

## **Committee Agenda**

Title:

**Licensing Sub-Committee (1)** 

Meeting Date:

Thursday 17th May, 2018

Time:

10.00 am

Venue:

Room 3.1, 3rd Floor, 5 Strand, London, WC2 5HR

Members:

Councillors:

Angela Harvey Louise Hyams TBC

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



Admission to the public gallery is via a visitor's pass which is available from the main ground floor reception at 5 Strand from 9.30am. If you have a disability and require any special assistance please contact the Committee Officer (details listed below) in advance of the meeting.



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

Email: jdeacon@westminster.gov.uk Tel: 020 7641 2783

Corporate Website: www.westminster.gov.uk

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

#### **AGENDA**

#### **PART 1 (IN PUBLIC)**

#### 1. MEMBERSHIP

To report any changes to the membership.

#### 2. DECLARATIONS OF INTEREST

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

#### **Licensing Applications for Determination**

#### 1. GROUND FLOOR, 13 HEREFORD ROAD, W2

(Pages 1 - 22)

App	Ward/	Site Name	Application	Licensing
No	Cumulative	and		Reference
	Impact	Address		Number
	Area			
1.	Bayswater	Ground	New	18/03002/LIPN
	Ward / not	Floor, 13	Premises	
	in	Hereford	Licence	
	cumulative	Road, W2		
	impact			
	area			

## 2. MARKS & SPENCER, WATERSIDE HOUSE, 35 NORTH WHARF ROAD, W2

(Pages 23 - 34)

App	Ward/	Site Name	Application	Licensing
No	Cumulative	and		Reference
	Impact	Address		Number
	Area			
2.	Hyde Park	Marks &	New	18/02988/LIPN
	Ward / not	Spencer,	Premises	
	in	Waterside	Licence	
	cumulative	House, 35		
	impact	North		
	area	Wharf		
		Road, W2		

#### 3. ME HOTEL, 335 STRAND, WC2

(Pages 35 - 58)

App	Ward/	Site Name	Application	Licensing
No	Cumulative	and		Reference
	Impact	Address		Number
	Area			
3.	St James's	ME Hotel,	Variation of	18/03239/LIPV
	Ward / not	335	a Premises	
	in	Strand,	Licence	
	cumulative	WC2		
	impact			
	area			

Stuart Love Chief Executive 11 May 2018 In considering applications for premises licences under the Licensing Act 2003, the subcommittee is advised of the following:

#### **POLICY CONSIDERATIONS**

The City of Westminster statement of licensing policy applies to all applications where relevant representations have been made. The Licensing Sub-Committee is required to have regard to the City of Westminster statement of Licensing Policy and the guidance issued by the Secretary of state under Section 182 of the Licensing Act 2003.

#### **GUIDANCE CONSIDERATIONS**

The Licensing Authority is required to have regard to any guidance issued by the Secretary of State under the Licensing Act 2003.

## CORE HOURS WHEN CUSTOMERS ARE PERMITTED TO BE ON THE PREMISES (As set out in the Council's Statement of Licensing Policy)

• For premises for the supply of alcohol for consumption on the premises:

Friday and Saturday: 10:00 to midnight

Sundays immediately prior to Bank Holidays: Midday to midnight

Other Sundays: Midday to 22:30 Monday to Thursday: 10:00 to 23:30.

• For premises for the supply of alcohol for consumption off the premises:

Monday to Saturday: 08:00 to 23:00

Sundays: 10:00 to 22:30.

For premises for the provision of other licensable activities:

Friday and Saturday: 09.00 to midnight

Sundays immediately prior to Bank Holidays: 09.00 to midnight

Other Sundays: 09.00 to 22.30

Monday to Thursday: 09.00 to 23.30.



## Licensing Sub-Committee<sup>m</sup> 1 Report

Item No:	
Date:	17 May 2018
Licensing Ref No:	18/03002/LIPN - New Premises Licence
Title of Report:	Ground Floor 13 Hereford Road London W2 4AB
Report of:	Director of Public Protection and Licensing
Wards involved:	Bayswater
Policy context:	City of Westminster Statement of Licensing Policy
inancial summary:	None
Report Author:	Miss Heidi Lawrance Senior Licensing Officer
Contact details	Telephone: 020 7641 2751 Email: hlawrance@westminster.gov.uk

### 1. Application

1-A Applicant and prem	ises				
Application Type:	New Premises Licence, L	icensing Act 200	3		
Application received date:	19 March 2018				
Applicant:	Mr Mohammad Torfinejad				
Premises:					
Premises address:	Ground Floor 13 Hereford Road	Ward:	Bayswater		
	London W2 4AB	Cumulative Impact Area:	None.		
Premises description:	According to the application a cafe and tapas restaura	•	will operate as		
Premises licence history:	This is an application for a new premises licence and therefore no history exists.				
Applicant submissions:	None submitted.				
Plan:	Plans are available to vie Authority and they will be Committee.				

1-B Proposed licensable activities and hours								
Late Night Refreshment:				Indoors, outdoors or both Indoors			Indoors	
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun	
Start:	23:00	23:00	23:00	23:00	23:00	23:00	23:00	
End:	00:00	00:00	00:00	00:00	00:00	00:00	00:00	
Seasonal standard	variations/ timings:	/ Non-	None applied	for.				

## Since making the application, the applicant has agreed to amend the hours as follows:

Late Night Refreshment:				Indoors,	Indoors		
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	23:00	23:00	23:00	23:00	23:00	23:00	23:00
End:	23:30	23:30	23:30	23:30	23:30	23:30	00:00
Seasonal variations/ Non- standard timings:			None applied	for.			

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

## Since making the application, the applicant has agreed to amend the hours as follows:

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

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

## Since making the application, the applicant has agreed to amend the hours as follows:

Hours pre	Hours premises are open to the public						
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	10:00	10:00	10:00	10:00	10:00	10:00	10:00
End:	23:30	23:30	23:30	23:30	23:30	23:30	23:00
Seasonal standard	variations/ timings:	/ Non-	None applied	for.			

#### 2. Representations

2-A Responsible Authorities						
Responsible Authority:	Metropolitan Police Service (Withdrawn)					
Representative:	PC Caroline Cockshull					
Received:	9 <sup>th</sup> April 2018					

Following on from our conversation earlier today please can you confirm your agreement to amend the hours for supply of alcohol as follows:

Mon - Sat 1000hrs - 2300hrs

Sun 1200hrs – 2230hrs

Also as discussed we would want the following additional condition attached to the licence:

Outside the hours authorised for the sale of alcohol and whilst the premises are open to the public, the licence holder shall ensure that all alcohol within the premises (including alcohol behind the counter) is secured in a locked store room or behind locked grilles, locked screens or locked cabinet doors so as to prevent access to the alcohol by both customers and staff.

Please can you confirm that you are happy for this condition to be added.

