



City of Westminster

# Committee Agenda

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

Meeting Date: **Thursday 13th July, 2017**

Time: **10.00 am**

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

Members: **Councillors:**

Jean Paul Floru  
Heather Acton  
Aziz Toki

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

**Admission to the public gallery is by ticket, issued from the ground floor reception from 9.30am. If you have a disability and require any special assistance please contact the Committee Officer (details listed below) in advance of the meeting.**



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

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

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

## AGENDA

### PART 1 (IN PUBLIC)

#### 1. MEMBERSHIP

To report any changes to the membership.

#### 2. DECLARATIONS OF INTEREST

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

#### Licensing Applications for Determination

#### 1. CAFE BAKU LTD, 22-24 LANSDOWNE ROW, W1

(Pages 1 - 28)

| App No | Ward  | Site Name and Address                  | Application  | Licensing Reference Number |
|--------|---|--|--|----------------------------|
| 1.     | West End Ward / not in cumulative impact area | Cafe Baku Ltd, 22-24 Lansdowne Row, W1 | Vary existing temporary licence – Section 21 of City of Westminster Act 1999 | 17/04644/STT CV            |

#### 2. SERPENTINE GALLERY, KENSINGTON GARDENS, EXHIBITION ROAD, W2

(Pages 29 - 62)

| App No | Ward / Cumulative impact area | Site Name and Address          | Application                       | Licensing Reference Number |
|--------|-------------------------------|--------------------------------|-----------------------------------|----------------------------|
| 2.     | Knightsbridge & Belgravia     | Serpentine Gallery, Kensington | Variation of a premises licence – | 17/05302/LIPV              |

|  |                                      |                              |                    |  |
|--|--------------------------------------|------------------------------|--------------------|--|
|  | Ward / not in cumulative impact area | Gardens, Exhibition Road, W2 | Licensing Act 2003 |  |
|--|--------------------------------------|------------------------------|--------------------|--|

**3. THE SERPENTINE SECKER GALLERY & THE MAGAZINE, SERPENTINE GALLERY, KENSINGTON GARDENS, EXHIBITION ROAD, W2**

**(Pages 63 - 96)**

| App No | Ward / Cumulative impact area                                  | Site Name and Address   | Application  | Licensing Reference Number |
|--------|--|---|--|----------------------------|
| 3.     | Knightsbridge & Belgravia Ward / not in cumulative impact area | The Serpentine Secker Gallery & The Magazine, Serpentine Gallery, Kensington Gardens, Exhibition Road, W2 | Variation of a premises licence – Licensing Act 2003 | 17/05352/LIPV              |

**4. 32 HENRIETTA STREET, WC2**

**(Pages 97 - 144)**

| App No | Ward / Cumulative impact area                     | Site Name and Address    | Application                               | Licensing Reference Number |
|--------|---|--------------------------|---|----------------------------|
| 4.     | St James's Ward / West End Cumulative Impact Area | 32 Henrietta Street, WC2 | New Premises Licence – Licensing Act 2003 | 17/05529/LIPN              |

**5. SKETCH, 9 CONDUIT STREET, W1****(Pages 145 - 196)**

| App No | Ward / Cumulative impact area                   | Site Name and Address        | Application  | Licensing Reference Number |
|--------|---|------------------------------|--|----------------------------|
| 5.     | West End Ward / West End Cumulative Impact Area | Sketch, 9 Conduit Street, W1 | Variation of a Premises Licence – Licensing Act 2003 | 17/04660/LIPV              |

**6. RESTAURANT, GROUND FLOOR, STRAND PALACE HOTEL, 372 STRAND, WC2****(Pages 197 - 254)**

| App No | Ward / Cumulative impact area                     | Site Name and Address   | Application                               | Licensing Reference Number |
|--------|---|---|---|----------------------------|
| 6.     | St James's Ward / West End Cumulative Impact Area | Restaurant , Ground Floor, Strand Palace Hotel, 372 Strand, WC2 | New Premises Licence – Licensing Act 2003 | 17/05581/LIPN              |

**7. BAR, GROUND FLOOR, STRAND PALACE HOTEL, 372 STRAND, WC2****(Pages 255 - 312)**

| App No | Ward / Cumulative impact area                     | Site Name and Address            | Application                               | Licensing Reference Number |
|--------|---|----------------------------------|---|----------------------------|
| 7.     | St James's Ward / West End Cumulative Impact Area | Bar, Ground Floor, Strand Palace | New Premises Licence – Licensing Act 2003 | 17/05624/LIPN              |

|  |      |                        |  |  |
|--|------|------------------------|--|--|
|  | Area | Hotel, 372 Strand, WC2 |  |  |
|--|------|------------------------|--|--|

**8. VICTORY HOUSE, 14 LEICESTER PLACE, WC2**

**(Pages 313 - 338)**

| App No | Ward / Cumulative impact area                     | Site Name and Address                  | Application                               | Licensing Reference Number |
|--------|---|--|---|----------------------------|
| 8.     | St James's Ward / West End Cumulative Impact Area | Victory House, 14 Leicester Place, WC2 | New Premises Licence – Licensing Act 2003 | 17/05429/LIPN              |

**Charlie Parker  
Chief Executive  
7 July 2017**

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City of Westminster

## Licensing Sub-Committee

|                                |  |
|--------------------------------|--|
| <b>Meeting:</b>                | <i>Licensing Sub-Committee</i>   |
| <b>Date:</b>                   | <i>13<sup>th</sup> July 2017</i>   |
| <b>Classification:</b>         | <i>General Release</i>   |
| <b>Premises:</b>               | <i>Café Baku Ltd, 22 -24 Lansdowne Row, London, W1J 8QL</i><br><br><i>17/04644/STTCV</i> |
| <b>Wards Affected:</b>         | <i>West End</i>  |
| <b>Cumulative Impact Area:</b> | <i>No</i>  |
| <b>Financial Summary:</b>      | <i>None</i>  |
| <b>Report of:</b>              | <i>Operational Director for Public Protection &amp; Licensing</i>                        |

### 1. Executive Summary

- 1.1 The Council has received an application to vary the existing temporary licence from Café Baku Ltd in respect of the premises situated at 22 – 24 Lansdowne Row, London, W1J 8QL. The purpose of the application is to increase the hours when the tables and chairs can be used from 23:00 to midnight every day of the week.
- 1.2 The report sets out the application details, objection, legal context along with other considerations that the Licensing Sub-Committee requires to determine this application under Section 21 of the City of Westminster Act 1999 (CoW 1999).
- 1.3 Premises need to apply separately for both planning permission and a temporary licence to use the public highway to set up tables and chairs. A temporary licence is granted for 6 months. After the 6 months a further temporary licence is required.

It is rare for the City Council to approve external seating beyond 23:00 hours other than in central locations such as Leicester Square (and adjoining streets) and Heddon Street. The Council's guidance normally does not allow the highway to be used after 23:00 for placing tables and chairs.

### 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 Grant the variation as applied for,
  - 2.1.2 Grant the variation 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 4<sup>th</sup> May 2017 Café Baku Ltd applied to vary the terminal hour for placing tables and chairs on the public highway from 23:00 to midnight, Monday to Sunday. A copy of the application is attached as **Appendix A1**.
- 3.2 This company have held temporary licences since 2012, and have been continually licensed since this time. The current temporary licence is attached as **Appendix A2** and seating plan is attached as **Appendix A3**.
- 3.3 The premises have planning permission for the use of the public highway for the placing of 12 tables, 26 chairs and 2 space heaters in an area measuring 1.6m x 15.0m; namely to allow the continued use of the pavement for the placing of tables and chairs between the hours of 07:00 - 00:00 (daily) for the temporary period until 30 April 2018. A copy of the planning permission is attached as **Appendix A4**.

### 4. Objections

- 4.1 An objection was received from Environmental Health detailing their concerns due to the use of the external area beyond 23:00, as this will have the likely effect of an increase in public nuisance. A copy of the objection is attached as **Appendix B1**.

### 5. Premises Licence

The premises currently hold a premises licence under the Licensing Act 2003 and operate as a café.

The licensable activities authorised by the licence are:

#### **Playing of Recorded Music and Sale by Retail of Alcohol:**

|                               |                |
|-------------------------------|----------------|
| Monday to Thursday:           | 10:00 to 23:30 |
| Friday to Saturday:           | 10:00 to 00:00 |
| Sunday:                       | 12:00 to 22:30 |
| Sundays before Bank Holidays: | 12:00 to 00:00 |

#### **Late Night Refreshment:**

|                               |                |
|-------------------------------|----------------|
| Monday to Thursday:           | 23:00 to 23:30 |
| Friday to Saturday:           | 23:00 to 00:00 |
| Sundays before Bank Holidays: | 23:00 to 00:00 |

A copy of the premises licence is attached as **Appendix C1**

Members will note from the premises licence that condition 12 states:

“All outside tables and chairs shall be removed from the outside area or rendered unusable by 23:00 hours each day”.

Therefore if the premises were to operate with the proposed variation to use the outside area for tables and chairs until midnight they would be in breach of this condition.

### 6 Applicants Submissions

- 6.1 At the time of publication, no response had been received.



## **7. Legal Implications**

- 7.1 To place tables and chairs on the public highway requires a temporary licence, which is governed by section 21 the City of Westminster Act 1999. Section 21 (1) and (2) provides:-
- (1) The council may if they think fit on the receipt from any person of an application for that purpose and accompanied by the appropriate fee grant to that person a temporary licence.  
(2) A temporary licence shall remain in force only for the day or period specified in the licence and —
- (a) shall be in a similar form to a street trading licence with such modifications therein as the circumstances require; and
  - (b) shall contain such terms and conditions as the council may specify.

Under the 1999 Act the 'specified period' shall not exceed 6 months.

- 7.2 There are no specific statutory grounds to refuse the grant of a temporary licence. The Sub Committee has the discretion to grant the application in whole or in part and attach restrictive conditions or accept undertakings.
- 7.3 Any procedural deficiencies may be challenged by an application to the high court for Judicial Review.

## **8. POLICY**

- 8.1 It is the policy of the City Council that licences will only be granted where the activity to be authorised by that temporary licence is an authorised planning use.
- 8.2 On 20 March 2000, the Planning and Transportation Committee adopted a scheme to licence tables and chairs on the public highway through the granting of temporary licences. Through the scheme tables and chairs would be removed from the public highway by 23:00 hours.
- 8.3 Members will note from paragraph 3.3 planning permission has been granted to midnight. Although the planning permission has been granted to midnight, members will note from paragraph 4.1 Environmental Health has objected on the grounds of the likely increase to public nuisance.
- 8.4 As a standard condition of the temporary licence, the City Council will require the removal of the items at specified hours. The starting times for the placing of tables and chairs will vary according to the individual circumstances. In order to protect the amenity of residents both in the immediate vicinity and within the surrounding area, the City Council will limit the time that tables and chairs may be left out to 23:00 hours. Service at the tables should cease earlier and customers should be made aware that the tables and chairs must be removed by 23:00 hours. Only in exceptional circumstances will the City Council approve applications for the use of tables and chairs on the highway beyond 23:00 hours even if the premises themselves have the relevant licences and permissions to operate until a later time.
- 8.5 Temporary licences to place tables and chairs on the public highway are granted for a period of 6 months. After the 6 month period, a further licence is required.

## **Appendices**

- A1 – Application Form
- A2 – Temporary Licence
- A3 – Seating Plan
- A4 - Planning Permission
- B1 – Environmental Health Objection
- C1 – Premises Licence
- D1 – Location Map

If you have any questions about this report, or wish to inspect any of the background papers, please contact Denise Farrelly on 020 7641 2588 or email [dfarrelly@westminster.gov.uk](mailto:dfarrelly@westminster.gov.uk)

## **BACKGROUND PAPERS**

- City of Westminster Act 1999
- Rules of Procedure for Licensing Sub-Committee
- Conditions to be attached to Temporary Licences where street trading involves the use of tables and chairs.

## Application for a temporary licence involving the use of Tables and Chairs on a street

Is this a new application or a renewal?  New application  Renewal  Variation

Have you previously held a street trading licence for tables and chairs?  Yes  No

a

Licence search

Existing licence number Date of expiry 

## Part 1 - Details of application site

Name of establishment / business 

Address of application site

Postcode

Is more than one frontage proposed to be used?  Yes Please specify   
 No

## Part 2 - Applicant's details

I am an agent applying on behalf of the applicant 

|            | Agent details  | Your details   |
|------------|--|--|
| Title      | <input type="text" value="Mr"/>  | <input type="text" value="Mr"/>                                  |
| First name | <input type="text" value="Craig"/>   | <input type="text" value="Erfan"/>                               |
| Last name  | <input type="text" value="Baylis"/>  | <input type="text" value="Zargarian"/>                           |
|            | Company name   | <input type="text" value="Café Baku Ltd"/>                       |
| Address    | <input type="text" value="Blp&lt;br/&gt;Adelaide House&lt;br/&gt;London Bridge&lt;br/&gt;London"/> | <input type="text" value="15 Queen Anne Gate&lt;br/&gt;London"/> |
|            | Postcode <input type="text" value="EC4R 9HA"/>   | Postcode <input type="text" value="SW1H 9BU"/>                   |
| Telephone  | <input type="text" value="0203 400 2326"/>   | <input type="text" value="0203 400 2326"/>                       |
| Email      | <input type="text" value="craig.baylis@blplaw.com"/>   | <input type="text" value="craig.baylis@blplaw.com"/>             |

**Part 2 - Details of application site (continued)**

Number of persons to be seated

Number of tables applied for

Number of chairs applied for

Dimensions of the area of street to be used (in metres) /  
Dimensions of the area of the street to be used. Width  Depth

Dimensions of private forecourt (if any) from building line (in metres)  
Width  Depth

Total distance of kerb edge from building line (in metres)

Do you intend to place free-standing heaters within the proposed area?  Yes How many?   
 No

Upload attachments

Do you intend to place items other than heaters, tables and chairs within the proposed area?  Yes  
 No

Please give number and details of all other items of furniture including umbrellas, barriers, etc. Dimensions, manufacturers details, specification and photographs should be supplied.

Do you intend to place planter(s) within the proposed area?  Yes  
 No How many?

Hours during which the tables and chairs will be on the street (Monday to Sunday)

|           |                                    | To                                 | Hours past 7pm                   |
|-----------|------------------------------------|------------------------------------|----------------------------------|
| Monday    | <input type="text" value="07:00"/> | <input type="text" value="00:00"/> | <input type="text" value="5.0"/> |
| Tuesday   | <input type="text" value="07:00"/> | <input type="text" value="00:00"/> | <input type="text" value="5.0"/> |
| Wednesday | <input type="text" value="07:00"/> | <input type="text" value="00:00"/> | <input type="text" value="5.0"/> |
| Thursday  | <input type="text" value="07:00"/> | <input type="text" value="00:00"/> | <input type="text" value="5.0"/> |
| Friday    | <input type="text" value="07:00"/> | <input type="text" value="00:00"/> | <input type="text" value="5.0"/> |
| Saturday  | <input type="text" value="07:00"/> | <input type="text" value="00:00"/> | <input type="text" value="5.0"/> |
| Sunday    | <input type="text" value="07:00"/> | <input type="text" value="00:00"/> | <input type="text" value="5.0"/> |

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Total

**Part 3 - Bathroom facilities**

Public Provisions - State the number of toilet provision available.

|         | Female               | Male                 | Disabled             | Staff (if separate)  |
|---------|----------------------|----------------------|----------------------|----------------------|
| Toilets | <input type="text"/> | <input type="text"/> | <input type="text"/> | <input type="text"/> |
| Urinals |                      | <input type="text"/> | <input type="text"/> | <input type="text"/> |
| Sinks   | <input type="text"/> | <input type="text"/> | <input type="text"/> | <input type="text"/> |

Number of internal covers

**Part 4 - Place of storage**

Please specify the place of storage of the tables and chairs and other items when not placed on the highway. If applicable specify the storage of the gas cylinders.

Dimensions of storage space (m<sup>2</sup>)

**Part 5 - Planning permission - if available**

Applicants are advised to consult the Planning Policy Guidance document 'Guidelins for the placing of Tables and Chairs on the Highway' and 'Public Realm Guidance: The Westminster Way'

The guidance documents are available on the Westminster City Council web site.

If you have a current planning permission you will need to provide details below. A temporary licence will not normally be granted until permission is in force.

Registered number of planning permission  Date of expiry of planning permission

**Part 6 - Declaration and indemnity**

The fee for this application is:

£150.00

RENEWALS ONLY - I confirm there have been no alterations to the sanitary, storage or waste disposal arrangements since the current licence was granted.

RENEWALS ONLY - I confirm no change in the hours, ancillary furniture or other terms and conditions of the licence is being sought.

NEW APPLICATION / RENEWAL - I / we declare that to the best of my / our knowledge the information contained in this application form and on the submitted plans are correct.

VARIATION ONLY - I hereby apply for variation of the temporary licence for street trading issued under the City of Westminster Act 1999.

Confirmation

a

Date

04/05/2017

Full name

Craig Baylis

Name of company

Berwin Leightin Paisner Llp

Position in company

Partner

**Part 7 - Fraud**

The City Council is under a duty to protect the public funds it administers and to this end may use the information you have provided on this form within the Council for the prevention and detection of fraud. It may also share this information with other bodies administering public funds for these purposes.

## NOTES

The Council may revoke this licence on certain specified grounds e.g. for misconduct, failure to comply with licence conditions.

The holder may employ any other person to ASSIST him/her in the conduct of the business without any further licence being required, but the licence may not be transferred to any other person nor may it be altered or tampered with in any way. Any failure by an Assistant to comply with licence conditions will be deemed to be a failure by the licence holder.

Any breach of this licence is punishable by a penalty not exceeding Level 3.

## CITY OF WESTMINSTER

CITY OF WESTMINSTER ACT 1999

TEMPORARY LICENCE  
FOR THE USE OF  
TABLES AND CHAIRS

Baku  
22 - 24 Lansdowne Row  
London  
W1J 8QL

**LICENCE NO:  
17/06430/STTCF**



City of Westminster

1. THE WESTMINSTER CITY COUNCIL hereby grants to Cafe Baku Limited

A temporary licence to engage in the use of tables and chairs in the City of Westminster from the street outside Baku, 22 - 24 Lansdowne Row, London, W1J 8QL

2. This licence authorises the holder to trade solely in the articles, and in the manner, and at the places and times specified in the Schedule to the licence and is granted subject (1) to the conditions made under Section 21(2)(b) of the City of Westminster Act 1999; (2) to any Act amending the same and to any Orders made thereunder; and (3) to any other statutory enactment which is in force for the time being.

3. This licence shall remain in force until 17 December 2017 unless it is cancelled or revoked by the Council.

Director of Public Protection & Licensing

Dated this: 18 June 2017

SCHEDULE

|   |  |       |       |       |       |       |       |
|---|--|-------|-------|-------|-------|-------|-------|
| Number Of Places                            | 26   |       |       |       |       |       |       |
| Type and number of other approved furniture | TABLES: 12 CHAIRS: 26 HEATERS: 2 PLANTERS: Nil |       |       |       |       |       |       |
| Location / Premises                         | Baku, 22 - 24 Lansdowne Row, London, W1J 8QL   |       |       |       |       |       |       |
| Dimensions of private forecourt             | None   |       |       |       |       |       |       |
| Dimensions of area licensed                 | WIDTH: 15.0m DEPTH: 1.6m                       |       |       |       |       |       |       |
| Day   | Mon  | Tues  | Wed   | Thurs | Fri   | Sat   | Sun   |
| From Time                                   | 07:00  | 07:00 | 07:00 | 07:00 | 07:00 | 07:00 | 07:00 |
| To Time                                     | 23:00  | 23:00 | 23:00 | 23:00 | 23:00 | 23:00 | 23:00 |

FURTHER CONDITIONS

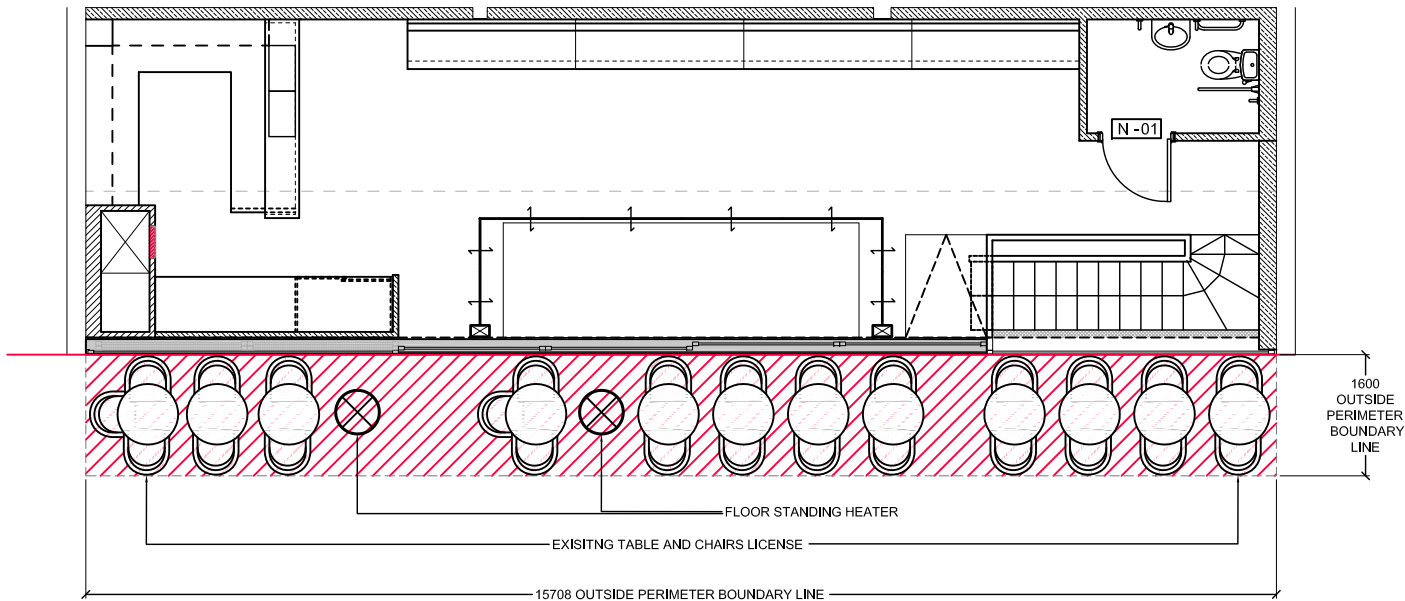
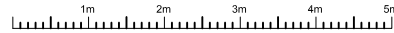
(i) The approved furniture shall be removed from the highway no later than 23:00 daily.



# Appendix A3

Dimensions to be verified on site, figured dimensions to be taken in preference to those scaled.  
 This drawing is the property of Concept Corporate Interiors Plc. Copyright is reserved by them and the drawing is issued on the condition that it is not copied, reproduced, retained or disclosed to any unauthorised person either wholly or in part without the consent in writing of Concept Corporate Interiors Plc.

**AS BUILT**



**PEDESTRIANISED STREET**

\*\* 12 EXTERNAL TABLES

\*\* 26 EXTERNAL CHAIRS

## GROUND FLOOR AI USE SEATING AREA

page 11

| REV | DESCRIPTION          | DATE     | SIG |
|-----|----------------------|----------|-----|
| -   | DRAWING FIRST ISSUED | 20-03-14 | CRL |

**concept**  
 inspiring workspaces

Capital House, Westbourne Street  
 High Wycombe, Bucks, HP11 2PZ

Tel: 01494 465847 Fax: 01494 463880  
 email: info@concept-plc.com

**Client**  
 UEI REAL ESTATES

**Project**  
 22-24 LANSDOWNE ROW  
 LONDON

**Description**  
 BOUNDARY OF OUTSIDE  
 SEATING AREA

| Scale       | Date      |         |     |
|-------------|-----------|---------|-----|
| 1:100 @ A4  | 20.03.14  |         |     |
| Project No. | Floor No. | Drg No. | Rev |
| 3009        | G         | OBA     | -   |



Your ref:

My ref: 16/01814/FULL

Please  
reply to:

Tel No:

Ken Powell

020 7641 2927

Michelle Goodrum  
Monro Wright and Wasbroughlp  
7-8 Great James Street  
London  
WC1N 3DF

**Development Planning**  
Westminster City Council  
PO Box 732  
Redhill, RH1 9FL

22 April 2016

Dear Sir/Madam

TOWN AND COUNTRY PLANNING ACT 1990  
PERMISSION FOR DEVELOPMENT (CONDITIONAL)

The City Council has considered your application and permits the development referred to below subject to the conditions set out and in accordance with the plans submitted.

Unless any other period is stated in the Schedule below or by conditions attached; this consent, by virtue of Section 91(1) of the Town and Country Planning Act 1990 (as amended), is granted subject to the condition that the development shall be commenced within 3 years of the date of this decision.

Your attention is drawn to the enclosed Statement of Applicant's Rights and General Information.

**SCHEDULE**

**Application No:** 16/01814/FULL                      **Application Date:** 16.02.2016  
**Date Received:** 22.02.2016                      **Date Amended:** 11.03.2016

**Plan Nos:**

**Address:** 22 - 24 Lansdowne Row, London, W1J 8QL,

**Proposal:** Variation of condition 5 of planning permission dated 26.03.2014 (RN: 13/05058/TCH) for 'Use of the public highway for the placing of 12 x tables, 26 chairs, and two patio heaters in an area measuring 1.6m x 15.0m in connection with the existing sandwich bar/café (Sui Generis) at No. 22-24 between 07.00 - 00.00 (daily).' Namely; to allow the continued use of the pavement for the placing of tables and chairs until 31st March 2018.

See next page for conditions/reasons.

Yours faithfully

**John Walker**  
**Director of Planning**

Note: As the requirements of the Building Regulations may affect the design of the proposed development our Building Control team can offer advice and guidance at an early stage. If you would like to take advantage of this service please contact them on 020 7641 6500 or email [districtsurveyors@westminster.gov.uk](mailto:districtsurveyors@westminster.gov.uk) to arrange a preliminary discussion.

**Note:**

- The Plain English Crystal Mark applies to those conditions, reasons and informatives in this letter which have an associated reference number with the prefix C, R, X or I.
- The terms 'you' and 'your' include anyone who owns or occupies the land or is involved with the development.
- The terms 'us' and 'we' refer to the Council as local planning authority.



**Condition(s):**

- 1 The development hereby permitted shall be carried out in accordance with the drawings and other documents listed on this decision letter, and any drawings approved subsequently by the City Council as local planning authority pursuant to any conditions on this decision letter.

Reason:

For the avoidance of doubt and in the interests of proper planning.

- 2 You must not put the tables, chairs and patio heaters in any other position than that shown on drawing OBA. (C25AA)

Reason:

In the interests of public safety and to avoid blocking the road as set out in S41 of Westminster's City Plan: Strategic Policies adopted November 2013 and TACE 11 of our Unitary Development Plan that we adopted in January 2007. (R25AC)

- 3 You can only put the tables, chairs and patio heaters on the pavement between 07.00 and 00.00. (C25BA)

Reason:

To protect neighbouring residents from noise and disturbance as set out in S29 and S32 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 6 and TACE 11 of our Unitary Development Plan that we adopted in January 2007.

- 4 The tables and chairs must only be used by customers of the ground and basement floors of No. 22 - 24 Lansdowne Row. (C25CA)

Reason:

In the interests of public safety and to avoid blocking the road as set out in S41 of Westminster's City Plan: Strategic Policies adopted November 2013 and TACE 11 of our Unitary Development Plan that we adopted in January 2007. (R25AC)

- 5 This use of the pavement may continue until 30 April 2018. You must then remove the tables, chairs and patio heaters. (C25DA)

Reason:

We cannot give you permanent permission as the area in question is, and is intended to remain, public highway and Section 130 (1) of the Highways Act 1980 states that "It is the duty of the highway authority to assert and protect the rights of the public to the use and enjoyment of any highway for which they are the highway authority". We also need to assess the effect of this activity regularly to make sure it meets S41 of Westminster's City Plan: Strategic Policies adopted November 2013 and TACE 11 of our Unitary Development Plan that we adopted in January 2007. For the above reasons, and not because this is seen a form of trial period, we can therefore only grant a temporary permission.

Note:

- The Plain English Crystal Mark applies to those conditions, reasons and informatives in this letter which have an associated reference number with the prefix C, R, X or I.
- The terms 'you' and 'your' include anyone who owns or occupies the land or is involved with the development.
- The terms 'us' and 'we' refer to the Council as local planning authority.



- 6 You can only put out on the pavement the tables, chairs and patio heaters shown on drawing OBA. No other furniture, equipment or screening shall be placed on the pavement in association with the tables, chairs and patio heaters hereby approved.

Reason:

In the interests of public safety and to avoid blocking the road as set out in S41 of Westminster's City Plan: Strategic Policies adopted November 2013 and TACE 11 of our Unitary Development Plan that we adopted in January 2007. (R25AC)

**Informative(s):**

- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan: Strategic Policies adopted November 2013, Unitary Development Plan, Supplementary Planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.

- 2 You cannot put tables and chairs in the area unless you have a street trading licence.

If you want to know about the progress of your application for a licence, you can contact our Licensing Service on 020 7641 8549. If you apply for a licence and then decide to change the layout of the tables and chairs, you may have to apply again for planning permission. You can discuss this with the planning officer whose name appears at the top of this letter.

Please remember that once you have a licence you must keep the tables and chairs within the agreed area at all times. (I47AB)

- 3 You must keep the tables and chairs within the area shown at all times. We will monitor this closely and may withdraw your street trading licence if you put them outside this area. (I48AA)

Note:

- The Plain English Crystal Mark applies to those conditions, reasons and informatives in this letter which have an associated reference number with the prefix C, R, X or I.
- The terms 'you' and 'your' include anyone who owns or occupies the land or is involved with the development.
- The terms 'us' and 'we' refer to the Council as local planning authority.



**CITY OF WESTMINSTER**

**MEMORANDUM**

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**TO** Licensing Officer  
**REFERENCE** 17/04644/STTCV

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**FROM** Environmental Health Consultation Team  
4<sup>th</sup> Floor South, City Hall  
**BEING DEALT WITH BY** Ian Watson  
**TELEPHONE** 020 7641 3183  
**DATE** 10<sup>th</sup> May 2017

---

**RE: Baku, 22 - 24 Lansdowne Row, W1**

I have the following comments to make with regard to the variation application to trade tables and chairs on the street at the above premises.

The variation is to trade Monday to Sunday 07.00 to 00.00 hours as per planning permission, an additional later hour each day.

Objection is made to the application as the use of the outside space for the additional later hour will have the likely effect of an increase in public nuisance.

Should you have any queries regarding the above, please do not hesitate to contact me.

Ian Watson  
Senior Practitioner Environmental Health (Licensing)



Schedule 12  
Part A

WARD: West End  
UPRN: 010033615434

## City of Westminster

64 Victoria Street, London, SW1E 6QP

Premises licence

Regulation 33, 34

Premises licence number:

17/00268/LIPDPS

Original Reference:

12/00738/LIPN

### Part 1 – Premises details

#### Postal address of premises:

Baku Bistro  
22 - 24 Lansdowne Row  
London  
W1J 8QL

Telephone Number: 020 7495 4461

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

Not applicable

#### Licensable activities authorised by the licence:

Playing of Recorded Music  
Late Night Refreshment  
Sale by Retail of Alcohol

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

##### Playing of Recorded Music

|                               |                |
|-------------------------------|----------------|
| Monday to Thursday:           | 10:00 to 23:30 |
| Friday to Saturday:           | 10:00 to 00:00 |
| Sunday:                       | 12:00 to 22:30 |
| Sundays before Bank Holidays: | 12:00 to 00:00 |

##### Late Night Refreshment

|                               |                |
|-------------------------------|----------------|
| Monday to Thursday:           | 23:00 to 23:30 |
| Friday to Saturday:           | 23:00 to 00:00 |
| Sundays before Bank Holidays: | 23:00 to 00:00 |

##### Sale by Retail of Alcohol

|                               |                |
|-------------------------------|----------------|
| Monday to Thursday:           | 10:00 to 23:30 |
| Friday to Saturday:           | 10:00 to 00:00 |
| Sunday:                       | 12:00 to 22:30 |
| Sundays before Bank Holidays: | 12:00 to 00:00 |

**The opening hours of the premises:**

|                               |                |
|-------------------------------|----------------|
| Monday to Thursday:           | 07:00 to 00:00 |
| Friday to Saturday:           | 07:00 to 00:30 |
| Sunday:                       | 07:00 to 23:00 |
| Sundays before Bank Holidays: | 07:00 to 00:00 |

**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:**

Cafe Baku Limited  
15 Queen Anne Gate  
London  
SW1H 9BU

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

07808904

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

**Name:** Francois Robert Georges Durnez

*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:** 2016/01428/LAPER  
**Licensing Authority:** London Borough of Hammersmith & Fulham

**Date:** 10 February 2017

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



## Annex 1 – Mandatory conditions

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

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

7. The responsible person must ensure that—

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

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

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

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**

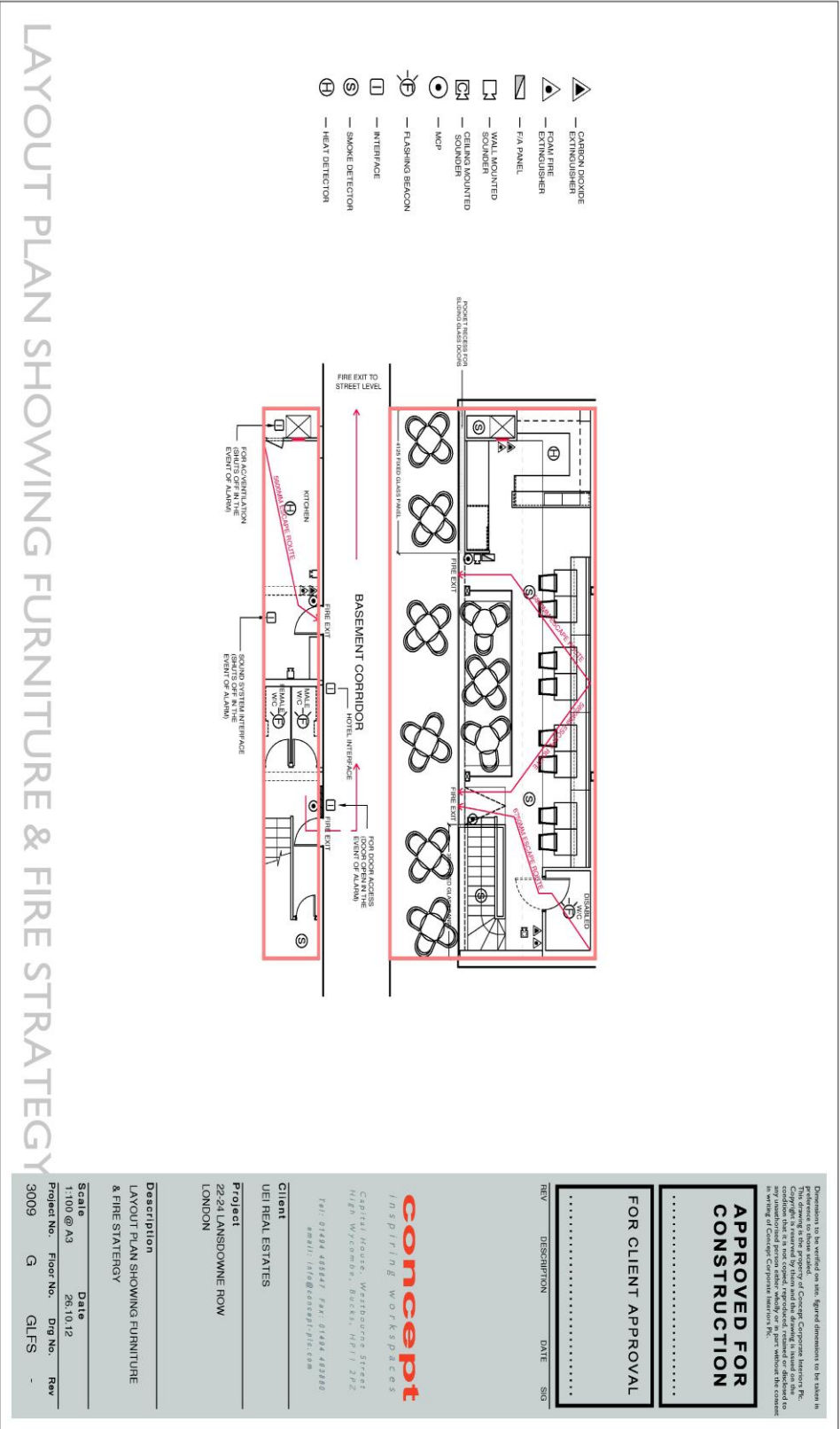
None

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

9. The premises shall only operate as a café:-
  - (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,
  - (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.
10. Substantial food and non-intoxicating beverages, including drinking water, shall be available throughout the permitted hours in all parts of the premises where alcohol is sold or supplied for.
11. The supply of Alcohol shall only be by waiter or waitress service.
12. All outside tables and chairs shall be removed from the outside area or rendered unusable by 23:00 hours each day.
13. Except for in any permitted exterior dining area patrons temporarily leaving the premises, such as for the purposes of smoking, shall not take any drinks with them in open vessels outside the premises.
14. There shall be no striptease or nudity and all persons shall be decently attired at all times.
15. No entertainment, performance, service, or exhibition involving nudity or sexual stimulation which would come within the definition of a sex establishment in Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 as amended by the Greater London Council (General Powers) Act 1986 (whether or not locally adopted), shall be provided.
16. No rubbish including bottles will be moved, removed or placed in outside areas between 2300 hours and 0700 hours.
17. No deliveries shall take place between 23:00 and 07:00 hours.
18. No collections, including refuse and recyclable food waste, shall take place between 00:00 and 07:00 hours.
19. No cooking odour or smoke shall emanate from the premises which give rise to a nuisance.
20. Flashing or particularly bright lights from the premises shall not cause a nuisance to nearby properties.
21. 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.

22. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open 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.
23. The overall capacity for the premises shall not exceed 60.
24. The pavement from the building line to the kerb edge immediately outside the premises, including gutter/channel at its junction with the kerb edge, is swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements.
25. All waste is to be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
26. Notices shall be prominently displayed at exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
27. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
28. There shall be no payment made by or on behalf of the licence holder to any person for bringing customers to the premises directly off the street.

Annex 4 – Plans





Schedule 12  
Part B

WARD: West End  
UPRN: 010033615434

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

**Premises licence  
summary**

Regulation 33, 34

**Premises licence number:**

17/00268/LIPDPS

**Part 1 – Premises details**

**Postal address of premises:**

Baku Bistro  
22 - 24 Lansdowne Row  
London  
W1J 8QL

**Telephone Number:** 020 7495 4461

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

Not applicable

**Licensable activities authorised by the licence:**

Playing of Recorded Music  
Late Night Refreshment  
Sale by Retail of Alcohol

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

**Playing of Recorded Music**

|                               |                |
|-------------------------------|----------------|
| Monday to Thursday:           | 10:00 to 23:30 |
| Friday to Saturday:           | 10:00 to 00:00 |
| Sunday:                       | 12:00 to 22:30 |
| Sundays before Bank Holidays: | 12:00 to 00:00 |

**Late Night Refreshment**

|                               |                |
|-------------------------------|----------------|
| Monday to Thursday:           | 23:00 to 23:30 |
| Friday to Saturday:           | 23:00 to 00:00 |
| Sundays before Bank Holidays: | 23:00 to 00:00 |

**Sale by Retail of Alcohol**

|                               |                |
|-------------------------------|----------------|
| Monday to Thursday:           | 10:00 to 23:30 |
| Friday to Saturday:           | 10:00 to 00:00 |
| Sunday:                       | 12:00 to 22:30 |
| Sundays before Bank Holidays: | 12:00 to 00:00 |



**The opening hours of the premises:**

|                               |                |
|-------------------------------|----------------|
| Monday to Thursday:           | 07:00 to 00:00 |
| Friday to Saturday:           | 07:00 to 00:30 |
| Sunday:                       | 07:00 to 23:00 |
| Sundays before Bank Holidays: | 07:00 to 00:00 |

**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:**

Cafe Baku Limited  
15 Queen Anne Gate  
London  
SW1H 9BU

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

07808904

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

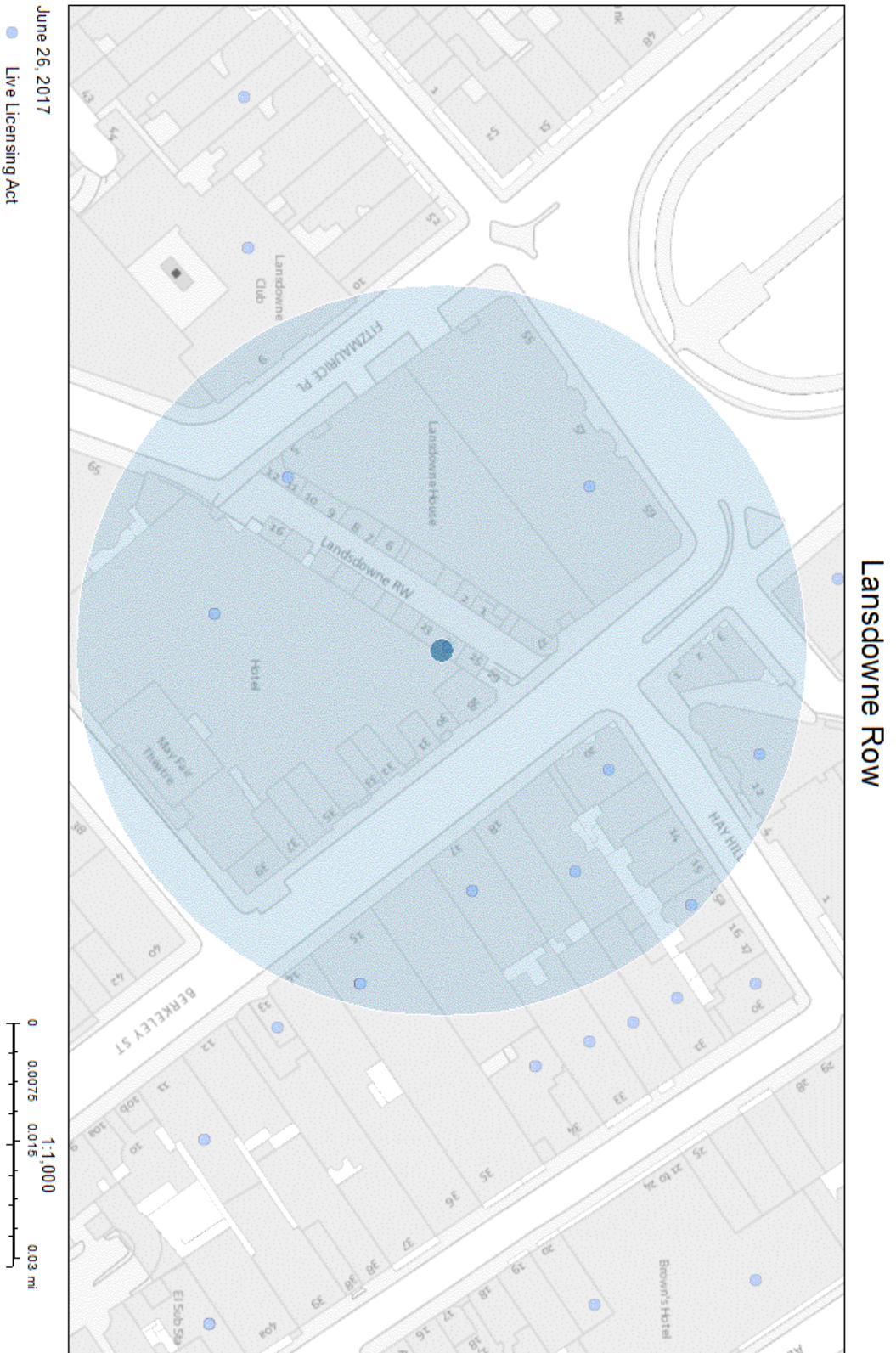
**Name:** Francois Robert Georges Durnez

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

Restricted

**Date:** 10 February 2017

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



**Resident Count:** 80



City of Westminster

# Licensing Sub-Committee Report

## Agenda Item 2

|                    |  |
|--------------------|--|
| Item No:           |  |
| Date:              | 13 July 2017   |
| Licensing Ref No:  | 17/05302/LIPV - Premises Licence Variation   |
| Title of Report:   | Serpentine Gallery<br>Serpentine Gallery Kensington Gardens<br>Exhibition Road<br>London<br>W2 2UH |
| Report of:         | Director of Public Protection and Licensing  |
| Wards involved:    | Knightsbridge And Belgravia  |
| Policy context:    | City of Westminster Statement of Licensing Policy  |
| Financial summary: | None   |
| Report Author:     | Miss Heidi Lawrance<br>Senior Licensing Officer  |
| Contact details    | Telephone: 020 7641 2751<br>Email: hlawrance@westminster.gov.uk                                    |

## 1. Application

| 1-A Applicant and premises        |   |                                |                            |
|-----------------------------------|---|--------------------------------|----------------------------|
| <b>Application Type:</b>          | Variation of a Premises Licence, Licensing Act 2003   |                                |                            |
| <b>Application received date:</b> | 18 May 2017   |                                |                            |
| <b>Applicant:</b>                 | Serpentine Gallery  |                                |                            |
| <b>Premises:</b>                  | Serpentine Gallery  |                                |                            |
| <b>Premises address:</b>          | Serpentine Gallery<br>Kensington Gardens<br>Exhibition Road<br>London<br>W2 2UH   | <b>Ward:</b>                   | Knightsbridge & Belgravia. |
|                                   |   | <b>Cumulative Impact Area:</b> | None.                      |
| <b>Premises description:</b>      | The premises is currently operating as an Art gallery.  |                                |                            |
| <b>Variation description:</b>     | <p>An art gallery which showcases modern and contemporary art. The gallery is situated in Kensington Gardens, Exhibition Road, London, W2 2UH. The premises comprise of:</p> <ol style="list-style-type: none"> <li>1. The Main Gallery</li> <li>2. The Marquee</li> <li>3. The Pavillion</li> <li>4. An Outside Area</li> </ol> <p>This application is to vary the premises licence as follows:</p> <ol style="list-style-type: none"> <li>1. To extend the hours for the sale of alcohol to between the hours of 11:00 and 00:00 Monday to Saturday.</li> <li>2. To extend the hours for the provision of regulated entertainment to between the hours of 1100 and 00:00 Monday to Saturday.</li> <li>3. To include the provision of late night refreshment to between the hours of 2300 and 00:00 Monday to Saturday.</li> <li>4. To remove condition 33 set out in Annex 2 of the premises licence.</li> <li>5. To extend the opening hours.</li> </ol> |                                |                            |

|                                  |  |
|----------------------------------|--|
| <b>Premises licence history:</b> | The premises has been licensed since July 2006.<br><br>A copy of the current premises licence can be found at Appendix 6 (09/03038/LIPDPS).  |
| <b>Applicant submissions:</b>    | Following discuss with Royal Parks the applicant has agreed to the following:<br><br>The terminal hour Monday to Saturday for all licensable activities to be amended to midnight which would then match the hours for The Magazine (17/05352/LIPV). |

| <b>1-B Current and proposed licensable activities, areas and hours</b>                        |  |             |                       |                  |                               |
|---|--|-------------|-----------------------|------------------|-------------------------------|
| <b>Regulated Entertainment</b>  |  |             |                       |                  |                               |
| <b>Live Music / Recorded Music / Performance of Dance / Anything of a Similar Description</b> |  |             |                       |                  |                               |
|   | <b>Current Hours</b>                                 |             | <b>Proposed Hours</b> |                  | <b>Licensable Area</b>        |
|   | <b>Start:</b>  | <b>End:</b> | <b>Start:</b>         | <b>End:</b>      |                               |
| <b>Monday</b>   | 11:00  | 23:00       | 11:00                 | 00:00            | Please see Plan at Appendix 1 |
| <b>Tuesday</b>  | 11:00  | 23:00       | 11:00                 | 00:00            |                               |
| <b>Wednesday</b>  | 11:00  | 23:00       | 11:00                 | 00:00            |                               |
| <b>Thursday</b>   | 11:00  | 23:00       | 11:00                 | 00:00            |                               |
| <b>Friday</b>   | 11:00  | 23:00       | 11:00                 | 00:00            |                               |
| <b>Saturday</b>   | 11:00  | 23:00       | 11:00                 | 00:00            |                               |
| <b>Sunday</b>   | 11:00  | 22:30       | 11:00                 | 22:30            |                               |
| <b>Seasonal variations:</b>   | <b>Current:</b>                                      |             |                       | <b>Proposed:</b> |                               |
| <b>Non-standard timings:</b>  | Monday to Saturday 11:00 until 00:00 (Summer Events) |             |                       | No Change        |                               |

| Late night refreshment                        |               |  |                |       |                               |
|---|---------------|--|----------------|-------|-------------------------------|
| Indoors, outdoors or both                     |               |  | Current :      |       | Proposed:                     |
|   |               |  | Both           |       | Both                          |
|   | Current Hours |  | Proposed Hours |       | Licensable Area               |
|   | Start:        | End:   | Start:         | End:  |                               |
| Monday  |               |  | 23:00          | 00:00 | Please see Plan at Appendix 1 |
| Tuesday                                       |               |  | 23:00          | 00:00 |                               |
| Wednesday                                     |               |  | 23:00          | 00:00 |                               |
| Thursday                                      |               |  | 23:00          | 00:00 |                               |
| Friday  |               |  | 23:00          | 00:00 |                               |
| Saturday                                      |               |  | 23:00          | 00:00 |                               |
| Sunday  |               |  |                |       |                               |
| Seasonal variations/<br>Non-standard timings: |               | Current:   |                |       | Proposed:                     |
|   |               | Monday to Sunday : 23:00 until 00:00 (Summer Events) |                |       |                               |

| Sale by Retail of Alcohol                     |               |  |                |       |                               |
|---|---------------|--|----------------|-------|-------------------------------|
| On or off sales                               |               |  | Current :      |       | Proposed:                     |
|   |               |  | On Sales       |       | On Sales                      |
|   | Current Hours |  | Proposed Hours |       | Licensable Area               |
|   | Start:        | End:   | Start:         | End:  |                               |
| Monday  | 11:00         | 23:00  | 11:00          | 00:00 | Please see Plan at Appendix 1 |
| Tuesday                                       | 11:00         | 23:00  | 11:00          | 00:00 |                               |
| Wednesday                                     | 11:00         | 23:00  | 11:00          | 00:00 |                               |
| Thursday                                      | 11:00         | 23:00  | 11:00          | 00:00 |                               |
| Friday  | 11:00         | 23:00  | 11:00          | 00:00 |                               |
| Saturday                                      | 11:00         | 23:00  | 11:00          | 00:00 |                               |
| Sunday  | 12:00         | 22:30  | 12:00          | 22:30 |                               |
| Seasonal variations/<br>Non-standard timings: |               | Current:   |                |       | Proposed:                     |
|   |               | Monday to Sunday: 23:00 until 00:00 (Summer Events). |                |       | No Change.                    |

| Hours premises are open to the public                 |  |       |                |       |                               |           |
|---|--|-------|----------------|-------|-------------------------------|-----------|
|   | Current Hours  |       | Proposed Hours |       | Premises Area                 |           |
|   | Start:   | End:  | Start:         | End:  | Current:                      | Proposed: |
| <b>Monday</b>   | 10:00  | 23:00 | 10:00          | 00:00 | Please see plan at Appendix 1 |           |
| <b>Tuesday</b>  | 10:00  | 23:00 | 10:00          | 00:00 |                               |           |
| <b>Wednesday</b>                                      | 10:00  | 23:00 | 10:00          | 00:00 |                               |           |
| <b>Thursday</b>                                       | 10:00  | 23:00 | 10:00          | 00:00 |                               |           |
| <b>Friday</b>   | 10:00  | 23:00 | 10:00          | 00:00 |                               |           |
| <b>Saturday</b>                                       | 10:00  | 23:00 | 10:00          | 00:00 |                               |           |
| <b>Sunday</b>   | 10:00  | 22:30 | 10:00          | 22:30 |                               |           |
| <b>Seasonal variations/<br/>Non-standard timings:</b> | <b>Current:</b>                                      |       |                |       | <b>Proposed:</b>              |           |
|   | Monday to Sunday: 11:00 until 00:00 (Summer Events). |       |                |       | No Change.                    |           |

| 1-C Layout alteration  |
|------------------------|
| No change applied for. |

| 1-D Conditions being varied, added or removed   |                          |                           |
|---|--------------------------|---------------------------|
| Condition   | Proposed variation       |                           |
| <p><b><u>Condition 33</u></b></p> <p>The hours permitted for Sale of Alcohol, Live Music, Playing of Recorded Music, Provision of facilities for making music and Provision of facilities for dancing may be extended until 00:00 (midnight).</p> | To be removed            |                           |
| <b>Adult entertainment:</b>   | <b>Current position:</b> | <b>Proposed position:</b> |
|   | Not applicable           | Not applicable.           |

## 2. Representations

| 2-A Responsible Authorities  |   |
|--|---|
| Responsible Authority:   | Environmental Health Consultation Team <b>(Withdrawn)</b> |
| Representative:  | Mr Ian Watson   |
| Received:  | 7 <sup>th</sup> June 2017                                 |
| <p>This representation is based on the operating schedule submitted.</p> <p>The applicant is seeking the following</p> <ol style="list-style-type: none"><li>1. To increase the hours for the supply of alcohol 'On' the premises Monday to Saturday from 23.00 hours to 01.00 hours the following day.</li><li>2. To increase the hours for the provision of late night refreshment 'Indoors' and 'Outdoors' Monday to Saturday from 23.00 hours to 01.00 hours the following day.</li><li>3. To increase the hours for regulated entertainment 'Indoors' and 'Outdoors' Monday to Saturday from 09.00 hours to 01.00 hours the following day.</li><li>4. To remove condition 33 concerning the annual summer event.</li></ol> <p>I wish to make the following representation</p> <ol style="list-style-type: none"><li>1. The additional hours requested for the Supply of Alcohol will have the likely effect of causing an increase in Public Nuisance within the area.</li><li>2. The additional hours requested for the provision of Late Night Refreshment will have the likely effect of causing an increase in Public Nuisance within the area.</li><li>3. The additional hours requested for the provision of regulated entertainment will impact on Public Safety and have the likely effect of causing an increase in Public Nuisance within the area.</li><li>4. No objection.</li></ol> <p>The applicant has not provided any conditions in support of the application. A check on the noise history will be made to evaluate if the current conditions are sufficient.</p> <p><b><i>Following a meeting with the applicant, Environmental Health have now withdrawn their representation.</i></b></p> |   |



|                               |  |
|-------------------------------|--|
| <b>Responsible Authority:</b> | Metropolitan Police Service ( <b>Withdrawn</b> ) |
| <b>Representative:</b>        | PC Michael Day                                   |
| <b>Received:</b>              | 15 <sup>th</sup> June 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.

