	23:00	05:00	No	No	Basement,	No change

<b>before Bank Holidays</b>			change	change	Mezzanine	
<b>Seasonal variations/ Non-standard timings:</b>	<b>Current:</b>				<b>Proposed:</b>	
	When the hours authorised by this licence extends beyond 1am, then in relation to the morning on which British Summer Time begins, the hours shall be extended by 1 hour after the authorised hour on the licence.				No change	

<b>Sale by Retail of Alcohol</b>						
<b>On or off sales</b>			<b>Current :</b>		<b>Proposed:</b>	
			On		On	
	<b>Current Hours</b>		<b>Proposed Hours</b>		<b>Licensable Area</b>	
	<b>Start:</b>	<b>End:</b>	<b>Start:</b>	<b>End:</b>	<b>Current:</b>	<b>Proposed:</b>
<b>Monday</b>	20:00	03:00	17:00	06:00	Basement, Mezzanine	No change
<b>Tuesday</b>	20:00	03:00	17:00	06:00	Basement, Mezzanine	No change
<b>Wednesday</b>	20:00	03:00	17:00	06:00	Basement, Mezzanine	No change
<b>Thursday</b>	20:00	03:00	17:00	06:00	Basement, Mezzanine	No change
<b>Friday</b>	20:00	03:00	17:00	06:00	Basement, Mezzanine	No change
<b>Saturday</b>	20:00	03:00	17:00	06:00	Basement, Mezzanine	No change
<b>Sunday</b>	20:00	00:30	17:00	03:00	Basement, Mezzanine	No change
<b>Sundays before Bank Holidays</b>	20:00	03:00	17:00	06:00	Basement, Mezzanine	No change
<b>Seasonal variations/ Non-standard timings:</b>	<b>Current:</b>				<b>Proposed:</b>	
	When the hours authorised by this licence extends beyond 1am, then in relation to the morning on which British Summer Time begins, the hours shall be extended by 1 hour after the authorised hour on the licence.					

<b>Hours premises are open to the public</b>						
	<b>Current Hours</b>		<b>Proposed Hours</b>		<b>Premises Area</b>	
	<b>Start:</b>	<b>End:</b>	<b>Start:</b>	<b>End:</b>	<b>Current:</b>	<b>Proposed:</b>
<b>Monday</b>	20:00	03:30	17:00	06:00	Basement, Mezzanine	No change
<b>Tuesday</b>	20:00	03:30	17:00	06:00	Basement, Mezzanine	No change
<b>Wednesday</b>	20:00	03:30	17:00	06:00	Basement, Mezzanine	No change
<b>Thursday</b>	20:00	06:00	17:00	06:00	Basement,	No change

					Mezzanine	
<b>Friday</b>	20:00	06:00	17:00	06:00	Basement, Mezzanine	No change
<b>Saturday</b>	20:00	06:00	17:00	06:00	Basement, Mezzanine	No change
<b>Sunday</b>	20:00	03:00	17:00	03:00	Basement, Mezzanine	No change
<b>Sundays before Bank Holidays</b>	20:00	06:00	17:00	06:00	Basement, Mezzanine	No change

<b>1-C Conditions being varied, added or removed</b>	
<b>Condition</b>	<b>Proposed variation</b>
<p><b>Condition 49</b></p> <p>There shall be no new admittance or re Admittance to the premises after 02.30 hours save for persons temporarily leaving to smoke.</p> <p><b>Condition 43</b></p> <p>The Licence will have no effect until the Licensing Authority are satisfied that the premises is constructed or altered in accordance with the appropriate provisions of the District Surveyor's Association – Technical Standards for Places of Entertainment and the reasonable requirements of Westminster Environmental Health Consultation Team, at which time this condition will be removed from the Licence.</p> <p><b>Condition 44</b></p> <p>Before the premises opens to the public, the plans as deposited will be checked by the Environmental Health Consultation Team to ensure they are an accurate reflection of the premises constructed. Where the premises layout has changed during the course of construction new plans shall be provided to the LFEPA, Environmental Health Consultation Team, the Police and the Licensing Authority.</p> <p><b>Condition 48:</b></p> <p>“The maximum number of persons accommodated at any one time (excluding staff) shall not exceed the following:  a) Capacity of 250 (customers) until 2.00am  b) Capacity of 200 (customers) from 2.00am to 3.30am  c) Capacity of 100 (customers) from 3.30am</p>	<p><b>Vary Condition 49</b></p> <p>so that it reads "There shall be no new admittance or re-admittance to the premises after (1) 02:30 hours Sunday and (2) 04:00 Monday- Saturday and bank holiday Sundays, save for persons temporarily leaving to smoke.</p> <p><b>To proposed removal of Condition 43</b></p> <p><b>To proposed removal of Condition 44</b></p> <p><b>Vary Condition 48</b></p> <p>so that it reads:  The maximum number of persons accommodated at any one time (excluding staff) shall not exceed the following:  a) Capacity of 250 (customers) until 2.00am  b) Capacity of 200 (customers) from 2.00am to 3.30am  c) Capacity of 100 (customers) from 3.30am to</p>

until closing time”	4.30am d) Capacity of 50 (customers) from 4.30am until closing time
---------------------	---

## 2. Representations

2-A Responsible Authorities	
<b>Responsible Authority:</b>	The Environmental Health Service
<b>Representative:</b>	Mr Ian Watson
<b>Received:</b>	2 <sup>nd</sup> March 2017

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

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

This representation is based on the operating schedule submitted.

The applicant is seeking the following

1. To extend the Supply of Alcohol ‘On’ the premises Monday to Saturday and Sunday before Bank holiday Monday between 17.00 and 06.00 hours, Sunday 17.00 to 03.00 hours.
2. To extend Late Night Refreshment ‘Indoors’ Monday to Wednesday between 23.00 and 05.00 hours.
3. To extend regulated entertainment ‘indoors’ comprising
  - Films
  - Live Music
  - Recorded Music
  - Performance of Dance
 Monday to Wednesday between 17.00 and 06.00 hours, Thursday to Saturday between 17.00 and 06.00 hours and Sunday between 17.00 to 03.00 hours. Sunday before Bank Holiday Monday between 17.00 and 06.00 hours
4. Vary condition 49 relating to admittance or re-admittance to the premises.
5. Remove conditions 43 and 44.

I wish to make the following representation

1. The hours requested for the Supply of Alcohol will have the likely effect of causing an increase in Public Nuisance within the West End Cumulative Impact Area.
2. The hours requested for late night refreshment will have the likely effect of causing an increase in Public Nuisance within the West End Cumulative Impact Area.
3. The hours requested to permit the provision of regulated entertainment will have the likely effect of causing an increase in Public Nuisance within the West End Cumulative Impact Area.
4. Representation is made against the variation as the longer hours will have the likely effect of causing an increase in Public Nuisance within the West End Cumulative Impact Area.
5. No objection.

The granting of the application as presented would have the likely effect of causing an increase in Public Nuisance within the West End Cumulative Impact Area.

<b>Responsible Authority:</b>	The Licensing Authority
<b>Representative:</b>	Mr Steve Rowe
<b>Received:</b>	2 <sup>nd</sup> March 2017

I write in relation to the application submitted to vary the Premises Licence for the above 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
- Protection of Children from Harm

As it stands the application contravenes Westminster's Statement of Licensing Policies CIP1, HRS1, MD2, PB2 and NS1. The premises is located inside the Cumulative Impact Area.

The applicant has applied to:

- Extend the terminal hour of the Performance of Dance, Exhibition of Film, Performance of Live Music and Recorded Music from 03:00 and each of the days Monday to Wednesday until 06:00. They have also applied to permit the commencement hour from 20:00 to 17:00 each day of the week.
- Extend the terminal hour for the provision of Late Night Refreshment from 03:00 on each of the days Monday to Wednesday to 05:00.
- Extend the terminal hour for the Supply of Alcohol from 03:00 on each of the days Monday to Saturday and Sundays before a bank holiday to 06:00 and to permit the commencement hour from 20:00 to 17:00 each day of the week.
- Remove condition 49 of the current premises licence relating to re-entry to the premises.

Policy HRS1 states at paragraph 2.3.2: "It is the intention to generally grant licences... where the hours when customers are permitted to be on the premises are within the 'core hours' as set out in Policy HRS1. This is not a policy to refuse applications for longer hours than the core hours and consideration will in all cases be given to the individual merits of an application. Where a proposal is made to operate outside these core hours each application will be considered on its merits against the criteria as set out in paragraph (ii) (of Policy HRS1)".

The applicant is seeking to further depart from the Councils Core Hours by:

6 hours 30minutes on each of the days Monday to Thursday  
6 hours on each of the days Friday to Saturday  
4 hours 30minutes on Sundays

Policy CIP1 states (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. However part (ii) states: 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.

Policy MD2 which relates to music and dance premises and similar entertainment states 'It is the Licensing Authority's policy to refuse applications in the CIA other than applications to vary the hours within the core hours under policy HRS1'.

Policy PB2 which relates to pubs and bars states 'It is the Licensing Authority's policy to refuse applications in the CIA other than applications to vary the hours within the core hours under policy HRS1'.

Policy NS1 states (i) Applications involving nudity or striptease or sex related entertainment will only be granted in exceptional circumstances and if the proposal meets the relevant criteria specified in Policies CD1, PS1, PN1, CH1 and HRS1. (ii) Applications will be subject to appropriate conditions which promote the licensing objectives. (iii) Applications will not be granted in proximity to: (a) residential accommodation (b) schools (c) places of worship (d) community facilities or public buildings. (iv) The Licensing Authority will have regard to the cumulative effect of the number of such premises, and sexual entertainment venues, in proximity to each other and in the vicinity.

Please therefore accept this as a formal representation, further details will be provided in due course including a discussion relating to conditions.

<b>Responsible Authority:</b>	The Metropolitan Police
<b>Representative:</b>	PC Paul Hoppe
<b>Received:</b>	16 <sup>th</sup> February 2017

Westminster Licensing Police as a responsible authority wish to object to the above application to vary the license at Basement 14 Leicester Square WC2 on the grounds of Prevention of Crime and Disorder.

The applicant is seeking to extend the hours of operation of this venue which is in the West End Cumulative Impact Zone without offering any new conditions to promote the licensing objectives.

A more detailed objection shall be forthcoming.

<b>2-B Other Persons</b>			
<b>Name:</b>	Mr Terry Price		
<b>Address and/or Residents Association:</b>	J D. Wetherspoon 28 Leicester Square London WC2H 7LE		
<b>Status:</b>		<b>In support or opposed:</b>	Support
<b>Received:</b>	01.03.2017		

To whom it may concern,

My name is Terry Price and I am writing this letter in support of the club named 14 LSQ for their application for a variation of the Premises Licence and SEV, 14 LSQ is located at 14 Leicester Square, London WC2H 7NG

-SEV reference is 17/01156/LISEVV  
-PL reference is 17/01159/LIPV

We have no objections to 14LSQ's application. There have been no concerns raised with its day to day trading. There is always a friendly, welcoming presence out front with the added support of security within our local area.

It is not unknown that security issues with previous venues trading in our area in the past, however, there has been a significant improvement on this since 14LSQ has become a part of the community. Safety in our area is of the utmost importance and ensuring all businesses have a positive influence on this. I am happy to say that 14 LSQ has had a positive impact on that and also secured a safety not just within its venue but as part of the community as well.

Since opening 14 LSQ has become a very established part of our community, we will endeavour to continue our growing relationship and support

<b>Name:</b>	ILIR RRoku
<b>Address and/or Residents Association:</b>	General Manager Chiquito 20-21 Leicester Square London WC2H 7LE
<b>Received:</b>	1.03.2017

My name is ILIR RRoku and I am writing this letter to state that I have no objections to the application for a variation of the Premises Licence and SEV for 14 LSQ located at 14 Leicester Square, London WC2H 7NG

-SEV reference is 17/01156/LISEVV

-PL reference is 17/01159/LIPV

Being in such close proximity we have a loose working relationship and we believe the venue has not got an effect on our custom neither positive nor negative.

The main operating hours do not affect or cause conflict with our usual trading hours, in fact they run in sync with us.

The security are always monitoring the area in front of their door and do a very good job stopping any trouble within their vicinity. Since they have traded the level of disturbances has been drastically reduced, in comparison to the nightclub that was previously in its place which caused various within the surrounding area.

<b>Name:</b>	Clare Wallace
--------------	---------------

<b>Address and/or Residents Association</b>	The Nickelodeon Store 1 Leicester Square London WC2H 7NA
<b>Received:</b>	1.03.2017
<p>My name is Clare Wallace and I am the Store Director at The Nickelodeon Store and I write this letter for the club named 14LSQ in support of their application for a variation of the Premises Licence and SEV. 14 LSQ is located at 14 Leicester Square, London WC2H 7NG</p> <p>-SEV reference is 17/01156/LISEVV</p> <p>-PL reference is 17/01159/LIPV .</p> <p>Since 14LSQ has started trading they have become very much a part of the Leicester Square community, supporting all businesses and most importantly the safety of the area.</p> <p>14LSQ is an asset to the area and there are no concerns in a variation of their operating hours or them trading within the local vicinity.</p>	
<b>Name:</b>	Christine Yau
<b>Address and/or Residents Association</b>	2 Leicester Court London WC2H 7DW
<b>Received:</b>	01.03.2017
<p>I am writing in support of the applications for a variation of the Premises Licence and SEV for 14LSQ located at 14 Leicester Square, London WC2H 7NH</p> <p>SEV reference is 17/01156/LISEVV</p> <p>PL reference is 17/01159/LIPV</p> <p>I believe that 14LSQ is an entertainment club similar to the Stringfellows in St Martins Lane which attracts thousands of customers and visitors to the area. It is certainly beneficial to our night time economy. As I have met the manager and some of the ladies in the club when they helped us as volunteers at our fund raising event, I feel that it is a professionally run operation which causes no problems.</p> <p>The venue is non-threatening to the public and the entrance to the club is fairly anonymous.</p> <p>I understand that the club is keeping a good working relationship with the Police and the Council and I hope this letter will be taken into strong consideration for their application.</p>	
<b>Name:</b>	Mr Simon Thomas
<b>Address and/or Residents Association</b>	The Hippodrome Casino Leicester Square London WC2H 7JH
<b>Received:</b>	01.03.2017



I am the CEO of the Hippodrome Casino and I write this letter for the club named 14LSQ located at 14 Leicester Square, London WC2H 7NG, in support of their application for a variation of the Premises Licence and SEV

-SEV reference is 17/01156/LISEVV

-PL reference is 17/01159/LIPV

I have visited the club on a couple of occasions and was very impressed with the quality of the operation. It was clear to me how professionally run 14 LSQ was.

Their General Manager told me they were going to apply for longer opening hours, and asked me to write to you with my views on their proposal to change the opening hours to last admissions at 4am and closing the bar/club at 6 am (with the opening time of 5pm).

When they make this application, I will be very happy to support it.

I have observed their operation and its impact on the area since it opened 13 months ago and can confirm my views are wholly positive.

I have not experienced, or had reports of anything detrimental about the club, and have only heard positive things from my security, staff and customers. Despite their entrance being very low key, the extra overt security in the entrance is welcome, as is the CCTV coverage adding to the general feeling of security in the area. I often pass the club en route home in the early hours and have never seen an issue, but rather have been comforted by the extra activity and security from the club. It is a welcome contrast to the club that was there before.

I see their opening hours to be a positive for the square with their security enhancing the area and would not expect longer opening hours to have any negative effects.

<b>Name:</b>	Mr Fadil Maqedonci
<b>Address and/or Residents Association</b>	5 Irving Street Leicester Square London WC2H 7AT

<b>Received:</b>	01.03.2017
------------------	------------

I am writing this letter in support of the applications for variations for 14 LSQ (their SEV and premises licence).

As a resident in Leicester Square for the past 15 years, in my opinion 14 LSQ is now very much a part of the established responsible Leicester Square night life. It is a professionally run operation that causes no problem to us residents and it does not adversely affect the character of the area. There is no signage depicting the nature of the premises outside and the premises is extremely low key in terms of any impact in the area. There are no big queues like other clubs, there are no noise concerns and there are no crime and disorder concerns. The security men, lighting and having the operation running, in fact, provides added security and peace for the residents in the area, which is a big positive.

I am aware the premises currently trades to 6am Thursdays to Saturdays and they are seeking an extension until 6am, from 3am, Mondays to Wednesdays as part of their variations. Given the nature of their operation on Thursdays to Saturdays, which are the busier days of the week, and those days causing no issue at all for the residents, I have no concerns at all with the proposed extension of hours on Mondays to Wednesdays.

I believe the premises should be encouraged and have no objection whatsoever to 14 LSQ being granted its variations as applied for.

<b>Name:</b>	Michael Sanders
<b>Address and/or Residents Association</b>	London Theatre Bookings 1 Cranbourn Alley London WC2H 7AW
<b>Received:</b>	01.03.2017
<p>My name is Micheal Sanders and I am Shops Manager for London Theatre Bookings.</p> <p>I am writing this letter for the application for a variation for 14 LSQ located at 14 Leicester Square, London WC2H 7NG , in support of their application for a variation of the Premises Licence and SEV</p> <p>-SEV reference is 17/01156/LISEVV</p> <p>-PL reference is 17/01159/LIPV</p> <p>Since opening here have been no concerns raised with its day to day trading. It is a professionally run operation that causes no problems and does not adversely affect the character of the area. There is always a friendly, welcoming presence out front with the added support of security within our local area.</p> <p>It is not unknown that security issues with previous venues trading in our area in the past, however, there has been a significant improvement on this since 14LSQ has become a part of the community. Safety in our area is of the utmost importance and ensuring all business have a positive influence on this. I am happy to say that 14 LSQ has had a positive impact on that and also secured a safety not just within its venue but as part of the community as well.</p> <p>Since opening 14LSQ has become a very established part of our community and we hope to continue our growing relationship and support,</p> <p>I am writing this letter in support of the applications for variations for 14 LSQ (their SEV and premises licence).</p> <p>As a resident in Leicester Square for the past 15 years, in my opinion 14 LSQ is now very much a part of the established responsible Leicester Square night life. It is a professionally run operation that causes no problem to us residents and it does not adversely affect the character of the area. There is no signage depicting the nature of the premises outside and the premises is extremely low key in terms of any impact in the area. There are no big queues like other clubs, there are no noise concerns and there are no crime and disorder concerns. The security men, lighting and having the operation running, in fact, provides added security and peace for the residents in the area, which is a big positive.</p> <p>I am aware the premises currently trades to 6am Thursdays to Saturdays and they are seeking an extension until 6am, from 3am, Mondays to Wednesdays as part of their variations. Given the nature of their operation on Thursdays to Saturdays, which are the busier days of the week, and those days causing no issue at all for the residents, I have no concerns at all with the proposed extension of hours on Mondays to Wednesdays.</p> <p>I believe the premises should be encouraged and have no objection whatsoever to 14 LSQ being granted its variations as applied for.</p>	
<b>Name:</b>	Dale Perkins
<b>Address and/or Residents Association</b>	General Manager Zoo Bar & Club 13-17 Bear St London WC2H 7AQ
<b>Received:</b>	01.03.2017

My name is Dale Perkins and I am the General Manager at Zoo Bar & Club and I write this letter for the club named 14 LSQ in support of their application for a variation located at 14 Leicester Square, London WC2H 7NG.

14 LSQ has been trading for the last 13 months and I know from my customers, my staff that it is a professionally run operation and from my own personal experiences when I have frequented the club, the atmosphere and environment of the club has always seemed very warm, welcoming and friendly. It has always had a large cross section of patrons whenever I have visited the club consisting of males and females which I would say where of a profession manner.

I find the venue completely non-threatening and you would not know what activity takes place within these premises as its very low key. It is a vast improvement on the previous Night Club that was in operation before 14 LSQ took over the building.

I strongly believe that 14 LSQ does not adversely affect the character of the local area but actually helps by supplying a need that wasn't there before.

I very much hope this letter is taken strongly into consideration in support of the application.

<b>Name:</b>	Colin M Bennett
<b>Address and/or Residents Association</b>	Chairman, Leicester Square Association 27-28 Charing Cross Road Leicester Square London WC2H
<b>Received:</b>	01.03.2017
<p><b>Re: Application for a variation of the Premises Licence and SEV, 14 LSQ is located at 14 Leicester Square, London WC2H 7NG</b></p> <p><b>-SEV reference is 17/01156/LISEVV</b> <b>-PL reference is 17/01159/LIPV</b></p> <p><b>14 LSQ has become a part of the Leicester Square night time economy, it is a professionally run operation that causes no problems and does not adversely affect the character of the area. Therefore I have no personal objection to the extension of its opening hours.</b></p>	
<b>Name:</b>	Fabrice Berenguer
<b>Address and/or Residents Association</b>	ATFC Ltd t/a Angus Steakhouse Operations Office 25 Albermarle Street London W1S 4HU
<b>Received:</b>	01.03.2017

My name is Fabrice Berenguer and I am the Manager at Angus Steak House Leicester Square and I write this letter for the club named 14 LSQ in support of their application for a variation located at 14 Leicester Square, London WC2H 7NG.

14 LSQ has been trading for the last 13 months and we know from customers, locals and our own staff experiences that it is a professionally run operation and from my own personal experiences when I have frequented the club, the atmosphere and environment of the club has always seemed very warm, welcoming and friendly.

I find the venue completely non-threatening and you would not know what activity takes place within these premises as it's so low key.

I strongly believe that 14 LSQ does not adversely affect the character of the local area.

SEV reference: 17/01156/LISEVV

PL reference : 17/01159/LIPV

I very much hope this letter is taken strongly into consideration in support of the application.

<b>Name:</b>	Rico Pieri
<b>Address and/or Residents Association</b>	Heart of London Business Alliance Sackville House 40 Piccadilly Mayfair London W1J 0DR
<b>Received:</b>	01.03.2017

I'm writing on behalf of Heart of London Business Alliance, which was established in 2001, becoming the first central London Business Improvement District (BID) in 2005. We operate a total of four BIDs; two which represent 500 businesses in the Piccadilly & St James's and Leicester Square to Piccadilly Circus areas.

This letter is to support the club named 14 LSQ in support of their application for a variation of both premises license and SEV, located at 14 Leicester Square, London WC2H 7NG.

14 LSQ engaged with us many months before they opened, and attended various meetings to introduce themselves to the local business and residential community. They have been trading for the last 13 months and in our experiences it is clear that they are a professionally run operation, with a responsible and approachable management team.

In my opinion 14 LSQ is very much a part of the established Leicester Square night time economy, it is a professionally run operation that causes no problems and does not adversely affect the character of the area, the entrance to the venue is fairly anonymous, and you would not know what activity takes place within the premises as it is very low key. They have never flagged on any crime statistics and I've not had any negative or crime related discussions with any Police or Council representatives about this venue.

I very much hope this letter is taken strongly into consideration in support of the application.

**Updated Letter of Support dated 7<sup>th</sup> April 2017**

**Re: SEV reference is 17/01156/LISEVV & PL reference is 17/01159/LIPV**

I'm writing on behalf of Heart of London Business Alliance, which was established in 2001, becoming the first central London Business Improvement District (BID) in 2005. We operate a total of four BIDs; two which represent 500 businesses in the Piccadilly & St James's and Leicester Square to Piccadilly Circus areas.

This letter is to support the club named 14 LSQ in support of their application for a variation of both premises license and SEV, located at 14 Leicester Square, London WC2H 7NG.

14 LSQ engaged with us many months before they opened, and attended various meetings to introduce themselves to the local business and residential community. They have been trading for the last 13 months and in our experiences it is clear that they are a professionally run operation, with a responsible and approachable management team.

In my opinion 14 LSQ is very much a part of the established Leicester Square night time economy, it is a professionally run operation that causes no problems and does not adversely affect the character of the area, the entrance to the venue is fairly anonymous, and you would not know what activity takes place within the premises as it is very low key. If they were to open earlier in the evening, from 5pm, I see no issues as there are families in the area up to and sometimes beyond midnight, especially in the summer months and Christmas due to the offerings in the area. Another venue that they operate, Platinum Lace, has in the past, operated from 3pm and has not caused any issues or concerns as they are a responsible operator. There is no material depicting nudity or relevant entertainment visible outside the premises.

Finally, they have never flagged on any crime statistics and I have not had any negative or crime related discussions with any Police or Council representatives about this venue.

I very much hope this letter is taken strongly into consideration in support of the application.

### 3. Policy & Guidance

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

Policy CIP1 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.

Policy HRS1 applies:

(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.

Policy PVC2 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.  
 (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.

Applications will be granted subject to other policies in this Statement, provided it is demonstrated that they will not add to

	cumulative impact in the Cumulative Impact Areas.
--	---

#### 4. Appendices

<b>Appendix 1</b>	Premises plans
<b>Appendix 2</b>	Applicant supporting documents
<b>Appendix 3</b>	Premises history
<b>Appendix 4</b>	Proposed conditions
<b>Appendix 5</b>	Copy of Existing Premises Licence (16/03358/LIPCH)
<b>Appendix 6</b>	Licensing Sub Committee Decision dated Wednesday 24 April 2013
<b>Appendix 7</b>	Residential map

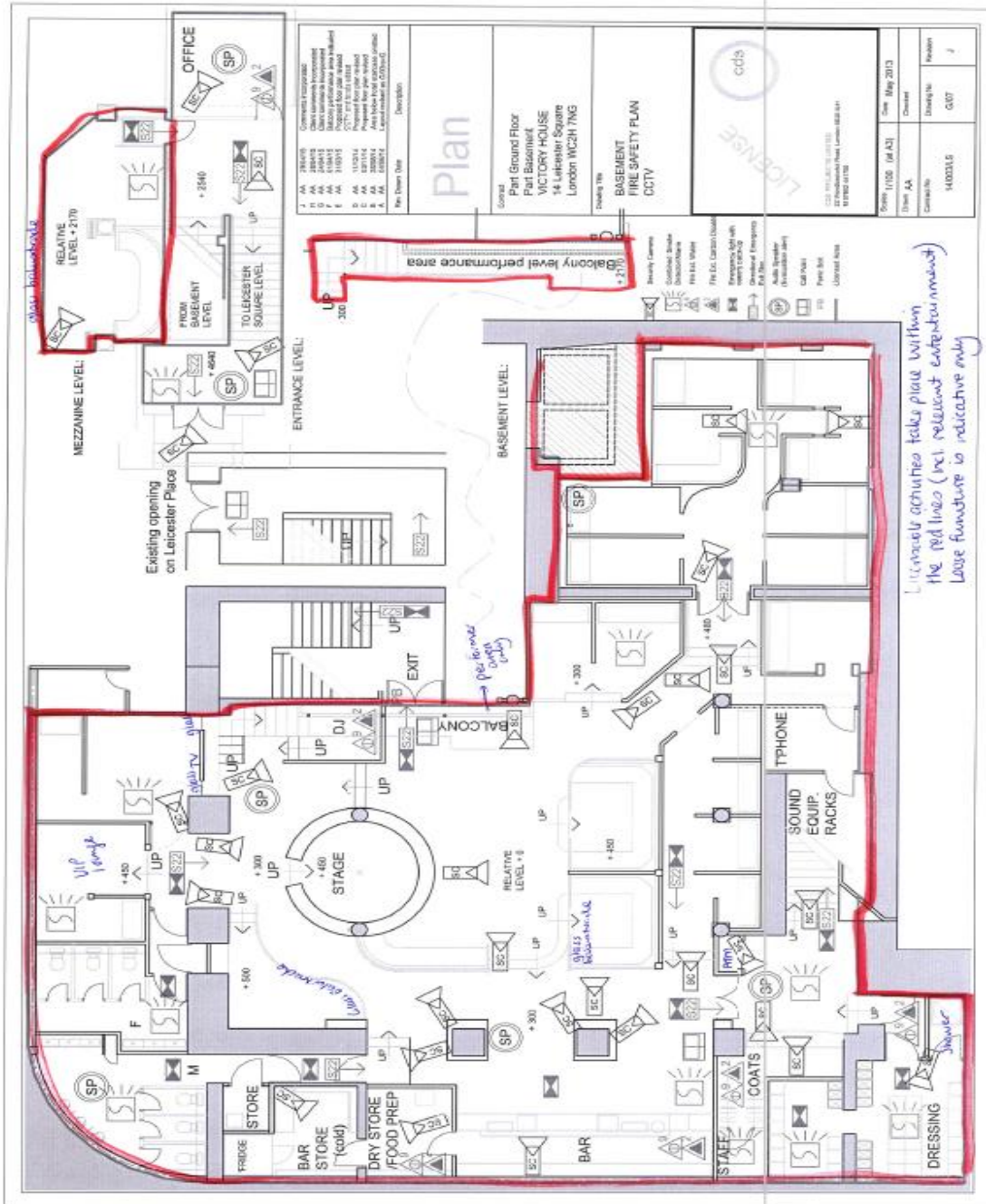
<b>Report author:</b>	Miss Yolanda Wade Senior Licensing Officer
<b>Contact:</b>	Telephone: 020 7641 1872 Email: ywade@westminster.gov.uk

**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**

<b>1</b>	Licensing Act 2003	N/A
<b>2</b>	City of Westminster Statement of Licensing Policy	7 <sup>th</sup> January 2016
<b>3</b>	Amended Guidance issued under section 182 of the Licensing Act 2003	March 2015
<b>4</b>	Application Form	2 <sup>nd</sup> February 2017
<b>5</b>	The Licensing Authority- Representation	2 <sup>nd</sup> March 2017
<b>6</b>	The Environmental Service- Representation	2 <sup>nd</sup> March 2017
<b>7</b>	The Metropolitan Police- Representation	16 <sup>th</sup> February 2017
<b>8</b>	Mr Terry Price (J.D.Wetherspoon)- Letter of Support	1 <sup>st</sup> March 2017
<b>9</b>	Colin Bennett (Chairman, Leicester Square Association)- Letter of Support	1 <sup>st</sup> March 2017
<b>10</b>	Dale Perkins (General Manager Zoo Bar & Club)- Letter of Support	1 <sup>st</sup> March 2017
<b>11</b>	Micheal Sanders ( London Theatre Bookings)- Letter of Support	1 <sup>st</sup> March 2017
<b>12</b>	Simon Thomas (The Hippodrome Casino)- Letter of Support	1 <sup>st</sup> March 2017
<b>13</b>	Fadil Maqedonci- Letter of Support	1 <sup>st</sup> March 2017
<b>14</b>	Christine Yau- Letter of Support	1 <sup>st</sup> March 2017
<b>15</b>	Clare Wallace (Nickelodeon)- Letter of Support	1 <sup>st</sup> March 2017
<b>16</b>	ILIR RRoku (Chiquito)- Letter of Support	1 <sup>st</sup> March 2017

<b>17</b>	Rico Pieri (Heart of London Business Alliance)- Letter of Support	1 <sup>st</sup> March 2017
<b>18</b>	Fabrice Berenguer (ATFC Angus Steakhouses)- Letter of Support	1 <sup>st</sup> March 2017







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

28th February 2017

To whom it may concern,

My name is Terry Price and I am writing this letter in support of the club named 14 LSQ for their application for a variation of the Premises Licence and SEV, 14 LSQ is located at 14 Leicester Square, London WC2H 7NG

-SEV reference is 17/01156/LISEVV  
-PL reference is 17/01159/LIPV

We have no objections to 14LSQ's application. There have been no concerns raised with its day to day trading. There is always a friendly, welcoming presence out front with the added support of security within our local area.