With regards to the CCTV condition offered, we would like to bring it in line with the model condition by replacing "The premises has a comprehensive 7 camera CCTV system" with "The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team"

Again, if you could confirm that you are happy with this change.

#### Further correspondence from applicant

Further to our conversation earlier today regarding the condition – "Outside the hours authorised for the sale of alcohol and whilst the premises are open to the public, the licence holder shall ensure that all alcohol within the premises (including alcohol behind the counter) is secured in a locked store room or behind locked grilles, locked screens or locked cabinet doors so as to prevent access to the alcohol by both customers and staff." – please see further comment below –

On further consideration of the condition regarding the secure storage of alcohol behind the counter – given that the premises is operating as a café and restaurant and that it is only during the last 60 minutes of each day's trading hours which will not be licensed for alcohol sales as agreed with police licensing, my client feels it is disproportionate to request that alcohol be stored behind grilles/in a locked cabinet and is also not practical in this particular premises due to space and ambience. The premises is covered by CCTV cameras for the DPS to ensure that staff are working within the confines of the licence as he confirms his staff already do in his other restaurant in the same area.

Instead he proposes the following condition to ensure adherence to the licensable hours –

Staff will be trained on the conditions placed on the licence with particular regard to the hours

licensed for alcohol sales. A training log with be maintained and all staff will be required to sign and date this log to confirm they have received this training and that they fully understand their responsibilities.

Please advise if this will be acceptable.

#### Further correspondence from police

We would want the condition below to remain on the Licence, therefore the Metropolitan Police, as a Responsible Authority, will object to the above Application. It is our belief that if granted the application would undermine the licensing objectives in relation to the prevention of crime and disorder, as there are insufficient conditions within the operating schedule. We have concerns that this application will cause further policing problems in an already demanding area.

If your client were to agree to have the condition remain then we could withdraw our objection, alternatively if the opening hours of the premises were amended to mirror the amended hours for sales of alcohol then this would negate the need for this condition & similarly we could withdraw our objection.

Following their agreement of conditions above, the MET Police have subsequently withdrawn their representation.

Responsible	Environmental Health Consultation Team					
<b>Authority:</b>						
Representative:	Mr Ian Watson					
Received:	18 <sup>th</sup> April 2018					

Please find attached conditions proposed by Environmental Health. These incorporate conditions proposed in the operating schedule but converted to model conditions and conditions agreeable to the Licensing Police, PC Cockshull.

I have checked the premises operating history and no complaints of nuisance are noted.

It is noted that the application has been modified to reduce the hours for the sale of alcohol to Monday to Saturday 10.00 to 23.00 hours and Sunday 12.00 to 22.30 hours. The terminal hour for opening would be amended to Monday to Saturday 23.30 hours and Sunday 23.00 hours.

On this basis if the conditions are agreed I will withdraw my representation.

I refer to the application for a New Premises Licence.

Conditions are proposed following a visit to the premises, these may duplicate those offered by the applicant and Police.

• 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.

- 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.
- The supply of alcohol at the premises shall only be to a person seated and ancillary to that person consuming substantial food. Notwithstanding this condition customers are permitted to take from the premises part consumed and resealed bottles of wine supplied ancillary to their meal.
- The supply of alcohol shall be by waiter or waitress service only.
- 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.
- The number of persons seated in the premises consuming alcohol at any one time (excluding staff) shall not exceed 20 persons.
- There shall be no self-service of alcohol.
- There shall be no draught beer sold at the premises.
- A Challenge 25 proof of age scheme shall be operated at the premises where the only
  acceptable forms of identification are recognised photographic identification cards, such
  as a driving licence, passport or proof of age card with the PASS Hologram.
- 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:

all crimes reported to the venue all ejections of patrons any complaints received concerning crime and disorder any incidents of disorder all seizures of drugs or offensive weapons any faults in the CCTV system any refusal of the sale of alcohol any visit by a relevant authority or emergency service.

- No super-strength beer, lagers, ciders or spirit mixtures of 5.5% ABV (alcohol by volume) or above shall be sold at the premises, except for premium beers and ciders supplied in glass bottles.
- 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.
- Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
- There shall be no sales of alcohol for consumption 'Off' the premises after 23.00 hours.

- All sales of alcohol for consumption 'Off' the premises shall be in sealed containers only, and shall not be consumed on the premises.
- Sales of alcohol for consumption 'Off' the premises shall only be supplied with, and ancillary to a substantial take-away meal.
- Alcohol consumed outside the premises building shall only be consumed by patrons seated at tables.
- All windows and external doors shall be kept closed after 21:00 hours, except for the immediate access and egress of persons.
- All outside tables and chairs shall be rendered unusable by 23.00 hours each day.
- 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.
- All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
- No collections of waste or recycling materials (including bottles) from the premises shall take place between 23.00 hours and 08.00 hours on the following day.
- No deliveries to the premises shall take place between 20.00 hours and 08.00 hours on the following day.

#### Further comments from Environmental Health

On the basis of agreeing the conditions proposed Environmental Health withdraws their representation.

Following the agreement of conditions, Environmental Health have subsequently withdrawn their representation.

# 2-B Other Persons Received: 2<sup>nd</sup> April 2018

We object to this application as concerned as to loss of amenity, noise to area with residents living above and opposite.

We object to hours requested for sale of alcohol. late night refreshment and opening hours of premises.

We note alcohol only going to be sold to persons 'taking a table meal;' but lawful use of premises is A1 not A3 restaurant use and we are not aware of any ventilation/ extract fans for removal of cooking smells etc

All doors/ windows to be closed after 19.00

We note no condition offered in respect of control of hours for deliveries and hours for collection of refuse and recycling.

As always we are happy to meet up with applicant and their solicitor or agent to discuss matter.

We had not realised 'Off Sales' also requested.

We object to this bit if granted would want decrease in hours pf 'off sales' no beer / cider over 5.5 % APV, no miniature bottles f alcohol, lockable cabinets for alcohol, all spirits only to be sold behing cash counter no more than 15 % of shop for 'off sales'

We cannot access plans to see layout and any change shop could go from 'coffee' shop to other uses in Class A1 e.g. mini food market

Also want 'no draft' beer allowed and persons off the premises at end of permitted hours

Received:	14 <sup>th</sup> April 2018

I object to this application on the basis of noise, taking the business away from long established existing restaurants plus the fact that the person who made this application has already a coffee shop and a restaurant. I hope that you will take this into consideration.

Received:	26 <sup>th</sup> May 2018

I feel that there are so many licensed premises in our immediate area, another one will only add to the unbearable noise we have to contend with. Most of the restaurants on Hereford Road allow people to drink outside their premises, and during the months of April through to October (weather dependant) we have to put up with loud drunken behaviour. This can continue until midnight most evenings.

So , no, I really don't want another premises with a licence. Instead I would like the premises already with a licence to show a lot more consideration for residents.

Received:	9 <sup>th</sup> April 2018
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Because of my poor eyesight and advancing years, it is very difficult for me to comment on Application Reference 18/0300/LIPN electronically.

