



City of Westminster

Committee Agenda

Title: **Licensing Sub-Committee (3)**

Meeting Date: **Wednesday, 27th January 2021**

Time: **10.00 am**

Venue: **This will be a virtual meeting**

Members: **Councillors:**

Jim Glen (Chairman)
Barbara Arzymanow
Aicha Less

If you require further information, please contact the Committee Officer, Cameron MacLean, Temporary Senior Committee and Governance Officer.

Email: cmaclean@westminster.gov.uk

Tel: **07814 998 037**

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. Regarding Item 2, guidance on Declarations of Interests is included in the Code of Governance. If Members and Officers have any questions, they should contact the Director of Law before 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 the existence and nature of any pecuniary interests or any other significant interest in matters on this agenda.

Licensing Applications for Determination

1. PREMIER INN (DEVELOPMENT SITE AT PADDINGTON EXCHANGE), NORTH WHARF RD, LONDON W2 1LF

(Pages 5 - 40)

Ward CIA*	Site Name & Address	Application Type	Licensing Reference No.
Hyde Park	Premier Inn, Development Site at Paddington Exchange, North Wharf Rd, London W2 1LF	New Premises Licence	20/10150/LIPN
*Cumulative Impact Area			

2. PUPPET THEATRE BARGE, BLOMFIELD ROAD, LONDON W9 2PF

(Pages 41 - 88)

Ward CIA*	Site Name & Address	Application Type	Licensing Reference No.
Little Venice	Puppet Theatre Barge, Blomfield Road, London W9 2PF	Premises Licence Variation	20/09771/LIPV
*Cumulative Impact Area			

Stuart Love
Chief Executive
19 January 2021

In considering applications for premises licences under the Licensing Act 2003, the Sub Committee is advised of the following:

POLICY CONSIDERATIONS

The Licensing Sub-Committee is required to have regard to the City of Westminster statement of Licensing Policy, effective from 7th January 2016.

GUIDANCE CONSIDERATIONS

The Licensing Sub-Committee is required to have regard to any guidance issued by the Secretary of State under Section 182 the Licensing Act 2003. The most recent version was published in April 2018.

CORE HOURS WHEN CUSTOMERS ARE PERMITTED TO BE ON THE PREMISES

(As set out in the Council's Statement of Licensing Policy 2016)

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

Friday and Saturday:	10:00 to midnight
Sundays immediately prior to Bank Holidays:	Midday to midnight
Other Sundays:	Midday to 22:30
Monday to Thursday:	10:00 to 23:30.

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

Monday to Saturday:	08:00 to 23:00
Sundays:	10:00 to 22:30

- For premises for the provision of other licensable activities:

Friday and Saturday:	09.00 to midnight
Sundays immediately prior to Bank Holidays:	09.00 to midnight
Other Sundays:	09.00 to 22.30
Monday to Thursday:	09.00 to 23.30.

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1. Procedure for Virtual Hearings Held Under the Licensing Act 2003

The purpose of this procedure is to clarify how the Licensing Sub-Committee (“the Sub-Committee”) will conduct virtual licensing hearings made under the Licensing Act 2003 (as amended) and for licensing applications under other regimes. All hearings are conducted with due regard to the Council’s Constitution, relevant legislation and case law, regulations and guidance.

2. Accessing Virtual Hearings

Virtual Licensing Sub-Committee hearings will be held on Microsoft Teams as a live Teams event. Each application will be dealt with by a separate Teams meeting. All applicants, responsible authorities and other persons (who have submitted a valid representation) (collectively called “Parties”) will be provided with a link to the meeting beforehand. **Only these parties will be able to participate in the hearing** (together with their adviser) provided they have registered, in advance, with the Licensing Authority, as specified below. A link for the general public to watch the meeting will be available on the Council’s website.

3. Final Submissions Before the Hearing

The parties (or their representatives) should use their best endeavours to ensure that all of their final submissions have been made so as to be included in the Sub-Committee report (typically no later than **5.00 pm, 5 working days** before the Sub-Committee hearing). This means by 5pm on the Thursday, the week before the Sub-Committee hearing is due to take place. Final submissions should set out the key points, policies and conditions that a party wishes the Sub-Committee to take account of in determining the application.