It is not unknown that security issues with previous venues trading in our area in the past, however, there has been a significant improvement on this since 14LSQ has become a part of the community. Safety in our area is of the utmost importance and ensuring all businesses have a positive influence on this. I am happy to say that 14 LSQ has had a positive impact on that and also secured a safety not just within its venue but as part of the community as well.

Since opening 14 LSQ has become a very established part of our community, we will endeavour to continue our growing relationship and support

Yours sincerely,

T PRICE,

A handwritten signature in black ink, appearing to read 'T Price'.

T PRICE



Licensing Service  
4<sup>th</sup> Floor  
Westminster City Hall  
64 Victoria Street  
London  
SW1E 6QP

22nd February 2017

Dear Sir/Madam,

I am the CEO of the Hippodrome Casino and I write this letter for the club named 14LSQ located at 14 Leicester Square, London WC2H 7NG, in support of their application for a variation of the Premises Licence and SEV

-SEV reference is 17/01156/LISEVV

-PL reference is 17/01159/LIPV

I have visited the club on a couple of occasions and was very impressed with the quality of the operation. It was clear to me how professionally run 14 LSQ was.

Their General Manager told me they were going to apply for longer opening hours, and asked me to write to you with my views on their proposal to change the opening hours to last admissions at 4am and closing the bar/club at 6 am (with the opening time of 5pm).

When they make this application, I will be very happy to support it.

I have observed their operation and its impact on the area since it opened 13 months ago and can confirm my views are wholly positive.

I have not experienced, or had reports of anything detrimental about the club, and have only heard positive things from my security, staff and customers. Despite their entrance being very low key, the extra overt security in the entrance is welcome, as is the CCTV coverage adding to the general feeling of security in the area. I often pass the club en route home in the early hours and have never seen an issue, but rather have been comforted by the extra activity and security from the club. It is a welcome contrast to the club that was there before.

I see their opening hours to be a positive for the square with their security enhancing the area and would not expect longer opening hours to have any negative effects.

Your sincerely,

Simon Thomas

Chief Executive  
The Hippodrome Casino

LEICESTER SQUARE, LONDON WC2H 7JH  
**HIPPODROMECASINO.COM**

Registered in England and Wales: Hippodrome Casino Limited, Cranbourn Street, Leicester Square, London, WC2H 7JH.  
Reg. No: 05497987 VAT No: 924 3616 30

**Mr Fadil Maqedonci**  
**5 Irving Street**  
**Leicester Square**  
**London**  
**WC2H 7AT**

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

4th February 2017

Dear Sir/Madam

RE: 14 Leicester Square, London WC2H 7NG- 17/01156/LISEVV and 17/01159/LIPV

I am writing this letter in support of the applications for variations for 14 LSQ (their SEV and premises licence).

As a resident in Leicester Square for the past 15 years, in my opinion 14 LSQ is now very much a part of the established responsible Leicester Square night life. It is a professionally run operation that causes no problem to us residents and it does not adversely affect the character of the area. There is no signage depicting the nature of the premises outside and the premises is extremely low key in terms of any impact in the area. There are no big queues like other clubs, there are no noise concerns and there are no crime and disorder concerns. The security men, lighting and having the operation running, in fact, provides added security and peace for the residents in the area, which is a big positive.

I am aware the premises currently trades to 6am Thursdays to Saturdays and they are seeking an extension until 6am, from 3am, Mondays to Wednesdays as part of their variations. Given the nature of their operation on Thursdays to Saturdays, which are the busier days of the week, and those days causing no issue at all for the residents, I have no concerns at all with the proposed extension of hours on Mondays to Wednesdays.

I believe the premises should be encouraged and have no objection whatsoever to 14 LSQ being granted its variations as applied for.

Fadil Maqedonci





T: 020 7439 3822  
E: [info@ccc.org.uk](mailto:info@ccc.org.uk) W: [www.ccc.org.uk](http://www.ccc.org.uk)  
A: 2 Leicester Court, London WC2H 7DW



Licensing Services

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

22nd February 2017

Dear Sir/Madam

I am writing in support of the applications for a variation of the Premises Licence and SEV

for 14LSQ located at 14 Leicester Square, London WC2H 7NH

SEV reference is 17/01156/LISEVV

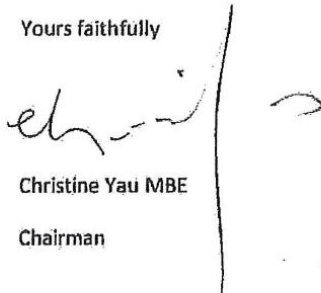
PL reference is 17/01159/LIPV

I believe that 14LSQ is an entertainment club similar to the Stringfellows in St Martins Lane which attracts thousands of customers and visitors to the area. It is certainly beneficial to our night time economy. As I have met the manager and some of the ladies in the club when they helped us as volunteers at our fund raising event, I feel that it is a professionally run operation which causes no problems.

The venue is non-threatening to the public and the entrance to the club is fairly anonymous.

I understand that the club is keeping a good working relationship with the Police and the Council and I hope this letter will be taken into strong consideration for their application.

Yours faithfully



Christine Yau MBE

Chairman

Patron: Lady YOUDE  
Chairman: Christine YAU MBE  
Vice Chairman & Hon. Secretary: Hanue CHAN

Registered Charity Number: 297742  
Company Limited by Guarantee  
Registration Number: 2149909

Licensing Service  
4<sup>th</sup> Floor  
Westminster City Hall  
64 Victoria Street  
London  
SW1E 6QP

the nickelodeon STORE

CLARE WALLACE  
Store Director

11 Leicester Square London WC2H 7NA  
cwallace@ere-srl.com

F - 020 3 805 3460  
M - 07760 800628

22nd February 2017

To whom It may concern,

My name is Clare Wallace and I am the Store Director at The Nickelodeon Store and I write this letter for the club named 14LSQ in support of their application for a variation of the Premises Licence and SEV. 14 LSQ is located at 14 Leicester Square, London WC2H 7NG

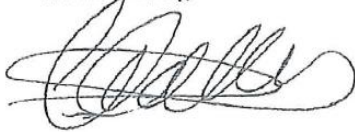
-SEV reference is 17/01156/LISEVV

-PL reference is 17/01159/LIPV.

Since 14LSQ has started trading they have become very much a part of the Leicester Square community, supporting all businesses and most importantly the safety of the area.

14LSQ is an asset to the area and there are no concerns in a variation of their operating hours or them trading within the local vicinity.

Yours sincerely,



Clare Wallace



LEICESTER SQUARE  
ASSOCIATION

67-71 Old King Cross Road, London, WC2H 7NG  
020 7631 4141

Westminster City Council  
Licensing Services  
4th Floor  
Westminster City Hall  
64 Victoria Street  
SW1E 6QP

**28th February 2017**

Dear Sirs

**Re: Application for a variation of the Premises Licence and SEV, 14 LSQ is located at 14 Leicester Square, London WC2H 7NG**

-SEV reference is 17/01156/LISEVV  
-PL reference is 17/01159/LIPV

**14 LSQ has become a part of the Leicester Square night time economy, it is a professionally run operation that causes no problems and does not adversely affect the character of the area. Therefore I have no personal objection to the extension of its opening hours.**

Yours sincerely

Colin M Bennett

Chairman, Leicester Square Association

Licensing Service  
4<sup>th</sup> Floor  
Westminster City Hall  
64 Victoria Street  
London  
SW1E 6QP

Dear Sir/Madam,

My name is Dale Perkins and I am the General Manager at Zoo Bar & Club and I write this letter for the club named 14 LSQ in support of their application for a variation located at 14 Leicester Square, London WC2H 7NG.

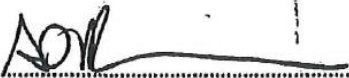
14 LSQ has been trading for the last 13 months and I know from my customers, my staff that it is a professionally run operation and from my own personal experiences when I have frequented the club, the atmosphere and environment of the club has always seemed very warm, welcoming and friendly. It has always had a large cross section of patrons whenever I have visited the club consisting of males and females which I would say where of a profession manner.

I find the venue completely non-threatening and you would not know what activity takes place within these premises as its very low key. It is a vast improvement on the previous Night Club that was in operation before 14 LSQ took over the building.

I strongly believe that 14 LSQ does not adversely affect the character of the local area but actually helps by supplying a need that wasn't there before.

I very much hope this letter is taken strongly into consideration in support of the application.

Yours sincerely,

 - 22/2/2017

Dale Perkins

22nd February 2017



To whom it may concern,

My name is ILIR RROKU and I am writing this letter to state that I have no objections to the application for a variation of the Premises Licence and SEV for 14 LSQ located at 14 Leicester Square, London WC2H 7NG

-SEV reference is 17/01156/LISEVV

-PL reference is 17/01159/LIPV

Being in such close proximity we have a loose working relationship and we believe the venue has not got an effect on our custom neither positive nor negative.

The main operating hours do not affect or cause conflict with our usual trading hours, in fact they run in sync with us.

The security are always monitoring the area in front of their door and do a very good job stopping any trouble within their vicinity. Since they have traded the level of disturbances has been drastically reduced, in comparison to the nightclub that was previously in its place which caused various within the surrounding area.

Yours sincerely,

ILIR RROKU  
General Manager  
Chiquito  
20-21 Leicester Square  
London

WC2H 7LE



24<sup>th</sup> February 2017

Licensing Services  
4th Floor  
Westminster City Hall  
64 Victoria Street  
SW1E 6QP

Dear Sir/Madam,

**Re: SEV reference is 17/01156/LISEVV & PL reference is 17/01159/LIPV**

I'm writing on behalf of Heart of London Business Alliance, which was established in 2001, becoming the first central London Business Improvement District (BID) in 2005. We operate a total of four BIDs; two which represent 500 businesses in the Piccadilly & St James's and Leicester Square to Piccadilly Circus areas.

This letter is to support the club named 14 LSQ in support of their application for a variation of both premises license and SEV, located at 14 Leicester Square, London WC2H 7NG.

14 LSQ engaged with us many months before they opened, and attended various meetings to introduce themselves to the local business and residential community. They have been trading for the last 13 months and in our experiences it is clear that they are a professionally run operation, with a responsible and approachable management team.

In my opinion 14 LSQ is very much a part of the established Leicester Square night time economy, it is a professionally run operation that causes no problems and does not adversely affect the character of the area, the entrance to the venue is fairly anonymous, and you would not know what activity takes place within the premises as it is very low key. They have never flagged on any crime statistics and I've not had any negative or crime related discussions with any Police or Council representatives about this venue.

I very much hope this letter is taken strongly into consideration in support of the application.

Yours sincerely,



Rico Pieri  
Business Resilience & Night Time Management  
Heart of London Business Alliance

Heart of London Business Alliance  
3, Gherkin, London  
EC3A 3DF  
London WC2E 9DT

020 7734 4007  
info@heartoflondonbid.co.uk

[www.heartoflondonbid.co.uk](http://www.heartoflondonbid.co.uk)  
[www.picadillystjames.london](http://www.picadillystjames.london)  
[www.leicestersquare.london](http://www.leicestersquare.london)

**Updated Letter of Support from Heart of London Business Alliance (dated 7<sup>th</sup> April 2017)**

**Heart of  
LONDON**  
Business Alliance  
West End Business Improvement Districts

7<sup>th</sup> April 2017

Licensing Services  
4th Floor  
Westminster City Hall  
64 Victoria Street  
SW1E 6QP

Dear Sir/Madam,

**Re: SEV reference is 17/01156/LISEVV & PL reference is 17/01159/LIPV**

I'm writing on behalf of Heart of London Business Alliance, which was established in 2001, becoming the first central London Business Improvement District (BID) in 2005. We operate a total of four BIDs; two which represent 500 businesses in the Piccadilly & St James's and Leicester Square to Piccadilly Circus areas.

This letter is to support the club named 14 LSQ in support of their application for a variation of both premises license and SEV, located at 14 Leicester Square, London WC2H 7NG.

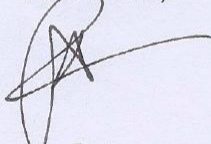
14 LSQ engaged with us many months before they opened, and attended various meetings to introduce themselves to the local business and residential community. They have been trading for the last 13 months and in our experiences it is clear that they are a professionally run operation, with a responsible and approachable management team.

In my opinion 14 LSQ is very much a part of the established Leicester Square night time economy, it is a professionally run operation that causes no problems and does not adversely affect the character of the area, the entrance to the venue is fairly anonymous, and you would not know what activity takes place within the premises as it is very low key. If they were to open earlier in the evening, from 5pm, I see no issues as there are families in the area up to and sometimes beyond midnight, especially in the summer months and Christmas due to the offerings in the area. Another venue that they operate, Platinum Lace, has in the past, operated from 3pm and has not caused any issues or concerns as they are a responsible operator. There is no material depicting nudity or relevant entertainment visible outside the premises.

Finally, they have never flagged on any crime statistics and I have not had any negative or crime related discussions with any Police or Council representatives about this venue.

I very much hope this letter is taken strongly into consideration in support of the application.

Yours sincerely,



Nico Pieri  
Business Resilience & Night Time Management  
Heart of London Business Alliance

Heart of London Business Alliance, Sackville House, 40 Piccadilly, London, W1J 0DR  
T. 020 7734 4507 E. info@heartoflondonbid.co.uk  
Registered in England No. 04293930 VAT No. 782804116

[www.heartoflondonbid.london](http://www.heartoflondonbid.london)  
[www.piccadillystjames.london](http://www.piccadillystjames.london)  
[www.leicestersquare.london](http://www.leicestersquare.london)



Operations Office  
25 Albermarle Street- London W1S 4HU  
Email info@restaurantdivision.co.uk

Licensing Service  
4<sup>th</sup> Floor  
Westminster City Hall  
64 Victoria Street  
London  
SW1E 6QP

25/02/2017

Dear Sir/Madam,

My name is Fabrice Berenguer and I am the Manager at Angus Steak House Leicester Square and I write this letter for the club named 14 LSQ in support of their application for a variation located at 14 Leicester Square, London WC2H 7NG.

14 LSQ has been trading for the last 13 months and we know from customers, locals and our own staff experiences that it is a professionally run operation and from my own personal experiences when I have frequented the club, the atmosphere and environment of the club has always seemed very warm, welcoming and friendly.

I find the venue completely non-threatening and you would not know what activity takes place within these premises as it's so low key.

I strongly believe that 14 LSQ does not adversely affect the character of the local area.

SEV reference: 17/01156/LISEVV

PL reference : 17/01159/LIPV

I very much hope this letter is taken strongly into consideration in support of the application.

Yours sincerely,

Fabrice Berenguer  
Manager

A handwritten signature in black ink, consisting of a large, stylized 'A' followed by a series of loops and a long horizontal stroke extending to the right.

London Theatre Bookings  
1, Cranbourn Alley  
London  
WC2H 7AW

22nd February 2017

Licensing Service  
4<sup>th</sup> Floor  
Westminster City Hall  
64 Victoria Street  
London  
SW1E 6QP

Dear Sir/Madam,

My name is Micheal Sanders and I am Shops Manager for London Theatre Bookings.

I am writing this letter for the application for a variation for 14 LSQ located at 14 Leicester Square, London WC2H 7NG, in support of their application for a variation of the Premises Licence and SEV

-SEV reference is 17/01156/LISEVV

-PL reference is 17/01159/LIPV

Since opening here have been no concerns raised with its day to day trading. It is a professionally run operation that causes no problems and does not adversely affect the character of the area. There is always a friendly, welcoming presence out front with the added support of security within our local area.

It is not unknown that security issues with previous venues trading in our area in the past, however, there has been a significant improvement on this since 14LSQ has become a part of the community. Safety in our area is of the utmost importance and ensuring all business have a positive influence on this. I am happy to say that 14 LSQ has had a positive impact on that and also secured a safety not just within its venue but as part of the community as well.

Since opening 14LSQ has become a very established part of our community and we hope to continue our growing relationship and support,

Yours sincerely,

  
Micheal Sanders

### Licence & Appeal History

<b>Application</b>	<b>Details of Application</b>	<b>Date Determined</b>	<b>Decision</b>
13/01385/LIPN	New Premises Application	24.04.2013	Granted by Licensing Sub- Committee
15/02485/LIPV	Variation Application	11.05.2015	Granted Under Delegated Authority
16/03358/LIPCH	Change of Details	05.04.2016	Granted Under Delegated Authority
16/08087/LITENP	Temporary Event Notice	08.08.2016	Notice Granted
16/08361/LITENP	Temporary Event Notice	15.08.2016	Notice Granted
16/08367/LITENP	Temporary Event Notice	15.08.2016	Notice Granted
16/08380/LITENP	Temporary Event Notice	15.08.2016	Notice Granted
16/08409/LITENP	Temporary Event Notice	16.08.2016	Notice Granted
16/09223/LITENP	Temporary Event Notice	12.09.2016	Notice Granted
16/09227/LITENP	Temporary Event Notice	26.09.2016	Notice Granted
16/12086/LITENP	Temporary Event Notice	20.12.2016	Notice Granted
16/12124/LITENP	Temporary Event Notice	18.11.2016	Notice Granted
16/12196/LITENP	Temporary Event Notice	21.11.2016	Notice Granted

16/13201/LITENP	Temporary Event Notice	29.12.2016	Notice Granted
17/01552/LITENP	Temporary Event Notice	01.03.2017	Notice Granted
17/01738/LITENP	Temporary Event Notice	23.03.2017	Notice Granted
17/01746/LITENP	Temporary Event Notice	23.02.2017	Notice Granted

**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 variation of the premises licence under the provisions of the Licensing Act 2003, the licensing authority must, unless it decides to reject the application, grant the licence subject to the conditions which are indicated as mandatory in this schedule.

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

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

**Conditions: On Current Licence -**

**Mandatory:**

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

less in a manner which carries a significant risk of undermining a licensing objective;

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

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



- 8(i) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
- 8(ii) For the purposes of the condition set out in paragraph 8(i) above -
- (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
- (b) "permitted price" is the price found by applying the formula -
- $$P = D + (D \times V)$$
- Where -
- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
- (i) the holder of the premises licence,
- (ii) the designated premises supervisor (if any) in respect of such a licence, or
- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
- 8(iii). Where the permitted price given by Paragraph 8(ii)(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- 8(iv). (1) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.
9. Admission of children to the premises must be restricted in accordance with the film classification recommended by the British Board of Film Classification or recommended by this licensing authority as appropriate.
10. All persons guarding premises against unauthorised access or occupation or against outbreaks of disorder or against damage (door supervisors) must be licensed by the Security Industry Authority.

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

None

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

11. The sale of intoxicating liquor shall be ancillary to the provision of striptease entertainment.
12. Any person permitted to temporarily leave and then re-enter the premises, eg to smoke, shall not be permitted to take drinks or glass containers with them
13. There shall be a personal licence holder on duty on the premises at all times when the premises are authorised to sell alcohol.
14. The premises are not be used by any outside promoters save those that give the Metropolitan Police 14 days notice and the Police to have absolute veto.
15. Alcohol shall not be sold for consumption off the premises.
16. The supply of alcohol at tables shall be by waiter/waitress service only.
17. There shall be no draught beers sold at the premises.
18. All seating shall consist of tables and chairs arrangement and there shall be no cinema style seating.
19. Door staff shall be employed at all times when the premises are open for licensable activity. There shall be a minimum of two door supervisors to be employed at the entrance of the premises from 8pm. All door supervisors at the entrance to wear high visibility jackets.
20. All public areas of the premises shall be sufficiently illuminated to afford SIA registered supervisors a clear view of the dancers.
21. The premises management will become members and actively participate in a pub watch scheme (or similar) if one is operating in the area of the premises.
22. There shall be no dancing by customers.
23. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer of the City Council throughout the preceding 31 day period.
24. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public. This staff member shall be able to show Police recent data or footage with the absolute minimum of delay when requested.
25. A sound limiting device located in a separate and remote lockable cabinet from the volume control shall be fitted to any musical amplification system and set at a level determined by and to the satisfaction of an authorised officer of the Environmental Health Service to ensure that no noise nuisance is caused to local residents. The operational panel of the noise limiter shall then be secured to the satisfaction of officer from the Environmental Health Service. The keys securing the noise limiter cabinet shall be held by the licence holder or authorised manager only, and shall not be accessed by

any other person. The limiter shall not be altered without prior agreement with the Environmental Health Service.

26. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
27. Loudspeakers shall not be located in the entrance lobby or outside the premises building.
28. All external doors shall be kept closed after (21:00) hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons.
29. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly
30. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
31. No waste or recyclable materials, including bottles, shall be moved, removed or placed in outside areas between (23.00) hours and (08.00) hours.
32. The highway and public spaces in the vicinity of the premises shall be kept free of litter from the premises at all material times to the satisfaction of the Council. All litter and sweepings shall be collected and stored in accordance with the approved refuse storage arrangements.
33. A log shall be kept detailing all refused sales of alcohol. The log should include the date and time of the refused sale and the name of the member of staff who refused the sale. The log 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.
34. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following:
  - (a) all crimes reported to the venue
  - (b) all ejections of patrons
  - (c) any complaints received
  - (d) any incidents of disorder
  - (e) all seizures of drugs or offensive weapons
  - (f) any faults in the CCTV system or searching equipment or scanning equipment
  - (g) any refusal of the sale of alcohol
  - (h) any visit by a relevant authority or emergency service.
35. Any special effects or mechanical installations shall be arranged and stored so as to minimise any risk to the safety of those using the premises. The following special effects will only be used on 10 days prior notice being given to the Licensing Authority where consent has not previously been given.
  - o dry ice and cryogenic fog
  - o smoke machines and fog generators
  - o pyrotechnics including fire works
  - o firearms
  - o lasers
  - o explosives and highly flammable substances.
  - o real flame.
  - o strobe lighting.

36. The licence holder shall enter into an agreement with a hackney carriage and/or private hire firm to provide transport for customers, with contact numbers made readily available to customers who will be encouraged to use such services.
37. All emergency doors shall be maintained effectively self closing and not held open other than by an approved device.
38. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
39. Curtains and hangings shall be arranged so as not to obstruct emergency signs.
40. 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.
41. 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.
42. All exit doors shall be available at all material times without the use of a key, code, card or similar means.
43. The Licence will have no effect until the Licensing Authority are satisfied that the premises is constructed or altered in accordance with the appropriate provisions of the District Surveyor's Association - Technical Standards for Places of Entertainment and the reasonable requirements of Westminster Environmental Health Consultation Team, at which time this condition will be removed from the Licence. **(Proposed to be removed)**
44. Before the premises opens to the public, the plans as deposited will be checked by the Environmental Health Consultation Team to ensure they are an accurate reflection of the premises constructed. Where the premises layout has changed during the course of construction new plans shall be provided to the LFEPA, Environmental Health Consultation Team, the Police and the Licensing Authority. **(Proposed to be removed)**
45. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall be limited to five (5) persons at any one time.
46. Performers/Dancers permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall be limited to two (2) persons at any one time.
47. An attendant shall be on duty in the cloakroom during the whole time that it is in use.
48. The maximum number of persons accommodated at any one time (excluding staff) shall not exceed the following:
  - a) Capacity of 250 (customers) until 2.00am
  - b) Capacity of 200 (customers) from 2.00am to 3.30am
  - c) Capacity of 100 (customers) from 3.30am until closing time

**Proposed to be amended to:**

**The maximum number of persons accommodated at any one time (excluding staff) shall not exceed the following:**

- a) Capacity of 250 (customers) until 2.00am**
- b) Capacity of 200 (customers) from 2.00am to 3.30am**

- c) Capacity of 100 (customers) from 3.30am to 4.30am  
d) Capacity of 50 (customers) from 4.30am until closing time

49. There shall be no new admittance or re-admittance to the premises after 02.30 hours save for persons temporarily leaving to smoke.

**Proposed to be amended to:**

***There shall be no new admittance or re-admittance to the premises after (1) 02:30 hours Sunday and (2) 04:00 Monday- Saturday & bank holiday Sundays, save for persons temporarily leaving to smoke.***

50. After 21.00 hours a log shall be maintained to ensure that the capacity limit set for the premises is recorded hourly and can be properly monitored. Information regarding the capacity will be given to an authorised officer or Police Officer on request.

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

52. Substantial food and non-intoxicating beverages, including drinking water, shall be available during the whole of the permitted hours in all parts of the premises where intoxicants are provided.

53. No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device.

54. All external doors shall be kept closed after 21.00 hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons.

55. The certificates listed below shall be submitted to the Licensing Authority upon written request.

- a) Any emergency lighting battery or system
- b) Any electrical installation
- c) Any emergency warning system

56. Flashing or particularly bright lights on or outside the premises shall not cause a nuisance to nearby properties (save insofar as they are necessary for the prevention of crime).

57. No person shall give at the premises any exhibition, demonstration or performance of hypnotism, mesmerism or any similar act or process which produces or is intended to produce in any other person any form of induced sleep or trance in which susceptibility of the mind of that person to suggestion or direction is increased or intended to be increased.

NOTE: (1) This rule does not apply to exhibitions given under the provisions of Section 2(1A) and 5 of the Hypnotism Act 1952.

58. All staff engaged outside the entrance to the premises, or supervising or controlling queues, shall wear high visibility yellow jackets or vests.

59. No advertisements of any kind (including placard, poster, sticker, flyer, picture, letter, sign or other mark) that advertises or promotes the establishment, its premises, or any of its highway, or upon any building, structure, works, street furniture, tree, or any other property, or be distributed to the public.

60. There shall be no payment made by or on behalf of the licence holder to any person for bringing customers to the premises.
61. No person on behalf of the premises or on behalf of a person carrying or attempting to carry on a licensable activity at the premises shall cause, permit, employ or allow, directly or indirectly through a third party, whether on payment or otherwise, any person(s) to importune, solicit or tout members of the public on any public highway within the specified area outlined below for the purpose of bringing customers to the premises.

For the purposes of this condition, 'Specified Area' means the area encompassed within Shaftesbury Avenue, Piccadilly Circus, Regent Street up to the junction with Pall Mall, Cockspur Street, Trafalgar Square, Strand up to the junction with Bedford Street, Garrick Street, Great Newport Street and Charing Cross Road to the junction of Shaftesbury Avenue.

62. Tea and coffee to be provided without charge for patrons (on request) between 03:00 and closing time.
63. SIA security shall monitor/supervise all areas of the premises where striptease/table/lap dancing is taking place
64. In addition to conditions [45] above, patrons will have a designated smoking area, which shall be supervised by a SIA door supervisor
65. The premises shall become members of and participate in the Safer West End Business Crime Reduction Partnership/ radio scheme, or such similar scheme that may be operating at any time
66. Door supervisors shall remain on duty to supervise the area immediately outside the premises until at least 15 minutes after the last patron has left the premises
67. When the hours authorised by this licence extends beyond 1am, then in relation to the morning on which British Summer Time begins, the hours shall be extended by 1 hour after the authorised hour on the licence.