My main comments are as follows:

- 1) Given that 13 Hereford Road, London, is directly behind my house at 10 Rede Place, W2 4TU, I am concerned as to any possibility of these premises being allowed to play music late at night?
- 2) Given the relatively small size of these proposed licensed premises, will the extractor fan from their kitchen be powerful enough?
- 3) Rede Place is a pleasantly little quiet mews, yet for the past 2 years we have suffered almost constant noise and disruption due to excavation of ground floors at Two Rede Place addresses, could we please now have some peace and quiet?!

#### 3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:					
Policy HRS1 applies	<ul> <li>(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.</li> <li>(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.</li> </ul>				
Policy FFP1 applies:	Applications will only be granted if it can be demonstrated that the proposal meets relevant criteria in Policies CD1, PS1, PN1 and CH1.				

#### 4. Equality Implications

The Council in its capacity as Licensing Authority has a duty to have regard to its public sector equality duty under section 149 of the Equality Act 2010. In summary, section 149 provides that a Public Authority must, in the exercise of its functions, have due regard to the need to:

- (a) eliminate discrimination harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- (c) foster good relations between persons who share a relevant protected characteristics and persons who do not share it.

Section 149 (7) of the Equality Act 2010 defines the relevant protected characteristics as age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

#### 5. Appendices

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

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

If you have any queries about this report or wish to inspect one of the background papers please contact the report author. **Background Documents – Local Government (Access to Information) Act 1972** N/A Licensing Act 2003 City of Westminster Statement of Licensing 7<sup>th</sup> January 2016 2 Policy Amended Guidance issued under section 182 of 3 April 2018 the Licensing Act 2003 Application Form 4 19<sup>th</sup> March 2018 Representation 2<sup>nd</sup> April 2018 5 14<sup>th</sup> April 2018 Representation 6 26<sup>th</sup> March 2018 7 Representation 9<sup>th</sup> April 2018 8 Representation

5<sup>th</sup> April 2018

Representation

9

### **Applicant Supporting Documents**

None submitted.

## **Premises History**

There is no licence or appeal history for the premises.

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

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

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

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

#### **Mandatory Conditions**

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

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

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

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

P = D+(DxV)

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. 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.
- 10. 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 entry and exit points are covered enabling frontal identification of every person entering in any light condition. 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.
- 11. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. 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.
- 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. No super-strength beer, lagers, or ciders of 5.5% ABV (alcohol by volume) or above shall be sold at the premises, except for premium beers and ciders supplied in glass bottles.
- 14. The supply of alcohol at the premises shall only be to a person seated taking a table meal there and for consumption by such a person as ancillary to their meal.
- 15. The supply of alcohol shall be by waiter or waitress service only.
- 16. Alcohol consumed outside the premises building shall only be consumed by patrons seated at tables.
- 17. All outside tables and chairs shall not be used after 23:00 each day.
- 18. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
- 19. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
- 20. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
- 21. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused

the sale. The record shall be available for inspection at the premises by the police or an authorised officer of the City Council at all times whilst the premises is open.

## Conditions proposed by Environmental Health, agreed by the applicant to form part of the operating schedule.

- 22. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.
- 23. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises 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.
- 24. The supply of alcohol at the premises shall only be to a person seated and ancillary to that person consuming substantial food. Notwithstanding this condition customers are permitted to take from the premises part consumed and resealed bottles of wine supplied ancillary to their meal.
- 25. The supply of alcohol shall be by waiter or waitress service only.
- 26. 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.
- 27. The number of persons seated in the premises consuming alcohol at any one time (excluding staff) shall not exceed 20 persons.
- 28. There shall be no self-service of alcohol.
- 29. There shall be no draught beer sold at the premises.
- 30. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
- 31. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:
  - (a) all crimes reported to the venue
  - (b) all ejections of patrons
  - (c) any complaints received concerning crime and disorder
  - (d) any incidents of disorder
  - (e) all seizures of drugs or offensive weapons
  - (f) any faults in the CCTV system
  - (g) any refusal of the sale of alcohol
  - (h) any visit by a relevant authority or emergency service.

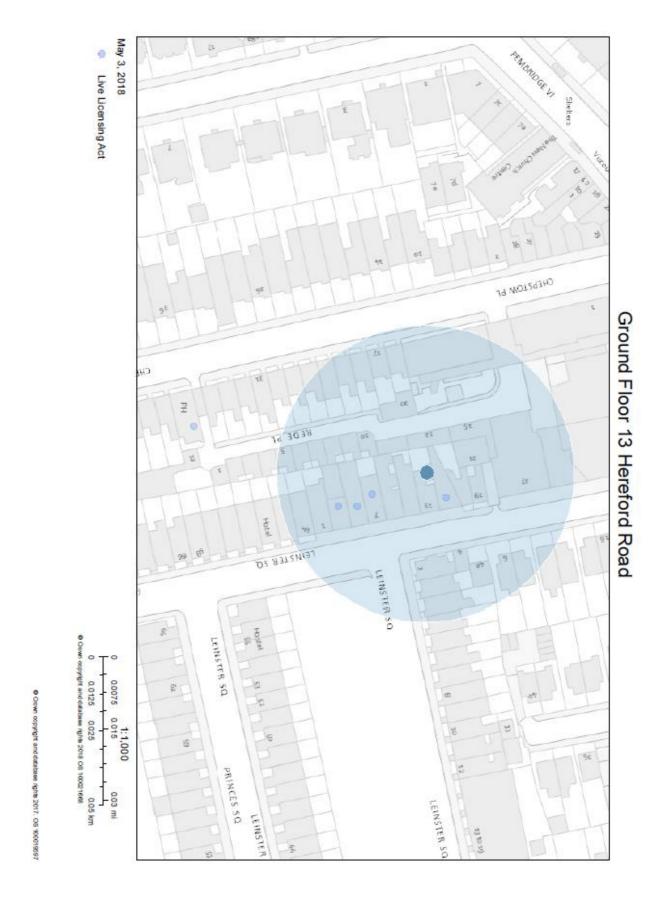
- 32. No super-strength beer, lagers, ciders or spirit mixtures of 5.5% ABV (alcohol by volume) or above shall be sold at the premises, except for premium beers and ciders supplied in glass bottles.
- 33. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.
- 34. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
- 35. There shall be no sales of alcohol for consumption 'Off' the premises after 23.00 hours.
- 36. All sales of alcohol for consumption 'Off' the premises shall be in sealed containers only, and shall not be consumed on the premises.
- 37. Sales of alcohol for consumption 'Off' the premises shall only be supplied with, and ancillary to a substantial take-away meal.
- 38. Alcohol consumed outside the premises building shall only be consumed by patrons seated at tables.
- 39. All windows and external doors shall be kept closed after 21:00 hours, except for the immediate access and egress of persons.
- 40. All outside tables and chairs shall be rendered unusable by 23.00 hours each day.
- 41. 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.
- 42. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
- 43. No collections of waste or recycling materials (including bottles) from the premises shall take place between 23.00 hours and 08.00 hours on the following day.
- 44. No deliveries to the premises shall take place between 20.00 hours and 08.00 hours on the following day.