***Following discussions with the applicant, the Metropolitan Police Service have now withdrawn their representation.***

## 2-B Other Persons

|  |  |                               |         |
|--|--|-------------------------------|---------|
| <b>Name:</b>                                 | Mr John Zamit                                      |                               |         |
| <b>Address and/or Residents Association:</b> | South East Bayswater Residents Association (SEBRA) |                               |         |
| <b>Status:</b>                               | Valid  | <b>In support or opposed:</b> | Opposed |
| <b>Received:</b>                             | 14 <sup>th</sup> June 2017                         |                               |         |

The South East Bayswater Residents' Association (SEBRA) objects strongly to this variation application.

Current hours should be sufficient and we see no reason why any extended hours should be granted.

Kensington Gardens closes at dusk and adjoin Hyde Park road network closes at midnight to all traffic we understand. We know at Victoria Gate at j/w Bayswater Road the gate closes at midnight and believe same true on all other gates surrounding park.

We are concerned as to noise nuisance, additional traffic in surrounding areas late t night/ early hours of morning.

We are also concerned as effect of late night activity effecting wild life in both parks.

|  |   |                               |         |
|--|---|-------------------------------|---------|
| <b>Name:</b>                                 | Mr Dennis Clark   |                               |         |
| <b>Address and/or Residents Association:</b> | On behalf of The Royal Parks<br>The Old police House<br>Hyde Park<br>London |                               |         |
| <b>Status:</b>                               | Valid   | <b>In support or opposed:</b> | Opposed |
| <b>Received:</b>                             | 15 <sup>th</sup> June 2017  |                               |         |

The Serpentine Gallery requires access along West Carriage Drive, within Hyde Park,

for its operations. This licence application will increase the regularity and scale of vehicular and other activity when the park is closed. The Royal Parks have no plans to extend park opening hours beyond the current midnight closure.

On this basis therefore The Royal Parks objects to this application.

|   |                            |  |         |
|---|----------------------------|--|---------|
| <b>Name:</b>                                |                            | Mr Paul Meitner – Licensing Representative |         |
| <b>Address and/or Residents Association</b> |                            | Knightsbridge Association                  |         |
| <b>Status:</b>                              | Valid                      | <b>In support of opposed:</b>              | Opposed |
| <b>Received:</b>                            | 15 <sup>th</sup> June 2017 |  |         |

I write to object to the grant the above application, on the basis that the likely impact of the application, if granted, would be to harm the licensing objectives of prevention of public nuisance.

### **Background**

Since 1961 the Knightsbridge Association (“KA”) has promoted the interests of residents, businesses and visitors of the Knightsbridge neighbourhood. Knightsbridge is not a well defined term but, roughly, it includes the area from Hyde Park Corner on the east to Queen’s Gate on the west and from Hyde Park on the north to Brompton Road on the south.

The Knightsbridge Association is a not for profit, non-political, voluntary organisation representing local interests on all residential and commercial planning applications and monitors licensing applications. It also monitors Street cleaning and lighting and liaises with the police on crime prevention.

Many of these residents have communicated their concerns to us and the Knightsbridge Association’s representation reflects these concerns. We understand that these residents are likely to make their own representations to the Premises Licensing Committee.

### **Prevention of public nuisance and protection of children**

We are concerned about this particular application, on the grounds of prevention of public nuisance, specifically the additional noise and disruption to the lives of local residents as a result of the proposed extension of hours. The application envisages the extension to the hours for the sale of alcohol and regulated entertainment to between 10.00 a.m. and 1.00 a.m. Monday to Saturday and 12.00 to 1.00 a.m. on Sundays prior to a bank holiday, with an extension of closing time from 23.00 to 1.00 a.m. on Mondays to Saturdays and Sundays before a public holiday.

The above proposed hours are well outside “Core Hours” and will turn an oasis of piece into a a “Stress Area”. Kensington Gardens is not a destination for late night entertainment and should retain its current character. The residential apartments in Exhibition Road and Lancaster Gate will become subjected to late night disturbance resulting from the dispersal of clientele, up to and beyond 1 a.m. Nor is noise and

disturbance to hotel guests acceptable. KA has as a result received a number of strong objections.

There are already licensed premises at the location, but extended hours as envisaged will mean more people and more potential for night time disturbance. It is unclear why a significantly later finishing time is appropriate now when it was not when the original application was submitted.

Increased consumption of alcohol is usually accompanied by the playing of loud music and has the potential to cause nuisance. Given the location of the premises, increased consumption of alcohol will inevitably lead to greater risk of public nuisance well into the night.

Accordingly, we lodge our objection and ask the Sub-Committee to take this representation into account when considering the application. Please let me know the date of the application once it is known, so that either I or another representative of the KA can attend.

### 3. Policy & Guidance

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

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

## 4. Appendices

|                   |  |
|-------------------|--|
| <b>Appendix 1</b> | Premises plans                                       |
| <b>Appendix 2</b> | Applicant supporting documents                       |
| <b>Appendix 3</b> | Premises history                                     |
| <b>Appendix 4</b> | Proposed conditions                                  |
| <b>Appendix 5</b> | Residential map and list of premises in the vicinity |
| <b>Appendix 6</b> | Current Premises Licence - 09/03038/LIPDPS           |

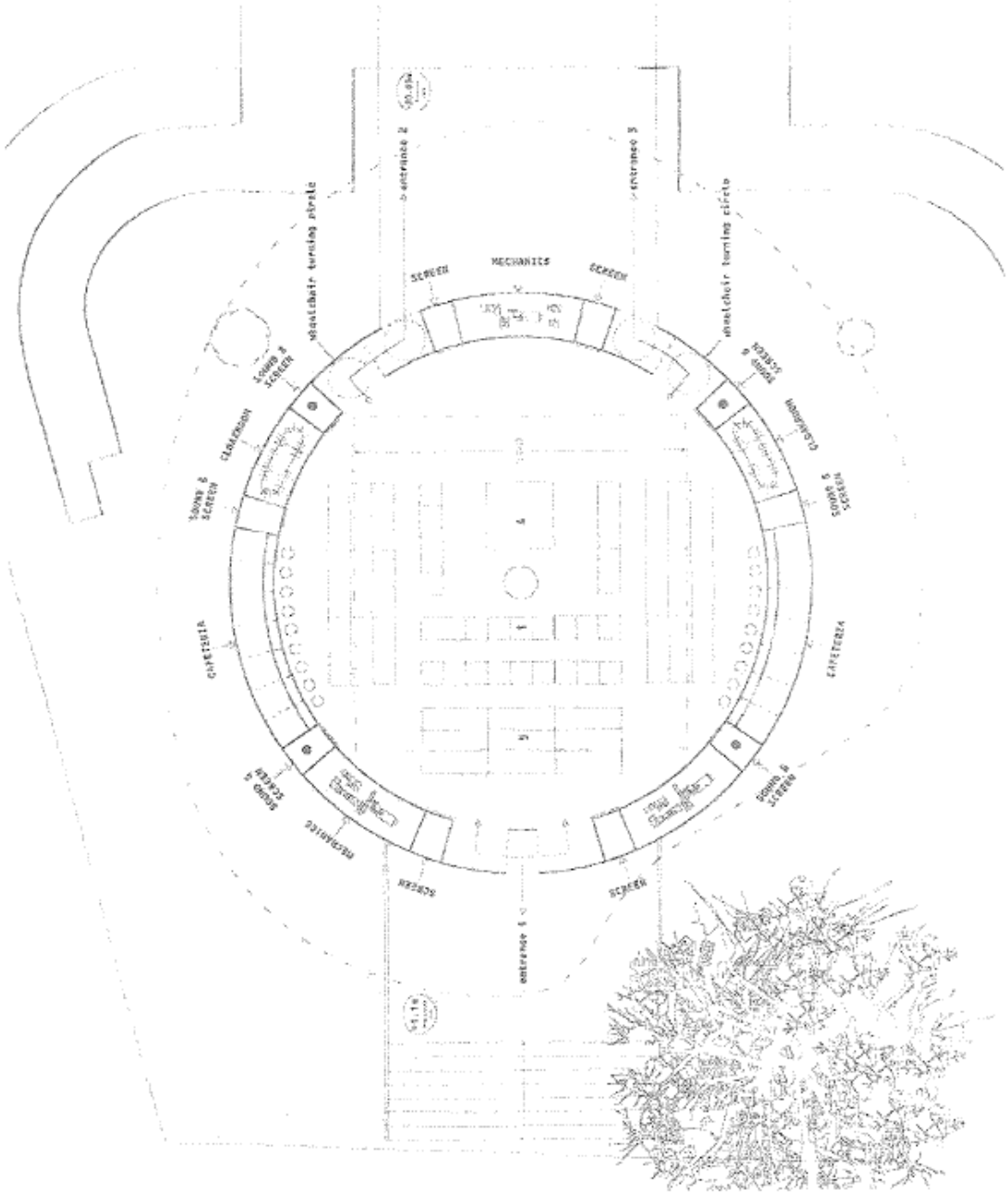
|                       |   |
|-----------------------|---|
| <b>Report author:</b> | Miss Heidi Lawrance<br>Senior Licensing Officer                 |
| <b>Contact:</b>       | Telephone: 020 7641 2751<br>Email: hlawrance@westminster.gov.uk |

**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  | 18 <sup>th</sup> May 2017    |
| <b>5</b> | Representation – Environmental Health                               | 7 <sup>th</sup> June 2017    |
| <b>6</b> | Representation – MET Police   | 15 <sup>th</sup> June 2017   |
| <b>7</b> | Representation – SEBRA  | 14 <sup>th</sup> June 2017   |
| <b>8</b> | Representation – The Royal Parks                                    | 15 <sup>th</sup> June 2017   |
| <b>9</b> | Representation – Knightsbridge Association                          | 15 <sup>th</sup> June 2017   |

**Premises Plans**





**L F C D A**  
LONDON FIRE BRIGADE

Fire No: TEA/01/2829  
Address: SERVICING GALLERY  
KINGSDOWN GARDENS  
LONDON  
W2

Draw No: 1 BR 2  
Drawn By: J.B. WILKS  
Check Date: 9/18/01  
Issue Date: 9/18/01

Approved Date: 1/18  
Approved By: J.B. WILKS  
Check Date: 01/28/99-201  
Sheet Size: A3

Check name of  
drawing of  
reference

**BASEMENT**



Bees Marquees

EXIT

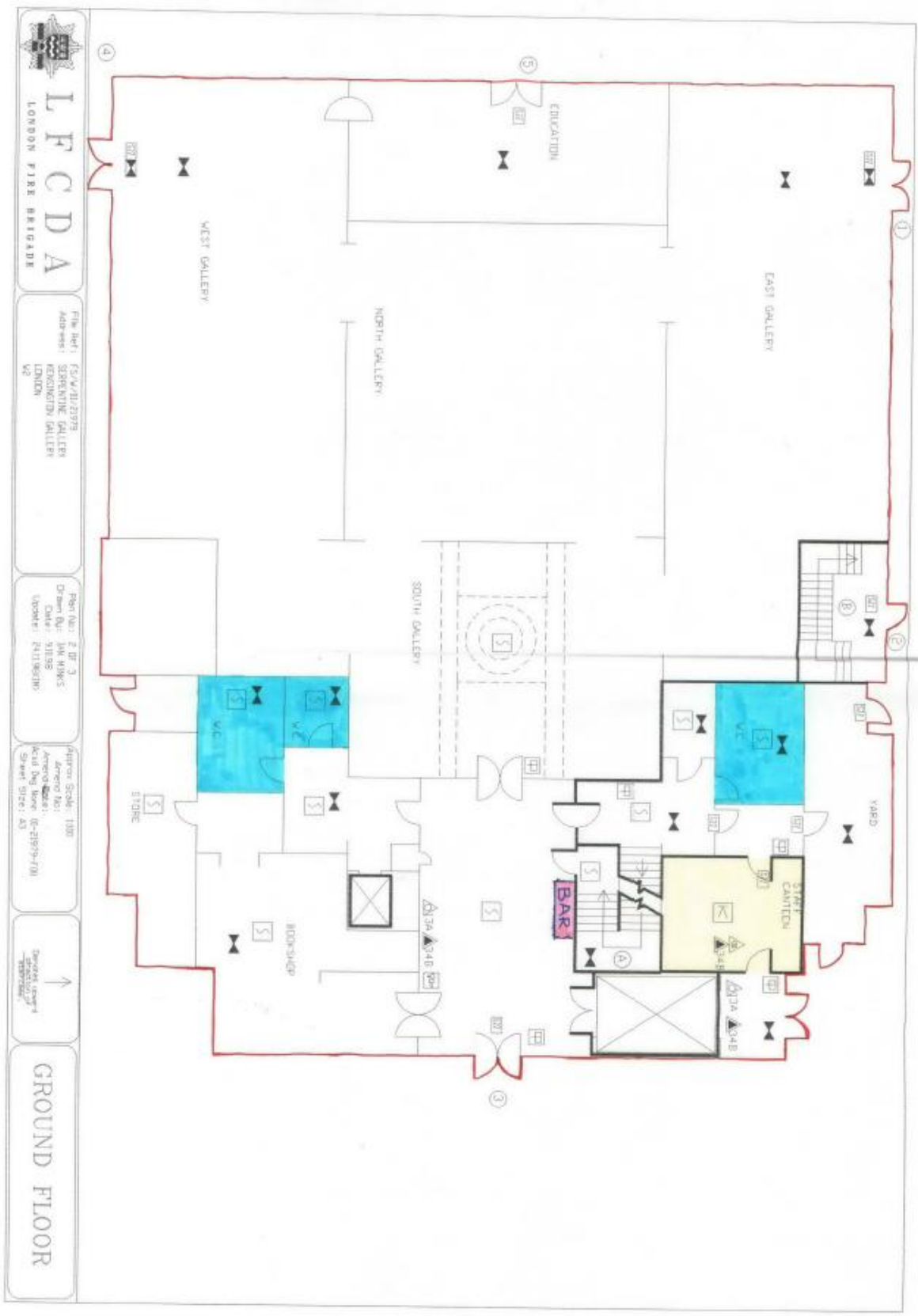
BAR

CLEAR WALLS

EXIT

0 1M 2M 3M

|             |                             |                 |            |                |            |
|-------------|-----------------------------|-----------------|------------|----------------|------------|
| Client      | Serpentine Gallery          | Event ref       | 068114     | Drawn By       | Tabi       |
| Event title | Event October - scale 1:100 | Drawing number  | 068114     | Date           | 17-10-2005 |
| Version     |                             | Event date (if) | 16-10-2005 | Structure size |            |



**LFCDA**  
LONDON FIRE BRIGADE

File Ref: 13/V/11/21975  
Address: SERVICING GALLERY  
LONDON  
W8

Plan No: 2 of 3  
Drawn By: JIM HIBBS  
Date: 11/198  
Update: 2/11/92/10

Approx Scale: 1:100  
Drawing No: 10-21975-1/01  
Acad Dig Ref: 10-21975-1/01  
Sheet Size: A3

Copyright ©  
1992

**GROUND FLOOR**



**Applicant Supporting Documents**

None submitted.

**Licence & Appeal History**

| <b>Application</b> | <b>Details of Application</b>   | <b>Date Determined</b>        | <b>Decision</b>                    |
|--------------------|---|-------------------------------|------------------------------------|
| 06/04859/LIPN      | Application for a new premises licence  | 20 <sup>th</sup> July 2006    | Granted by Licensing Sub-Committee |
| 06/08227/LIPV      | <p>Application to vary the premises licence</p> <p>The Gallery also wish to apply to remove the condition on their existing licence which requires the use of plastic cups in serving alcohol. The Gallery wish to be able to use glass cups also in serving alcoholic drinks at private or sponsored events.</p>   | 26 <sup>th</sup> October 2006 | Granted under Delegated Authority  |
| 07/04973/LIPV      | <p>Application to vary the premises licence</p> <p>A one-off, invitation only annual fund-raising event. The event is to be held in the Gallery and a temporary structure in the area immediately adjacent to the Gallery. The applicant seeks an extension of hours until 00:00 for The Sale By Retail of Alcohol, Recorded Music &amp; The Provision of Facilities for Making Music. The event is</p> | 5 <sup>th</sup> July 2007     | Granted under Delegated Authority  |

|                 |  |                                |                                   |
|-----------------|--|--------------------------------|-----------------------------------|
|                 | scheduled to begin at 18:00                            |                                |                                   |
| 08/06061/LIPV   | Application to vary the premises licence               | 7 <sup>th</sup> August 2008    | Granted under Delegated Authority |
| 08/11407/LIPDPS | Application to Vary the Designated Premises Supervisor | 31 <sup>st</sup> December 2008 | Granted under Delegated Authority |
| 09/03038/LIPDPS | Application to Vary the Designated Premises Supervisor | 6 <sup>th</sup> May 2009       | 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 to vary a premises licence under the provisions of the Licensing Act 2003, the licensing authority must, unless it decides to reject the application, grant the licence subject to the conditions which are indicated as mandatory in this schedule.

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

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

**Conditions: On Current Licence -**

**Mandatory:**

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

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

- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

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

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

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

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

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

Where -

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

- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
- 8(iii). Where the permitted price given by Paragraph 8(ii)(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- 8(iv).
  - (1) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
  - (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

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

- 9. SIA licensed security shall be used when over 150 attend a single event.
- 10. Guests who attend private events, sponsored events and gallery events shall be encouraged to leave quietly.
- 11. The immediate exterior shall be kept free of litter.
- 12. Professional licensed security guards shall secure the Summer Party.
- 13. Regulated Entertainment shall only be provided at private hire events and to invited guests and not general public.
- 14. Alcoholic drinks will be provided in glass cups only to persons attending the gallery for the purposes of private hire for sponsored events and ancillary to their attendance for such purposes.
- 15. Staffs shall be trained to ensure that glasses are kept behind the bar and the additional door supervisors shall ensure that no glasses are taken outside the premises.
- 16. All staff shall be trained to assist with fire safety. There shall be 14 First Aiders, 3 of who shall be present at every event.
- 17. Fire extinguishers and blankets shall be kept on the premises.
- 18. Any entertainment, performance, service, or exhibition involving nudity or sexual stimulation which would come within the definition of a sex establishment in Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 as amended by the Greater London Council (General Powers) Act 1986, (whether or not locally adopted), shall not be provided.
- 19. When Regulated Entertainment is carried out, the number of persons accommodated at any one time in the Gallery (excluding staff) shall not exceed

300. In order for this capacity to be permitted, a total of at least three fire exits at a width of no less than 1050mm shall be maintained at all times.
20. Accommodation figures for any temporary structures shall be set in line with the Technical Standards for Places of Entertainment, and agreed with the Environmental Health Consultation Team prior to the first event taking place.
  21. The provision of Regulated Entertainment shall be restricted to pre-booked functions only
  22. The provision of Live Music is limited to no more than 10 performers save with the prior consent of the Environmental Health Consultation Team.
  23. No striptease, no nudity and all persons to be decently attired at all times
  24. Upon the initial erection of any temporary structures (such as the Pavilion and Marquee), an inspection must be carried out (and/or if there are any changes to the structure and layout) by the Environmental Health Consultation Team prior to the first event taking place. The following information must be supplied to the Environmental Health Consultation Team 21 days prior to the first event taking place:
    - a) Risk assessments for the temporary structures are to be produced by the Designated Premises Supervisor, including those supplied from any contractors brought in.
    - b) Emergency exits and entrances to the event area must be provided with clearly visible signage.
    - c) Details of all marquees, tented structures and temporary structures should be provided including emergency exits and appropriate signage.
    - d) All temporary structures shall be stable, securely fixed to the floor and where appropriate suitably certified by the building control division.
    - e) The Designated Premises Supervisor must ensure that competent persons are employed to assess the electrical requirements at the event and the compatibility of the electricity supply with the equipment to be used. Appropriate safety devices (such as 30mA Residual Current Devices at Source) must be used for electrical apparatus, particularly for any electrical equipment exposed to adverse conditions or electrical equipment to be used in association with hand held devices (e.g. microphones). These should comply with the latest edition of BS 4293. The competent person must make a certificate of inspection of the electrical installation available for inspection.
    - f) When the exterior gardens are used for an event outside of daylight hours a suitable system of both primary and secondary lighting shall be provided.



- g) Prior to the installation of any temporary generator the following details shall be submitted by the Contractor to the Council for discussion and approval:-
- i) Contact details of Person(s) responsible for the Generator(s) during the Event;
  - ii) Location of temporary Generator(s) with accompanying Map if appropriate and duration of installation;
  - iii) Type and Make of Generator(s) proposed;
  - iv) Operating Voltage;
  - v) Load(s) to be fed from Generator(s);
  - vi) Cable routing and termination arrangements such as fixings and connections and protective measures taken;
  - vii) Earthing arrangements, including supporting documentation such as Test Results for Earth Rods used;
  - viii) Supplementary Earthing arrangements, such as for fencing Cable Bridges, Viewing Stands, and/or Loads;
  - ix) Protection arrangements (e.g. fencing proposed to prevent unauthorised access);
  - x) Oil Supply Storage proposals and details of refuelling arrangements;
  - xi) Details and locations of all Extinguishers proposed.
- h) Following the Generator(s) installation an Inspection shall be made by the Council to confirm the suitability of the Works. Any necessary corrections, alterations and/or additions required shall be communicated to the Person(s) responsible for the Generator(s) who shall complete these Works before the Generator(s) is used.
- i) During the operation of the Generator(s) the Council shall make spot checks to confirm the continued safe working of the installation. Any unsafe operation shall again be communicated to the Person(s) responsible for remedial action.
- j) All step hazards/nosings shall be clearly marked with high visibility paint or a suitable equivalent.
- k) At all times while the public is present a sufficient number of trained stewards shall be available.
25. All emergency doors shall be maintained effectively self closing and not held open other than by an approved device.
26. All exit doors shall be available at all material times without the use of a key, code, card or similar means.
27. 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.

28. 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.
29. 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
30. 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.
31. Curtains and hangings shall be arranged so as not to obstruct emergency signs.
32. Special effects of any type, or fireworks, shall not be permitted unless previously approved by the Council.
33. Flashing or particularly bright lights on or outside the premises will not be permitted to cause a nuisance to nearby properties (save insofar as they are necessary for the prevention of crime).
34. All staff shall be made aware of the procedure to be adopted in the event of an emergency.

The following conditions are only applicable to an annual summer event (The Summer Event) to take place no earlier than June 1 and no later than 30 September each year, the actual date to be notified in advance to the Licensing Authority.

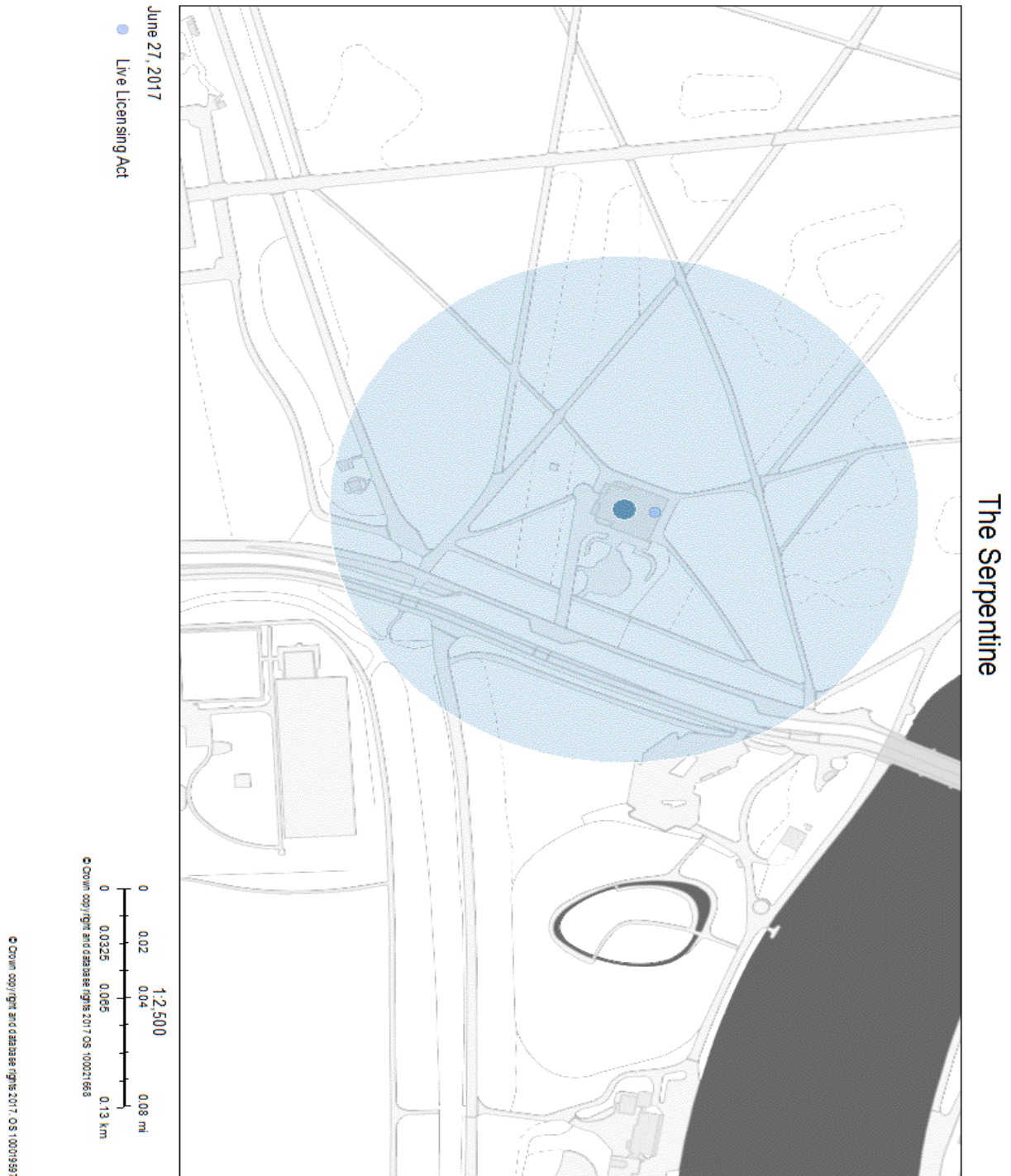
35. The hours permitted for Sale of Alcohol, Live Music, Playing of Recorded Music, Provision of facilities for making music and Provision of facilities for dancing may be extended until 00:00 (midnight).
36. Alcohol will be served only to persons attending by invitation and ancillary to their attendance at the event.
37. No persons will be allowed into the event without a pre-paid invitation.
38. The event shall not be opened to the public.
39. The maximum number of person allowed for the event shall not be more than permitted by the licence.

40. There shall be no less than 21 SIA licensed Security Guards in constant supervision of the perimeter fencing during the event.
41. Not less than One Security Guard shall be assigned to each gate and no gate shall be left unattended throughout the event.

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

42. Maximum number of persons on the premises at any one time shall be as follows (inclusive of staff):  
The Main Gallery: 350  
The Marquee : 520  
The Pavillion : to be agreed annually with the Environmental Health Consultation Team
43. The supply of alcohol in the Gallery, Pavilion and Marquee shall be ancillary to Art Exhibitions and/ or for pre-booked events only.
44. Suitable beverages other than alcohol (including drinking water) and substantial refreshment shall be equally available during the permitted hours.
45. No noise shall emanate from the premises, which gives rise to a nuisance.
46. Children are to be restricted from the bar areas.
47. There may be up to 6 champagne breakfasts allowed per annum between 08:00 - 11:00 at which alcohol shall only be ancillary to food.

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



**Current Premises Licence - 09/03038/LIPDPS**

**City of Westminster**

64 Victoria Street, London, SW1E 6QP

Schedule 12  
Part A

Premises licence

WARD: Knightsbridge  
And Belgravia  
UPRN: 999000042792

Regulation 33, 34

Premises licence number:

09/03038/LIPDPS

Original Reference:

06/04859/LIPN

**Part 1 – Premises details**

**Postal address of premises:**

Serpentine Gallery Kensington Gardens  
Exhibition Road  
London  
W2 2UH

**Telephone Number:** 020 7402 6075

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

Not applicable

**Licensable activities authorised by the licence:**

Performance of Live Music  
Playing of Recorded Music  
Provision of facilities for Dancing  
Provision of facilities for making Music  
Sale by Retail of Alcohol

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

**Performance of Live Music**

Monday to Saturday: 11:00 to 23:00  
Sunday: 11:00 to 22:30  
Non-standard Timings: Monday to Saturday: 11:00 to 00:00 (The Summer Event)

**Playing of Recorded Music**

Monday to Saturday: 11:00 to 23:00  
Sunday: 11:00 to 22:30  
Non-standard Timings: Monday to Saturday: 11:00 to 00:00 (The Summer Event)

**Provision of facilities for Dancing**

Monday to Saturday: 11:00 to 23:00  
Sunday: 11:00 to 22:30  
Non-standard Timings: Monday to Saturday: 11:00 to 00:00 (The Summer Event)

**Provision of facilities for making Music**

Monday to Saturday: 11:00 to 23:00  
Sunday: 11:00 to 22:30  
Non-standard Timings: Monday to Saturday: 11:00 to 00:00 (The Summer Event)

**Late Night Refreshment:**

|   |                                   |
|---|-----------------------------------|
| Non-standard Timings: Monday to Saturday: | 23:00 to 00:00 (The Summer Event) |
| <b>Sale by Retail of Alcohol</b>          |                                   |
| Monday to Saturday:                       | 11:00 to 23:00                    |
| Sunday:                                   | 12:00 to 22:30                    |
| Non-standard Timings: Monday to Saturday: | 11:00 to 00:00 (The Summer Event) |

|   |                                   |
|---|-----------------------------------|
| <b>The opening hours of the premises:</b> |                                   |
| Monday to Saturday:                       | 10:00 to 23:00                    |
| Sunday:                                   | 10:00 to 22:30                    |
| Monday to Saturday:                       | 11:00 to 00:00 (The Summer Event) |

**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:**

Serpentine Gallery  
Kensington Gardens  
London  
W2 3XA  
Electronic Mail : [julieb@serpentinegallery.org](mailto:julieb@serpentinegallery.org)  
Telephone Number : 020 7402 6075

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

298809

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

Name: Julie Bumel

*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: 56033  
Licensing Authority: Luton Borough Council

Date: 14<sup>th</sup> July 2009  
Signed: pp  
Director of Community Protection

**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. 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

5. SIA licensed security shall be used when over 150 attend a single event.
6. Guests who attend private events, sponsored events and gallery events shall be encouraged to leave quietly.
7. The immediate exterior shall be kept free of litter.
8. Professional licensed security guards shall secure the Summer Party.
9. Regulated Entertainment shall only be provided at private hire events and to invited guests and not general public.
10. Alcoholic drinks will be provided in glass cups only to persons attending the gallery for the purposes of private hire for sponsored events and ancillary to their attendance for such purposes.
12. Staffs shall be trained to ensure that glasses are kept behind the bar and the additional door supervisors shall ensure that no glasses are taken outside the premises.
13. All staff shall be trained to assist with fire safety. There shall be 14 First Aiders, 3 of who shall be present at every event.
14. Fire extinguishers and blankets shall be kept on the premises.
15. Any entertainment, performance, service, or exhibition involving nudity or sexual stimulation which would come within the definition of a sex establishment in Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 as amended by the Greater London Council (General Powers) Act 1985, (whether or not locally adopted), shall not be provided.
16. When Regulated Entertainment is carried out, the number of persons accommodated at any one time in the Gallery (excluding staff) shall not exceed 300. In order for this capacity to be permitted, a total of at least three fire exits at a width of no less than 1050mm shall be maintained at all times.
17. Accommodation figures for any temporary structures shall be set in line with the Technical Standards for Places of Entertainment, and agreed with the Environmental Health Consultation Team prior to the first event taking place.
18. The provision of Regulated Entertainment shall be restricted to pre-booked functions only
19. The provision of Live Music is limited to no more than 10 performers save with the prior consent of the Environmental Health Consultation Team.
20. No striptease, no nudity and all persons to be decently attired at all times
21. Upon the initial erection of any temporary structures (such as the Pavilion and Marquee), an inspection must be carried out (and/or if there are any changes to the structure and layout) by the Environmental Health Consultation Team prior to the first event taking place. The following information must be supplied to the Environmental Health Consultation Team 21 days prior to the first event taking place:
  - a) Risk assessments for the temporary structures are to be produced by the Designated Premises Supervisor, including those supplied from any contractors brought in.



- b) Emergency exits and entrances to the event area must be provided with clearly visible signage.
- c) Details of all marquees, tented structures and temporary structures should be provided including emergency exits and appropriate signage.
- d) All temporary structures shall be stable, securely fixed to the floor and where appropriate suitably certified by the building control division.
- e) The Designated Premises Supervisor must ensure that competent persons are employed to assess the electrical requirements at the event and the compatibility of the electricity supply with the equipment to be used. Appropriate safety devices (such as 30mA Residual Current Devices at Source) must be used for electrical apparatus, particularly for any electrical equipment exposed to adverse conditions or electrical equipment to be used in association with hand held devices (e.g. microphones). These should comply with the latest edition of BS 4293. The competent person must make a certificate of inspection of the electrical installation available for inspection.
- f) When the exterior gardens are used for an event outside of daylight hours a suitable system of both primary and secondary lighting shall be provided.
- g) Prior to the installation of any temporary generator the following details shall be submitted by the Contractor to the Council for discussion and approval:-
  - i) Contact details of Person(s) responsible for the Generator(s) during the Event;
  - ii) Location of temporary Generator(s) with accompanying Map if appropriate and duration of installation;
  - iii) Type and Make of Generator(s) proposed;
  - iv) Operating Voltage;
  - v) Load(s) to be fed from Generator(s);
  - vi) Cable routing and termination arrangements such as fixings and connections and protective measures taken;
  - vii) Earthing arrangements, including supporting documentation such as Test Results for Earth Rods used;
  - viii) Supplementary Earthing arrangements, such as for fencing Cable Bridges, Viewing Stands, and/or Loads;
  - ix) Protection arrangements (e.g. fencing proposed to prevent unauthorised access);
  - x) Oil Supply Storage proposals and details of refuelling arrangements;
  - xi) Details and locations of all Extinguishers proposed.
- h) Following the Generator(s) installation an inspection shall be made by the Council to confirm the suitability of the Works. Any necessary corrections, alterations and/or additions required shall be communicated to the Person(s) responsible for the Generator(s) who shall complete these Works before the Generator(s) is used.
- i) During the operation of the Generator(s) the Council shall make spot checks to confirm the continued safe working of the installation. Any unsafe operation shall again be communicated to the Person(s) responsible for remedial action.
- j) All step hazards/trousings shall be clearly marked with high visibility paint or a suitable equivalent.
- k) At all times while the public is present a sufficient number of trained stewards shall be available.

23. All emergency doors shall be maintained effectively self closing and not held open other than by an approved device.
24. All exit doors shall be available at all material times without the use of a key, code, card or similar means.
25. 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.

26. 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.
27. 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
28. 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.
29. Curtains and hangings shall be arranged so as not to obstruct emergency signs.
30. Special effects of any type, or fireworks, shall not be permitted unless previously approved by the Council.
31. Flashing or particularly bright lights on or outside the premises will not be permitted to cause a nuisance to nearby properties (save insofar as they are necessary for the prevention of crime).
32. All staff shall be made aware of the procedure to be adopted in the event of an emergency.

**The following conditions are only applicable to an annual summer event ("The Summer Event") to take place no earlier than June 1 and no later than 30 September each year, the actual date to be notified in advance to the Licensing Authority.**

33. The hours permitted for Sale of Alcohol, Live Music, Playing of Recorded Music, Provision of facilities for making music and Provision of facilities for dancing may be extended until 00:00 (midnight).
34. Alcohol will be served only to persons attending by invitation and ancillary to their attendance at the event.
35. No persons will be allowed into the event without a pre-paid invitation.
36. The event shall not be opened to the public.
37. The maximum number of person allowed for the event shall not be more than permitted by the licence.

38. There shall be no less than 21 SIA licensed Security Guards in constant supervision of the perimeter fencing during the event.
39. Not less than One Security Guard shall be assigned to each gate and no gate shall be left unattended throughout the event.

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

41. Maximum number of persons on the premises at any one time shall be as follows (inclusive of staff):
  - The Main Gallery – 350
  - The Marquee – 520
  - The Pavilion – to be agreed annually with the Environmental Health Consultation Team
42. The supply of alcohol in the Gallery, Pavilion and Marquee shall be ancillary to Art Exhibitions and/ or for pre-booked events only.
43. Suitable beverages other than alcohol (including drinking water) and substantial refreshment shall be equally available during the permitted hours.
44. No noise shall emanate from the premises, which gives rise to a nuisance.
45. Children are to be restricted from the bar areas.
46. There may be up to 6 champagne breakfasts allowed per annum between 08:00 - 11:00 at which alcohol shall only be ancillary to food.



City of Westminster

# Licensing Sub-Committee Report

## Agenda Item 3

|                    |  |
|--------------------|--|
| Item No:           |  |
| Date:              | 13 July 2017   |
| Licensing Ref No:  | 17/05352/LIPV - Premises Licence Variation   |
| Title of Report:   | The Serpentine Secker Gallery and The Magazine<br>Serpentine Gallery Kensington Gardens<br>Exhibition Road<br>London<br>W2 3XA |
| Report of:         | Director of Public Protection and Licensing  |
| Wards involved:    | Knightsbridge And Belgravia  |
| Policy context:    | City of Westminster Statement of Licensing Policy  |
| Financial summary: | None   |
| Report Author:     | Miss Heidi Lawrance<br>Senior Licensing Officer  |
| Contact details    | Telephone: 020 7641 2751<br>Email: hlawrance@westminster.gov.uk  |

## 1. Application

| 1-A Applicant and premises        |  |                                |                           |
|-----------------------------------|--|--------------------------------|---------------------------|
| <b>Application Type:</b>          | Variation of a Premises Licence, Licensing Act 2003  |                                |                           |
| <b>Application received date:</b> | 18 May 2017  |                                |                           |
| <b>Applicant:</b>                 | The Serpentine Trust   |                                |                           |
| <b>Premises:</b>                  | The Serpentine Secker Gallery and The Magazine   |                                |                           |
| <b>Premises address:</b>          | Serpentine Gallery<br>Kensington Gardens<br>Exhibition Road<br>London<br>W2 3XA  | <b>Ward:</b>                   | Knightsbridge & Belgravia |
|                                   |  | <b>Cumulative Impact Area:</b> | None.                     |
| <b>Premises description:</b>      | The premises is currently operating as a gallery and exhibition area with a restaurant.  |                                |                           |
| <b>Variation description:</b>     | <p>The premises comprise of:</p> <ol style="list-style-type: none"> <li>1. A Gallery Area.</li> <li>2. A Restaurant Area.</li> <li>3. An Outdoor Area.</li> </ol> <p>This application is to vary the premises licence as follows:</p> <ol style="list-style-type: none"> <li>1. To extend the hours for the sale of alcohol to between the hours of 10:00 and 00:00 Monday to Saturday and 12:00 and 00:00 on Sundays immediately prior to a bank holiday.</li> <li>2. To extend the hours for the provision of regulated entertainment to between the hours of 00:00 and 00:00 Monday to Saturday and on Sundays immediately prior to a bank holiday.</li> <li>3. To extend the hours for the provision of late night refreshment to between the hours of 23:00 and 00:00 Monday to Saturday and on Sundays prior to a bank holiday.</li> <li>4. To amend the opening hours.</li> </ol> |                                |                           |
| <b>Premises licence history:</b>  | <p>The premises has been licensed since May 2013.</p> <p>A copy of the current licence can be found at Appendix 6</p>  |                                |                           |

|                               |  |
|-------------------------------|--|
| <b>Applicant submissions:</b> | <p>The applicant has had discussions with Royal Parks and have amended the applications as follows:</p> <p>The terminal hour Monday to Thursday for all licensable activities to be amended to midnight which matches the hours for Friday and Saturday.</p> |
|-------------------------------|--|

| <b>1-B Current and proposed licensable activities, areas and hours</b>  |   |             |                       |   |                                 |
|---|---|-------------|-----------------------|---|---------------------------------|
| <b>Regulated Entertainment</b>  |   |             |                       |   |                                 |
| <b>Provision of Plays / Exhibition of Film / Live Music / Recorded Music / Performance of Dance / Anything of a Similar Description</b> |   |             |                       |   |                                 |
|   | <b>Current Hours</b>  |             | <b>Proposed Hours</b> |   | <b>Licensable Area</b>          |
|   | <b>Start:</b>   | <b>End:</b> | <b>Start:</b>         | <b>End:</b>   |                                 |
| <b>Monday</b>   | 09:00   | 23:30       | 09:00                 | 00:00   | Please see plans at Appendix 1. |
| <b>Tuesday</b>  | 09:00   | 23:30       | 09:00                 | 00:00   |                                 |
| <b>Wednesday</b>  | 09:00   | 23:30       | 09:00                 | 00:00   |                                 |
| <b>Thursday</b>   | 09:00   | 23:30       | 09:00                 | 00:00   |                                 |
| <b>Friday</b>   | 09:00   | 00:00       | 09:00                 | 00:00   |                                 |
| <b>Saturday</b>   | 09:00   | 00:00       | 09:00                 | 00:00   |                                 |
| <b>Sunday</b>   | 09:00   | 22:30       | 09:00                 | 22:30   |                                 |
| <b>Seasonal variations:</b>   | <b>Current:</b>   |             |                       | <b>Proposed:</b>  |                                 |
| <b>Non-standard timings:</b>  | Sundays before bank holidays<br>09:00 until 00:00   |             |                       | Sundays immediately prior to a bank holiday 09:00 to 00:00.   |                                 |
|   | From the end of permitted hours on new years eve until the start of permitted hours on New Years Eve. |             |                       | From the end of permitted hours on new years eve until the start of permitted hours on New Years Eve. |                                 |

| <b>Late night refreshment</b>                     |  |             |                       |  |                                 |
|---|--|-------------|-----------------------|--|---------------------------------|
| <b>Indoors, outdoors or both</b>                  |  |             | <b>Current :</b>      |  | <b>Proposed:</b>                |
|   |  |             | Both                  |  | Both                            |
|   | <b>Current Hours</b>   |             | <b>Proposed Hours</b> |  | <b>Licensable Area</b>          |
|   | <b>Start:</b>  | <b>End:</b> | <b>Start:</b>         | <b>End:</b>  |                                 |
| <b>Monday</b>                                     | 23:00  | 23:30       | 23:00                 | 00:00  | Please see plans at Appendix 1. |
| <b>Tuesday</b>                                    | 23:00  | 23:30       | 23:00                 | 00:00  |                                 |
| <b>Wednesday</b>                                  | 23:00  | 23:30       | 23:00                 | 00:00  |                                 |
| <b>Thursday</b>                                   | 23:00  | 23:30       | 23:00                 | 00:00  |                                 |
| <b>Friday</b>                                     | 23:00  | 00:00       | 23:00                 | 00:00  |                                 |
| <b>Saturday</b>                                   | 23:00  | 00:00       | 23:00                 | 01:00  |                                 |
| <b>Sunday</b>                                     |  |             |                       |  |                                 |
| <b>Seasonal variations/ Non-standard timings:</b> | <b>Current:</b>  |             |                       | <b>Proposed:</b>   |                                 |
|   | Sundays before bank holidays<br>23:00 until 00:00<br><br>From the end of permitted hours on new years eve until the start of permitted hours on New Years Eve. |             |                       | Sundays immediately prior to a bank holiday 23:00 to 00:00.<br><br>From the end of permitted hours on new years eve until the start of permitted hours on New Years Eve. |                                 |

| <b>Sale by Retail of Alcohol</b>                  |  |             |                       |  |                                 |
|---|--|-------------|-----------------------|--|---------------------------------|
| <b>On or off sales</b>                            |  |             | <b>Current :</b>      |  | <b>Proposed:</b>                |
|   |  |             | On Sales              |  | On Sales                        |
|   | <b>Current Hours</b>   |             | <b>Proposed Hours</b> |  | <b>Licensable Area</b>          |
|   | <b>Start:</b>  | <b>End:</b> | <b>Start:</b>         | <b>End:</b>  |                                 |
| <b>Monday</b>                                     | 10:00  | 23:30       | 10:00                 | 00:00  | Please see plans at Appendix 1. |
| <b>Tuesday</b>                                    | 10:00  | 23:30       | 10:00                 | 00:00  |                                 |
| <b>Wednesday</b>                                  | 10:00  | 23:30       | 10:00                 | 00:00  |                                 |
| <b>Thursday</b>                                   | 10:00  | 23:30       | 10:00                 | 00:00  |                                 |
| <b>Friday</b>                                     | 10:00  | 00:00       | 10:00                 | 00:00  |                                 |
| <b>Saturday</b>                                   | 10:00  | 00:00       | 10:00                 | 00:00  |                                 |
| <b>Sunday</b>                                     | 12:00  | 10:00       | 00:00                 | 22:30  |                                 |
| <b>Seasonal variations/ Non-standard timings:</b> | <b>Current:</b>  |             |                       | <b>Proposed:</b>   |                                 |
|   | Sundays before bank holidays<br>12:00 until 00:00<br><br>From the end of permitted hours on new years eve until the start of permitted hours on New Years Eve. |             |                       | Sundays immediately prior to a bank holiday 12:00 to 00:00.<br><br>From the end of permitted hours on new years eve until the start of permitted hours on New Years Eve. |                                 |



| Hours premises are open to the public             |   |       |                |   |                                 |
|---|---|-------|----------------|---|---------------------------------|
|   | Current Hours   |       | Proposed Hours |   | Premises Area                   |
|   | Start:  | End:  | Start:         | End:  |                                 |
| <b>Monday</b>                                     | 09:00   | 23:30 | 09:00          | 00:30   | Please see plans at Appendix 1. |
| <b>Tuesday</b>                                    | 09:00   | 23:30 | 09:00          | 00:30   |                                 |
| <b>Wednesday</b>                                  | 09:00   | 23:30 | 09:00          | 00:30   |                                 |
| <b>Thursday</b>                                   | 09:00   | 23:30 | 09:00          | 00:30   |                                 |
| <b>Friday</b>                                     | 09:00   | 00:00 | 09:00          | 00:30   |                                 |
| <b>Saturday</b>                                   | 09:00   | 00:00 | 09:00          | 00:30   |                                 |
| <b>Sunday</b>                                     | 09:00   | 22:30 | 09:00          | 22:30   |                                 |
| <b>Seasonal variations/ Non-standard timings:</b> | <b>Current:</b>   |       |                | <b>Proposed:</b>  |                                 |
|   | Sundays before bank holidays 09:00 until 00:00  |       |                | Sundays immediately prior to a bank holiday 09:00 to 00:30.   |                                 |
|   | From the end of permitted hours on new years eve until the start of permitted hours on New Years Eve. |       |                | From the end of permitted hours on new years eve until the start of permitted hours on New Years Eve. |                                 |

| 1-C Layout alteration |
|-----------------------|
| None applied for.     |

| 1-D Conditions being varied, added or removed |                          |                           |
|---|--------------------------|---------------------------|
| No changes being applied for.                 |                          |                           |
| <b>Adult entertainment:</b>                   | <b>Current position:</b> | <b>Proposed position:</b> |
|   | Not applicable           | Not applicable.           |

## 2. Representations

| 2-A Responsible Authorities   |   |
|---|---|
| <b>Responsible Authority:</b>   | Environmental Health Consultation Team ( <b>Withdrawn</b> ) |
| <b>Representative:</b>  | Mr Ian Watson   |
| <b>Received:</b>  | 7 <sup>th</sup> June 2017                                   |
| <p>I refer to the application for variation of the Premises Licence.</p> <p>This representation is based on the operating schedule submitted.</p> <p>The applicant is seeking the following</p> <ol style="list-style-type: none"><li>1. To increase the hours for the supply of alcohol 'On' the premises Monday to Saturday 10.00 hours to 01.00 hours the following day. Sundays immediately prior to a Bank Holiday 12.00 to 01.00 hours.</li><li>2. To increase the hours for the provision of late night refreshment 'Indoors' and 'Outdoors' Monday to Saturday from 23.00 hours to 01.00 hours the following day. Sundays immediately prior to a Bank Holiday 23.00 to 01.00 hours.</li><li>3. To increase the hours for regulated entertainment 'Indoors' and 'Outdoors' Monday to Saturday from 09.00 hours to 01.00 hours the following day. Sundays immediately prior to a Bank Holiday 09.00 to 01.00 hours.</li></ol> <p>I wish to make the following representation</p> <ol style="list-style-type: none"><li>1. The additional hours requested for the Supply of Alcohol will have the likely effect of causing an increase in Public Nuisance within the area.</li><li>2. The additional hours requested for the provision of Late Night Refreshment will have the likely effect of causing an increase in Public Nuisance within the area.</li><li>3. The additional hours requested for the provision of regulated entertainment will impact on Public Safety and have the likely effect of causing an increase in Public Nuisance within the area.</li></ol> <p>The applicant has not provided any conditions in support of the application. A check on the noise history will be made to evaluate if the current conditions are sufficient.</p> <p><b><i>Following a meeting with the applicant, Environmental Health have now withdrawn their representation.</i></b></p> |   |

|                               |  |
|-------------------------------|--|
| <b>Responsible Authority:</b> | Metropolitan Police Service ( <b>Withdrawn</b> ) |
| <b>Representative:</b>        | PC Michael Day                                   |
| <b>Received:</b>              | 15 <sup>th</sup> June 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.