Any final submissions that a party wishes to make, (that have not been submitted so as to have been included in the report), must be submitted to the Licensing Service by **12 noon, 3 working days** before the hearing is due to take place. The Licensing email address is: licensing@westminster.gov.uk

4. Rules During Licensing Hearings

The following rules must be followed by all parties to ensure the virtual hearing can progress as successfully as possible:

- 4.1. All parties wishing to participate in the hearing must register their wish to participate in the hearing and provide their email addresses to the Licensing Service at licensing@westminster.gov.uk no later than 12 noon on the Monday before the Thursday hearing is scheduled to take place.
- 4.2. All parties should join the virtual hearing at least 15 minutes before the advertised start time to ensure they are ready to start at the advertised start time. After the advertised start time has passed no registered parties will be allowed to join, except in exceptional circumstances, when permitted by the Chairman, as this could disrupt the meeting.
- 4.3. All parties must only address the hearing when invited to do so by the Chairman.
- 4.4. All parties must keep their microphones on mute unless they are speaking. The Chairman has the ability to mute all parties’ microphones.

- 4.5. If a party wishes to interject, they should put their name in the messaging field. The chairman has the discretion to invite the party to make their comment at an appropriate stage in the hearing.
- 4.6. All parties are asked to keep their comments as succinct as possible.
- 4.7. If a party has a question for another party, this must be addressed to the Chairman who will have the discretion to ask the relevant party to respond.
- 4.8. Parties wishing to make suggestions as to the conditions that may be imposed in the event of the application being granted should do so by reference to the schedule of proposed conditions set out in the Conditions Schedule annexed to the committee papers. In so doing, they should use the same numbering in that schedule. This is to ensure that there is ease of referencing the conditions by all the parties.
- 4.9. To ensure the smooth running of hearings, a time limit will be placed on each party's submissions. This time limit must be adhered to but the Chairman has the flexibility to amend the time limit when it is considered appropriate to do so.
- 4.10. When referring to the hearing papers, participants should give the page and paragraph number when appropriate.
- 4.11. The Chairman has the discretion to amend these rules in any given case where they consider it is appropriate to do so.

5. Procedure

- 5.1. The Chairman will open the meeting and introduce the members of the Sub-Committee and the other officers attending with the members, including the legal adviser, policy adviser and committee officer.
- 5.2. The Chairman will confirm the procedure that the hearing will follow.
- 5.3. The Sub-Committee members and officers will be asked to declare any interests they may have and any other procedural business will be transacted.
- 5.4. The presenting officer from the licensing service will introduce the application, giving a brief description of the application and introducing all the Parties in attendance for each application
- 5.5. Each party who has registered to speak, will be invited to make their representations and will be allowed a maximum of 10 minutes each. In order to ensure that the hearing is fair to all parties and is conducted in an orderly manner, the Chairman has the discretion to extend this time limit where it is appropriate for the determination of the application.
- 5.6. Parties will normally speak in the following order, (the order may change for other types of licensing applications):
 - (a) The applicant
 - (b) Responsible authorities
 - (c) Other persons
- 5.7. The Chairman has the right to grant each party the opportunity to ask questions of each other for the purposes of clarification only where it is appropriate to do so. The Sub-Committee members will then be able to ask questions of the parties.

- 5.8. The legal adviser and/or policy officer may ask questions of the parties as they consider appropriate, including in relation to the conditions which should be attached to the application if the Sub-Committee is minded to grant the application.
- 5.9. Each party will have an opportunity to make a short closing submission each (not introducing any new evidence or case law) of no more than 5 minutes each, in the following order:
 - (a) Responsible authorities
 - (b) Other persons
 - (c) The applicant
- 5.10. The Chairman shall then close the meeting and all parties will leave the meeting. A Decision will not be announced at the end of the hearing unless there is a legal requirement to do so.
- 5.11. The Sub-Committee will deliberate in closed session and all parties will be advised of the outcome in a written Summary Decision. Unless otherwise required or permitted by Regulations, summary decisions will be made within a period of five working days of the last day of the hearing. The written summary of the decision ("Summary Decision") will be sent to all the parties as soon as possible after the Decision has been made. The full Decision, setting out the reasons for the Decision, (Formal Notification) will be sent to the parties as soon as possible thereafter. The time limit for appealing will not commence until the Formal Notification has been sent to the parties.