## Conditions proposed by the Police and agreed by the applicant to form part of the operating schedule.

45. Outside the hours authorised for the sale of alcohol and whilst the premises are open to the public, the licence holder shall ensure that all alcohol within the premises (including alcohol behind the counter) is secured in a locked store room or behind locked grilles,

locked screens or locked cabinet doors so as to prevent access to the alcohol by both customers and staff.

46. The premises has a comprehensive 7 camera CCTV system with the premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team



page 21

p/n	Name of Premises	Premises Address	Licensed Hours
30190	Aphrodite Greek Taverna	Basement And Ground Floor 15 Hereford Road London W2 4AB	Monday to Saturday; 10:00 - 00:30   Sunday; 12:00 - 00:00
30196	Saran Supermarkets	Basement And Ground Floor Front 7 Hereford Road London W2 4AB	Monday to Saturday; 08:00 - 23:00   Sunday; 10:00 - 22:30
7694	Hafez	Ground Floor 5 Hereford Road London W2 4AB	Monday to Saturday; 10:00 - 00:30   Sunday; 12:00 - 00:00
30200	Hereford Road	Basement And Ground Floor 3 Hereford Road London W2 4AB	Monday to Saturday; 10:00 - 00:30   Sunday; 12:00 - 00:00
83100	Aphrodite Greek Taverna	Basement And Ground Floor 15 Hereford Road London W2 4AB	Monday to Saturday; 10:00 - 00:30   Sunday; 12:00 - 00:00
66347	Saran Supermarkets	Basement And Ground Floor Front 7 Hereford Road London W2 4AB	Monday to Saturday; 08:00 - 23:00   Sunday; 10:00 - 22:30



## Licensing Sub-Committee<sup>m 2</sup> Report

Item No:	
Date:	17 May 2018
Line of the Buthle	40/0000/UDNI NI Baraira Ii'aaa
Licensing Ref No:	18/02988/LIPN - New Premises Licence
Title of Report:	Marks & Spencer
	Waterside House
	35 North Wharf Road
	London
	W2 1NW
Report of:	Director of Public Protection and Licensing
Marda involvadi	Llude Devic
Wards involved:	Hyde Park
Policy context:	City of Westminster Statement of Licensing Policy
Policy context.	City of Westiminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Miss Heidi Lawrance
	Senior Licensing Officer
• • • • • • •	T. I. I. 2007 044 0774
Contact details	Telephone: 0207 641 2751
	Email: blawranco@wactmingtor.gov.uk

## 1. Application

1-A Applicant and premises						
Application Type:	New Premises Licence, Licensing Act 2003					
Application received date:	19 March 2018					
Applicant:	Marks & Spencer Simply	Foods Ltd				
Premises:	Marks & Spencer					
Premises address:	Waterside House 35 North Wharf Road	Ward:	Hyde Park			
	London W2 1NW	Cumulative Impact Area:	None			
Premises description:	According to the application the premises will operate as a food hall with café.					
Premises licence history:	This premises does already have the benefit of a premises licence (13/02774/LIPDPS) a full history can be found at Appendix 3.					
Applicant submissions:	None submitted					
Plan:	Plans are available to view upon request to the Licensing Authority and they will be made available at Licensing Committee.					

1-B Proposed licensable activities and hours								
Sale by re	Sale by retail of alcohol On or off sales or both: Off sale							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun	
Start:	08:00	08:00	08:00	08:00	08:00	08:00	10:00	
End:	23:00	23:00	23:00	23:00	23:00	23:00	22:30	
Seasonal variations/ Non- standard timings:  None applied for.								

Hours premises are open to the public								
Day: Mon Tues Wed Thur Fri Sat Su							Sun	
Start:	07:00	07:00		07:00	07:00	07:00	07:00	07:00
End:	23:00	23:00		23:00	23:00	23:00	23:00	23:00
Seasonal variations/ Non- standard timings:			No	one applied	for.			
Adult Entertainment:				ot applicable	Э.			

#### 2. Representations

# 2-B Other Persons Received: 13<sup>th</sup> April 2018

We object to above application as insufficient safeguards for residents etc in area (especially nearby in Praed Street where we have a 'street drinking & homeless issues)for issue of 'off licence'

We cannot see plans on register to fully understand application and request that they be sent to us by applicant

We require conditions such as CCTV, no beer or alcohol over 5.5%, lockable cabinets for alcohol. spirits to be sold behind counter, no miniatures of alcohol etc.

We suggest conditions attached to recent grant of Premise licence for 'off sales' to Co-Operative shop (just opened) a short distance away in same complex of Merchant Square be same for this application.

As always we are happy to meet up with applicant or their solicitor/agent to resolve matter without need for a licensing hearing at WCC.

Received:	13 <sup>th</sup> April 2018

As a recognised amenity society by Westminster City Council, we are officially charged with working towards the preservation and enhancement of the architectural and environmental quality of Little Venice, Maida Vale and the Paddington Waterway area (including planning and licensing issues). We are concerned with the well-being and sense of community of its residents, including those who live in the vicinity of this part of Merchant Square, which has a large proportion of residential accommodation.

A branch of Co-op recently opened nearby, having obtained a licence of off sales but with restrictions to promote the licensing objectives of prevention of public nuisance and prevention of crime and disorder. It is these licensing objectives with which we are concerned here.

We are not clear what the purpose of the application is. The application is described as 'Licensed Food Hall with adjoining customer café sitting on the lower ground floor of the Marks & Spencer head office. Café and food hall for use by members of the public. Note that external seating (east side of plan) is for use by staff and bona fide guests only.'

However, as far as we are aware, the premises currently comprises a small café with a larger seating area. Where is the food hall? Where is the licensed area? Are the off sales to be general off sales or off sales to the tables and chairs as part of the café? How does the application and licence, if granted, relate to the existing premises licence for Waterside House? Has the applicant considered the potential for nuisance from people buying alcohol to drink in Merchant Square, particularly on sunny days and

evenings? We should be glad of confirmation about the above from the applicant.

We note that although some conditions are proposed – e.g. CCTV; Challenge 25; No super-strength beer, lagers or ciders above 5.5% ABV (alcohol by volume) shall be sold at the premises save for premium beer or ciders in glass bottles – the applicant considers that 'No additional steps required to promote the licensing objectives identified beyond existing statutory duties' for public nuisance.

Given the nature of the Merchant Square development, we anticipate some problems with off sales unless further conditions are imposed. These could include:

- During the hours that the premises is open but not authorised to sell alcohol, all alcohol within the trading area shall be secured behind locked screens that customers do not have access to it.
- No more than 15% of the trading area shall at any one time be given over to the display of alcohol.
- There shall be no self-service of spirits, save for mixed spirits with an ABV of 5.5% of less.
- No spirit measures of less than 20cl shall be sold at the premises save that this
  prohibition shall not apply to mixed spirits, being spirits mixed with a nonalcoholic beverage.
- Notices shall be displayed at the exit to the premises requesting that customers should leave quietly.