## Copy of Existing Premises Licence (16/03358/LIPCH)



**City of Westminster**

64 Victoria Street, London, SW1E 6QP

Schedule 12  
Part A

WARD: St James's  
UPRN: 010033537371

Premises licence

Regulation 33, 34

Premises licence number:

16/03358/LIPCH

Original Reference:

13/01385/LIPN

**Part 1 – Premises details**

**Postal address of premises:**

14  
Basement  
Victory House  
14 Leicester Square  
London  
WC2H 7NG

**Telephone Number:** Not Supplied

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

Not applicable

**Licensable activities authorised by the licence:**

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

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

**Performance of Dance**

Sunday to Wednesday: 20:00 to 03:00  
Thursday to Saturday: 20:00 to 06:00  
Sundays before Bank Holidays: 20:00 to 06:00  
Non-standard Timings: See condition 67

**Exhibition of a Film**

Sunday to Wednesday: 20:00 to 03:00  
Thursday to Saturday: 20:00 to 06:00  
Sundays before Bank Holidays: 20:00 to 06:00  
Non-standard Timings: See condition 67

**Performance of Live Music**

Sunday to Wednesday: 20:00 to 03:00  
Thursday to Saturday: 20:00 to 06:00  
Sundays before Bank Holidays: 20:00 to 06:00  
Non-standard Timings: See condition 67



**Playing of Recorded Music**

Sunday to Wednesday:	20:00 to 03:00
Thursday to Saturday:	20:00 to 06:00
Sundays before Bank Holidays:	20:00 to 06:00

Non-standard Timings: See condition 67

**Late Night Refreshment**

Sunday to Wednesday:	23:00 to 03:00
Thursday to Saturday:	23:00 to 05:00
Sundays before Bank Holidays:	23:00 to 05:00

Non-standard Timings: See condition 67

**Sale by Retail of Alcohol**

Monday to Saturday:	20:00 to 03:00
Sunday:	20:00 to 00:30
Sundays before Bank Holidays:	20:00 to 03:00

Non-standard Timings: See condition 67

**The opening hours of the premises:**

Monday to Wednesday:	20:00 to 03:30
Thursday to Saturday:	20:00 to 06:00
Sunday:	20:00 to 03:00
Sundays before Bank Holidays:	20:00 to 06:00

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

Alcohol is supplied for consumption on the Premises.

**Part 2****Name, (registered) address, telephone number and email (where relevant) of holder of premises licence:**

Number Fourteen (Management) Limited  
Clarendon House  
Shenley Road  
Borehamwood  
Hertfordshire  
England  
WD6 1AG  
*Telephone Number : 020 7025 8332 (LT Law)*

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

08412058

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

**Name:** Mr Kenneth Ralph Favel

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

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

**Licence Number:** 00719

**Licensing Authority:** London Borough Of Ealing

**Date:** 05.04.2016

**This licence has been authorised by David Sycamore on behalf of the Director - Public Protection and Licensing.**

#### Annex 1 – Mandatory conditions

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

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

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

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

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

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

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

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

Where -

- (i) P is the permitted price,
  - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
  - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
- (i) the holder of the premises licence,

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

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

None

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

11. The sale of intoxicating liquor shall be ancillary to the provision of striptease entertainment.
12. Any person permitted to temporarily leave and then re-enter the premises, eg to smoke, shall not be permitted to take drinks or glass containers with them
13. There shall be a personal licence holder on duty on the premises at all times when the premises are authorised to sell alcohol.
14. The premises are not be used by any outside promoters save those that give the Metropolitan Police 14 days notice and the Police to have absolute veto.
15. Alcohol shall not be sold for consumption off the premises.
16. The supply of alcohol at tables shall be by waiter/waitress service only.
17. There shall be no draught beers sold at the premises.
18. All seating shall consist of tables and chairs arrangement and there shall be no cinema style seating.
19. Door staff shall be employed at all times when the premises are open for licensable activity. There shall be a minimum of two door supervisors to be employed at the entrance of the premises from 8pm. All door supervisors at the entrance to wear high visibility jackets.
20. All public areas of the premises shall be sufficiently illuminated to afford SIA registered supervisors a clear view of the dancers.
21. The premises management will become members and actively participate in a pub watch scheme (or similar) if one is operating in the area of the premises.
22. There shall be no dancing by customers.
23. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer of the City Council throughout the preceding 31 day period.
24. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public. This staff member shall be able to show Police recent data or footage with the absolute minimum of delay when requested.
25. A sound limiting device located in a separate and remote lockable cabinet from the volume control shall be fitted to any musical amplification system and set at a level determined by and to the satisfaction of an authorised officer of the Environmental Health Service to ensure that no noise nuisance is caused to local residents. The operational panel of the noise limiter shall then be secured to the satisfaction of officer from the Environmental Health Service. The keys securing the noise limiter cabinet shall be held by the licence holder or authorised manager only, and shall not be accessed by any other person. The limiter shall not be altered without prior agreement with the Environmental Health Service.

26. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
27. Loudspeakers shall not be located in the entrance lobby or outside the premises building.
28. All external doors shall be kept closed after (21:00) hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons.
29. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly
30. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
31. No waste or recyclable materials, including bottles, shall be moved, removed or placed in outside areas between (23.00) hours and (08.00) hours.
32. The highway and public spaces in the vicinity of the premises shall be kept free of litter from the premises at all material times to the satisfaction of the Council. All litter and sweepings shall be collected and stored in accordance with the approved refuse storage arrangements.
33. A log shall be kept detailing all refused sales of alcohol. The log should include the date and time of the refused sale and the name of the member of staff who refused the sale. The log 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.
34. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following:
  - (a) all crimes reported to the venue
  - (b) all ejections of patrons
  - (c) any complaints received
  - (d) any incidents of disorder
  - (e) all seizures of drugs or offensive weapons
  - (f) any faults in the CCTV system or searching equipment or scanning equipment
  - (g) any refusal of the sale of alcohol
  - (h) any visit by a relevant authority or emergency service.
35. Any special effects or mechanical installations shall be arranged and stored so as to minimise any risk to the safety of those using the premises. The following special effects will only be used on 10 days prior notice being given to the Licensing Authority where consent has not previously been given.
  - o dry ice and cryogenic fog
  - o smoke machines and fog generators
  - o pyrotechnics including fire works
  - o firearms
  - o lasers
  - o explosives and highly flammable substances.
  - o real flame.
  - o strobe lighting.
36. The licence holder shall enter into an agreement with a hackney carriage and/or private hire firm to provide transport for customers, with contact numbers made readily available to customers who will be encouraged to use such services.



37. All emergency doors shall be maintained effectively self closing and not held open other than by an approved device.
38. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
39. Curtains and hangings shall be arranged so as not to obstruct emergency signs.
40. 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.
41. 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.
42. All exit doors shall be available at all material times without the use of a key, code, card or similar means.
43. The Licence will have no effect until the Licensing Authority are satisfied that the premises is constructed or altered in accordance with the appropriate provisions of the District Surveyor's Association - Technical Standards for Places of Entertainment and the reasonable requirements of Westminster Environmental Health Consultation Team, at which time this condition will be removed from the Licence.
44. Before the premises opens to the public, the plans as deposited will be checked by the Environmental Health Consultation Team to ensure they are an accurate reflection of the premises constructed. Where the premises layout has changed during the course of construction new plans shall be provided to the LFEPA, Environmental Health Consultation Team, the Police and the Licensing Authority.
45. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall be limited to five (5) persons at any one time.
46. Performers/Dancers permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall be limited to two (2) persons at any one time.
47. An attendant shall be on duty in the cloakroom during the whole time that it is in use.
48. The maximum number of persons accommodated at any one time (excluding staff) shall not exceed the following:
  - a) Capacity of 250 (customers) until 2.00am
  - b) Capacity of 200 (customers) from 2.00am to 3.30am
  - c) Capacity of 100 (customers) from 3.30am until closing time
49. There shall be no new admittance or re-admittance to the premises after 02.30 hours save for persons temporarily leaving to smoke.
50. After 21.00 hours a log shall be maintained to ensure that the capacity limit set for the premises is recorded hourly and can be properly monitored. Information regarding the capacity will be given to an authorised officer or Police Officer on request.
51. A challenge 21 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.

52. Substantial food and non-intoxicating beverages, including drinking water, shall be available during the whole of the permitted hours in all parts of the premises where intoxicants are provided.
53. No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device.
54. All external doors shall be kept closed after 21.00 hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons.
55. The certificates listed below shall be submitted to the Licensing Authority upon written request.
- a) Any emergency lighting battery or system
  - b) Any electrical installation
  - c) Any emergency warning system
56. Flashing or particularly bright lights on or outside the premises shall not cause a nuisance to nearby properties (save insofar as they are necessary for the prevention of crime).
57. No person shall give at the premises any exhibition, demonstration or performance of hypnotism, mesmerism or any similar act or process which produces or is intended to produce in any other person any form of induced sleep or trance in which susceptibility of the mind of that person to suggestion or direction is increased or intended to be increased.
- NOTE: (1) This rule does not apply to exhibitions given under the provisions of Section 2(1A) and 5 of the Hypnotism Act 1952.
58. All staff engaged outside the entrance to the premises, or supervising or controlling queues, shall wear high visibility yellow jackets or vests.
59. No advertisements of any kind (including placard, poster, sticker, flyer, picture, letter, sign or other mark) that advertises or promotes the establishment, its premises, or any of its highway, or upon any building, structure, works, street furniture, tree, or any other property, or be distributed to the public.
60. There shall be no payment made by or on behalf of the licence holder to any person for bringing customers to the premises.
61. No person on behalf of the premises or on behalf of a person carrying or attempting to carry on a licensable activity at the premises shall cause, permit, employ or allow, directly or indirectly through a third party, whether on payment or otherwise, any person(s) to importune, solicit or tout members of the public on any public highway within the specified area outlined below for the purpose of bringing customers to the premises.
- For the purposes of this condition, 'Specified Area' means the area encompassed within Shaftesbury Avenue, Piccadilly Circus, Regent Street up to the junction with Pall Mall, Cockspur Street, Trafalgar Square, Strand up to the junction with Bedford Street, Garrick Street, Great Newport Street and Charing Cross Road to the junction of Shaftesbury Avenue.
62. Tea and coffee to be provided without charge for patrons (on request) between 03:00 and closing time.
63. SIA security shall monitor/supervise all areas of the premises where striptease/table/lap dancing is taking place

64. In addition to conditions [45] above, patrons will have a designated smoking area, which shall be supervised by a SIA door supervisor
65. The premises shall become members of and participate in the Safer West End Business Crime Reduction Partnership/ radio scheme, or such similar scheme that may be operating at any time
66. Door supervisors shall remain on duty to supervise the area immediately outside the premises until at least 15 minutes after the last patron has left the premises
67. When the hours authorised by this licence extends beyond 1am, then in relation to the morning on which British Summer Time begins, the hours shall be extended by 1 hour after the authorised hour on the licence.

**Annex 4 – Plans**

Attached



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

Schedule 12  
Part B

WARD: St James's  
UPRN: 010033537371

Premises licence  
summary

Regulation 33, 34

Premises licence number:

16/03358/LIPCH

**Part 1 – Premises details**

**Postal address of premises:**

14  
Basement  
Victory House  
14 Leicester Square  
London  
WC2H 7NG

**Telephone Number:** Not Supplied

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

Not applicable

**Licensable activities authorised by the licence:**

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

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

**Performance of Dance**

Sunday to Wednesday:	20:00 to 03:00
Thursday to Saturday:	20:00 to 06:00
Sundays before Bank Holidays:	20:00 to 06:00
Non-standard Timings: See condition 67	

**Exhibition of a Film**

Sunday to Wednesday:	20:00 to 03:00
Thursday to Saturday:	20:00 to 06:00
Sundays before Bank Holidays:	20:00 to 06:00
Non-standard Timings: See condition 67	

**Performance of Live Music**

Sunday to Wednesday:	20:00 to 03:00
Thursday to Saturday:	20:00 to 06:00
Sundays before Bank Holidays:	20:00 to 06:00

Non-standard Timings: See condition 67

**Playing of Recorded Music**

Sunday to Wednesday:	20:00 to 03:00
Thursday to Saturday:	20:00 to 06:00
Sundays before Bank Holidays:	20:00 to 06:00

Non-standard Timings: See condition 67

**Late Night Refreshment**

Sunday to Wednesday:	23:00 to 03:00
Thursday to Saturday:	23:00 to 05:00
Sundays before Bank Holidays:	23:00 to 05:00

Non-standard Timings: See condition 67

**Sale by Retail of Alcohol**

Monday to Saturday:	20:00 to 03:00
Sunday:	20:00 to 00:30
Sundays before Bank Holidays:	20:00 to 03:00

Non-standard Timings: See condition 67

**The opening hours of the premises:**

Monday to Wednesday:	20:00 to 03:30
Thursday to Saturday:	20:00 to 06:00
Sunday:	20:00 to 03:00
Sundays before Bank Holidays:	20:00 to 06:00

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

Alcohol is supplied for consumption on the Premises.

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

Number Fourteen (Management) Limited  
Clarendon House  
Shenley Road  
Borehamwood  
Hertfordshire  
England  
WD6 1AG

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

08412058

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

**Name:** Mr Kenneth Ralph Favel

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

Prohibited

**Date:** 05.04.2016

**This licence has been authorised by Mr David Sycamore on behalf of the Director -  
Public Protection and Licensing.**

**LICENSING SUB-COMMITTEE No. 1***Wednesday 24 April 2013*

Membership: Councillor Audrey Lewis (Chairman), Councillor Nicholas Evans and Councillor Andrew Havery

Legal and Policy Adviser: Harjinder Bhela

Committee Officer: Jonathan Deacon

Relevant Representations: Environmental Health Service, Metropolitan Police Service, Licensing Authority. Letters of support from 22 individual and a local business.

Present: Mr Philip Kolvin QC (representing the Applicant), Ms Lana Tricker (on behalf of Applicant), Mr Simon Warr (Director, Applicant Company), Mr Les Pierce (Operations Manager) and Mr Kenny Favel (Designated Premises Supervisor and Manager at Platinum Lace), Mr David Matthias QC (representing the Licensing Service), Mr Kerry Simpkin (Licensing Service), Mr James Rankin (Barrister, representing Metropolitan Police), PC Sandy Russell (Metropolitan Police) and Mr Ian Watson (Environmental Health).

<b>Koru, Victory House, 14 Leicester Square, WC2</b>									
<b>13/01385/LIPN</b>									
<b>1.</b>	<b>Regulated Entertainment: (Indoors)</b>								
	<table> <tr> <td><b>Exhibition of Films</b></td> <td>Sunday to Wednesday 20:00 to 03:00 Thursday to Saturday 20:00 to 06:00 Sunday before Bank Holidays 20:00 to 06:00</td> </tr> <tr> <td><b>Performance of Live Music</b> amplified &amp; unamplified</td> <td>Sunday to Wednesday 20:00 to 03:00 Thursday to Saturday 20:00 to 06:00 Sunday before Bank Holidays 20:00 to 06:00</td> </tr> <tr> <td><b>Playing of Recorded Music</b> amplified &amp; unamplified</td> <td>Sunday to Wednesday 20:00 to 03:00 Thursday to Saturday 20:00 to 06:00 Sunday before Bank Holidays 20:00 to 06:00</td> </tr> <tr> <td><b>Performance of Dance</b> Throughout premises on stages, podiums, floors and booths</td> <td>Sunday to Wednesday 20:00 to 03:00 Thursday to Saturday 20:00 to 06:00 Sunday before Bank Holidays 20:00</td> </tr> </table>	<b>Exhibition of Films</b>	Sunday to Wednesday 20:00 to 03:00 Thursday to Saturday 20:00 to 06:00 Sunday before Bank Holidays 20:00 to 06:00	<b>Performance of Live Music</b> amplified & unamplified	Sunday to Wednesday 20:00 to 03:00 Thursday to Saturday 20:00 to 06:00 Sunday before Bank Holidays 20:00 to 06:00	<b>Playing of Recorded Music</b> amplified & unamplified	Sunday to Wednesday 20:00 to 03:00 Thursday to Saturday 20:00 to 06:00 Sunday before Bank Holidays 20:00 to 06:00	<b>Performance of Dance</b> Throughout premises on stages, podiums, floors and booths	Sunday to Wednesday 20:00 to 03:00 Thursday to Saturday 20:00 to 06:00 Sunday before Bank Holidays 20:00
<b>Exhibition of Films</b>	Sunday to Wednesday 20:00 to 03:00 Thursday to Saturday 20:00 to 06:00 Sunday before Bank Holidays 20:00 to 06:00								
<b>Performance of Live Music</b> amplified & unamplified	Sunday to Wednesday 20:00 to 03:00 Thursday to Saturday 20:00 to 06:00 Sunday before Bank Holidays 20:00 to 06:00								
<b>Playing of Recorded Music</b> amplified & unamplified	Sunday to Wednesday 20:00 to 03:00 Thursday to Saturday 20:00 to 06:00 Sunday before Bank Holidays 20:00 to 06:00								
<b>Performance of Dance</b> Throughout premises on stages, podiums, floors and booths	Sunday to Wednesday 20:00 to 03:00 Thursday to Saturday 20:00 to 06:00 Sunday before Bank Holidays 20:00								



	to 06:00.
	<p>Amendments to application advised at hearing:</p> <p>None.</p>
	<p>Decision (including reasons if different from those set out in report):</p> <p>The Chairman of the Sub – Committee announced her intention to hear the Sexual Entertainment Venues ('SEV') and Premises Licence applications separately, as they raise different legal and policy considerations. Mr Kolvin however made the submission that both applications be heard together, and in the absence of objection from any other party, Members of the Sub Committee agreed this approach, and decided to defer the decision making process until after the hearing had concluded. The decision and reasons of the decision would be provided to the relevant parties within 5 working days.</p> <p>The Members of the Sub-Committee gave careful consideration to the application and granted the application as an exception to policy in the West End Stress Area, subject to conditions as set out below. Members considered that exceptional circumstances had been provided to warrant granting the application given the nature of the operation exclusively as a sexual entertainment venue and that the conditions offered by the Applicant would promote the licensing objectives at the premises. These included a condition restricting the sale of alcohol to be ancillary to striptease entertainment, and with the venue only intended to operate as an SEV and the sale of alcohol only being permissible at the time it is operating as an SEV. Also a 'no entry or re-entry' condition and a reduction in capacity compared with the existing licence. The capacity would reduce further during the later hours the venue was operating. The Sub-Committee heard from Mr Kolvin, representing the Applicant that in his view the application in order to be granted should not be required to be considered as an exception to policy. He would be providing evidence to justify this view. However, in the event that Members did decide that a case needed to be made for the application to be considered as an exception to policy, he believed he was able to provide evidence for this.</p> <p>Mr Kolvin in putting forward his client's case for an exception to the policy provided a brief history of the premises now known as Platinum Lace in Coventry Street which was operated by his clients. It had formerly been known as CC Club and following serious crime at the venue, the terminal hour had been reduced to 01:00 hours as was the case with Metra at 14 Leicester Square. For Your Eyes Only then took ownership of the premises and applied until 03:00 hours Monday to Saturday for lapdancing at the venue. This application was originally refused by the Licensing Sub-Committee. The matter was appealed and the Appellant's argument was that the case was exceptional for two main reasons. Firstly, the proposed operation would significantly reduce capacity in comparison with the existing licence and secondly it was 'Movida' exceptional. This referred to a previous appeal case brought by Movida against the Council which was allowed by the District Judge on the basis of a</p>

combination of factors and circumstances. These included alcohol not being the primary commercial objective, the provision of seating, the high ratio of security staff to customers, CCTV and the provision of taxi transport.

Mr Kolvin asserted that the arguments for For Your Eyes Only strongly mirrored those put forward for the current application, Koru as they had Platinum Lace. These included a reduced capacity in comparison with the existing licence and the capacity steadily decreasing during the early hours of the morning, alcohol being served by waiter or waitress, no complaints from the Council in relation to the operator, a last entry time (this had been 04:00 hours in comparison to the Applicant's proposed 02:45 hours at Koru) and that the premises would be well run and totally trouble free. The Sub-Committee's decision had referred to cumulative impact and the potential for customers leaving the premises becoming victims of crime. Mr Kolvin added that the Council had agreed to concede the appeal brought by For Your Eyes Only on the first day that evidence was due to be heard.

Mr Kolvin stated that Platinum Lace had been considered as an exception to policy by the Sub-Committee in 2011. There had been an extension of hours until 06:00 hours and a key aspect of the exception found by the Sub-Committee was the reduction in capacity from the existing licence for the venue in Coventry Street. The capacity reduced further during the later hours the venue was operating.

A key element of Mr Kolvin's submissions was that Mr Warr and the proposed management for Koru were also responsible for operating Platinum Lace in Coventry Street. He stated that the Sub-Committee had proof that the Applicant could operate in a similar environment without causing any public harm. The proposed operation at Koru would lessen considerably any potential for crime and disorder in comparison with its predecessor Metra nightclub which had created significant issues for the Responsible Authorities. It was proposed that the capacity would be 250 customers until 02:00 hours which compared with Metra's capacity of 400 customers until 01:00 hours. The Koru capacity would then be reduced to 200 from 02:00 to 03:30 hours and reduced again to 100 from 03:30 hours until closing time. The last entry condition would come into effect from 02:45 hours. A record had been kept of the low numbers that were remaining at the end of the evening at Platinum Lace which demonstrated that there would not be a mass exodus of customers. There was also a proposed taxi policy in place. Staff at Koru would book taxis for customers when they wished to leave the premises, providing a discount service. Staff would direct customers to the NCP car park in Newport Street where the taxis would be waiting.

Mr Kolvin in making the case that the application should not need to be considered an exception to policy in the West End Stress Area, referred to the fact that since 2011 when the Sub-Committee had determined the Platinum Lace application, the legislation governing sexual entertainment venues had come into effect in the Policing and Crime Act 2009, amending the Local Government (Miscellaneous Provisions Act) 1982 rather than under the Licensing Act 2003. He therefore asserted that an exception did not need to be proved under Policy NS1 of the Council's Statement of Licensing Policy 2011. He also made the case that the Council's policies STR1, PB2 and MD2 were not applicable. PB2 was not relevant because alcohol was ancillary to

entertainment and there were no off-sales. MD2 was not applicable because the entertainment would only be provided by the performers at Koru whilst the customers were passive spectators. Policy PVC2 was more applicable as it was intended that Koru would be a performance venue. He referred to paragraph 2.5.31 of the Council's Policy which he said demonstrated that the PVC policy applied in instances other than in 'venues where facilities are included for enabling persons to take part in entertainment'.

The Sub-Committee considered that there were aspects of Mr Kolvin's submissions to warrant the application being granted as an exception to policy. Members did not, however, accept Mr Kolvin's case that the application should be granted without the requirement for it to be an exception to policy. Members were of the view that similar to the Platinum Lace hearing in 2011 (the decision sheet having been included in the papers) , the venue was covered by Policy MD2 in the West End Stress Area and also STR1 given its location. There were elements that may have been applicable to policy PVC but this did not mutually exclude it from policy MD. There was an overlap with the Applicant applying for both music and dancing and Policy MD did apply.

Mr Matthias, representing the Licensing Service, made a submission on the point that the application should not be considered as an exception to policy. He stated that the venue was located in the heart of the West End Stress Area. The Council's policy was to refuse applications in the Stress Areas for premises offering facilities for music and dancing other than applications to vary hours within the Council's Core Hours policy. This was not an application to vary hours within Core Hours. The Applicant sought Performance of Live Music, the Playing of Recorded Music and Performance of Dance from Sunday to Wednesday until 03:00 hours and Thursday to Saturday until 06:00 hours.

Mr Matthias advised that the Council's policy applied and there was no exception. There was an existing premises licence but there was no existing licensing activity at the venue. The licence permitted a terminal hour of 01:00 hours. The Applicant sought a terminal hour on Thursday to Saturday of 06:00 hours. Mr Matthias made the case that if the Sub-Committee granted the application as an exception based on the conditions the policy would be in tatters and Koru would be used as a precedent. It was not the case that because Platinum Lace had been granted, this application should also be granted. He commented that Coventry Street was a thoroughfare and the location of the premises in Leicester Square was entirely different from Coventry Street.

Mr Matthias stated that in the event the Sub-Committee was of the view that the venue was covered by Policy PVC2 and not MD2 the Applicant then needed to demonstrate that the application would not add to cumulative impact. He asked how this could not be the case if the capacity was up to 250, alcohol was being provided and customers were able to disperse into Leicester Square until 06:00 hours. There would be an increase in public nuisance as a result of more people being on the street.

The Sub-Committee accepted a point made in response by Mr Kolvin that conditions can provide the basis for an exception to policy if they are able to constrain licensable activity and minimise cumulative impact as in the case of the proposed capacity.

Mr Matthias received instructions during the hearing from officers for the Licensing Service that contested Mr Kolvin's point that there were no issues whatsoever at Platinum Lace. It was suggested by Mr Matthias that the venue was believed by licensing inspectors to be linked to touting and prostitution. The Sub-Committee took advice from the Legal Adviser, Ms Bhela as the evidence had not been supplied to the relevant parties prior to the hearing and Mr Kolvin objected to the point being taken further when he had had no opportunity to prepare a response to it. Following a brief adjournment, the Chairman advised that under the Hearing Regulations the evidence could not be admissible given that the information had not been provided prior to the hearing and the Applicant was objecting to it being taken further. It would have been fair and reasonable to expect such allegations to have been set out in the papers provided. Mr Warr stated that the allegations were untrue.

Mr Matthias also made the point that the Applicant Company, Simowa Limited, had only been incorporated on 20 February 2013 and had no track record. The share register had indicated that there were two issued shares which had not been paid for. The Applicant's Representatives responded to the points raised by Mr Matthias. Ms Tricker stated that no indication had been given at pre-meetings with officers that there were any issues or doubts whatsoever about the involvement of Platinum Lace management in these premises. She also had evidence of the share certificates. Platinum Lace Trading had an agreement for the lease and Mr Warr was the owner of both Platinum Lace and Koru. The Sub-Committee took the view that whilst the name of the Applicant company for the Koru venue may have been different to that of Platinum Lace, it had been the same owner and many of the members of the management team were the same.

Mr Watson for Environmental Health informed Members that the evidence he had available to him was that there had been no recently reported incidents or complaints at Platinum Lace. Environmental Health's representation had been maintained in particular due to the hours being beyond the Council's Core Hours policy. Mr Watson advised that there was no change to the licensed area. There were more private cubicles or booths with CCTV there. There was a VIP seating area like Platinum Lace and the proposed maximum capacity of 250 was now proposed rather than the 300 originally applied for. The capacity would reduce to 100 during the later hours of trading.

The Sub-Committee noted that the Police had no objections to the previous extension of hours at Platinum Lace which was permitted to open until 06:00 hours. PC Russell stated the Police did however have concerns in respect of the application at Leicester Square as there were higher crime figures in Leicester Square than Coventry Street. She was requesting a terminal hour of 01:00, consistent with the licence there at present. However, she commented that if the Members of the Sub-Committee were minded to grant beyond 01:00 hours then this should be considerably beyond 03:00 hours as this was when the nightclubs tended to close and patrons dispersed into the Stress Area. Mr Rankin and PC Russell made a similar point to Mr Matthias that Leicester Square was more of a destination than Coventry Street's thoroughfare. There were approximately twice as many crimes a year in Leicester Square (1000) as there were in Coventry Street (500). Mr Rankin and PC Russell referred to casinos being tightly regulated like sexual entertainment venues and yet there

was more crime in relation to The Hippodrome Casino in Leicester Square than the Golden Nugget in Shaftesbury Avenue. The Sub-Committee did note that there was a bar at The Hippodrome unlike the Golden Nugget. The Police had concerns about people remaining in the West End Stress Area and becoming victims of crime and it was questioned whether staff would be able to lead customers to waiting taxis in Newport Street car park if customers were leaving at a similar time.

Mr Rankin in his submission on behalf of the Police emphasized that Leicester Square and Coventry Street were entirely separate and distinct. He put forward a similar case to Mr Matthias that the Metra licence was inoperative. Members, however, believed that it was likely, as was suggested by Mr Warr who now owned the premises, that if Koru did not become a sexual entertainment venue, it was likely to have to operate as a nightclub as Metra had been with a licence until 01:00 hours. This would add to the potential for the licensing objectives to be undermined. Mr Warr commented that a terminal hour of 01:00 hours for a sexual entertainment venue was not financially viable as the performers would work elsewhere due to the limited hours available for employment. There were limited options for a basement premises including a lack of interest from restaurant chains. The frontage was 16 metres. Members of the Sub-Committee considered that just because the Metra nightclub licence was not currently being operated, it was not the case that it could not be operated in the future with a capacity on the licence of 400. It was also the case that whilst the Police had found that there were higher crime levels in Leicester Square than Coventry Street, no evidence was provided to the Sub-Committee that could demonstrate that the proposed operation at Koru in Leicester Square would generate crime or undermine the prevention of crime and disorder licensing objective. The evidence received to date by the Council showed that there were not significant levels of crime and disorder at sexual entertainment venues. There were also not significant issues in respect of public nuisance.