***Following discussions with the applicant, the Metropolitan Police have now withdrawn their representation.***

|  |   |                               |         |
|--|---|-------------------------------|---------|
| <b>2-B Other Persons</b>                     |   |                               |         |
| <b>Name:</b>                                 | Mr Dennis Clarke  |                               |         |
| <b>Address and/or Residents Association:</b> | On behalf of The Royal Parks<br>The Old Police House<br>Hyde Park<br>London |                               |         |
| <b>Status:</b>                               | Valid   | <b>In support or opposed:</b> | Opposed |
| <b>Received:</b>                             | 15 <sup>th</sup> June 2017  |                               |         |

The Magazine/Serpentine Gallery requires access along West Carriage Drive, within Hyde Park, for its operations. This licence application will increase the regularity and scale of vehicular and other activity when the park is closed. The Royal Parks have no plans to extend park opening hours beyond the current midnight closure.

On this basis therefore The Royal Parks objects to this application.

|  |   |                               |         |
|--|---|-------------------------------|---------|
| <b>Name:</b>                                 | Paul Meitner - Licensing Representative |                               |         |
| <b>Address and/or Residents Association:</b> | Knightsbridge Association               |                               |         |
| <b>Status:</b>                               | Valid                                   | <b>In support or opposed:</b> | Opposed |
| <b>Received:</b>                             | 15 <sup>th</sup> June 2017              |                               |         |

I write to object to the grant of the above application, on the basis that the likely impact of the application, if granted, would be to harm the licensing objectives of prevention of public nuisance.

### **Background**

Since 1961 the Knightsbridge Association ("KA") has promoted the interests of residents, businesses and visitors of the Knightsbridge neighbourhood. Knightsbridge is not a well defined term but, roughly, it includes the area from Hyde Park Corner on the east to Queen's Gate on the west and from Hyde Park on the north to Brompton Road

on the south.

The Knightsbridge Association is a not for profit, non-political, voluntary organisation representing local interests on all residential and commercial planning applications and monitors licensing applications. It also monitors Street cleaning and lighting and liaises with the police on crime prevention.

Many of these residents have communicated their concerns to us and the Knightsbridge Association's representation reflects these concerns. We understand that these residents are likely to make their own representations to the Premises Licensing Committee.

### **Prevention of public nuisance and protection of children**

We are concerned about this particular application, on the grounds of prevention of public nuisance, specifically the additional noise and disruption to the lives of local residents as a result of the proposed extension of hours. The application envisages the extension to the hours for the sale of alcohol and regulated entertainment to between 10.00 a.m. and 1.00 a.m. Monday to Saturday and 12.00 to 1.00 a.m. on Sundays prior to a bank holiday, with an extension of closing time from 23.00 to 1.00 a.m. on Mondays to Saturdays and Sundays before a public holiday. The above proposed hours are well outside "Core Hours" and will turn an oasis of peace into a "Stress Area". Kensington Gardens is not a destination for late night entertainment and should retain its current character. The residential apartments in Exhibition Road and Lancaster Gate will become subjected to late night disturbance resulting from the dispersal of clientele, up to and beyond 1 a.m. Nor is noise and disturbance to hotel guests acceptable. KA has as a result received a number of strong objections.

There are already licensed premises at the location, but extended hours as envisaged will mean more people and more potential for night time disturbance. It is unclear why a significantly later finishing time is appropriate now when it was not when the original application was submitted.

Increased consumption of alcohol is usually accompanied by the playing of loud music and has the potential to cause nuisance. Given the location of the premises, increased consumption of alcohol will inevitably lead to greater risk of public nuisance well into the night.

Accordingly, we lodge our objection and ask the Sub-Committee to take this representation into account when considering the application. Please let me know the date of the application once it is known, so that either I or another representative of the KA can attend.

### 3. Policy & Guidance

|  |   |
|--|---|
| The following policies within the City Of Westminster Statement of Licensing Policy apply: |   |
| <b>Policy HRS1 applies:</b>  | (i) Applications for hours within the core hours set out below in this policy will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy.<br><br>(ii) Applications for hours outside the core hours set out below in this policy will be considered on their merits, subject to other relevant policies. |
| <b>Policy MD1 applies:</b>   | Applications will only be granted if it can be demonstrated that the proposal meets the relevant criteria in Policies CD1, PS1, PN1 and CH1.  |
| <b>Policy PB1 applies:</b>   | Applications will only be granted if it can be demonstrated that the proposal meets the relevant criteria in Policies CD1, PS1, PN1 and CH1.  |

### 4. Appendices

|                   |  |
|-------------------|--|
| <b>Appendix 1</b> | Premises plans                                       |
| <b>Appendix 2</b> | Applicant supporting documents                       |
| <b>Appendix 3</b> | Premises history                                     |
| <b>Appendix 4</b> | Proposed conditions                                  |
| <b>Appendix 5</b> | Residential map and list of premises in the vicinity |
| <b>Appendix 6</b> | Current Premises Licence - 14/07459/LIPV             |

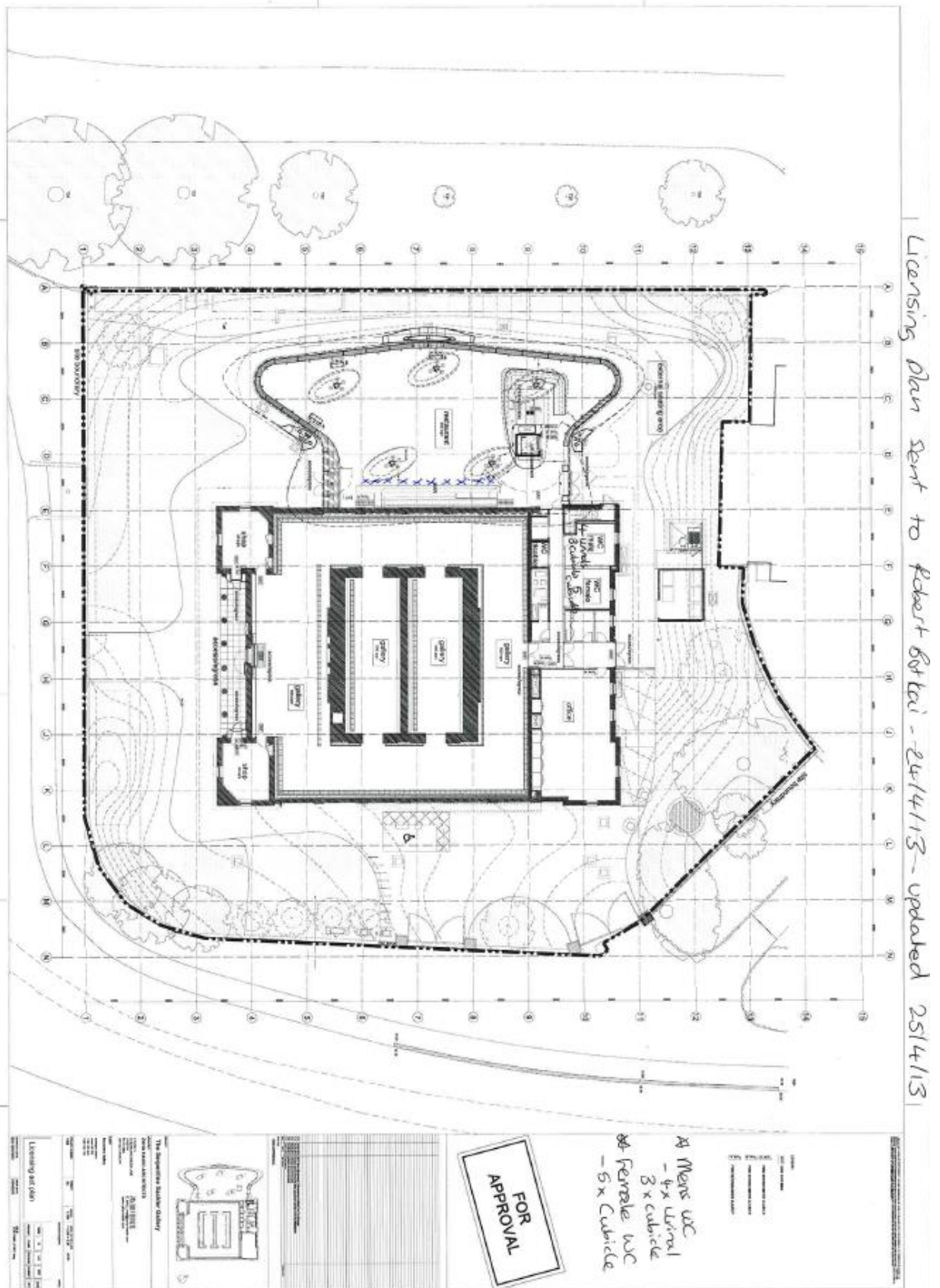
|                       |   |
|-----------------------|---|
| <b>Report author:</b> | Miss Heidi Lawrance<br>Senior Licensing Officer                 |
| <b>Contact:</b>       | Telephone: 020 7641 2751<br>Email: hlawrance@westminster.gov.uk |

**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  | 18 <sup>th</sup> May 2017    |
| <b>5</b> | Representation – Environmental Health Team                          | 7 <sup>th</sup> June 2017    |
| <b>6</b> | Representation – MET Police Service                                 | 15 <sup>th</sup> June 2017   |
| <b>7</b> | Representation – Royal Parks  | 15 <sup>th</sup> June 2017   |
| <b>8</b> | Representation – Knightsbridge Ass.                                 | 15 <sup>th</sup> June 2017   |

Premises Plans



Licensing plan sent to Robert Bostai - 25/14/13 - updated 25/14/13

FOR  
APPROVAL

A1 Mens WC  
- 4 x Urinal  
3 x Cubicle  
A2 Female WC  
- 5 x Cubicle

The Designer's Declaration

I, the undersigned, being a duly qualified Architect, hereby certify that this is a true and correct copy of the Plans as submitted to me by the Client, and that they conform to the requirements of the Building Regulations, 2010, and the Building (Fire) Regulations, 2010.

SIGNED: \_\_\_\_\_

DATE: \_\_\_\_\_

THE ARCHITECT

Professional Details

Architect's Name: \_\_\_\_\_

Registration Number: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_

County: \_\_\_\_\_

Postcode: \_\_\_\_\_

Telephone: \_\_\_\_\_

Fax: \_\_\_\_\_

Mobile: \_\_\_\_\_

Email: \_\_\_\_\_

Professional Indemnity Insurance: \_\_\_\_\_

Public Liability Insurance: \_\_\_\_\_

Architect's Stamp

Architect's Name: \_\_\_\_\_

Registration Number: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_

County: \_\_\_\_\_

Postcode: \_\_\_\_\_

Telephone: \_\_\_\_\_

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Public Liability Insurance: \_\_\_\_\_

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Fax: \_\_\_\_\_

Mobile: \_\_\_\_\_

Email: \_\_\_\_\_

Professional Indemnity Insurance: \_\_\_\_\_

Public Liability Insurance: \_\_\_\_\_

**Applicant Supporting Documents**

None submitted.



**Licence & Appeal History**

| <b>Application</b> | <b>Details of Application</b>  | <b>Date Determined</b>       | <b>Decision</b>                    |
|--------------------|--|------------------------------|------------------------------------|
| 13/01308/LIPN      | Application for a new premises licence   | 2 <sup>nd</sup> May 2013     | Granted by Licensing Sub Committee |
| 14/07459/LIPV      | <p>Application to vary the premises licence</p> <p>Delete the existing condition 11 in Annex 3 of the premises licence and replace it with the following new condition 11;</p> <p>"The maximum number of persons accommodated at any one time at the premises (excluding staff) shall be 500."</p> | 6 <sup>th</sup> October 2014 | Granted under Delegate 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 to vary a premises licence under the provisions of the Licensing Act 2003, the licensing authority must, unless it decides to reject the application, grant the licence subject to the conditions which are indicated as mandatory in this schedule.

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

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

**Conditions: On Current Licence -**

**Mandatory:**

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

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

- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

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

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

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

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

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

Where -

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

- 8(iii). Where the permitted price given by Paragraph 8(ii)(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- 8(iv). (1) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.
9. Admission of children to the premises must be restricted in accordance with the film classification recommended by the British Board of Film Classification or recommended by this licensing authority as appropriate.
10. All persons guarding premises against unauthorised access or occupation or against outbreaks of disorder or against damage (door supervisors) must be licensed by the Security Industry Authority.

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

11. The maximum number of persons accommodated at any one time at the premises (excluding staff) shall be:
- a) In the restaurant 120 persons (seated capacity) or up to 300 persons (non-seated capacity)
  - b) In the Gallery 300 persons

Provided that the maximum capacity for both Gallery and Restaurant combined is not more than 300 persons, and 500 for ticketed and/or pre-booked or private events (excluding staff).

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

12. 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.
13. 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.

14. A minimum of 3 SIA licensed security personnel shall be used when over 150 persons attend a single event in the Gallery Area or Outdoor Area.
15. 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.
16. 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.

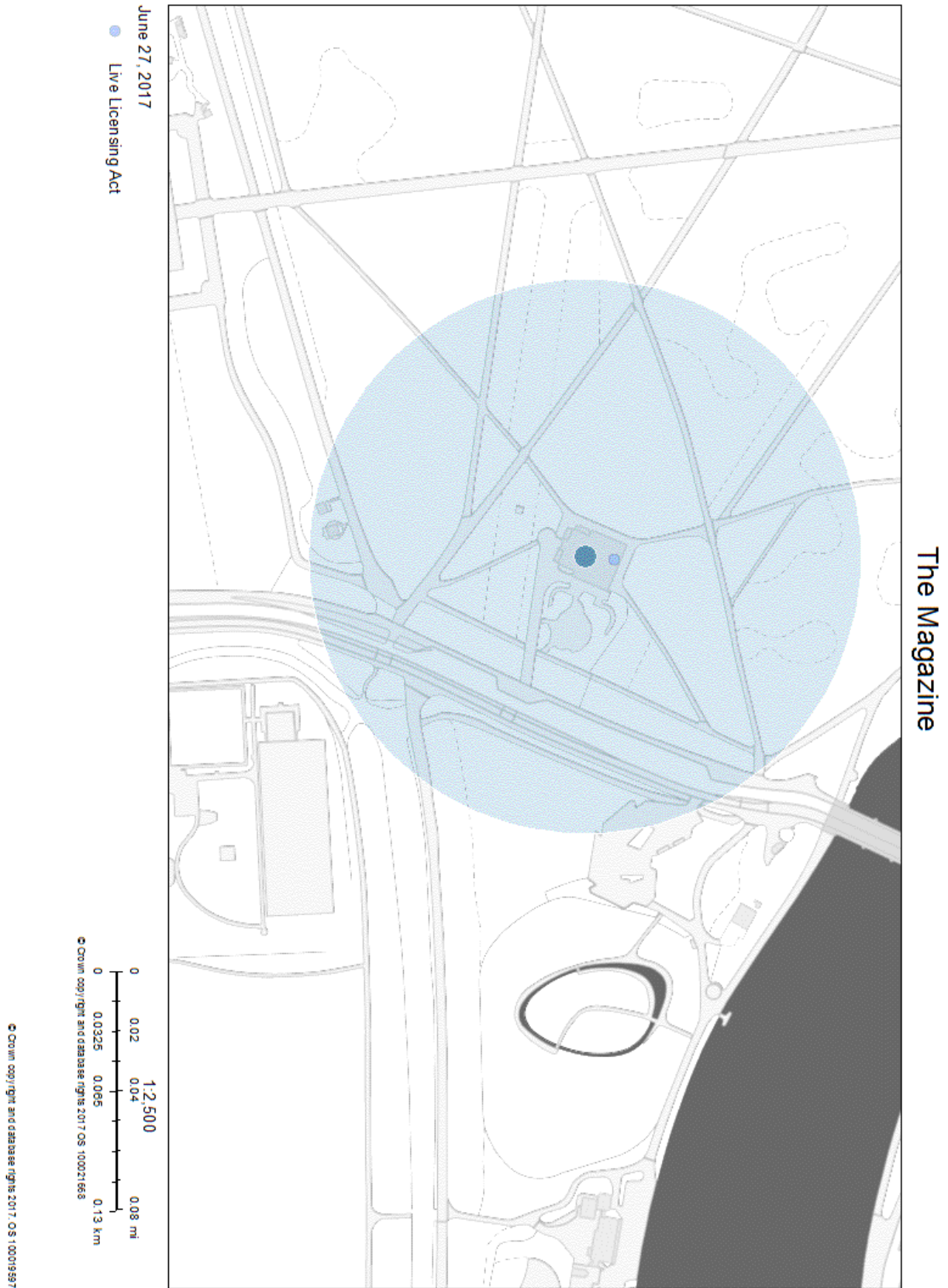
17. No cinema style seating shall be used without the prior consent of the Environmental Health Consultation Team.
18. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
19. Loudspeakers shall not be located in the entrance lobby or outside the premises building.
20. There shall be no admittance or re-admittance to the premises after 23:00.
21. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
22. The supply of alcohol in the Restaurant Area shall be.
  - 22.1 - by waiter or waitress service only
  - 22.2 - to persons seated taking a table meal there and for consumption by such persons as ancillary to their meal

Save that the conditions 23.1 and 23.2 do not apply to:

- (a) a maximum of 12 persons seated and 12 persons standing in the designated Bar Area as marked on the plan submitted
- (b) persons attending a pre-booked or ticketed event at the premises.

23. There shall be no striptease or nudity, and all persons shall be decently attired at all times unless the premises are operating under the authority of a Sexual Entertainment Venue Licence.
24. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following:
  - a) all crimes reported to the venue
  - b) all ejections of patrons
  - c) any complaints received
  - 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.
25. No alcohol shall be consumed more than 30 minutes after the permitted hour for the supply of alcohol.
26. Patrons permitted to temporary leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.
27. The Outside Area within the site boundary as shown on the plan submitted (drawing number 1608K index C4) shall be kept free of litter.
28. Regulated entertainment, save for regulated entertainment that is ancillary to a public art exhibition, shall only be provided at private hire events and to invited guests and not the general public.
29. When the Outside Area is used outside of daylight hours a suitable system of both primary and secondary lighting shall be provided.
30. A Challenge 21 or 25 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.
31. No regulated entertainment shall be provided in the Outside Area shall be provided after 23:00 hours.

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





**Premises Licence - 14/07459/LIPV****City of Westminster**

64 Victoria Street, London, SW1E 6QP

Schedule 12  
Part AWARD: Knightsbridge  
And Belgravia  
UPRN: 010033534401

Premises licence

Regulation 33, 34

Premises licence number:

14/07459/LIPV

Original Reference:

13/01308/LIPN

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

The Magazine  
Serpentine Gallery Kensington Gardens  
Exhibition Road  
London  
W2 3XA

**Telephone Number:** 0207 402 6075**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  
Anything of a similar description to Live Music, Recorded Music or Performance of Dance  
Performance of a Play  
Late Night Refreshment  
Sale by Retail of Alcohol

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

Monday to Thursday: 09:00 to 23:30

Friday to Saturday: 09:00 to 00:00

Sunday: 09:00 to 22:30

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

Non-standard Timings: From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day

**Exhibition of a Film**

Monday to Thursday: 09:00 to 23:30

Friday to Saturday: 09:00 to 00:00

Sunday: 09:00 to 22:30

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

Non-standard Timings: From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day

**Performance of Live Music**

Monday to Thursday: 09:00 to 23:30

Friday to Saturday: 09:00 to 00:00

Sunday: 09:00 to 22:30

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

Non-standard Timings: From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day

**Playing of Recorded Music**

Monday to Thursday: 09:00 to 23:30

Friday to Saturday: 09:00 to 00:00

Sunday: 09:00 to 22:30

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

Non-standard Timings: From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day

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

Monday to Thursday: 09:00 to 23:30

Friday to Saturday: 09:00 to 00:00

Sunday: 09:00 to 22:30

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

Seasonal Details:

Non-standard Timings: From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day

**Performance of a Play**

Monday to Thursday: 09:00 to 23:30

Friday to Saturday: 09:00 to 00:00

Sunday: 09:00 to 22:30

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

Non-standard Timings: From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day

**Late Night Refreshment**

Monday to Thursday: 23:00 to 23:30

Friday to Saturday: 23:00 to 00:00

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

Non-standard Timings: From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day

**Sale by Retail of Alcohol**

Monday to Thursday: 10:00 to 23:30

Friday to Saturday: 10:00 to 00:00

Sunday: 12:00 to 22:30

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

Non-standard Timings: From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day

**The opening hours of the premises:**

Monday to Thursday: 09:00 to 23:30

Friday to Saturday: 09:00 to 00:00

Sunday: 09:00 to 22:30

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

**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:**

The Serpentine Trust  
Kensington Gardens  
London  
W2 3XA

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

298809 (Charity)

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

Name: Ms Julie Ellen Burnell

*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: 056033  
Licensing Authority: Luton Borough Council

Date: 6<sup>th</sup> October 2014

Signed: pp



Operational Director - Premises Management

#### Annex 1 – Mandatory conditions

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

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

8. The responsible person shall ensure that;

- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures;
  - (i) beer or cider: ½ pint;
  - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
  - (iii) still wine in a glass: 125 ml; and
- (b) customers are made aware of the availability of these measures.

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

9(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.

9(ii) For the purposes of the condition set out in paragraph 9(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.
- 9(iii). Where the permitted price given by Paragraph 9(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.
- 9(iv). (1) Sub-paragraph 9(iv)(2) below applies where the permitted price given by Paragraph 9(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.
10. 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.
11. 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**

12. The maximum number of persons accommodated at any one time at the premises (excluding staff) shall be:

- a) In the restaurant 120 persons (seated capacity) or up to 300 persons (non-seated capacity)
- b) In the Gallery 300 persons

Provided that the maximum capacity for both Gallery and Restaurant combined is not more than 300 persons, and 500 for ticketed and/or pre-booked or private events (excluding staff).

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

13. 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.
14. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open 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.
15. A minimum of 3 SIA licensed security personnel shall be used when over 150 persons attend a single event in the Gallery Area or Outdoor Area.
16. 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.
17. 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.
18. No cinema style seating shall be used without the prior consent of the Environmental Health Consultation Team.
19. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
20. Loudspeakers shall not be located in the entrance lobby or outside the premises building.
21. There shall be no admittance or re-admittance to the premises after 23:00.
22. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
23. The supply of alcohol in the Restaurant Area shall be.
  - 23.1 - by waiter or waitress service only

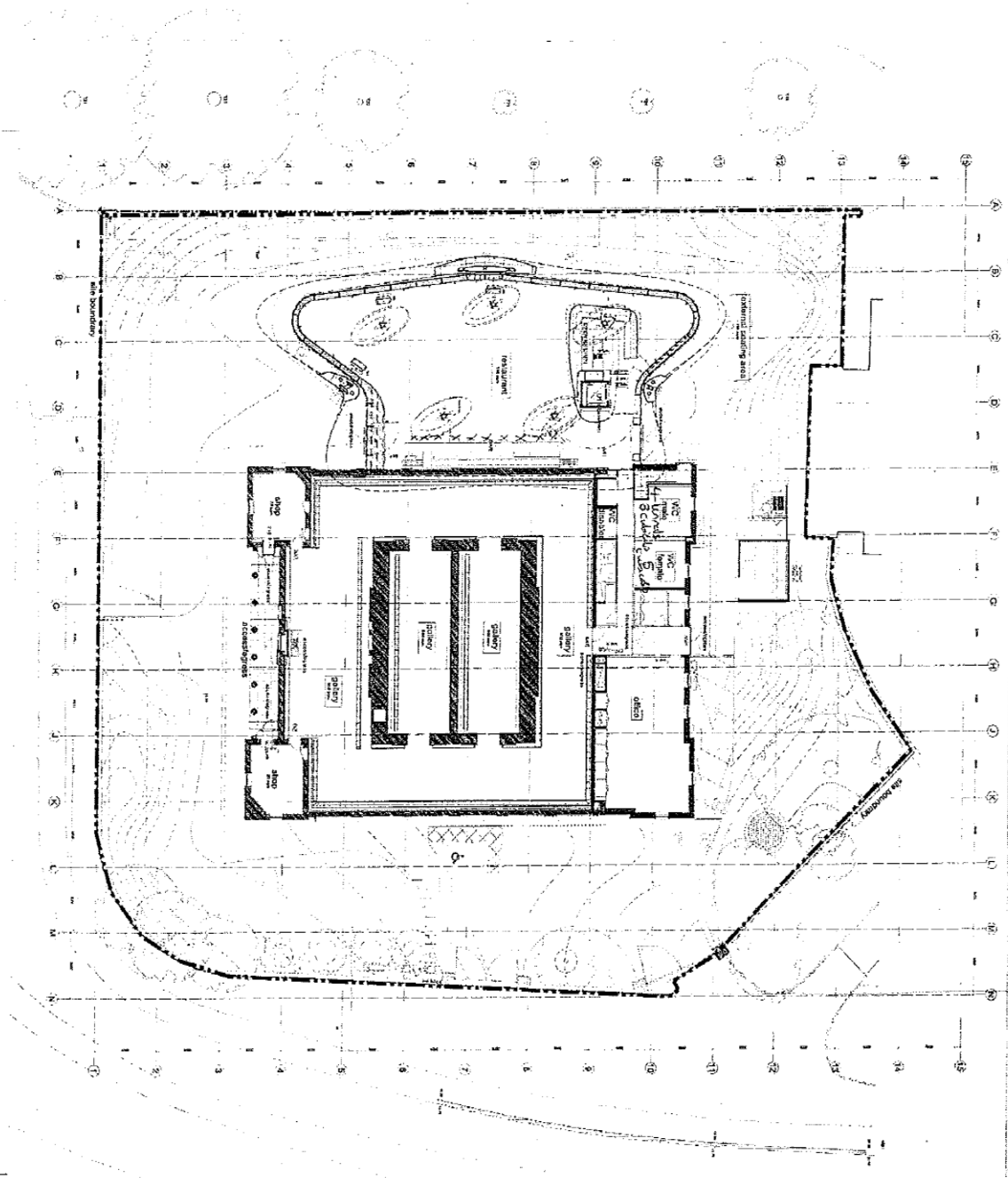


23.2 - to persons seated taking a table meal there and for consumption by such persons as ancillary to their meal

Save that the conditions 23.1 and 23.2 do not apply to:

- (a) a maximum of 12 persons seated and 12 persons standing in the designated Bar Area as marked on the plan submitted
  - (b) persons attending a pre-booked or ticketed event at the premises.
24. There shall be no striptease or nudity, and all persons shall be decently attired at all times unless the premises are operating under the authority of a Sexual Entertainment Venue Licence.
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, 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.
26. No alcohol shall be consumed more than 30 minutes after the permitted hour for the supply of alcohol.
27. Patrons permitted to temporary leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.
28. The Outside Area within the site boundary as shown on the plan submitted (drawing number 1608K index C4) shall be kept free of litter.
29. Regulated entertainment, save for regulated entertainment that is ancillary to a public art exhibition, shall only be provided at private hire events and to invited guests and not the general public.
30. When the Outside Area is used outside of daylight hours a suitable system of both primary and secondary lighting shall be provided.
31. A Challenge 21 or 25 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.
32. No regulated entertainment shall be provided in the Outside Area shall be provided after 23:00 hours.

Annex 4 – Plans



USEERING PLAN SENT TO TOWN OFFICIALS - 8/4/11.5 - UPDATED 2/5/11.5

**FOR APPROVAL**

A Mens WC  
 - 4 x Urinal  
 3 x Cubicle

B Female WC  
 - 5 x Cubicle

**THE SENSITIVE SCHEDULE**

**USING AND PLAN**

DATE: 08/04/11

SCALE: 1:100

PROJECT: [illegible]

CLIENT: [illegible]

DESIGNER: [illegible]

LOCATION: [illegible]



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

Schedule 12  
Part B

Premises licence  
summary

WARD: Knightsbridge  
And Belgravia  
UPRN: 010033534401

Regulation 33, 34

Premises licence number:

14/07459/LIPV

**Part 1 – Premises details**

**Postal address of premises:**

The Magazine  
Serpentine Gallery Kensington Gardens  
Exhibition Road  
London  
W2 3XA

**Telephone Number:** 0207 402 6075

**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  
Anything of a similar description to Live Music, Recorded Music or Performance of Dance  
Performance of a Play  
Late Night Refreshment  
Sale by Retail of Alcohol

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

**Performance of Dance**

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

Non-standard Timings: From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day

**Exhibition of a Film**

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

Non-standard Timings: From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day

**Performance of Live Music**

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

Non-standard Timings: From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day

**Playing of Recorded Music**

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

Non-standard Timings: From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day

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

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

Seasonal Details: .

Non-standard Timings: From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day

**Performance of a Play**

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

Non-standard Timings: From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day

**Late Night Refreshment**

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

Non-standard Timings: From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day

**Sale by Retail of Alcohol**

Monday to Thursday: 10:00 to 23:30  
 Friday to Saturday: 10:00 to 00:00  
 Sunday: 12:00 to 22:30  
 Sundays before Bank Holidays: 12:00 to 00:00

Non-standard Timings: From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day

**The opening hours of the premises:**

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

**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:**

The Serpentine Trust  
Kensington Gardens  
London  
W2 3XA

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

298809 (Charity)

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

**Name:** Ms Julie Ellen Burnell

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

Restricted

**Date:** 6<sup>th</sup> October 2014

**Signed:** pp



**Operational Director - Premises Management**

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|                    |   |
|--------------------|---|
| Item No:           |   |
| Date:              | 13 July 2017  |
| Licensing Ref No:  | 17/05529/LIPN - New Premises Licence                            |
| Title of Report:   | 32 Henrietta Street<br>London<br>WC2E 8NA                       |
| 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 Heidi Lawrance<br>Senior Licensing Officer                 |
| Contact details    | Telephone: 020 7641 2751<br>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> | 22 May 2017  |                                |            |
| <b>Applicant:</b>                 | Oystermen Events Limited   |                                |            |
| <b>Premises:</b>                  |  |                                |            |
| <b>Premises address:</b>          | 32 Henrietta Street<br>London<br>WC2E 8NA                              | <b>Ward:</b>                   | St James's |
|                                   |  | <b>Cumulative Impact Area:</b> | West End   |
| <b>Premises description:</b>      |  |                                |            |
| <b>Premises licence history:</b>  | This an application for a new premises and therefore no history exist. |                                |            |
| <b>Applicant submissions:</b>     | Please see document attached at Appendix 2                             |                                |            |

| 1-B Proposed licensable activities and hours      |            |   |            |                                  |            |            |            |
|---|------------|---|------------|----------------------------------|------------|------------|------------|
| <b>Late Night Refreshment:</b>                    |            |   |            | <b>Indoors, outdoors 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>                                     | 23:00      | 23:00   | 23:00      | 23:00                            | 23:00      | 23:00      |            |
| <b>End:</b>                                       | 23:30      | 23:30   | 23:30      | 23:30                            | 00:00      | 00:00      |            |
| <b>Seasonal variations/ Non-standard timings:</b> |            | <p>Sunday immediately prior to a Bank Holiday 23:00 to 00:00.</p> <p>New Year's Eve all activities are permitted throughout the night until the start of permitted hours on New Year's Day.</p> |            |                                  |            |            |            |

|   |            |   |            |                                 |            |            |            |
|---|------------|---|------------|---------------------------------|------------|------------|------------|
| <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>                                     | 10:00      | 10:00   | 10:00      | 10:00                           | 10:00      | 10:00      | 10:00      |
| <b>End:</b>                                       | 23:30      | 23:30   | 23:30      | 23:30                           | 00:00      | 00:00      | 22;30      |
| <b>Seasonal variations/ Non-standard timings:</b> |            | <p>Sunday immediately prior to a Bank Holiday 12:00 to 00:00.</p> <p>New Year's Eve all activities are permitted throughout the night until the start of permitted hours on New Year's Day.</p> |            |                                 |            |            |            |



| Hours premises are open to the public             |  |       |       |       |       |       |       |
|---|--|-------|-------|-------|-------|-------|-------|
| Day:  | Mon  | Tues  | Wed   | Thur  | Fri   | Sat   | Sun   |
| <b>Start:</b>                                     | 08:00  | 08:00 | 08:00 | 08:00 | 08:00 | 08:00 | 08:00 |
| <b>End:</b>                                       | 00:00  | 00:00 | 00:00 | 00:00 | 00:30 | 00:30 | 23:00 |
| <b>Seasonal variations/ Non-standard timings:</b> | Sunday immediately prior to a Bank Holiday 08:00 to 00:30.<br><br>New Year's Eve all activities are permitted throughout the night until the start of permitted hours on New Year's Day. |       |       |       |       |       |       |
| <b>Adult Entertainment:</b>                       | Not applicable.  |       |       |       |       |       |       |

## 2. Representations

| 2-A Responsible Authorities  |                            |
|--|----------------------------|
| <b>Responsible Authority:</b>  | Licensing Authority        |
| <b>Representative:</b>   | Mr David Sycamore          |
| <b>Received:</b>   | 15 <sup>th</sup> June 2017 |
| <p>As a responsible authority under section 13 (4) of the Licensing Act 2003 as amended under the Police and Social Responsibility Act 2011 the Licensing Authority have considered your application in full. The Licensing Authority has concerns in relation to this application and how the premises would promote the Licensing Objectives:</p> <ul style="list-style-type: none"> <li>• Public Nuisance</li> <li>• Prevention of Crime &amp; Disorder</li> <li>• Public Safety</li> </ul> <p>It is difficult to fully assess the application as the description of the premises is 'Licensed Premises' and the plan appears to show no fixed seating. The premises is located in the Cumulative Impact Area as defined in the Westminster City Council Licensing Policy.</p> <p>The application for alcohol on and off the premises is currently outside of those as stated in the statement of licensing policy.(HRS1) We would ask that the provision of off sales is reduced to core hours and on Sunday, the start time of on sales is moved to 12:00hrs so they are in line with core hours. We also note that the full model condition 66 has not been offered.</p> |                            |

As there is no proposed capacity, it is again difficult to assess the applications full cumulative impact and as such, CIP1 is difficult to assess. As this is a new premises, with no previous history, any additional people will add to cumulative impact.

Please accept this as a formal representation and we look forward to receiving some more information and amendments so we might withdraw our representation.

|                               |  |
|-------------------------------|--|
| <b>Responsible Authority:</b> | Environmental Health Consultation Team |
|-------------------------------|--|

|                        |               |
|------------------------|---------------|
| <b>Representative:</b> | Mr Ian Watson |
|------------------------|---------------|

|                  |                            |
|------------------|----------------------------|
| <b>Received:</b> | 16 <sup>th</sup> June 2017 |
|------------------|----------------------------|

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

The applicant has submitted floor plans of the premises dated March 2017.

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

The applicant is seeking the following

1. To provide for the Supply of Alcohol 'On' and 'Off' the premises Monday to Thursday 10.00 to 23.30 hours, Friday and Saturday 10.00 and 00.00 hours and Sunday between 10.00 to 22.30 hours. Sunday immediately before a Bank Holiday 12.00 to 00.00 hours and New Year's Eve to New Year's Day.
2. To provide Late Night Refreshment 'Indoors' and 'Outdoors' Monday to Thursday 23.00 to 23.30 hours, Friday and Saturday 23.00 and 00.00 hours. Sunday immediately before a Bank Holiday 23.00 to 00.00 hours and New Year's Eve to New Year's Day.

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 to permit the provision of late night refreshment will have the likely effect of causing an increase in Public Nuisance and impact on Public Safety within the West End Cumulative Impact area.

The applicant has provided additional information with the application which is being addressed.

|   |  |
|---|--|
| <b>Responsible Authority:</b>   | Metropolitan Police Service ( <b>Withdrawn</b> ) |
| <b>Representative:</b>  | PC Sandy Russell                                 |
| <b>Received:</b>  | 25 <sup>th</sup> May 2017                        |
| <p>I am writing to inform you that the Metropolitan Police, as a responsible authority, will be objecting to this application. At this stage it is our belief that if granted the application would undermine the Licensing Objectives.</p> <p>The conditions submitted in the application are acceptable to police. We require the following further condition:</p> <ul style="list-style-type: none"> <li>• 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.</li> </ul> <p>Should you client be willing to agree to the above condition being added to any future operating schedule we may be in a position to withdraw our representation.</p> <p><b><i>The applicant has agreed to the condition above and as a result the MET Police Service have WITHDRAWN their representation.</i></b></p> |  |

|  |  |
|--|--|
| <b>2-B Other Persons</b>   |  |
| <b>Name:</b>   | Mr Paul Goulding                                     |
| <b>Address and/or Residents Association:</b>   | Flat 2<br>34A Henrietta Street<br>London<br>WC2E 8NA |
| <b>Received:</b>   | 11 <sup>th</sup> June 2017                           |
| <p>The application relates to premises immediately adjoining our small residential block. We object to a licence to sell alcohol, or to have tables outside, after 1030pm. This is due to likely noise and disturbance late at night and its impact on the peaceful enjoyment of our home.</p> |  |
| <b>Name:</b>   | Mrs Linda Campin                                     |
| <b>Address and/or Residents Association:</b>   | Flat 1<br>34A Henrietta Street<br>London<br>WC2E 8NA |
| <b>Received:</b>   | 6 <sup>th</sup> June 2017                            |
| <p>These premises were previously a sandwich shop /diner that was open until 5pm. It did not serve alcohol.</p> <p>Henrietta Street is a mixed residential and commercial street with a few restaurants.</p>   |  |

There has been an increase in the proportion of residential property in the street over the last few years.

Covent garden is a busy area and already has a substantial number of licensed premises. We do not see the need to have another one.

There was no pre-consultation with immediate neighbours as to the impact of the creation of a new licensed premises.

In the proposed conditions of the applications it suggests that the premises are to be operated as a restaurant. The applications states alcohol will only be sold to those that are seated eating food, but it does not give any indication of the number of tables that will be provided or the number of people that will be allowed in the premises.

The layout in the plan makes it look like a bar.

This is a a very small site and it is very concerning that there may be a significant number of people in it.

It also makes reference to tables outside. Currently there are no tables outside these premises.

We already have problems with people sitting on the steps outside our front door and people loitering around the entrance. The entrance to this site is very near to our front door and we would be concerned about any diners who come outside of the restaurant to smoke. If it in fact operates more like a bar there is likely to be substantial noise and disruption well into the night with these proposed late opening hours.

This is a significant change in use from a much loved sandwich shop closing at 5pm to a restaurant /bar open after midnight. We strongly object to the application for a license to serve alcohol and the increased opening hours.

### 3. Policy & Guidance

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

|                             |   |
|-----------------------------|---|
| <b>Policy HRS1 applies</b>  | (i) Applications for hours within the core hours set out below in this policy will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy.<br><br>(ii) Applications for hours outside the core hours set out below in this policy will be considered on their merits, subject to other relevant policies. |
| <b>Policy RNT2 applies:</b> | Applications will be granted subject to other policies in this Statement and subject to the relevant criteria in Policies CD1, PS1, PN1 and CH1, provided it can be demonstrated that they will not add to cumulative impact in the Cumulative Impact Areas.  |

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

#### 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 |

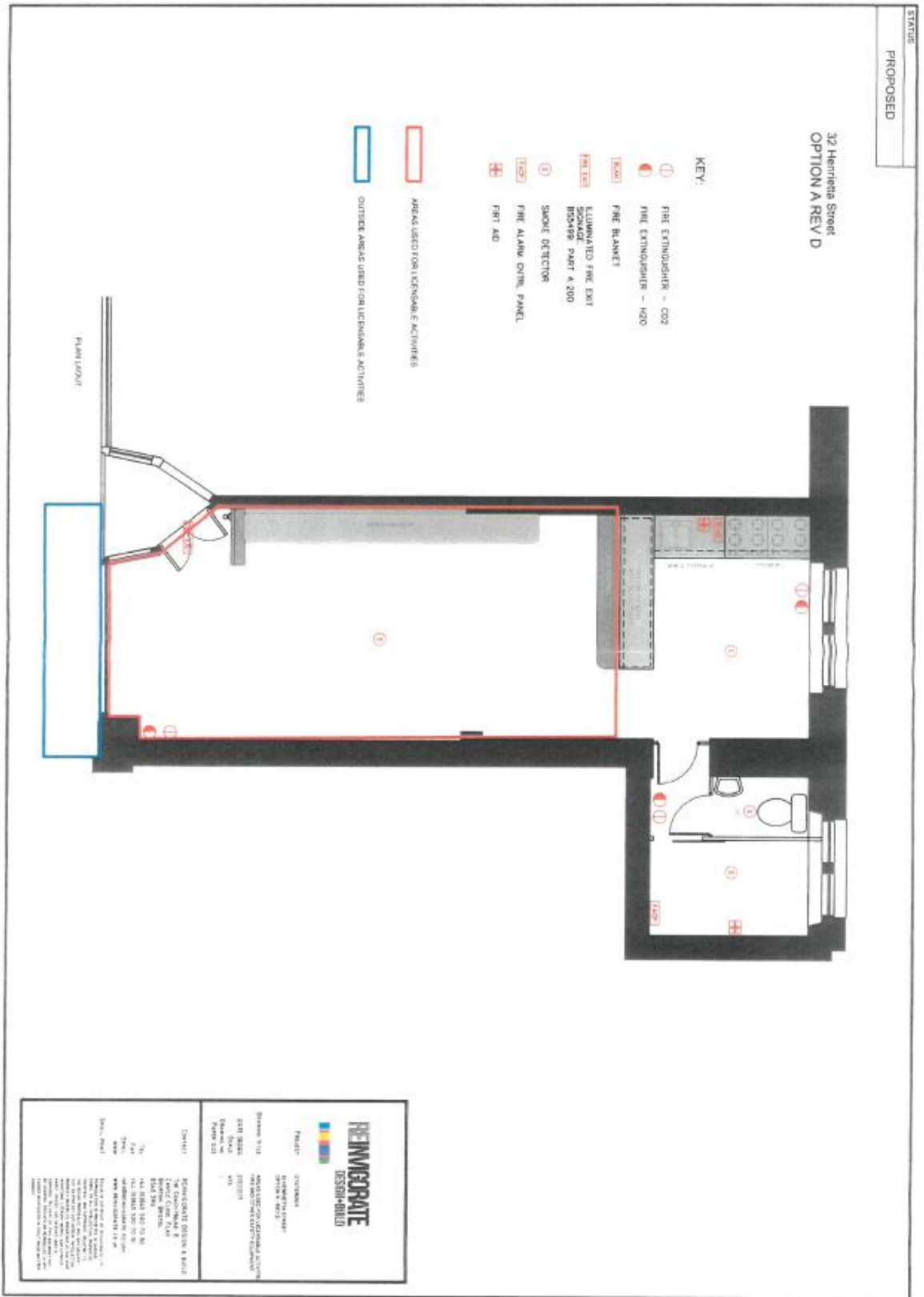
|                       |   |
|-----------------------|---|
| <b>Report author:</b> | Miss Heidi Lawrance<br>Senior Licensing Officer                 |
| <b>Contact:</b>       | Telephone: 020 7641 2751<br>Email: hlawrance@westminster.gov.uk |

**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  | 22 <sup>nd</sup> May 2017    |
| <b>5</b> | Representation – Licensing Authority                                | 15 <sup>th</sup> June 2017   |
| <b>6</b> | Representation – Environmental Health                               | 16 <sup>th</sup> June 2017   |
| <b>7</b> | Representation – MET Police (withdrawn)                             | 25 <sup>th</sup> May 2017    |
| <b>7</b> | Representation – Mr P Goulding                                      | 11 <sup>th</sup> June 2017   |
| <b>8</b> | Representation – Ms L Campin  | 6 <sup>th</sup> June 2017    |

**Premises Plans**



**Applicant Supporting Documents****Proposed Conditions  
32 Henrietta Street, London, WC2E 8NA**

1. 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 or chopsticks,
  - (iv) which do not provide any take away service of food or drink for immediate consumption,
  - (v) where alcohol shall not be sold, supplied, or consumed on the premises otherwise than to 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.

2. There shall be no sales of hot food or hot drink for consumption 'Off" the premises after 23.00 hours.
3. The maximum number of persons permitted in the premises at any one time (excluding staff) shall not exceed:-  
Ground Floor –
4. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
5. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
6. 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.
7. Where the provision of food and/or drink includes delivery to the customer, the

- licence holder shall ensure that specific procedures are in place and that the activity does not cause nuisance at or near to the premises.
8. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
  9. Loudspeakers shall not be located in the entrance lobby or outside the premises building.
  10. All windows and external doors shall be kept closed after 22:00 hours except for the immediate access and egress of persons.
  11. All outside tables and chairs shall be rendered unusable by 22:00 each day.
  12. There shall be no striptease or nudity, and all persons shall be decently attired at all times, except when the premises are operating under the authority of a Sexual Entertainment Venue licence.
  13. No rubbish, including bottles, shall be removed or placed in an outside area between 23:00 hours to 07:00 hours, Monday to Friday, and 23:00 hours to 08:00 hours, Saturday and Sunday.
  14. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before collection time.
  15. 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.
  16. All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.
  17. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following:
    - (a) all crimes reported to the venue
    - (b) all ejections of patrons
    - (c) any complaints received concerning crime and disorder
    - (d) any incidents of disorder
    - (e) all seizures of drugs or offensive weapons
    - (f) any faults in the CCTV system, searching equipment or scanning equipment
    - (g) any refusal of the sale of alcohol
    - (h) any visit by a relevant authority or emergency service.
  18. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.



19. The Licence will have no effect until the premises have been assessed as satisfactory by the Environmental Health Consultation Team and this condition has been removed from the Licence.
20. Before the premises open to the public, the plans as deposited will be checked by the Environmental Health Consultation Team to ensure they are an accurate reflection of the premises constructed. Where the premises layout has changed during the course of construction new plans shall be provided to the Environmental Health Consultation Team and the Licensing Authority.



### Oysters

|  |      |
|--|------|
| Maldon Rocks                                 | 2.00 |
| Blackwater Wild                              | 2.60 |
| Hot Buffalo Oysters (x2)                     | 5.50 |
| Hot Oysters (x2), Pancetta, Fennel, Parmesan | 6.50 |

### Snacks

|  |      |
|--|------|
| Crispy Cayenne Mussels                     | 3.50 |
| Smoked Cods Roe, Black Sesame Lavash       | 3.50 |
| Crab Beignet, White Meat, Lemon, Parsley   | 3.50 |
| Pickled Mussels & Cockles, Fennel, Parsley | 3.50 |

### Starters

|  |       |
|--|-------|
| Smoked Mackerel Pate, Grilled Multigrain Bread                     | 7.50  |
| Scorched Mackerel, Pickled Cucumber, Capers, Salted Citrus Yoghurt | 8.00  |
| Bream Ceviche, Apple, Calamansi, Kosho, Jalapeño                   | 9.00  |
| Grilled Squid, Smoked Paprika, Almonds, Green Olives               | 9.50  |
| Cannon & Cannon Charcuterie Selection, Cornichon, Pane Carasatu    | 10.00 |

### Mains

|  |       |
|--|-------|
| Whole Devon Brown Crab (see board)                     | MP    |
| Summer Salad: New Potatoes, Treviso, Peas, Mint, Lemon | 10.00 |
| Coley Bap, Tartare Sauce, Pickles, Old Bay Fries       | 12.00 |
| Curried Clam Chowder, Bread                            | 12.00 |
| Whole Plaice, Burnt Butter, Capers, Samphire           | 15.00 |

### Sides

|                    |      |
|--------------------|------|
| Old Bay Fries      | 3.50 |
| Chopped Side Salad | 3.50 |

### Dessert

|  |       |
|--|-------|
| White Chocolate & Yoghurt Ganache, Macerated Strawberries, Basil | 6.50  |
| Buchanan's British Cheese Selection, Chutney                     | 11.00 |

| <b>Sparkling</b>  | <b>125ml</b> | <b>Btl.</b> |
|---|--------------|-------------|
| Croix Montjoie, Cremant de Bourgogne                        | 8.00         | 36.00       |
| Juillet-Lallement Brut - Rosé, Champagne Grand Cru NV       | 7.00         | 39.00       |
| Vincent Careme, Vouvray 'Ancestrale' NV                     |              | 45.00       |
| Piollot 'Come des Tallant', Champagne NV                    | 11.00        | 60.00       |
| R. H. Coutier, Champagne Grand Cru NV                       | 12.00        | 70.00       |
| Charles Dufour 'La Pulpe et le Grain', Champagne 2009       |              | 70.00       |
| Pol Roger 'Reserve', Champagne NV                           |              | 75.00       |
| Eric Rodez 'Cuvee des Grand Vintage, Champagne Grand Cru NV |              | 90.00       |

| <b>White</b>  | <b>175ml</b> | <b>Btl.</b> |
|---|--------------|-------------|
| Cal y Canto, La Mancha, Verdejo 2015                              | 5.50         | 19.00       |
| Sibiano, Sicily, Grillo 2016                                      | 6.00         | 22.00       |
| Camino Real, Rioja, Garnacha Blanca 2015                          | 6.50         | 24.00       |
| Château du Coing de St. Fiacre, Muscadet, Melon de Bourgogne 2014 |              | 28.00       |
| Alex K 'Big Backyard', Marlborough, Sauvignon Blanc 2015          | 8.00         | 29.00       |
| Iraklion, Assyrtiko 2016  | 8.50         | 31.00       |
| Clos Ricard, Jurancon (Sec), Gros Manseng/Petit Manseng 2015      |              | 33.00       |
| Remi Jeanniard, Bourgogne, Aligote 2015                           | 10.00        | 36.00       |
| Thomas Labaille, Sancerre, Sauvignon Blanc 2016                   |              | 42.00       |
| Chateau Val de Mercy, Chablis Premiere Cru, Chardonnay 2014       |              | 48.00       |
| Le Soula, Cotes Catalanes, Vermentino 2012                        |              | 68.00       |
| Christian Bellang & Fils, Meursault, Chardonnay 2014              |              | 78.00       |

| <b>Rosé</b>  | <b>175ml</b> | <b>Btl.</b> |
|--|--------------|-------------|
| Château Saint-Pierre, Cote de Provence, Grenache 2015                  | 7.00         | 28.00       |
| Domaine Tempier, Bandol, Grenache 2016                                 |              | 42.00       |
| Le Soula 'Le Maceration' (Orange), Cotes Catalanes, Vermentino/Macabeu |              | 50.00       |

| <b>Red</b>   | <b>175ml</b> | <b>Btl.</b> |
|--|--------------|-------------|
| Cal y Canto, La Mancha, Tempranillo/Merlot/Syrah 2014                          | 6.50         | 19.00       |
| Lucale, Puglia, Primitivo 2015   | 7.00         | 24.00       |
| Jean Marie Rimert 'Cousin Oscar', Languedoc, Cinsault                          | 8.00         | 28.00       |
| The Scoundrel, Barossa Valley, Shiraz 2013                                     |              | 36.00       |
| Gaston Hochar - Chateau Musar, Bekaa Valley - Lebanon, Cabernet Sauvignon 2004 |              | 45.00       |

| <b>Beer</b>   |  |       |
|---|--|-------|
| Harviestoun 'Schiehallion' - Lager                    |  | 4.50  |
| Canopy 'Brockwell' - IPA                              |  | 5.00  |
| The Oystermen 'Into The Deep' - Imperial Oyster Stout |  | 12.00 |

| <b>Softs</b>            |  |      |
|-------------------------|--|------|
| Juice - Orange, Tomato  |  | 3.00 |
| Coke/Diet Coke/Tonic    |  | 3.00 |
| Sparkling Mineral Water |  | 3.50 |

## INTRODUCTION

Matt Lowell and Robin Hampton have created Hampton Lowell & Sons Ltd to launch their new exciting friendly concept of a champagne, fine wine, oyster, and sea food restaurant in the heart of the vibrant area of London. After careful market research Matt and Rob firmly believe this fresh, innovative idea will soon become a strong attraction to theatre goers, executives and office workers, discerning diners and fun lovers. They also plan to expand the idea to include takeaway and retail sales. They are now seeking suitable premises in which to trade as Oystermen.