We recognise that this proposal is designed to provide services for locals as well as people who are not residents in this area. However, it is vital that the interests of residents in Merchant Square are protected.

Should there be a hearing, I hope to attend but if unable, will ask Richard Brown to represent us.

#### 3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:			
Policy HRS1 applies:	<ul><li>(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.</li><li>(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.</li></ul>		
Policy OS1 applies:	Applications will generally be granted and reviews determined subject to the relevant criteria in Policies CD1, PS1, PN1 CH1 and HRS1 and other policies in this Statement.		

#### 4. Equality Implications

The Council in its capacity as Licensing Authority has a duty to have regard to its public sector equality duty under section 149 of the Equality Act 2010. In summary, section 149 provides that a Public Authority must, in the exercise of its functions, have due regard to the need to:

- (a) eliminate discrimination harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- (c) foster good relations between persons who share a relevant protected characteristics and persons who do not share it.

Section 149 (7) of the Equality Act 2010 defines the relevant protected characteristics as age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

#### 5. Appendices

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

Report author:	Miss Heidi Lawrance	
	Senior Licensing Officer	
Contact:	Telephone: 0207 640 27451	
	Email: hlawrance@westminster.gov.uk	

If you have any queries about this report or wish to inspect one of the background papers please contact the report author.  Background Documents – Local Government (Access to Information) Act 1972			
1	Licensing Act 2003	N/A	
2	City of Westminster Statement of Licensing Policy	7 <sup>th</sup> January 2016	
3	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2018	
4	Representation	13 <sup>th</sup> April 2018	
5	Representation	13 <sup>th</sup> April 2018	

### **Applicant Supporting Documents**

None Submitted.

### <u>Premises History – 13/02774/LIPDPS</u>

Application	Details of Application	Decision	Date Determined
05/04850/LIPC	Conversion Application	Granted Under Delegated Authority	05.07.2005
06/11210/WCCMAP	New Premises Application	Granted Under Delegated Authority	05.07.2005
12/00233/LIPDPS	Application to Vary the Designated Premises Supervisor	Granted Under Delegated Authority	14.02.2012
13/02774/LIPDPS	Application to Vary the Designated Premises Supervisor	Granted Under Delegated Authority	08.05.2013

Application	Details of Application	Decision	Date Determined
10/00059/LITENP	Temporary Event Notice	Notice Granted	06.01.2010
10/04979/LITENP	Temporary Event Notice	Notice Granted	06.07.2010
10/06909/LITENP	Temporary Event Notice	Notice Granted	10.09.2010
10/09155/LITENP	Temporary Event Notice	Notice Granted	12.11.2010
11/00905/LITENP	Temporary Event Notice	Notice Granted	01.02.2011
12/00490/LITENP	Temporary Event Notice	Notice Granted	24.01.2012

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

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

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

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

#### **Mandatory Conditions**

- . No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
- 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 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.
- 5(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.
- 5(ii) For the purposes of the condition set out in paragraph 5(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 -

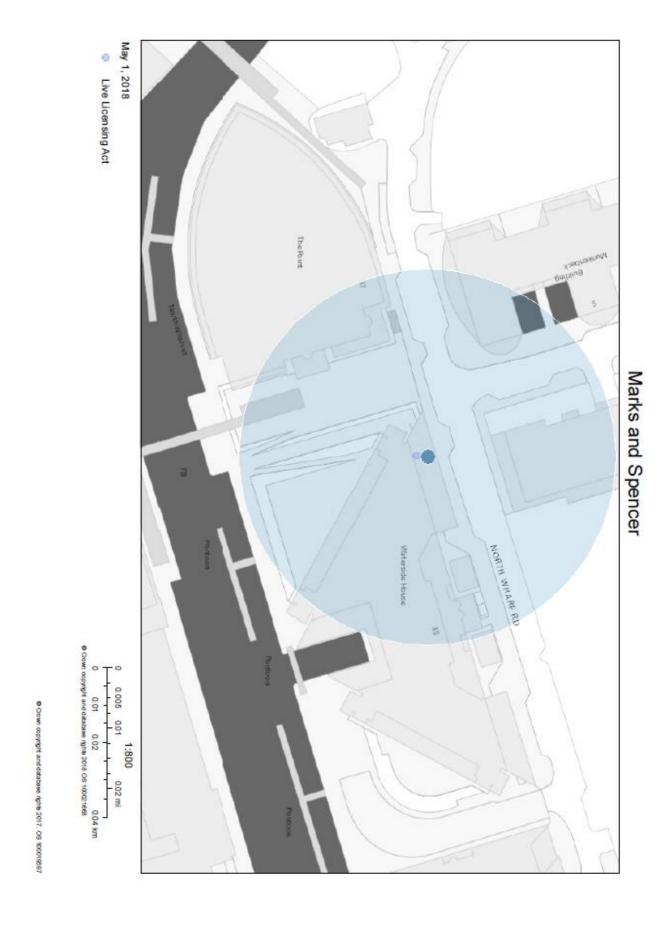
P = D+(DxV)

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.
- 5(iii). Where the permitted price given by Paragraph 5(ii)(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that subparagraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- 5(iv). (1) Sub-paragraph 5(iv)(2) below applies where the permitted price given by Paragraph 5(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

- 6. The premises shall install and maintain a comprehensive CCTV system to at least the minimum requirements agreed with 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.
- 7. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to the public. This staff member shall be able to show Police recent data or footage with the absolute minimum of delay when requested.
- 8. No super-strength beer, lagers or ciders above 5.5% ABV (alcohol by volume) shall be sold at the premises save for premium beer or ciders in glass bottles.
- 9. Staff training will be given to ensure that in the case of any doubt whether a purchase is over the age of 18 to refuse the sale of alcohol unless valid ID is produced.



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# Licensing Sub-Committee<sup>m 3</sup> Report

Item No:	
Date:	17 May 2018
Licensing Ref No:	18/03239/LIPV - Premises Licence Variation
Title of Report:	ME Hotel 335 Strand London WC2R 1HA
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 Senior Licensing Officer
Contact details	Telephone: 020 7641 2751

# 1. Application

1-A Applicant and prem	1-A Applicant and premises						
Application Type:	Variation of a Premises Li	icence, Licensing	Act 2003				
Application received date:	22 March 2018						
Applicant:	London XXI Limited						
Premises:	ME Hotel						
Premises address:	335 Strand London	Ward:	St James's				
	WC2R 1HA	Cumulative Impact Area:	No				
Premises description:	The premises currently operates as a Hotel, with ancillary bar and restaurant facilities on the ground floor and rooftop and function rooms/ conference and banqueting facilities in the basement.						
Variation description:	According to the application the variation seeks to:  Permit recorded music in the ground floor restaurant and bar STK from 23:00 to midnight Sunday to Wednesday and from 23:00 to 01:00 Thursday to Saturday.						
Premises licence history:	This premises has benefitted from a premises licence since 2011. Full details of the premises history can be found at Appendix 2 of the report. (16/08623/LIPDPS)						
Applicant submissions:	Recorded music in STK on the ground floor is to be limited to DJ performance.						
Plans	Plans are available to vie Authority and they will be Committee.						