Dated: 14 January 2021

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Licensing Sub-Committee Report

Agenda Item 1.

Item No:	
Date:	27 January 2021
Licensing Ref No:	20/10150/LIPN - New Premises Licence
Title of Report:	Premier Inn Development Site At Paddington Exchange North Wharf Road London W2 1LF
Report of:	Director of Public Protection and Licensing
Wards involved:	Hyde Park
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Jessica Donovan Senior Licensing Officer
Contact details	Telephone: 020 7641 6500 Email: Jdonovan@westminster.gov.uk

1. Application

1-A	Applicant and premises		
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	4 November 2020		
Applicant:	Whitbread Group Plc		
Premises:	Premier Inn		
Premises address:	Development Site At Paddington Exchange North Wharf Road London W2 1LF	Ward:	Hyde park
		Cumulative Impact Area:	None
Premises description:	This is an application for a new premises licence which intends to operate as a hotel.		
Premises licence history:	This is a new premises application and therefore no Premises Licence history exist.		
Applicant submissions:	<p>It is intended to create a Premier Inn at this location with associated food and beverage and accommodation. The majority of licensed facilities will take place on the basement area. There will be a reception area and entrance at ground floor and in addition there will be bedrooms on floors from Ground 0 to 19.</p> <p>Premier Inn is a well-known and leading Hotel Brand within the UK owned by Whitbread Group Plc. A number are successfully operating within the Westminster City Council Licensing Area both Premier Inn and Hub By Premier Inn.</p>		

1-B	Proposed licensable activities and hours						
Films:	Indoors, outdoors or both					Indoors	
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	10:00	10:00	10:00	10:00	10:00	10:00	12:00
End:	23:30	23:30	23:30	23:30	00:00	00:00	22:30
Seasonal variations/ Non-standard timings:	When hours for sale of alcohol are extended hereunder these hours are also extended.						

Late Night Refreshment:	Indoors, outdoors or both					Both	
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	23:00	23:00	23:00	23:00	23:00	23:00	N/A
End:	23:30	23:30	23:30	23:30	00:00	00:00	N/A
Seasonal variations/ Non-standard timings:	When hours for sale of alcohol are extended hereunder these hours are also extended.						

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	12:00
End:	23:30	23:30	23:30	23:30	00:00	00:00	22:30
Seasonal variations/ Non-standard timings:		To extend the licensing hours on New Year's Eve: 10:00 to New Year's Day 00.30 (being 2nd January) The premises shall remain open to permit the sale of alcohol to hotel residents 24 hours a day.					

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	06:00	06:00	06:00	06:00	06:00	06:00	06:00
End:	00:00	00:00	00:00	00:00	00:30	00:30	23:00
Seasonal variations/ Non-standard timings:		The premises shall remain open 24 hours a day for hotel residents. For non-residents, the premises will close 30 minutes after the end of the non-standard timings identified for the sale of Alcohol.					

2. Representations

2-A	Responsible Authorities
Responsible Authority:	Environmental Health Service
Representative:	Anil Drayan
Received:	02 December 2020
<p>I refer to the application for a new Premises Licence for the above premises.</p> <p>The applicant has submitted the following plans of the premises showing the licensable areas marked in red outline:</p> <ul style="list-style-type: none"> • Lower and Upper Basement / Ground floor - drawing no. 4410/23/A, dated Jan. 2020 • Ground Floor– drawing no. NWG-WIAXX- GF-DR-A-100-0004 Rev C • Upper Basement – drawing no. NWG-WIA-ZZ-B1-DR-A-100-0003 Rev D <p>The following licensable activities are being sought:</p> <ol style="list-style-type: none"> 1. To provide for the Supply of Alcohol 'On' and 'Off' the premises between 10:00 and 23.30 Monday to Thursday, 10:00 to 00:00 hours Friday and Saturday and 12:00 to 22.30 Sunday. <p>Non-Standard timings: 'To extend the licensing hours on New Year's Eve: 10:00 to New Year's Day 00.30 (being 2nd January)'.</p> <p>For Hotel residents 24 hours.</p> <ol style="list-style-type: none"> 2. Provision of Late-Night Refreshment 'Indoors' and 'Outdoors' between 23:00 and 23.30 Monday to Thursday and 23:00 to 00:00 hours Friday and Saturday. 	