**Matt Lowell**  
Co-Founder / Director

Matt has spent the last 15 years perfecting his skills as a solid business operator in the bar, nightclub and restaurant industries, throughout which he has overseen the successful openings of five market leading independent food led businesses in London which continue to grow rapidly.

Under his watchful eye, he has also been able to turn around previously under achieving bars and restaurants

to exceed their target GP% and budgeted KPIs, generating strong EBITDA. Matt has the strength in knowledge of ordering, budgeting, forecasting and all the necessary back of house process that are involved in the day to day running of these businesses as well as front of house excellence.

Matt is passionate about service, food and drinks and has undertaken many courses and training programs to better his knowledge and skills in all of these fields, such as Excellence in Customer Service, WSET Professional Exams, BIA Cellar Management, the Personal License and others.

Matt's motivation is driven primarily by the desire to exceed customer's expectations and deliver excellence in both service and product, but also with a passion for not only the food and drink, but also business, figures and financials. He has a love for motivating teams to deliver excellent results every time and in turn those teams develop the business.

— OYSTERMEN —

Robin's career has included top level site management for leading London restaurant brand Wilsen and currently Bourne Gulf Seafood Shack and has also included developing a highly successful independent unit in New Zealand on behalf of two young entrepreneurs. Successful sales growth and cost management has always been at the forefront for him as well as training and delivering informal yet perfect service. Robin has also received professional training from the BHAB and WSET.



**Robin Hampton**  
Co-Founder / Director

At 16, Robin entered the world of hospitality as a kitchen porter and food runner in a local fish restaurant and oyster bar. It was there that he fell in love with industry, working hard to become a bartender and then a waiter in a busy restaurant. This time formed the foundations for a long time love of fresh fish and shellfish as well as a long career in the industry.

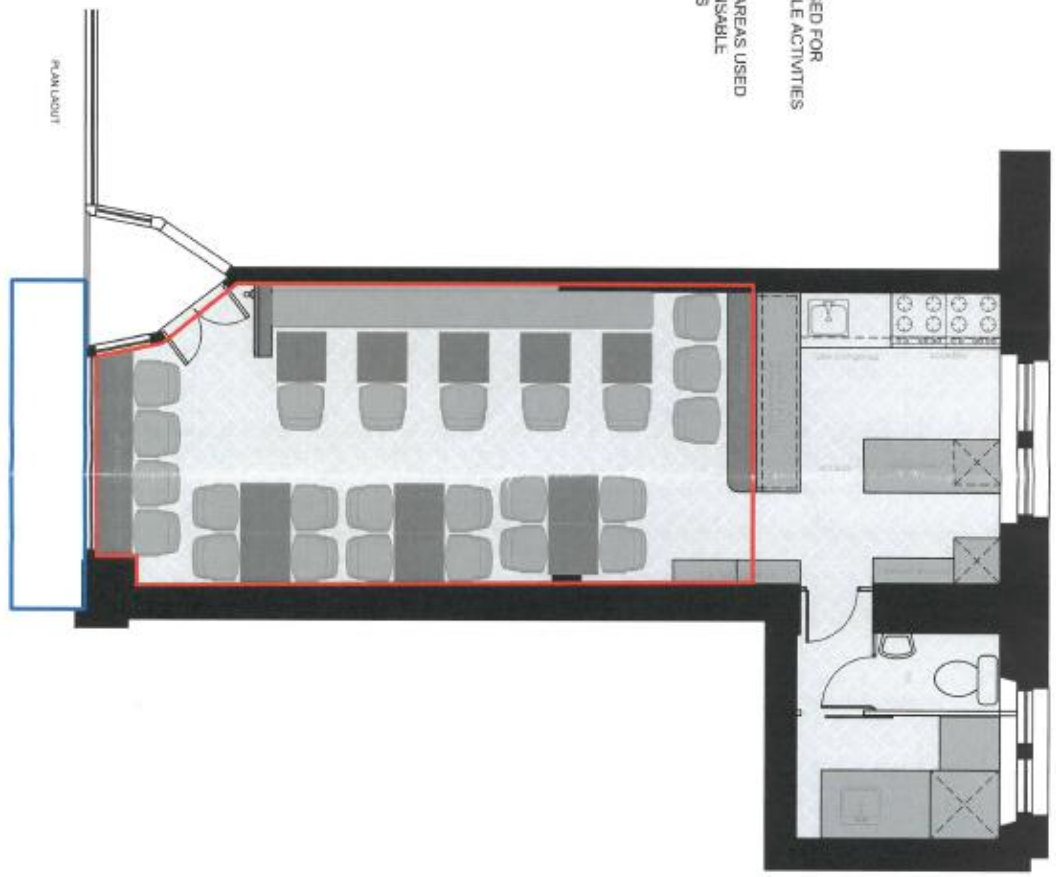
Robin's university years were paid for by working in various bar and restaurant positions which in turn led to him leading up the venues team at the student union, running wide ranging live music nights as well as creating the Waverfront Bar - a student venue focused on a better quality and value food offering. The knowledge gained from this varied hospitality career have bolstered the drive to learn as much as possible before the ultimate goal of starting his own business. Now is that time.

matlowell@oystermen.com | 020792 230 293 | 020710 212 114 | [matlowell@oystermen.com](mailto:matlowell@oystermen.com)

STATUS  
PROPOSED

32 Henrietta Street  
OPTION A REV D

KEY:  
AREAS USED FOR  
LICENSABLE ACTIVITIES  
OUTSIDE AREAS USED  
FOR LICENSABLE  
ACTIVITIES



**REINTEGRATE**  
DESIGN+BUILD

**PROJECT**  
32 HENRIETTA STREET  
DUNEDIN, NEW ZEALAND

**CLIENT**  
REINTEGRATE DESIGN+BUILD

**ARCHITECT**  
REINTEGRATE DESIGN+BUILD

**ENGINEER**  
REINTEGRATE DESIGN+BUILD

**INTERIOR DESIGNER**  
REINTEGRATE DESIGN+BUILD

**LANDSCAPE ARCHITECT**  
REINTEGRATE DESIGN+BUILD

**PAINTER**  
REINTEGRATE DESIGN+BUILD

**CONTRACTOR**  
REINTEGRATE DESIGN+BUILD

**FINISHES**  
REINTEGRATE DESIGN+BUILD

**DATE**  
REINTEGRATE DESIGN+BUILD

**SCALE**  
REINTEGRATE DESIGN+BUILD

**STATUS**  
REINTEGRATE DESIGN+BUILD

**CONTACT**  
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**PHONE**  
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**EMAIL**  
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**WEBSITE**  
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**ADDRESS**  
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**POSTAL CODE**  
REINTEGRATE DESIGN+BUILD

**CITY**  
REINTEGRATE DESIGN+BUILD

**COUNTRY**  
REINTEGRATE DESIGN+BUILD

**LEGAL NOTICE**  
REINTEGRATE DESIGN+BUILD

# · OYSTERMEN ·

SEAFOOD BAR & KITCHEN

New Store Concept  
32 HENRIETTA STREET

*Version 1.02*

*21.03.17*



## CONTENT:

- Inspirations for Design
- Store Concept
  - *Layout Plan*
  - *3D Visuals*

## Inspiration for Design

### *FURNITURE & FIXINGS*

- Up-cycled tables & chairs where possible
- Clever re-use of ready made low-cost items

### *FINISHES*

- Up-cycled 'British' materials
- Existing finishes found in property
- Re-use of items found in reclamation shops

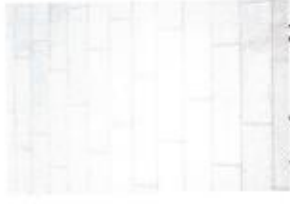
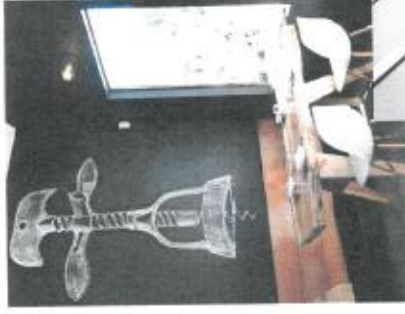




## Inspiration for Design

### *WALLS/VERTICAL SURFACES*

- White tiles with pearlescent properties (hygienic look and easy clean)
- Large printed wall graphics and vinyls
- Simple high quality painted surfaces



### *FLOOR SURFACES*

- New dark timber herringbone parquet floor
- Anti-slip floor to cooking area
- Welcome Matt

## Inspiration for Design

### EXTERIOR

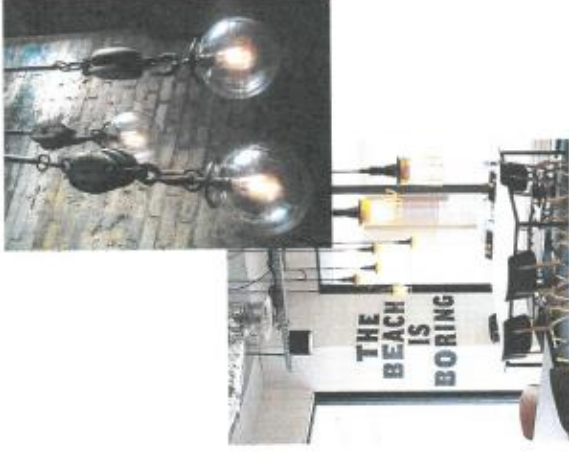
- Supplied by Landlord
- Cool & Funky use of window space



## Inspiration for Design

### *LIGHTING*

- Use of low-cost warm & welcoming lighting
- Clever re-use of ready made low-cost items
- Cool & Funky pendants for an outdoor feel



### *BRANDING*

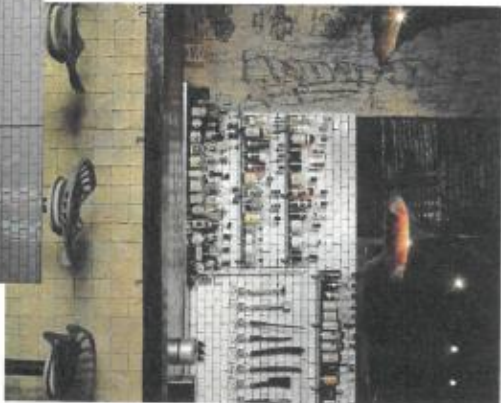
- Gorilla branding where possible
- Inject fun into the experience



# Inspiration for Design



QUAINT



FUN



FRESH

“To create something **exceptional**, your  
mindset must be relentlessly focused on  
the smallest **detail**”

*-Giorgio Armani-*

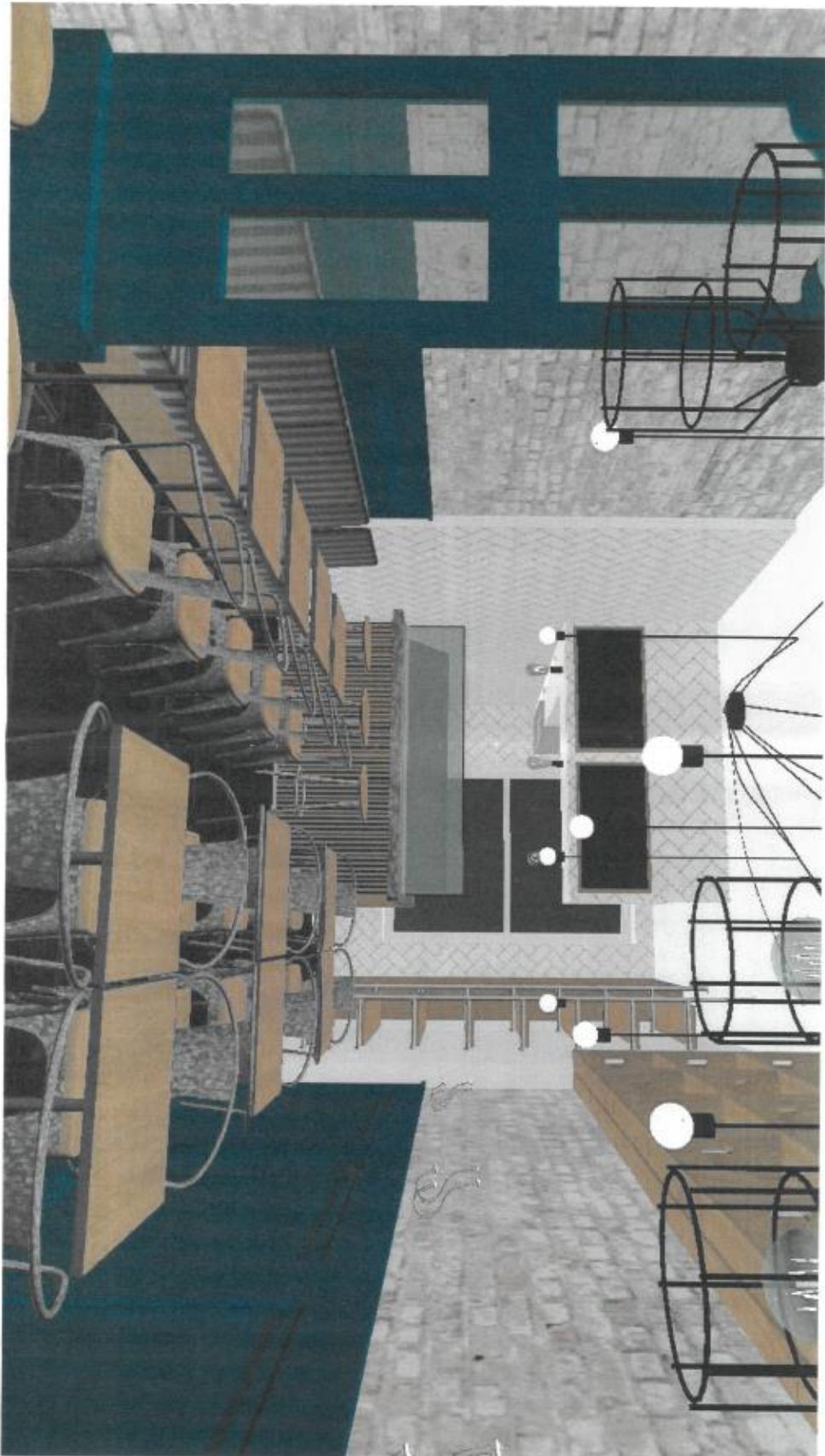


Store Design - 3D Visuals  
(FOR REFERENCE USE)



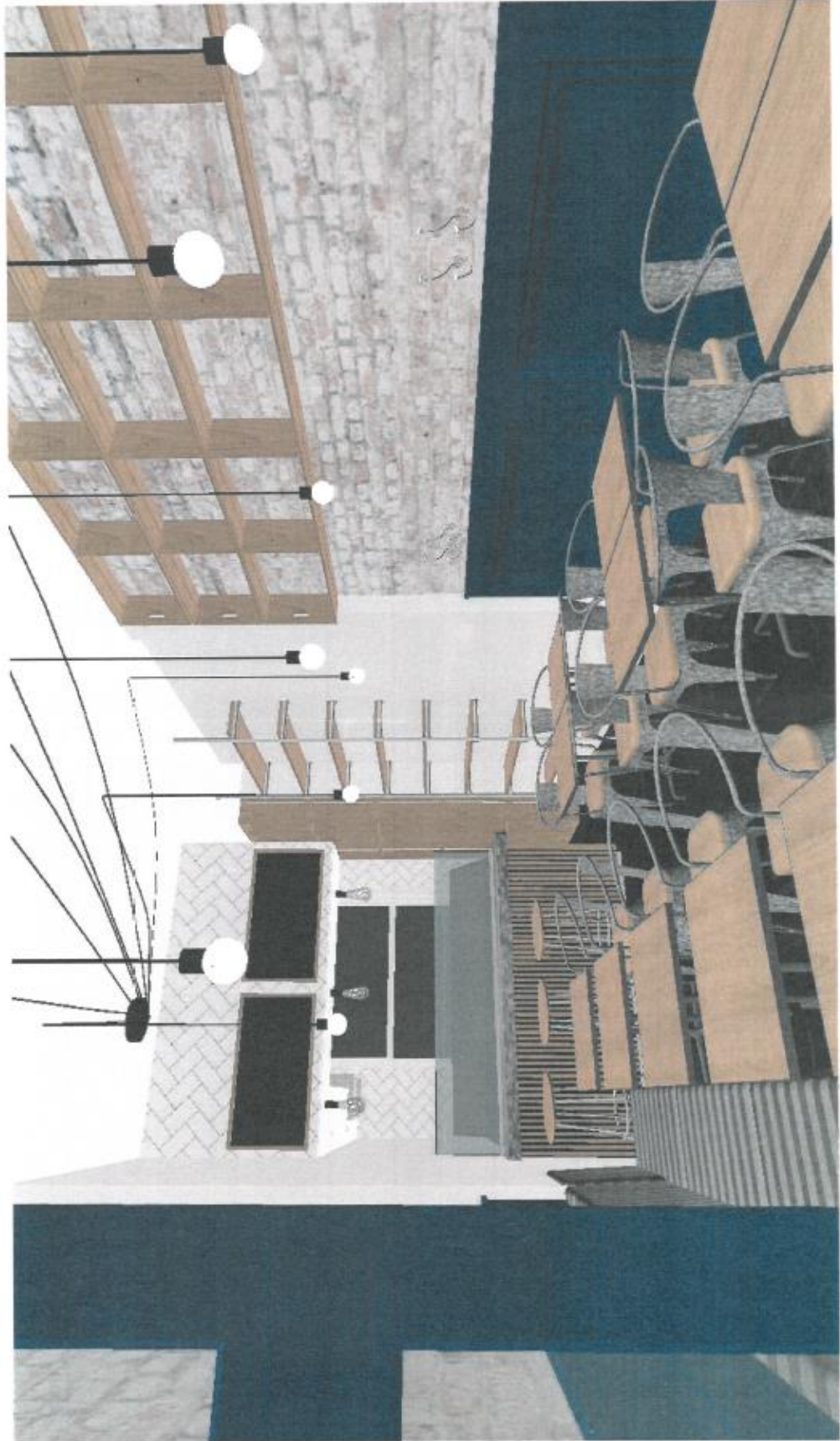


Store Design - 3D Visuals  
(FOR REFERENCE USE)

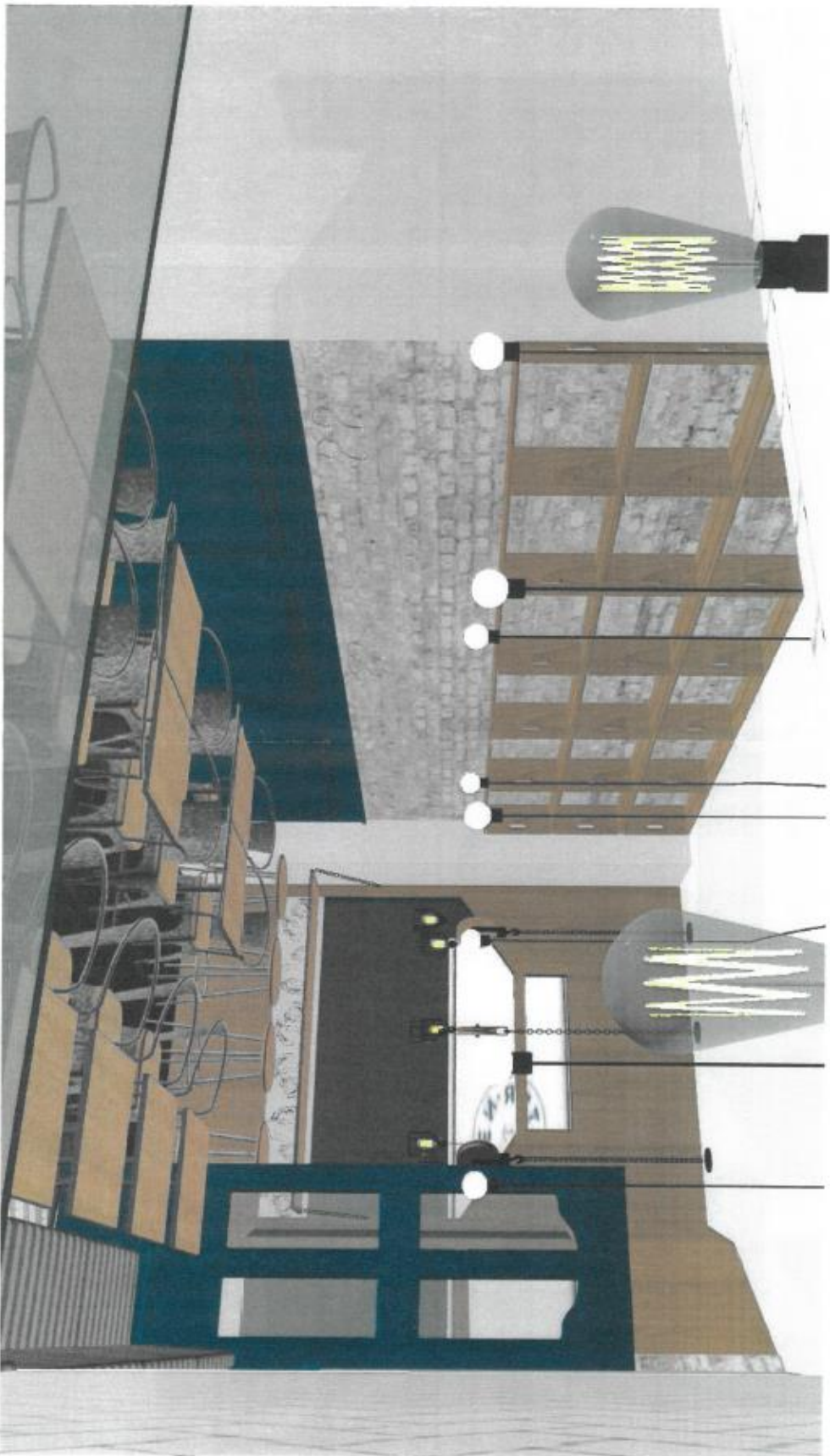




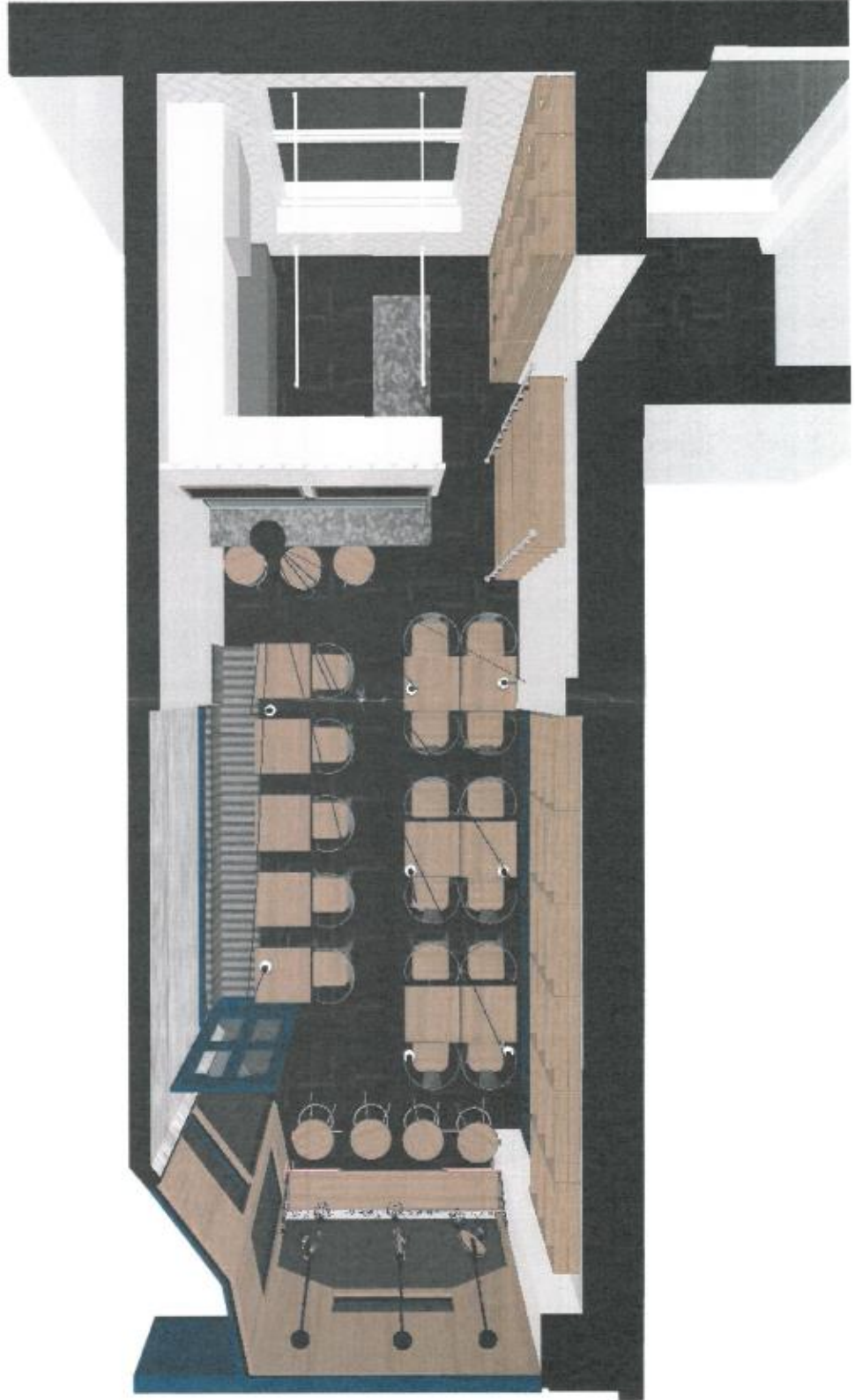
### Store Design - 3D Visuals (FOR REFERENCE USE)



Store Design - 3D Visuals  
(FOR REFERENCE USE)



Store Design - 3D Visuals  
(FOR REFERENCE USE)



THANK YOU





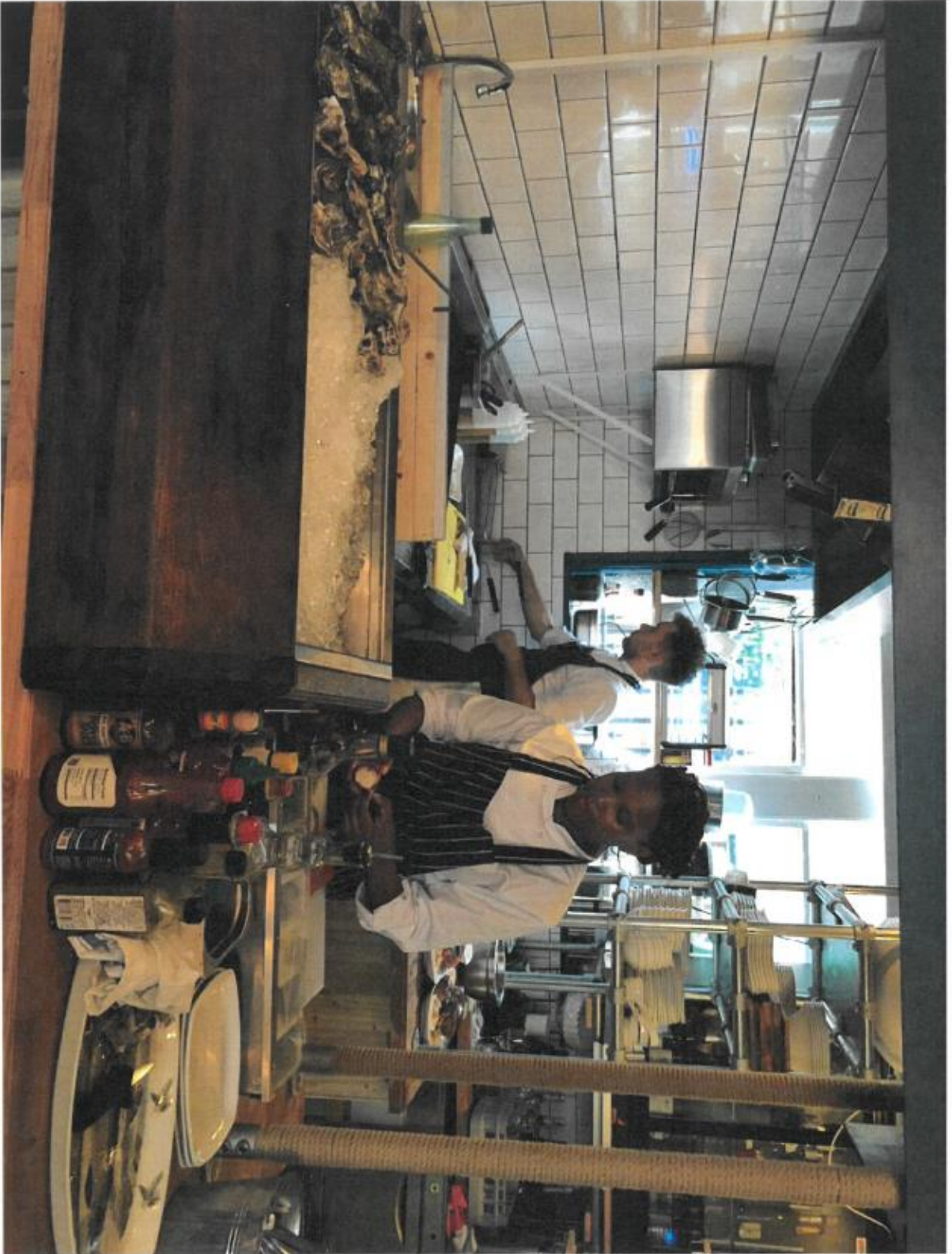


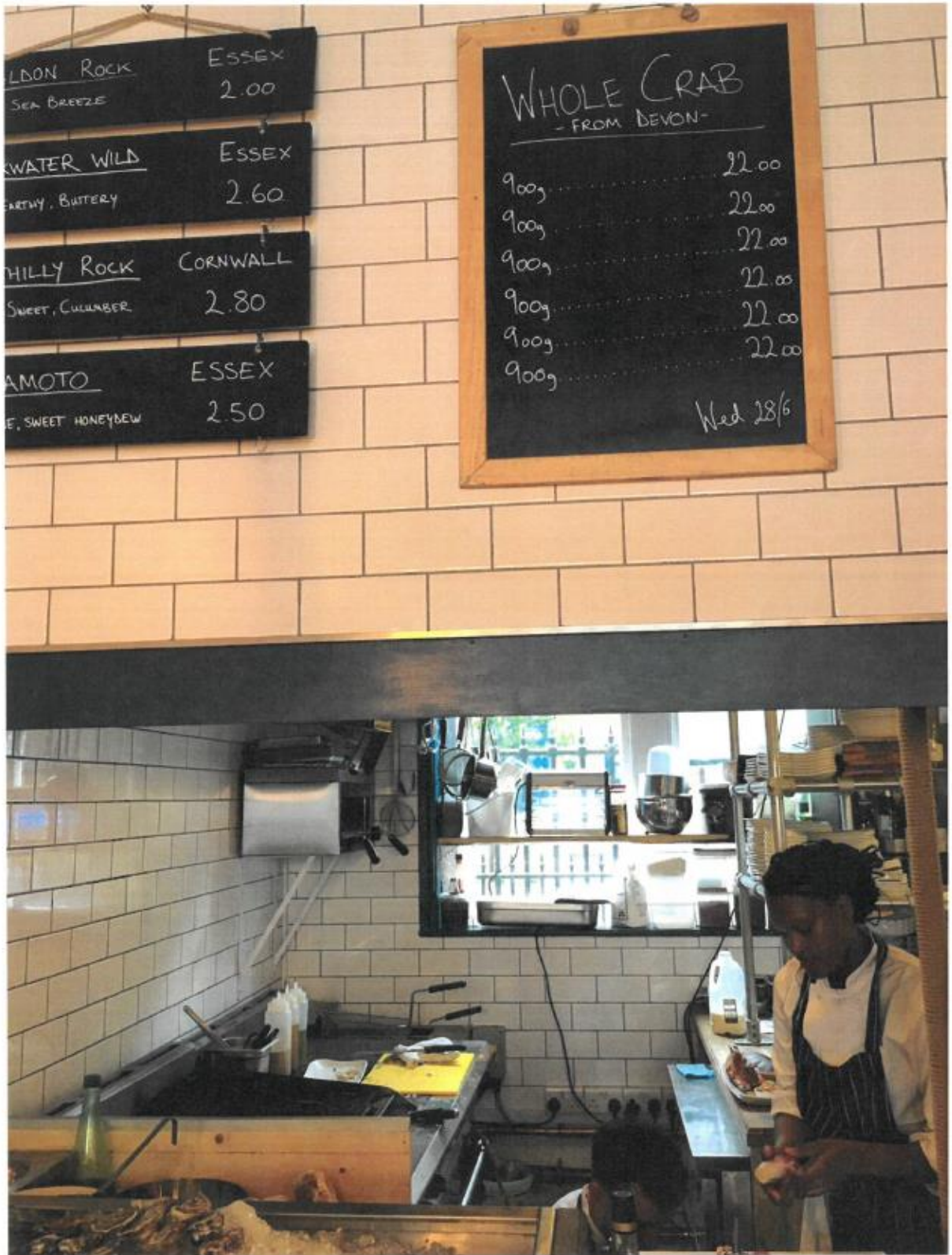
















**Premises History**

There is no licence or appeal history for the premises.

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

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

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

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

### **Mandatory Conditions**

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

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

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



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

## Conditions consistent with the operating schedule

9. The premises shall 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 or chopsticks,
  - (iv) which do not provide any take away service of food or drink for immediate consumption,
  - (v) where alcohol shall not be sold, supplied, or consumed on the premises otherwise than to 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.

10. There shall be no sales of hot food or hot drink for consumption "Off" the premises after 23.00 hours.
11. The maximum number of persons permitted in the premises at any one time (excluding staff) shall not exceed:-  
Ground Floor –
12. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
13. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
14. 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.
15. Where the provision of food and/or drink includes delivery to the customer, the licence holder shall ensure that specific procedures are in place and that the activity does not cause nuisance at or near to the premises.
16. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.

17. Loudspeakers shall not be located in the entrance lobby or outside the premises building.
18. All windows and external doors shall be kept closed after 22:00 hours except for the immediate access and egress of persons.
19. All outside tables and chairs shall be rendered unusable by 22:00 each day.
20. There shall be no striptease or nudity, and all persons shall be decently attired at all times, except when the premises are operating under the authority of a Sexual Entertainment Venue licence.
21. No rubbish, including bottles, shall be removed or placed in an outside area between 23:00 hours to 07:00 hours, Monday to Friday, and 23:00 hours to 08:00 hours, Saturday and Sunday.
22. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before collection time.
23. 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.
24. All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.
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, which will record the following:
  - (a) all crimes reported to the venue
  - (b) all ejections of patrons
  - (c) any complaints received concerning crime and disorder
  - (d) any incidents of disorder
  - (e) all seizures of drugs or offensive weapons
  - (f) any faults in the CCTV system, searching equipment or scanning equipment
  - (g) any refusal of the sale of alcohol
  - (h) any visit by a relevant authority or emergency service.
26. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.
27. The Licence will have no effect until the premises have been assessed as satisfactory by the Environmental Health Consultation Team and this condition has been removed from the Licence.

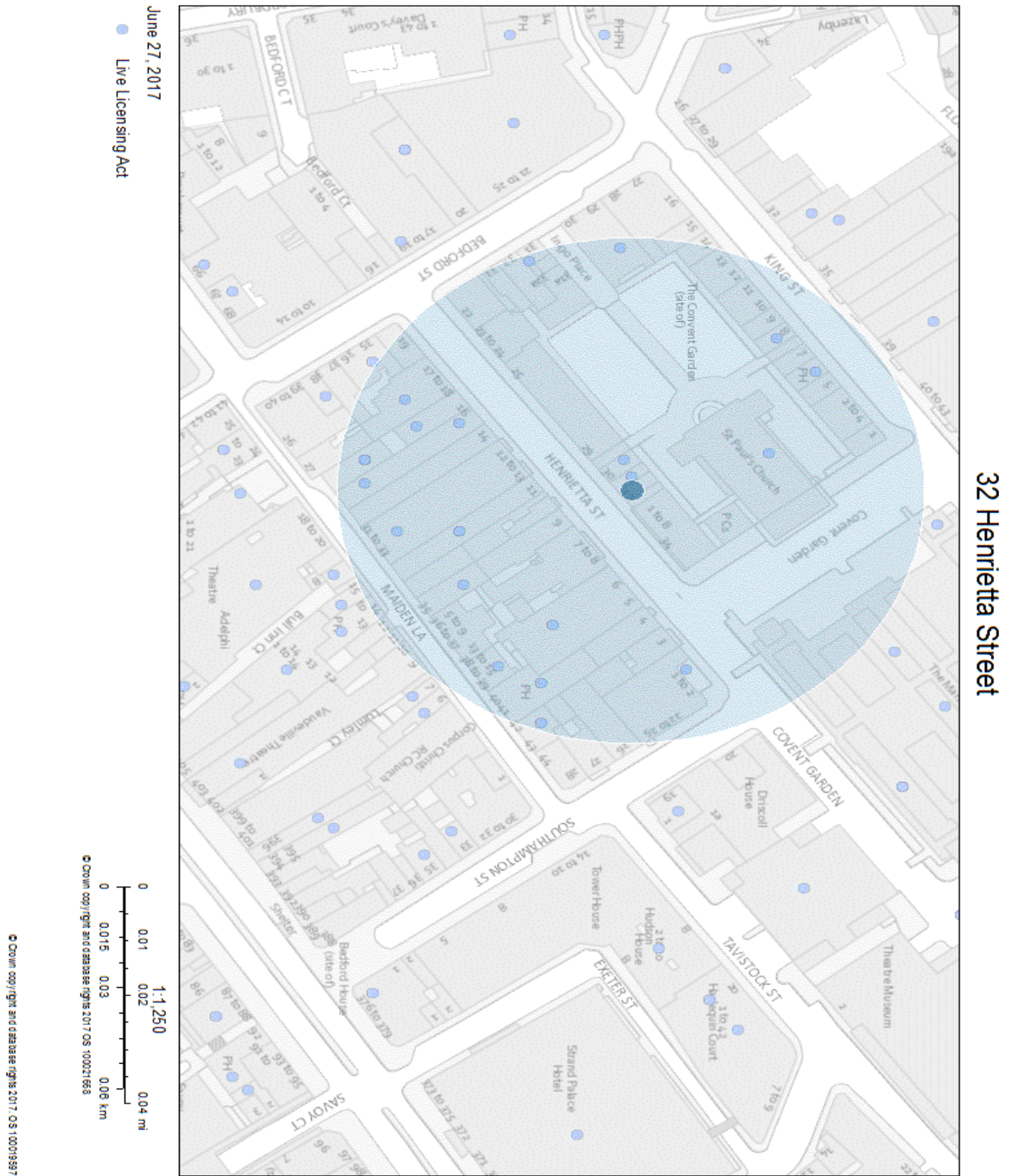
28. Before the premises open to the public, the plans as deposited will be checked by the Environmental Health Consultation Team to ensure they are an accurate reflection of the premises constructed. Where the premises layout has changed during the course of construction new plans shall be provided to the Environmental Health Consultation Team and the Licensing Authority.

**Conditions proposed by the Police (agreed by applicant)**

29. 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.

**Conditions proposed by the Environmental Health**

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



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City of Westminster

# Licensing Sub-Committee Report

## Agenda Item 5

|                    |   |
|--------------------|---|
| Item No:           |   |
| Date:              | 13 <sup>th</sup> July 2017                                      |
| Licensing Ref No:  | 17/04660/LIPV - Premises Licence Variation                      |
| Title of Report:   | Sketch<br>9 Conduit Street<br>London<br>W1S 2XG                 |
| Report of:         | Director of Public Protection and Licensing                     |
| Wards involved:    | West End  |
| Policy context:    | City of Westminster Statement of Licensing Policy               |
| Financial summary: | None  |
| Report Author:     | Miss Heidi Lawrance<br>Senior Licensing Officer                 |
| Contact details    | Telephone: 020 7641 2751<br>Email: hlawrance@westminster.gov.uk |

## 1. Application

| 1-A Applicant and premises        |   |                                |          |
|-----------------------------------|---|--------------------------------|----------|
| <b>Application Type:</b>          | Variation of a Premises Licence, Licensing Act 2003   |                                |          |
| <b>Application received date:</b> | 4 May 2017  |                                |          |
| <b>Applicant:</b>                 | Sacred River Limited  |                                |          |
| <b>Premises:</b>                  | Sketch  |                                |          |
| <b>Premises address:</b>          | 9 Conduit Street<br>London<br>W1S 2XG   | <b>Ward:</b>                   | West End |
|                                   |   | <b>Cumulative Impact Area:</b> | West End |
| <b>Premises description:</b>      | The premises is currently appears to be operating as a restaurant and bar.  |                                |          |
| <b>Variation description:</b>     | <p>The applicant has applied to :</p> <p>1. Extend the terminal hour for the sale of alcohol to 01:00 on Sundays - no change to Sundays before Bank holidays: 02:00.</p> <p>NB. No change to the permitted hours for regulated entertainment.</p> <p>and</p> <p>to tidy up the licence as follows :</p> <p>2. (a). Late Night Refreshment: delete Sundays before Bank Holidays to 02:00 (inconsistent with normal Sunday hours to 05:00).</p> <p>2. (b). To vary the conditions of the licence as set out below, to address the licensing objectives in connection with 1 above, and to tidy up the licence.</p> <p>The variation application is proposing a significant change to the conditions on the licence which will remove the requirements for the sale and consumption of alcohol be ancillary to some other activity.</p> <p>The variation will remove the requirement for alcohol to be ancillary to music and dancing and substantial refreshment on Monday to Saturday and for it to be ancillary to a table meal / provision of entertainment on a Sunday.</p> |                                |          |



|                                  |   |
|----------------------------------|---|
| <b>Premises licence history:</b> | The premises has been licensed since September 2005.<br><br>Please see premises licence 15/04058/LIPV attached at Appendix 6. |
| <b>Applicant submissions:</b>    | Please see Appendix 2   |

| 1-B Current and proposed licensable activities, areas and hours |   |       |                |      |  |            |
|---|---|-------|----------------|------|--|------------|
| Regulated Entertainment   |   |       |                |      |  |            |
| Exhibition of films   |   |       |                |      |  |            |
|   | Current Hours   |       | Proposed Hours |      | Licensable Area                        |            |
|   | Start:  | End:  | Start:         | End: | Current:                               | Proposed:  |
| <b>Monday</b>   | 00:00   | 00:00 | No Change.     |      | See Plan attached at Appendix 1        | No Change. |
| <b>Tuesday</b>  | 00:00   | 00:00 |                |      |  |            |
| <b>Wednesday</b>  | 00:00   | 00:00 |                |      |  |            |
| <b>Thursday</b>   | 00:00   | 00:00 |                |      |  |            |
| <b>Friday</b>   | 00:00   | 00:00 |                |      |  |            |
| <b>Saturday</b>   | 00:00   | 00:00 |                |      |  |            |
| <b>Sunday</b>   | 00:00   | 00:00 |                |      |  |            |
| <b>Seasonal Variations / Non-standard timings:</b>              | <b>Current:</b><br><br>For times authorised for Christmas, New Year and Good Friday see Appendix 4. |       |                |      | <b>Proposed:</b><br><br>See Appendix 4 |            |

| Performance of Dance, Live Music and anything of a similar description |                 |       |                |      |                                 |            |
|--|-----------------|-------|----------------|------|---------------------------------|------------|
|  | Current Hours   |       | Proposed Hours |      | Licensable Area                 |            |
|  | Start:          | End:  | Start:         | End: | Current:                        | Proposed:  |
| <b>Monday</b>  | 09:00           | 02:00 | No Change.     |      | See Plan attached at Appendix 1 | No Change. |
| <b>Tuesday</b>   | 09:00           | 02:00 |                |      |                                 |            |
| <b>Wednesday</b>   | 09:00           | 02:00 |                |      |                                 |            |
| <b>Thursday</b>  | 09:00           | 02:00 |                |      |                                 |            |
| <b>Friday</b>  | 09:00           | 02:00 |                |      |                                 |            |
| <b>Saturday</b>  | 09:00           | 02:00 |                |      |                                 |            |
| <b>Sunday</b>  | 09:00           | 23:00 |                |      |                                 |            |
| <b>Seasonal</b>  | <b>Current:</b> |       |                |      | <b>Proposed:</b>                |            |

|  |   |                |
|--|---|----------------|
| <b>variations/<br/>Non-standard<br/>timings:</b> | <p>Sundays before Bank Holidays :<br/>09:00 until 02:00</p> <p>For times authorised for<br/>Christmas, New Year and Good<br/>Friday see Appendix 4.</p> | See Appendix 4 |
|--|---|----------------|

| Late night refreshment                                |  |       |                |      |   |            |
|---|--|-------|----------------|------|---|------------|
|   | Current Hours  |       | Proposed Hours |      | Licensable Area   |            |
|   | Start:   | End:  | Start:         | End: | Current:  | Proposed:  |
| <b>Monday</b>   | 23:00  | 05:00 | No Change.     |      | See Plan attached at Appendix 1                         | No Change. |
| <b>Tuesday</b>  | 23:00  | 05:00 |                |      |   |            |
| <b>Wednesday</b>                                      | 23:00  | 05:00 |                |      |   |            |
| <b>Thursday</b>                                       | 23:00  | 05:00 |                |      |   |            |
| <b>Friday</b>   | 23:00  | 05:00 |                |      |   |            |
| <b>Saturday</b>                                       | 23:00  | 05:00 |                |      |   |            |
| <b>Sunday</b>   | 23:00  | 05:00 |                |      |   |            |
| <b>Seasonal variations/<br/>Non-standard timings:</b> | <b>Current:</b>  |       |                |      | <b>Proposed:</b>  |            |
|   | Sundays before Bank Holidays :<br>09:00 until 02:00                                |       |                |      | Removed Sundays before Bank Holidays 09:00 until 02:00. |            |
|   | For times authorised for<br>Christmas, New Year and Good<br>Friday see Appendix 4. |       |                |      | See Appendix 4  |            |

| Sale by Retail of Alcohol |               |       |                |      |                                 |            |
|---------------------------|---------------|-------|----------------|------|---------------------------------|------------|
| On or off sales           |               |       | Current :      |      |                                 | Proposed:  |
|                           |               |       | Both           |      |                                 | No Change  |
|                           | Current Hours |       | Proposed Hours |      | Licensable Area                 |            |
|                           | Start:        | End:  | Start:         | End: | Current:                        | Proposed:  |
| <b>Monday</b>             | 10:00         | 02:00 | No change.     |      | See Plan attached at Appendix 1 | No Change. |
| <b>Tuesday</b>            | 10:00         | 02:00 |                |      |                                 |            |
| <b>Wednesday</b>          | 10:00         | 02:00 |                |      |                                 |            |
| <b>Thursday</b>           | 10:00         | 02:00 |                |      |                                 |            |
| <b>Friday</b>             | 10:00         | 02:00 |                |      |                                 |            |
| <b>Saturday</b>           | 10:00         | 02:00 |                |      |                                 |            |

|   |   |       |       |                  |  |  |
|---|---|-------|-------|------------------|--|--|
| <b>Sunday</b>   | 12:00   | 00:30 | 12:00 | 01:00            |  |  |
| <b>Seasonal variations/<br/>Non-standard timings:</b> | <b>Current:</b>   |       |       | <b>Proposed:</b> |  |  |
|   | Sundays before Bank Holidays :<br>09:00 until 02:00<br><br>For times authorised for Christmas, New Year and Good Friday see Appendix 4. |       |       | See Appendix 4   |  |  |

| <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>   | 00:00                | 00:00       | No Change.            |                  | See Plan attached at Appendix 1 | No Change.       |
| <b>Tuesday</b>  | 00:00                | 00:00       |                       |                  |                                 |                  |
| <b>Wednesday</b>                                      | 00:00                | 00:00       |                       |                  |                                 |                  |
| <b>Thursday</b>                                       | 00:00                | 00:00       |                       |                  |                                 |                  |
| <b>Friday</b>   | 00:00                | 00:00       |                       |                  |                                 |                  |
| <b>Saturday</b>                                       | 00:00                | 00:00       |                       |                  |                                 |                  |
| <b>Sunday</b>   | 00:00                | 00:00       |                       |                  |                                 |                  |
| <b>Seasonal variations/<br/>Non-standard timings:</b> | <b>Current:</b>      |             |                       | <b>Proposed:</b> |                                 |                  |
|   | None.                |             |                       | No Change.       |                                 |                  |

| <b>1-C Layout alteration</b> |
|------------------------------|
| No changes applied for.      |

| <b>1-D Conditions being varied, added or removed</b>  |                           |
|---|---------------------------|
| <b>Condition</b>  | <b>Proposed variation</b> |
| <p><b><u>Condition 11</u></b></p> <p>This licence is subject to all the former Rules of Management for Places of Public Entertainment licensed by Westminster City Council, in force from 4 September 1998 and incorporating amendments agreed by the Council on 25 October 1999, 30 June 2000, 16 January 2001 and</p> | <b>To be deleted</b>      |

|   |   |
|---|---|
| 1 October 2001.   |   |
| <p><b><u>Condition 12</u></b></p> <p>On New Year's Eve the premises can remain open for the purpose of providing regulated entertainment from the time when the provision of regulated entertainment must otherwise cease on New Year's Eve to the time when regulated entertainment can commence on New Year's Day (or until midnight on New Year's Eve where no regulated entertainment takes place on New Year's Day).</p> | <p><b>To be deleted and replaced with model Condition 38</b></p> <p>The premises may remain open for the sale of alcohol, regulated entertainment, and the provision of late night refreshment from the terminal hour for those activities on New Year's Eve through to the commencement time for those activities on New Year's Day</p>  |
| <p><b><u>Condition 13</u></b></p> <p>Notwithstanding the provisions of Rule of Management No.6 the premises may remain open for the purposes of this licence from 11pm on each of the days Monday to Saturday to 2am on the day following.</p>  | <p><b>To be deleted</b></p>   |
| <p><b><u>Condition 14</u></b></p> <p>The entertainment to be provided under this licence shall be limited to "World music", cabaret and dancing by patrons.</p>   | <p><b>To be deleted</b></p>   |
| <p><b><u>Condition 15</u></b></p> <p>The entertainment to be provided under this licence shall remain purely ancillary to the main / lawful planning use of the premises (i.e. Class A3 - food and drink)</p>   | <p><b>To be deleted</b></p>   |
| <p><b><u>Condition 16</u></b></p> <p>The music systems shall be fitted with sound limiting devices to be set, sealed and maintained at a level to the satisfaction of the Council's Environmental Health Officer.</p>   | <p><b>To be deleted and replaced with Model Condition 11</b></p> <p>A noise limiter must be fitted to the musical amplification system set at a level determined by and to the satisfaction of an authorised officer of the Environmental Health Service, so as to ensure that no noise nuisance is caused to local residents or businesses. The operational panel of the noise limiter shall then be secured by key or password to the satisfaction of officers from the Environmental Health Service and access shall only be by persons authorised by the Premises</p> |

|  |  |
|--|--|
|  | Licence holder. The limiter shall not be altered without prior agreement with the Environmental Health Service. No alteration or modification to any existing sound system(s) should be effected without prior knowledge of an authorised Officer of the Environmental Health Service. No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device.   |
| <p><b><u>Condition 17</u></b></p> <p>The pavement outside sketch will be washed down daily.</p>  | <p><b>To be deleted and replaced with Model Condition 42:</b></p> <p>During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.</p> |
| <p><b><u>Condition 18</u></b></p> <p>The number of persons accommodated (excluding staff) at the premises shall not exceed:<br/>Ground Floor - 300<br/>First Floor - 150.</p>  | <p><b>To be amended:</b></p> <p>The number of persons accommodated (excluding staff) at the premises shall not exceed:<br/>Ground Floor – 300<br/>First Floor – 150.<br/>After 0030 hours on Sunday in the area hatched green: 120</p>   |
| <p><b><u>Condition 20 (i) (a)</u></b></p> <p>(i) Monday to Saturday</p> <p>(a) Subject to the following paragraphs, the permitted hours on weekdays shall commence at 10.00 (12.00 on Christmas Day and Good Friday) and extend until 02.00 on the morning following, except that -</p> <p>(i) the permitted hours shall end at 00.00 midnight on any day on which music and dancing is not provided after midnight; and</p> | <p><b>To be deleted</b></p>  |

|  |  |
|--|--|
| <p>(ii) on any day that music and dancing end between 00.00 midnight and 02.00, the permitted hours shall end when the music and dancing end;</p>  |  |
| <p><b><u>Condition 20 (i) (b)</u></b></p> <p>(i) Monday to Saturday</p> <p>(b) In relation to the morning on which summer time begins, paragraph (a) of this condition shall have effect-</p> <p>(i) with the substitution of references to 03.00 for references to 02.00.</p>   | <p><b>To be deleted and replaced with Model Condition 84</b></p> <p>On the morning that Greenwich Mean Time changes to British Summer Time one hour will be added to the terminal hour of any activities and to the closing time for the premises where the existing terminal hour for the activities and/or closing hour for the premises ends after 01.00.</p> |
| <p><b><u>Condition 20 (i) (c) and (d)</u></b></p> <p>(c) The sale of alcohol must be ancillary to the use of the premises for music and dancing and substantial refreshment.</p> <p>(d) The permitted hours on New Year's Eve will extend to the start of permitted hours on the following day, or if there are no permitted hours on 1 January, to 00.00 on New Year's Eve.</p>   | <p><b>To be deleted</b></p>  |
| <p><b><u>Condition 20 (ii) and (iii)</u></b></p> <p>(ii) Sunday</p> <p>Alcohol shall not be sold, supplied, consumed in or taken from the premises except during permitted hours.</p> <p>In this condition, permitted hours means:</p> <p>(a) On Sundays, other than Christmas Day or New Year's Eve, 12.00 noon to 22.30;</p> <p>(b) On Christmas Day, 12.00 to 15.00 and 19.00 to 22.30;</p> <p>(c) On New Year's Eve on a Sunday, 12.00 to 22.30;</p> <p>(d) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following</p> | <p><b>To be deleted</b></p>  |

day (or, if there are no permitted hours on the following day, 00.00 midnight on 31st December).