1-B Curre	1-B Current and proposed licensable activities, areas and hours							
Regulated E	Regulated Entertainment							
Exhibition of	Exhibition of films							
	Cur	Current Proposed Licensable Area						
	Ho	urs	Hours					
	Start:	End:	Start:	End:	Current:	Proposed:		
Monday								
Tuesday								
Wednesday					Hotel Guest			
Thursday	00:00	00:00	No ch	ange	Rooms only	No change		
Friday								
Saturday								
Sunday								

Performance of live music & Performance of a Play							
	Current Hours		Proposed Hours		Licensable Area		
	Start:	End:	Start:	End:	Current:	Proposed:	
Monday							
Tuesday							
Wednesday					Basement		
Thursday	00:00	00:00	No ch	nange	function rooms	No change	
Friday					only	_	
Saturday							
Sunday							

Playing of Recorded Music							
	Current Hours		Proposed Hours		Licensable Area		
	Start:	End:	Start:	End:	Current:	Proposed:	
Monday Tuesday			23:00	00:00	Danamant	Basement Function Rooms (Unrestricted)	
Wednesday Thursday Friday	00:00	00:00	23:00	01:00	Basement function rooms only	Ground Floor Restaurant and Bar	
Saturday			00.00	00.00		(STK)	
Sunday			23:00	00:00		` ,	

Late night refreshment							
Indoors, outdoors or both			Curren	nt :		Pro	posed:
			Indoors	3		No	change
	Current		Prop	osed	Licensable /	Area	
	Ho	urs	Hours				
	Start:	End:	Start: End: Cur		Current:		Proposed:
Monday							
Tuesday							
Wednesday							
Thursday	23:00	05:00	No change		All areas	No change	
Friday							
Saturday							
Sunday							

Sale by Retail of Alcohol						
On or off sal	es		Current :	Pro	posed:	
			Both	No	change	
	Cur Ho	rent urs	Proposed Hours	Licensable Area		
	Start:	End:	Start: End:	Current:	Proposed:	
Monday - Sunday	00:00	00:00	No change	Residents, guests of residents and persons attending a pre- booked function	No change	
Monday - Sunday	08:00	03:00	No change	Non-Residents: 10 <sup>th</sup> Floor Roof Area	No change	
Monday - Sunday	08:00	01:00	No change	Non-Residents: Ground Floor Cucina Assellina Restaurant	No change	
Monday – Sunday	08:00	02:00	No change	Non-Residents: Ground Floor STK Restaurant and Marconi Bar & Lounge	No change	
Seasonal	Curi	rent:			Proposed:	
variations	Con men the e	nbers of end of p	51: The Supply of the public shall ermitted hours of tart of permitted	No change		

Non-standard timings:	<b>Condition 34:</b> Alcohol shall not be supplied to non residents on the rooftop bar area after 02.00 Hours.	No change
	Ground Floor Restaurant and Bars (STK Restaurant and Marconi Bar and Restaurant)  Condition 41: Where licensable activity is permitted on the ground floor, the supply of alcohol may only be permitted to non-residents (save for guests of residents and persons attending a pre-booked function) between 08.00 and 02.00 on the day following.	No change

Hours premises are open to the public							
	Current Hours		Proposed Hours		Premises Area		
	Start:	End:	Start:	End:	Current:	Proposed:	
Monday							
Tuesday							
Wednesday							
Thursday	00:00	00:00	No ch	nange	All areas	No change	
Friday							
Saturday							
Sunday							

1-C	Layout alteration
Not ap	pplicable.

1-D Conditions being varied, added or	removed
Condition	Proposed variation
Condition 11:	Remove condition
The provision of regulated entertainment is restricted to the basement area only.	

#### 2. Representations

2-A Responsible Authorities						
Responsible Authority:	Environmental Health Consultation Team					
Representative:	Mr Ian Watson					
Received:	17 April 2018					

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

This representation is based on the information provided within operating schedule.

The applicant is seeking the following variation

- 1. To permit regulated entertainment in the basement function rooms at any time.
- 2. To permit recorded music in the ground floor restaurant and bar (STK) from 23.00 hours to 00.00 hours (midnight) Sunday to Wednesday and 23.00 hours to 01.00 hours Thursday to Saturday.
- 3. Remove condition 11 of Annex 3.

I wish to make the following comment.

- 1. The hours requested to permit the provision of regulated entertainment within the basement function rooms will have the likely effect of causing an increase in Public Nuisance and impact on Public Safety within the area.
- 2. The hours requested to permit the provision of regulated entertainment within the ground floor restaurant and bar will have the likely effect of causing an increase in Public Nuisance and impact on Public Safety within the area.
- 3. Removal of condition 11 will have the likely effect of causing an increase in Public Nuisance within the area and impact on Public Safety within the premises.

The applicant has not offered any conditions to alleviate the impact especially with regard to prevention of public nuisance.

Responsible Authority:	Metropolitan Police Service (Withdrawn)
Representative:	PC Toby Janes
Received:	12 April 2018

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

It is our belief that if granted the application would undermine the licensing objectives in

relation to the prevention of crime and disorder as there are insufficient conditions within the operating schedule.

We have concerns that this application will cause further policing problems in an already demanding area.

I will be in touch shortly with a list of conditions that I believe will satisfy police in relation to the prevention of crime and disorder.

Following the proposal and agreement of conditions, the Police have withdrawn their representation.

#### 2-B Other Persons

Received:

31 March 2018

I object to the above application. Allowing entertainment in the basement premises at any time would fail to satisfy the licensing objectives of prevention of crime and disorder and prevention of public nuisance. Persons leaving the premises after parties which are bound to involve alcohol consumption will wake residents at all hours of the night. This is a residential area too and that must be remembered when commercial operators keep trying to extend their licences and their profits.

Received: 10 April 2018

I object to the above application as the provision of entertainment in the basement area with no limitation of times will cause public nuisance and be likely to lead to crime and disorder. This location is adjacent to a residential building and it is imperative that entertainment is limited by a closing time which is reasonable from the point of view of residents.

#### 3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:			
Policy HRS1 applies	<ul> <li>(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.</li> <li>(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.</li> </ul>		
Policy MD1 applies	It is the Licensing Authority's policy that applications will only be granted if the proposal meets the relevant criteria in Policies CD1, PS1, PN1 and CH1.		
Policy PVC1 applies:	Applications will generally be granted and reviews determined, subject to the relevant criteria in Policies CD1, PS1, PN1 and CH1.		