The Sub-Committee had some concerns regarding the potential for patrons of nightclubs attempting to enter the venue after the nightclubs had closed. Mr Warr had stated that he did not wish patrons of the nightclubs to move on to Koru, and a 2.30 last entry time would be acceptable to him. The Sub-Committee decided that it was appropriate to amend the last entry or re-entry time to 02:30 hours rather than the 02:45 hours proposed by the Applicant.

The Police requested that polycarbonate vessels were provided at the premises. PC Russell stated that she did not specifically believe there would be incidents involving glass at the premises but that the vessels should be introduced in the event of any issues arising. The Police anticipated that polycarbonate glasses would be adopted throughout licensed premises in Westminster. The Applicant was seeking the use of glasses that were not polycarbonate for serving champagne. Mr Kolvin gave a commitment that his client would look at possible solutions and commented that there would be room for dialogue between the operator and the Police. However, he believed that there was no evidence to support polycarbonate vessels as Koru, like Platinum Lace, would not be the type of premises where there would be incidents of disorder. The Sub-Committee did not consider that there were grounds to impose a condition that polycarbonate vessels should be used at the premises.

This decision should be read in conjunction with the decision for the SEV licence

	taken today.
<b>2.</b>	<b>Late Night Refreshment: (Indoors)</b>
	Sunday to Wednesday 23:00 to 03:00 Thursday to Saturday 23:00 to 05:00 Sunday before Bank Holidays 23:00 to 05:00.
	Amendments to application advised at hearing:  None.
	Decision (including reasons if different from those set out in report):  Granted as an exception to policy, subject to conditions as set out below (see reasons for decision in Section 1).
<b>3.</b>	<b>Sale of Alcohol: On the Premises</b>
	Monday to Saturday 20:00 to 03:00 Sunday 20:00 to 00:30 Sunday before Bank Holidays 20:00 to 03:00.
	Amendments to application advised at hearing:  None.
	Decision (including reasons if different from those set out in report):  Granted as an exception to policy, subject to conditions as set out below (see reasons for decision in Section 1).
<b>4.</b>	<b>Non Standard Timings &amp; Seasonal Variations</b>
	<b>Regulated Entertainment (as detailed in proposal 1 above), Late night Refreshment and Sales of Alcohol for consumption on the premises</b>  When the hours on this licence extend beyond 1am, then in relation to the morning on which British Summer Time begins, the hours shall be extended by 1 hour after the authorised hour on the licence.
	Amendments to application advised at hearing:  None.
	Decision (including reasons if different from those set out in report):

	Granted as an exception to policy, subject to conditions as set out below (see reasons for decision in Section 1).
<b>5.</b>	<b>Opening Hours:</b>
	Monday to Saturday 20:00 to 03:30 Thursday to Saturday 20:00 to 06:00 Sunday 20:00 to 03:00 Sunday before Bank Holidays 20:00 to 06:00.
	Amendments to application advised at hearing:  None.
	Decision (including reasons if different from those set out in report):  Granted as an exception to policy, subject to conditions as set out below (see reasons for decision in Section 1).

## Conditions attached to the Licence

### 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.

9. Admission of children to the premises must be restricted in accordance with the film classification recommended by the British Board of Film Classification or recommended by this licensing authority as appropriate.

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

**Additional conditions**

11. The sale of intoxicating liquor shall be ancillary to the provision of striptease entertainment.
12. Any person permitted to temporarily leave and then re-enter the premises, eg to smoke, shall not be permitted to take drinks or glass containers with them
13. There shall be a personal licence holder on duty on the premises at all times when the premises are authorised to sell alcohol.
14. The premises are not be used by any outside promoters save those that give the Metropolitan Police 14 days notice and the Police to have absolute veto.
15. Alcohol shall not be sold for consumption off the premises.
16. The supply of alcohol at tables shall be by waiter/waitress service only.
17. There shall be no draught beers sold at the premises.
18. All seating shall consist of tables and chairs arrangement and there shall be no cinema style seating.
19. Door staff shall be employed at all times when the premises are open for licensable activity. There shall be a minimum of two door supervisors to be employed at the entrance of the premises from 8pm. All door supervisors at the entrance to wear high visibility jackets.
20. All public areas of the premises shall be sufficiently illuminated to afford SIA registered supervisors a clear view of the dancers.
21. The premises management will become members and actively participate in a pub watch scheme (or similar) if one is operating in the area of the premises.
22. There shall be no dancing by customers.
23. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer of the City Council throughout the preceding 31 day period.
24. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public. This staff member shall be able to show Police recent data or footage with the absolute minimum of delay when requested.
25. A sound limiting device located in a separate and remote lockable cabinet from

the volume control shall be fitted to any musical amplification system and set at a level determined by and to the satisfaction of an authorised officer of the Environmental Health Service to ensure that no noise nuisance is caused to local residents. The operational panel of the noise limiter shall then be secured to the satisfaction of officer from the Environmental Health Service. The keys securing the noise limiter cabinet shall be held by the licence holder or authorised manager only, and shall not be accessed by any other person. The limiter shall not be altered without prior agreement with the Environmental Health Service.

26. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
27. Loudspeakers shall not be located in the entrance lobby or outside the premises building.
28. All external doors shall be kept closed after (21:00) hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons.
29. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly
30. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
31. No waste or recyclable materials, including bottles, shall be moved, removed or placed in outside areas between (23.00) hours and (08.00) hours.
32. The highway and public spaces in the vicinity of the premises shall be kept free of litter from the premises at all material times to the satisfaction of the Council. All litter and sweepings shall be collected and stored in accordance with the approved refuse storage arrangements.
33. A log shall be kept detailing all refused sales of alcohol. The log should include the date and time of the refused sale and the name of the member of staff who refused the sale. The log 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.
34. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following:
  - (a) all crimes reported to the venue
  - (b) all ejections of patrons
  - (c) any complaints received
  - (d) any incidents of disorder
  - (e) all seizures of drugs or offensive weapons
  - (f) any faults in the CCTV system or searching equipment or scanning equipment
  - (g) any refusal of the sale of alcohol

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

35. Any special effects or mechanical installations shall be arranged and stored so as to minimise any risk to the safety of those using the premises. The following special effects will only be used on 10 days prior notice being given to the Licensing Authority where consent has not previously been given.
- dry ice and cryogenic fog
  - smoke machines and fog generators
  - pyrotechnics including fire works
  - firearms
  - lasers
  - explosives and highly flammable substances.
  - real flame.
  - strobe lighting.
36. The licence holder shall enter into an agreement with a hackney carriage and/or private hire firm to provide transport for customers, with contact numbers made readily available to customers who will be encouraged to use such services.
37. All emergency doors shall be maintained effectively self closing and not held open other than by an approved device.
38. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
39. Curtains and hangings shall be arranged so as not to obstruct emergency signs.
40. 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.
41. 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.
42. All exit doors shall be available at all material times without the use of a key, code, card or similar means.
43. The Licence will have no effect until the Licensing Authority are satisfied that the premises is constructed or altered in accordance with the appropriate provisions of the District Surveyor's Association – Technical Standards for Places of Entertainment and the reasonable requirements of Westminster Environmental Health Consultation Team, at which time this condition will be removed from the Licence.
44. Before the premises opens to the public, the plans as deposited will be checked by the Environmental Health Consultation Team to ensure they are an accurate reflection of the premises constructed. Where the premises layout has changed during the course of construction new plans shall be provided to the

LFEPA, Environmental Health Consultation Team, the Police and the Licensing Authority.

45. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall be limited to five (5) persons at any one time.
46. Performers/Dancers permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall be limited to two (2) persons at any one time.
47. An attendant shall be on duty in the cloakroom during the whole time that it is in use.
48. The maximum number of persons accommodated at any one time (excluding staff) shall not exceed the following:
  - a) Capacity of 250 (customers) until 2.00am
  - b) Capacity of 200 (customers) from 2.00am to 3.30am
  - c) Capacity of 100 (customers) from 3.30am until closing time
49. There shall be no new admittance or re-admittance to the premises after 02.30 hours save for persons temporarily leaving to smoke
50. After 21.00 hours a log shall be maintained to ensure that the capacity limit set for the premises is recorded hourly and can be properly monitored. Information regarding the capacity will be given to an authorised officer or Police Officer on request.
51. A challenge 21 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
52. Substantial food and non-intoxicating beverages, including drinking water, shall be available during the whole of the permitted hours in all parts of the premises where intoxicants are provided.
53. No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device.
54. All external doors shall be kept closed after 21.00 hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons.
55. The certificates listed below shall be submitted to the Licensing Authority upon written request.
  - a) Any emergency lighting battery or system
  - b) Any electrical installation
  - c) Any emergency warning system
56. Flashing or particularly bright lights on or outside the premises shall not cause a nuisance to nearby properties (save insofar as they are necessary for the

prevention of crime).

57. No person shall give at the *premises* any exhibition, demonstration or performance of hypnotism, mesmerism or any similar act or process which produces or is intended to produce in any other person any form of induced sleep or trance in which susceptibility of the mind of that person to suggestion or direction is increased or intended to be increased.

a. NOTE: (1) This rule does not apply to exhibitions given under the provisions of Section 2(1A) and 5 of the Hypnotism Act 1952.

58. All staff engaged outside the entrance to the premises, or supervising or controlling queues, shall wear high visibility yellow jackets or vests.

59. No advertisements of any kind (including placard, poster, sticker, flyer, picture, letter, sign or other mark) that advertises or promotes the establishment, its premises, or any of its events, facilities, goods or services shall be inscribed or affixed upon the surface of the highway, or upon any building, structure, works, street furniture, tree, or any other property, or be distributed to the public.

60. There shall be no payment made by or on behalf of the licence holder to any person for bringing customers to the premises.

61. No person on behalf of the premises or on behalf of a person carrying or attempting to carry on a licensable activity at the premises shall cause, permit, employ or allow, directly or indirectly through a third party, whether on payment or otherwise, any person(s) to importune, solicit or tout members of the public on any public highway within the specified area outlined below for the purpose of bringing customers to the premises.

For the purposes of this condition, 'Specified Area' means the area encompassed within Shaftesbury Avenue, Piccadilly Circus, Regent Street up to the junction with Pall Mall, Cockspur Street, Trafalgar Square, Strand up to the junction with Bedford Street, Garrick Street, Great Newport Street and Charing Cross Road to the junction of Shaftesbury Avenue.

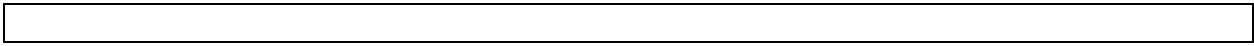
62. Tea and coffee to be provided without charge for patrons (on request) between 03:00 and closing time.

63. SIA security shall monitor/supervise all areas of the premises where striptease/table/lap dancing is taking place

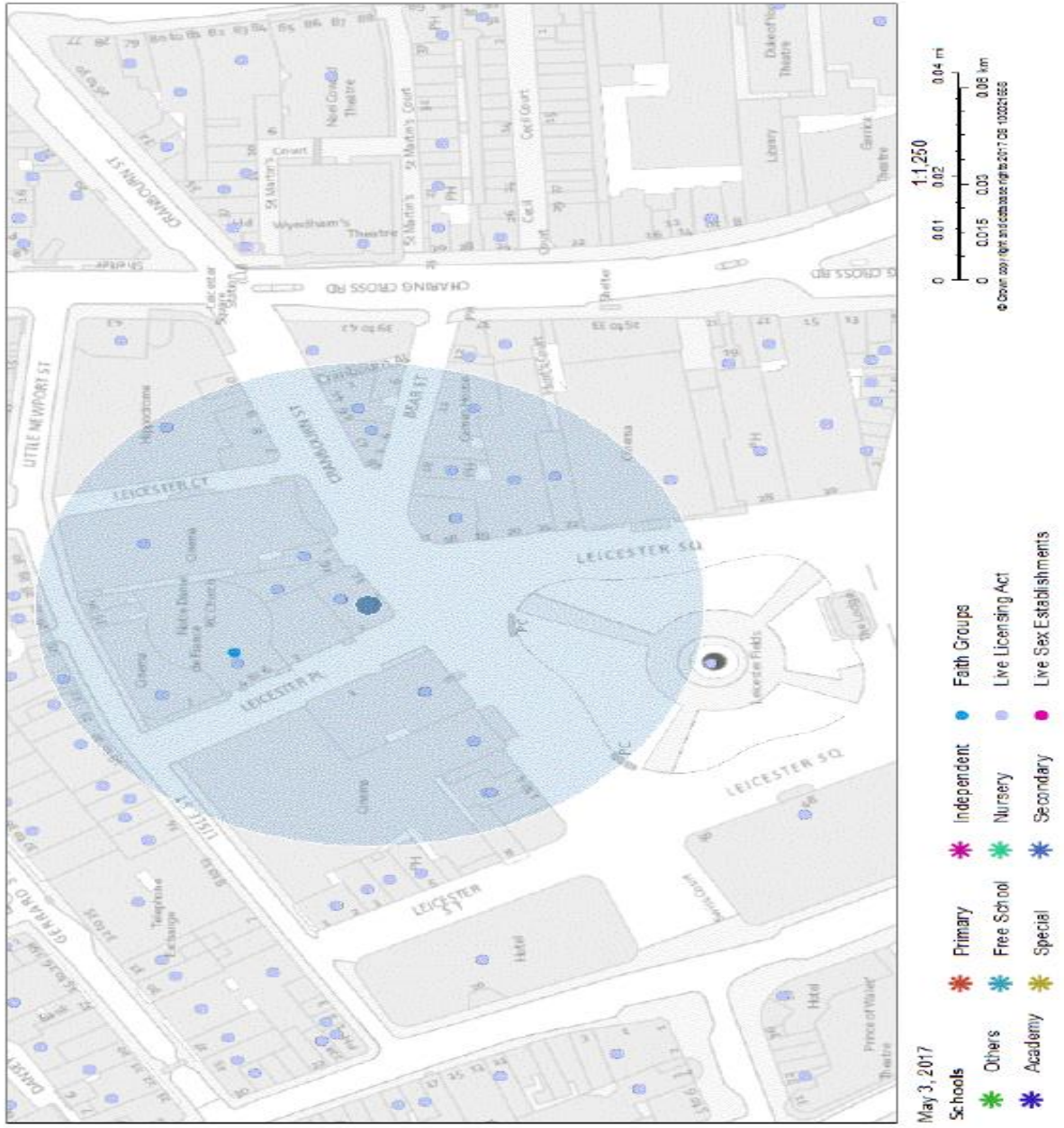
64. In addition to conditions [45] above, patrons will have a designated smoking area, which shall be supervised by a SIA door supervisor

65. The premises shall become members of and participate in the Safer West End Business Crime Reduction Partnership/ radio scheme, or such similar scheme that may be operating at any time

66. Door supervisors shall remain on duty to supervise the area immediately outside the premises until at least 15 minutes after the last patron has left the premises



14







## City of Westminster Licensing Sub-Committee

<b>Meeting:</b>	<i>Licensing Sub-Committee</i>
<b>Date:</b>	<i>18<sup>th</sup> May 2017</i>
<b>Classification:</b>	<i>General Release</i>
<b>Premises:</b>	<i>14, Basement, Victory House, 14 Leicester Square, London WC2H 7NG</i>  <i>17/01156/LISEVV</i>
<b>Wards Affected:</b>	<i>St James's, Core CAZ North</i>
<b>Financial Summary:</b>	<i>None</i>
<b>Report of:</b>	<i>Operational Director for Premises Management</i>

### **1. Executive Summary**

- 1.1 The City Council (“The Council”) has received an application for the variation of the Sexual Entertainment Venue (“SEV”) premises licence from Number Fourteen (Management) Limited for “14”, Basement, Victory House, 14 Leicester Square, London WC2H 7NG. The report sets out the application details, objections, policy and legal context along with other considerations that the Licensing Sub-Committee (“The Committee”) requires to determine this application under Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 (“The 1982 Act”) as amended by section 27 of the Policing and Crime Act 2009.

### **2. Options**

- 2.1 That following consideration of the information given orally at the hearing and in writing by the applicants and objectors Members may;
- 2.1.1 Vary the licence as applied for.
  - 2.1.2 Vary the licence subject to any modifications to any part of the application and imposition of any additional conditions or restrictions as they think fit, or
  - 2.1.3 Refuse the application

### **3. Application**

- 3.1 On 2<sup>nd</sup> February 2017 Number Fourteen (Management) Limited applied to vary the sexual entertainment venue premises licence to:

- The application is to extend the hours for relevant entertainment Monday to Saturday 17.00 to 06.00 hours, Sunday 17.00 to 03.00 hours and Sunday before a Bank Holiday 17.00 to 06.00 hours.

A copy of the application is attached as **Appendix A1**

- The applicant has requested to add a further restriction to the capacity breakdown within the premises (currently condition 24 on the SEV licence). The existing condition state:

“The maximum number of persons accommodated at any one time (excluding staff) shall not exceed the following:

- a) Capacity of 250 (customers) until 2.00am
- b) Capacity of 200 (customers) from 2.00am to 3.30am
- c) Capacity of 100 (customers) from 3.30am until closing time”

The amendment to the above condition is as follows:

The maximum number of persons accommodated at any one time (excluding staff) shall not exceed the following:

- a) Capacity of 250 (customers) until 2.00am
- b) Capacity of 200 (customers) from 2.00am to 3.30am
- c) Capacity of 100 (customers) from 3.30am to 4.30am
- d) Capacity of 50 (customers) from 4.30am until closing time

#### **4. Objections**

- 4.1 Objections have been received from The Environmental Health Service, the Licensing Authority and the Metropolitan Police have submitted objections to the application.
- 4.2 On 2<sup>nd</sup> March the Environmental Health Service submitted an objection to the application stating that the premises are located within the West End Stress Area and Westminster Core Commercial Activity Zone.

The extension of hours would be inappropriate having regard to the layout, character or condition of the premises.

- 4.3 On the 3<sup>rd</sup> March 2017 The Licensing Authority submitted an objection to the application stating that under Paragraph 10 subsection (15) of the Local Government (Miscellaneous Provisions) Act 1982 Part II The Licensing Service consider it appropriate to make an objection in relation to this application on the grounds that if granted it will not promote the licensing objectives of the prevention of crime and disorder, public safety, the prevention of public nuisance and the improvement in the character and function of the city, or areas of it.
- 4.4 On 16<sup>th</sup> February 2017 Westminster Licensing Police submitted an objection to the application on the grounds of Prevention of Crime and Disorder and Public Nuisance.

The applicant is seeking to extend the hours of operation of this venue which is in the West End Cumulative Impact Zone without offering any new conditions to promote the licensing objectives.

A more detailed objection shall be forthcoming.

**5 Support Letters to the Application**

5.1 The application has received eleven letters of support for the application from local businesses (**Appendix C1-C11**)

**6. SEV licence history**

6.1 A new Sexual Entertainment Venue licence was granted by the Committee on 24.04.2013 for one year. The licence took effect on 07.05.2013.

6.2 Applications to renew the licence were submitted in each of the years 2014, 2015, 2016 and were granted under delegated authority as no objections were received.

6.3 On 4<sup>th</sup> April 2016 The Licensing Authority received a letter advising us of a change of Company name from Simowa Limited to Number Fourteen (Management) Limited. A transfer application was not required as the company registration number and address is still the same.

6.4 A copy of the current SEV Licence is attached at **Appendix B2**.

**7 New Premises Licence – Licensing Act 2003 (“The 2003 Act”)**

7.1 The table below sets out the current activities and times permitted by the premises licence. The premises licence can be viewed at **Appendix B3**.

<b><u>Existing Premises Licence (16/03358/LIPCH) permitted Licensable Activities</u></b>	
<b>Regulated Entertainment: Indoors</b>	
<b>Performance of Dance</b>	
<b>Exhibition of a Film</b>	
<b>Performance of Live Music</b>	
<b>Playing of Recorded Music</b>	
<b>Late Night Refreshment</b>	
<b>Sale of Alcohol</b>	
<b>Performance of Dance</b>	
Sunday to Wednesday:	20:00 to 03:00
Thursday to Saturday:	20:00 to 06:00
Sundays before bank Holidays:	20:00 to 06:00
Non-standard timings: see condition 67	
<b>Exhibition of a Film</b>	
Sunday to Wednesday:	20:00 to 03:00
Thursday to Saturday:	20:00 to 06:00
Sundays before bank Holidays:	20:00 to 06:00
Non-standard timings: see condition 67	
<b>Performance of Live Music</b>	

<p>Sunday to Wednesday: 20:00 to 03:00  Thursday to Saturday: 20:00 to 06:00  Sundays before bank Holidays: 20:00 to 06:00  Non-standard timings: see condition 67</p> <p><b>Playing of Recorded Music</b></p> <p>Sunday to Wednesday: 20:00 to 03:00  Thursday to Saturday: 20:00 to 06:00  Sundays before bank Holidays: 20:00 to 06:00  Non-standard timings: see condition 67</p> <p><b>Late Night Refreshment</b></p> <p>Sunday to Wednesday: 23:00 to 03:00  Thursday to Saturday: 23:00 to 05:00  Sundays before bank Holidays: 23:00 to 05:00  Non-standard timings: see condition 67</p>
<p><b>Sale of Alcohol: On the premises</b></p> <p>Monday to Saturday: 20:00 to 03:00  Sunday 20:00 to 00:30  Sundays before bank Holidays: 20:00 to 03:00  Non-standard timings: see condition 67</p>
<p><b>Opening hours:</b></p> <p>Monday to Wednesday 20:00 to 03:30  Thursday to Saturday 20:00 to 06:00  Sunday 20:00 to 03:00  Sundays Before Bank Holidays 20:00 to 06:00</p>

7.2 The applicants for this SEV application have also submitted an application for a variation of the existing premises licence to vary the hours for licensable activities, replace condition 49 on the current licence, remove conditions 43 and 44 and add a further restriction to the capacity breakdown within the premises (Condition 48). If granted the proposed activities and times permitted by the Licensing Act 2003 premises licence are set out below:

<b><u>Proposed Variation 17/01159/LIPV to Licensable Activities</u></b>
<b>Regulated Entertainment: Indoors</b>
<p><b>Performance of Dance</b>  <b>Exhibition of a Film</b>  <b>Performance of Live Music</b>  <b>Playing of Recorded Music</b>  <b>Late Night Refreshment</b>  <b>Sale of Alcohol</b></p>

<b>Performance of Dance</b>	
Monday to Saturday:	17:00 to 06:00
Sunday:	17:00 to 03:00
Sundays before bank Holidays:	17:00 to 06:00
<b>Exhibition of a Film</b>	
Monday to Saturday:	17:00 to 06:00
Sunday:	17:00 to 03:00
Sundays before bank Holidays:	17:00 to 06:00
<b>Performance of Live Music</b>	
Monday to Saturday:	17:00 to 06:00
Sunday:	17:00 to 03:00
Sundays before bank Holidays:	17:00 to 06:00
<b>Playing of Recorded Music</b>	
Monday to Saturday:	17:00 to 06:00
Sunday:	17:00 to 03:00
Sundays before bank Holidays:	17:00 to 06:00
<b>Late Night Refreshment</b>	
Monday to Wednesday:	23:00 to 05:00
Thursday to Saturday:	23:00 to 05:00
Sunday:	23:00 to 03:00
Sundays before bank Holidays:	23:00 to 05:00
Non-standard timings: see condition 67	
<b>Sale of Alcohol: On the premises</b>	
Monday to Saturday:	17:00 to 06:00
Sunday:	17:00 to 03:00
Sundays before bank Holidays:	17:00 to 06:00
<b>Opening hours:</b>	
Monday to Saturday:	17:00 to 06:00
Sunday:	17:00 to 03:00
Sundays before bank Holidays:	17:00 to 06:00

**8. Policy Considerations**

8.1 Character of the relevant locality – LO1

The premises is situated on the North side of Leicester Square. There is one other Sexual Entertainment Venue (the Hippodrome Casino) within 100 meters of the premises, although this is primarily a gambling establishment and the Relevant

Entertainment is limited to burlesque performances. There is also one church within 100 metres of the premises, Notre Dame de France Roman Catholic Church.

## 8.2 Use of premises in the vicinity – LO2

The area has a mixture of residential and commercial premises predominantly commercial with residential properties above them. A map showing the residential density and premises within the vicinity is attached to this report as Appendix .

## 8.3 Layout, character or condition of the venue – LO3

The main entrance of the premises is situated on Leicester Square.

## 8.4 Hours – HR1

The variation seeks to further depart beyond those hours set out in Policy HR1. However, the policy states that where a premises is licensed under the Licensing Act 2003 for hours beyond the 'core hours', the council will have regard to those hours and generally grant a SEV licence to the hours authorised for other licensable activities, subject to the provision of a winding down period if appropriate.

8.5 As stated at paragraph 7.1 of this report, the current LA03 premises licence permits licensable activities from Sunday to Wednesday 20:00 to 03:00, Thursday to Saturday 20:00 to 06:00 and on Sunday 20:00 to 06:00.

8.6 However, as stated at paragraph 7.2 of this report, the applicants have submitted a variation of the premises licence under the Licensing Act 2003 in conjunction with this application. If granted, the proposed hours for licensable activities will be Monday to Saturday 17:00 to 06:00, Sunday 17:00 to 03:00 and Sundays before bank Holidays 17:00 to 06:00

## 9. **Legal Implications**

9.1 The Licensing Committee using its powers above may determine to:

- (a) Vary the licence as applied for.
- (b) Vary the licence subject to any modifications to any part of the application and imposition of any additional conditions or restrictions as they think fit, or
- (c) Refuse the application.

9.2 Before refusing to vary the licence, the Licensing Authority shall give the applicant an opportunity to appear before it and of being heard by the Committee.

9.3 In considering this application, the Committee shall have regard to any observations submitted to it by the Chief Officer of Police and any objections that have been received in writing within the 28 day consultation period under para 10(18) to Schedule 3.

9.4 Should the Licensing Sub-Committee determine to refuse the application for the variation of the licence, the applicant may appeal to the Magistrates' Court within 21 days beginning with the date on which the applicant is notified of the refusal of his application.

## 10. Human Rights Act and Equality Implications

- 10.1 In making a decision consideration will need to be given to the applicant's rights under the European Convention on Human Rights. The right to peaceful enjoyment of possessions (Article 1 of the First Protocol) and freedom of expression (Article 10) may be relevant. The Home Office Guidance suggests that "local authorities would be well advised to consider whether any interference with the applicant's rights under Article 10 or Article 1, Protocol 1 of the European Convention on Human Rights is necessary and proportionate for the prevention of disorder or crime, for the protection of health or morals or for the protection of the rights and freedoms of others, or in the case of Article 1, Protocol 1, can be justified in the general interest".
- 10.2 The Council in its capacity as Licensing Authority has a duty to ensure that all applications for SEV's are dealt with in accordance with its public sector equality duty under section 149 of the Equality Act 2010 ("The 2010 Act"). In summary section 149 provides: -
- (1) "A public Authority must, in the exercise of its functions, have **due regard** to the need to:
    - (a) eliminate discrimination harassment, victimisation and any other conduct that is prohibited by or under this Act
    - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.
    - (c) foster good relations between persons who share a relevant protected characteristics and persons who do not share it.
  - (2) A person who is not a public authority but who exercises public functions must in the exercise of those functions, have due regard to the matters mentioned in subsection (1)....."
- 10.3 Accordingly, section 149 (7) of the 2010 Act defines the relevant protected characteristics as age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.
- 10.4 This duty places an obligation on the Committee to ensure that the need to promote equality is taken into consideration with, regard to every aspect of its decision making, this will include the circumstances of each individual application, the findings, of fact one the application has been considered, including the taking into account of any objection and response the applicant may choose to make.

### Appendices

- A1 – Application Form
- B1 – Current SEV Licence
- B3 – Current Premises Licence
- C1-C11 – Letters of support
- D- Licensing Sub-Committee Decision dated Wednesday 24 April 2013
- E- PIV Map of premises

**If you have any queries about this report or wish to inspect any of the Background Papers please contact: Yolanda Wade on 020 7641 1872 or at [ywade@westminster.gov.uk](mailto:ywade@westminster.gov.uk)**

### BACKGROUND PAPERS

Local Government (Miscellaneous Provisions) Act 1982





**Application Form**



City of Westminster

**APPLICATION TO VARY A SEXUAL ENTERTAINMENT VENUE LICENCE**

IMPORTANT: This form is open to inspection by the public.

I / We **Number Fourteen (Management) Limited**.....  
*(Insert name(s) of applicant)*

apply to vary the Sexual Entertainment Venue licence under the Local Government (Miscellaneous Provisions) Act 1982 for the following premises:

Premises name: .....14.....

Premises address: **Basement, Victory House, 14 Leicester Square London WC2H 7NG**

Licence reference number: .....16/03388/LISEVR.....