(ii) Alcohol may be sold or supplied for one hour following the hours set out above (other than Christmas Day and New Year's Eve), and on Christmas Day, between 15.00 and 19.00, to persons taking table meals in the premises in a part of the premises usually set apart for the service of such persons and for consumption by such a person in that part of the premises as an ancillary to his meal. For other purposes or in other parts of the premises the hours set out above shall continue to apply.

(iii)

(a) Alcohol may be sold or supplied until 00.30 a.m. in the morning following Sundays (other than Christmas Day) and 00.30 in the morning following Good Friday to persons taking table meals in the premises in a part of the premises usually set apart for the service of such persons and for consumption by that person in that part of the premises as an ancillary to his meal.

(b) That part of the premises must also be used for the provision of entertainment by persons present and performing to which the sale or supply of alcohol is also ancillary.

(c) The alcohol must be sold or supplied at a time before

(i) the provision of entertainment by persons present and performing or

(ii) the provision of substantial refreshment, has ended. For other purposes or in other parts of the premises the hours set out above shall continue to apply.

(d) This condition does not authorise any sale or supply to any person admitted to the premises either after 23.00 on Sunday or less than half an hour before the entertainment is due to end, except in accordance with condition number 20(ii)

above.

NOTE - The above restrictions do not prohibit:

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

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

(c) during the first thirty minutes on a Sunday after the above hours the consumption of the alcohol on the premises by persons taking table meals there if the alcohol was supplied for consumption as ancillary to the meals;

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

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

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

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

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

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

(j) the supply of alcohol for consumption



|   |                             |
|---|-----------------------------|
| <p>on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.</p> <p>In this condition, any reference to a person residing in the premises shall be construed as including a person not residing there but carrying on or in charge of the business on the premises.</p>   |                             |
| <p><b><u>Condition 21</u></b></p> <p>No person under fourteen shall be in the bar of the licensed premises during the permitted hours unless one of the following applies:</p> <p>(a) He is the child of the holder of the premises licence.</p> <p>(b) He resides in the premises, but is not employed there.</p> <p>(c) He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress.</p> <p>(d) The bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary.</p> <p>In this condition "bar" includes any place exclusively or mainly used for the consumption of intoxicating liquor. But an area is not a bar when it is usual for it to be, and it is, set apart for the service of table meals and alcohol is only sold or supplied to persons as an ancillary to their table meals.</p> | <p><b>To be deleted</b></p> |
| <p><b><u>Condition 22</u></b></p> <p>If any entertainment is provided for</p>   | <p><b>To be deleted</b></p> |

|   |   |
|---|---|
| <p>children or if an entertainment is provided at which the majority of persons attending are children, then, if the number of children attending the entertainment exceeds 100, it shall be the duty of the holder of the premises licence (or the holder of the club premises certificate):</p> <p>(a) to station and keep stationed wherever necessary a sufficient number of adult attendants, properly instructed as to their duties, to prevent more children or other persons being admitted to the building, or to any part thereof, than the building or part can properly accommodate;</p> <p>(b) to control the movement of the children and other persons admitted while entering and leaving the building or any part thereof; and</p> <p>(c) to take all other reasonable precautions for the safety of the children.</p> |   |
| <p><b><u>Condition 23</u></b></p> <p>This licence (or certificate) will be subject to any restrictions imposed on the use of the premises by any of the provisions contained in the former Cinematograph (Safety) Regulations 1955 as amended by the Cinematograph (Safety) Regulations 1958, the Cinematograph (Safety) Regulations 1965, the Cinematograph (Safety) (Amendment) Regulations 1976, the Cinematograph (Safety) (Amendment) Regulations 1982 and the Cinematograph (Safety) (Amendment) Regulations 2002.</p>  | <p><b>To be deleted</b></p>   |
| <p><b><u>Condition 24</u></b></p> <p>The premises shall install and maintain a comprehensive CCTV system. All entry 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</p>  | <p><b>To be deleted and replaced with Model Condition 01</b></p> <p>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</p> |

|   |  |   |
|---|--|---|
| <p>shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.</p>   | <p>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.</p>   |   |
| <p><b><u>Condition 25</u></b></p> <p>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 Police or authorised Council Officer copies of recent CCTV images or data with the absolute minimum of delay when requested.</p> | <p><b>To be deleted and replaced with Model Condition 02</b></p> <p>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.</p> |   |
| <p><b><u>Condition 29</u></b></p> <p>All patrons shall have left the premises no later than 45 minutes after the permitted terminal hour for the sale of alcohol.</p>   | <p><b>To be amended:</b></p> <p>All patrons shall have left the premises no later than 30 minutes after licensable activities have ended.</p>  |   |
|   | <p><b>Condition to be added:</b></p> <p><b>The following apply to the area hatched green on the plan:</b></p> <p>There shall be no entry or re-entry save for smokers to the area hatched green on the plan after 23:00 hours on Sundays.</p>  |   |
|   | <p><b>Condition to be added:</b></p> <p><b>The following apply to the area hatched green on the plan:</b></p> <p>After 23:00 hours on Sundays the supply of alcohol in the area hatched green on the plan shall only be to a person seated taking a table meal there and for consumption by such a person as ancillary to their meal.</p>  |   |
| <p><b>Adult entertainment:</b></p>  | <p><b>Current position:</b><br/>Not applicable.</p>  | <p><b>Proposed position:</b><br/>No Change.</p> |

## 2. Representations

| 2-A Responsible Authorities  |                             |
|--|-----------------------------|
| <b>Responsible Authority:</b>  | Metropolitan Police Service |
| <b>Representative:</b>   | PC Toby Janes               |
| <b>Received:</b>   | 30 <sup>th</sup> May 2017   |
| <p>I am writing to inform you that the Metropolitan Police, as a Responsible Authority, make a representation against the above 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 conditions already attached to the licence do address some of our concerns. However the venue is situated in the West End cumulative impact area, a locality where there is traditionally high crime and disorder. The hours sought are well beyond core hours as set out in the Westminster Policy and we have concerns that this application may cause further policing problems in an already demanding area.</p> |                             |
| <b>Responsible Authority:</b>  | Licensing Authority         |
| <b>Representative:</b>   | Mr David Sycamore           |
| <b>Received:</b>   | 1 <sup>st</sup> June 2017   |
| <p>I write in relation to the application submitted to vary an existing Premises Licence for the above premises.</p> <p>As a responsible authority under section 13 (4) of the Licensing Act 2003 as amended under the Police and Social Responsibility Act 2011 the Licensing Authority have considered your application in full. The Licensing Authority has concerns in relation to this application and how the premises would promote the Licensing Objectives:</p>   |                             |

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

The application is currently seeking hours which will go beyond the Core Hours Policy and is located in the already busy West End Cumulative Impact areas as defined by Westminster Statement of Licensing Policy 2016. The applicant seeks to increase the hours permitted for the sale of alcohol on Sundays, in an area defined on the plans submitted. HRS1, PB2 and CIP1 are our key policy concerns.

This is a large capacity venue and we are concerned that a relaxation of the old conditions could lead this undermining the licensing objectives. There is an area marked on the plans which has green shading, this a large area that would appear to have a large capacity. The additional 30 minutes will mean that there will be an increase in people leaving the premises and contributing to the cumulative impact.

We would like to see information as to why the premises should be considered an exemption to policy.

Please accept this as email as formal representation.

|                               |  |
|-------------------------------|--|
| <b>Responsible Authority:</b> | Environmental Health Consultation Team |
| <b>Representative:</b>        | Mr David Nevitt                        |
| <b>Received:</b>              | 1 <sup>st</sup> June 2017              |

I wish to make Representations on the following grounds:

Representation is made in relation to the application, as the proposals are likely to increase Public Nuisance and may impact upon Public Safety.

### 3. Policy & Guidance

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

|                             |   |
|-----------------------------|---|
|                             | Cumulative Impact Areas.  |
| <b>Policy HRS1 applies:</b> | (i) Applications for hours within the core hours set out below in this policy will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy.<br>(ii) Applications for hours outside the core hours set out below in this policy will be considered on their merits, subject to other relevant policies. |
| <b>Policy PB2 applies:</b>  | It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas other than applications to vary hours within the Core Hours under Policy HRS1.   |

#### 4. Appendices

|                   |  |
|-------------------|--|
| <b>Appendix 1</b> | Premises plans                                       |
| <b>Appendix 2</b> | Applicant supporting documents                       |
| <b>Appendix 3</b> | Premises history                                     |
| <b>Appendix 4</b> | Proposed conditions                                  |
| <b>Appendix 5</b> | Residential map and list of premises in the vicinity |
| <b>Appendix 6</b> | Current Premises Licence 15/04058/LIPV               |

|                       |   |
|-----------------------|---|
| <b>Report author:</b> | Miss Heidi Lawrance<br>Senior Licensing Officer                 |
| <b>Contact:</b>       | Telephone: 020 7641 2751<br>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  | 4 <sup>th</sup> May 2017     |
| <b>5</b> | Representation – MET Police   | 30 <sup>th</sup> May 2017    |
| <b>6</b> | Representation – Licensing Authority                                | 1 <sup>st</sup> June 2017    |
| <b>7</b> | Representation – Environmental Health                               | 1 <sup>st</sup> June 2017    |

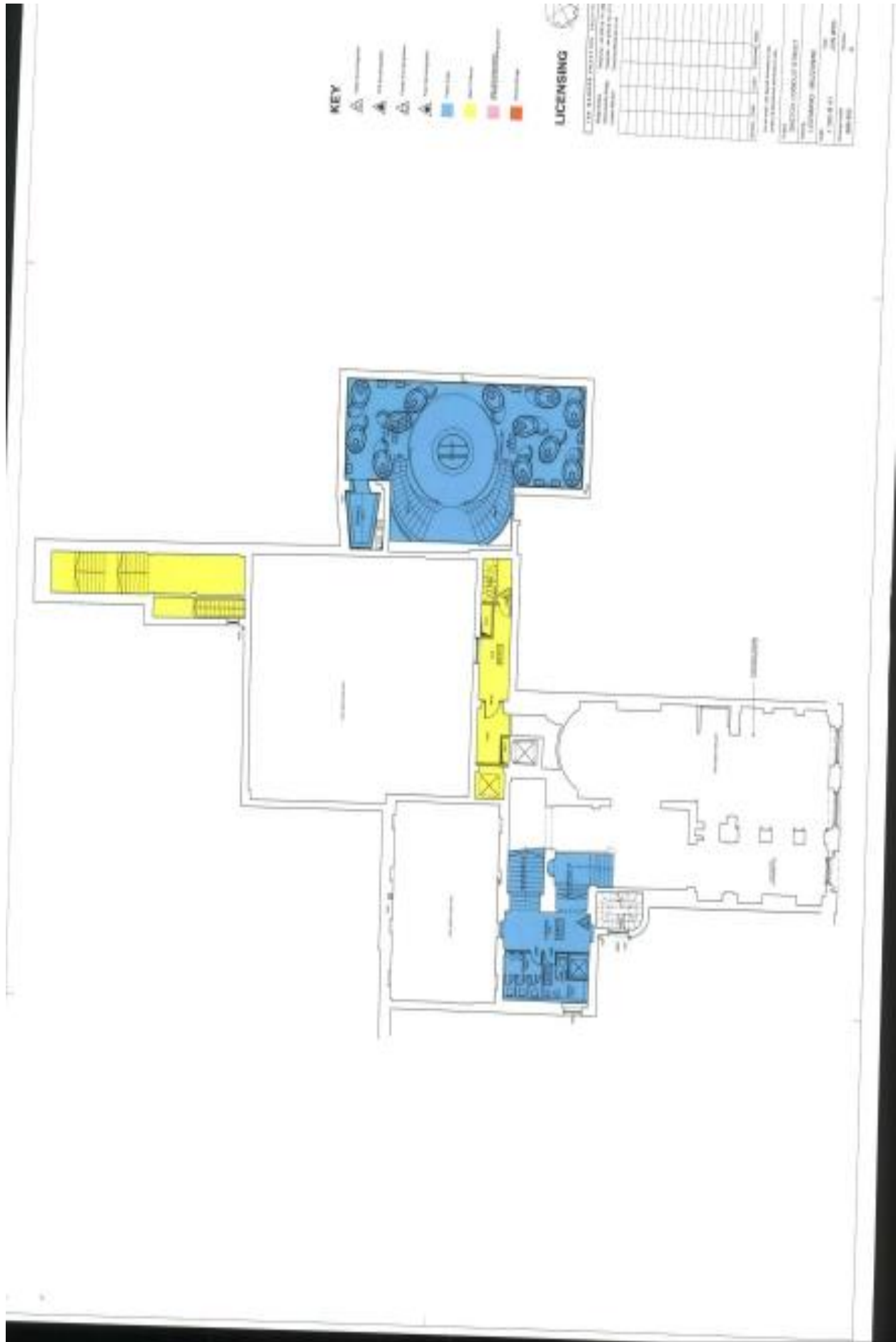
**Premises Plans**

Appendix 1













**Applicant Supporting Documents**

Thomas & Thomas  
Partners LLP

**Application for Variation of Premises Licence**

Sketch, 9 Conduit Street W1S 2XG

**APPLICATION SUMMARY****Proposed Variation:**

1. To extend the terminal hour for the sale of alcohol to 01:00 on Sundays (no change to Sundays before Bank holidays: 02:00)

NB. No change to the permitted hours for regulated entertainment.

2. To "tidy up" the licence as follows

2(a). Late Night Refreshment: delete "Sundays before Bank Holidays to 02:00" (inconsistent with normal Sunday hours to 05:00).

2(b). To vary the conditions of the licence as set out below, to address the licensing objectives in connection with 1 above, and to "tidy up" the licence.

**Delete condition 11****Replace condition 12 with MC83:**

The premises may remain open for the sale of alcohol, regulated entertainment, and the provision of late night refreshment from the terminal hour for those activities on New Year's Eve through to the commencement time for those activities on New Year's Day

**Delete Conditions 13, 14, 15****Replace Condition 16 with MC11:**

A noise limiter must be fitted to the musical amplification system set at a level determined by and to the satisfaction of an authorised officer of the Environmental Health Service, so as to ensure that no noise nuisance is caused to local residents or businesses. The operational panel of the noise limiter shall then be secured by key or password to the satisfaction of officers from the Environmental Health Service and access shall only be by persons authorised by the Premises Licence holder. The limiter shall not be altered without prior agreement with the Environmental Health Service. No alteration or modification to any existing sound system(s) should be effected without prior knowledge of an authorised Officer of the Environmental Health Service. No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device.

**Replace condition 17 with MC42:**

During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.

**Amend Condition 18 :**

18. The number of persons accommodated (excluding staff) at the premises shall not exceed:

Ground Floor – 300

First Floor – 150.

After 0030 hours on Sunday in the area hatched green: 120

Thomas & Thomas Partners LLP, 38a Monmouth Street, London WC2H 9EP  
020 7042 0410 [www.tandtp.com](http://www.tandtp.com) [info@tandtp.com](mailto:info@tandtp.com)

**Delete 20.(i)(a)**

**Replace Condition 20(i)(b) with MC 84**

On the morning that Greenwich Mean Time changes to British Summer Time one hour will be added to the terminal hour of any activities and to the closing time for the premises where the existing terminal hour for the activities and/or closing hour for the premises ends after 01.00.

**Delete 20.(i)(c) and (d)**

**Delete 20.(ii) and 20.(iii) in their entirety.**

**Delete 21, 22 and 23.**

**Annex 2**

**Update Condition 24 with MC01.**

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

**Update Condition 25. with MC02**

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

**26.(Unchanged)**

At least one door supervisor licensed by the Security Industry Authority shall be on duty at the entrance of the premises after 21:00 hours.

**27. (Unchanged)**

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.

**28. (Unchanged)**

A daily Door Supervisor Log shall be maintained at the premises and signed at the end of each day by the Duty Manager. Details will include:

- (a) the printed name of the door supervisor
- (b) their badge number
- (c) expiry date of their SIA licence and
- (d) their signature.

**Amend 29.**

All patrons shall have left the premises no later than 30 minutes after licensable activities have ended

**30. (Unchanged).**

A personal licence holder shall be on duty at the premises after 21:00 hours.

**Additional proposed conditions:**

**The following apply to the area hatched green on the plan**

**31.** There shall be no entry or re-entry save for smokers to the area hatched green on the plan after 23:00 hours on Sundays.

**32.** After 23:00 hours on Sundays the supply of alcohol in the area hatched green on the plan shall only be to a person seated taking a table meal there and for consumption by such a person as ancillary to their meal.

### Licence & Appeal History

| <b>Application</b> | <b>Details of Application</b> | <b>Date Determined</b> | <b>Decision</b>                   |
|--------------------|-------------------------------|------------------------|-----------------------------------|
| 06/06449/WCCMAP    | New Premises Application      | 10.09.2005             | Granted Under Delegated Authority |
| 13/10123/LIPVM     | Minor Variation Application   | 08.01.2014             | Granted Under Delegated Authority |
| 14/01125/LIPVM     | Minor Variation Application   | 25.02.2014             | Granted Under Delegated Authority |
| 15/04058/LIPV      | Variation Application         | 28.06.2015             | Granted Under Delegated Authority |

| <b>Application</b> | <b>Details of Application</b> | <b>Date Determined</b> | <b>Decision</b> |
|--------------------|-------------------------------|------------------------|-----------------|
| 14/07966/LITENP    | Temporary Event Notice        | 29.12.2014             | Notice Granted  |
| 14/08692/LITENP    | Temporary Event Notice        | 24.10.2014             | Notice Granted  |
| 17/04698/LITENP    | Temporary Event Notice        | 24.05.2017             | 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 to Vary a Premises Licence under the provisions of the Licensing Act 2003, the licensing authority must, unless it decides to reject the application, grant the licence subject to the conditions which are indicated as mandatory in this schedule.

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

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

**Conditions: On Current Licence -**

**Mandatory:**

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

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

- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

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

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

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

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

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

Where -

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

- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
- 8(iii). Where the permitted price given by Paragraph 8(ii)(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- 8(iv). (1) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.
9. Admission of children to the premises must be restricted in accordance with the film classification recommended by the British Board of Film Classification or recommended by this licensing authority as appropriate.
10. All persons guarding premises against unauthorised access or occupation or against outbreaks of disorder or against damage (door supervisors) must be licensed by the Security Industry Authority.

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

**Conditions relating to regulated entertainment - Music, Dancing and Entertainment of a Like Kind**

**Condition 11 to be deleted as proposed by the applicant**

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

**Condition 12 to be deleted and replaced with model condition 83 as proposed by the applicant**

12. On New Year's Eve the premises can remain open for the purpose of providing regulated entertainment from the time when the provision of regulated entertainment must otherwise cease on New Year's Eve to the time when regulated entertainment can commence on New Year's Day (or until midnight on New Year's Eve where no regulated entertainment takes place on New Year's Day).
- 12. The premises may remain open for the sale of alcohol, regulated entertainment, and the provision of late night refreshment from the terminal hour for those activities on New Year's Eve through to the commencement time for those activities on New Year's Day***

**Condition 13 to be deleted as proposed by the applicant**

13. Notwithstanding the provisions of Rule of Management No.6 the premises may remain open for the purposes of this licence from 11pm on each of the days Monday to Saturday to 2am on the day following.

**Condition 14 to be deleted as proposed by the applicant**

14. The entertainment to be provided under this licence shall be limited to "World music", cabaret and dancing by patrons.

**Condition 15 to be deleted as proposed by the applicant**

15. The entertainment to be provided under this licence shall remain purely ancillary to the main / lawful planning use of the premises (i.e. Class A3 - food and drink)

**Condition 16 to be deleted and replaced with model condition 11 as proposed by the applicant**

16. The music systems shall be fitted with sound limiting devices to be set, sealed and maintained at a level to the satisfaction of the Council's Environmental Health Officer.
16. ***A noise limiter must be fitted to the musical amplification system set at a level determined by and to the satisfaction of an authorised officer of the Environmental Health Service, so as to ensure that no noise nuisance is caused to local residents or businesses. The operational panel of the noise limiter shall then be secured by key or password to the satisfaction of officers from the Environmental Health Service and access shall only be by persons authorised by the Premises Licence holder. The limiter shall not be altered without prior agreement with the Environmental Health Service. No alteration or modification to any existing sound system(s) should be effected without prior knowledge of an authorised Officer of the Environmental Health Service. No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device.***

**Condition 17 to be deleted and replaced with model condition 42 as proposed by the applicant**

17. The pavement outside sketch will be washed down daily.
17. ***During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.***

**Condition 18 to be amended as proposed by the applicant**

18. The number of persons accommodated (excluding staff) at the premises shall not exceed:

Ground Floor - 300  
First Floor - 150.

- 18. The number of persons accommodated (excluding staff) at the premises shall not exceed:**

**Ground Floor – 300**

**First Floor – 150.**

**After 0030 hours on Sunday in the area hatched green: 120**

19. The exhibition of a film is restricted to films not involving the use of real film (e.g. video) where exhibition are incidental or subsidiary to the main use of the premises.

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

**Conditions related to the Sale of Alcohol**

**Condition 20 (i) (a) to be deleted as proposed by the applicant**

20. (i) Monday to Saturday

- (a) Subject to the following paragraphs, the permitted hours on weekdays shall commence at 10.00 (12.00 on Christmas Day and Good Friday) and extend until 02.00 on the morning following, except that -

- (i) the permitted hours shall end at 00.00 midnight on any day on which music and dancing is not provided after midnight; and  
(ii) on any day that music and dancing end between 00.00 midnight and 02.00, the permitted hours shall end when the music and dancing end;

**Condition 20 (i) (b) to be deleted and replaced by model condition 84 as proposed by the applicant**

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

- (i) with the substitution of references to 03.00 for references to 02.00.

***On the morning that Greenwich Mean Time changes to British Summer Time one hour will be added to the terminal hour of any activities and to the closing time for the premises where the existing terminal hour for the activities and/or closing hour for the premises ends after 01.00.***

**Condition 20 (i) (c) to be deleted as proposed by the applicant**

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

**Condition 20 (i) (d) to be deleted as proposed by the applicant**

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

**Condition 20 (ii) & (iii) to be deleted as proposed by the applicant**

(ii) Sunday

Alcohol shall not be sold, supplied, consumed in or taken from the premises except during permitted hours.

In this condition, permitted hours means:

- (a) On Sundays, other than Christmas Day or New Year's Eve, 12.00 noon to 22.30;
  - (b) On Christmas Day, 12.00 to 15.00 and 19.00 to 22.30;
  - (c) On New Year's Eve on a Sunday, 12.00 to 22.30;
  - (d) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, 00.00 midnight on 31st December).
- (ii) Alcohol may be sold or supplied for one hour following the hours set out above (other than Christmas Day and New Year's Eve), and on Christmas Day, between 15.00 and 19.00, to persons taking table meals in the premises in a part of the premises usually set apart for the service of such persons and for consumption by such a person in that part of the premises as an ancillary to his meal. For other purposes or in other parts of the premises the hours set out above shall continue to apply.
- (iii) (a) Alcohol may be sold or supplied until 00.30 a.m. in the morning following Sundays (other than Christmas Day) and 00.30 in the morning following Good Friday to persons taking table meals in the premises in a part of the premises usually set apart for the service of such persons and for consumption by that person in that part of the premises as an ancillary to his meal.
- (b) That part of the premises must also be used for the provision of entertainment by persons present and performing to which the sale or supply of alcohol is also ancillary.
- (c) The alcohol must be sold or supplied at a time before (i) the provision of entertainment by persons present and performing or (ii) the provision of substantial refreshment, has ended. For other purposes or in other parts of the premises the hours set out above shall continue to apply.
- (d) This condition does not authorise any sale or supply to any person admitted to the premises either after 23.00 on Sunday or less than half an hour before the

entertainment is due to end, except in accordance with condition number 20(ii) above.

NOTE - The above restrictions do not prohibit:

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

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

**Condition 21 to be deleted as proposed by the applicant**

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

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



**Condition 22 to be deleted as proposed by the applicant**

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

**Condition 23 to be deleted as proposed by the applicant**

23. This licence (or certificate) will be subject to any restrictions imposed on the use of the premises by any of the provisions contained in the former Cinematograph (Safety) Regulations 1955 as amended by the Cinematograph (Safety) Regulations 1958, the Cinematograph (Safety) Regulations 1965, the Cinematograph (Safety) (Amendment) Regulations 1976, the Cinematograph (Safety) (Amendment) Regulations 1982 and the Cinematograph (Safety) (Amendment) Regulations 2002.

## Annex 2 – Conditions consistent with the operating Schedule

### **Condition 24 to be deleted and replaced with model condition 1 as proposed by the applicant**

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

### **Condition 25 to be deleted and replaced with model condition 2 as proposed by the applicant**

25. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide Police or authorised Council Officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
- 25. *A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.***
26. At least one door supervisor licensed by the Security Industry Authority shall be on duty at the entrance of the premises after 21:00 hours.
27. An incident log shall be kept at the premises and made available on request to an authorised office of the City Council or the Police, which will record the following:
- (a) all crimes reported to the venue;
  - (b) all ejections of patrons;
  - (c) any complaints received concerning crime and disorder;
  - (d) any incidents of disorder;
  - (e) all seizures of drugs or offensive weapons;

- (f) any faults in the CCTV system or searching equipment or scanning equipment;
- (g) any refusal of the sale of alcohol;
- (h) any visit by a relevant authority or emergency service.

28. A daily Door Supervisor Log shall be maintained at the premises and signed at the end of each day by the Duty Manager. Details will include:
- (i) the printed name of the door supervisor
  - (ii) their badge number
  - (iii) expiry date of their SIA Licence and
  - (iv) their signature

**Condition 29 to be amended as proposed by the applicant**

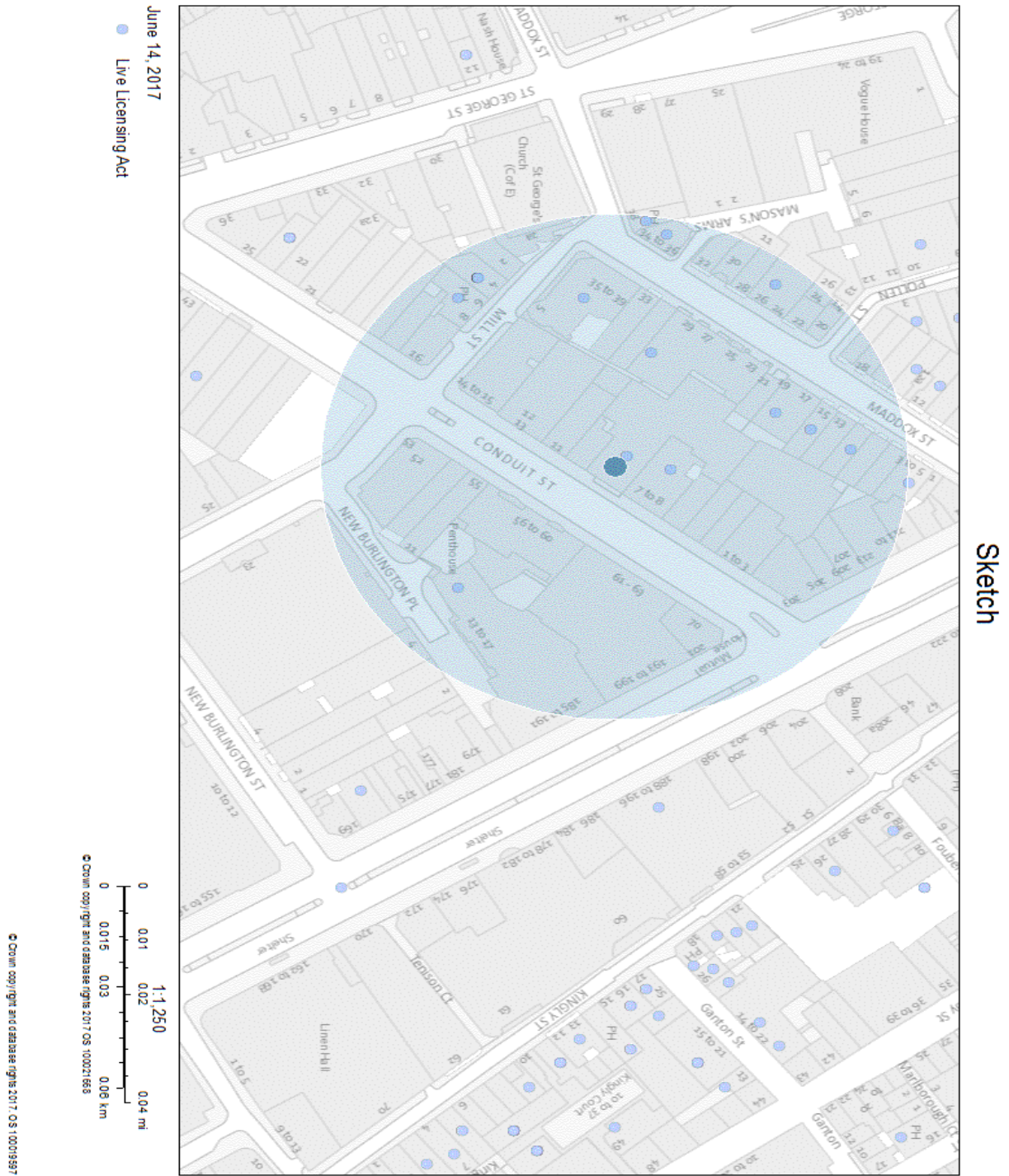
29. All patrons shall have left the premises no later than 45 minutes after the permitted terminal hour for the sale of alcohol.
- 29. *All patrons shall have left the premises no later than 30 minutes after licensable activities have ended***
30. A personal licence holder shall be on duty at the premises after 21:00 hours.

**Additional conditions proposed by the applicant**

The following apply to the area hatched green on the plan

31. There shall be no entry or re-entry save for smokers to the area hatched green on the plan after 23:00 hours on Sundays.
32. After 23:00 hours on Sundays the supply of alcohol in the area hatched green on the plan shall only be to a person seated taking a table meal there and for consumption by such a person as ancillary to their meal.

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



Resident Count: 31

**Premises Licence – 15/04058/LIPV**Schedule 12  
Part AWARD: West End  
UPRN: 100023621743**City of Westminster**

64 Victoria Street, London, SW1E 6QP

Premises licence

Regulation 33, 34

Premises licence number:

15/04058/LIPV

Original Reference:

05/07925/LIPC

**Part 1 – Premises details****Postal address of premises:**Sketch  
9 Conduit Street  
London  
W1S 2XG**Telephone Number:** 0870 777 4488**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  
 Anything of a similar description to Live Music, Recorded Music or Performance of Dance  
 Late Night Refreshment  
 Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit  
 Sale by Retail of Alcohol

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

|                               |                |
|-------------------------------|----------------|
| Monday to Saturday:           | 09:00 to 02:00 |
| Sunday:                       | 09:00 to 23:00 |
| Sundays before Bank Holidays: | 09:00 to 02:00 |

**Exhibition of a Film**

|                   |                |
|-------------------|----------------|
| Monday to Sunday: | 00:00 to 00:00 |
|-------------------|----------------|

**Performance of Live Music**

|                               |                |
|-------------------------------|----------------|
| Monday to Saturday:           | 09:00 to 02:00 |
| Sunday:                       | 09:00 to 23:00 |
| Sundays before Bank Holidays: | 09:00 to 02:00 |

**Playing of Recorded Music**

Unrestricted

|  |                |
|--|----------------|
| <b>Anything of a similar description to Live Music, Recorded Music or Performance of Dance</b>   |                |
| Monday to Saturday:  | 09:00 to 02:00 |
| Sunday:  | 09:00 to 23:00 |
| Sundays before Bank Holidays:  | 09:00 to 02:00 |
| <b>Late Night Refreshment</b>  |                |
| Monday to Sunday:  | 23:00 to 05:00 |
| Sundays before Bank Holidays:  | 23:00 to 02:00 |
| <b>Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit</b> Unrestricted |                |
| <b>Sale by Retail of Alcohol</b>   |                |
| Monday to Saturday:  | 10:00 to 02:00 |
| Sunday:  | 12:00 to 00:30 |
| Sundays before Bank Holidays:  | 09:00 to 02:00 |
| <i>For times authorised for Christmas, New Year and Good Friday see conditions at Annex 1</i>  |                |

|   |                |
|---|----------------|
| <b>The opening hours of the premises:</b> |                |
| Monday to Sunday:                         | 00:00 to 00:00 |

|  |
|--|
| <b>Where the licence authorises supplies of alcohol, whether these are on and/or off supplies:</b> |
| Alcohol is supplied for consumption both on and off the Premises.                                  |

**Part 2**

|   |
|---|
| <b>Name, (registered) address, telephone number and email (where relevant) of holder of premises licence:</b> |
| Sacred River Limited<br>Ground Floor<br>30 City Road<br>London<br>EC1Y 2AB                                    |

|   |
|---|
| <b>Registered number of holder, for example company number, charity number (where applicable)</b> |
| 03723005  |

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

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

**Licence Number:** 05/00708/LIPERS  
**Licensing Authority:** London Borough Of Croydon

**Date:** 22 January 2016

**This licence has been authorised by Mr Yiannis Chrysanthou 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.

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

**Conditions relating to regulated entertainment - Music, Dancing and Entertainment of a Like Kind**

11. This licence is subject to all the former Rules of Management for Places of Public Entertainment licensed by Westminster City Council, in force from 4 September 1998 and incorporating amendments agreed by the Council on 25 October 1999, 30 June 2000, 16 January 2001 and 1 October 2001.
12. On New Year's Eve the premises can remain open for the purpose of providing regulated entertainment from the time when the provision of regulated entertainment must otherwise cease on New Year's Eve to the time when regulated entertainment can commence on New Year's Day (or until midnight on New Year's Eve where no regulated entertainment takes place on New Year's Day).
13. Notwithstanding the provisions of Rule of Management No.6 the premises may remain open for the purposes of this licence from 11pm on each of the days Monday to Saturday to 2am on the day following.
14. The entertainment to be provided under this licence shall be limited to "World music", cabaret and dancing by patrons.
15. The entertainment to be provided under this licence shall remain purely ancillary to the main / lawful planning use of the premises (i.e. Class A3 - food and drink)

16. The music systems shall be fitted with sound limiting devices to be set, sealed and maintained at a level to the satisfaction of the Council's Environmental Health Officer.
17. The pavement outside sketch will be washed down daily.
18. The number of persons accommodated (excluding staff) at the premises shall not exceed:
  - Ground Floor - 300
  - First Floor - 150.
19. The exhibition of a film is restricted to films not involving the use of real film (e.g. video) where exhibition are incidental or subsidiary to the main use of the premises.

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

**Conditions related to the Sale of Alcohol**

20. (i) Monday to Saturday

- (a) Subject to the following paragraphs, the permitted hours on weekdays shall commence at 10.00 (12.00 on Christmas Day and Good Friday) and extend until 02.00 on the morning following, except that -
  - (i) the permitted hours shall end at 00.00 midnight on any day on which music and dancing is not provided after midnight; and
  - (ii) on any day that music and dancing end between 00.00 midnight and 02.00, the permitted hours shall end when the music and dancing end;
- (b) In relation to the morning on which summer time begins, paragraph (a) of this condition shall have effect-
  - (i) with the substitution of references to 03.00 for references to 02.00.
- (c) The sale of alcohol must be ancillary to the use of the premises for music and dancing and substantial refreshment.
- (d) The permitted hours on New Year's Eve will extend to the start of permitted hours on the following day, or if there are no permitted hours on 1 January, to 00.00 on New Year's Eve.

(ii) Sunday

Alcohol shall not be sold, supplied, consumed in or taken from the premises except during permitted hours.

In this condition, permitted hours means:

- (a) On Sundays, other than Christmas Day or New Year's Eve, 12.00 noon to 22.30;
  - (b) On Christmas Day, 12.00 to 15.00 and 19.00 to 22.30;
  - (c) On New Year's Eve on a Sunday, 12.00 to 22.30;
  - (d) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, 00.00 midnight on 31st December).
- (ii) Alcohol may be sold or supplied for one hour following the hours set out above (other than Christmas Day and New Year's Eve), and on Christmas Day, between 15.00 and 19.00, to persons taking table meals in the premises in a part of the premises usually set apart for the service of such persons and for consumption by such a person in that part of

the premises as an ancillary to his meal. For other purposes or in other parts of the premises the hours set out above shall continue to apply.

- (iii) (a) Alcohol may be sold or supplied until 00.30 a.m. in the morning following Sundays (other than Christmas Day) and 00.30 in the morning following Good Friday to persons taking table meals in the premises in a part of the premises usually set apart for the service of such persons and for consumption by that person in that part of the premises as an ancillary to his meal.
- (b) That part of the premises must also be used for the provision of entertainment by persons present and performing to which the sale or supply of alcohol is also ancillary.
- (c) The alcohol must be sold or supplied at a time before (i) the provision of entertainment by persons present and performing or (ii) the provision of substantial refreshment, has ended. For other purposes or in other parts of the premises the hours set out above shall continue to apply.
- (d) This condition does not authorise any sale or supply to any person admitted to the premises either after 23.00 on Sunday or less than half an hour before the entertainment is due to end, except in accordance with condition number 20(ii) above.

NOTE - The above restrictions do not prohibit:

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

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

- 21. No person under fourteen shall be in the bar of the licensed premises during the permitted hours unless one of the following applies:
  - (a) He is the child of the holder of the premises licence.
  - (b) He resides in the premises, but is not employed there.
  - (c) He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress.

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

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

22. If any entertainment is provided for children or if an entertainment is provided at which the majority of persons attending are children, then, if the number of children attending the entertainment exceeds 100, it shall be the duty of the holder of the premises licence (or the holder of the club premises certificate):
- (a) to station and keep stationed wherever necessary a sufficient number of adult attendants, properly instructed as to their duties, to prevent more children or other persons being admitted to the building, or to any part thereof, than the building or part can properly accommodate;
  - (b) to control the movement of the children and other persons admitted while entering and leaving the building or any part thereof; and
  - (c) to take all other reasonable precautions for the safety of the children.
23. This licence (or certificate) will be subject to any restrictions imposed on the use of the premises by any of the provisions contained in the former Cinematograph (Safety) Regulations 1955 as amended by the Cinematograph (Safety) Regulations 1958, the Cinematograph (Safety) Regulations 1965, the Cinematograph (Safety) (Amendment) Regulations 1976, the Cinematograph (Safety) (Amendment) Regulations 1982 and the Cinematograph (Safety) (Amendment) Regulations 2002.

## Annex 2 – Conditions consistent with the operating Schedule

24. The premises shall install and maintain a comprehensive CCTV system. All entry points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
25. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide Police or authorised Council Officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
26. At least one door supervisor licensed by the Security Industry Authority shall be on duty at the entrance of the premises after 21:00 hours.
27. An incident log shall be kept at the premises and made available on request to an authorised office of the City Council or the Police, which will record the following:
  - (a) all crimes reported to the venue;
  - (b) all ejections of patrons;
  - (c) any complaints received concerning crime and disorder;
  - (d) any incidents of disorder;
  - (e) all seizures of drugs or offensive weapons;
  - (f) any faults in the CCTV system or searching equipment or scanning equipment;
  - (g) any refusal of the sale of alcohol;
  - (h) any visit by a relevant authority or emergency service.
28. A daily Door Supervisor Log shall be maintained at the premises and signed at the end of each day by the Duty Manager. Details will include:
  - (i) the printed name of the door supervisor
  - (ii) their badge number
  - (iii) expiry date of their SIA Licence and
  - (iv) their signature
29. All patrons shall have left the premises no later than 45 minutes after the permitted terminal hour for the sale of alcohol.
30. A personal licence holder shall be on duty at the premises after 21:00 hours.

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

None



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

Schedule 12  
Part B

WARD: West End  
UPRN: 100023621743

Premises licence  
summary

Regulation 33, 34

Premises licence number:

15/04058/LIPV

**Part 1 – Premises details**

**Postal address of premises:**

Sketch  
9 Conduit Street  
London  
W1S 2XG

**Telephone Number:** 0870 777 4488

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

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

|                                  |                |
|----------------------------------|----------------|
| <b>Performance of Dance</b>      |                |
| Monday to Saturday:              | 09:00 to 02:00 |
| Sunday:                          | 09:00 to 23:00 |
| Sundays before Bank Holidays:    | 09:00 to 02:00 |
| <b>Exhibition of a Film</b>      |                |
| Monday to Sunday:                | 00:00 to 00:00 |
| <b>Performance of Live Music</b> |                |
| Monday to Saturday:              | 09:00 to 02:00 |
| Sunday:                          | 09:00 to 23:00 |
| Sundays before Bank Holidays:    | 09:00 to 02:00 |
| <b>Playing of Recorded Music</b> | Unrestricted   |



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

|                               |                |
|-------------------------------|----------------|
| Monday to Saturday:           | 09:00 to 02:00 |
| Sunday:                       | 09:00 to 23:00 |
| Sundays before Bank Holidays: | 09:00 to 02:00 |

**Late Night Refreshment**

|                               |                |
|-------------------------------|----------------|
| Monday to Sunday:             | 23:00 to 05:00 |
| Sundays before Bank Holidays: | 23:00 to 02:00 |

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

**Sale by Retail of Alcohol**

|                               |                |
|-------------------------------|----------------|
| Monday to Saturday:           | 10:00 to 02:00 |
| Sunday:                       | 12:00 to 00:30 |
| Sundays before Bank Holidays: | 09:00 to 02:00 |

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

**The opening hours of the premises:**

|                   |                |
|-------------------|----------------|
| Monday to Sunday: | 00:00 to 00:00 |
|-------------------|----------------|

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

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

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

Sacred River Limited  
Ground Floor  
30 City Road  
London  
EC1Y 2AB

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

03723005

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

**Name:** Sinead Mallozzi

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

Restricted

Date: 22 January 2016

This licence has been authorised by Mr Yiannis Chrysanthou on behalf of the Director -  
Public Protection and Licensing.

|                    |   |
|--------------------|---|
| Item No:           |   |
| Date:              | 13 July 2017  |
| Licensing Ref No:  | 17/05581/LIPN - New Premises Licence  |
| Title of Report:   | Restaurant<br>Ground Floor<br>Strand Palace Hotel<br>372 Strand<br>London<br>WC2R 0JJ |
| 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 Heidi Lawrance<br>Senior Licensing Officer                                       |
| Contact details    | Telephone: 020 7641 2751<br>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> | 23 May 2017   |                                |            |
| <b>Applicant:</b>                 | Finlaw 652 Limited  |                                |            |
| <b>Premises:</b>                  | Restaurant  |                                |            |
| <b>Premises address:</b>          | Ground Floor<br>Strand Palace Hotel<br>372 Strand<br>London<br>WC2R 0JJ   | <b>Ward:</b>                   | St James's |
|                                   |   | <b>Cumulative Impact Area:</b> | West End.  |
| <b>Premises description:</b>      | The premises intends to operate as a restaurant   |                                |            |
| <b>Premises licence history:</b>  | <p>This is an application for a new premises licence.</p> <p>The premises does currently have the benefit of a premises licence (16/04629/LIPVM) and a copy of this can be found at Appendix 6.</p> <p>This application is being made in conjunction with a new premises application for a restaurant situated on the ground floor of 372 Strand (17/05624/LIPN).</p> |                                |            |
| <b>Applicant submissions:</b>     | See Appendix 2  |                                |            |

| 1-B Proposed licensable activities and hours      |            |             |   |                                  |            |            |            |
|---|------------|-------------|---|----------------------------------|------------|------------|------------|
| <b>Late Night Refreshment:</b>                    |            |             |   | <b>Indoors, outdoors 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>                                     | 23:00      | 23:00       | 23:00   | 23:00                            | 23:00      | 23:00      | 23:00      |
| <b>End:</b>                                       | 00:30      | 00:30       | 00:30   | 00:30                            | 00:30      | 00:30      | 00:00      |
| <b>Seasonal variations/ Non-standard timings:</b> |            |             | Sunday before a Bank Holiday 23:00 until 00:30 hours. |                                  |            |            |            |

|                        |            |             |            |                                  |            |            |            |
|------------------------|------------|-------------|------------|----------------------------------|------------|------------|------------|
| <b>Recorded Music:</b> |            |             |            | <b>Indoors, outdoors or both</b> |            |            | Indoors    |
| <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>          | 09:00      | 09:00       | 09:00      | 09:00                            | 09:00      | 09:00      | 09:00      |
| <b>End:</b>            | 00:30      | 00:30       | 00:30      | 00:30                            | 00:30      | 00:30      | 00:00      |

|   |  |
|---|--|
| <b>Seasonal variations/ Non-standard timings:</b> | Bank Holiday Sunday 09:00 until 00:30 hours.<br><br>From the end of permitted hours on New Year's Eve to the start of the permitted hours on New Year's Day. |
|---|--|

|   |  |             |            |                                 |            |            |            |
|---|--|-------------|------------|---------------------------------|------------|------------|------------|
| <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>                                     | 10:00  | 10:00       | 10:00      | 10:00                           | 10:00      | 10:00      | 10:00      |
| <b>End:</b>                                       | 00:00  | 00:00       | 00:00      | 00:00                           | 00:00      | 00:00      | 23:30      |
| <b>Seasonal variations/ Non-standard timings:</b> | Sunday before a Bank Holiday 10:00 hours to 00:00 hours.<br><br>From the end of permitted hours on New Year's Eve to the start of the permitted hours on New Year's Day. |             |            |                                 |            |            |            |

|   |  |             |            |             |            |            |            |
|---|--|-------------|------------|-------------|------------|------------|------------|
| <b>Hours premises are open to the public</b>      |  |             |            |             |            |            |            |
| <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>                                     | 09:00  | 09:00       | 09:00      | 09:00       | 09:00      | 09:00      | 09:00      |
| <b>End:</b>                                       | 00:30  | 00:30       | 00:30      | 00:30       | 00:30      | 00:30      | 00:00      |
| <b>Seasonal variations/ Non-standard timings:</b> | Sunday before a Bank Holiday 09:00 hours to 00:30 hours.<br><br>From the end of permitted hours on New Year's Eve to the start of the permitted hours on New Year's Day. |             |            |             |            |            |            |
| <b>Adult Entertainment:</b>                       | Not applicable.  |             |            |             |            |            |            |

## 2. Representations

|   |                            |
|---|----------------------------|
| <b>2-A Responsible Authorities</b>  |                            |
| <b>Responsible Authority:</b>   | Licensing Authority        |
| <b>Representative:</b>  | Mr David Sycamore          |
| <b>Received:</b>  | 15 <sup>th</sup> June 2017 |
| <p>As a responsible authority under section 13 (4) of the Licensing Act 2003 as amended under the Police and Social Responsibility Act 2011 the Licensing Authority have considered your application in full. The Licensing Authority has concerns in relation to this application and how the premises would promote the Licensing Objectives:</p> |                            |

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

The premises is located in the West End Cumulative Impact Area as defined by the Westminster Statement of Licensing Policy and as such the applicants must show how they will not add to cumulative impact. The capacity is for 150 people and whilst we accept MC 66 goes some way to address our concerns, it is still a large number of additional people in the CIA.

The hours sought (HRS1) go beyond the core hours as defined in the policy and no reason or rational is given as to why they should have additional hours granted.

We would expect to see the hours brought in line with core hours, for licensable activities and when the public are permitted to be on the premises.

Please accept this as a formal representation to the application

|                               |  |
|-------------------------------|--|
| <b>Responsible Authority:</b> | Environmental Health Consultation Team |
| <b>Representative:</b>        | Mr Ian Watson                          |
| <b>Received:</b>              | 19 <sup>th</sup> June 2017             |

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

The applicant has submitted floor plans of the premises dated March 2017.

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

The applicant is seeking the following

1. To provide for the Supply of Alcohol ‘On’ and ‘Off’ the premises Monday to Saturday between 10.00 and 00.00 hours and Sunday between 10.00 to 23.30 hours. Bank Holiday Sunday 10.00 to 00.00 hours.
2. To provide Late Night Refreshment ‘Indoors’ and ‘Outdoors’ Monday to Saturday between 23.00 and 00.30 hours and Sunday between 23.00 to 00.00 hours. Bank Holiday Sunday 23.00 to 00.30 hours.
3. To provide regulated entertainment ‘indoors’ comprising
  - Recorded Music  
Monday to Saturday between 09.00 and 00.30 hours and Sunday between 09.00 to 00.00 hours. Bank Holiday Sunday 09.00 to 00.30 hours.

4. On New Year's Eve to provide regulated entertainment, late night refreshment and Supply of Alcohol from the end of authorised hours to commencement of authorised hours on New Year's Day.

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 to permit the provision of late night refreshment will have the likely effect of causing an increase in Public Nuisance and impact on Public Safety 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. The hours requested to permit regulated entertainment, late night refreshment and supply of alcohol on New Year's Eve will have the likely effect of causing an increase in Public Nuisance within the West End Cumulative Impact Area.

The applicant has provided additional information with the application which is being addressed.