### 4. Equality Implications

The Council in its capacity as Licensing Authority has a duty to have regard to its public sector equality duty under section 149 of the Equality Act 2010. In summary, section 149 provides that a Public Authority must, in the exercise of its functions, have due regard to the need to:

- (a) eliminate discrimination harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- (c) foster good relations between persons who share a relevant protected characteristics and persons who do not share it.

Section 149 (7) of the Equality Act 2010 defines the relevant protected characteristics as age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

# 5. Appendices

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

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If you have any queries about this report or wish to inspect one of the background papers please contact the report author.				
Background Documents – Local Government (Access to Information) Act 1972				
1	Licensing Act 2003	N/A		
2	City of Westminster Statement of Licensing Policy	7 <sup>th</sup> January 2016		
3	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2018		
4	Environmental Health Service	17 April 2018		
5	Metropolitan Police Service	12 April 2018		
6	Representation	31 March 2018		
7	Representation	10 April 2018		

### **Applicant Supporting Documents**

There are no supporting documents from the Applicant.

### **Licence & Appeal History**

Application	Details of Application	Date Determined	Decision
11/06782/LIPN	New premises licence application	17/11/2011	Granted under delegated authority
12/01735/LIPT	Application to transfer the premises licence	23/03/2012	Granted under delegated authority
12/01950/LIPDPS	Application to vary the designated premises supervisor	28/03/2012	Granted under delegated authority
12/04408/LIPVM	Application for a minor variation	13/06/2012	Granted under delegated authority
12/07063/LIPV	Application to vary the premises licence	13/03/2012	Granted under delegated authority
13/01927/LIPV	Application to vary the premises licence	26/04/2013	Granted under delegated authority
13/02417/LIPV	Application to vary the premises licence	30/05/2013	Granted under delegated authority
13/03742/LIPT	Application to transfer the premises licence	10/06/2013	Granted under delegated authority
14/00248/LIPVM	Application for a minor variation	30/01/2014	Granted under delegated authority
14/02293/LIPV	Application to vary the premises licence	24/04/2014	Granted under delegated authority
14/02904/LIPDPS	Application to vary the designated premises supervisor	24/04/2014	Granted under delegated authority
14/04253/LIPDPS	Application to vary the designated premises supervisor	20/06/2014	Granted under delegated authority

14/06927/LIREVP	Application to review the premises licence	16/10/2017	Conditions modified by Licensing Sub Committee.
14/10570/LIPDPS	Application to vary the designated premises supervisor	10/12/2014	Granted under delegated authority
15/01186/LIPV	Application to vary the premises licence	23/04/2015	Application refused by Licensing Sub-Committee
15/03351/LIPDPS	Application to vary the designated premises supervisor	02/11/2015	Granted under delegated authority
15/07403/LIPDPS	Application to vary the designated premises supervisor	18/09/2015	Granted under delegated authority
15/08328/LIPVM	Application for a minor variation	13/10/2015	Granted under delegated authority
16/05795/LIPDPS	Application to vary the designated premises supervisor	20/06/2016	Granted under delegated authority
16/08623/LIPDPS	Application to vary the designated premises supervisor	24/08/2016	Granted under delegated authority
18/03239/LIPV	Current application		

### There is no appeal history

Application Reference	Date Determined	Decision
14/03926/LITENP	28/05/2014	Notice Granted
13/03111/LITENP	15/05/2013	Notice Granted
13/01000/LITENP	20/02/2013	Notice Granted

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

When determining an application for a variation to 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;
    - 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+(DxV)

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 subparagraph 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

#### **Basement Function Rooms:**

- 11. The provision of regulated entertainment is restricted to the basement area only.
- 12. The number of persons accommodated at any one time within the basement area (excluding staff) shall not exceed 300 persons. (Subject to District Surveyor approval).
- 13. All activities shall be pre-booked and details of the event organiser and event shall be kept for .a period of 21 days after the event.
- 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 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 signs.

- 20. All fabrics, curtains, drapes and similar features including materials used in finishing and furnishing should 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.
- 21. The certificates listed below shall be submitted to the Licensing Authority upon written request.
  - Any emergency lighting battery or system
  - Any electrical installation
  - Any emergency warning system
- 22. Any special effects or mechanical installations shall be arranged and stored so as to minimise any risk to the safety of those using the premises. The following special effects will only be used on 10 days prior notice being given to the Licensing Authority where consent has not previously been given.
  - dry ice and cryogenic fog
  - 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.
- 23. 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.
- 24. 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.
- 25. No striptease, no nudity and all persons to be decently attired at all times.
- 26. Licensable activity in this area will only be provided to hotel residents and their bona fide guests, persons attending a pre booked function, artists or performers at such functions.

#### 10<sup>th</sup> Floor

27. The number of persons accommodated at any one time on the 10th Floor (including staff) shall not exceed 240 persons.

- 28. The supply of alcohol shall be by waiter or waitress service only.
- 29. There shall be no entry to the 10th floor of the premises after 01.00 except to the following persons:-
  - Residents of the Hotel and/or their guests (maximum number of 4 bona fide guests).
  - o A list of the persons on the guest list to be held at the Hotel reception.
  - Persons attending a pre-booked function a list of the persons attending the private function to be available at the Hotel reception.
  - Persons employed by the Hotel proprietor including artistes.
- 30. Alcohol shall not be supplied to non-residents on the rooftop bar area after 02.00 Hours.
- 31. A noise limiter must be fitted to the musical amplification system set at a level determined by and in consultation with local residents to the satisfaction of an authorised officer of the Environmental Health Service, Premises Management 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.
- 32. The premises licence holder shall ensure that any patrons drinking and/or smoking on the external terrace area do so in an orderly manner and are supervised by sufficient staff so as to ensure that there is no public nuisance.
- 33. After 22:30 the area marked Terrace 1 on the licence plan shall not be used except in an emergency and for access to and from the Penthouse Suite.

#### First Floor Fine Dining Restaurant (Cucina Assellina Restaurant)

- 34. Intoxicating liquor in the fine dining restaurant area shall not be sold or supplied on the premises otherwise than to a person seated taking table meals there and for consumption by any such person as an ancillary to their meal.
- 35. Notwithstanding the above condition, alcohol may be supplied and consumed prior to their meal in the designated bar area.
- 36. The supply of alcohol shall be by waiter or waitress service only in the fine dining restaurant.