Non-Standard timings: *'When hours for sale of alcohol are extended hereunder these hours are also extended (see box J below)'*

3. Provision of films, 'Indoors' between 10:00 and 23.30 Monday to Thursday, 10:00 to 00:00 hours Friday and Saturday and 12:00 to 22.30 Sunday.

Non-Standard timings: *'When hours for sale of alcohol are extended hereunder these hours are also extended (see box J below)'*

I wish to make the following representations based on the plans submitted and the supporting operating schedule:

1. The hours requested for and the Supply of Alcohol 'On' and 'Off' the premises may lead to an increase in Public Nuisance in the area
2. The hours requested for and the provision of Late-Night Refreshment 'Indoors' and 'Outdoors' may lead to an increase in Public Nuisance in the area
3. The hours requested for and the provision of Films 'Indoors' may lead to an increase in Public Nuisance in the area

Environmental Health also makes the following comments:

- Some conditions and undertakings have been offered in the operating schedule and these are under consideration as to whether they are sufficient to allay Environmental Health concerns. Some of the undertakings will need to be converted to reflect Westminster's model wording for conditions so that they are enforceable.
- Clarification is needed on the proposed Non-Standard timings as there was no 'box J' submitted with the application. Clarification is also needed on the plans submitted as the different plans show the same areas with different layouts.
- Further information is requested on how 'Off' sales of alcohol and the 'Outdoor' provision of Late-Night Refreshment will be managed
- It's unclear if the premises have already undergone refurbishment for the proposed use. The premises will in any case need to be inspected by Environmental Health for Public Safety prior to commencement of licensable activities.
- It is also not clear on the level of food provision and the premises will therefore also need to be assessed for its food preparation/cooking facilities in order to evaluate whether Public Nuisance may arise from odour and/or from the operation of any plant and machinery.
- The provision of sanitary accommodation for any proposed capacity is recommended to be in line with British Standard 6465.

The applicant is therefore requested to contact the undersigned to arrange a site visit to discuss all of the above issues. Environmental Health may then propose further conditions, including capacity restrictions, to allay its concerns.

Responsible Authority:	Metropolitan Police Service
Representative:	PC Reaz Guerra
Received:	02 December 2020

With reference to the above application, I am writing to inform you that the Metropolitan Police, as a Responsible Authority, will be objecting to this application as it is our belief that if granted the application would undermine the Licensing Objectives.

There is insufficient detail within the operating schedule to promote the Licensing Objectives.

An officer from this unit will be in contact with you shortly to discuss the application. However it is for the applicant to prove that this application will not add to the cumulative impact problems already experienced in this area.

It is for these reasons that we are objecting to the application.

2-B	Other Persons		
Name:	[REDACTED]		
Address and/or Residents Association:	[REDACTED]		
Status:	Valid	In support or opposed:	Opposed
Received:	02 December 2020		

The [REDACTED] wish to lodge an objection to the above Premises Licence application for a very large hotel in North Wharf Road.

The reason for our objection is that [REDACTED] have concerns that nuisance could be caused to residents, and others living in the vicinity, by noise and disturbance by patrons arriving or leaving the large bar and restaurant in the hotel.

We also have concerns of noise etc by collections and deliveries from the hotel.

We also have concerns of potential crime and disorder.

We are not clear as to 'Off Sales' and if applied for the public, we would want standard conditions re sealed bottles etc and no beer/cider of APV over 5.5%.