### 3. Policy & Guidance

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

|                                    |  |
|------------------------------------|--|
| <p><b>Policy HRS1 applies</b></p>  | <p>(i) Applications for hours within the core hours set out below in this policy will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy.</p> <p>(ii) Applications for hours outside the core hours set out below in this policy will be considered on their merits, subject to other relevant policies.</p>   |
| <p><b>Policy HOT1 applies:</b></p> | <p>Subject to the effect on the promotion of the licensing objectives and other relevant policies in this Statement, premises licences for hotels will generally be granted so that:</p> <p>(a) Alcohol is permitted to be sold at any time to people staying in hotel rooms for consumption on the premises.</p> <p>(b) The hours of serving of alcohol to the general public will be subject to conditions limiting the sale of alcohol after a specified time to those attending pre-booked events held at the hotel,</p> |

|                             |   |
|-----------------------------|---|
|                             | (c) The exhibition of film, in the form of recordings or non-broadcast television programmes to be viewed in hotel bedrooms, will generally be permitted.   |
| <b>Policy CIA1 applies:</b> | (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.<br><br>(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. |
| <b>Policy RNT2 applies:</b> | Applications will be granted subject to other policies in this Statement and subject to the relevant criteria in Policies CD1, PS1, PN1 and CH1, provided it can be demonstrated that they will not add to cumulative impact in the 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> | Residential map and list of premises in the vicinity |
| <b>Appendix 6</b> | Premises Licence – 16/04629/LIPVM                    |

|                       |   |
|-----------------------|---|
| <b>Report author:</b> | Miss Heidi Lawrance<br>Senior Licensing Officer                 |
| <b>Contact:</b>       | Telephone: 020 7641 2751<br>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  | 23 <sup>rd</sup> May 2017    |
| <b>5</b> | Representation – Licensing Authority                                | 15 <sup>th</sup> June 2017   |
| <b>6</b> | Representation – Environmental Health                               | 19 <sup>th</sup> June 2017   |

**Premises Plans**

FOOTING STREET

**Pumphouse**  
 Knowledge Leadership  
 1 Pumphouse  
 1 Pumphouse

1100 S Pumphouse, Adelaide, SA 5000  
 Tel: (08) 8333 1111  
 Fax: (08) 8333 1112  
 Email: info@pumphouse.com.au

**WE MADE IT HAPPEN**

1100 S Pumphouse, Adelaide, SA 5000  
 Tel: (08) 8333 1111  
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**Applicant Supporting Documents****Proposed Conditions****Restaurant, Ground Floor The Strand Palace Hotel, 372 Strand, London, WC2R OJJ**

1. 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 or chopsticks,
  - (iv) which do not provide any take away service of food or drink for immediate consumption,
  - (v) where alcohol shall not be sold, supplied, or consumed on the premises otherwise than to 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.
  - (vi) Notwithstanding this condition customers are permitted to take from the premises part consumed and resealed bottles of wine supplied ancillary to their meal.
2. 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.
3. The number of persons accommodated at any one time, (excluding staff) shall not exceed:  
  
Restaurant - 150 persons.
4. There shall be no sales of hot food or hot drink for consumption off the premises after 23.00 hours.
5. There shall be no sales of alcohol for consumption off the premises after 23 .00 hours
6. 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.
7. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.
8. There shall be no striptease or nudity, and all persons shall be decently attired at all times, except when the premises are operating under the authority of a Sexual Entertainment Venue licence.

9. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
10. All sales of alcohol for consumption 'Off' the premises shall be in sealed containers only, and shall not be consumed on the premises.
11. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.
12. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
13. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following:
  - (a) all crimes reported to the venue
  - (b) all ejections of patrons
  - (c) any complaints received concerning crime and disorder
  - (d) any incidents of disorder
  - (e) all seizures of drugs or offensive weapons
  - (f) any faults in the CCTV system or searching equipment or scanning equipment
  - (g) any refusal of the sale of alcohol
  - (h) any visit by a relevant authority or emergency service.
14. 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.
15. 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.
16. All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.
17. All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device.
18. The edges of the treads of steps and stairways shall be maintained so as to be

conspicuous.

19. Curtains and hangings shall be arranged so as not to obstruct emergency safety signs or emergency equipment.
20. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.
21. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
22. 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.
23. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 23.00 hours and 08.00 hours on the following day.
24. No licensable activities shall take place at the premises until the premises have been assessed as satisfactory by the Environmental Health Consultation Team at which time this condition shall be removed from the Licence by the Licensing Authority.
25. Before the premises open to the public, the plans as deposited will be checked by the Environmental Health Consultation Team to ensure they are an accurate reflection of the premises constructed. Where the premises layout has changed during the course of construction new plans shall be provided to the Environmental Health Consultation Team and the Licensing Authority.

**EAJ**

Est. NY 1965



## Summary

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Joe Allen opened in Covent Garden in 1977 and was considered to be the first authentic American restaurant in London. It has continued to trade successfully throughout the last 39 years and has become one of Covent Garden's iconic restaurants.

In 2012 it was acquired by a team of influential and successful UK restaurateurs including Stephen Gee, a founder/shareholder of Carluccio's, Iberica, Gaucho and Busaba Eathai. As well as Andy Bassedone, founder of Strada, Cote Brasserie and Bills, CEO of Signature Restaurants to include Ivy, Caprice and J. Sheekey (1998-2005), shareholder of Ivy Collection brand (present day)

The site Joe Allen currently occupies is to be developed by CapCo into a hotel. The Strand Palace Hotel site would be the ideal location to create the ultimate 7 days a week all day American bar and dining experience combining the Joe Allen heritage with a contemporary take on an authentic American restaurant.

3

# Unique Advantages for Landlord and Tenant

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- Joe Allen has strong and longstanding links to the theatre community. Page 10 has recommendations from just 2 of them. Others including Cameron Mackintosh, Trevor Nunn, Tim Rice, Ian McKellen, Maggie Smith and Eddie Redmayne.
- Joe Allen has a uniquely loyal customer base that continues to grow, and will follow to the Strand Palace Hotel location which is visible from the current site.
- A move to The Strand Palace Hotel in the restaurants 40<sup>th</sup> year will therefore generate substantial publicity for the area and act as a draw.
- The location enables Joe's to retain its unique discreet speakeasy feel that has proved a draw since 1977.
- A move will give Joe Allen an opportunity to refresh the brand and retain its position as Covent Gardens leading authentic American all day casual dining restaurant. There would also be the Joe Allen American Bar, Private Dining room and Comedy club, Joe Allen regularly hosts opening night parties for the Theatre and would be interesting in hosting events in the Hotels Function rooms from time to time
- The new Joe Allen Restaurant and bar would also bring new dining options to the customers of the Hotel, breakfast, lunch, afternoon tea , pre and post theatre meals and of course dinner. At the weekend Joe Allen would serve Brunch from 11am.



## JOE ALLEN – A POTTED HISTORY

New York restaurateur Joe Allen and business partner Richard Polo opened Joe Allen in London in 1977 with the intention of eliciting the discreet feel of PJ Clarke's in New York where Allen used to work.

The menu was similar to Joe Allen in New York: unashamedly American. Two articles in the *Evening Standard*, which included an obliging review from Fay Maschler, plus a piece in *The New York Times* helped to build buzz and it quickly became the go-to place for American stars visiting the capital.

The waiters were wannabe actors, producers and directors and the cast and crew of the West End's best theatrical productions would use it as their own canteen.

Joe Allen rapidly became the place to hang out, packed with every film, television, fashion, rock and stage celebrity. Over the years, diners have included Princess Diana, Laurence Olivier, Kenneth Williams, Elizabeth Taylor, Joan Collins, Tony Curtis, Susan Sarandon, Al Pacino, Ava Gardner, Ingrid Bergman and Rock Hudson.

Tim Healy's late actor father David Healy, who had roles in many West End productions including *Follies* and *Show Boat*, was a regular. To this day, a picture of David Healy and Bob Hoskins, who appeared together in the stage show *Guys and Dolls*, adorns the wall.





FT Weekend Magazine



### Seafaring soul food

W hen you think of soul food, you think of fried chicken, collard greens, and cornbread. But in the South, there's a whole lot more to it than that. Soul food is a mix of African, European, and American influences, and it's a reflection of the history of the South. It's a food that's been passed down for generations, and it's a food that's full of flavor and soul.

Circulation: 220,532



Circulation: 52,801

## MUNCHIES

Solving the riddle in Theatre Square at London's Original West End Restaurant



Monthly Unique Users: 1,100,000

Jay Byrnes on restaurants to the theatreland stalwart Joe Allen which celebrates its 40th anniversary.



## London Evening Standard

Celebrates to cook and wait in Joe Allen's 40th anniversary

Joe Allen's 40th anniversary is a time to reflect on the many years of service he has provided to the city of London. From his first restaurant in 1974 to the current Joe Allen's, he has been a constant presence in the city's dining scene. His dedication to quality and service has earned him a reputation as one of the best chefs in London.

Circulation: 900,000

men's kept secrets to the off-menu burger at Joe Allen, which has been available pretty much since the restaurant opened even though there are no menus advertised.

## New orders

The secret's out — London's best burger is available at Joe Allen's. The burger is a classic American burger with a twist, featuring a beef patty, cheddar cheese, and a special sauce. It's a burger that's been a secret for years, but now it's out in the open. Joe Allen's is proud to announce that this burger is now available on the menu.



## FT FINANCIAL TIMES

how to spend it

Keep your restaurant fit for 2014



Circulation: 174,941

The Observer Magazine

## NEWS BITES

100,000 new restaurants in the UK. The number of new restaurants opening in the UK has reached 100,000, a significant increase from previous years. This growth is driven by a combination of factors, including a strong economy and a growing interest in dining out.

Circulation: 221,305

Monthly Unique Users: 210,511

Circulation: 84,412

## TATLER

At 37 years old, Jim is still one of Tatler's great restaurants. Who doesn't experience a Dame Judi Dench or Sir Ian McKellen moment, descending the staircase to the atmospheric, brick-walled basement, walking past the piano (resting the temptation to sit him to play it again and settling at a table to order chopped salad and the famous off-menu burger? And the good news is that, apart from some vital upgrades, the new owners have every intention of keeping the iconic restaurant exactly as it's always been.

## BAZAAR

Joe Allen restaurant is a whole new experience. The restaurant is a new addition to the city's dining scene, offering a unique and exciting dining experience. The restaurant is located in a prime location and is surrounded by beautiful views. It's a restaurant that's sure to be a hit.

Monthly Unique Users: 290,000



Joe Allen restaurant is a whole new experience. The restaurant is a new addition to the city's dining scene, offering a unique and exciting dining experience. The restaurant is located in a prime location and is surrounded by beautiful views. It's a restaurant that's sure to be a hit.

Monthly Unique Users: 610,186

## THE VIBRANT HOUSE

Circulation: 150,000

THIS MONTH I'M EATING/DRINKING... The vibrant house is a new addition to the city's dining scene, offering a unique and exciting dining experience. The restaurant is located in a prime location and is surrounded by beautiful views. It's a restaurant that's sure to be a hit.

# Social Media



**Gerard McCarthy, Actor & Writer, 87,000 followers**



**Harriet Thorpe, Actress, 5,119 followers**



**Amy Lamé, Comedienne and London's Night Czar, 19,300 followers**



**Lucrezia Millarini, News Presenter, 5,481 followers**



**Sheila Ferguson, Singer 4,615 followers**



**Miss Hope Springs, Cabaret Singer and Drag Queen, 2,380 followers**

## Kind Words for Joe's

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"Joe Allen has a warmth and a glow, a sweet unforced shtick that few others can match"

[Jay Rayner. Food Critic. The Guardian](#)

"Ambience: the restaurant has the air of an Edward Hopper painting, complete with solitary Martini drinkers. The family Self has been eating here since it opened."

[Will Self. Real Meals. New Statesman Magazine](#)

"When in doubt eat at Joe Allen, you will fit in here forever, they take care of you its divine."

[Joanna Lumley. Voices at One. One Aldwych. YouTube interview](#)

"I remember, being at Joe Allen's with Allan Bennett, Russell Harty and Alan Bates - then while we were chatting away, in came Laurence Olivier and Dustin Hoffman, it was hilarious "

[Stephen Fry interview](#)



## Customer Reviews

---

**Really fun place"** ★★★★★

Visited April 2016

Loved the decor. Perfect place for pre show dinner, really got me in the mood.

I have tasted mac'n'cheese in quite a few places, but theirs is the best I have ever eaten! Portion was large, but it was so good I squeezed it all in!! Will definitely be back for another visit!



tripadvisor

**Superb!!!!** ★★★★★

Dined February 2016

We had a fabulous evening at Joe Allens on Friday 12th February, dinner reservation booked for 7pm, service and food was faultless. We was not rushed and had our table till gone 10pm, we then stayed and had further cocktails at the bar. Highly recommend Joe Allen's and will certainly be going back soon.



**Perfect dining experience** ★★★★★

Visited March 2016

The food is fantastic. Simple food beautifully cooked and presented. The atmosphere is buzzing and happening. The staff go out of their way to ensure you have a great time....We had a snug spot close to the piano which sounded awesome. Unbeatable.

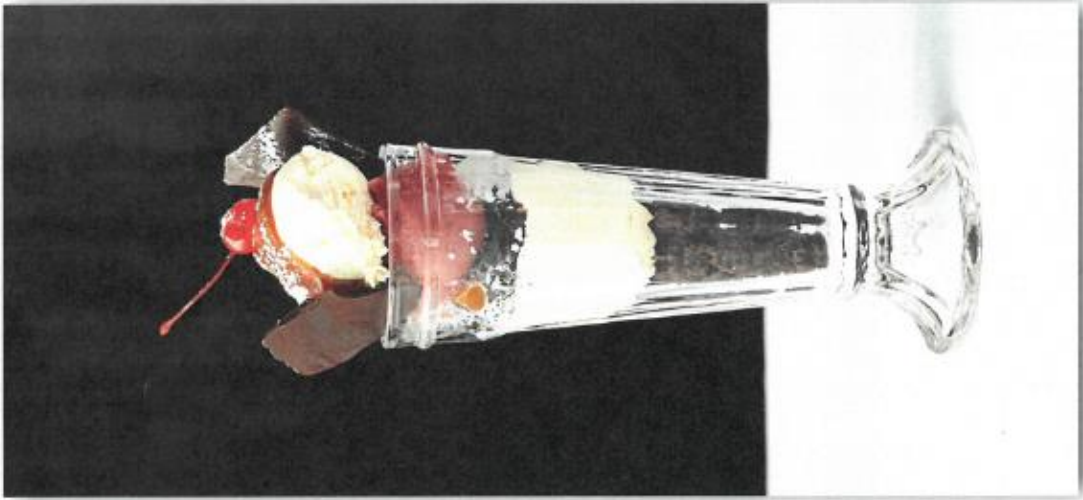
SquareMeal

**Perfect post theatre** ★★★★★

Dined February 2016

Buzzy atmosphere, classic American dishes, friendly and efficient service; perfect for a pre or post theatre meal.











PIANO AT JOE'S EVERY EVENING & EVERY WIKEND BERT NICH 12-4PM SIPPING OLIVE LIK & ENJOYER

**HORS D'OEUVRES**

- CRISP SQUID CHIMPIC KATO 6.95
- EGG JOE ALLEN BOLLANDISE 4.95/5.45
- CLASSIC FRANK CORNSTAIL 8.95
- SMOKED SALMON CAPERS DILL & HORSERADISH CREAM 7.95
- GRAB & GO SALAD, BERRY MAY DRESSING 8.95
- BLACK BEAN SOUP, CORIANDER, TORTILLA SPRINKLES 8.95
- JOE'S BUFFALO WINGS, BLUE CHEESE DUTCH 6.95
- JOE'S CRISPY MAC 'N CHEESE 6.95
- JOE'S CRISPY MAC 'N CHEESE 6.95
- ROAST BAY FRANK & CRAB SANDWICH 12.95
- GAMBI OF THE DAY 15.95

**HOUSE SPECIALS**

- JOE'S SPICED BARRY BAKE RIPS 13.25
- JOE'S CRISPY MAC 'N CHEESE 6.95

**GRILLS**

- STIR FRY 12.95
- GRILLED CHICKEN 14.95
- MIXED GRILL PER TON 15.95

**SIDES**

- TENDERSTEIN BROCCOLI, CHILLI & GARLIC 3.95
- BOSTON BEANS 3.95
- SALT LICK SLAW 3.75
- SMOKED RIBS 3.95
- MASHED POTATOES / OLIVE OIL WASH / FRENCH FRIES 3.95
- MIXED SALAD, HOUSE DRESSING 3.95
- TOMATO & RED ONION SALAD, AGED BALSAMIC 6.50

**SAUCES & DIPS**

- CRISP CORNMEAL COB 14.95
- CRISP CHILI BEET 15.95



SOUBROGH SALTED BUTTER 8.95  
GRILLED GARLIC BREAD 8.75  
SPICED RIPS ANIMAL POTATO OLIVES FOR THE TABLE 4.95  
WARM PRETZEL, BLUE CHEESE DIP 3.95  
QUACAMOLE, HOMEMADE TORTILLA CHIPS 4.95

**SALADS**

- ALL SALADS 4.95/5.95
- CRISP CORNMEAL COB 14.95
- CRISP CHILI BEET 15.95
- CRISP CORNMEAL COB 14.95

**FISH**

- CRISP CORNMEAL COB 14.95
- CRISP CHILI BEET 15.95

**MAINS**

- CRISP CORNMEAL COB 14.95
- CRISP CHILI BEET 15.95

**STEWARD'S WINE SELECTION**

- RED WINE 12.95
- WHITE WINE 12.95
- SPARKLING WINE 12.95



SOUBROGH SALTED BUTTER 8.95  
GRILLED GARLIC BREAD 8.75  
SPICED RIPS ANIMAL POTATO OLIVES FOR THE TABLE 4.95  
WARM PRETZEL, BLUE CHEESE DIP 3.95  
QUACAMOLE, HOMEMADE TORTILLA CHIPS 4.95

**STARTERS**

- JOE'S GRILLED GARLIC BREAD 3.75
- QUACAMOLE, HOMEMADE TORTILLA CHIPS 4.95
- WARM PRETZEL, BLUE CHEESE DIP 3.95
- MEXICAN CORN, GARLIC BUTTER, PAPRIKA 4.00
- ROAST AUBERGINE, SMOKED BURRATA, ROCKET 7.50
- GRILLED MUSHEROMS, SOURDOUGH, TARRAGON BUTTER 5.50

**SOUP & SALADS**

- BLACK BEAN SOUP, CORIANDER, TORTILLA SPRINKLES 5.50
- SEASONAL SOUP 5.50
- MIXED SALAD, HOUSE DRESSING 5.50
- TOMATO & RED ONION SALAD, AGED BALSAMIC 6.50
- BUFFALO HIZZARELLA, TOMATO, BASIL DRESSING 7.50
- SUPERFOOD SALAD 6.95/11.95
- CHEF'S SALAD 6.95/11.95
- ADD CRACKED BURRATA 5.50

**MAINS**

- JOE'S VEGGIE BURGER 9.95
- 3 BEAN CHILLI, FRIED TORTILLA, SOUR CREAM 9.95
- RIGATONI ARRABBIATA 10.95
- EGGS JOE ALLEN 9.95/12.95
- MAC 'N CHEESE 6.95/12.95

**SIDES**

- SALT LICK SLAW 3.75
- TENDERSTEIN BROCCOLI, CHILLI, GARLIC 3.95
- OLIVE OIL WASH / FRENCH FRIES 3.50

A DISCREETLY PLACED SMILET WILL BE ADDED TO YOUR BILL. ALLERGIES & INTOLERANCES PLEASE ASK A MEMBER OF STAFF ABOUT THE COMPOSITION OF YOUR MEAL. WE'D LOVE TO PLACE YOUR ORDER.



### March Set Menu

AVAILABLE ALL DAY SUNDAY - MONDAY

12PM-7PM TUESDAY - SATURDAY

#### Seasonal soup

BANG BANG CHICKEN, CUCUMBER, SCALLIONS, PEANUT SAUCE

SOFT TORTILLA WRAP, MUSHROOMS,  
GARLIC & TARRAGON BUTTER

potato cake, creamed cheese & spinach sauce, confit

tomato

PAN FRIED CHICKEN BREAST, CRUSHED NEW POTATOES &  
grilled scallions, lemon butter sauce,

roast salmon, tomato & basil sauce, arugula

CHOPPED STEAK, FRIED EGG, CHIPOTLE MAYO & FRIES

Pink grapefruit sorbet

Chocolate & espresso tart, whipped cream

Mature cheddar, plum & ginger chutney, artisan  
Crackers

2 COURSES £14.75 / 3 COURSES £17.50

ADD A 125ML GLASS OF WHITE OR RED WINE FOR £3.00

VAT INCLUDED

A SUGGESTED OPTIONAL SERVICE CHARGE OF 12.5% WILL BE ADDED TO YOUR BILL

## CHAMPAGNE AND SPARKLING

|   |      |       |
|---|------|-------|
| CHAMPAGNE, GALLIMARD PERE ET FILS, BRUT, RESERVE NV | 9.00 | 45.00 |
| PROSECCO CINZANO, D.O.C. TORINO NV                  | 6.50 | 29.50 |
| MAS DE DAUMAS GASSAC, ROSE FRIZANT, LANGUEDOC NV    |      | 39.50 |
| EVOLUTION BRUT, METHODE CHAMPENOISE, OREGON NV      |      | 55.00 |
| VEUVE CLICQUOT, CHAMPAGNE, BRUT NV                  |      | 77.50 |
| LAURENT - PERRIER, CHAMPAGNE, BRUT NV               |      | 80.00 |
| BOLLINGER SPECIAL CUVEE, CHAMPAGNE NV               |      | 90.00 |

## ROSÉ

|   | 125ML | 250ML | 500ML | 750ML |
|---|-------|-------|-------|-------|
| CINSAULT, HENRI NORDUC, LANGUEDOC 2015                        | 5.00  | 9.00  | 17.00 | 24.50 |
| SYRAH/GRENACHE/CINSAULT, DOMAINE DU GRAND CROS, PROVENCE 2016 |       |       |       | 38.00 |

## WHITE

|  |      |       |       |       |
|--|------|-------|-------|-------|
| GRILLO, CANTINE PAOLINI, SICILY 2016                               | 4.00 | 7.50  | 14.50 | 19.75 |
| PINOT GRIGIO, CANTINE PAOLINI, SICILY 2014                         |      |       |       | 24.50 |
| SAUVIGNON BLANC, 'ELEGANCE', LABASTIDE DE LEVIS, COTE DU TARN 2015 | 5.00 | 9.00  | 17.00 | 25.00 |
| CHARDONNAY, LES VIGNES D'OC, LANGUEDOC 2015                        |      |       |       | 25.00 |
| SAUVIGNON/VIOGNIER, DOMAINE DE BERTIER, LANGUEDOC-ROUSSILLON 2015  |      |       |       | 26.00 |
| BOURGOGN ALIGOTE, DOMAINE HENRI PRUDHON, COTE D'OR 2014            | 5.50 | 9.50  | 18.00 | 27.50 |
| PECORINO/TREBBIANO, 'CIU CIU' FALERIO, MARCHE, ITALY 2015          | 5.50 | 9.50  | 18.00 | 27.50 |
| CHENIN BLANC, GOOD HOPE WINERY, STELLENBOSCH 2016                  |      |       |       | 28.50 |
| PICPOUL DE PINET, DOMAINE FONT-MARS, LANGUEDOC 2016                |      |       |       | 30.00 |
| VIOGNIER, DOMAINE LA BASTIDE, LANGUEDOC-ROUSSILLON 2016            |      |       |       | 30.00 |
| CHARDONNAY, DOMAINE D'ANTUGNAC, HAUTE VALLEE DE L'AUDE 2015        | 5.75 | 10.50 | 20.00 | 31.00 |
| VIOGNIER/CHARDONNAY/MARSANNE/QUPE, SANTA MARIA VALLEY 2013         | 6.00 | 11.50 | 22.50 | 33.00 |
| ALBARINO, IGREXIO DE SAJAR, SPAIN 2016                             | 6.25 | 11.70 | 23.00 | 33.50 |
| RIESLING, 'BRANDLUFT', ANDRE RIEFFEL, ALSACE 2011                  |      |       |       | 35.00 |
| CORTESE, GAVI DI GAVI, ROBERTO SAROTTO, PIEDMONT 2015              |      |       |       | 36.00 |
| CHARDONNAY, ST VERAN, DOMAINE CHAVET, BURGUNDY 2015                |      |       |       | 38.00 |
| CHARDONNAY, PETIT CHABLIS, GERARD TREMBLAY, BURGUNDY 2016          |      |       |       | 41.00 |
| SAUVIGNON BLANC, 'ANNABEL', STAETE LANDT, MARLBOROUGH, NZ 2016     |      |       |       | 45.50 |
| SAUVIGNON BLANC, SANCERRE 'LES RENARDERIES', LOIRE 2015            |      |       |       | 49.00 |
| PINOT GRIS, WILLAMETTE VALLEY, SOKOL BLOSSER, OREGON 2014          | 9.50 | 18.00 | 35.00 | 54.00 |
| SAUVIGNON BLANC, FROGS LEAP, NAPA VALLEY 2015                      |      |       |       | 55.00 |

## RED

|  |      |       |       |       |
|--|------|-------|-------|-------|
| FRAPPATO, CANTINE PAOLINI, SICILY 2016                                 | 4.00 | 7.50  | 14.50 | 19.75 |
| PINOTAGE, PORTER MILL STATION, WESTERN CAPE, SA 2015                   | 5.00 | 9.00  | 17.00 | 25.00 |
| MERLOT, LES VIGNES D'OC, LANGUEDOC 2016                                |      |       |       | 25.50 |
| SHIRAZ/MALBEC, VILLA VIEJA, MENDOZA 2016                               | 5.25 | 9.25  | 17.75 | 26.00 |
| CARIGNAN VIEILLES VIGNES, PIETA, PAYS D'HERAULT 2016                   | 5.50 | 10.50 | 20.00 | 27.50 |
| SYRAH/CARMENERE, ILLUSION, ELQUI VALLEY, CHILE 2014                    | 5.00 | 10.50 | 20.00 | 27.50 |
| TEMPRANILLO, RIOJA TINTO 'MONTESE', BODEGA CLASSICA, RIOJA ALTA 2013   |      |       |       | 30.00 |
| BARBERA D'ASTI CASAREGGIO, AGOSTINO & FIGLI, PIEDMONT 2014             | 5.75 | 11.00 | 21.50 | 30.50 |
| GRENACHE/SYRAH, DOMAINE DE L'ESPIGOUETTE, COTES DU RHONE 2015          |      |       |       | 33.00 |
| GAMAY, BROUILLY, ALAIN MICHAUD, BEAUJOLAIS 2015                        | 6.25 | 11.75 | 23.00 | 33.50 |
| GAMAY, BEAUJOLAIS VILLAGES, DOMAINE ANDRE COLONGE, BEAUJOLAIS 2015     |      |       |       | 33.50 |
| MALBEC, LA FLOR, MENDOZA 2016  |      |       |       | 34.50 |
| SYRAH, CENTRAL COAST, QUPE WINERY, SANTA BARBARA 2013                  |      |       |       | 38.00 |
| MERLOT/CABERNET SAUVIGNON, CHATEAU DES CERONS, GRAVES 2014             | 7.50 | 14.00 | 27.00 | 44.00 |
| GRENACHE/CARIGNAN, CAMINS DEL PRIORAT, ALVARO PALACIOS, CATALONIA 2015 |      |       |       | 47.00 |
| PINOT NOIR, STAETE LANDT, MARLBOROUGH 2015                             |      |       |       | 52.50 |
| PINOT NOIR, DELINEA 300, SOKOL BLOSSER, OREGON 2013                    | 9.50 | 18.00 | 35.00 | 54.00 |
| SYRAH, CROZES-HERMITAGE 'MIS EN BOUCHE' EMMANUEL DARNAUD, RHONE 2014   |      |       |       | 59.00 |
| CHATEAUNEUF DU PAPE, CHARBONNIERE, RHONE 2013                          |      |       |       | 61.50 |
| CABERNET SAUVIGNON, RIDGE VINEYARD ESTATE, CALIFORNIA 2012             |      |       |       | 75.00 |



1

## DRINKS MENU

COCKTAILS - 2

BLENDED DRINKS - 5

LIQUORLESS COCKTAILS - 6

SOFT DRINKS - 6

BEERS & CIDERS - 7

AFTER DINNER COCKTAILS - 7

LIQUEURS & DESSERT WINES - 8

SPIRITS - 9/10



A DISCRETIONARY OPTIONAL 12.5% GRATUITY WILL BE ADDED TO YOUR BILL



2

**MARTINIS**

**VODKA**

|                              |              |
|------------------------------|--------------|
| <b>STOLICHNAYA</b>           | <b>9.00</b>  |
| <b>KETEL ONE</b>             | <b>9.75</b>  |
| <b>TITO'S</b>                | <b>11.50</b> |
| <b>GREY GOOSE/ BELVEDERE</b> | <b>12.00</b> |

**GIN**

|  |              |
|--|--------------|
| <b>GORDONS</b>                         | <b>9.00</b>  |
| <b>TANQUERAY</b>                       | <b>9.75</b>  |
| <b>HENDRICK'S/ SIPSMITH</b>            | <b>11.75</b> |
| <b>NO.209/ SACRED/ TANQUERAY NO 10</b> | <b>12.00</b> |

**SOURS**

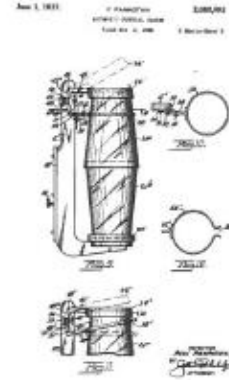
**YOUR CHOICE OF  
WHISKY, BOURBON, APRICOT BRANDY OR TEQUILA  
WITH LEMON JUICE, SUGAR & EGG WHITE**

**8.00**



3

## SPARKLING



### CHAMPAGNE CLASSIC COCKTAIL 10.50

GRAND MARNIER,  
SUGAR, BITTERS & CHAMPAGNE

### BELLINI 7.50

PROSECCO, PEACH PURÉE

### FINLAY 7.50

LIMONCELLO & PROSECCO

### KIR ROYALE 9.50

CHAMPAGNE & CASSIS

## ON THE ROCKS

### DARK AND STORMY 8.50

SAILOR JERRY SPICED RUM  
BITTERS, LIME & GINGER BEER

### TATTOOED LADY 8.50

SLOE GIN, CUERVO & LIME

### MINT JULEP 8.50

BUFFALO TRACE  
FRESH MINT & SUGAR

### MOJITO 8.50

WHITE RUM, FRESH MINT  
LIME & SUGAR

### CAIPIRINHA 8.50

CACHACA, LIME & SUGAR

### NEGRONI 7.50

GORDONS, CAMPARI  
& MARTINI ROSSO

### SAZERAC 9.50

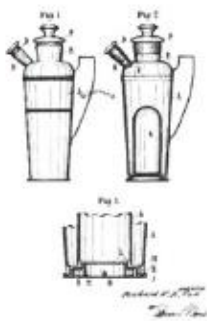
RITTENHOUSE RYE, ABSINTHE,  
PEYCHAUD BITTERS & SUGAR

### BITTER QUEEN 7.50

GORDONS, DUBONNET,  
ROSE LEMONDADE,  
ORANGE & BITTERS

### OLD FASHIONED 8.50

BUFFALO TRACE, BITTERS,  
ORANGE & SUGAR



4

## STRAIGHT UP

**THE PRUDENCE** 8.00  
SIPSMITH GIN, APRICOT BRANDY  
EARL GREY TEA, FRESH LIME  
ORANGE TWIST

**MARGARITA** 7.50  
CUERVO, TRIPLE SEC  
& FRESH LIME JUICE

**MANHATTAN** 9.00  
CANADIAN CLUB WHISKEY  
MARTINI ROSSO & BITTERS

**DAIQUIRI** 8.00  
WHITE RUM, FRESH LIME  
& SUGAR

**SIDECAR** 7.50  
COURVOISIER, TRIPLE SEC  
& FRESH LEMON JUICE

**COSMOPOLITAN** 8.00  
ABSOLUT CITRON VODKA  
TRIPLE SEC, CRANBERRY  
& FRESH LIME

**BRONX** 7.50  
GORDON'S, VERMOUTH  
& ORANGE JUICE

## OLD FRIENDS

**MAITAI** 8.50  
BACARDI, MYERS RUM, ORANGE CURACAO, LIME JUICE & ORGEAT

**SINGAPORE SLING** 8.50  
GORDON'S GIN, CHERRY BRANDY, BENEDICTINE & LEMON JUICE

**SALTED KAMEL MARTINI** 9.00  
CHILLED SALTED KAMEL STOLICHNAYA, WHITE CACAO

**TOM COLLINS** 8.00  
TANQUERAY GIN, LEMON JUICE, SUGAR & SODA

**BLOODY MARY** 8.50  
TOMATO JUICE, STOLIVODKA, JOE ALLEN SPECIAL BLEND OF SPICES





5  
**BLENDED DRINKS**

**SPIDER MONKEY 8.00**

BANANA LIQUEUR, TEQUILA, FRESH BANANA, FRESH PINEAPPLE  
COCONUT CREAM & LIME

**FROZEN STRAWBERRY DAIQUIRI 7.50**

LIME JUICE, STRAWBERRY, WHITE RUM, SUGAR

**PINA COLADA 7.50**

WHITE RUM, FRESH PINEAPPLE, COCONUT CREAM, LIME JUICE

**TRIPLE RUM PUNCH 8.50**

WHITE, DARK & SPICED RUM, MANGO, PINEAPPLE JUICE, LIME JUICE

**HAZELNUT HEAVEN 8.00**

STOLICHNAYA, FRANGELICO, TOFFEE SAUCE, CREAM

**HENDRICKS MOJITO 8.50**

HENDRICKS GIN, CUCUMBER, MINT, LIME, TONIC





## LIQUORLESS COCKTAILS

### OVER THE HEDGE 3.50

ELDERFLOWER CORDIAL MINT & LIME , CUCUMBER & TONIC WATER

### SHIRLEY TEMPLE 2.50

GINGER ALE AND GRENADINE SYRUP OVER ICE

### HOOFLESS MULE 3.50

LIME JUICE & GINGER BEER ON ICE WITH PEYCHAUD BITTERS

### VIRGIN MOJITO 3.50

MINT, LIME & SUGAR ON CRUSHED ICE WITH CLOUDY APPLE JUICE

### VIRGIN MARY 3.50

TOMATO JUICE & OUR BLEND OF SPICES

### ST CLÉMENT'S 3.50

ORANGE JUICE & BITTER LEMON

## SODAS & JUICES

### COCA-COLA/DIET COCA-COLA/SPRITE 3.50

### FENTIMAN'S VICTORIAN LEMONADE 3.50

### FENTIMAN'S ROSE LEMONADE 3.50

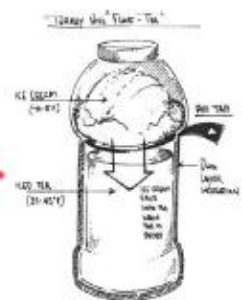
### DOMINION ROOT BEER 3.50

### GINGER BEER 3.50

### GINGER ALE 2.50



TOMATO, APPLE  
ORANGE, PINEAPPLE  
GRAPEFRUIT, CRANBERRY  
ALL 2.50





## BEER & CIDER

**ANCHOR STEAM BEER 5.50**

SAN FRANCISCO, ABV 4.8%

**CORONA EXTRA 5.00**

MEXICO ABV 4.5%

**LUSCOMBE CIDER 5.50**

DEVON, UK ABV 4.9%

**SAM ADAMS LAGER 5.50**

BOSTON ABV 4.5%

**BLUE MOON WHEAT BEER 5.50**

COLORADO, ABV 5.4%

**BRIXTON BREWERY**

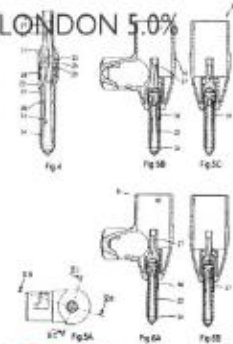
**ATLANTIC A.P.A 5.50**

BRIXTON, LONDON 5.4%

**BRIXTON BREWERY**

**WINDRUSH STOUT 5.50**

BRIXTON, LONDON 5.0%



## ON TAP

**GOOSE ISLAND IPA 4.00**

2 PINT JUG 14.25, CHICAGO ABV 5.9%

**CAMDEN HELLS LAGER 3.75**

2 PINT JUG 13.50, LONDON, ABV 4.6%

## AFTER DINNER COCKTAILS

|  |             |
|--|-------------|
| <b>CUP OF JOE - VODKA, KAHLUA, ESPRESSO</b>                  | <b>8.00</b> |
| <b>BRANDY ALEXANDER - BRANDY, CREME DE CACAO &amp; CREAM</b> | <b>7.50</b> |
| <b>WHITE RUSSIAN - VODKA, KAHLUA &amp; CREAM</b>             | <b>7.50</b> |
| <b>TOASTED ALMOND - KAHLUA, AMARETTO &amp; CREAM</b>         | <b>7.50</b> |
| <b>SALTED KARAMEL MARTINI</b>                                | <b>9.00</b> |

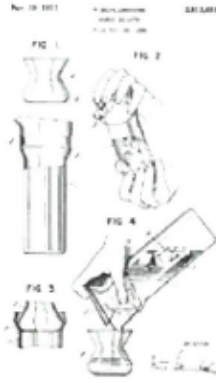


**8**  
**LIQUEURS**

|                     |  |      |      |
|---------------------|--|------|------|
| AMARETTO            |  | 4.00 | 7.50 |
| FRANGELICO          |  | 4.00 | 7.50 |
| DRAMBUIE            |  | 4.00 | 7.50 |
| SAMBUCA BLACK/WHITE |  | 4.00 | 7.50 |
| COINTREAU           |  | 4.00 | 7.50 |
| LIMONCELLO          |  | 4.00 | 7.50 |
| FERNET              |  | 4.00 | 7.50 |
| BENEDECTINE         |  | 4.00 | 7.50 |
| GRAPPA              |  | 4.00 | 7.50 |
| TIAMARIA            |  | 4.00 | 7.50 |
| KAHLUA              |  | 4.00 | 7.50 |
| GRANDMARNIER        |  | 4.00 | 7.50 |
| AMARO RAMAZOTTI     |  | 4.00 | 7.50 |

**DESSERT WINES**

|   | GLS  | BTL   |
|---|------|-------|
| MONBAZILLAC JOUR DE FRUIT                               | 5.00 | 19.75 |
| LANCIENNE CURE, FRANCE 2009 (37.5CL)                    |      |       |
| ALAIN BRUMONT LARMES CELESTES                           | 5.00 | 25.00 |
| PACHERENC DOUX, PETIT MANSENG, FRANCE 2011 (50CL)       |      |       |
| MUSCAT DE BEAUMES-DE-VENISE                             | 5.00 | 37.00 |
| VIN DOUX NATUREL, DOMAINE DE DURBAN, FRANCE 2010 (75CL) |      |       |



## FROM THE CELLAR

### BOURBON

|               |              |
|---------------|--------------|
| BENCHMARK     | £4.00/ 7.50  |
| BUFFALO TRACE | £4.50/ 8.00  |
| MAKERSMARK    | £5.00/ 9.00  |
| NOAH'S MILL   | £8.50/ 16.00 |

### RYE WHISKEY

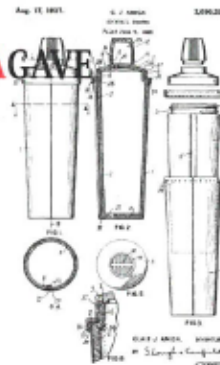
|                 |             |
|-----------------|-------------|
| CANADIAN CLUB   | £4.00/ 7.50 |
| BULLEIT RYE     | £5.00/ 9.00 |
| RITTENHOUSE RYE | £5.00/ 9.00 |

### WHISKY

|                |              |
|----------------|--------------|
| FAMOUS GROUSE  | £3.50/ 6.50  |
| J.WALKER BLACK | £4.50/ 8.00  |
| GLENFIDDICH    | £4.50/ 8.00  |
| GLENLIVET      | £4.50/ 8.00  |
| GLENMORANGIE   | £4.50/ 8.00  |
| MACALLAN       | £5.50/ 10.00 |
| CHIVAS REGAL   | £5.50/ 10.00 |
| LAPHROAIG      | £5.50/ 10.00 |
| LAGAVULIN      | £7.50/ 14.00 |

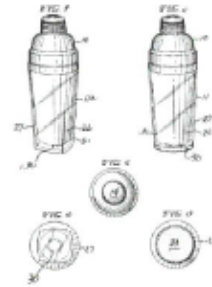
### TEQUILA/AGAVE

|                      |             |
|----------------------|-------------|
| JOSÉ CUERVO SILVER   | £3.50/ 6.50 |
| JOSÉ CUERVO REPOSADO | £3.50/ 6.50 |





**10  
FROM THE CELLAR  
VODKA**



|                 |             |
|-----------------|-------------|
| STOLICHNAYA     | £3.50/ 6.50 |
| KETEL ONE       | £4.00/ 7.50 |
| ABSOLUTE CITRON | £4.00/ 7.50 |
| GREY GOOSE      | £5.00/ 9.00 |
| BELVEDERE       | £5.00/ 9.00 |
| TITO'S          | £5.00/ 9.00 |

**GIN**

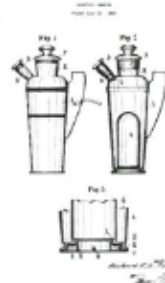
|              |              |
|--------------|--------------|
| GORDON'S     | £3.50/ 6.50  |
| TANQUERAY    | £4.00/ 7.50  |
| HENDRICK'S   | £4.50/ 8.00  |
| SIPSMITH     | £4.50/ 8.00  |
| SACRED       | £5.00/ 9.00  |
| TANQUERAY 10 | £5.00/ 9.00  |
| NO. 209      | £5.50/ 10.00 |

**RUM**

|                               |              |
|-------------------------------|--------------|
| MYERS                         | £4.00/ 7.50  |
| SAILOR JERRY                  | £4.50/ 8.00  |
| MEZAN JAMAICAN BARRIQUE XO    | £4.50/ 8.00  |
| DIPLOMATICO RESERVA EXCLUSIVA | £5.50/ 10.00 |
| EL DORADO 12 YEARS            | £5.50/ 10.00 |
| EL DORADO 15YEARS             | £7.50/ 14.00 |

**COGNAC**

|                 |              |
|-----------------|--------------|
| COURVOISIER     | £4.00/ 7.50  |
| REMY VSOP       | £5.00/ 9.00  |
| CALVADOS        | £5.00/ 9.00  |
| ARMAGNAC        | £5.00/ 9.00  |
| GRAND CHAMPAGNE | £6.50/ 12.00 |
| CALVADOS XO     | £9.50/ 18.00 |



**Joe Allen Restaurant & Bar**

**Strand Palace Hotel, 372 Strand, London, WC2R 0JJ**

**Lawrence Hartley**

Co-owner.

Lawrence Hartley is an owner of Joe Allen. Since 2001 he has been an owner of 3 different premises which are as follows:

1. Brula, 43 Crown Road, Twickenham, TW1 3EJ;
2. La Buvette, 6 Church Walk, Richmond, TW9 1SN and
3. Mustard, 98-100 Shepherds Bush Road, London, W6 7PD.

He has been a personal licence holder since 2001.

**Tim Healy**

Co-owner.

Tim Healy has been an owner of Joe Allen, Orso Restaurants, Covent Garden since 2012. Since 2001 he has opened 5 different premises which are as follows:

1. A Cena, 418 Richmond Road, Twickenham TW1 2EB;
2. Acena on the Hill Deli, 418 Richmond Road, Twickenham TW1 2EB;
3. Butchers on the Hill, 43 Friars Style Road, Richmond TW10 6NQ;
4. Richmond Hill Bakery, Friars Style Road, Richmond TW10 6NQ;
5. Mustard, 98-100 Shepherds Bush Road, London, W6 7PD.

He has been a personal licence holder since 2002

**Joe Allen Restaurant and Bar**  
**Strand Palace Hotel, 372 Strand, London WC2R 0JJ**

**Deborah Jane Fellows**  
**General Manager and DPS**

30 years experience in the licensed trade.

Holds a personal licence and has done since 2012 and has managed the current Joe Allen's for the last 15 years.

She is the current Designated Premises Supervisor at the current Joe Allen's and therefore is fully familiar with the style of operation and the responsibilities of holding a personal licence and running licensed premises.

Document Ref: 2145981091



**Joe Allen Restaurant and Bar**  
**Strand Palace Hotel, 372 Strand, London WC2R 0JJ**

The Joe Allen Restaurant and Bar will be staffed as follows:-

**Kitchen**

1 head chef;  
3 sous chefs;  
5 chef de partie;  
1 head of production;  
2 Senior production chefs;  
3 junior production chefs;  
9 porters;  
1 cleaner.

**Front of house staff**

3 restaurant managers;  
3 duty managers;  
4 bar tenders;  
5 senior waiters;  
6 junior waiters;  
7 runners.

Document Ref: 2145981083

**Licence & Appeal History - 16/04629/LIPVM**

| <b>Application</b> | <b>Details of Application</b>  | <b>Date Determined</b>          | <b>Decision</b>                   |
|--------------------|--|---------------------------------|-----------------------------------|
| 05/09587/LIPC      | Application for a new premises   | 28 <sup>th</sup> September 2005 | Granted under Delegated Authority |
| 11/02147/LIPCH     | Change of details  | 16 <sup>th</sup> March 2011     | Granted under Delegated Authority |
| 13/01699/LIPVM     | <p>Application for a Minor Variation:</p> <p>To vary the plans attached to the existing premises licence so as to incorporate changes to bedroom configuration, on first floor to add bedroom numbered 166 to 169, and on second floor add bedrooms numbered 203 and 204.</p> <p>There are no changes to existing licensable activities and/or timings</p> | 25 <sup>th</sup> March 2013     | Granted under Delegated Authority |
| 14/04086/LIPVM     | <p>Application for a Minor Variation:</p> <p>To approve minor internal refurbishment works to the Nook Bar at the Strand Palace hotel (formerly known as the Strand Palace Bar, then the Hops Bar).</p>  | 13 <sup>th</sup> June 2014      | Application refused.              |

|                |   |                               |                                   |
|----------------|---|-------------------------------|-----------------------------------|
| 14/05310/LIPV  | <p>Application to Vary the Premises Licence:</p> <p>To approve minor internal refurbishment works to the ground floor of the hotel.</p> <p>To remove Conditions 9, 11, 14, 15, 16 and 17 and, replace with new conditions proposed by the applicant.</p>  | 14 <sup>th</sup> August 2014  | Granted under Delegated Authority |
| 15/08402/LIPV  | <p>Application to Vary the Premises Licence:</p> <p>To vary the start time for the sale of alcohol on Sundays to 10.00, to allow flexibility to offer pre-lunch drinks and to bring the start time into line with the rest of the week. There will be no change to the times for any other licensable activity and there will be no proposed change to the existing licence conditions.</p> | 4 <sup>th</sup> November 2015 | Granted under Delegated Authority |
| 16/04629/LIPVM | <p>Application for a Minor Variation:</p> <p>to approve minor internal refurbishment works to the coffee shop at the Strand Palace hotel</p>  | 6 <sup>th</sup> June 2016     | Granted under Delegated Authority |

**There is no appeal history**

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

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

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

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

**Mandatory Conditions**

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

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

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

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

## Conditions consistent with the operating schedule

9. 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 or chopsticks,
  - (iv) which do not provide any take away service of food or drink for immediate consumption,
  - (v) where alcohol shall not be sold, supplied, or consumed on the premises otherwise than to 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.
  - (vi) Notwithstanding this condition customers are permitted to take from the premises part consumed and resealed bottles of wine supplied ancillary to their meal.
10. 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.
11. The number of persons accommodated at any one time, (excluding staff) shall not exceed:  
  
Restaurant - 150 persons.
12. There shall be no sales of hot food or hot drink for consumption off the premises after 23.00 hours.
13. There shall be no sales of alcohol for consumption off the premises after 23 .00 hours
14. 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.
15. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.
16. There shall be no striptease or nudity, and all persons shall be decently attired at all times, except when the premises are operating under the authority of a Sexual Entertainment Venue licence.
17. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
18. All sales of alcohol for consumption 'Off' the premises shall be in sealed containers only, and shall not be consumed on the premises.

19. 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.
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 are open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
21. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following:
  - (a) all crimes reported to the venue
  - (b) all ejections of patrons
  - (c) any complaints received concerning crime and disorder
  - (d) any incidents of disorder
  - (e) all seizures of drugs or offensive weapons
  - (f) any faults in the CCTV system or searching equipment or scanning equipment
  - (g) any refusal of the sale of alcohol
  - (h) any visit by a relevant authority or emergency service.
22. 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.
23. 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.
24. All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.
25. All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device.
26. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
27. Curtains and hangings shall be arranged so as not to obstruct emergency safety signs or emergency equipment.
28. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or

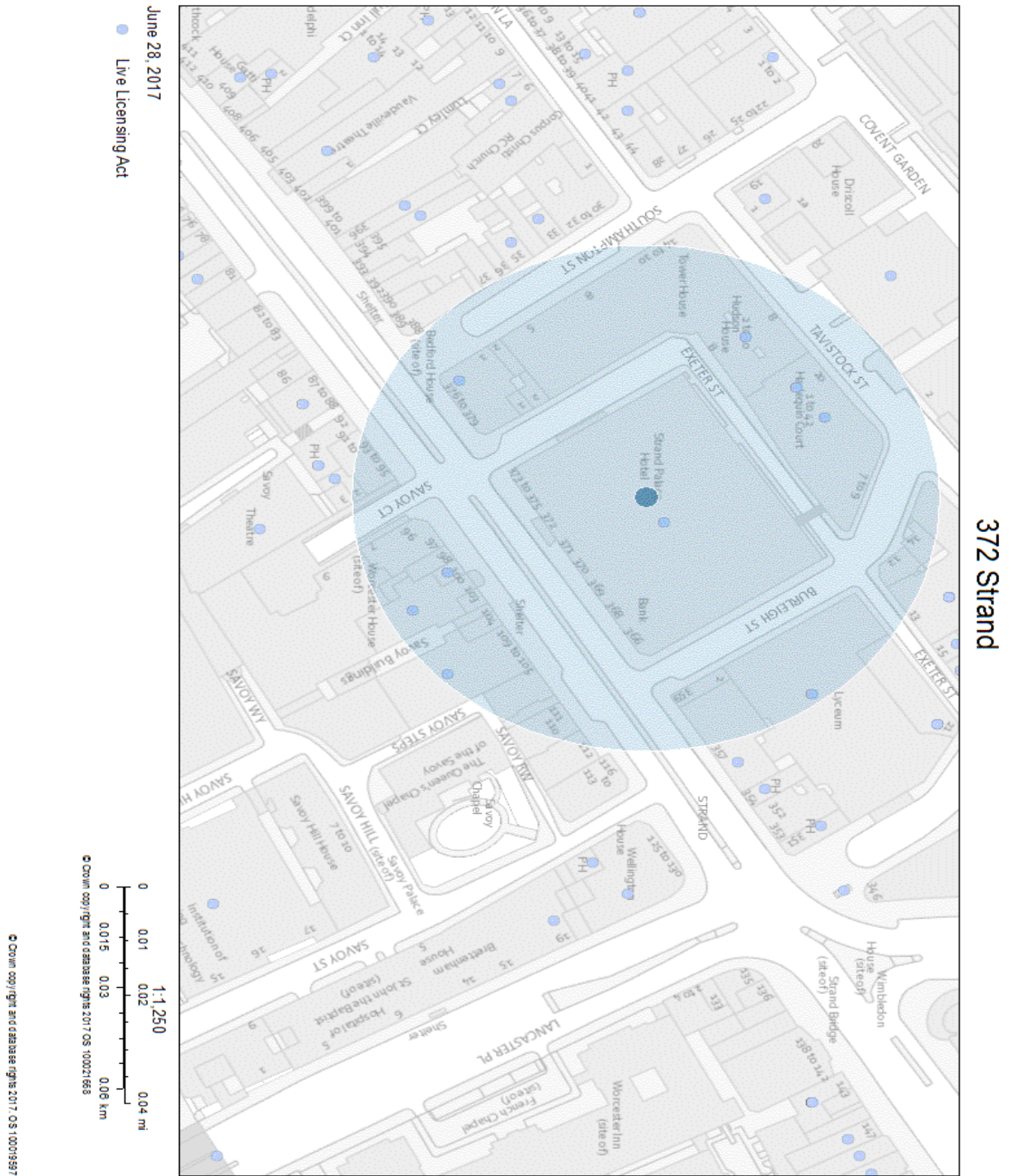


accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.