**Important Note:** Before completing this application, please read the following:

- WCC's Statement of Licensing Policy for Sexual Entertainment Venues
- WCC's Standard Conditions for Sexual Entertainment Venues
- WCC's Rules of Procedure governing Sexual Entertainment Venue applications

**PART 1 – Applicant Details**

Please state whether you are varying the Sexual Entertainment Venue licence as:

- a) an individual or individuals  complete section (A)
- b) a person other than an individual:
- i. as a body corporate  complete section (B)
- ii. as an unincorporated body  complete section (B)

**Section A – Individual Licensee Details**

First name(s):	
Surname:	
Former names (if any):	
Title:	
Home address:	
Postcode:	
Email address:	
Contact telephone number:	
Date of Birth:	
Have you been a resident of an EEA state throughout the period of 6 months immediately preceding the date the application was made?	Yes <input type="checkbox"/> No <input type="checkbox"/>

**Additional Licensee Details (if necessary)**

First name(s):	
Surname:	
Former names (if any):	
Title:	
Home address:	
Postcode:	
Email address:	
Contact telephone number:	
Date of Birth:	
Have you been a resident of an EEA state throughout the period of 6 months immediately preceding the date the application was made?	Yes <input type="checkbox"/> No <input type="checkbox"/>

**Section B – Body Corporate or Unincorporated Body Details**

Business Name: (if your business is registered, use its registered name)	'14'
Is your business registered in the UK with Companies House?	Yes <input checked="" type="checkbox"/> Registered Number: 8412058
	No <input type="checkbox"/>
Is your business registered in another EEA state:	Yes <input type="checkbox"/> EEA State: Registered Number:
	No <input checked="" type="checkbox"/>
Legal Status: (e.g. Company Partnership, etc)	LIMITED COMPANYY
Home Country: (the country where the headquarters of your business is located)	ENGLAND
Registered Address:	CLARENDON HOUSE SHENLEY ROAD BOREHAMWOOD HERTS
Postcode:	WD6 1AG

**PART 2 – Premises Details**

Premises name:	14
Premises address:	BASEMENT VICTORY HOUSE 14 LEICESTER SQUARE LONDON
Postcode:	WC2H 7NG
Premises telephone number:	0207 434 3034
Email:	cl-iana@14law.co.uk
Website address:	
Where the licence is for a vehicle, vessel or stall, state where it is used as a sexual entertainment venue:	N/A.

## PART 3 – Variation Details

State the nature of the proposed variation:

THE APPLICATION FOR VARIATION IS TO:

(1) ALLOW RELEVANT ENTERTAINMENT TO COMMENCE AT 17:00 (RATHER THAN 20:00) MONDAY-SUNDAY, AND BANK HOLIDAY SUNDAYS.

(2) EXTEND PERMITTED HOURS FOR RELEVANT ENTERTAINMENT FROM 03:00 TO 06:00 MONDAY-WEDNESDAY

**Amendment to hours for relevant entertainment:**

If the variation is to amend the hours for relevant entertainment, specify the proposed hours below:

Day:	Start:	Finish:
Monday	17:00	06:00
Tuesday	17:00	06:00
Wednesday	17:00	06:00
Thursday	17:00	06:00
Friday	17:00	06:00
Saturday	17:00	06:00
Sunday	17:00	03:00

SUNDAYS BEFORE BANK HOLIDAYS      17:00      06:00

**Amendment to condition attached to the licence / standard conditions**  
If the variation is to add / remove a condition (including standard conditions), state the condition and the reasons for adding / removing the condition below:

Condition:	Reason for adding / removing the condition:
<b>Please use a separate sheet if necessary</b>	

## PART 4 – Policy

Please refer to the Council's Statement of Licensing Policy for Sexual Entertainment Venues.

State how your variation application will promote the following licensing objectives:

**Prevention of crime and disorder:**

THE EXISTING CONDITIONS ON THE LICENCE ADDRESS THE LICENSING OBJECTIVES, IN ADDITION TO THE PREMISES LICENCE CONDITIONS

**Public safety:**

AS ABOVE

**Prevention of public nuisance:**

AS ABOVE

**Protection of children from harm:**

AS ABOVE

**Improvement in the character and function of the city, or areas of it:**

AS ABOVE

Please use a separate sheet if necessary

If your application is in conflict with any of the policies listed in the Statement of Licensing Policy, state why you believe an exception should be made in your particular circumstances:

Policy:	Reason for exception:
<b>Please use a separate sheet if necessary</b>	

## PART 5 – Convictions / Disqualifications

Have you, or any person named in or associated with this application, been convicted of any crime or offence?	
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If yes, please provide details on a separate sheet	
Have you been refused the renewal of a licence for this premises, vehicle, vessel or stall within the last 12 months?	
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If yes, has the refusal been reversed on appeal?	
Yes <input type="checkbox"/>	No <input type="checkbox"/>
Have you had a sex establishment licence revoked in Westminster within the last 12 months?	
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

## PART 6 - Checklist

Please tick as appropriate:

All relevant sections of the application form have been completed in full	<input checked="" type="checkbox"/>
Payment of the fee has been made in full (refer to Part 8 of this form)	<input checked="" type="checkbox"/>
Where the variation relates to a change of layout, a plan of the premises in accordance with the Rules of Procedure for Sexual Entertainment Venues has been included	<input checked="" type="checkbox"/>
The current licence has been returned with this application	<input checked="" type="checkbox"/>



## PART 7 - Declaration

APPLICANTS ARE WARNED THAT ANY PERSON WHO, IN CONNECTION WITH AN APPLICATION FOR THE VARIATION OF A LICENCE MAKES A FALSE STATEMENT WHICH HE KNOWS TO BE FALSE IN ANY MATERIAL RESPECT, OR WHICH HE DOES NOT BELIEVE TO BE TRUE, IS GUILTY OF AN OFFENCE AND LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING TWENTY THOUSAND POUNDS (£20,000).

I, NUMBER FOURTEEN (MANAGEMENT) LTD declare that the information given above is true and complete in every respect.

Signed	<i>LT Law AS</i>
Date:	<i>2/2/17</i>
Capacity:	<i>SOLICITOR FOR APPLICANT</i>

For joint applications:

Signed	
Date:	
Capacity:	

### Agent Details

Are you an authorised agent acting on behalf of the applicant?

Yes  No

If yes, please provide the following:

Agent name:	<i>LT LAW</i>
Agent Address:	<i>18 SOMO SQUARE LONDON</i>
Postcode:	<i>W1D 3QL</i>
Agent Telephone Number:	<i>0203 3755 5138</i>
Agent Email:	<i>lanata@l1law.co.uk</i>







## **Appendix 2 – Conditions**

### **Standard Conditions:**

1. Whilst Relevant Entertainment is taking place no person under the age of 18 shall be on the licensed premises and a clear notice to that effect shall be displayed at the entrance in a prominent position so that it can be easily read by persons entering the premises.
2. Whenever persons under the age of 18 are admitted to the premises there will be no promotional or other material on display within the premises which depicts nudity or partial nudity.
3. The licence or a clear copy shall be prominently displayed at all times so as to be readily and easily seen by all persons using the premises.
4. No provision of relevant entertainment, or material depicting nudity or relevant entertainment, shall be visible from outside the premises.
5. Menus and drinks price lists shall be clearly displayed at the front entrance of the club, reception area, tables and bar at such a position and size as to be easily read by customers. This price list shall show all consumable items and any minimum tariff including charges and fees applicable to Performers.
6. Except with the consent of the Licensing Authority, no advertisements of any kind (including placard, poster, sticker, flyer, picture, letter, sign or other mark) shall be inscribed or affixed at the premises, on the surface of the highway or on any building, structure, works, street furniture, tree or any other property or be distributed in the street to the public that advertises or promotes the relevant entertainment at the premises.
7. The licence holder or other person concerned in the conduct or management of the premises shall not seek to obtain custom by means of personal solicitation or touting, nor enter into any agreement with a third party to do so.
8. Adequate toilets, washing and changing facilities for use by the Performers shall be provided.
9. Either the licence holder or a named responsible person shall be present throughout the time the Relevant Entertainment takes place.
10. The premises will install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer that ensures all areas of the licensed premises are monitored including all entry and exit points will be covered enabling frontal identification of every person entering any light condition. All cameras shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period together with facilities for viewing.

11. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to the public and this staff member should be able to show Police recent data and footage with the absolute minimum of delay of the request.
12. An incident log shall be kept at the premises, and made available on request to the Licensing Authority or the Police, which will record the following:
  - (a) all crimes reported to the venue;
  - (b) all ejections of patrons;
  - (c) any complaints received;
  - (d) any incidents of disorder;
  - (e) seizures of drugs or offensive weapons;
  - (f) any faults in the CCTV system or searching equipment or scanning equipment;
  - (g) any refusal of the sale of alcohol;
  - (h) any visit by a relevant authority or emergency service;
  - (i) any breach of licence conditions reported by a Performer.
13. The licence holder shall produce a Code of Conduct setting out rules and obligations between the licence holder and performers whilst performing. All Performers shall sign the Code of Conduct in their proper name acknowledging that they have read, understood and are prepared to abide by the said Code of Conduct, and a copy so signed shall be retained by the licence holder and shall be readily available for inspection by the Police and/or authorised persons upon reasonable request.
14. Individual records shall be kept at the premises of the real names, stage names and addresses of all Performers working at the premises. The record will include either a copy of their birth certificate, current passport, EU driving licence or national identity card and shall be made immediately available for inspection by the Police and/or the Licensing Authority upon request.
15. Details of all work permits and/or immigration status relating to persons working at the premises shall be retained by the licence holder and be readily available for inspection by the Licensing Authority, a Police Officer or Immigration Officer.
16. Relevant entertainment shall be given only by Performers and the audience shall not be permitted to participate in the relevant entertainment.
17. There shall be no physical contact between Performers whilst performing.
18. Performers will not request or give out any telephone number, address or any other contact information from or to any customer. Any such information given by a customer shall be surrendered to the premises manager as soon as is practicable.
19. Relevant Entertainment shall take place only in the designated areas approved by the Licensing Authority as shown on the licence plan. Arrangements for access to the dressing room shall be maintained at all times whilst Relevant Entertainment is taking place and immediately thereafter.

20. Customers must remain fully clothed at all times. The Performer must not remove any of the customer's clothing at any time.
21. Where relevant entertainment is provided in booths, or other areas of the premises where private performances are provided, the booth or area shall not have a door or other similar closure, the area shall be constantly monitored by CCTV, and access to the booth or other area shall be adequately supervised.
22. Whenever Relevant Entertainment is being provided there shall be no physical contact between Performers and customers or between customers and Performers except for the exchanging of money or tokens at the beginning or conclusion of the performance and only for the purpose of that performance. Clearly legible notices to this effect shall clearly be displayed in each private booth and in any performance area.
23. Performers must redress fully immediately after each performance.

**Additional Conditions:**

24. The maximum number of persons accommodated at any one time (excluding staff) shall not exceed the following:
  - (1) Capacity of 250 (customers) until 2.00am
  - (2) Capacity of 200 (customers) from 2.00am to 3.30am
  - (3) Capacity of 100 (customers) from 3.30am until closing time
25. All seating shall consist of tables and chairs arrangements and there shall be no cinema style seating.
26. SIA licensed security shall be posted in the parts of the premises where striptease / table / lap dancing is taking place.
27. All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device.
28. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
29. Curtains and hangings shall be arranged so as not to obstruct emergency signs.
30. 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.
31. 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.

32. All exit doors shall be available at all material times without the use of a key, code, card or similar means.
33. Any special effects or mechanical installations shall be arranged and stored so as to minimise any risk to the safety of those using the premises. The following special effects will only be used on 10 days prior notice being given to the Licensing Authority where consent has not previously been given.
- i. Pyrotechnics including fire works
  - ii. Firearms
  - iii. Lasers
  - iv. Explosives and highly flammable substances
  - v. Real flame
  - vi. Strobe lighting
34. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
35. No Relevant Entertainment shall take place at the premises until the premises has been inspected to the satisfaction of the Licensing Service and Environmental Health Department.
36. After 21.00 hours a log shall be maintained to ensure that the capacity limit set for the premises is recorded hourly and can be properly monitored. Information regarding the capacity will be given to an authorised officer or Police Officer on request.
37. The certificates listed below shall be submitted to the Licensing Authority upon written request.
- Any emergency lighting battery or system
  - Any electrical installation
  - Any emergency warning system
38. No person shall give at the premises any exhibition, demonstration or performance of hypnotism, mesmerism or any similar act or process which produces or is intended to produce in any other person any form of induced sleep or trance in which susceptibility of the mind of that person to suggestion or direction is increased or intended to be increased.
- NOTE: (1) This rule does not apply to exhibitions given under the provisions of Section 2(1A) and 5 of the Hypnotism Act 1952.
39. Door staff shall be employed at all times when the premises are open for licensable activity. There shall be a minimum of two door supervisors to be employed at the entrance of the premises after 8pm. All door supervisors at the entrance to wear high visibility jackets.



Current Premises Licence**City of Westminster**

64 Victoria Street, London, SW1E 6QP

Schedule 12  
Part AWARD: St James's  
UPRN: 010033537371

Premises licence

Regulation 33, 34

Premises licence number:

16/03358/LIPCH

Original Reference:

13/01385/LIPN

**Part 1 – Premises details****Postal address of premises:**

14  
Basement  
Victory House  
14 Leicester Square  
London  
WC2H 7NG

**Telephone Number:** Not Supplied**Where the licence is time limited, the dates:**

Not applicable

**Licensable activities authorised by the licence:**

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

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

Sunday to Wednesday: 20:00 to 03:00  
Thursday to Saturday: 20:00 to 06:00  
Sundays before Bank Holidays: 20:00 to 06:00  
Non-standard Timings: See condition 67

**Exhibition of a Film**

Sunday to Wednesday: 20:00 to 03:00  
Thursday to Saturday: 20:00 to 06:00  
Sundays before Bank Holidays: 20:00 to 06:00  
Non-standard Timings: See condition 67

**Performance of Live Music**

Sunday to Wednesday: 20:00 to 03:00  
Thursday to Saturday: 20:00 to 06:00  
Sundays before Bank Holidays: 20:00 to 06:00  
Non-standard Timings: See condition 67

**Playing of Recorded Music**

Sunday to Wednesday:	20:00 to 03:00
Thursday to Saturday:	20:00 to 06:00
Sundays before Bank Holidays:	20:00 to 06:00

Non-standard Timings: See condition 67

**Late Night Refreshment**

Sunday to Wednesday:	23:00 to 03:00
Thursday to Saturday:	23:00 to 05:00
Sundays before Bank Holidays:	23:00 to 05:00

Non-standard Timings: See condition 67

**Sale by Retail of Alcohol**

Monday to Saturday:	20:00 to 03:00
Sunday:	20:00 to 00:30
Sundays before Bank Holidays:	20:00 to 03:00

Non-standard Timings: See condition 67

**The opening hours of the premises:**

Monday to Wednesday:	20:00 to 03:30
Thursday to Saturday:	20:00 to 06:00
Sunday:	20:00 to 03:00
Sundays before Bank Holidays:	20:00 to 06:00

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

Alcohol is supplied for consumption on the Premises.

**Part 2****Name, (registered) address, telephone number and email (where relevant) of holder of premises licence:**

Number Fourteen (Management) Limited  
Clarendon House  
Shenley Road  
Borehamwood  
Hertfordshire  
England  
WD6 1AG  
*Telephone Number : 020 7025 8332 (LT Law)*

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

08412058

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

**Name:** Mr Kenneth Ralph Favel

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

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

**Licence Number:** 00719

**Licensing Authority:** London Borough Of Ealing

**Date:** 05.04.2016

**This licence has been authorised by David Sycamore on behalf of the Director - Public Protection and Licensing.**

## Annex 1 – Mandatory conditions

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

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

7. The responsible person must ensure that—

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

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

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

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

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

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

Where -

- (i) P is the permitted price,
  - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
  - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
- (i) the holder of the premises licence,

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

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

None

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

11. The sale of intoxicating liquor shall be ancillary to the provision of striptease entertainment.
12. Any person permitted to temporarily leave and then re-enter the premises, eg to smoke, shall not be permitted to take drinks or glass containers with them
13. There shall be a personal licence holder on duty on the premises at all times when the premises are authorised to sell alcohol.
14. The premises are not be used by any outside promoters save those that give the Metropolitan Police 14 days notice and the Police to have absolute veto.
15. Alcohol shall not be sold for consumption off the premises.
16. The supply of alcohol at tables shall be by waiter/waitress service only.
17. There shall be no draught beers sold at the premises.
18. All seating shall consist of tables and chairs arrangement and there shall be no cinema style seating.
19. Door staff shall be employed at all times when the premises are open for licensable activity. There shall be a minimum of two door supervisors to be employed at the entrance of the premises from 8pm. All door supervisors at the entrance to wear high visibility jackets.
20. All public areas of the premises shall be sufficiently illuminated to afford SIA registered supervisors a clear view of the dancers.
21. The premises management will become members and actively participate in a pub watch scheme (or similar) if one is operating in the area of the premises.
22. There shall be no dancing by customers.
23. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer of the City Council throughout the preceding 31 day period.
24. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public. This staff member shall be able to show Police recent data or footage with the absolute minimum of delay when requested.
25. A sound limiting device located in a separate and remote lockable cabinet from the volume control shall be fitted to any musical amplification system and set at a level determined by and to the satisfaction of an authorised officer of the Environmental Health Service to ensure that no noise nuisance is caused to local residents. The operational panel of the noise limiter shall then be secured to the satisfaction of officer from the Environmental Health Service. The keys securing the noise limiter cabinet shall be held by the licence holder or authorised manager only, and shall not be accessed by any other person. The limiter shall not be altered without prior agreement with the Environmental Health Service.



26. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
27. Loudspeakers shall not be located in the entrance lobby or outside the premises building.
28. All external doors shall be kept closed after (21:00) hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons.
29. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly
30. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
31. No waste or recyclable materials, including bottles, shall be moved, removed or placed in outside areas between (23.00) hours and (08.00) hours.
32. The highway and public spaces in the vicinity of the premises shall be kept free of litter from the premises at all material times to the satisfaction of the Council. All litter and sweepings shall be collected and stored in accordance with the approved refuse storage arrangements.
33. A log shall be kept detailing all refused sales of alcohol. The log should include the date and time of the refused sale and the name of the member of staff who refused the sale. The log 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.
34. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following:
  - (a) all crimes reported to the venue
  - (b) all ejections of patrons
  - (c) any complaints received
  - (d) any incidents of disorder
  - (e) all seizures of drugs or offensive weapons
  - (f) any faults in the CCTV system or searching equipment or scanning equipment
  - (g) any refusal of the sale of alcohol
  - (h) any visit by a relevant authority or emergency service.
35. Any special effects or mechanical installations shall be arranged and stored so as to minimise any risk to the safety of those using the premises. The following special effects will only be used on 10 days prior notice being given to the Licensing Authority where consent has not previously been given.
  - o dry ice and cryogenic fog
  - o smoke machines and fog generators
  - o pyrotechnics including fire works
  - o firearms
  - o lasers
  - o explosives and highly flammable substances.
  - o real flame.
  - o strobe lighting.
36. The licence holder shall enter into an agreement with a hackney carriage and/or private hire firm to provide transport for customers, with contact numbers made readily available to customers who will be encouraged to use such services.

37. All emergency doors shall be maintained effectively self closing and not held open other than by an approved device.
38. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
39. Curtains and hangings shall be arranged so as not to obstruct emergency signs.
40. 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.
41. 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.
42. All exit doors shall be available at all material times without the use of a key, code, card or similar means.
43. The Licence will have no effect until the Licensing Authority are satisfied that the premises is constructed or altered in accordance with the appropriate provisions of the District Surveyor's Association - Technical Standards for Places of Entertainment and the reasonable requirements of Westminster Environmental Health Consultation Team, at which time this condition will be removed from the Licence.
44. Before the premises opens to the public, the plans as deposited will be checked by the Environmental Health Consultation Team to ensure they are an accurate reflection of the premises constructed. Where the premises layout has changed during the course of construction new plans shall be provided to the LFEPA, Environmental Health Consultation Team, the Police and the Licensing Authority.
45. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall be limited to five (5) persons at any one time.
46. Performers/Dancers permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall be limited to two (2) persons at any one time.
47. An attendant shall be on duty in the cloakroom during the whole time that it is in use.
48. The maximum number of persons accommodated at any one time (excluding staff) shall not exceed the following:
  - a) Capacity of 250 (customers) until 2.00am
  - b) Capacity of 200 (customers) from 2.00am to 3.30am
  - c) Capacity of 100 (customers) from 3.30am until closing time
49. There shall be no new admittance or re-admittance to the premises after 02.30 hours save for persons temporarily leaving to smoke.
50. After 21.00 hours a log shall be maintained to ensure that the capacity limit set for the premises is recorded hourly and can be properly monitored. Information regarding the capacity will be given to an authorised officer or Police Officer on request.
51. A challenge 21 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.

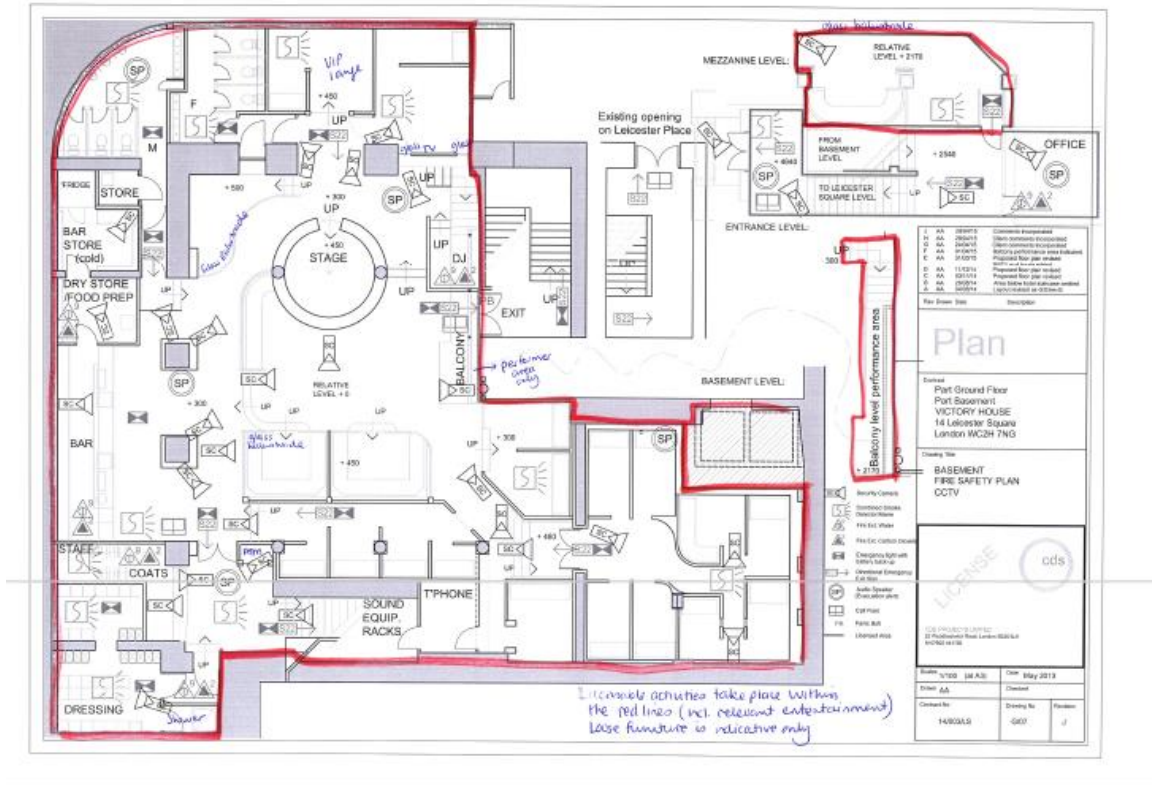
52. Substantial food and non-intoxicating beverages, including drinking water, shall be available during the whole of the permitted hours in all parts of the premises where intoxicants are provided.
53. No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device.
54. All external doors shall be kept closed after 21.00 hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons.
55. The certificates listed below shall be submitted to the Licensing Authority upon written request.
  - a) Any emergency lighting battery or system
  - b) Any electrical installation
  - c) Any emergency warning system
56. Flashing or particularly bright lights on or outside the premises shall not cause a nuisance to nearby properties (save insofar as they are necessary for the prevention of crime).
57. No person shall give at the premises any exhibition, demonstration or performance of hypnotism, mesmerism or any similar act or process which produces or is intended to produce in any other person any form of induced sleep or trance in which susceptibility of the mind of that person to suggestion or direction is increased or intended to be increased.

NOTE: (1) This rule does not apply to exhibitions given under the provisions of Section 2(1A) and 5 of the Hypnotism Act 1952.
58. All staff engaged outside the entrance to the premises, or supervising or controlling queues, shall wear high visibility yellow jackets or vests.
59. No advertisements of any kind (including placard, poster, sticker, flyer, picture, letter, sign or other mark) that advertises or promotes the establishment, its premises, or any of its highway, or upon any building, structure, works, street furniture, tree, or any other property, or be distributed to the public.
60. There shall be no payment made by or on behalf of the licence holder to any person for bringing customers to the premises.
61. No person on behalf of the premises or on behalf of a person carrying or attempting to carry on a licensable activity at the premises shall cause, permit, employ or allow, directly or indirectly through a third party, whether on payment or otherwise, any person(s) to importune, solicit or tout members of the public on any public highway within the specified area outlined below for the purpose of bringing customers to the premises.

For the purposes of this condition, 'Specified Area' means the area encompassed within Shaftesbury Avenue, Piccadilly Circus, Regent Street up to the junction with Pall Mall, Cockspur Street, Trafalgar Square, Strand up to the junction with Bedford Street, Garrick Street, Great Newport Street and Charing Cross Road to the junction of Shaftesbury Avenue.
62. Tea and coffee to be provided without charge for patrons (on request) between 03:00 and closing time.
63. SIA security shall monitor/supervise all areas of the premises where striptease/table/lap dancing is taking place

64. In addition to conditions [45] above, patrons will have a designated smoking area, which shall be supervised by a SIA door supervisor
65. The premises shall become members of and participate in the Safer West End Business Crime Reduction Partnership/ radio scheme, or such similar scheme that may be operating at any time
66. Door supervisors shall remain on duty to supervise the area immediately outside the premises until at least 15 minutes after the last patron has left the premises
67. When the hours authorised by this licence extends beyond 1am, then in relation to the morning on which British Summer Time begins, the hours shall be extended by 1 hour after the authorised hour on the licence.

Annex 4 – Plans





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

Schedule 12  
Part B

WARD: St James's  
UPRN: 010033537371

Premises licence  
summary

Regulation 33, 34

Premises licence number:

16/03358/LIPCH

**Part 1 – Premises details**

**Postal address of premises:**

14  
Basement  
Victory House  
14 Leicester Square  
London  
WC2H 7NG

---

**Telephone Number:** Not Supplied

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

Not applicable

**Licensable activities authorised by the licence:**

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

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

**Performance of Dance**

Sunday to Wednesday:	20:00 to 03:00
Thursday to Saturday:	20:00 to 06:00
Sundays before Bank Holidays:	20:00 to 06:00
Non-standard Timings: See condition 67	

**Exhibition of a Film**

Sunday to Wednesday:	20:00 to 03:00
Thursday to Saturday:	20:00 to 06:00
Sundays before Bank Holidays:	20:00 to 06:00
Non-standard Timings: See condition 67	

**Performance of Live Music**

Sunday to Wednesday:	20:00 to 03:00
Thursday to Saturday:	20:00 to 06:00
Sundays before Bank Holidays:	20:00 to 06:00

Non-standard Timings: See condition 67

**Playing of Recorded Music**

Sunday to Wednesday:	20:00 to 03:00
Thursday to Saturday:	20:00 to 06:00
Sundays before Bank Holidays:	20:00 to 06:00

Non-standard Timings: See condition 67

**Late Night Refreshment**

Sunday to Wednesday:	23:00 to 03:00
Thursday to Saturday:	23:00 to 05:00
Sundays before Bank Holidays:	23:00 to 05:00

Non-standard Timings: See condition 67

**Sale by Retail of Alcohol**

Monday to Saturday:	20:00 to 03:00
Sunday:	20:00 to 00:30
Sundays before Bank Holidays:	20:00 to 03:00

Non-standard Timings: See condition 67

**The opening hours of the premises:**

Monday to Wednesday:	20:00 to 03:30
Thursday to Saturday:	20:00 to 06:00
Sunday:	20:00 to 03:00
Sundays before Bank Holidays:	20:00 to 06:00

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

Alcohol is supplied for consumption on the Premises.

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

Number Fourteen (Management) Limited  
Clarendon House  
Shenley Road  
Borehamwood  
Hertfordshire  
England  
WD6 1AG

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

08412058

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

**Name:** Mr Kenneth Ralph Favel

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

Prohibited

**Date:** 05.04.2016

**This licence has been authorised by Mr David Sycamore on behalf of the Director -  
Public Protection and Licensing.**





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

28th February 2017

To whom it may concern,

My name is Terry Price and I am writing this letter in support of the club named 14 LSQ for their application for a variation of the Premises Licence and SEV, 14 LSQ is located at 14 Leicester Square, London WC2H 7NG

-SEV reference is 17/01156/LISEVV  
-PL reference is 17/01159/LIPV

We have no objections to 14LSQ's application. There have been no concerns raised with its day to day trading. There is always a friendly, welcoming presence out front with the added support of security within our local area.

It is not unknown that security issues with previous venues trading in our area in the past, however, there has been a significant improvement on this since 14LSQ has become a part of the community. Safety in our area is of the utmost importance and ensuring all businesses have a positive influence on this. I am happy to say that 14 LSQ has had a positive impact on that and also secured a safety not just within its venue but as part of the community as well.