Also times of 'Off Sales' should be restricted to no later than 23.00 (Sunday and Bank Holidays 12.00 to 22.30).

Also not clear if deliveries of hot food and alcohol proposed and if so need condition that 'take - away' orders not just alcohol alone and Challenge 25 required on deliveries with alcohol.

We are familiar with the location and building as earlier this year we were involved with a Premises Licence application by Stay City Aparthotel (occupying part of same building).

After a virtual Licensing Sub Committee Hearing, a Premises Licence was granted with a substantial conditions.

We attach the notes/minutes of that meeting and we would ask that the applicable conditions on

that License are attached to this application, if granted.

We have number of comments to make on this application for a Premier Inn.

The licensable areas are basement / upper basement / ground floor, so not the bedrooms themselves.

- The bedrooms will not be licensed. Therefore the 24/7 sale of alcohol to residents and bona fide guests would either be by way of an off-sale to the bedrooms, or on sale in the licensed areas. It is not specified whether this is one or the other or both.
- The conditions offered bare a very close resemblance to those offered with the StayCity application, but not such a close resemblance with those added to the StayCity application was granted.
- In particular, the decision records that '*The main concern is why the licensable activities proposed are being made to the public in general and why that extends to core hours. • There is concern as to the appropriateness of the application in an area that has a significant amount of residential accommodation and about problems that might be associated with dispersal from the premises late in the evening.*
- *There is a concern as to how the licensed area on the ground floor of the premises will actually be used.*
- There is no explanation of what the areas are actually being licensed for – a bar or a restaurant, or both?
- The plans for the basement show a number of tables and chairs, but no capacity figure shown.
- The application refers to hours being extended 'under box J' – there is no box J.
- The application mentions Category C gaming machines.
- The opening hours for the public are beyond Core Hours. ██████ would wish the public to be off the premises at the end of Core Hours at the very latest, particularly as we do not yet know any detail about the operation of the public licensed areas, to protect residential amenity in the surrounding area.
- Whereas the licensed area for StayCity was essentially the reception area on the ground floor, this seems to be a more dedicated drinking space, but without any or sufficient mitigating factors proposed.
- We cannot see a dedicated area for smoking, where customers cannot take alcohol - in fact assume will be condition that alcohol and glasses can be taken outside the licenced areas.

We, as always are content for this objection, together with our contact details, to be forwarded to the applicant.

Also, as is our standard practice, we are happy to meet up, or have a Team meeting, with the applicant with a view to addressing our concerns.

Name:	[REDACTED]		
Address and/or Residents Association:	[REDACTED]		
Status:	Valid	In support or opposed:	Opposed
Received:	29 November 2020		

Our comments are made as an [REDACTED] recognised 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 recognise that these premises are run as a business and we are aware that it has to be a viable operation, providing services for locals as well as people who are not residents in this area. We are very keen to ensure that an appropriate balance is maintained between the legitimate rights of business and the equally legitimate and important rights of residents.

Introduction

The application premises is directly adjacent to 'StayCity', an 'apartment-hotel'. 'StayCity' applied for a premises licence earlier this year, ref: 20/03175/LIPN seeking sale of alcohol for residents of the hotel, guests, and members of the general public.

[REDACTED] made representations in respect of that application. The concerns included that there were insufficient conditions proposed to promote the licensing objectives, and that the hours proposed for members of the public were too late.

That application was granted, with additional conditions.

We request that the licence for the current application, if granted, includes at a minimum, conditions covering the same issues. In fact, as the premises is substantially bigger and the licensable activities seemingly of broader scope, further restrictions may be appropriate.

Our representation is made on the basis that the likely impact of the application, if granted, would be to harm the licensing objective of prevention of public nuisance.

The application

We note that the application seeks a new premises licence for a large new development. There are also new and large residential buildings being developed in the vicinity. As such, we are scrutinising all licence applications in this vicinity. We are aware that there is residential use planned and are concerned about potential impact on that.