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. 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.
31. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 23.00 hours and 08.00 hours on the following day.
32. No licensable activities shall take place at the premises until the premises have been assessed as satisfactory by the Environmental Health Consultation Team at which time this condition shall be removed from the Licence by the Licensing Authority.
33. Before the premises open to the public, the plans as deposited will be checked by the Environmental Health Consultation Team to ensure they are an accurate reflection of the premises constructed. Where the premises layout has changed during the course of construction new plans shall be provided to the Environmental Health Consultation Team and the Licensing Authority.

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

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



**Premises Licence – 16/04629/LIPVM**

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

Schedule 12  
Part A

WARD: St James's  
UPRN: 100023432867

Premises licence

Regulation 33, 34

Premises licence number:

16/04629/LIPVM

Original Reference:

05/09587/LIPC

**Part 1 – Premises details**

**Postal address of premises:**

Strand Palace Hotel  
372 Strand  
London  
WC2R 0JJ

Telephone Number: Not Supplied

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

Not applicable

**Licensable activities authorised by the licence:**

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

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

|  |                |
|--|----------------|
| <b>Performance of Dance</b>  |                |
| Monday to Saturday:  | 09:00 to 01:00 |
| <b>Performance of Live Music</b>   |                |
| Monday to Sunday:  | 09:00 to 01:00 |
| <b>Playing of Recorded Music</b>   |                |
| <b>Anything of a similar description to Live Music, Recorded Music or Performance of Dance</b> |                |
| Monday to Saturday:  | 09:00 to 01:00 |
| <b>Late Night Refreshment</b>  |                |
| Monday to Saturday:  | 23:00 to 01:30 |
| Sunday:  | 23:00 to 01:00 |

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

**Sale by Retail of Alcohol**

|                               |                |
|-------------------------------|----------------|
| Monday to Thursday:           | 10:00 to 23:30 |
| Friday to Saturday:           | 10:00 to 00:00 |
| Sunday:                       | 10:00 to 22:30 |
| Sundays before Bank Holidays: | 10:00 to 00:00 |

Monday to Sunday: 00:00 to 00:00 (Hotel Residents & their bona fide guests)

Exeter Suite, Drake & Essex Rooms:

|                     |                |
|---------------------|----------------|
| Monday to Saturday: | 10:00 to 01:00 |
| Sunday:             | 10:00 to 00:30 |

Restaurant:

|                     |                |
|---------------------|----------------|
| Monday to Saturday: | 10:00 to 00:00 |
| Sunday:             | 10:00 to 23:30 |

*For times authorised for New Year see conditions at Annex 2*

**The opening hours of the premises:**

|                   |                |
|-------------------|----------------|
| Monday to Sunday: | 00:00 to 00:00 |
|-------------------|----------------|

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

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

**Part 2**

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

Strand Palace Hotel & Restaurants Limited  
Strand Palace Hotel  
372 Strand  
London  
WC2R 0JJ

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

3165882

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

**Name:** David Alexander Macrae

*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: PA0274  
Licensing Authority: Mid Sussex District Council

Date: 1<sup>st</sup> September 2016

This licence has been authorised by Miss Yolanda Wade 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.

**Conditions relating to Regulated Entertainment:**

9. On New Year's Eve the premises can remain open for the purpose of providing regulated entertainment from the time when the provision of regulated entertainment must otherwise cease on New Year's Eve to the time when regulated entertainment can commence on New Year's Day (or until midnight on New Year's Eve where no regulated entertainment takes place on New Year's Day).
10. The two sets of iron roller shutters protecting the doorways between the shops facing the Strand and the interior of the hotel shall be kept closed while the shops are shut.
11. The number of persons accommodated at any one time (excluding staff) shall not exceed the following: Exeter Suite, Drake and Essex Room - 300.



## Annex 2 – Conditions consistent with the operating Schedule

12. 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 7 days prior notice being given to the Licensing Authority where consent has not been previously given:
  - dry ice and cryogenic fog
  - smoke machines and fog generators
  - pyrotechnics including fireworks
  - firearms
  - lasers
  - explosives and highly flammable substances
  - real flame
  - strobe lighting
13. No person shall give at the premises any exhibition, demonstration or performance of hypnotism, mesmerism or any similar act or process, except this rule does not apply to exhibitions given under the provisions of section 2(1A) and 5 of the Hypnotism Act 1952).
14. Any entertainment, performance, service, or exhibition involving nudity or sexual stimulation shall not be provided.
15. The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.
16. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified.
17. All exit doors from public areas shall be available at all material times without the use of a key, code, card or similar means.
18. All emergency doors shall be maintained effectively self closing and not held open other than by an approved device.
19. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
20. The pavement from the building line to the kerb edge immediately outside the premises, including the gutter/channel at its junction with the kerb edge, shall be kept clean and free from litter at all material times to the satisfaction of the Council.
21. All fabrics, curtains, drapes and similar features including materials used in finishing and furnishing shall be either non-combustible or be durably or inherently flame-retarded fabric. Any fabrics used in escape routes, other than foyers, entertainment areas or function rooms, should be non-combustible.
22. All scenery should be maintained flame retardant to the satisfaction of the Environmental Health consultation team.
23. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.

24. The following Certificates shall be submitted to the Licensing Authority upon written request:
- Any emergency lighting or battery system
  - Any electrical installation
  - Any emergency warning system
25. In the basement function rooms (currently known as Exeter Suite, Drake and Essex Room) any sale of alcohol between 23.30 and 01.00 Monday to Thursday, 00.00 and 01.00 Friday and Saturday and 22.30 and 00.30 on Sundays shall be ancillary to the provision of substantial refreshment and musical or other entertainment (except for sales to hotel residents and their bona fide guests which are permitted without restriction).
26. The hours for sale of alcohol may be extended from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

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

None

**Annex 4 – Plans**

Attached

|                    |  |
|--------------------|--|
| Item No:           |  |
| Date:              | 13 July 2017   |
| Licensing Ref No:  | 17/05624/LIPN - New Premises Licence   |
| Title of Report:   | Bar<br>Ground Floor<br>Strand Palace Hotel<br>372 Strand<br>London<br>WC2R 0JJ |
| 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 Heidi Lawrance<br>Senior Licensing Officer                                |
| Contact details    | Telephone: 020 7641 2751<br>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> | 23 May 2017   |                                |            |
| <b>Applicant:</b>                 | Finlaw 652 Limited  |                                |            |
| <b>Premises:</b>                  | Bar   |                                |            |
| <b>Premises address:</b>          | Ground Floor<br>Strand Palace Hotel<br>372 Strand<br>London<br>WC2R 0JJ   | <b>Ward:</b>                   | St James's |
|                                   |   | <b>Cumulative Impact Area:</b> | None.      |
| <b>Premises description:</b>      | The premises will operate as bar.   |                                |            |
| <b>Premises licence history:</b>  | <p>This is an application for a new premises licence.</p> <p>The premises does currently have the benefit of a premises licence (16/04629/LIPVM) and a copy of this can be found at Appendix 6.</p> <p>This application is being made in conjunction with a new premises application for a restaurant situated on the ground floor of 372 Strand (17/05581/LIPN).</p> |                                |            |
| <b>Applicant submissions:</b>     | See Appendix 2  |                                |            |

| 1-B Proposed licensable activities and hours      |            |             |            |  |            |            |            |
|---|------------|-------------|------------|--|------------|------------|------------|
| <b>Late Night Refreshment:</b>                    |            |             |            | <b>Indoors, outdoors 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>                                     | 23:00      | 23:00       | 23:00      | 23:00  | 23:00      | 23:00      | 23:00      |
| <b>End:</b>                                       | 00:30      | 00:30       | 00:30      | 00:30  | 00:30      | 00:30      | 00:00      |
| <b>Seasonal variations/ Non-standard timings:</b> |            |             |            | <p>Sunday before a Bank Holiday 23:00 until 00:30 hours.</p> <p>From the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.</p> |            |            |            |

|   |            |             |  |                                  |            |            |            |
|---|------------|-------------|--|----------------------------------|------------|------------|------------|
| <b>Films / Recorded Music:</b>                    |            |             |  | <b>Indoors, outdoors or both</b> |            |            | Indoors    |
| <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>                                     | 09:00      | 09:00       | 09:00  | 09:00                            | 09:00      | 09:00      | 09:00      |
| <b>End:</b>                                       | 00:30      | 00:30       | 00:30  | 00:30                            | 00:30      | 00:30      | 00:00      |
| <b>Seasonal variations/ Non-standard timings:</b> |            |             | <p>Sunday before a Bank Holiday 09:00 until 00:30 hours.</p> <p>From the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.</p> |                                  |            |            |            |

|   |            |             |  |                                 |            |            |            |
|---|------------|-------------|--|---------------------------------|------------|------------|------------|
| <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>                                     | 10:00      | 10:00       | 10:00  | 10:00                           | 10:00      | 10:00      | 10:00      |
| <b>End:</b>                                       | 00:00      | 00:00       | 00:00  | 00:00                           | 00:00      | 00:00      | 23:30      |
| <b>Seasonal variations/ Non-standard timings:</b> |            |             | <p>Sunday before a Bank Holiday 23:00 until 00:30 hours.</p> <p>From the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.</p> |                                 |            |            |            |

|   |            |             |  |             |            |            |            |
|---|------------|-------------|--|-------------|------------|------------|------------|
| <b>Hours premises are open to the public</b>      |            |             |  |             |            |            |            |
| <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>                                     | 09:00      | 09:00       | 09:00  | 09:00       | 09:00      | 09:00      | 09:00      |
| <b>End:</b>                                       | 00:30      | 00:30       | 00:30  | 00:30       | 00:30      | 00:30      | 00:00      |
| <b>Seasonal variations/ Non-standard timings:</b> |            |             | <p>Sunday before a Bank Holiday 09:00 until 00:30 hours.</p> <p>From the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.</p> |             |            |            |            |
| <b>Adult Entertainment:</b>                       |            |             | Not applicable.  |             |            |            |            |

## 2. Representations

| 2-A Responsible Authorities  |  |
|--|--|
| <b>Responsible Authority:</b>  | Licensing Authority                    |
| <b>Representative:</b>   | Mr David Sycamore                      |
| <b>Received:</b>   | 15 <sup>th</sup> June 2017             |
| <p>As a responsible authority under section 13 (4) of the Licensing Act 2003 as amended under the Police and Social Responsibility Act 2011 the Licensing Authority have considered your application in full. The Licensing Authority has concerns in relation to this application and how the premises would promote the Licensing Objectives:</p> <ul style="list-style-type: none"> <li>• Public Nuisance</li> <li>• Prevention of Crime &amp; Disorder</li> <li>• Public Safety</li> </ul> <p>The application is for a bar in the cumulative impact area and as such the Westminster City Council Policy is to refuse new applications(PB2). The application states that the premises will have a capacity of 100 people who are not limited to guests of the proposed hotel, so the premises will operate as a public bar. It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas for pubs and bars premises offering facilities for music and dancing, other than applications to vary hours within the Core Hours under Policy HRS1.</p> <p>The hours sought currently exceed the core hours policy for licensable activities and times the public can be on the premises (HRS1) In the application there is no reason has been given to as to why the application should be granted contrary to the Westminster City Council Policy.</p> <p>We accept a number of conditions have been proposed, but do not feel they address the cumulative impact of 100 additional persons who will be at the premises primarily to drink.</p> <p>Please accept this as a representation.</p> |  |
| <b>Responsible Authority:</b>  | Environmental Health Consultation Team |
| <b>Representative:</b>   | Mr Ian Watson                          |
| <b>Received:</b>   | 20 <sup>th</sup> June 2017             |
| <p><b>The premises are located within the West End Cumulative Impact Area as stated in the City of Westminster's Statement of Licensing Policy.</b></p>  |  |



The applicant has submitted floor plans of the premises dated March 2017.

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

The applicant is seeking the following

1. To provide for the Supply of Alcohol 'On' and 'Off' the premises Monday to Saturday between 10.00 and 00.00 hours and Sunday between 10.00 to 23.30 hours. Bank Holiday Sunday 23.00 to 00.30 hours.
2. To provide Late Night Refreshment 'Indoors' and 'Outdoors' Monday to Saturday between 23.00 and 00.30 hours and Sunday between 23.00 to 00.00 hours. Bank Holiday Sunday 23.00 to 00.30 hours.
3. To provide regulated entertainment 'indoors' comprising
  - Recorded Music
  - FilmsMonday to Saturday between 09.00 and 00.30 hours and Sunday between 09.00 to 00.00 hours. Bank Holiday Sunday 09.00 to 00.30 hours.
4. On New Year's Eve to provide regulated entertainment, late night refreshment and Supply of Alcohol from the end of authorised hours to commencement of authorised hours on New Year's Day.

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 to permit the provision of late night refreshment will have the likely effect of causing an increase in Public Nuisance and impact on Public Safety 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. The hours requested to permit regulated entertainment, late night refreshment and supply of alcohol on New Year's Eve will have the likely effect of causing an increase in Public Nuisance within the West End Cumulative Impact Area.

The applicant has provided additional information with the application which is being addressed.

### 3. Policy & Guidance

|  |   |
|--|---|
| The following policies within the City Of Westminster Statement of Licensing Policy apply: |   |
| <b>Policy HRS1 applies</b>   | <p>(i) Applications for hours within the core hours set out below in this policy will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy.</p> <p>(ii) Applications for hours outside the core hours set out below in this policy will be considered on their merits, subject to other relevant policies.</p>  |
| <b>Policy HOT1 applies:</b>  | <p>Subject to the effect on the promotion of the licensing objectives and other relevant policies in this Statement, premises licences for hotels will generally be granted so that:</p> <p>(a) Alcohol is permitted to be sold at any time to people staying in hotel rooms for consumption on the premises.</p> <p>(b) The hours of serving of alcohol to the general public will be subject to conditions limiting the sale of alcohol after a specified time to those attending pre-booked events held at the hotel,</p> <p>(c) The exhibition of film, in the form of recordings or non-broadcast television programmes to be viewed in hotel bedrooms, will generally be permitted.</p> |
| <b>Policy PB2 applies:</b>   | It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas other than applications to vary hours within the Core Hours under Policy HRS1.   |
| <b>Policy CIA1 applies:</b>  | <p>(i) It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas for: pubs and bars, fast food premises, and premises offering facilities for music and dancing; other than applications to vary hours within the Core Hours under Policy HRS1.</p> <p>(ii) Applications for other licensable activities in the Cumulative Impact Areas will be subject to other policies, and must demonstrate that they will not add to cumulative impact in the Cumulative Impact Areas.</p>  |

## 4. Appendices

|                   |  |
|-------------------|--|
| <b>Appendix 1</b> | Premises plans                                       |
| <b>Appendix 2</b> | Applicant supporting documents                       |
| <b>Appendix 3</b> | Premises history                                     |
| <b>Appendix 4</b> | Proposed conditions                                  |
| <b>Appendix 5</b> | Residential map and list of premises in the vicinity |
| <b>Appendix 6</b> | Premises Licence 16/04629/LIPVM                      |

|                       |   |
|-----------------------|---|
| <b>Report author:</b> | Miss Heidi Lawrance<br>Senior Licensing Officer                 |
| <b>Contact:</b>       | Telephone: 020 7641 2751<br>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  | 23 <sup>rd</sup> May 2017    |
| <b>5</b> | Representation – Licensing Authority                                | 15 <sup>th</sup> June 2017   |
| <b>6</b> | Representation – Environmental Health                               | 20 <sup>th</sup> June 2017   |



**Applicant Supporting Documents**

**Bar, Ground Floor  
Strand Palace Hotel, 372 Strand, London, WC2R OJJ**

1. A minimum of 80 seats shall be provided within the premises at all times.
2. 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.
3. The number of persons accommodated at any one time, (excluding staff) shall not exceed:  
  
Bar- 100 persons.
4. There shall be no sales of hot food or hot drink for consumption off the premises after 23.00 hours.
5. There shall be no sales of alcohol for consumption off the premises after 23.00 hours.
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 entrance door shall be kept closed after 22.00 hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons.
8. Loudspeakers shall not be located in the entrance lobby or outside the premises building.
9. 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.
10. There shall be no striptease or nudity, and all persons shall be decently attired at all times, except when the premises are operating under the authority of a Sexual Entertainment Venue licence.
11. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
12. All sales of alcohol for consumption 'Off' the premises shall be in sealed containers only, and shall not be consumed on the premises.
13. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person

entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.

14. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
15. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following:
  - (a) all crimes reported to the venue
  - (b) all ejections of patrons
  - (c) any complaints received concerning crime and disorder
  - (d) any incidents of disorder
  - (e) all seizures of drugs or offensive weapons
  - (f) any faults in the 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.
16. 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.
17. 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.
18. All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.
19. All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device.
20. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
21. Curtains and hangings shall be arranged so as not to obstruct emergency safety signs or emergency equipment.
22. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected

and stored in accordance with the approved refuse storage arrangements by close of business.

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. 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.
25. No licensable activities shall take place at the premises until the premises have been assessed as satisfactory by the Environmental Health Consultation Team at which time this condition shall be removed from the Licence by the Licensing Authority.
26. Before the premises open to the public, the plans as deposited will be checked by the Environmental Health Consultation Team to ensure they are an accurate reflection of the premises constructed. Where the premises layout has changed during the course of construction new plans shall be provided to the Environmental Health Consultation Team and the Licensing Authority.

**EAJ**

Est. NY 1965





# Summary

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Joe Allen opened in Covent Garden in 1977 and was considered to be the first authentic American restaurant in London. It has continued to trade successfully throughout the last 39 years and has become one of Covent Garden's iconic restaurants.

In 2012 it was acquired by a team of influential and successful UK restaurateurs including Stephen Gee, a founder/shareholder of Carluccio's, Iberica, Gaucho and Busaba Eathai. As well as Andy Bassetone, founder of Strada, Cote Brasserie and Bills, CEO of Signature Restaurants to include Ivy, Caprice and J. Sheekey (1998-2005), shareholder of Ivy Collection brand (present day)

The site Joe Allen currently occupies is to be developed by CapCo into a hotel. The Strand Palace Hotel site would be the ideal location to create the ultimate 7 days a week all day American bar and dining experience combining the Joe Allen heritage with a contemporary take on an authentic American restaurant.

## Unique Advantages for Landlord and Tenant

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- Joe Allen has strong and longstanding links to the theatre community. Page 10 has recommendations from just 2 of them. Others including Cameron Mackintosh, Trevor Nunn, Tim Rice, Ian McKellen, Maggie Smith and Eddie Redmayne.
- Joe Allen has a uniquely loyal customer base that continues to grow, and will follow to the Strand Palace Hotel location which is visible from the current site.
- A move to The Strand Palace Hotel in the restaurants 40<sup>th</sup> year will therefore generate substantial publicity for the area and act as a draw.
- The location enables Joe's to retain its unique discreet speakeasy feel that has proved a draw since 1977.
- A move will give Joe Allen an opportunity to refresh the brand and retain its position as Covent Gardens leading authentic American all day casual dining restaurant. There would also be the Joe Allen American Bar, Private Dining room and Comedy club, Joe Allen regularly hosts opening night parties for the Theatre and would be interesting in hosting events in the Hotels Function rooms from time to time
- The new Joe Allen Restaurant and bar would also bring new dining options to the customers of the Hotel, breakfast, lunch, afternoon tea , pre and post theatre meals and of course dinner. At the weekend Joe Allen would serve Brunch from 11am.

## JOE ALLEN – A POTTED HISTORY

New York restaurateur Joe Allen and business partner Richard Polo opened Joe Allen in London in 1977 with the intention of eliciting the discreet feel of P.J. Clarke's in New York where Allen used to work.

The menu was similar to Joe Allen in New York: unashamedly American. Two articles in the *Evening Standard*, which included an obliging review from Fay Maschler, plus a piece in *The New York Times* helped to build buzz and it quickly became the go-to place for American stars visiting the capital.

The waiters were wannabe actors, producers and directors and the cast and crew of the West End's best theatrical productions would use it as their own canteen.

Joe Allen rapidly became the place to hang out, packed with every film, television, fashion, rock and stage celebrity. Over the years, diners have included Princess Diana, Laurence Olivier, Kenneth Williams, Elizabeth Taylor, Joan Collins, Tony Curtis, Susan Sarandon, Al Pacino, Ava Gardner, Ingrid Bergman and Rock Hudson.

Tim Healy's late actor father David Healy, who had roles in many West End productions including *Follies* and *Show Boat*, was a regular. To this day, a picture of David Healy and Bob Hoskins, who appeared together in the stage show *Guys and Dolls*, adorns the wall.





Circulation: 220,532



### Seafaring soul food

W hether you're a fisherman or a foodie, you'll love the new soul food recipe book from the author of the best-selling 'Soul Food'...



### American classics

From the iconic burgers and fries to the classic cocktails and desserts, this collection of recipes brings you the best of American cuisine...

Circulation: 52,801

### London Evening Standard

Celebrates to cook and eat at Joe Allen's 40th birthday...

Circulation: 900,000



### MUNCHIES

Solving the secrets to the best of London's original West End restaurant...

Happy birthday to the theatreland stalwart Joe Allen which celebrates its 40th anniversary.

the guardian

How you really manage and what you really think about the food industry...

The New Yorker Magazine

NEWS BITES: A new restaurant... A new chef... A new menu...

Monthly Unique Users: 290,000

### BAZAAR

How to host a party that's both fun and fashionable...

Joe Allen celebrates its 40th year by serving breakfast in the cove



THIS MONTH I'M EATING/DRINKING...

Monthly Unique Users: 610,186

### New orders

The secret's out - London's best burger is now available at Joe Allen...



### FT FINANCIAL TIMES

How to spend it: Joe Allen restaurant for £18.95

Circulation: 174,941



Monthly Unique Users: 210,511

Circulation: 150,000

### THE VIBRANT HOUSE

THIS MONTH I'M EATING/DRINKING...

### HOT DINERS

How to host a party that's both fun and fashionable...

Circulation: 221,305

Monthly Unique Users: 221,305

Circulation: 84,412

### TATLER

At 37 years old, Jim is still one of the industry's great restaurateurs. Who doesn't experience a Dame Judi Dench or Sir Ian McKellen moment, descending the staircase to the atmospheric, brick-walled basement, walking past the purlin resting the lampshade to fall him to play it again and settling at a table to order chopped salad and the famous off-menu burger? And the good news is that, apart from some vital upgrades, the new owners have every intention of keeping the iconic restaurant exactly as it's always been.

# Social Media



**Gerard McCarthy, Actor & Writer, 87,000 followers**



**Harriet Thorpe, Actress, 5,119 followers**



**Amy Lamé, Comedienne and London's Night Czar, 19,300 followers**



**Lucrezia Millarini, News Presenter, 5,481 followers**



**Sheila Ferguson, Singer 4,615 followers**



**Miss Hope Springs, Cabaret Singer and Drag Queen, 2,380 followers**

## Kind Words for Joe's

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"Joe Allen has a warmth and a glow, a sweet unforced shtick that few others can match"

[Jay Rayner. Food Critic. The Guardian](#)

"Ambience: the restaurant has the air of an Edward Hopper painting, complete with solitary Martini drinkers. The family Self has been eating here since it opened."

[Will Self. Real Meals. New Statesman Magazine](#)

"When in doubt eat at Joe Allen, you will fit in here forever, they take care of you its divine."

[Joanna Lumley. Voices at One. One Aldwych. YouTube interview](#)

"I remember, being at Joe Allen's with Allan Bennett, Russell Harty and Alan Bates - then while we were chatting away, in came Laurence Olivier and Dustin Hoffman, it was hilarious "

[Stephen Fry interview](#)

10





## Customer Reviews

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### Really fun place" ★★★★★

Visited April 2016

Loved the decor. Perfect place for pre show dinner, really got me in the mood.

I have tasted mac'n'cheese in quite a few places, but theirs is the best I have ever eaten! Portion was large, but it was so good I squeezed it all in!! Will definitely be back for another visit!



tripadvisor

### Superb!!!! ★★★★★

Dined February 2016

We had a fabulous evening at Joe Allens on Friday 12th February, dinner reservation booked for 7pm, service and food was faultless. We was not rushed and had our table till gone 10pm, we then stayed and had further cocktails at the bar. Highly recommend Joe Allen's and will certainly be going back soon.



### Perfect dining experience ★★★★★

Visited March 2016

The food is fantastic. Simple food beautifully cooked and presented. The atmosphere is buzzing and happening. The staff go out of their way to ensure you have a great time....We had a snug spot close to the piano which sounded awesome. Unbeatable.

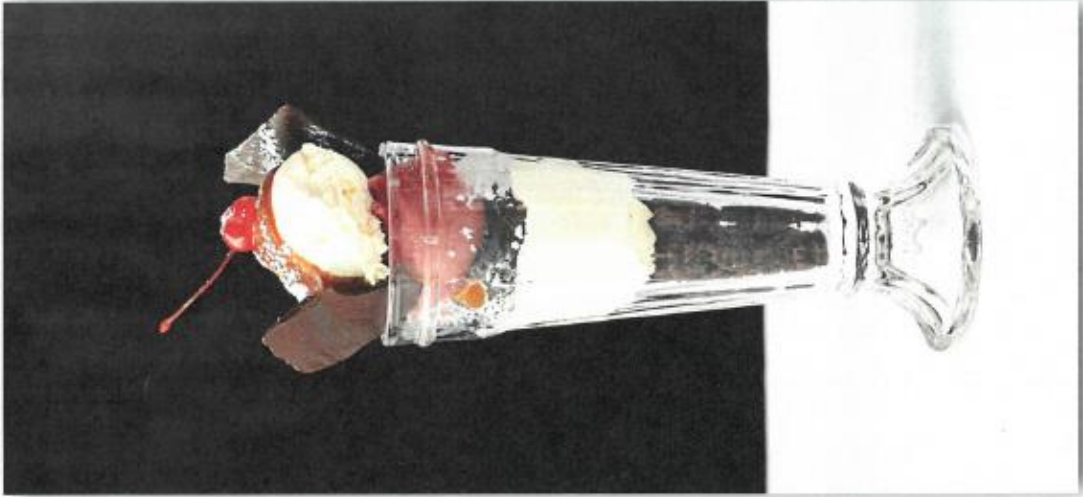
SquareMeal

### Perfect post theatre ★★★★★

Dined February 2016

Buzzy atmosphere, classic American dishes, friendly and efficient service; perfect for a pre or post theatre meal.









PIANO AT JOE'S  
EVERY EVENING &  
EVERY WEEKEND  
FRUNCH 12-4PM  
STARRING OLIVIA  
LEW & ESTHER



55 WY 146

**HORS D'OEUVRES**

- CRISP SUSHI CHIPS \$10
- 2005 JOE ALLEN BOLLARASE \$10
- CLASSIC FRANK COCKTAIL \$10
- SMOKED SALMON CAPERS, DILL & HONEYDRESS CREAM \$10
- GRAB & GOING SALLAD, BLOODY MARY DRESSING \$10
- BLACK BEAN SOUP, COMBINATION TORTILLA SPRINKLES \$10
- JOE'S BUTTLE WINGS, BLUE CHEESE SAUCE \$10
- CHOPPED LIVER, CHOPPED EGG & GREENS \$10
- JOE'S CREAMY MAC 'N CHEESE \$10

ASK YOUR SERVER FOR THE DAY'S SPECIALS

**FISH**

- HUSHY BAY FRANK & CHAS SANDWICH \$13.95
- CATCH OF THE DAY \$13.95

**HOUSE SPECIALS**

- JOE'S SPICED BAW BAW \$10
- JOE'S BREAD BUTTER \$10
- JOE'S BREAD BUTTER \$10
- JOE'S BREAD BUTTER \$10

**GRILLS**

- GRILLED CHICKEN \$10
- GRILLED CHICKEN \$10
- GRILLED CHICKEN \$10
- GRILLED CHICKEN \$10

**BAR STEAK**

- BAR STEAK \$10
- BAR STEAK \$10
- BAR STEAK \$10
- BAR STEAK \$10

**SIDES**

- TENDERSTEAK BROCCOLI, CHILLI & GARLIC \$10
- BOSTON BEANS \$10
- SALT LICK SLAW \$10
- SAUTÉED MUSHROOMS \$10
- ROAST PEPPERS / OLIVE OIL WASH / FRENCH FRICES \$10
- BEED SALAD, HOUSE DRESSING \$10
- TOMATO & RED ONION SALAD, AGED BALSAMIC \$10

- SOUBROOCH SALTED BUTTER \$10
- GRILLED GARLIC BREAD \$10
- SPICED BUTS WITH GARLIC OLIVES \$10
- WARM PRETZEL BLUE CHEESE DIP \$10
- QUACAMOLE, HOMEMADE TORTILLA CHIPS \$10

**SALADS**

- ALL SALADS \$10
- JOE'S CROPPED SALAD \$10
- SPINACH SALAD \$10
- CAESAR SALAD \$10
- GRILLED CHICKEN SALAD \$10
- GRILLED CHICKEN SALAD \$10
- GRILLED CHICKEN SALAD \$10
- GRILLED CHICKEN SALAD \$10

**CRISP**

- CRISP \$10
- CRISP \$10
- CRISP \$10
- CRISP \$10

**CRISP**

- CRISP \$10
- CRISP \$10
- CRISP \$10
- CRISP \$10

**MAINS**

- CRISP \$10
- CRISP \$10
- CRISP \$10
- CRISP \$10

**JOE'S SLOPPY JOE**

- JOE'S SLOPPY JOE \$10
- JOE'S SLOPPY JOE \$10
- JOE'S SLOPPY JOE \$10
- JOE'S SLOPPY JOE \$10

**STEPHART'S WINE SELECTION**

- STEPHART'S WINE SELECTION \$10
- STEPHART'S WINE SELECTION \$10
- STEPHART'S WINE SELECTION \$10
- STEPHART'S WINE SELECTION \$10

**SIDES**

- TENDERSTEAK BROCCOLI, CHILLI & GARLIC \$10
- BOSTON BEANS \$10
- SALT LICK SLAW \$10
- SAUTÉED MUSHROOMS \$10
- ROAST PEPPERS / OLIVE OIL WASH / FRENCH FRICES \$10
- BEED SALAD, HOUSE DRESSING \$10
- TOMATO & RED ONION SALAD, AGED BALSAMIC \$10



**STARTERS**

- JOE'S GRILLED GARLIC BREAD \$10
- QUACAMOLE, HOMEMADE TORTILLA CHIPS \$10
- WARM PRETZEL, BLUE CHEESE DIP \$10
- MEXICAN CORN, GARLIC BUTTER, PAPRIKA \$10
- ROAST AUBERGINE, SMOKED BURRATA, ROCKET \$10
- GRILLED MUSHROOMS, SOURDOUGH, TARRAGON BUTTER \$10

**SOUP & SALADS**

- BLACK BEAN SOUP, COMBINATION, TORTILLA SPRINKLES \$10
- SEASONAL SOUP \$10
- MIXED SALAD, HOUSE DRESSING \$10
- TOMATO & RED ONION SALAD, AGED BALSAMIC \$10
- BUTTLE MOZZARELLA, TOMATO, BASIL DRESSING \$10
- SUPERFOOD SALAD \$10
- CHEF'S SALAD \$10
- ADD SMOKED BURRATA \$10

**MAINS**

- JOE'S VIRGIL BUNGER \$10
- 3 BEAN CHILLI, FRIED TORTILLA, SOUR CREAM \$10
- RIOGANTO ARRABBIATA \$10
- EGGS JOE ALLEN \$10
- MAC 'N CHEESE \$10
- WE DONATE 1% FOR EVERY DOLLAR

**SIDES**

- TENDERSTEAK BROCCOLI, CHILLI, GARLIC \$10
- OLIVE OIL WASH / FRENCH FRICES \$10

A DISCOUNTED 12.5% GRATUITY WILL BE ADDED TO YOUR BILL

ALLERGIES & INTOLERANCES PLEASE ASK A MEMBER OF STAFF ABOUT THE COMPOSITION OF YOUR MEAL

PLEASE TAKE YOUR ORDER



### March Set Menu

AVAILABLE ALL DAY SUNDAY - MONDAY

12PM-7PM TUESDAY - SATURDAY

#### Seasonal soup

BANG BANG CHICKEN, CUCUMBER, SCALLIONS, PEANUT SAUCE

SOFT TORTILLA WRAP, MUSHROOMS,  
GARLIC & TARRAGON BUTTER

potato cake, creamed cheese & spinach sauce, confit

tomato

PAN FRIED CHICKEN BREAST, CRUSHED NEW POTATOES &  
grilled scallions, lemon butter sauce,

roast salmon, tomato & basil sauce, arugula

CHOPPED STEAK, FRIED EGG, CHIPOTLE MAYO & FRIES

Pink grapefruit sorbet

Chocolate & espresso tart, whipped cream

Mature cheddar, plum & ginger chutney, artisan  
Crackers

2 COURSES £14.75 / 3 COURSES £17.50

ADD A 125ML GLASS OF WHITE OR RED WINE FOR £3.00

VAT INCLUDED

A SUGGESTED OPTIONAL SERVICE CHARGE OF 12.5% WILL BE ADDED TO YOUR BILL

## CHAMPAGNE AND SPARKLING

|   |      |       |
|---|------|-------|
| CHAMPAGNE, GALLIMARD PERE ET FILS, BRUT, RESERVE NV | 9.00 | 45.00 |
| PROSECCO CINZANO, D.O.C. TORINO NV                  | 6.50 | 29.50 |
| MAS DE DAUMAS GASSAC, ROSE FRIZANT, LANGUEDOC NV    |      | 39.50 |
| EVOLUTION BRUT, METHODE CHAMPENOISE, OREGON NV      |      | 55.00 |
| VEUVE CLICQUOT, CHAMPAGNE, BRUT NV                  |      | 77.50 |
| LAURENT- PERRIER, CHAMPAGNE, BRUT NV                |      | 80.00 |
| BOLLINGER SPECIAL CUVÉE, CHAMPAGNE NV               |      | 90.00 |

## ROSÉ

|   | 125ML | 250ML | 500ML | 750ML |
|---|-------|-------|-------|-------|
| CINSAULT, HENRI NORDUC, LANGUEDOC 2015                        | 5.00  | 9.00  | 17.00 | 24.50 |
| SYRAH/GRENACHE/CINSAULT, DOMAINE DU GRAND CROS, PROVENCE 2016 |       |       |       | 38.00 |

## WHITE

|  |      |       |       |       |
|--|------|-------|-------|-------|
| GRILLO, CANTINE PAOLINI, SICILY 2016                               | 4.00 | 7.50  | 14.50 | 19.75 |
| PINOT GRIGIO, CANTINE PAOLINI, SICILY 2014                         |      |       |       | 24.50 |
| SAUVIGNON BLANC, 'ELEGANCE', LABASTIDE DE LEVIS, COTE DU TARN 2015 | 5.00 | 9.00  | 17.00 | 25.00 |
| CHARDONNAY, LES VIGNES D'OC, LANGUEDOC 2015                        |      |       |       | 25.00 |
| SAUVIGNON/VIOGNIER, DOMAINE DE BERTIER, LANGUEDOC-ROUSSILLON 2015  |      |       |       | 26.00 |
| BOURGOGN ALIGOTE, DOMAINE HENRI PRUDHON, COTE D'OR 2014            | 5.50 | 9.50  | 18.00 | 27.50 |
| PECORINO/TREBBIANO, 'CIU CIU' FALERIO, MARCHE, ITALY 2015          | 5.50 | 9.50  | 18.00 | 27.50 |
| CHENIN BLANC, GOOD HOPE WINERY, STELLENBOSCH 2016                  |      |       |       | 28.50 |
| PICPOUL DE PINET, DOMAINE FONT-MARS, LANGUEDOC 2016                |      |       |       | 30.00 |
| VIOGNIER, DOMAINE LA BASTIDE, LANGUEDOC-ROUSSILLON 2016            |      |       |       | 30.00 |
| CHARDONNAY, DOMAINE D'ANTUGNAC, HAUTE VALLEE DE L'AUDE 2015        | 5.75 | 10.50 | 20.00 | 31.00 |
| VIOGNIER/CHARDONNAY/MARSANNE/QUPE, SANTA MARIA VALLEY 2013         | 6.00 | 11.50 | 22.50 | 33.00 |
| ALBARINO, IGREXIO DE SAIAR, SPAIN 2016                             | 6.25 | 11.70 | 23.00 | 33.50 |
| RIESLING, 'BRANDLUFT', ANDRE RIEFFEL, ALSACE 2011                  |      |       |       | 35.00 |
| CORTESE, GAVI DI GAVI, ROBERTO SAROTTO, PIEDMONT 2015              |      |       |       | 36.00 |
| CHARDONNAY, ST VERAN, DOMAINE CHAVET, BURGUNDY 2015                |      |       |       | 38.00 |
| CHARDONNAY, PETIT CHABLIS, GERARD TREMBLAY, BURGUNDY 2016          |      |       |       | 41.00 |
| SAUVIGNON BLANC, 'ANNABEL', STAETE LANDT, MARLBOROUGH, NZ 2016     |      |       |       | 45.50 |
| SAUVIGNON BLANC, SANCERRE 'LES RENARDERIES', LOIRE 2015            |      |       |       | 49.00 |
| PINOT GRIS, WILLAMETTE VALLEY, SOKOL BLOSSER, OREGON 2014          | 9.50 | 18.00 | 35.00 | 54.00 |
| SAUVIGNON BLANC, FROGS LEAP, NAPA VALLEY 2015                      |      |       |       | 55.00 |

## RED

|  |      |       |       |       |
|--|------|-------|-------|-------|
| FRAPPATO, CANTINE PAOLINI, SICILY 2016                                 | 4.00 | 7.50  | 14.50 | 19.75 |
| PINOTAGE, PORTER MILL STATION, WESTERN CAPE, SA 2015                   | 5.00 | 9.00  | 17.00 | 25.00 |
| MERLOT, LES VIGNES D'OC, LANGUEDOC 2016                                |      |       |       | 25.50 |
| SHIRAZ/MALBEC, VILLA VIEJA, MENDOZA 2016                               | 5.25 | 9.25  | 17.75 | 26.00 |
| CARIGNAN VIEILLES VIGNES, PIETA, PAYS D'HERAULT 2016                   | 5.50 | 10.50 | 20.00 | 27.50 |
| SYRAH/CARMENERE, ILLUSION, ELQUI VALLEY, CHILE 2014                    | 5.00 | 10.50 | 20.00 | 27.50 |
| TEMPRANILLO, RIOJA TINTO 'MONTESC', BODEGA CLASSICA, RIOJA ALTA 2013   |      |       |       | 30.00 |
| BARBERA D'ASTI CASAREGGIO, AGOSTINO & FIGLI, PIEDMONT 2014             | 5.75 | 11.00 | 21.50 | 30.50 |
| GRENACHE/SYRAH, DOMAINE DE L'ESPIGOUETTE, COTES DU RHONE 2015          |      |       |       | 33.00 |
| GAMAY, BROUILLY, ALAIN MICHAUD, BEAUJOLAIS 2015                        | 6.25 | 11.75 | 23.00 | 33.50 |
| GAMAY, BEAUJOLAIS VILLAGES, DOMAINE ANDRE COLONGE, BEAUJOLAIS 2015     |      |       |       | 33.50 |
| MALBEC, LA FLOR, MENDOZA 2016  |      |       |       | 34.50 |
| SYRAH, CENTRAL COAST, QUPE WINERY, SANTA BARBARA 2013                  |      |       |       | 38.00 |
| MERLOT/CABERNET SAUVIGNON, CHATEAU DES CERONS, GRAVES 2014             | 7.50 | 14.00 | 27.00 | 44.00 |
| GRENACHE/CARIGNAN, CAMINS DEL PRIORAT, ALVARO PALACIOS, CATALONIA 2015 |      |       |       | 47.00 |
| PINOT NOIR, STAETE LANDT, MARLBOROUGH 2015                             |      |       |       | 52.50 |
| PINOT NOIR, DELINEA 300, SOKOL BLOSSER, OREGON 2013                    | 9.50 | 18.00 | 35.00 | 54.00 |
| SYRAH, CROZES-HERMITAGE 'MIS EN BOUCHE' EMMANUEL DARNAUD, RHONE 2014   |      |       |       | 59.00 |
| CHATEAUNEUF DU PAPE, CHARBONNIERE, RHONE 2013                          |      |       |       | 61.50 |
| CABERNET SAUVIGNON, RIDGE VINEYARD ESTATE, CALIFORNIA 2012             |      |       |       | 75.00 |



# 1 DRINKS MENU

COCKTAILS - 2

BLENDED DRINKS - 5

LIQUORLESS COCKTAILS - 6

SOFT DRINKS - 6

BEERS & CIDERS - 7

AFTER DINNER COCKTAILS - 7

LIQUEURS & DESSERT WINES - 8

SPIRITS - 9/10



A DISCRETIONARY OPTIONAL 12.5% GRATUITY WILL BE ADDED TO YOUR BILL



2

## MARTINIS

### VODKA

|                       |       |
|-----------------------|-------|
| STOLICHNAYA           | 9.00  |
| KETEL ONE             | 9.75  |
| TITO'S                | 11.50 |
| GREY GOOSE/ BELVEDERE | 12.00 |

### GIN

|                                 |       |
|---------------------------------|-------|
| GORDONS                         | 9.00  |
| TANQUERAY                       | 9.75  |
| HENDRICK'S/ SIPSMITH            | 11.75 |
| NO.209/ SACRED/ TANQUERAY NO 10 | 12.00 |

## SOURS

YOUR CHOICE OF  
WHISKY, BOURBON, APRICOT BRANDY OR TEQUILA  
WITH LEMON JUICE, SUGAR & EGG WHITE

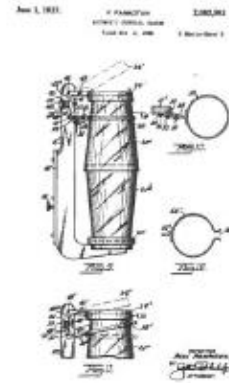
8.00





3

## SPARKLING



### CHAMPAGNE CLASSIC COCKTAIL 10.50

GRAND MARNIER,  
SUGAR, BITTERS & CHAMPAGNE

### BELLINI 7.50

PROSECCO, PEACH PURÉE

### FINLAY 7.50

LIMONCELLO & PROSECCO

### KIR ROYALE 9.50

CHAMPAGNE & CASSIS

## ON THE ROCKS

### DARK AND STORMY 8.50

SAILOR JERRY SPICED RUM  
BITTERS, LIME & GINGER BEER

### TATTOOED LADY 8.50

SLOE GIN, CUERVO & LIME

### MINT JULEP 8.50

BUFFALO TRACE  
FRESH MINT & SUGAR

### MOJITO 8.50

WHITE RUM, FRESH MINT  
LIME & SUGAR

### CAIPIRINHA 8.50

CACHACA, LIME & SUGAR

### NEGRONI 7.50

GORDONS, CAMPARI  
& MARTINI ROSSO

### SAZERAC 9.50

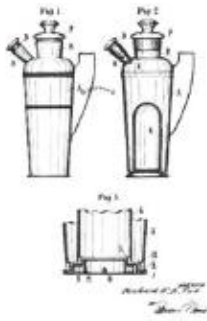
RITTENHOUSE RYE, ABSINTHE,  
PEYCHAUD BITTERS & SUGAR

### BITTER QUEEN 7.50

GORDONS, DUBONNET,  
ROSE LEMONDADE,  
ORANGE & BITTERS

### OLD FASHIONED 8.50

BUFFALO TRACE, BITTERS,  
ORANGE & SUGAR



4

## STRAIGHT UP

**THE PRUDENCE** 8.00  
SIPSMITH GIN, APRICOT BRANDY  
EARL GREY TEA, FRESH LIME  
ORANGE TWIST

**MARGARITA** 7.50  
CUERVO, TRIPLE SEC  
& FRESH LIME JUICE

**MANHATTAN** 9.00  
CANADIAN CLUB WHISKEY  
MARTINI ROSSO & BITTERS

**DAIQUIRI** 8.00  
WHITE RUM, FRESH LIME  
& SUGAR

**SIDECAR** 7.50  
COURVOISIER, TRIPLE SEC  
& FRESH LEMON JUICE

**COSMOPOLITAN** 8.00  
ABSOLUT CITRON VODKA  
TRIPLE SEC, CRANBERRY  
& FRESH LIME

**BRONX** 7.50  
GORDONS, VERMOUTH  
& ORANGE JUICE

## OLD FRIENDS

**MAITAI** 8.50  
BACARDI, MYERS RUM, ORANGE CURACAO, LIME JUICE & ORGEAT

**SINGAPORE SLING** 8.50  
GORDON'S GIN, CHERRY BRANDY, BENEDICTINE & LEMON JUICE

**SALTED KARAMEL MARTINI** 9.00  
CHILLED SALTED KARAMEL STOLICHNAYA, WHITE CACAO

**TOM COLLINS** 8.00  
TANQUERAY GIN, LEMON JUICE, SUGAR & SODA

**BLOODY MARY** 8.50  
TOMATO JUICE, STOLIVODKA, JOE ALLEN SPECIAL BLEND OF SPICES



5  
**BLENDED DRINKS**

**SPIDER MONKEY 8.00**

BANANA LIQUEUR, TEQUILA, FRESH BANANA, FRESH PINEAPPLE  
COCONUT CREAM & LIME

**FROZEN STRAWBERRY DAIQUIRI 7.50**

LIME JUICE, STRAWBERRY, WHITE RUM, SUGAR

**PINA COLADA 7.50**

WHITE RUM, FRESH PINEAPPLE, COCONUT CREAM, LIME JUICE

**TRIPLE RUM PUNCH 8.50**

WHITE, DARK & SPICED RUM, MANGO, PINEAPPLE JUICE, LIME JUICE

**HAZELNUT HEAVEN 8.00**

STOLICHNAYA, FRANGELICO, TOFFEE SAUCE, CREAM

**HENDRICKS MOJITO 8.50**

HENDRICKS GIN, CUCUMBER, MINT, LIME, TONIC





## LIQUORLESS COCKTAILS

### OVER THE HEDGE 3.50

ELDERFLOWER CORDIAL MINT & LIME , CUCUMBER & TONIC WATER

### SHIRLEY TEMPLE 2.50

GINGER ALE AND GRENADINE SYRUP OVER ICE

### HOOFLESS MULE 3.50

LIME JUICE & GINGER BEER ON ICE WITH PEYCHAUD BITTERS

### VIRGIN MOJITO 3.50

MINT, LIME & SUGAR ON CRUSHED ICE WITH CLOUDY APPLE JUICE

### VIRGIN MARY 3.50

TOMATO JUICE & OUR BLEND OF SPICES

### ST CLÉMENT'S 3.50

ORANGE JUICE & BITTER LEMON

## SODAS & JUICES

### COCA-COLA/DIET COCA-COLA/SPRITE 3.50

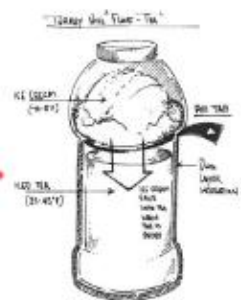
### FENTIMAN'S VICTORIAN LEMONADE 3.50

### FENTIMAN'S ROSE LEMONADE 3.50

### DOMINION ROOT BEER 3.50

### GINGER BEER 3.50

### GINGER ALE 2.50



.....

TOMATO, APPLE  
ORANGE, PINEAPPLE  
GRAPEFRUIT, CRANBERRY  
ALL 2.50



## BEER & CIDER

**ANCHOR STEAM BEER 5.50**

SAN FRANCISCO, ABV 4.8%

**CORONA EXTRA 5.00**

MEXICO ABV 4.5%

**LUSCOMBE CIDER 5.50**

DEVON, UK ABV 4.9%

**SAM ADAMS LAGER 5.50**

BOSTON ABV 4.5%

**BLUE MOON WHEAT BEER 5.50**

COLORADO, ABV 5.4%

**BRIXTON BREWERY**

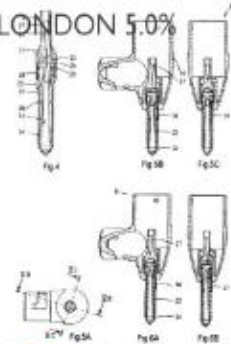
**ATLANTIC A.P.A 5.50**

BRIXTON, LONDON 5.4%

**BRIXTON BREWERY**

**WINDRUSH STOUT 5.50**

BRIXTON, LONDON 5.0%



### ON TAP

**GOOSE ISLAND IPA 4.00**

2 PINT JUG 14.25, CHICAGO ABV 5.9%

**CAMDEN HELLS LAGER 3.75**

2 PINT JUG 13.50, LONDON, ABV 4.6%

### AFTER DINNER COCKTAILS

|  |             |
|--|-------------|
| <b>CUP OF JOE - VODKA, KAHLUA, ESPRESSO</b>                  | <b>8.00</b> |
| <b>BRANDY ALEXANDER - BRANDY, CREME DE CACAO &amp; CREAM</b> | <b>7.50</b> |
| <b>WHITE RUSSIAN - VODKA, KAHLUA &amp; CREAM</b>             | <b>7.50</b> |
| <b>TOASTED ALMOND - KAHLUA, AMARETTO &amp; CREAM</b>         | <b>7.50</b> |
| <b>SALTED KARAMEL MARTINI</b>                                | <b>9.00</b> |



**8  
LIQUEURS**

|                     |  |      |      |
|---------------------|--|------|------|
| AMARETTO            |  | 4.00 | 7.50 |
| FRANGELICO          |  | 4.00 | 7.50 |
| DRAMBUIE            |  | 4.00 | 7.50 |
| SAMBUCA BLACK/WHITE |  | 4.00 | 7.50 |
| COINTREAU           |  | 4.00 | 7.50 |
| LIMONCELLO          |  | 4.00 | 7.50 |
| FERNET              |  | 4.00 | 7.50 |
| BENEDECTINE         |  | 4.00 | 7.50 |
| GRAPPA              |  | 4.00 | 7.50 |
| TIAMARIA            |  | 4.00 | 7.50 |
| KAHLUA              |  | 4.00 | 7.50 |
| GRANDMARNIER        |  | 4.00 | 7.50 |
| AMARO RAMAZOTTI     |  | 4.00 | 7.50 |

**DESSERT WINES**

|   | GLS  | BTL   |
|---|------|-------|
| MONBAZILLAC JOUR DE FRUIT                               | 5.00 | 19.75 |
| LANCIENNE CURE, FRANCE 2009 (37.5CL)                    |      |       |
| ALAIN BRUMONT LARMES CELESTES                           | 5.00 | 25.00 |
| PACHERENC DOUX, PETIT MANSENG, FRANCE 2011 (50CL)       |      |       |
| MUSCAT DE BEAUMES-DE-VENISE                             | 5.00 | 37.00 |
| VIN DOUX NATUREL, DOMAINE DE DURBAN, FRANCE 2010 (75CL) |      |       |



## FROM THE CELLAR

### BOURBON

|               |              |
|---------------|--------------|
| BENCHMARK     | £4.00/ 7.50  |
| BUFFALO TRACE | £4.50/ 8.00  |
| MAKERS MARK   | £5.00/ 9.00  |
| NOAH'S MILL   | £8.50/ 16.00 |

### RYE WHISKEY

|                 |             |
|-----------------|-------------|
| CANADIAN CLUB   | £4.00/ 7.50 |
| BULLEIT RYE     | £5.00/ 9.00 |
| RITTENHOUSE RYE | £5.00/ 9.00 |

### WHISKY

|                 |              |
|-----------------|--------------|
| FAMOUS GROUSE   | £3.50/ 6.50  |
| J. WALKER BLACK | £4.50/ 8.00  |
| GLENFIDDICH     | £4.50/ 8.00  |
| GLENLIVET       | £4.50/ 8.00  |
| GLENMORANGIE    | £4.50/ 8.00  |
| MACALLAN        | £5.50/ 10.00 |
| CHIVAS REGAL    | £5.50/ 10.00 |
| LAPHROAIG       | £5.50/ 10.00 |
| LAGAVULIN       | £7.50/ 14.00 |

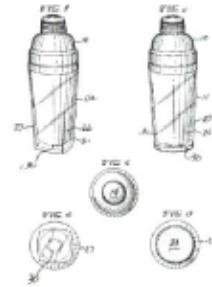
### TEQUILA/AGAVE

|                      |             |
|----------------------|-------------|
| JOSÉ CUERVO SILVER   | £3.50/ 6.50 |
| JOSÉ CUERVO REPOSADO | £3.50/ 6.50 |





10  
FROM THE CELLAR  
VODKA



|                 |             |
|-----------------|-------------|
| STOLICHNAYA     | £3.50/ 6.50 |
| KETEL ONE       | £4.00/ 7.50 |
| ABSOLUTE CITRON | £4.00/ 7.50 |
| GREY GOOSE      | £5.00/ 9.00 |
| BELVEDERE       | £5.00/ 9.00 |
| TITO'S          | £5.00/ 9.00 |

GIN

|              |              |
|--------------|--------------|
| GORDON'S     | £3.50/ 6.50  |
| TANQUERAY    | £4.00/ 7.50  |
| HENDRICK'S   | £4.50/ 8.00  |
| SIPSMITH     | £4.50/ 8.00  |
| SACRED       | £5.00/ 9.00  |
| TANQUERAY 10 | £5.00/ 9.00  |
| NO. 209      | £5.50/ 10.00 |

RUM

|                               |              |
|-------------------------------|--------------|
| MYERS                         | £4.00/ 7.50  |
| SAILOR JERRY                  | £4.50/ 8.00  |
| MEZAN JAMAICAN BARRIQUE XO    | £4.50/ 8.00  |
| DIPLOMATICO RESERVA EXCLUSIVA | £5.50/ 10.00 |
| EL DORADO 12 YEARS            | £5.50/ 10.00 |
| EL DORADO 15 YEARS            | £7.50/ 14.00 |

COGNAC

|                 |              |
|-----------------|--------------|
| COURVOISIER     | £4.00/ 7.50  |
| REMY VSOP       | £5.00/ 9.00  |
| CALVADOS        | £5.00/ 9.00  |
| ARMAGNAC        | £5.00/ 9.00  |
| GRAND CHAMPAGNE | £6.50/ 12.00 |
| CALVADOS XO     | £9.50/ 18.00 |





**Joe Allen Restaurant & Bar**

**Strand Palace Hotel, 372 Strand, London, WC2R 0JJ**

**Lawrence Hartley**

Co-owner.