Since opening 14 LSQ has become a very established part of our community, we will endeavour to continue our growing relationship and support

Yours sincerely,

T PRICE,

T PRICE

## APPENDIX C2



Licensing Service  
4<sup>th</sup> Floor  
Westminster City Hall  
64 Victoria Street  
London  
SW1E 6QP

22nd February 2017

Dear Sir/Madam,

I am the CEO of the Hippodrome Casino and I write this letter for the club named 14LSQ located at 14 Leicester Square, London WC2H 7NG, in support of their application for a variation of the Premises Licence and SEV

-SEV reference is 17/01156/LISEVV

-PL reference is 17/01159/LIPV

I have visited the club on a couple of occasions and was very impressed with the quality of the operation. It was clear to me how professionally run 14 LSQ was.

Their General Manager told me they were going to apply for longer opening hours, and asked me to write to you with my views on their proposal to change the opening hours to last admissions at 4am and closing the bar/club at 6 am (with the opening time of 5pm).

When they make this application, I will be very happy to support it.

I have observed their operation and its impact on the area since it opened 13 months ago and can confirm my views are wholly positive.

I have not experienced, or had reports of anything detrimental about the club, and have only heard positive things from my security, staff and customers. Despite their entrance being very low key, the extra overt security in the entrance is welcome, as is the CCTV coverage adding to the general feeling of security in the area. I often pass the club en route home in the early hours and have never seen an issue, but rather have been comforted by the extra activity and security from the club. It is a welcome contrast to the club that was there before.

I see their opening hours to be a positive for the square with their security enhancing the area and would not expect longer opening hours to have any negative effects.

Your sincerely,

Simon Thomas

Chief Executive  
The Hippodrome Casino

LEICESTER SQUARE, LONDON WC2H 7JH  
**HIPPODROMECASINO.COM**

Registered in England and Wales: Hippodrome Casino Limited, Cranbourn Street, Leicester Square, London. WC2H 7JH.  
Reg. No: 05497987 VAT No: 924 3616 30

**Mr Fadil Maqedonci**  
**5 Irving Street**  
**Leicester Square**  
**London**  
**WC2H 7AT**

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

4th February 2017

Dear Sir/Madam

RE: 14 Leicester Square, London WC2H 7NG- 17/01156/LISEVV and 17/01159/LIPV

I am writing this letter in support of the applications for variations for 14 LSQ (their SEV and premises licence).

As a resident in Leicester Square for the past 15 years, in my opinion 14 LSQ is now very much a part of the established responsible Leicester Square night life. It is a professionally run operation that causes no problem to us residents and it does not adversely affect the character of the area. There is no signage depicting the nature of the premises outside and the premises is extremely low key in terms of any impact in the area. There are no big queues like other clubs, there are no noise concerns and there are no crime and disorder concerns. The security men, lighting and having the operation running, in fact, provides added security and peace for the residents in the area, which is a big positive.

I am aware the premises currently trades to 6am Thursdays to Saturdays and they are seeking an extension until 6am, from 3am, Mondays to Wednesdays as part of their variations. Given the nature of their operation on Thursdays to Saturdays, which are the busier days of the week, and those days causing no issue at all for the residents, I have no concerns at all with the proposed extension of hours on Mondays to Wednesdays.

I believe the premises should be encouraged and have no objection whatsoever to 14 LSQ being granted its variations as applied for.

Fadil Maqedonci





T: 020 7439 3822  
E: [info@ccc.org.uk](mailto:info@ccc.org.uk) W: [www.ccc.org.uk](http://www.ccc.org.uk)  
A: 2 Leicester Court, London WC2H 7DW



Licensing Services

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

22nd February 2017

Dear Sir/Madam

I am writing in support of the applications for a variation of the Premises Licence and SEV for 14LSQ located at 14 Leicester Square, London WC2H 7NH

SEV reference is 17/01156/LISEVV

PL reference is 17/01159/LIPV

I believe that 14LSQ is an entertainment club similar to the Stringfellows in St Martins Lane which attracts thousands of customers and visitors to the area. It is certainly beneficial to our night time economy. As I have met the manager and some of the ladies in the club when they helped us as volunteers at our fund raising event, I feel that it is a professionally run operation which causes no problems.

The venue is non-threatening to the public and the entrance to the club is fairly anonymous.

I understand that the club is keeping a good working relationship with the Police and the Council and I hope this letter will be taken into strong consideration for their application.

Yours faithfully

Christine Yau MBE

Chairman

*Patron:* Lady YOUDE  
Chairman: Christine YAU MBE  
Vice Chairman & Hon. Secretary: Hanue CHAN

Registered Charity Number: 297742  
Company Limited by Guarantee  
Registration Number: 2149909

Licensing Service  
4<sup>th</sup> Floor  
Westminster City Hall  
64 Victoria Street  
London  
SW1E 6QP



22nd February 2017

To whom It may concern,

My name is Clare Wallace and I am the Store Director at The Nickelodeon Store and I write this letter for the club named 14LSQ in support of their application for a variation of the Premises Licence and SEV. 14 LSQ is located at 14 Leicester Square, London WC2H 7NG

-SEV reference is 17/01156/LISEVV

-PL reference is 17/01159/LIPV

Since 14LSQ has started trading they have become very much a part of the Leicester Square community, supporting all businesses and most importantly the safety of the area.

14LSQ is an asset to the area and there are no concerns in a variation of their operating hours or them trading within the local vicinity.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Clare Wallace', written over a white background.

Clare Wallace



LEICESTER SQUARE  
ASSOCIATION

14/17 of 14 Cheating Cross Road, London, WC2H 7NG  
02074634166/02074634167

Westminster City Council  
Licensing Services  
4th Floor  
Westminster City Hall  
64 Victoria Street  
SW1E 6QP

**28th February 2017**

Dear Sirs

**Re: Application for a variation of the Premises Licence and SEV, 14 LSQ is located at 14 Leicester Square, London WC2H 7NG**

-SEV reference is 17/01156/LISEVV  
-PL reference is 17/01159/LIPV

**14 LSQ has become a part of the Leicester Square night time economy, it is a professionally run operation that causes no problems and does not adversely affect the character of the area. Therefore I have no personal objection to the extension of its opening hours.**

Yours sincerely

A handwritten signature in black ink, appearing to read 'Colin M Bennett', written in a cursive style.

Colin M Bennett

Chairman, Leicester Square Association

Licensing Service  
4<sup>th</sup> Floor  
Westminster City Hall  
64 Victoria Street  
London  
SW1E 6QP

Dear Sir/Madam,

My name is Dale Perkins and I am the General Manager at Zoo Bar & Club and I write this letter for the club named 14 LSQ in support of their application for a variation located at 14 Leicester Square, London WC2H 7NG.


14 LSQ has been trading for the last 13 months and I know from my customers, my staff that it is a professionally run operation and from my own personal experiences when I have frequented the club, the atmosphere and environment of the club has always seemed very warm, welcoming and friendly. It has always had a large cross section of patrons whenever I have visited the club consisting of males and females which I would say where of a profession manner.

I find the venue completely non-threatening and you would not know what activity takes place within these premises as its very low key. It is a vast improvement on the previous Night Club that was in operation before 14 LSQ took over the building.

I strongly believe that 14 LSQ does not adversely affect the character of the local area but actually helps by supplying a need that wasn't there before.

I very much hope this letter is taken strongly into consideration in support of the application.

Yours sincerely,

 - 22/2/2017

Dale Perkins



22nd February 2017

To whom it may concern,

My name is ILIR RROKU and I am writing this letter to state that I have no objections to the application for a variation of the Premises Licence and SEV for 14 LSQ located at 14 Leicester Square, London WC2H 7NG

-SEV reference is 17/01156/LISEVV

-PL reference is 17/01159/LIPV

Being in such close proximity we have a loose working relationship and we believe the venue has not got an effect on our custom neither positive nor negative.

The main operating hours do not affect or cause conflict with our usual trading hours, in fact they run in sync with us.

The security are always monitoring the area in front of their door and do a very good job stopping any trouble within their vicinity. Since they have traded the level of disturbances has been drastically reduced, in comparison to the nightclub that was previously in its place which caused various within the surrounding area.

Yours sincerely,

ILIR RROKU  
General Manager  
Chiquito  
20-21 Leicester Square  
London

WC2H 7LE





24<sup>th</sup> February 2017

Licensing Services  
4th Floor  
Westminster City Hall  
64 Victoria Street  
SW1E 6QP

Dear Sir/Madam,

**Re: SEV reference is 17/01156/LISEVV & PL reference is 17/01159/LIPV**

I'm writing on behalf of Heart of London Business Alliance, which was established in 2001, becoming the first central London Business Improvement District (BID) in 2005. We operate a total of four BIDs; two which represent 500 businesses in the Piccadilly & St James's and Leicester Square to Piccadilly Circus areas.

This letter is to support the club named 14 LSQ in support of their application for a variation of both premises license and SEV, located at 14 Leicester Square, London WC2H 7NG.

14 LSQ engaged with us many months before they opened, and attended various meetings to introduce themselves to the local business and residential community. They have been trading for the last 13 months and in our experiences it is clear that they are a professionally run operation, with a responsible and approachable management team.

In my opinion 14 LSQ is very much a part of the established Leicester Square night time economy, it is a professionally run operation that causes no problems and does not adversely affect the character of the area, the entrance to the venue is fairly anonymous, and you would not know what activity takes place within the premises as it is very low key. They have never flagged on any crime statistics and I've not had any negative or crime related discussions with any Police or Council representatives about this venue.

I very much hope this letter is taken strongly into consideration in support of the application.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'Rico Pieri', written over the 'Yours sincerely,' text.

Rico Pieri  
Business Resilience & Night Time Management  
Heart of London Business Alliance

Heart of London Business Alliance  
14 Piccadilly  
London W1A 0DT

020 7734 4007  
info@heartoflondonbid.co.uk

www.heartoflondonbid.co.uk  
www.piccadillystjames.london  
www.leicestersquare.london

## Updated Letter of Support from Heart of London Business Alliance

Heart of  
**LONDON**  
Business Alliance  
West End Business Improvement District

7<sup>th</sup> April 2017

Licensing Services  
4th Floor  
Westminster City Hall  
64 Victoria Street  
SW1E 6QP

Dear Sir/Madam,

**Re: SEV reference is 17/01156/LISEVV & PL reference is 17/01159/LIPV**

I'm writing on behalf of Heart of London Business Alliance, which was established in 2001, becoming the first central London Business Improvement District (BID) in 2005. We operate a total of four BIDs; two which represent 500 businesses in the Piccadilly & St James's and Leicester Square to Piccadilly Circus areas.

This letter is to support the club named 14 LSQ in support of their application for a variation of both premises license and SEV, located at 14 Leicester Square, London WC2H 7NG.

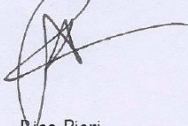
14 LSQ engaged with us many months before they opened, and attended various meetings to introduce themselves to the local business and residential community. They have been trading for the last 13 months and in our experiences it is clear that they are a professionally run operation, with a responsible and approachable management team.

In my opinion 14 LSQ is very much a part of the established Leicester Square night time economy, it is a professionally run operation that causes no problems and does not adversely affect the character of the area, the entrance to the venue is fairly anonymous, and you would not know what activity takes place within the premises as it is very low key. If they were to open earlier in the evening, from 5pm, I see no issues as there are families in the area up to and sometimes beyond midnight, especially in the summer months and Christmas due to the offerings in the area. Another venue that they operate, Platinum Lace, has in the past, operated from 3pm and has not caused any issues or concerns as they are a responsible operator. There is no material depicting nudity or relevant entertainment visible outside the premises.

Finally, they have never flagged on any crime statistics and I have not had any negative or crime related discussions with any Police or Council representatives about this venue.

I very much hope this letter is taken strongly into consideration in support of the application.

Yours sincerely,



Nico Pieri  
Business Resilience & Night Time Management  
Heart of London Business Alliance

Heart of London Business Alliance, Sackville House, 40 Piccadilly, London, W1J 0DR  
T: 020 7734 4507 E: info@heartoflondonbid.co.uk  
Registered in England No. 04293930 VAT No. 782804116

[www.heartoflondonbid.london](http://www.heartoflondonbid.london)  
[www.piccadillystjames.london](http://www.piccadillystjames.london)  
[www.leicestersquare.london](http://www.leicestersquare.london)



Operations Office  
25 Albermarle Street- London W1S 4HU  
Email info@restaurantdivision.co.uk

Licensing Service  
4<sup>th</sup> Floor  
Westminster City Hall  
64 Victoria Street  
London  
SW1E 6QP

25/02/2017

Dear Sir/Madam,

My name is Fabrice Berenguer and I am the Manager at Angus Steak House Leicester Square and I write this letter for the club named 14 LSQ in support of their application for a variation located at 14 Leicester Square, London WC2H 7NG.

14 LSQ has been trading for the last 13 months and we know from customers, locals and our own staff experiences that it is a professionally run operation and from my own personal experiences when I have frequented the club, the atmosphere and environment of the club has always seemed very warm, welcoming and friendly.

I find the venue completely non-threatening and you would not know what activity takes place within these premises as it's so low key.

I strongly believe that 14 LSQ does not adversely affect the character of the local area.

SEV reference: 17/01156/LISEVV

PL reference : 17/01159/LIPV

I very much hope this letter is taken strongly into consideration in support of the application.

Yours sincerely,

Fabrice Berenguer  
Manager

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

London Theatre Bookings  
1, Cranbourn Alley  
London  
WC2H 7AW

22nd February 2017

Licensing Service  
4<sup>th</sup> Floor  
Westminster City Hall  
64 Victoria Street  
London  
SW1E 6QP

Dear Sir/Madam,

My name is Micheal Sanders and I am Shops Manager for London Theatre Bookings.

I am writing this letter for the application for a variation for 14 LSQ located at 14 Leicester Square, London WC2H 7NG , in support of their application for a variation of the Premises Licence and SEV

-SEV reference is 17/01156/LISEVV

-PL reference is 17/01159/LIPV

Since opening here have been no concerns raised with its day to day trading. It is a professionally run operation that causes no problems and does not adversely affect the character of the area. There is always a friendly, welcoming presence out front with the added support of security within our local area.

It is not unknown that security issues with previous venues trading in our area in the past, however, there has been a significant improvement on this since 14LSQ has become a part of the community. Safety in our area is of the utmost importance and ensuring all business have a positive influence on this. I am happy to say that 14 LSQ has had a positive impact on that and also secured a safety not just within its venue but as part of the community as well.

Since opening 14LSQ has become a very established part of our community and we hope to continue our growing relationship and support,

Yours sincerely,

  
Micheal Sanders

**LICENSING SUB-COMMITTEE No. 1***Wednesday 24 April 2013*

Membership: Councillor Audrey Lewis (Chairman), Councillor Nicholas Evans and Councillor Andrew Havery

Legal and Policy Adviser: Harjinder Bhela  
Committee Officer: Jonathan Deacon

Relevant Representations: Objecting to application - Metropolitan Police Service, the Licensing Service, the Environmental Health Service, 1 local association and 1 local business.  
Letters of support from local businesses, local workers and customers of the Platinum Lace chain.  
Licensing Inspectors have requested an additional conditions relating to door supervisors.

Present: Mr Philip Kolvin QC (representing the Applicant), Ms Lana Tricker (on behalf of Applicant), Mr Simon Warr (Director, Applicant Company), Mr Les Pierce (Operations Manager) and Mr Kenny Favel (Designated Premises Supervisor and Manager at Platinum Lace), Mr David Matthias QC (representing the Licensing Service), Mr Kerry Simpkin (Licensing Service), Mr James Rankin (Barrister, representing Metropolitan Police), PC Sandy Russell (Metropolitan Police) and Mr Ian Watson (Environmental Health).

**Koru, Victory House, 14 Leicester Square, WC2  
13/01361/LISEVN**

**Application:**

An application for a new sexual entertainment venue ('SEV') premises licence to provide striptease, pole dancing and table dancing including full nudity with opening hours of 20:00 to 03:00 hours Sunday to Wednesday and 20:00 to 06:00 on Thursday to Saturday and Sundays before Bank Holidays.

Amendments to application advised at hearing:

None.

Decision (including reasons if different from those set out in report):

The Chairman of the Sub Committee announced her intention to hear the SEV and Premises licence applications separately, as they raise different legal and policy

considerations. Mr Kolvin however made the submission that both applications be heard together, and in the absence of objection from any other party, Members of the Sub Committee agreed this approach, and decided to defer the decision making process until after the hearing had concluded. The decision and reasons of the decision would be provided to the relevant parties within 5 working days.

The Members of the Sub-Committee gave careful consideration to the application and granted the application, subject to the conditions set out below. The Sub-Committee considered that the Applicant was committed to taking the necessary measures to promote the aims and objectives of the Council's SEV policy.

The Sub-Committee noted that the Applicant had taken measures to prevent an adverse impact on the character and function of Leicester Square. Mr Kolvin and his client, Mr Warr, provided drawings which demonstrated that the only lettering on the front door of the premises would be '14 Leicester Square'. Mr Kolvin emphasized that there would be no indication that there was a SEV at the premises. There would be no images on the frontage of the venue, sexual or otherwise. The premises would not be used before 20:00 hours and when licensable activity took place after that time, the door would be kept shut except for access or egress. There would be no touting or leafleting. As with Platinum Lace, and given that these premises are smaller, there would be no queuing. There would be no drinking outside. The premises had a policy to minimise the effects of patrons and performers smoking outside. The number of customers smoking would be restricted to 5 at any one time and they would be supervised. There would be no performers on Leicester Square and if they wished to smoke, their number would be limited to 2 at any one time and they would smoke at the side (in Leicester Place), separate from customers. The performers would be fully dressed in the street and wear an overcoat. Access to the designated smoking area would be restricted to the performers, and supervised by a member of the security (as set out in the smoking policy). The SIA qualified door staff were also trained in house to reduce any potential for incidents outside the premises. SIA staff would supervise the area immediately outside the premises until at least 15 minutes after the last patron has left the premises. A significant investment of £1m had been spent on the renovation of the premises so that the building would not have an adverse impact on the locality. CCTV at the premises would be of a similarly high standard to that in Platinum Lace.

Mr Kolvin stated that there was a dispersal policy in place to limit the impact on Leicester Square. It was proposed that the capacity would be 250 customers until 02:00 hours and then reduced to 200 from 02:00 to 03:30 hours and reduced again to 100 from 03:30 hours until closing time. A record had been kept of the low numbers that were remaining at the end of the evening at Platinum Lace which demonstrated that there would not be a mass exodus of customers. There was also a proposed taxi policy in place. Staff at Koru would book taxis for customers; this service would be discounted by the premises. Staff would direct customers to the NCP car park in Newport Street where the taxis would be waiting.

The Sub-Committee fully appreciated the point made by Mr Matthias, representing the Licensing Service, that Leicester Square was an iconic location. However, Members did not accept that granting the application would be inappropriate or would change the character of the locality given the low impact of what was proposed at

Koru. Mr Matthias referred to the implementation of the Leicester Square Action Plan and its aspiration for the area to be more family friendly and welcoming. There was for instance, al-fresco dining at Bella Italia directly opposite, cinemas, restaurants and hotels in the Square catering for all generations, and was a popular family and tourist destination. He submitted that this aspiration had been achieved, with the Council completing a £15M re-development of the Square. It was not appropriate having regard to the feel and character of the Square, its new image, the use of premises in the vicinity, for a SEV to be opened here. The venue was also within 50 yards from the church of Notre Dame de France. The Sub-Committee noted and accepted Mr Kolvin's comment that there was a mix of business uses in Leicester Square, with a day time and night time economy. There were some family uses such as M&Ms, the cinema or Haagen Dazs combining with betting offices, casinos and a burlesque licence in The Hippodrome. With the Applicant having taken steps so that the operation at Koru would not be viewed by young people or those coming or going from the Notre Dame de France church and as it would not open until 20:00 hours, it was not considered that in granting this application the Action Plan would be significantly impaired.

The Sub-Committee accepted Mr Kolvin's point that Metra had had a far greater adverse impact on Leicester Square than Koru was likely to have. The Sub-Committee noted Mr Kolvin's reference to 2.1.9 of the Council's SEV policy that 'the council appreciates that premises providing sexual entertainment have generally been well managed and operated, and that operators have built up valuable knowledge and experience under the licensing regimes which have operated in Westminster'. Evidence from Chief Inspector Adrian Studd to the Culture, Media and Sport Select Committee had been that there was no evidence of crime and disorder at SEV and that they were well run with high staff to customer ratios and the clientele did not drink excessively.

A key element of Mr Kolvin's submissions was that Mr Warr and the proposed management for Koru were also responsible for operating Platinum Lace in Coventry Street. Mr Kolvin stated that Platinum Lace was in keeping with Chief Inspector Studd's perception of SEVs with no evidence of crime and disorder or complaints since it had opened in 2010, no reported complaints or incidents at the premises and the Police had written to the Applicant to confirm that it was well run. He added that there would be a high staff to customer ratio at Koru and the ratio would further increase when the proposed capacity reduced after 02:00 hours. The clientele tended to be between 35 and 55 and did not drink excessively.

Mr Matthias received instructions during the hearing from officers for the Licensing Service that contested Mr Kolvin's point that there were no issues whatsoever at Platinum Lace. Mr Matthias suggested that licensing inspectors believed that the venue was linked to touting and prostitution. The Sub-Committee took advice from the Legal Adviser, Ms Bhela as the evidence had not been supplied to the relevant parties prior to the hearing. Mr Kolvin objected to the point being taken further when he had had no opportunity to prepare a response to it. Following a brief adjournment, the Chairman advised that, under the Hearing Regulations, the evidence was inadmissible, given that it had not been provided prior to the hearing and the Applicant's objection. It would have been fair and reasonable to expect such allegations to have been set out in the papers provided. Mr Warr stated that the

allegations were untrue.

Mr Matthias also made the point that the Applicant Company, Simowa Limited, had only been incorporated on 20 February 2013 and had no track record. The share register had indicated that there were two issued shares which had not been paid for. The Applicant's Representatives responded to the points raised by Mr Matthias. Ms Tricker stated that no indication had been given at pre-meetings with officers that there were any issues or doubts whatsoever about the involvement of Platinum Lace management in these premises. She also had evidence of the share certificates. Platinum Lace Trading had an agreement for the lease and Mr Warr was the owner of both Platinum Lace and Koru. The Sub-Committee took the view that whilst the name of the Applicant company for the Koru venue may have been different to that of Platinum Lace, it had been the same owner and many of the members of the management team were the same.

Mr Watson for Environmental Health informed Members that the evidence he had available to him was that Platinum Lace had very little impact on the locality. There had been no incidents or complaints since Platinum Lace had been granted a SEV licence. Environmental Health's representation had been maintained in particular due to the hours being beyond the Council's Core Hours policy. Mr Watson advised that there was no change to the licensed area. There were more private cubicles or booths with CCTV there. There was a VIP seating area like Platinum Lace and the proposed maximum capacity of 250 was now proposed rather than the 300 originally applied for. The capacity would reduce to 100 during the later hours of trading.

The Sub-Committee noted that the Police had no objections to the previous extension of hours at Platinum Lace which was permitted to open until 06:00 hours. PC Russell stated the Police did however have concerns in respect of the application at Leicester Square as there were higher crime figures in Leicester Square than Coventry Street. She was requesting a terminal hour of 01:00, consistent with the licence there at present. However, she commented that if the Members of the Sub-Committee were minded to grant beyond 01:00 hours then this should be considerably beyond 03:00 hours as this was when the nightclubs tended to close and patrons dispersed into the Stress Area. Mr Rankin and PC Russell made a similar point to Mr Matthias that Leicester Square was more of a destination than Coventry Street which was a thoroughfare. PC Russell also added that a SEV was more likely to be noticed in Leicester Square, a destination area. There were approximately twice as many crimes a year in Leicester Square (1000) as there were in Coventry Street (500). Mr Rankin and PC Russell referred to casinos being tightly regulated like SEV and yet there was more crime in relation to The Hippodrome Casino in Leicester Square than around the Golden Nugget in Shaftesbury Avenue. The Sub-Committee noted that there was a bar at The Hippodrome unlike the Golden Nugget. The Police had concerns about people remaining in the West End Stress Area and becoming victims of crime and it was questioned whether staff would be able to lead customers to waiting taxis in Newport Street car park if customers were leaving simultaneously.

Mr Rankin in his submission on behalf of the Police emphasized that Leicester Square and Coventry Street were entirely separate and distinct. He put forward a similar case to Mr Matthias that the Metra licence was inoperative. Members,



however, believed that it was likely, as was suggested by Mr Warr who now owned the premises, that if Koru did not become a SEV, it was likely to have to operate as a nightclub as Metra had been with a licence until 01:00 hours. Mr Warr commented that a terminal hour of 01:00 hours for a SEV was not financially viable as the performers would work elsewhere due to the limited hours available for employment. There were limited options for a basement premises including a lack of interest from restaurant chains. The frontage was 16 metres. Members of the Sub-Committee considered that just because the Metra nightclub licence was not currently being operated, it was not the case that it could not be operated in the future with a capacity on the licence of 400. It was also the case that whilst the Police had found that there were higher crime levels in Leicester Square than in Coventry Street, no evidence was provided to the Sub-Committee that could demonstrate that Koru in Leicester Square would generate crime or undermine the licensing objective on the prevention of crime and disorder. The evidence received to date by the Council showed that there were not significant levels of crime and disorder at sex entertainment venues, nor were there significant issues in respect of public nuisance.

The Sub-Committee also gave careful consideration to a point made by Mr Matthias and Mr Rankin that the application if granted would cause a precedent and damage the Council's SEV policy. Mr Matthias stated that it was not the case that just because Platinum Lace had been granted it should therefore also result in Koru being granted. Members took the view that the application did not create a precedent as each application would be considered on its merits. There was a recognised zone of Core CAZ North where the Council had decided that SEVs could be located and this included Leicester Square. The policy permitted a maximum of 25 of these premises in Core CAZ North. Under the Local Government (Miscellaneous Provisions Act) 1982 the licence would remain in force for a year so that in the event that the premises did not comply with and promote the policy aims and objectives the licence would be looked at again in twelve months' time.

This decision should be read in conjunction with the decision for the premises licence taken today.

#### **Conditions attached to the Licence**

**Standard Conditions for Sexual Entertainment Venue premises apply  
( effective 11 July 2012)**

1. Whilst Relevant Entertainment is taking place no person under the age of 18 shall be on the licensed premises and a clear notice to that effect shall be displayed at the entrance in a prominent position so that it can be easily read by persons entering the premises.
2. Whenever persons under the age of 18 are admitted to the premises there will be no promotional or other material on display within the premises which depicts nudity or partial nudity.
3. The licence or a clear copy shall be prominently displayed at all times so as to

be readily and easily seen by all persons using the premises.

4. No provision of relevant entertainment, or material depicting nudity or relevant entertainment, shall be visible from outside the premises.
5. Menus and drinks price lists shall be clearly displayed at the front entrance of the club, reception area, tables and bar at such a position and size as to be easily read by customers. This price list shall show all consumable items and any minimum tariff including charges and fees applicable to Performers.
6. Except with the consent of the Licensing Authority, no advertisements of any kind (including placard, poster, sticker, flyer, picture, letter, sign or other mark) shall be inscribed or affixed at the premises, on the surface of the highway or on any building, structure, works, street furniture, tree or any other property or be distributed in the street to the public that advertises or promotes the relevant entertainment at the premises.
7. The licence holder or other person concerned in the conduct or management of the premises shall not seek to obtain custom by means of personal solicitation or touting, nor enter into any agreement with a third party to do so.
8. Adequate toilets, washing and changing facilities for use by the Performers shall be provided.
9. Either the licence holder or a named responsible person shall be present throughout the time the Relevant Entertainment takes place.
10. The premises will install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer that ensures all areas of the licensed premises are monitored including all entry and exit points will be covered enabling frontal identification of every person entering any light condition. All cameras shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period together with facilities for viewing.
11. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to the public and this staff member should be able to show Police recent data and footage with the absolute minimum of delay of the request.
12. An incident log shall be kept at the premises, and made available on request to the Licensing Authority or the Police, which will record the following:
  - (a) all crimes reported to the venue;
  - (b) all ejections of patrons;
  - (c) any complaints received;
  - (d) any incidents of disorder;
  - (e) seizures of drugs or offensive weapons;

- (f) any faults in the CCTV system or searching equipment or scanning equipment;
  - (g) any refusal of the sale of alcohol;
  - (h) any visit by a relevant authority or emergency service;
  - (i) any breach of licence conditions reported by a Performer.
13. The licence holder shall produce a Code of Conduct setting out rules and obligations between the licence holder and performers whilst performing. All Performers shall sign the Code of Conduct in their proper name acknowledging that they have read, understood and are prepared to abide by the said Code of Conduct, and a copy so signed shall be retained by the licence holder and shall be readily available for inspection by the Police and/or authorised persons upon reasonable request.
  14. Individual records shall be kept at the premises of the real names, stage names and addresses of all Performers working at the premises. The record will include either a copy of their birth certificate, current passport, EU driving licence or national identity card and shall be made immediately available for inspection by the Police and/or the Licensing Authority upon request.
  15. Details of all work permits and/or immigration status relating to persons working at the premises shall be retained by the licence holder and be readily available for inspection by the Licensing Authority, a Police Officer or Immigration Officer.
  16. Relevant entertainment shall be given only by Performers and the audience shall not be permitted to participate in the relevant entertainment.
  17. There shall be no physical contact between Performers whilst performing.
  18. Performers will not request or give out any telephone number, address or any other contact information from or to any customer. Any such information given by a customer shall be surrendered to the premises manager as soon as is practicable.
  19. Relevant Entertainment shall take place only in the designated areas approved by the Licensing Authority as shown on the licence plan. Arrangements for access to the dressing room shall be maintained at all times whilst Relevant Entertainment is taking place and immediately thereafter.
  20. Customers must remain fully clothed at all times. The Performer must not remove any of the customer's clothing at any time.
  21. Where relevant entertainment is provided in booths, or other areas of the premises where private performances are provided, the booth or area shall not have a door or other similar closure, the area shall be constantly monitored by CCTV, and access to the booth or other area shall be adequately supervised.
  22. Whenever Relevant Entertainment is being provided there shall be no

physical contact between Performers and customers or between customers and Performers except for the exchanging of money or tokens at the beginning or conclusion of the performance and only for the purpose of that performance. Clearly legible notices to this effect shall clearly be displayed in each private booth and in any performance area.