# Ground Floor Restaurant and Bars (STK Restaurant and Marconi Bar and Restaurant)

- 37. Where licensable activity is permitted on the ground floor, the supply of alcohol may only be permitted to non-residents (save for guests of residents and persons attending a pre-booked function) between 08.00 and 02.00 on the day following.
- 38. On the ground floor where licensable activity is permitted, a minimum of one SIA registered door supervisor shall be on duty at all entrances to the premises from 22.00.
- 39. There shall be no new entry for non-residents after 00:30.
- 40. The maximum number of persons (excluding staff) within the ground floor licensed areas between 01.00 hours and 02.00 hours shall not exceed STK Restaurant 200 persons; Marconi Bar and Lounge 60 persons
- 41. After 1.00am, the sale of alcohol in the ground floor restaurants will be ancillary to food, consumed by seated persons, supplied by waiter / waitress.
- 42. After 1.00am, the sale and consumption of alcohol in the Marconi bar will be to seated persons, supplied by waiter / waitress.

#### **Ground Floor Reception Area**

- 43. Supply of alcohol to the first floor reception area shall only be to hotel residents and their bona fide guests
- 44. No regulated entertainment is permitted in the first floor reception area.

#### All Areas

- 45. 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.
- 46. Notwithstanding the permitted hours, alcohol may be supplied to persons residing in the premises for consumption by such persons and their bona fide guests at anytime without restrictions.
- 47. The Supply of Alcohol to members of the public shall be permitted from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.
- 48. Patrons temporarily leaving the premises on the ground floor for the purposes of smoking shall not take any drinks of any kind with them outside the premises.
- 49. All deliveries shall be to the service road leading to the basement delivery area.
- 50. No loudspeakers shall be located in the entrance area/corridor or external to the building, including the external terrace area on the 10<sup>th</sup> Floor.

- 51. No rubbish including bottles will be moved, removed or placed in outside areas between 23.00 hours and 07.00hours.
- 52. 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.
- 53. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public. This staff member shall be able to show Police recent recordings with the absolute minimum of delay when requested.
- 54. All refuse will be stored internally prior to collection.
- 55. Any 'off' sales of alcohol are to be in sealed containers only and for consumption off the premises.
- 56. There will be no self-service of alcohol except for in the guest bedrooms.
- 57. Notices shall be prominently displayed at all exits and on the 10<sup>th</sup> Floor external roof terraces requesting patrons to respect the needs of local residents and to leave the premises and the area quietly.
- 58. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
- 59. 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.
- 60. A proof of age scheme, such as Challenge 21, shall be operated at the premises where a customer wishes to purchase alcohol and the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence or passport.
- 61. There shall be at least one SIA registered door supervisor employed at the entrance to the Hotel at all times.
- 62. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by the police or an authorised officer of the City Council at all times whilst the premises is open.
- 63. 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.
- 64. All beers and lagers sold in glass bottles are to be decanted into drinking containers prior to being served.
- 65. CCTV will be provided to cover the external area used for tables and chairs
- 66. All service of alcohol within the external area (edged in red) on the Aldwych as shown on plan JT 1413 shall be by waiter or waitress and to person seated only.
- 67. Any condition on this licence relating to live music will have effect and section 177A will not apply to such conditions.

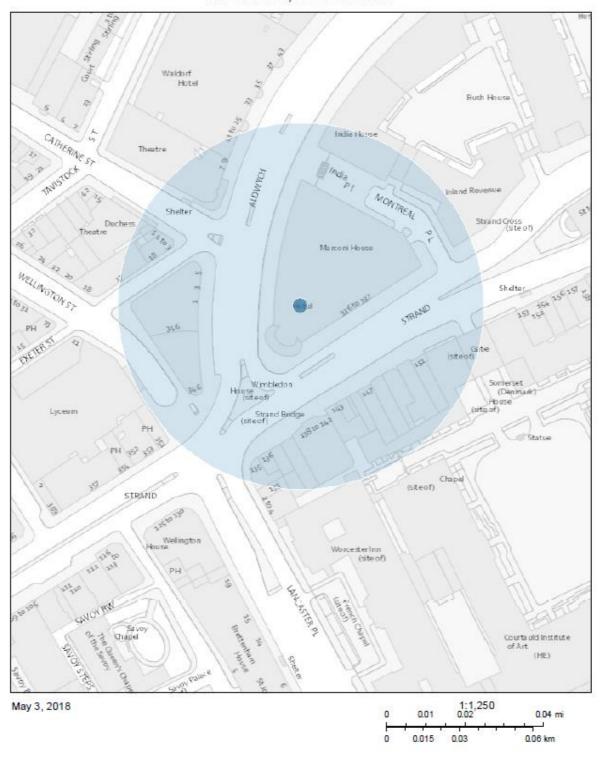
#### Conditions proposed by the Applicant and agreed by Police

#### **STK Restaurant and Marconi Bar only**

- 68. The supply of alcohol in the STK Restaurant and Marconi bar shall only be to a person seated and by waiter or waitress service only.
- 69. Notwithstanding condition 1, alcohol may be supplied and consumed in the bar area (hatched red on the plan).
- 70. No promoted events.
- 71. In the area coloured red and hatched black on plan number A-H0-2020 revision 9, there shall be permitted no more than 75 persons allowed to use the bar area, so designated.
- 72. The provision of regulated entertainment is restricted to the basement area and Ground floor Restaurant and Bar.

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

ME Hotel, 335 Strand



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Resident count: 96

Licence Number	Trading Name	Address	Premises Type	Time Period
16/08623/LIPDPS	ME Hotel	335 Strand London WC2R 1HA	Hotel, 4+ star or major chain	Monday to Saturday; 00:01 - 00:00
17/10169/LIPDPS	Pizza Express	Ground Floor 147 Strand London WC2R 1JA	Restaurant	Monday to Saturday; 10:00 - 00:30   Sunday; 12:00 - 00:00
16/00677/LIPDPS	Thai Square	148 Strand London WC2R 1JA	Restaurant	Monday to Saturday; 10:00 - 00:30   Sunday; 12:00 - 00:00
06/03676/WCCMAP	Sitar Indian Restaurant	Basement And Ground Floor 149 Strand London WC2R 1JA	Restaurant	Monday to Saturday; 10:00 - 00:30   Sunday; 12:00 - 00:00
16/00953/LIPDPS	One Aldwych Hotel	Ground Floor To Sixth Floor 1 Aldwych London WC2B 4BZ	Hotel, 4+ star or major chain	Monday to Sunday; 00:00 - 00:00
17/03399/LIPVM	India Club	143-145 Strand London WC2R 1JA	Restaurant	Monday to Thursday; 12:00 - 23:30   Friday to Saturday; 12:00 - 00:00   Sunday; 12:00 - 22:30
06/08176/WCCMAP	Strand News	145 Strand London WC2R 1JA	Shop	Monday to Saturday; 08:00 - 23:00   Sunday; 10:00 - 22:30
06/08106/WCCMAP	Cellar Door Jazz Cafe	Development Site At Former Wellington Street Toilets At Junction With The Strand And Wellington Street London	Wine bar	Monday to Sunday; 10:00 - 01:00
13/05698/LIPN	The Restaurant	1 - 5 Catherine Street London WC2B 5JS	Restaurant	Monday to Saturday; 10:00 - 00:30   Sunday; 12:00 - 00:00