Lawrence Hartley is an owner of Joe Allen. Since 2001 he has been an owner of 3 different premises which are as follows:

1. Brula, 43 Crown Road, Twickenham, TW1 3EJ;
2. La Buvette, 6 Church Walk, Richmond, TW9 1SN and
3. Mustard, 98-100 Shepherds Bush Road, London, W6 7PD.

He has been a personal licence holder since 2001.

**Tim Healy**

Co-owner.

Tim Healy has been an owner of Joe Allen, Orso Restaurants, Covent Garden since 2012. Since 2001 he has opened 5 different premises which are as follows:

1. A Cena, 418 Richmond Road, Twickenham TW1 2EB;
2. Acena on the Hill Deli, 418 Richmond Road, Twickenham TW1 2EB;
3. Butchers on the Hill, 43 Friars Style Road, Richmond TW10 6NQ;
4. Richmond Hill Bakery, Friars Style Road, Richmond TW10 6NQ;
5. Mustard, 98-100 Shepherds Bush Road, London, W6 7PD.

He has been a personal licence holder since 2002

**Joe Allen Restaurant and Bar**  
**Strand Palace Hotel, 372 Strand, London WC2R 0JJ**

**Deborah Jane Fellows**  
**General Manager and DPS**

30 years experience in the licensed trade.

Holds a personal licence and has done since 2012 and has managed the current Joe Allen's for the last 15 years.

She is the current Designated Premises Supervisor at the current Joe Allen's and therefore is fully familiar with the style of operation and the responsibilities of holding a personal licence and running licensed premises.

**Joe Allen Restaurant and Bar**  
**Strand Palace Hotel, 372 Strand, London WC2R 0JJ**

The Joe Allen Restaurant and Bar will be staffed as follows:-

**Kitchen**

1 head chef;  
3 sous chefs;  
5 chef de partie;  
1 head of production;  
2 Senior production chefs;  
3 junior production chefs;  
9 porters;  
1 cleaner.

**Front of house staff**

3 restaurant managers;  
3 duty managers;  
4 bar tenders;  
5 senior waiters;  
6 junior waiters;  
7 runners.

Document Ref: 2145981083

**Licence & Appeal History - 16/04629/LIPVM**

| <b>Application</b> | <b>Details of Application</b>  | <b>Date Determined</b>          | <b>Decision</b>                   |
|--------------------|--|---------------------------------|-----------------------------------|
| 05/09587/LIPC      | Application for a new premises   | 28 <sup>th</sup> September 2005 | Granted under Delegated Authority |
| 11/02147/LIPCH     | Change of details  | 16 <sup>th</sup> March 2011     | Granted under Delegated Authority |
| 13/01699/LIPVM     | <p>Application for a Minor Variation:</p> <p>To vary the plans attached to the existing premises licence so as to incorporate changes to bedroom configuration, on first floor to add bedroom numbered 166 to 169, and on second floor add bedrooms numbered 203 and 204.</p> <p>There are no changes to existing licensable activities and/or timings</p> | 25 <sup>th</sup> March 2013     | Granted under Delegated Authority |
| 14/04086/LIPVM     | <p>Application for a Minor Variation:</p> <p>To approve minor internal refurbishment works to the Nook Bar at the Strand Palace hotel (formerly known as the Strand Palace Bar, then the Hops Bar).</p>  | 13 <sup>th</sup> June 2014      | Application refused.              |

|                |   |                               |                                   |
|----------------|---|-------------------------------|-----------------------------------|
| 14/05310/LIPV  | <p>Application to Vary the Premises Licence:</p> <p>To approve minor internal refurbishment works to the ground floor of the hotel.</p> <p>To remove Conditions 9, 11, 14, 15, 16 and 17 and, replace with new conditions proposed by the applicant.</p>  | 14 <sup>th</sup> August 2014  | Granted under Delegated Authority |
| 15/08402/LIPV  | <p>Application to Vary the Premises Licence:</p> <p>To vary the start time for the sale of alcohol on Sundays to 10.00, to allow flexibility to offer pre-lunch drinks and to bring the start time into line with the rest of the week. There will be no change to the times for any other licensable activity and there will be no proposed change to the existing licence conditions.</p> | 4 <sup>th</sup> November 2015 | Granted under Delegated Authority |
| 16/04629/LIPVM | <p>Application for a Minor Variation:</p> <p>to approve minor internal refurbishment works to the coffee shop at the Strand Palace hotel</p>  | 6 <sup>th</sup> June 2016     | Granted under Delegated Authority |

**There is no appeal history**

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

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

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

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

### **Mandatory Conditions**

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

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

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

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



## Conditions consistent with the operating schedule

10. A minimum of 80 seats shall be provided within the premises at all times.
11. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
12. The number of persons accommodated at any one time, (excluding staff) shall not exceed:  
  
Bar- 100 persons.
13. There shall be no sales of hot food or hot drink for consumption off the premises after 23.00 hours.
14. There shall be no sales of alcohol for consumption off the premises after 23.00 hours.
15. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.
16. The entrance door shall be kept closed after 22.00 hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons.
17. Loudspeakers shall not be located in the entrance lobby or outside the premises building.
18. 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.
19. There shall be no striptease or nudity, and all persons shall be decently attired at all times, except when the premises are operating under the authority of a Sexual Entertainment Venue licence.
20. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
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. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be

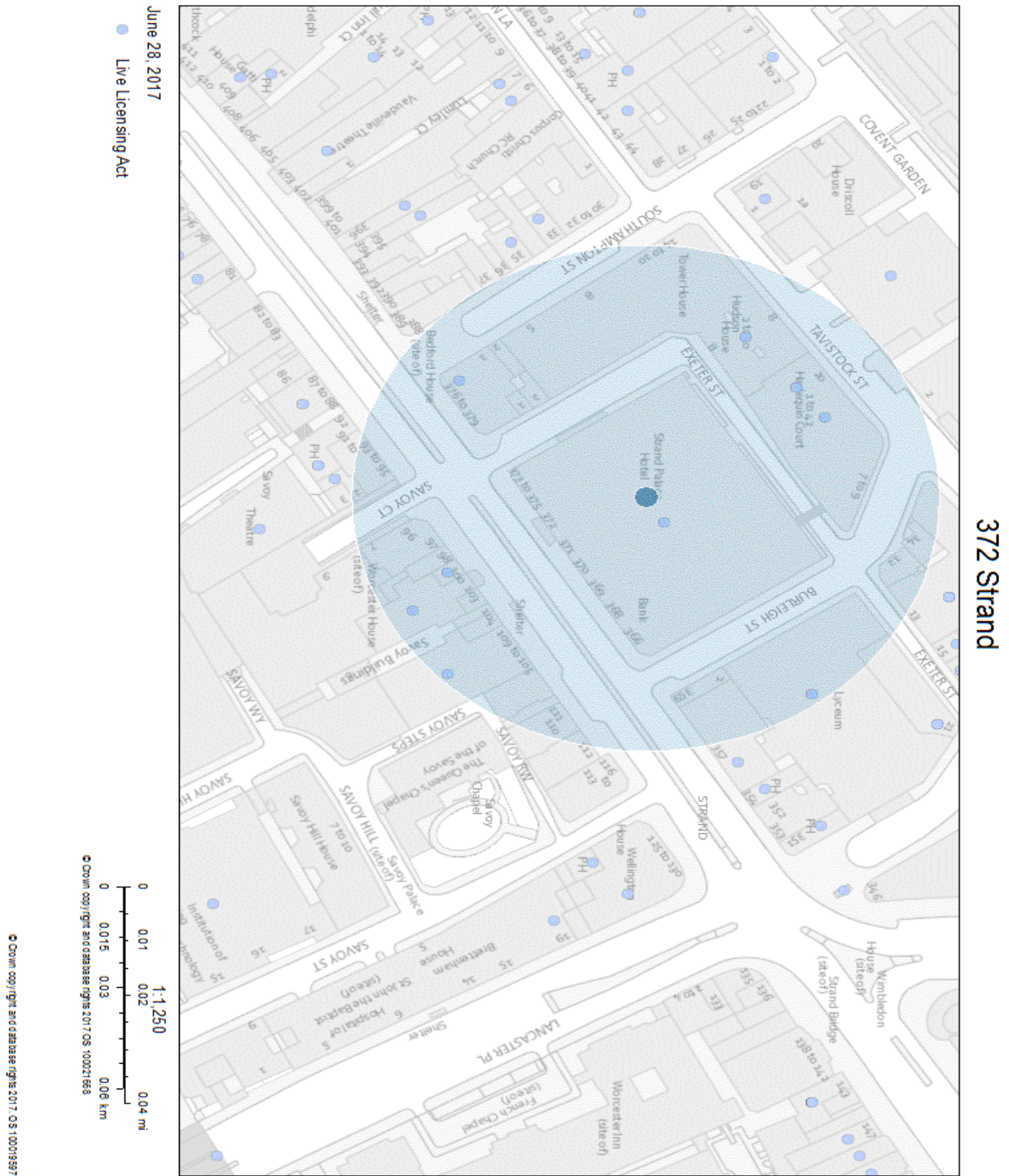
made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.

23. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
24. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following:
  - (a) all crimes reported to the venue
  - (b) all ejections of patrons
  - (c) any complaints received concerning crime and disorder
  - (d) any incidents of disorder
  - (e) all seizures of drugs or offensive weapons
  - (f) any faults in the CCTV system or searching equipment or scanning equipment
  - (g) any refusal of the sale of alcohol
  - (h) any visit by a relevant authority or emergency service.
25. 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.
26. 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.
27. All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.
28. All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device.
29. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
30. Curtains and hangings shall be arranged so as not to obstruct emergency safety signs or emergency equipment.
31. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.
32. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.

33. 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.
34. No licensable activities shall take place at the premises until the premises have been assessed as satisfactory by the Environmental Health Consultation Team at which time this condition shall be removed from the Licence by the Licensing Authority.
35. Before the premises open to the public, the plans as deposited will be checked by the Environmental Health Consultation Team to ensure they are an accurate reflection of the premises constructed. Where the premises layout has changed during the course of construction new plans shall be provided to the Environmental Health Consultation Team and the Licensing Authority.

**Conditions proposed by the Environmental Health**

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



**Premises Licence – 16/04629/LIPVM**

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

Schedule 12  
Part A

WARD: St James's  
UPRN: 100023432867

Premises licence

Regulation 33, 34

Premises licence number:

16/04629/LIPVM

Original Reference:

05/09587/LIPC

**Part 1 – Premises details**

**Postal address of premises:**

Strand Palace Hotel  
372 Strand  
London  
WC2R 0JJ

Telephone Number: Not Supplied

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

Not applicable

**Licensable activities authorised by the licence:**

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

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

|  |                |
|--|----------------|
| <b>Performance of Dance</b>  |                |
| Monday to Saturday:  | 09:00 to 01:00 |
| <b>Performance of Live Music</b>   |                |
| Monday to Sunday:  | 09:00 to 01:00 |
| <b>Playing of Recorded Music</b>   |                |
| <b>Anything of a similar description to Live Music, Recorded Music or Performance of Dance</b> |                |
| Monday to Saturday:  | 09:00 to 01:00 |
| <b>Late Night Refreshment</b>  |                |
| Monday to Saturday:  | 23:00 to 01:30 |
| Sunday:  | 23:00 to 01:00 |

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

**Sale by Retail of Alcohol**

|                               |                |
|-------------------------------|----------------|
| Monday to Thursday:           | 10:00 to 23:30 |
| Friday to Saturday:           | 10:00 to 00:00 |
| Sunday:                       | 10:00 to 22:30 |
| Sundays before Bank Holidays: | 10:00 to 00:00 |

Monday to Sunday: 00:00 to 00:00 (Hotel Residents & their bona fide guests)

Exeter Suite, Drake & Essex Rooms:

|                     |                |
|---------------------|----------------|
| Monday to Saturday: | 10:00 to 01:00 |
| Sunday:             | 10:00 to 00:30 |

Restaurant:

|                     |                |
|---------------------|----------------|
| Monday to Saturday: | 10:00 to 00:00 |
| Sunday:             | 10:00 to 23:30 |

*For times authorised for New Year see conditions at Annex 2*

**The opening hours of the premises:**

Monday to Sunday: 00:00 to 00:00

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

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

**Part 2**

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

Strand Palace Hotel & Restaurants Limited  
Strand Palace Hotel  
372 Strand  
London  
WC2R 0JJ

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

3165882

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

Name: David Alexander Macrae

*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: PA0274  
Licensing Authority: Mid Sussex District Council

Date: 1<sup>st</sup> September 2016

This licence has been authorised by Miss Yolanda Wade 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.

**Conditions relating to Regulated Entertainment:**

9. On New Year's Eve the premises can remain open for the purpose of providing regulated entertainment from the time when the provision of regulated entertainment must otherwise cease on New Year's Eve to the time when regulated entertainment can commence on New Year's Day (or until midnight on New Year's Eve where no regulated entertainment takes place on New Year's Day).
10. The two sets of iron roller shutters protecting the doorways between the shops facing the Strand and the interior of the hotel shall be kept closed while the shops are shut.
11. The number of persons accommodated at any one time (excluding staff) shall not exceed the following: Exeter Suite, Drake and Essex Room - 300.

## Annex 2 – Conditions consistent with the operating Schedule

12. 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 7 days prior notice being given to the Licensing Authority where consent has not been previously given:
  - dry ice and cryogenic fog
  - smoke machines and fog generators
  - pyrotechnics including fireworks
  - firearms
  - lasers
  - explosives and highly flammable substances
  - real flame
  - strobe lighting
13. No person shall give at the premises any exhibition, demonstration or performance of hypnotism, mesmerism or any similar act or process, except this rule does not apply to exhibitions given under the provisions of section 2(1A) and 5 of the Hypnotism Act 1952).
14. Any entertainment, performance, service, or exhibition involving nudity or sexual stimulation shall not be provided.
15. The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.
16. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified.
17. All exit doors from public areas shall be available at all material times without the use of a key, code, card or similar means.
18. All emergency doors shall be maintained effectively self closing and not held open other than by an approved device.
19. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
20. The pavement from the building line to the kerb edge immediately outside the premises, including the gutter/channel at its junction with the kerb edge, shall be kept clean and free from litter at all material times to the satisfaction of the Council.
21. All fabrics, curtains, drapes and similar features including materials used in finishing and furnishing shall be either non-combustible or be durably or inherently flame-retarded fabric. Any fabrics used in escape routes, other than foyers, entertainment areas or function rooms, should be non-combustible.
22. All scenery should be maintained flame retardant to the satisfaction of the Environmental Health consultation team.
23. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.

24. The following Certificates shall be submitted to the Licensing Authority upon written request:
- Any emergency lighting or battery system
  - Any electrical installation
  - Any emergency warning system
25. In the basement function rooms (currently known as Exeter Suite, Drake and Essex Room) any sale of alcohol between 23.30 and 01.00 Monday to Thursday, 00.00 and 01.00 Friday and Saturday and 22.30 and 00.30 on Sundays shall be ancillary to the provision of substantial refreshment and musical or other entertainment (except for sales to hotel residents and their bona fide guests which are permitted without restriction).
26. The hours for sale of alcohol may be extended from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

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

None

**Annex 4 – Plans**

Attached

|                    |   |
|--------------------|---|
| Item No:           |   |
| Date:              | 13 July 2017  |
| Licensing Ref No:  | 17/05429/LIPN - New Premises Licence                            |
| Title of Report:   | Victory House<br>14 Leicester Place<br>London<br>WC2H 7BP       |
| 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 Heidi Lawrance<br>Senior Licensing Officer                 |
| Contact details    | Telephone: 020 7641 2751<br>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> | 19 May 2017  |                                |            |
| <b>Applicant:</b>                 | Victory House (London) Hotel Limited   |                                |            |
| <b>Premises:</b>                  | Victory House London Leicester Square Gallery by Sofitel   |                                |            |
| <b>Premises address:</b>          | Victory House<br>14 Leicester Place<br>London<br>WC2H 7BP  | <b>Ward:</b>                   | St James's |
|                                   |  | <b>Cumulative Impact Area:</b> | West End   |
| <b>Premises description:</b>      | Hotel with 86 bedrooms located over 6 floors with bedroom suites being located at mezzanine level.   |                                |            |
| <b>Premises licence history:</b>  |  |                                |            |
| <b>Applicant submissions:</b>     | <p>This application is being made to license the bedrooms for the sale of alcohol. Room service will also be provided to residents and guests. Licensable activities to be available to residents and guests (maximum of 4 guests) 24 hours a day.</p> <p>There will be a bar and restaurant on the ground floor. Access to the bar and restaurant by members of the public will be permitted between the hours of 07:00 and 01:00 hours each day and to residents and to bona fide guests 24 hours.</p> <p>The ground floor will operate predominantly as a restaurant, although bar service will be available at all times to residents and guests. Bar service will also be available to members of the public up to 21:00 hours each day, after which time service will be restricted to members of the public who are dining. All customers will be seated and there is no bar counter; all food and drinks will be served by waiter/waitress service.</p> <p>There will be an external area for the consumption of food and/or drink on Leicester Place to customers who shall be seated. (The use of this area to be subject to the grant of a Street Trading Licence.)</p> |                                |            |

## 1-B Proposed licensable activities and hours



|   |            |  |            |                                  |            |            |            |
|---|------------|--|------------|----------------------------------|------------|------------|------------|
| <b>Late Night Refreshment:</b>                    |            |  |            | <b>Indoors, outdoors 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>                                     | 23:00      | 23:00  | 23:00      | 23:00                            | 23:00      | 23:00      | 23:00      |
| <b>End:</b>                                       | 01:00      | 01:00  | 01:00      | 01:00                            | 01:00      | 01:00      | 01:00      |
| <b>Seasonal variations/ Non-standard timings:</b> |            | 24 hours for residents and bona fide guests. |            |                                  |            |            |            |

|  |            |                   |            |                                  |            |            |            |
|--|------------|-------------------|------------|----------------------------------|------------|------------|------------|
| <b>Live Music / Recorded Music / Performance of Dance:</b> |            |                   |            | <b>Indoors, outdoors or both</b> |            |            | Indoors    |
| <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>  | 10:00      | 10:00             | 10:00      | 10:00                            | 10:00      | 10:00      | 10:00      |
| <b>End:</b>  | 01:00      | 01:00             | 01:00      | 01:00                            | 01:00      | 01:00      | 01:00      |
| <b>Seasonal variations/ Non-standard timings:</b>          |            | None applied for. |            |                                  |            |            |            |

|   |            |   |            |                                 |            |            |            |
|---|------------|---|------------|---------------------------------|------------|------------|------------|
| <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>                                     | 10:00      | 10:00   | 10:00      | 10:00                           | 10:00      | 10:00      | 10:00      |
| <b>End:</b>                                       | 01:00      | 01:00   | 01:00      | 01:00                           | 01:00      | 01:00      | 01:00      |
| <b>Seasonal variations/ Non-standard timings:</b> |            | <p>Off sales of alcohol to be limited to supplies to residents and guests, and to supplies to the external area shown upon the deposited plan.</p> <p>For residents and guests (maximum of 4), the supply of alcohol will be permissible 24 hours a day.</p> <p>The service of alcohol to members of the public in the ground floor bar and restaurant to be restricted to 21:00 hours each day without a substantial table meal.</p> |            |                                 |            |            |            |

|   |            |                 |            |             |            |            |            |
|---|------------|-----------------|------------|-------------|------------|------------|------------|
| <b>Hours premises are open to the public</b>      |            |                 |            |             |            |            |            |
| <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>                                     | 00:00      | 00:00           | 00:00      | 00:00       | 00:00      | 00:00      | 00:00      |
| <b>End:</b>                                       | 00:00      | 00:00           | 00:00      | 00:00       | 00:00      | 00:00      | 00:00      |
| <b>Seasonal variations/ Non-standard timings:</b> |            | None.           |            |             |            |            |            |
| <b>Adult Entertainment:</b>                       |            | Not applicable. |            |             |            |            |            |

## 2. Representations

| <b>2-A Responsible Authorities</b>   |  |
|--|--|
| <b>Responsible Authority:</b>  | Environmental Health Consultation Team |
| <b>Representative:</b>   | Mr Ian Watson                          |
| <b>Received:</b>   | 14 <sup>th</sup> June 2017             |
| <p><b>The premises are located within the West End Cumulative Impact Area as stated in the City of Westminster's Statement of Licensing Policy.</b></p> <p>The applicant has submitted floor plans of the premises dated May 2017.</p> <p>This representation is based on the plans and operating schedule submitted.</p> <p>The applicant is seeking the following</p> <ol style="list-style-type: none"> <li>1. To provide for the Supply of Alcohol 'On' and 'Off' the premises Monday to Sunday between 10.00 to 01.00 hours for public with 24 hours for residents and their guests.</li> <li>2. To provide Late Night Refreshment 'Indoors' and 'Outdoors' Monday to Sunday between 23.00 to 01.00 hours for public with 24 hours for residents and their guests.</li> <li>3. To provide regulated entertainment 'Indoors' comprising <ul style="list-style-type: none"> <li>• Live Music</li> <li>• Recorded Music</li> <li>• Performance of Dance</li> </ul> Monday to Sunday between 10.00 to 01.00 hours.</li> </ol> <p>I wish to make the following representation</p> <ol style="list-style-type: none"> <li>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 CI Area.</li> <li>2. The hours requested to permit the provision of late night refreshment will have the likely effect of causing an increase in Public Nuisance within the West End CI Area.</li> <li>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 CI Area.</li> </ol> <p>The granting of the application as presented would have the likely effect of causing an increase in Public Nuisance and impact on Public Safety within the West End CI Area.</p> <p>The applicant has provided additional information and conditions with the application which are being addressed.</p> |  |
| <b>Responsible Authority:</b>  | Licensing Authority                    |
| <b>Representative:</b>   | Mr David Sycamore                      |

|                  |                            |
|------------------|----------------------------|
| <b>Received:</b> | 15 <sup>th</sup> June 2017 |
|------------------|----------------------------|

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

We acknowledge this application is in the form of a hotel and as such our representation is concerned with the bar area shown as hatched green on the plan (and the outside area). The premises is located in the Cumulative Impact (CIP1) area and as such the bar area for the public is contrary to PB2. The application form states that this bar will be open to non-residents until 9 pm, we would like this reduced to 8 pm as per the Statement of Licensing Policy( 2.4.21) and the policy specifically mentions hotel bars which have direct access to the public (2.5.57). We are also concerned as to how many pre-booked private and corporate events there will be and how these will be defined.

We would also like to clarify who is able to use the outside table and chair area? Will this area be used only by residents at any time? We would be concerned again if this was an area that the public could use as this would advertise the availability of alcohol to the public.

Please accept this as a formal representation and we look forward to hearing from the applicant with regards to the concerns raised above.

|                               |                             |
|-------------------------------|-----------------------------|
| <b>Responsible Authority:</b> | Metropolitan Police Service |
| <b>Representative:</b>        | PC Adam Deweltz             |
| <b>Received:</b>              | 25 <sup>th</sup> May 2017   |

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

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

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

### **3. Policy & Guidance**

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

|                             |   |
|-----------------------------|---|
| <b>Policy CIA1 applies</b>  | <p>(i) It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas for: pubs and bars, fast food premises, and premises offering facilities for music and dancing; other than applications to vary hours within the Core Hours under Policy HRS1.</p> <p>(ii) Applications for other licensable activities in the Cumulative Impact Areas will be subject to other policies, and must demonstrate that they will not add to cumulative impact in the Cumulative Impact Areas.</p>  |
| <b>Policy HOT1 applies:</b> | <p>Subject to the effect on the promotion of the licensing objectives and other relevant policies in this Statement, premises licences for hotels will generally be granted so that:</p> <p>(a) Alcohol is permitted to be sold at any time to people staying in hotel rooms for consumption on the premises.</p> <p>(b) The hours of serving of alcohol to the general public will be subject to conditions limiting the sale of alcohol after a specified time to those attending pre-booked events held at the hotel,</p> <p>(c) The exhibition of film, in the form of recordings or non-broadcast television programmes to be viewed in hotel bedrooms, will generally be permitted.</p> |
| <b>Policy HRS1 applies:</b> | <p>(i) Applications for hours within the core hours set out below in this policy will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy.</p> <p>(ii) Applications for hours outside the core hours set out below in this policy will be considered on their merits, subject to other relevant policies.</p>  |
| <b>Policy PB2 applies:</b>  | <p>It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas other than applications to vary hours within the Core Hours under Policy HRS1.</p>  |
| <b>Policy RNT2 applies:</b> | <p>Applications will be granted subject to other policies in this Statement and subject to the relevant criteria in Policies CD1, PS1, PN1 and CH1, provided it can be demonstrated that they will not add to cumulative impact in the Cumulative Impact Areas.</p>   |

## 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<br>Senior Licensing Officer                 |
| <b>Contact:</b>       | Telephone: 020 7641 2751<br>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  | 19 <sup>th</sup> May 2017    |
| <b>5</b> | Representation – Environmental Health                               | 14 <sup>th</sup> June 2017   |
| <b>6</b> | Representation – Licensing Authority                                | 15 <sup>th</sup> June 2017   |
| <b>7</b> | Representation – MET Police (withdrawn)                             | 25 <sup>th</sup> May 2017    |





**LICENSING KEY**

Areas for licensable activities

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**FIRE LEGEND**

① Manual call point  
 ② Fire alarm control panel  
 ③ Fire alarm indicator panel  
 ④ Fire alarm call point  
 ⑤ Fire alarm call point  
 ⑥ Fire alarm call point  
 ⑦ Fire alarm call point  
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**Scale = 1:100**

Metres 2 4 6 8 10

**PROJECT**  
 Victory House  
 London

**CLIENT**  
 Criterion Capital

**ARCHITECT**  
 HOK

**DATE**  
 May 17

**SCALE**  
 1:100

**REVISIONS**

**4023/103**



**LICENSING KEY**

Approved for restricted activities

NOTES:  
 1. This plan is for the use of the building and is not to be used for any other purpose.  
 2. The building is to be used for the purposes of the license and is not to be used for any other purpose.  
 3. The building is to be used for the purposes of the license and is not to be used for any other purpose.

- PERMITTED**
- ⊗ Motor Car Park
  - ⊗ Temporary Use (1st 1st floor)
  - ⊗ No Discharge - No Room
  - ⊗ No Discharge - No Bar
  - ⊗ No Discharge - No Club
  - ⊗ No Discharge - No Office
  - ⊗ No Discharge - No Restaurant
  - ⊗ No Discharge - No Shop
  - ⊗ No Discharge - No Storage
  - ⊗ No Discharge - No Warehouse
  - ⊗ No Discharge - No Workshop
  - ⊗ No Discharge - No Other
  - ⊗ No Discharge - Other (Specify)
- NOT PERMITTED**
- ⊗ Temporary Use (2nd floor)
  - ⊗ No Discharge - No Bar
  - ⊗ No Discharge - No Club
  - ⊗ No Discharge - No Office
  - ⊗ No Discharge - No Restaurant
  - ⊗ No Discharge - No Shop
  - ⊗ No Discharge - No Storage
  - ⊗ No Discharge - No Warehouse
  - ⊗ No Discharge - No Workshop
  - ⊗ No Discharge - No Other
  - ⊗ No Discharge - Other (Specify)



SECOND FLOOR PLAN

Scale = 1:100  
 Metres 2 4 6 8 10

**NOTES**

1. This plan is for the use of the building and is not to be used for any other purpose.  
 2. The building is to be used for the purposes of the license and is not to be used for any other purpose.  
 3. The building is to be used for the purposes of the license and is not to be used for any other purpose.

**REVISIONS**

| NO. | DATE   | BY | REASON   |
|-----|--------|----|----------|
| 1   | May 17 | EE | REVISION |

**PROJECT**  
 Victory House  
 London

**CLIENT**  
 Criterion Capital

**SCALE**  
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**DRAWN**  
 EE

**SCALE**  
 1:100

**PROJECT NUMBER**  
 4023/104

**REVISIONS**

**LICENSING KEY**

Areas for licensed activities marked with symbols on this plan are not required by the relevant regulations and are provided for the convenience and benefit of the occupants of the premises.  
This plan is intended to be read in conjunction with the relevant regulations and any other documents which may be provided from time to time.

- | FIRE LOADS |                                       | FLOOR FINISHES |  |
|------------|---------------------------------------|----------------|--|
| ⊕          | Minor Fire Risk                       | ⊕              | Emergency Light fitting                      |
| ⊗          | Domestic Use Only (V.A. Regs)         | ⊗              | Wood Flooring                                |
| ⊘          | Domestic Use Only (Fire Regs)         | ⊘              | Resilient Cover or Concrete & Floating Floor |
| △          | Fire Escape - Fire                    | ⊙              | Sound Insulation & Sound                     |
| △          | Fire Escape - Fire Alarm              | ⊖              |  |
| △          | Fire Escape - Fire Alarm & Fire Alarm | ⊔              | Fire Escape Sign                             |
| △          | Fire Escape - Fire Alarm              | ⊔              | Fire Alarm Sign                              |
| △          | Fire Escape - Fire Alarm              | ⊔              | Fire Alarm Sign                              |
| △          | Fire Escape - Fire Alarm              | ⊔              | Fire Alarm Sign                              |



THIRD FLOOR PLAN

**NOTES:**  
The Licensor shall ensure and is to ensure the ground and first floor are covered by fire insurance and shall ensure the building is fully insured.

Scale = 1:100  
Metres 2 4 6 8 10

**NOTES**  
This plan is the property of the Licensor and shall not be used for any other purpose without the written consent of the Licensor.

**REVISIONS**

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**PROJECT**  
Victory House  
London

**CLIENT**  
Criterion Capital

**TITLE**  
Third Floor  
Licensing Plan

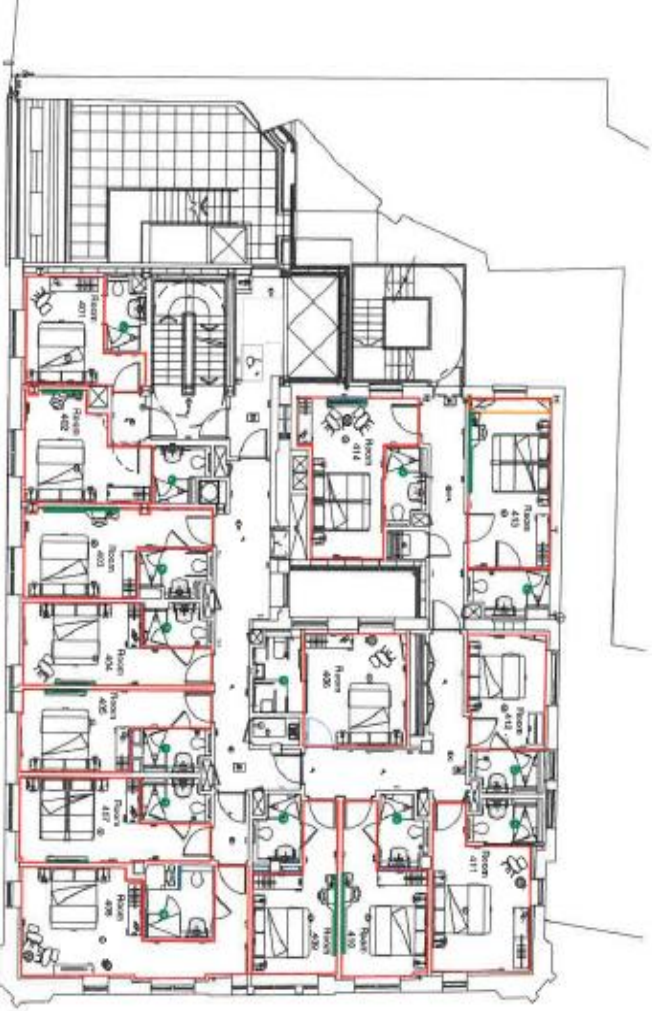
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| May 17         | EE       | 1:100 |
| DRAWING NUMBER | REVISION |       |
| 4023/105       |          |       |

**LICENSING KEY**

Areas for licensable activities

Areas shown in this plan which are subject to the Licensing Act 2003 are indicated by the shaded boundaries and are subject to the provisions of the Licensing Act 2003. The shaded boundaries are not intended to be a guarantee of the location of the licensable activities. The shaded boundaries are not intended to be a guarantee of the location of the licensable activities. The shaded boundaries are not intended to be a guarantee of the location of the licensable activities.

- OFFICE LICENSED**
- ① Licensed Car Park
  - ② Licensed Club (Open 24 Hours)
  - ③ Licensed Club (Open 24 Hours)
  - ④ Licensed Club (Open 24 Hours)
  - ⑤ Licensed Club (Open 24 Hours)
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**SCALE**

Scale = 1:100

Metres 2 4 6 8 10

**NOTES**

1. The drawings are the property of the client and shall remain their property. No part of these drawings shall be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written permission of the architect.

**DISCLAIMERS**

1. The drawings are prepared for the purpose of the client's use only. The architect does not accept any liability for any loss or damage, whether direct or indirect, arising from the use of these drawings for any purpose other than that for which they were prepared.

**PROJECT**

Victory House  
London

**CLIENT**

Criterion Capital

**DATE**

May 17

**SCALE**

1:100

**PROJECT NUMBER**

4023/106

**REVISIONS**

**LICENSING KEY**

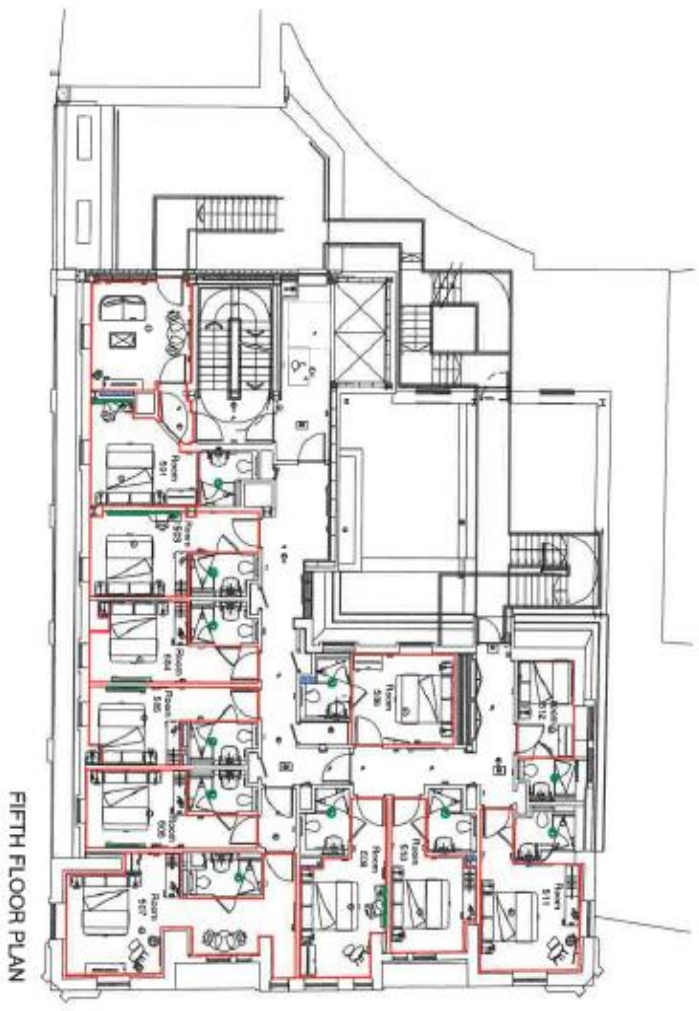
Areas for bar/club activities

**NOTES:**  
 Areas for bar/club activities not required for the relevant licence are shown in grey. Areas for bar/club activities required for the relevant licence are shown in red. Areas for bar/club activities not required for the relevant licence are shown in blue.

For a full list of the relevant licences, please refer to the Licensing Act 2003 (as amended) and the relevant regulations.

These areas may be subject to local authority discretion and agreement of the relevant authority.

- RFEC LEGEND**
- ① Bar/Club
  - ② Bar/Club
  - ③ Bar/Club
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**Scale = 1:100**

Metres 2 4 6 8 10

**NOTES:**

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**PROJECT:** Victory House London

**CLIENT:** Criterion Capital

**DATE:** May 17

**SCALE:** 1:100

**REVISIONS:**

|          |          |
|----------|----------|
| 4023/107 | REVISION |
|----------|----------|

**LICENSING KEY**

NOTES FOR EXEMPTIONS SECTION

NOTES: EXEMPTIONS TO THE LICENSING ACT ARE PROVIDED BY THE LOCAL REGULATORS AND ARE AVAILABLE FROM THE LICENSING ACT AND THE LICENSING ACT (EXEMPTIONS) REGULATIONS. THE LICENSING ACT AND THE LICENSING ACT (EXEMPTIONS) REGULATIONS ARE AVAILABLE FROM THE LICENSING ACT AND THE LICENSING ACT (EXEMPTIONS) REGULATIONS.

- FOOD LICENSING**
- ① Special Lic. Food
  - ② Temporary and 14hr 4hr Special Licences (Temporary)
  - ③ The Caterer - The Food
  - ④ The Caterer - The Food
  - ⑤ The Caterer - The Food
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SIXTH FLOOR PLAN

Scale = 1:100  
 Metres 2 4 6 8 10

NOT DRAWN BY OTHERS  
 THE ARCHITECT HAS DRAWN AND IS PROVIDING THE SERVICE AND IS NOT PROVIDING ANY OTHER SERVICE OR GUARANTEEING THE ACCURACY OF THE INFORMATION.

**NOTES**

1. THE ARCHITECT HAS DRAWN AND IS PROVIDING THE SERVICE AND IS NOT PROVIDING ANY OTHER SERVICE OR GUARANTEEING THE ACCURACY OF THE INFORMATION.

REVISIONS

25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100



PROJECT  
 Victory House  
 London

CLIENT  
 Criterion Capital

TITLE  
 Sixth Floor  
 Licensing Plan

DATE  
 May 17

SCALE  
 1:100

DRAWN BY  
 EE

CHECKED BY  
 EE

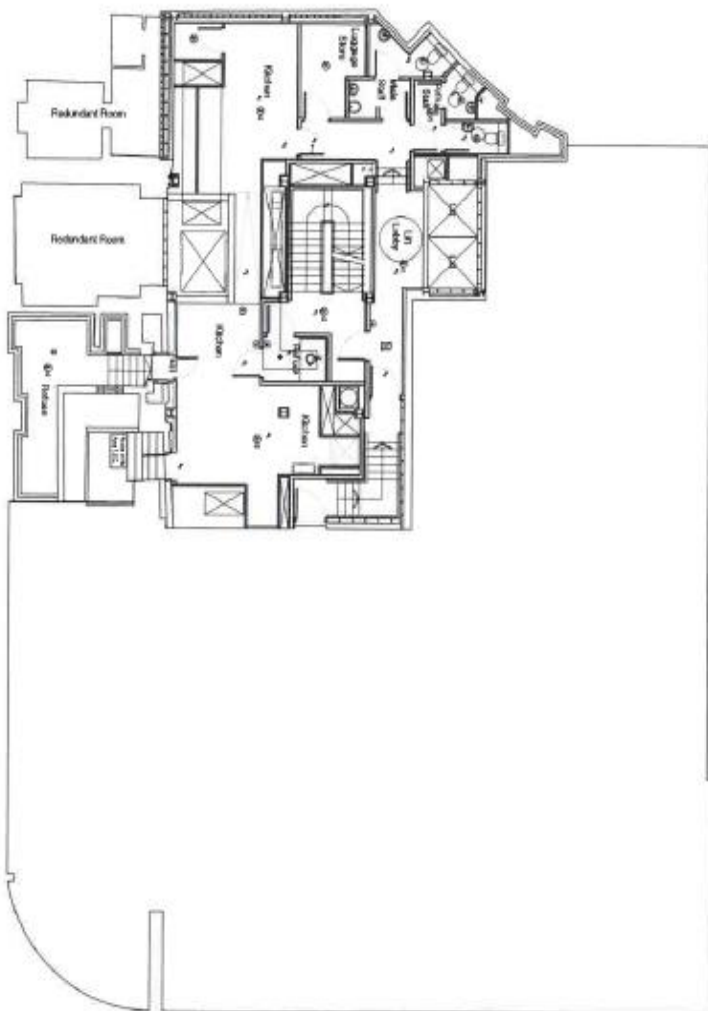
PROJECT NO.  
 4023/108

**LICENSING KEY**  
 Areas for possible activities

**NOTES:**  
 The above plan is a preliminary plan for the proposed premises. It is not intended to be used for the purpose of applying for a licence. The above plan is a preliminary plan for the proposed premises. It is not intended to be used for the purpose of applying for a licence.

**FFL LEGEND**

|   |                                 |   |                 |
|---|---------------------------------|---|-----------------|
| ① | Bar                             | ④ | Swimming Pool   |
| ② | Beer Cell Room                  | ⑤ | Small Kitchen   |
| ③ | Changing / Air Lock / 1st Floor | ⑥ | Small Washroom  |
| ⑦ | Drinking Water                  | ⑧ | Washing Machine |
| ⑨ | Drinking Water                  | ⑩ | Drinking Water  |
| ⑪ | Drinking Water                  | ⑫ | Drinking Water  |
| ⑬ | Drinking Water                  | ⑭ | Drinking Water  |
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**BASEMENT FLOOR PLAN**

Scale = 1:100  
 Metres 2 4 6 8 10

|  |      |             |    |
|--|------|-------------|----|
| <b>NOTES</b>   |      |             |    |
| The above plan is a preliminary plan for the proposed premises. It is not intended to be used for the purpose of applying for a licence. |      |             |    |
| <b>REVISIONS</b>   |      |             |    |
| NO.  | DATE | DESCRIPTION | BY |
|  |      |             |    |
|  |      |             |    |
| <b>PROJECT</b>   |      |             |    |
| Victery House<br>London  |      |             |    |
| <b>CLIENT</b>  |      |             |    |
| Criterion Capital  |      |             |    |
| <b>TITLE</b>   |      |             |    |
| Basement Floor<br>Licensing Plan   |      |             |    |
| <b>DATE</b>  |      |             |    |
| May 17   | N/A  | 1:100       |    |
| <b>PROJECT NUMBER</b>  |      |             |    |
| 4023/109   |      |             |    |



**Applicant Supporting Documents**



MGallery London Leicester Square, Victory House, 14 Leicester Pl, London WC2H 7BZ



MGallery London Leicester Square, an 86 bedroom hotel within the beautiful Victory House, a heritage site overlooking Leicester Square.

The hotel consists of 3 One Bed Suites,  
6 Signature Suites,  
13 Deluxe bedrooms,  
58 Standard bedrooms and  
a total of 6 Accessible  
bedrooms.

Located amidst London's leading theatres, designer boutiques and top restaurants, the upscale boutique hotel promises to provide "Memorable Moments".





**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. Licensable activities authorised under this licence shall remain ancillary to the main use of the premises as a hotel.
10. Save at all times for residents and their bona fide guests (maximum of 4); and to members of the public up to 21:00 hours each day; and to persons attending a pre-booked private or corporate function, the area hatched green on the ground floor shall 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 save for the external seated area shown upon the deposited plan,
  - (v) which do not provide any take away service of food or drink after 23.00 save for the external seated area shown upon the deposited plan; 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.

11. With the exception of residents and guests, no alcohol shall be consumed more than 30 minutes after the permitted terminal hour for the supply of alcohol on the ground floor.
12. At least 1 SIA licensed door supervisor shall be on duty from 20:00 hours each day and shall remain on duty until the last non-resident (excluding bona fide guests of a resident) have left the bar/restaurant.

### ***Police propose to amend condition 12 and agreed by the applicant:***

At least 1 SIA licensed door supervisor shall be on duty from 12:00 hours (noon) each day and shall remain on duty until the last non-resident (excluding bona fide guests of a resident) have left the bar/restaurant. The need for additional door supervisors shall be subject to risk assessment by management.

13. There shall be no external advertising of the bar facilities within the premises nor the availability of alcohol for sale to members of the public without food.
14. 'Off sales of alcohol shall only be to persons seated in the external area appropriately authorised for the use of tables and chairs on the highway by waiter or waitress service, and to hotel residents.
15. Alcohol consumed outside the premises building shall only be consumed by patrons seated at tables.

16. 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.
17. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premise is open for licensable activities. 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.
18. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:
  - (a) all crimes reported to the venue
  - (b) all ejections of patrons
  - (c) any complaints received concerning crime and disorder
  - (d) any incidents of disorder
  - (e) any faults in the CCTV system
  - (f) any refusal of the sale of alcohol
  - (g) any visit by a relevant authority or emergency service.
19. 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.
20. The number of persons permitted in the internal ground floor bar and restaurant at any one time (excluding staff) shall not exceed 50 persons.
21. 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 other than to the external seated area shown upon the deposited plan.
22. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
23. Loudspeakers shall not be located in the entrance lobby or outside the premises building.
24. All windows shall be kept closed after 23:00 hours.
25. 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.

26. 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.
27. All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.
28. All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device.
29. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
30. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating *from* customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.
31. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
32. 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.
33. No licensable activities shall take place at the premises until the premises have been assessed as satisfactory by the Environmental Health Consultation Team at which time this condition shall be removed from the Licence by the Licensing Authority.
34. Before the premises open to the public, the plans as deposited will be checked by the Environmental Health Consultation Team to ensure they are an accurate reflection of the premises constructed. Where the premises layout has changed during the course of construction new plans shall be provided to the Environmental Health Consultation Team and the Licensing Authority.

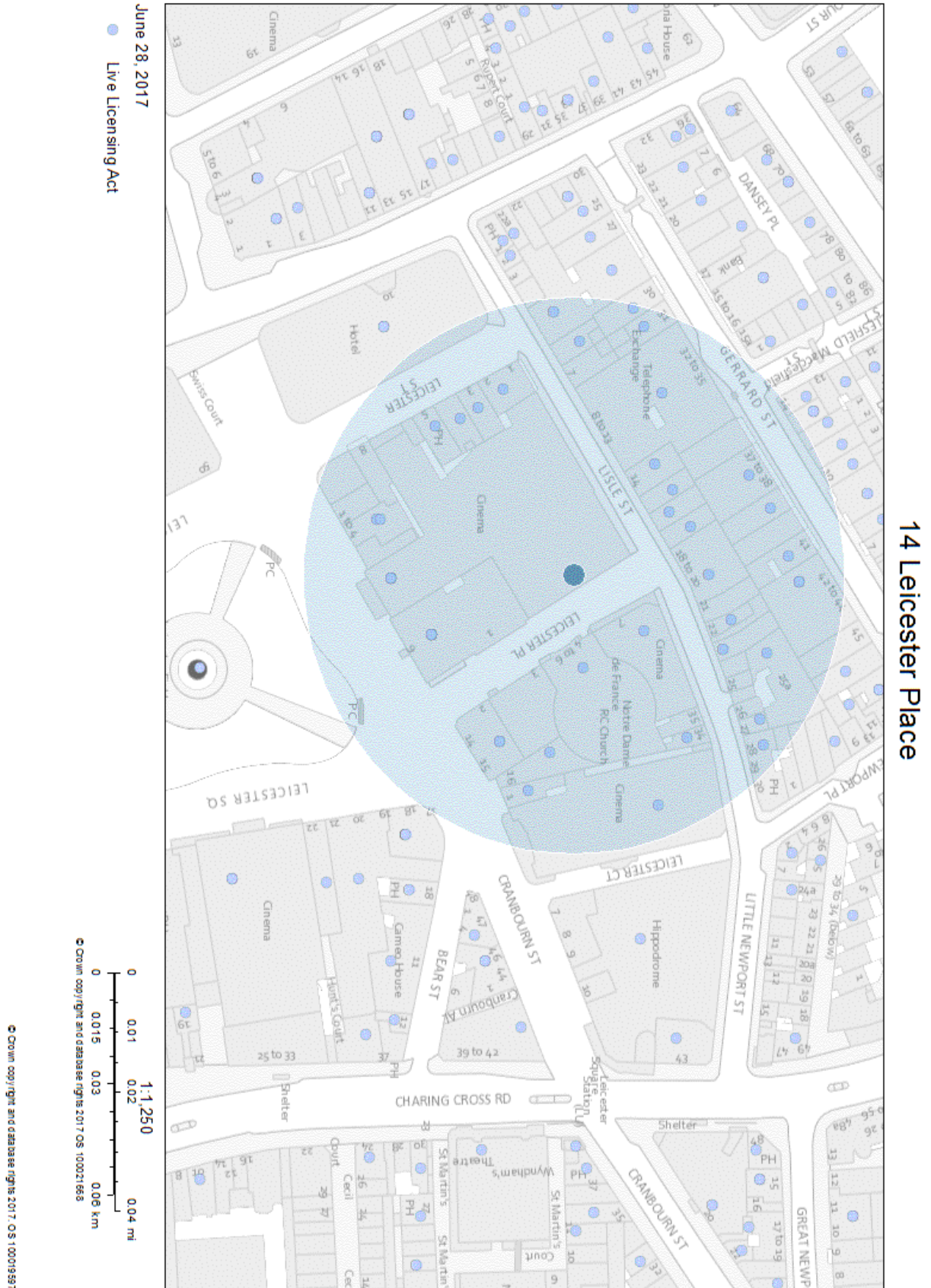
#### **Conditions proposed by the Police**

35. All outside tables and chairs shall be rendered unusable by 01:00 hours each day.

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

None submitted.

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



14 Leicester Place