23. Performers must redress fully immediately after each performance.

**Additional Conditions attached to Sexual Entertainment Venues licence**

1. The maximum number of persons accommodated at any one time (excluding staff) shall not exceed the following:
  1. Capacity of 250 (customers) until 2.00am
  2. Capacity of 200 (customers) from 2.00am to 3.30am
  3. Capacity of 100 (customers) from 3.30am until closing time
2. All seating shall consist of tables and chairs arrangements and there shall be no cinema style seating.
3. SIA licensed security shall be posted in the parts of the premises where striptease / table / lap dancing is taking place.
4. All emergency doors shall be maintained effectively self closing and not held open other than by an approved device.
5. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
6. Curtains and hangings shall be arranged so as not to obstruct emergency signs.
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 exit doors shall be available at all material times without the use of a key, code, card or similar means.
10. Any special effects or mechanical installations shall be arranged and stored so as to minimise any risk to the safety of those using the premises. The following special effects will only be used on 10 days prior notice being given to the Licensing Authority where consent has not previously been given.
  - i. Pyrotechnics including fire works
  - ii. Firearms
  - iii. Lasers

- iv. Explosives and highly flammable substances
- v. Real flame
- vi. Strobe lighting

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

12. No Relevant Entertainment shall take place at the premises until the premises has been inspected to the satisfaction of the Licensing Service and Environmental Health Department.

13. After 21.00 hours a log shall be maintained to ensure that the capacity limit set for the premises is recorded hourly and can be properly monitored. Information regarding the capacity will be given to an authorised officer or Police Officer on request.

14. The certificates listed below shall be submitted to the Licensing Authority upon written request.

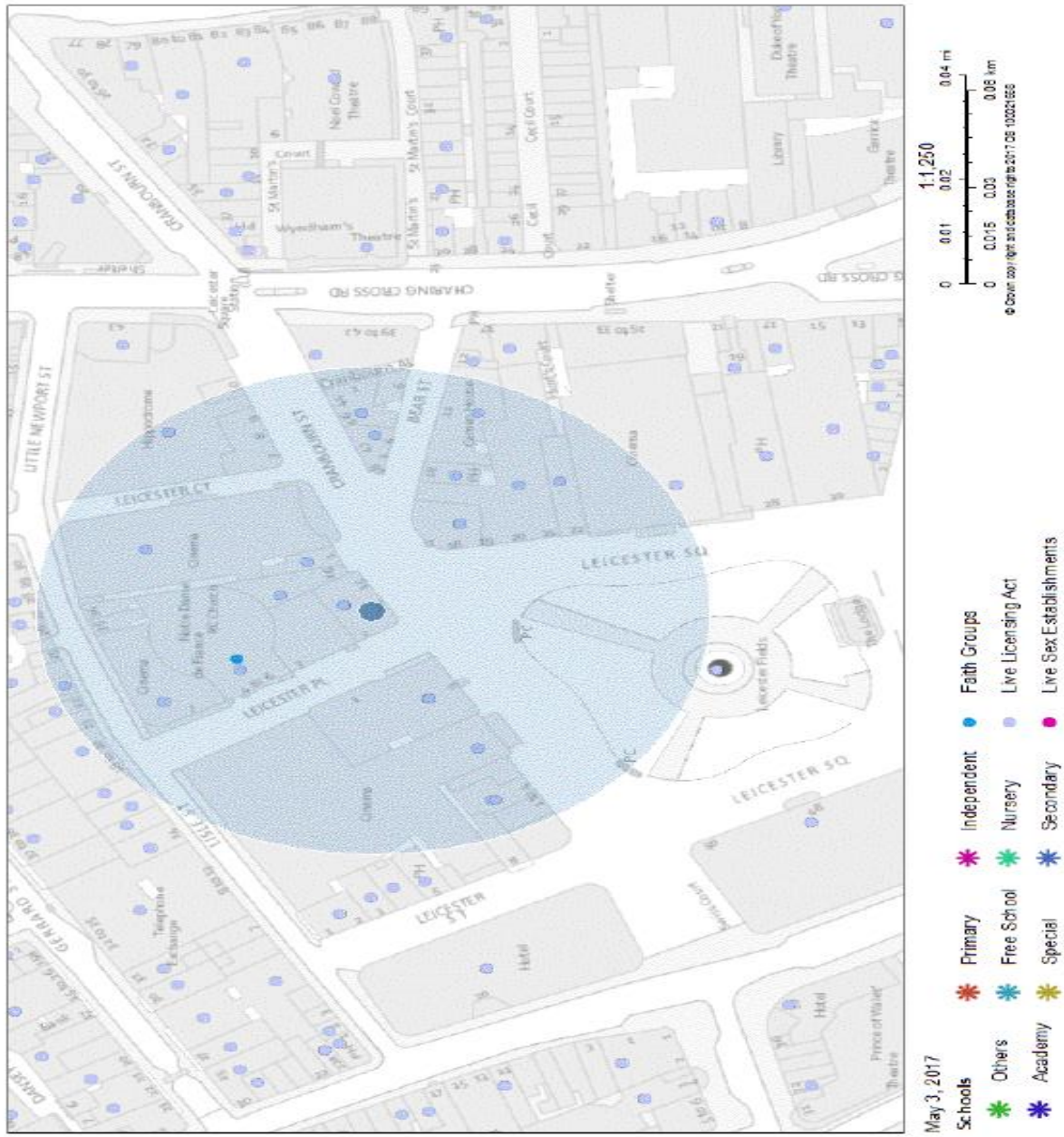
- Any emergency lighting battery or system
- Any electrical installation
- Any emergency warning system

15. No person shall give at the *premises* any exhibition, demonstration or performance of hypnotism, mesmerism or any similar act or process which produces or is intended to produce in any other person any form of induced sleep or trance in which susceptibility of the mind of that person to suggestion or direction is increased or intended to be increased.

- NOTE: (1) This rule does not apply to exhibitions given under the provisions of Section 2(1A) and 5 of the Hypnotism Act 1952.

16. Door staff shall be employed at all times when the premises are open for licensable activity. There shall be a minimum of two door supervisors to be employed at the entrance of the premises after 8pm. All door supervisors at the entrance to wear high visibility jackets.

14





City of Westminster

# Licensing Sub-Committee Report

## Agenda Item 3

Item No:	
Date:	18 May 2017
Licensing Ref No:	17/02456/LIPV - Premises Licence Variation
Title of Report:	Iran Restaurant 27 Shepherd Market London W1J 7PR
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: <a href="mailto:ywade@westminster.gov.uk">ywade@westminster.gov.uk</a>

## 1. Application

1-A Applicant and premises			
<b>Application Type:</b>	Variation of a Premises Licence, Licensing Act 2003		
<b>Application received date:</b>	7 March 2017		
<b>Applicant:</b>	Kitchen Centre Ltd		
<b>Premises:</b>	Iran Restaurant		
<b>Premises address:</b>	27 Shepherd Market London W1J 7PR	<b>Ward:</b>	West End
		<b>Cumulative Impact Area:</b>	No
<b>Premises description:</b>	The premises operate as a restaurant in the basement and ground floor.		
<b>Variation description:</b>	<p>According to the application, the applicant is seeking to extend the hours for Licensable Activities:</p> <ul style="list-style-type: none"> <li>• Sale of Alcohol - Monday to Saturday 10:00 until 03:00 Sunday 12:00 to 03:00</li> <li>• Late Night Refreshment – Monday to Sunday 23:00 until 03:00.</li> </ul> <p>Opening Hours</p> <p>Monday to Saturday 07:00 until 03:00 Sunday 08:00 until 03:00</p> <p>The applicant has agreed to amend the application to reflect the reduced hours for licensable activities to the following:</p> <p><b>Late Night Refreshment</b></p> <p>Monday to Saturday – 23:00 to 01:00 Sunday – 23:00 to 01:00</p> <ul style="list-style-type: none"> <li>• <b>Supply of Alcohol ON the premises</b></li> </ul> <p>Monday to Saturday – 10:00 to 01:00 Sunday - 12:00 to 01:00</p> <ul style="list-style-type: none"> <li>• <b>Supply of Alcohol OFF the premises</b></li> </ul> <p>To remain as per the current premises licence.</p> <p>Hours opened to the public</p> <p>Monday to Saturday – 07:00 to 01:30</p>		



	Sunday – 08:00 to 01:30
<b>Premises licence history:</b>	The premises currently benefits from a premises licence (16/13218/LIPT)
<b>Applicant submissions:</b>	None

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

Late night refreshment						
Indoors, outdoors or both		Current :			Proposed:	
		Indoors			No Change	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
<b>Monday</b>	23:00	00:00	23:00	03:00 Reduce to 01:00	Basement & Ground Floor	No Change
<b>Tuesday</b>	23:00	00:00	23:00	03:00 Reduce to 01:00	Basement & Ground Floor	No Change
<b>Wednesday</b>	23:00	00:00	23:00	03:00 Reduce to 01:00	Basement & Ground Floor	No Change
<b>Thursday</b>	23:00	00:00	23:00	03:00 Reduce to 01:00	Basement & Ground Floor	No Change
<b>Friday</b>	23:00	00:00	23:00	03:00 Reduce to 01:00	Basement & Ground Floor	No Change
<b>Saturday</b>	23:00	00:00	23:00	03:00 Reduce to 01:00	Basement & Ground Floor	No Change
<b>Sunday</b>			23:00	03:00 Reduce to 01:00	Basement & Ground Floor	No Change
<b>Seasonal variations/ Non-standard timings:</b>	<b>Current:</b>				<b>Proposed:</b>	
	None				None	
	None				None	

Sale by Retail of Alcohol						
On or off sales			Current :		Proposed:	
			On and Off Premises		On and off premises	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
<b>Monday</b>	10:00	00:00 (on sales)	10:00	03:00 (on sales reduce to 01:00)	Basement & Ground Floor	No Change

	10:00	23:00 (off sales)	No change	No change	Basement & Ground Floor	No Change
<b>Tuesday</b>	10:00	00:00 (on sales)	10:00	03:00 (on sales reduce to 01:00)	Basement & Ground Floor	No Change
	10:00	23:00 (off sales)	No change	No change	Basement & Ground Floor	No Change
<b>Wednesday</b>	10:00	00:00 (on sales)	10:00	03:00 (on sales reduce to 01:00)	Basement & Ground Floor	No Change
	10:00	23:00 (off sales)	No change	No change	Basement & Ground Floor	No Change
<b>Thursday</b>	10:00	00:00 (on sales)	10:00	03:00 (on sales reduce to 01:00)	Basement & Ground Floor	No Change
	10:00	23:00 (off sales)	No change	No change	Basement & Ground Floor	No Change
<b>Friday</b>	10:00	00:00 (on sales)	10:00	03:00 (on sales reduce to 01:00)	Basement & Ground Floor	No Change
	10:00	23:00 (off sales)	No change	No change	Basement & Ground Floor	No Change
<b>Saturday</b>	10:00	00:00 (on sales)	10:00	03:00 (on sales reduce to 01:00)	Basement & Ground Floor	No Change
	10:00	23:00 (off sales)	No change	No change	Basement & Ground Floor	No Change
<b>Sunday</b>	12:00	22:30 (on sales)	12:00	03:00 (on sales reduce to 01:00)	Basement & Ground Floor	No Change
<b>Seasonal variations/ Non-standard timings:</b>	<b>Current:</b>			<b>Proposed:</b>		
	None			None		
	None			None		

<b>Hours premises are open to the public</b>						
	<b>Current Hours</b>		<b>Proposed Hours</b>		<b>Premises Area</b>	
	<b>Start:</b>	<b>End:</b>	<b>Start:</b>	<b>End:</b>	<b>Current:</b>	<b>Proposed:</b>
<b>Monday</b>	07:00	00:00	07:00	03:00 reduced to 01:30	Basement & Ground Floor	No Change
<b>Tuesday</b>	07:00	00:00	07:00	03:00	Basement &	No Change

				reduced to 01:30	Ground Floor	
<b>Wednesday</b>	07:00	00:00	07:00	03:00 reduced to 01:30	Basement & Ground Floor	No Change
<b>Thursday</b>	07:00	00:00	07:00	03:00 reduced to 01:30	Basement & Ground Floor	No Change
<b>Friday</b>	07:00	00:00	07:00	03:00 reduced to 01:30	Basement & Ground Floor	No Change
<b>Saturday</b>	07:00	00:00	07:00	03:00 reduced to 01:30	Basement & Ground Floor	No Change
<b>Sunday</b>	08:00	23:00	08:00	03:00 reduced to 01:30	Basement & Ground Floor	No Change
<b>Seasonal variations/ Non-standard timings:</b>	<b>Current:</b>				<b>Proposed:</b>	
	None				None	
	None				None	

## 2. Representations

<b>2-A Responsible Authorities</b>	
<b>Responsible Authority:</b>	The Metropolitan Police (withdrawn)
<b>Representative:</b>	Mr Adam Deweltz
<b>Received:</b>	9 <sup>th</sup> March 2017
<p>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.</p> <p>It is our belief that if granted the application would undermine the Licensing Objectives in relation to The Prevention of Crime and Disorder.</p> <p>The hours you seek are those beyond the Westminster Core hours.</p> <p><b>Following on from visiting the premises and agreement of proposed conditions between the applicant and the Police, the Police have withdrawn their representation.</b></p>	
<b>Responsible Authority:</b>	The Environmental Health Service
<b>Representative:</b>	Mr Dave Nevitt
<b>Received:</b>	6 <sup>th</sup> April 2017
<p>Representation is made in relation to the application, as the proposals are likely to increase Public Nuisance and may impact upon Public Safety.</p>	

--

<b>2-B Other Persons</b>
--------------------------

<b>Name:</b>	Wade Steven's and Co (Acting on behalf of Mr and Mrs Paul Deavin)		
<b>Address and/or Residents Association:</b>	Mr and Mrs Paul Deavin Resident Address: 29a Shepherd Market London W1J 7PR		
<b>Status:</b>	Resident	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	5.04.2017		

We have been consulted by Mr and Mrs Paul Deavin of 29a Shepherd Market, London W1J 7PR who live immediately above the applicant's ground floor restaurant premises. Our clients wish to object to the application to vary the premises licence and echo the objections to the application already made by email on 5<sup>th</sup> April by their son, Dan Deavin.

The primary issue is late night noise during unsocial hours which is already considerable but would be exacerbated if the extension sought to 3am were to be granted by your Council as the reality is that closure of the premises would inevitably take further time beyond 3am. Our clients have already indicated that following existing closure noise is made by staff shouting, dragging tables and slamming doors quite apart from the noise generated by certain boisterous customers on departure.

Litter would be another issue detracting from the area's charm and quality of life and such would also affect rate payers and your Council in terms of refuse collection as well as the police in the event of any crime and disorder arising from whatever cause.

Our clients have concerns about smoking, whether by staff or customers, outside their door which they consider would be contrary to the protecting and improving public safety objective.

Furthermore, the extension sought is inconsistent with licensing hours enjoyed by other local restaurants and, if granted, could set a trend.

If we can assist further by way of clarification or amplification of any point made above please let us know.

We would also be grateful for formal confirmation of the result of the application.

<b>Name:</b>	Orbiton Estates representing residents at Carrington House		
<b>Address and/or Residents Association:</b>	The Estate Office Carrington House 6 Hertford Street London W1J 7RE		
<b>Status:</b>	Resident Association	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	3 <sup>rd</sup> April 2017		

## **Applications for new and variation of Premises Licences**

### **Representation against the grant of both applications.**

**27 and 29 Shepherd Market, W1**

**Ref 17/02456 and 17/02442**

Orbiton Estates make a representation in connection with the above applications.

Orbiton represents the interests of the residents at Carrington House, which is located directly immediately to the east side of the applicant premises. Orbiton makes representations on the basis of crime and disorder, public nuisance and public safety policies CD1, PN1, RNT1 and HRS1.

### **29 Shepherd Market**

Planning permission for this use was refused last year due to lack of extract and intensification of A3 uses.

This is a new premises licence until the hours of midnight, with the premises not having been previously licensed. This is of course beyond the council's core hours on Monday to Thursday.

Confusingly and perhaps invalidating the advertisement of the application, the operating schedule refers to the Council's core hours but the sale of alcohol is proposed at Midnight. Those reading the application may have therefore been led to believe the application is for Core Hours, but they are actually applying for midnight.

The conditions are proposed to be in line with conditions for 27 Shepherd Market, so it is assumed that it will be as a restaurant. In any event, we object to the use of the premises for this or any other use that may require a licence.

### **27 Shepherd Market**

Although there are no details yet on the City Council's website, it would appear that there is an application to vary the existing licence so the sale of alcohol and late night refreshment (presumably including take-away) can take place until 3.00 am every day of the week.

The existing licence (the only copy on-line being 12/00770) allows the sale of alcohol until 11pm (10.30pm Sundays). However, the public notice seeks to extend the hours from midnight to 3am. Again, anyone reading the notice would have been mis-led in this important respect.

Any permission beyond the existing licence of 11pm will cause nuisance. Opening until 3am with these applicants and this use is beyond contemplation and reality.

### **Both applications**

It is not clear whether there is any proposal to use or extend external seating, or have shisha-type smoking, which together with the sale of alcohol or provision of late-night refreshment will cause additional public nuisance in a residential area.

We note there are enforcement cases open for both blocking the pavement and opening beyond the current permitted hours (planning ref 25/62594).

### **Conclusion**

There has been a woeful disregard for local residents, the City Council's statement of licensing policy and indeed the licensing objectives with no conditions which effectively promote both either the objects of the policy or those objectives.

<b>Name:</b>		Mr Paul Deavin	
<b>Address and/or Residents Association</b>		29a Shepherd Market London W1J 7PS	
<b>Status:</b>	Resident	<b>In support of opposed:</b>	Opposed
<b>Received:</b>	9 <sup>th</sup> April 2017		
<p>9:48 PM on 09 Apr 2017 A late night license will be massively detrimental to local residents. We are unsure why this premises requires a 3am license. In recent years only licensing until 11pm has been requested by this property, based on various conditions expressed in the permission that respect residents. A 3am license will cause non-stop noise for local residents. No local restaurant has a 3am license and anything beyond 11pm is not in keeping with the quaint nature of Shepherd Market and is not in the interests of the Shepherd Market community.</p>			
<b>Name:</b>		Dan Deavin	
<b>Address and/or Residents Association</b>		29a Shepherd Market London	
<b>Status:</b>	Resident	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	5 <sup>th</sup> April 2017		
<p>As a local resident at 29a Shepherd Market I feel this would have a hugely detrimental impact upon both myself and other residents in the area for the following reasons:</p> <ul style="list-style-type: none"> <li>• Already this business is very late to close, tables are dragged around well past 11:30pm and shouting can be heard between staff members. Doors are also slammed by staff. Little respect is shown to neighbours as customers leave the premises after closing. This premises is already incredibly noisy in its operations and this license would make it worse.</li> <li>• A 3am license would mean late night drinkers coming and going until 3am. Also staff would need to clean, move furniture after this time which would make living in 29a or around this public highway untenable.</li> <li>• The public highway would become constantly busy almost 24 hours a day. As this is a quiet and narrow pathway, the late night crowd this would attract would encourage litter, staff/customers smoking outside my door and a constant stream of the restaurant's litter.</li> <li>• No other restaurant premises has a 3am license in this area. Shepherd Market is a diverse mix of businesses and residents. This proposal is largely against the quality of life of residents and what makes the area as charming as it is.</li> </ul>			

### 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.  (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 RNT1 applies:	Applications will generally be granted and reviews determined, subject to the relevant criteria in Policies CD1, PS1, PN1 and CH1.

### 4. Appendices

<b>Appendix 1</b>	Premises plans
<b>Appendix 2</b>	Email Exchange between Applicant and Environmental Health Service regarding Noise Complaints
<b>Appendix 3</b>	Premises history
<b>Appendix 4</b>	Proposed conditions
<b>Appendix 5</b>	Copy of Existing Licence
<b>Appendix 6</b>	Residential Map and List of Premises in the Vicinity

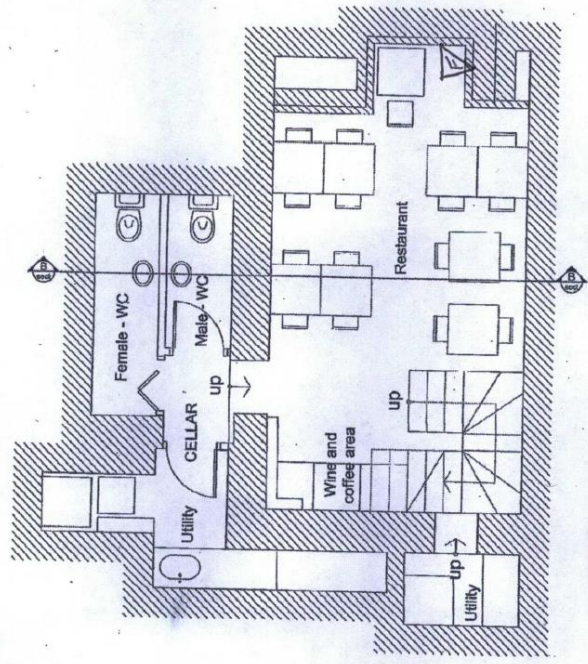
<b>Report author:</b>	Miss Yolanda Wade Senior Licensing Officer
<b>Contact:</b>	Telephone: 020 7641 1884 Email: ywade@westminster.gov.uk

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

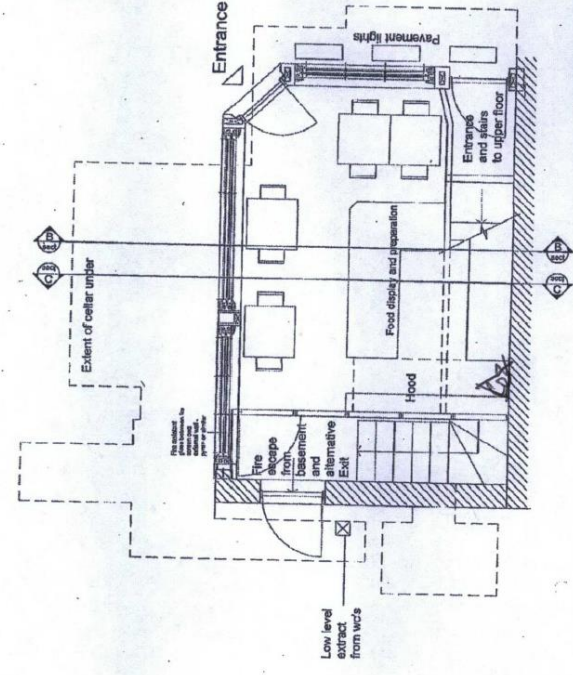
#### **Background Documents – Local Government (Access to Information) Act 1972**

<b>1</b>	Licensing Act 2003	N/A
<b>2</b>	City of Westminster Statement of Licensing Policy	7 <sup>th</sup> January 2016
<b>3</b>	Amended Guidance issued under section 182 of the Licensing Act 2003	March 2015
<b>4</b>	Application Form	7 <sup>th</sup> March 2017
<b>5</b>	The Metropolitan Police Representation (withdrawn)	9 <sup>th</sup> March 2017
<b>6</b>	The Environmental Health Service	6 <sup>th</sup> April 2017
<b>7</b>	Mr and Mrs Paul Deavin Representation	5 <sup>th</sup> April 2017
<b>8</b>	Orbiton Estates representing residents at Carrington House Representation	3 <sup>rd</sup> April 2017

IRAN RESTAURANT 27 SHEPHERD MARKET W1S 7PR



BASEMENT PLAN



GROUND FLOOR PLAN

FIRE EQUIPMENT  
 ▲ CO<sub>2</sub> EXTINGUISHER  
 ▽ FOAM EXTINGUISHER

LICENSED AREA IS PERIMETER OF BUILDING, NO OUTSIDE AREAS.



**From:** [Nevitt, Dave: WCC](#)  
**To:** [javad sepanji](#); [Donovan, Jessica: WCC](#)  
**Cc:** [Wade, Yolanda: WCC](#); [Lawrance, Heidi: WCC](#)  
**Subject:** RE: 27 Shepherd Market W1  
**Date:** 05 May 2017 14:59:50

---

I have checked our system for the last 2 year and note that there are two complaints about noise:

16/26565/ELREAC 02.09.2016 Visit to premises in response to complaints about oversizing of table and chairs and noise complaints. 3 Visits were conducted over the weekend and on each occasion the set up was in accordance with the valid licence

16/24774/ENC45 18.08.2016 20:20 Complainant reported that there are lots of people shouting, playing loud music at the restaurant.

NOISE TEAM OFFICER: 'Telephoned Customer, noise has stopped.' 20:55

-----Original Message-----

From: javad sepanji [<mailto:mavfaircateringuk@yahoo.com>]  
Sent: 05 May 2017 14:02  
To: Nevitt, Dave: WCC; Donovan, Jessica: WCC  
Subject: 27 Shepherd Market W1

Dear Westminster City Council Officers,

I have rescheduled the hearing date for the above application to the 18th May.

I have read the documents attached to the previous email sent to me regarding the residential objections to the application.

Would it be possible to have an idea of the number of noise complaints and any other public nuisance complaints that have been made against number 27 Shepherd Market in the last 3 years as the main objection appears to be based around noise nuisance.

I will of course be open to any alterations in terms of the closing times of the business and the proposed closing time can be adjusted to suit the findings and concerns of the committee hearing.

Can you please also confirm if there will be hearing date for number 29 application please.Regards

Shelving Sepanji

## Licence &amp; Appeal History

<b>Application</b>	<b>Details of Application</b>	<b>Date Determined</b>	<b>Decision</b>
<b>12/00770/LIPN</b>	Application for a new premises licence	22.03.2012	Granted by Licensing Sub Committee
<b>12/04169/LIPV</b>	Application to vary a premises licence	12.07.2012	Granted by Licensing Sub Committee
<b>15/02154/LIPT</b>	Application to Transfer premises licence from Iran Resturant (London) Limited to West End Catering Limited	28.04.2015	Granted under Delegated Authority
<b>16/13218/LIPT</b>	Application to Transfer premises licence from West End Catering Limited to Kitchen Centre Ltd	17.03.2017	Granted under Delegated Authority

**There is no appeal history**

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

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

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

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

**Conditions: On Current Licence -**

**Mandatory:**

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
4. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
  - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
    - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
      - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
      - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);

- (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
  - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
  - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
  - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
5. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
6. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
- (a) a holographic mark, or
  - (b) an ultraviolet feature.
7. The responsible person must ensure that—
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
    - (i) beer or cider: ½ pint;
    - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
    - (iii) still wine in a glass: 125 ml;
  - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

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

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

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

- (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

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

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

Where -

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

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

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

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

None

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

9. Challenge 21 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence or passport.
10. The maximum number of persons accommodated at the premises any one time shall not exceed (excluding staff) 30 persons.
11. The supply of alcohol on the premises shall only be by waiter or waitress service.
12. Substantial food and non-intoxicating beverages shall be available throughout the permitted hours in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
13. No striptease, no nudity and all persons to be decently attired at all times.
14. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
15. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
16. All waste is to be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
17. No rubbish including bottles will be moved, removed or placed in outside areas between 2300 hours and 0800 hours.
18. No deliveries shall be made to the premises between the hours 2000 hours and 0800 hours.
19. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the

premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.

20. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to the public. This staff member must be able to show a Police or authorised council officer recent data or footage with the absolute minimum of delay when requested.
21. The premises shall only operate as a restaurant:
  - (i) in which customers are shown to their table,
  - (ii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery,
  - (iii) which do not provide any take away service of food or drink for immediate consumption, and
  - (iv) where intoxicating liquor shall not be sold, supplied, or consumed on the premises otherwise than to persons who are bona fide taking substantial table meals and provided always that the consumption of intoxicating liquor by such persons is ancillary to taking such meals.
22. There shall be no sales of alcohol for consumption off the premises, save for any area immediately outside the premises licensed by the Council for tables and chairs.
23. There shall be no sales of alcohol for consumption off the premises after 23:00 hours.
24. There shall be no sales of hot food or hot drink for consumption off the premises after 23.30 hours.