The application states that:

It is intended to create a Premier Inn at this location with associated food and beverage and accommodation. The majority of licensed facilities will take place on the basement area. There will be a reception area and entrance at ground floor and in addition there will be bedrooms on floors from Ground 0 to 19.

The hours proposed in the Operating Schedule are:

The sale of alcohol for retail by retail for consumption on and off the premises for non residents:

Monday to Thursday 10:00 to 23:30 hours
Fridays and Saturdays 10:00 to 00:00 hours
Sundays 12:00 to 22:30 hours

Non standard timings to extend the proposed hours on New Years Eve until New Years Day terminal hour is proposed 00:30 hours on 2nd January

Late Night Refreshment:

23:00 to 23:30 hours Monday to Thursday, Friday and Saturdays
23:00 to 00:00 hours.

Exhibition of films principally non-live television or educational videos.

For residents the sale of alcohol will be available 24 hours a day, seven days a week.

We note that the licensable areas are basement / upper basement / ground floor, and the bedrooms are not included in the licensed area.

Points that arise from the application documents include:

- The bedrooms will not be licensed. Therefore the 24/7 sale of alcohol to residents and bona fide guests would either be by way of an off-sale to the bedrooms, or on sale in the licensed areas. It is not specified whether this is one or the other or both.
- The conditions offered bare a very close resemblance to those offered with the StayCity application. The Stay City application was howeeve rgranted with additional/amended conditions.
- In particular, the decision records that '*The main concern is why the licensable activities proposed are being made to the public in general and why that extends to core hours. • There is concern as to the appropriateness of the application in an area that has a significant amount of residential accommodation and about problems that might be associated with dispersal from the premises late in the evening. • There is a concern as to how the licensed are on the ground floor of the premises will actually be used. • Concerns had also been expressed about the hours for servicing. The proposed conditions restricted servicing between 21.00 and 07.00 on the following day, whereas the objectors would prefer the restrictions to apply between 20.00 and 08.00 on the following day.*' We presume that the applicant is aware of the StayCity application and decision.
- There is no explanation of what the areas are actually being licensed for – a bar or a restaurant, or both?
- The plans for the basement show it laid out with tables and chairs, but no capacity figure.
- Are off sales for general public or just for residents to hotel rooms?
- The application refers to hours being extended 'under box J' – there is no box J.
- The application mentions Category C gaming machines.
- The opening hours for the public are beyond core hours.
- Whereas the licensed area for StayCity was essentially the reception area on the ground

floor, this seems to be a more dedicated drinking space, but without any or sufficient mitigating factors proposed.

- We are therefore concerned about the sale of alcohol to members of the general public, and would ask that this is refused as on the information available the applicant cannot demonstrate that this promoted the licensing objectives.

Whilst some conditions have been proposed, they fall some way short of the safeguards we would want in order to be content with the application.

Reasons for representation

We have the following concerns at present:

1. The immediate vicinity of the application site has had many new premises licences granted in recent years. We are concerned that a 'cumulative impact' of these premises is beginning to manifest.
2. The hours for licensable activities and opening are likely to impact adversely on the licensing objectives.
3. It seems from the conditions that the proposed style of operation is as a vertical drinking bar with no requirement to be seated.
4. How important is a bar for members of the public to the applicant? Why is the applicant applying to provide licensable activities for members of the public at all?
5. And why to as late as 'core hours'?
6. We would expect servicing of the premises to be undertaken during hours when it would not be expected to cause a nuisance.
7. We may propose other conditions once we are more fully aware of what the nature of the operation is.

For these reasons, we object to this licence being granted as presented.

Conclusion

We are aware that applications are often amended to take into account concerns raised by responsible authorities or other persons. Please let us know if any amendments are made to this application so that we can consider if they resolve our concerns and, if appropriate, liaise with local residents.

If a hearing takes place, we will endeavour to attend. Or appoint Richard Brown to represent us.

Westminster City Council has adopted a revised Statement of Licensing Policy that became operative from 7 January 2021. This application for was applied for on 04 November 2020. At the time of submission, the Council’s Statement of Licensing Policy 2016 was applied to this application. However, the Licensing Service has outlined below the policy considerations necessary for this application in accordance with the revised policy which will be effective when this application is determined on 27 January 2021.