## **Proposed conditions by Police and agreed with Applicant**

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





## City of Westminster

64 Victoria Street, London, SW1E 6QP

Schedule 12  
Part A

WARD: West End  
UPRN: 100023476434

Premises licence

Regulation 33, 34

Premises licence number:

16/13218/LIPT

Original Reference:

12/00770/LIPN

### Part 1 – Premises details

Postal address of premises:

Iran Restaurant  
27 Shepherd Market  
London  
W1J 7PR

Telephone Number:

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Late Night Refreshment  
Sale by Retail of Alcohol

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

**Late Night Refreshment**

Monday to Saturday: 23:00 to 00:00

**Sale by Retail of Alcohol**

Monday to Saturday: 10:00 to 00:00

Monday to Saturday: 10:00 to 23:00 (Off Sales)

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: 07:00 to 00:00

Sunday: 08:00 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:**

Kitchen Centre Ltd  
Flat 2, 85A High Street  
Lewes  
BN7 1XN  
*Electronic Mail : Kitchencentre22@gmail.com*  
*Business Phone Number : 020 7409 3337*

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

10333868

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

**Name:** Javed Sepanji

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

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

**Licence Number:** 05/13640/LIPERS  
**Licensing Authority:** City Of Westminster Council

**Date:** \_\_\_\_\_ 17 March 2017 \_\_\_\_\_

**This licence has been authorised by Miss Susan Patterson on behalf of the Director - Public Protection and Licensing.**

#### Annex 1 – Mandatory conditions

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

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

- (a) a holographic mark, or
- (b) an ultraviolet feature.

7. The responsible person must ensure that –

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

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

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

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

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

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

Where -

- (i) P is the permitted price,
  - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
  - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -

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

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

None.

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

9. Challenge 21 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence or passport.
10. The maximum number of persons accommodated at the premises any one time shall not exceed (excluding staff) 30 persons.
11. The supply of alcohol on the premises shall only be by waiter or waitress service.
12. Substantial food and non-intoxicating beverages shall be available throughout the permitted hours in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
13. No striptease, no nudity and all persons to be decently attired at all times.
14. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
15. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
16. All waste is to be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
17. No rubbish including bottles will be moved, removed or placed in outside areas between 2300 hours and 0800 hours.
18. No deliveries shall be made to the premises between the hours 2000 hours and 0800 hours.
19. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
20. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to the public. This staff member must be able to show a Police or authorised council officer recent data or footage with the absolute minimum of delay when requested.
21. The premises shall only operate as a restaurant:
  - (i) in which customers are shown to their table,
  - (ii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery,
  - (iii) which do not provide any take away service of food or drink for immediate consumption, and
  - (iv) where intoxicating liquor shall not be sold, supplied, or consumed on the premises otherwise than to persons who are bona fide taking substantial table meals and provided always that the consumption of intoxicating liquor by such persons is ancillary to taking such meals.

22. There shall be no sales of alcohol for consumption off the premises, save for any area immediately outside the premises licensed by the Council for tables and chairs.
23. There shall be no sales of alcohol for consumption off the premises after 23:00 hours.
24. There shall be no sales of hot food or hot drink for consumption off the premises after 23.30 hours.



**Annex 4 – Plans**

Attached



# City of Westminster

64 Victoria Street, London, SW1E 6QP

Schedule 12  
Part B

Premises licence  
summary

WARD: West End  
UPRN: 100023476434

Regulation 33, 34

Premises licence number:

16/13218/LIPT

## Part 1 – Premises details

### Postal address of premises:

Iran Restaurant  
27 Shepherd Market  
London  
W1J 7PR

### Telephone Number:

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

Not applicable

### Licensable activities authorised by the licence:

Late Night Refreshment  
Sale by Retail of Alcohol

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

#### Late Night Refreshment

Monday to Saturday: 23:00 to 00:00

#### Sale by Retail of Alcohol

Monday to Saturday: 10:00 to 00:00  
Monday to Saturday: 10:00 to 23:00 (Off Sales)  
Sunday: 12:00 to 22:30

### The opening hours of the premises:

Monday to Saturday: 07:00 to 00:00  
Sunday: 08:00 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:**

Kitchen Centre Ltd  
Flat 2, 85A High Street  
Lewes  
BN7 1XN

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

10333868

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

**Name:** Javed Sepanji

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

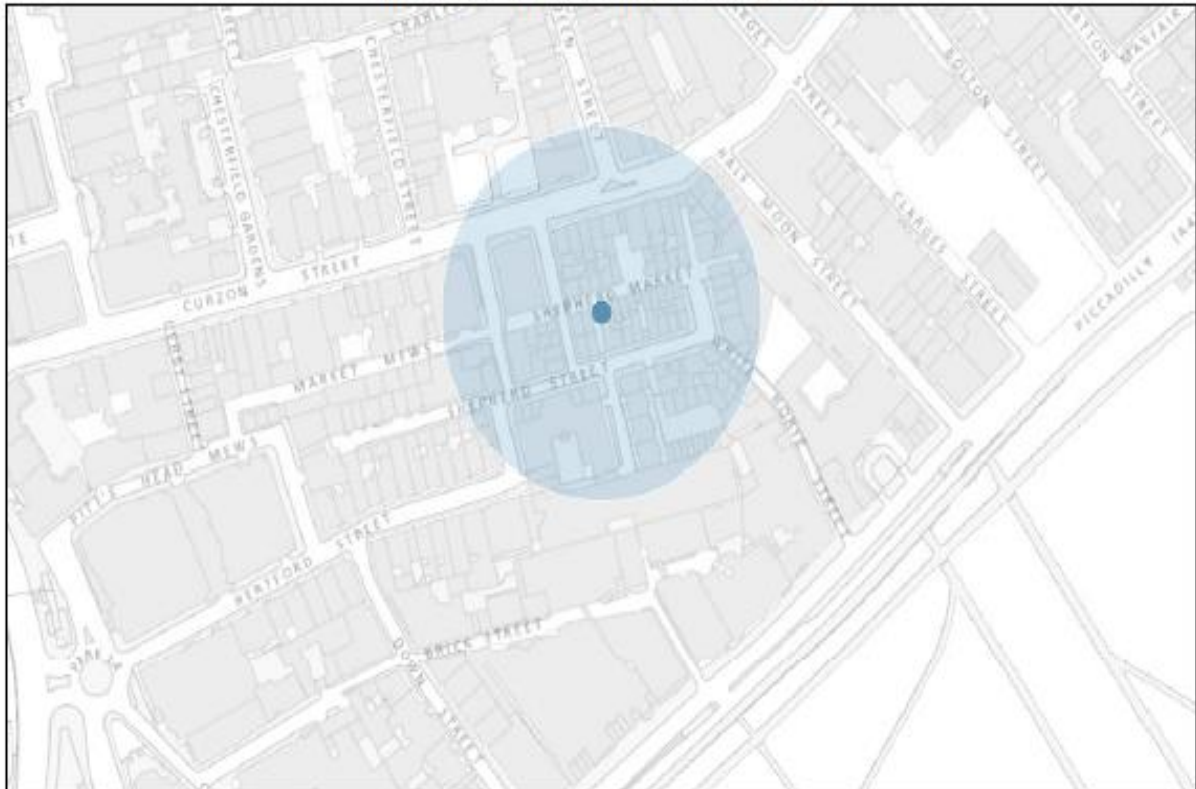
Restricted

**Date:** \_\_\_\_\_ 17 March 2017 \_\_\_\_\_

This licence has been authorised by Miss Susan Patterson on behalf of the Director - Public Protection and Licensing.

Residential Map and List of Premises in the Vicinity

Iran Restaurant 27 Shepherd Market



May 11, 2017

Resident count: 244

Item No:	
Date:	18 <sup>th</sup> May 2017
Licensing Ref No:	17/02615/LIPN - New Premises Licence
Title of Report:	The Marylebone Kitchen 106 York Street London W1H 4QN
Report of:	Director of Public Protection and Licensing
Wards involved:	Bryanston And Dorset Square
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Miss Heidi Lawrance Senior Licensing Officer
Contact details	Telephone: 020 7641 2751 Email: hlawrance@westminster.gov.uk

## 1. Application

1-A Applicant and premises			
<b>Application Type:</b>	New Premises Licence, Licensing Act 2003		
<b>Application received date:</b>	10 March 2017		
<b>Applicant:</b>	The Marylebone Kitchen Ltd		
<b>Premises:</b>	The Marylebone Kitchen		
<b>Premises address:</b>	106 York Street London W1H 4QN	<b>Ward:</b>	Bryanston and Dorset Square
		<b>Cumulative Impact Area:</b>	None
<b>Premises description:</b>	According to the application, the premises intends to operate as a cafe with a takeaway food option.		
<b>Premises licence history:</b>	This is an application for a new premises licence and therefore no premises licence history exists.		
<b>Applicant submissions:</b>	<p>The Marylebone Kitchen (previously Entre Nous) is under new ownership, Louay Michel. It has been modernised and the location is much loved by both people who work and live in the area. The cafe is a fast-casual concept; freshly cooked food every day including some hot food, sandwiches, salads and other food retail items. The majority of the business during the week is takeaway, and the applicant doesn't expect alcohol to be a major selling point; however, it will be in more demand during the weekend brunch, Saturday and Sunday; where customers will prefer to sit in and enjoy a nice meal with a glass of wine.</p> <p>The cafe seats up to 18 inside, and 8-10 outside. It is not a noisy place, it is where people can have a nice meal and relax for a while should they want to stay.</p>		

1-B Proposed licensable activities and hours							
<b>Sale by retail of alcohol</b>				<b>On or off sales or both:</b>			Both
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	11:00	11:00	11:00	11:00	11:00	11:00	11:00
<b>End:</b>	23:00	23:00	23:00	23:00	23:00	23:00	22:00
<b>Seasonal variations/ Non-standard timings:</b>				None applied for.			

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
<b>Start:</b>	07:00	07:00	07:00	07:00	07:00	10:00	10:00
<b>End:</b>	23:00	23:00	23:00	23:00	23:00	23:00	22:00
<b>Seasonal variations/ Non-standard timings:</b>		None applied.					
<b>Adult Entertainment:</b>		Not applicable.					

## 2. Representations

2-A Responsible Authorities	
<b>Responsible Authority:</b>	Metropolitan Police Service
<b>Representative:</b>	PC Sandy Russell
<b>Received:</b>	6 <sup>th</sup> April 2017

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

Police propose the following conditions:

1. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the 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. A Challenge 21 or Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.

4. 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.

5. 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

6. 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.

7. The premises shall only operate as a restaurant

(i) in which customers are shown to their table,

(ii) where the supply of alcohol is by waiter or waitress service only,

(iii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery,

(iv) which do not provide any take away service of food or drink for immediate consumption,

(v) which do not provide any take away service of food or drink after 23.00, and

(vi) where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there, and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.

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

***Further Police Correspondence:***

Revised police conditions:

1. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the 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. A Challenge 21 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.

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

5. 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

6. The premises shall only operate as a restaurant in which customers are seated. Food will be provided in the form of substantial table meals that are prepared on the premises and are served at a counter but consumed at a table using recyclable, non-disposable or biodegradable crockery and cutlery. The premises will not provide any take away service of food or drink after 23.00, and where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there, and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.

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

***Following the agreement of conditions above the Police have now withdrawn their representation.***

<b>Responsible Authority:</b>	Environmental Health Consultation Team
<b>Representative:</b>	Ms Rebecca St Rose
<b>Received:</b>	19 <sup>th</sup> April 2017

The applicant has submitted ground floor plans of the premises. This representation is based on the plans and operating schedule submitted.

The applicant is seeking the following:

1. The provision of Playing of Recorded Music (Indoors) on Monday to Friday from 07:00 to 23:00, Saturday from 09:30 to 23:00 and on Sunday from 09:30 to 22:30.
2. The Sale of Alcohol (On and Off) on Monday to Saturday from 11:00 to 23:00

and on Sunday from 11:00 to 22:00.

I wish to make the following representation:

1. The Licensable activity and the hours requested for the Playing of Recorded Music will have the likely effect of causing an increase in public nuisance within the area.
2. The Licensable Activity and hours requested for the Sale of Alcohol will have the likely effect of causing an increase in Public Nuisance within the area.

A site visit was undertaken on the 12<sup>th</sup> April and the application was discussed with the applicant, Mr Louay Michel.

The applicant has provided conditions in support of the application but these do not fully address the concerns of Environmental Health and additional conditions will be proposed.

**Further discussions:**

Attached the proposed conditions on behalf of the Environmental Health Service.

As discussed at our meeting on the 12th April, the background music that you were playing within the café at the time of my visit is not licensable and does not require the licensable activity of Recorded Music that you have applied for. If you decide to maintain the application for recorded music, I will have to maintain representation as I believe that due to the close proximity of your neighbours, as well as the location of your speakers, recorded music will have the likely effect of causing public nuisance.

**The following conditions are proposed by the Environmental Health Service, some of these conditions will replace similar conditions proposed in the applicant's Operating Schedule.**

1. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
2. No fumes, steam or odours shall be emitted from the licensed premises so as to cause a nuisance to any persons living or carrying on business in the area where the premises are situate.
3. The supply of alcohol shall be by waiter or waitress service only.
4. Alcohol consumed outside the premises building shall only be consumed by patrons seated at tables.
5. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.
6. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for

consumption on the premises.

7. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly
8. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
9. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between **23.00** hours and **08.00** hours on the following day.
10. There shall be no draught sales of beers or lagers.

<b>2-B Other Persons</b>	
<b>Name:</b>	Sonia and Peter Sleep
<b>Address and/or Residents Association:</b>	95a York Street London W1H 4QG
<b>Received:</b>	24 <sup>th</sup> April 2017

We live directly across York Street from the premises, which has until recently been operating as a café (not open in the evenings) without any issue. We both work in the day but I do not work on Mondays and am often at home in the day. We are generally supportive of the new owner's endeavours and wish for the new venture to be a success. We do not oppose the grant of a new premises licence per se, but we are anxious that if it is granted, it is subject to appropriate and sufficient conditions to ensure that the licensing objectives are not undermined. Our particular concern is for the public nuisance objective, as near neighbours.

### **Background**

York Street (and Harcourt Street) in this location is predominantly residential, with some quiet retail and other uses at ground floor level. In the evenings it is generally quiet but the Harcourt restaurant and bar – next door to us as Harcourt Street begins – has in recent times caused us considerable disturbance, largely because customers are permitted, in apparently unlimited number, to congregate outside on the street (below our windows) into the evening, where they are noisy. When the licensed hours come to an end, sometimes it can take as long as 90 minutes to clear the immediate area of their customers. We are particularly anxious to ensure that the Marylebone Kitchen does not add to this disturbance.

### **Concept**

We are concerned that the application states that no dinner service is intended (see Box 15) but authorisation to sell/supply alcohol until 2300 (2200 on Sundays) is sought.

This would permit use of the premises into the evening as a vertical drinking 'bar' rather than a restaurant/café. We would like to see, as a minimum, a **condition restricting alcohol sales to those seated at tables eating substantial food**. Without such a condition we are concerned that the premises could simply operate as a bar, which would be inappropriate in this location. It would be much more likely to cause public nuisance.

We are also concerned at the suggestion of 'occasional private hire' of the premises. The premises recently hosted a 'private party' at which alcohol was provided into the evening. We are concerned at how often this might be planned and how, if (as last time) these are 'private parties', the premises would be regulated at all.

### **Public Nuisance**

#### *Hours*

We note that the times proposed for the sale of alcohol and provision of recorded music are almost but not quite within 'core hours' set out in the Statement of Licensing Policy (HRS1), save that it is proposed that recorded music be permitted from 0700 on weekdays. **We would prefer to see that element kept within core hours, such that it may not begin until 1000 Monday to Sunday** to avoid the possibility of early morning disturbance.

In addition, whilst we note that the proposed opening times are 0700-2300 Monday-Friday, 1000-2300 Saturday and 1000-2200 on Sunday, we would **request that a condition be added to the license requiring the premises to be closed at 2300 Monday-Saturday and 2200 on Sundays**.

### **Outside area**

The premises has a small outside area (called 'forecourt' on the plan) which can hold a maximum of 10 seated customers. We note that the Certificate of Lawful Use authorising the café use of the premises appears only to permit 9 people seated outside, and only until 1600. Use of this area has the greatest potential to cause public nuisance and disturbance (the outside area of the Harcourt is the source of most of the noise from those premises). This is particularly so in the evenings, when York Street is (or should be) quiet and residents have an expectation of peace and quiet. We would ask that the following conditions be imposed on the use of that area:

**Prior to 1900, there shall be no more than nine (9) persons permitted in the forecourt at any one time, and only where seated at tables;**

**Save for use as a smoking area, use of the forecourt shall cease at 1900 and all tables and chairs shall be cleared away; after 1900 no more than 5 persons may be in the outside area at any one time, and only for the purposes of smoking.**

**After 1900 no alcohol or food shall be consumed in the outside area.**

We welcome the suggestion that attempts will be made to encourage patrons to leave swiftly and quietly and trust that the sub-committee will impose a suitably worded condition to this effect. In addition we would like to see the premises **clearly display a "Please remember this is a residential area and we ask you to leave quietly" Notice**. We would hope that **by 2330 all patrons would be off the premises, including the forecourt**, and a condition securing this would be welcome.

### **Deliveries**

We are concerned at the potential for refuse collection and deliveries to cause noise and disturbance. We would ask for a condition to be imposed that **no refuse collections or deliveries shall be attempted prior to 0700 or after 2300 (2200 on Sundays).**

**Conclusion**

Whilst we are not opposed to a new café opening opposite us, and support the new owner in his venture, we are concerned that it does not become a source of nuisance in the way that, in recent times, the Harcourt has. We hope that with suitable and appropriate conditions, the Marylebone Kitchen can become an asset to the area. However, at present it is unclear whether the style of operation proposed might be closer to a bar than a restaurant (in particular the suggestion of evening private parties), which we think would be inappropriate here; and the application appears to envisage full and unregulated use of the forecourt until closing time, which would be an undoubted cause of noise nuisance to those living nearby.

We hope that our suggested additional conditions would mean, if they are imposed, that the Marylebone Kitchen can operate successfully without undermining the licensing objectives, and in particular our quality of life. We would be happy to attend a hearing and answer any questions.

**3. Policy & Guidance**

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

<b>Policy RNT1 applies</b>	Applications will generally be granted and reviews determined, subject to the relevant criteria in Policies CD1, PS1, PN1 and CH1.
----------------------------	--

**4. Appendices**

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

<b>Report author:</b>	Miss Heidi Lawrance Senior Licensing Officer
<b>Contact:</b>	Telephone: 020 7641 2751

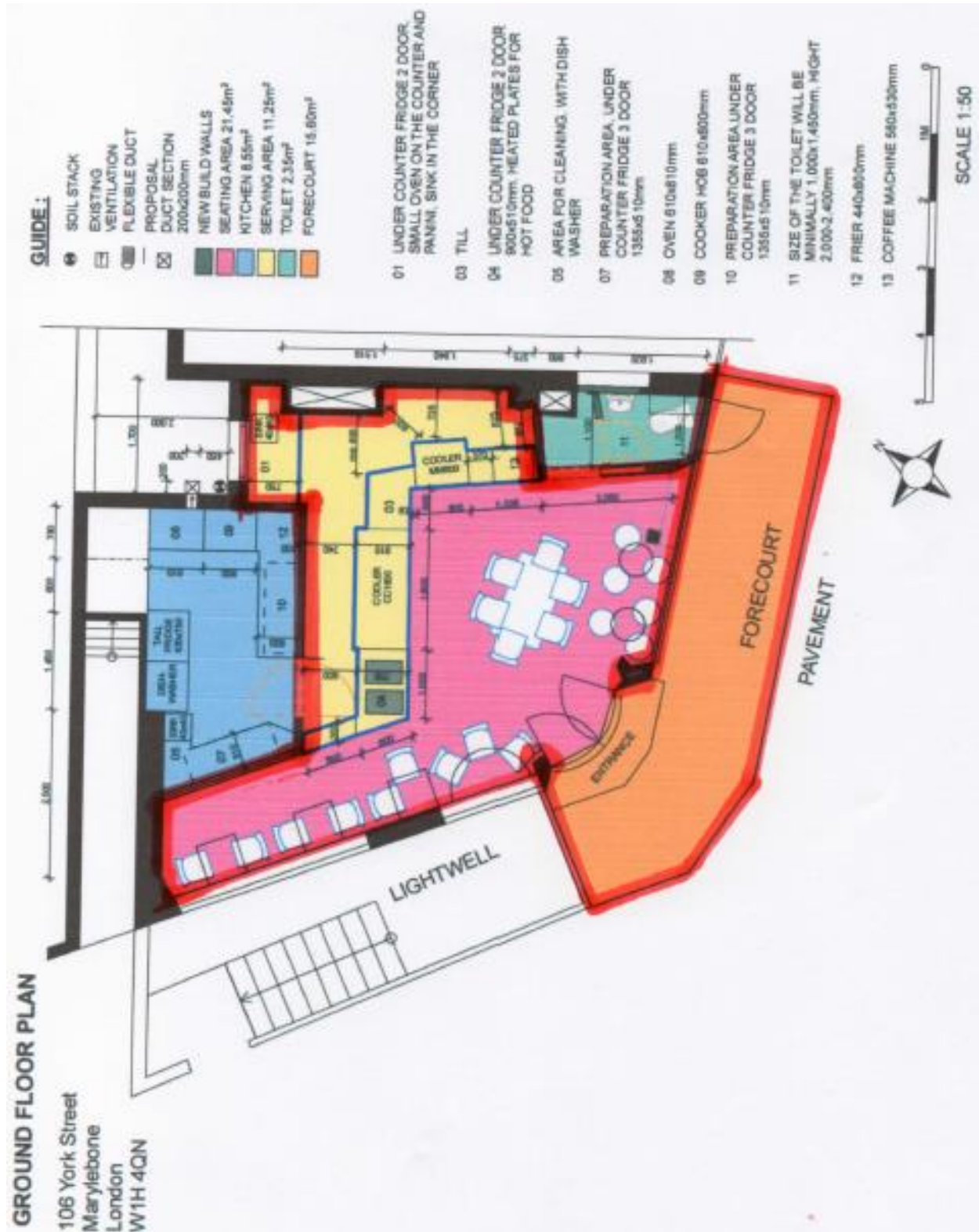
Email: hlawrance@westminster.gov.uk

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

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

<b>1</b>	Licensing Act 2003	N/A
<b>2</b>	City of Westminster Statement of Licensing Policy	7 <sup>th</sup> January 2016
<b>3</b>	Amended Guidance issued under section 182 of the Licensing Act 2003	March 2015
<b>4</b>	Application Form	10 <sup>th</sup> March 2017
<b>5</b>	Representation – MET Police	6 <sup>th</sup> April 2017
<b>6</b>	Representation – Environmental Health	19 <sup>th</sup> April 2017
<b>7</b>	Representation – Mr and Mrs Sleep	24 <sup>th</sup> April 2017

**Premises Plans**



**Applicant Supporting Documents**

None submitted.



**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. A clear and legible notice outside the premises will indicate the normal hours under the terms of the premises license during which licensable activities are permitted.
10. Clear and conspicuous notices warning of potential criminal activity, such as theft, that may target customers will be displayed.
11. Custom will not be sought by means of personal solicitation outside or in the vicinity of the premises.
12. A log book or recording system shall be kept upon the premises in which shall be entered particulars of inspections made; those required to be made by statute, and information compiled to comply with any public safety condition attached to the premises license that requires the recording of such information. The log book shall be kept available for inspection when required by persons authorized by the Licensing Act 2003 or associated legislation.
13. All parts of the premises and all fittings and apparatus therein, door fastenings and notices, lighting, heating, electrical, air condition, sanitary accommodation and other installations, will be maintained at all times in good order and in a safe condition.
14. The Licensee will ensure that staff who arrive early morning or depart late at night (ex. for unpacking, pricing newly delivered goods) when the business has ceased trading conduct themselves in such a manner to avoid causing disturbance to nearby residents.
15. The movement of bins and rubbish outside the premises will be kept to a minimum after 11.00pm so as to reduce the levels of noise produced by the premises.
16. Any lighting on or outside the premises will be positioned and screened in such a way so as to not cause a disturbance to nearby residents.

### **Conditions proposed by the Environmental Health**

17. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
18. No fumes, steam or odours shall be emitted from the licensed premises so as to cause a nuisance to any persons living or carrying on business in the area where the premises are situate.
19. The supply of alcohol shall be by waiter or waitress service only.
20. Alcohol consumed outside the premises building shall only be consumed by patrons seated at tables.
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. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.

23. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly
24. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
25. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between **23.00** hours and **08.00** hours on the following day.
26. There shall be no draught sales of beers or lagers.

### **Conditions proposed by the Police and agreed by Applicant**

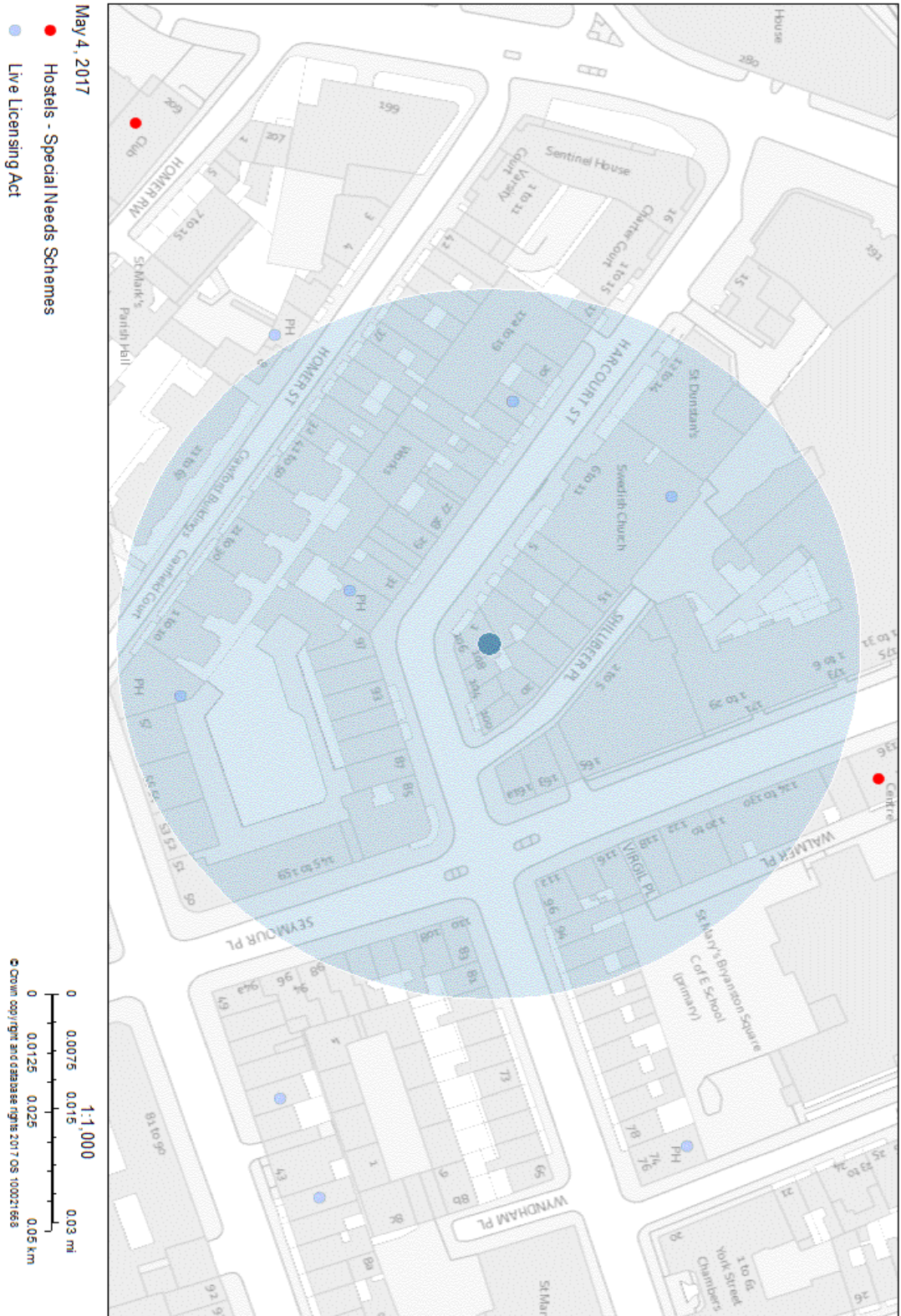
27. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually 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.
28. 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.
29. A Challenge 21 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
30. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by the police or an authorised officer of the City Council at all times whilst the premises are open.
31. 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

32. The premises shall only operate as a restaurant in which customers are seated. Food will be provided in the form of substantial table meals that are prepared on the premises and are served at a counter but consumed at a table using recyclable, non-disposable or biodegradable crockery and cutlery. The premises will not provide any take away service of food or drink after 23.00, and where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there, and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.

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

Marylebone Kitchen



Resident Count: 311