3. Policy & Guidance

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

<p>Policy HRS1 applies</p>	<p>A. Applications within the core hours set out below in this policy will generally be granted for the relevant premises uses, subject to not being contrary to other policies in the Statement of Licensing Policy.</p> <p>B. Applications for hours outside the core hours set out in Clause C will be considered on their merits, subject to other relevant policies, and with particular regard to the following:</p> <ol style="list-style-type: none"> 1. The demonstration of compliance in the requirements of policies CD1, PS1, PN1 and CH1 associated with the likelihood of the effect of the grant of a licence for later or earlier hours on crime and disorder, public safety, public nuisance and the protection of children from harm. 2. If the application is located within a Special Consideration Zone they have demonstrated that they have taken account of the issues identified in that area and provided adequate mitigation. 3. Whether there is residential accommodation in the proximity of the premises that would likely be adversely affected by premises being open or carrying out operations at the hours proposed. 4. The proposed hours of the licensable activities and when customers will be permitted to remain on the premises. 5. The proposed hours when any music, including incidental music, will be played. 6. The hours when customers will be allowed to take food or drink outside the premises or be within open areas which form part of the premises. 7. The existing hours of licensable activities and the past operation of the premises (if any) and hours of licensable premises in the vicinity. 8. Whether customers and staff have adequate access to public transport when arriving at and leaving the premises, especially at night. 9. The capacity of the premises. 10. The type of use, recognising that some venues are more likely to impact the licensing objectives than others; for example, pubs and bars are higher risk than theatres, cinemas and other cultural and sporting venues due to the nature of the operation. 11. The Licensing Authority will take into account the active measures proposed for a ‘winding down’ period including arrangements for people to be collected from the premises to travel home safely. 12. Conditions on hours may be attached that require that the supply of alcohol for consumption on the premises ceases a suitable period of time before customers are required to leave the premises. 13. The council, acting as the Licensing Authority, may reduce hours if, after review, it is necessary to impose conditions specifying
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	<p>shorter hours in order to promote the licensing objectives.</p> <p>14. Specific days for non-standard hours should be identified and justified as part of the application to allow responsible authorities and interested parties to evaluate the impact that these licensable activities may have, and to plan accordingly. The consideration of applications for later hours for Bank Holiday Mondays will take into account that later hours are generally granted for preceding Sundays and that the next day is a working day. Non-specific days are expected to be covered by Temporary Event Notices or variation applications.</p> <p>C. For the purpose of Clauses A and B above, the Core Hours for applications for each premises use type as defined within this policy are:</p> <ul style="list-style-type: none"> • Hotels <p>Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to 12am. For the sale of alcohol to guests for consumption in hotel/guest rooms only: Anytime up to 24 hours.</p> <p>D. Core hours are when customers are permitted to be on the premises and therefore the maximum opening hours permitted will be to the same start and terminal hours for each of the days where licensable activity is permitted.</p> <p>E. For the purposes of this policy, 'premises uses' are defined within the relevant premises use policies within this statement.</p>
<p>Policy HOT1 (a) applies</p>	<p>A. Applications outside the West End Cumulative Impact Zone will generally be granted subject to:</p> <ol style="list-style-type: none"> 1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1. 2. The hours for licensable activities being within the council's Core Hours Policy HRS1. 3. The sale by retail of alcohol, regulated entertainment and late-night refreshment must be an ancillary function to the primary purpose of the venue as a hotel. 4. The applicant has taken account of the Special Consideration Zone Policy SCZ1 if the premises are located within a designated zone. 5. The application and operation of the venue meeting the definition of a Hotel as per Clause C. <p>B. Applications inside the West End Cumulative Impact Zone will generally be granted subject to:</p> <ol style="list-style-type: none"> 1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1. 2. The hours for licensable activities are within the council's Core Hours Policy HRS1.

	<p>3. The sale by retail of alcohol, regulated entertainment and late-night refreshment must be an ancillary function to the primary purpose of the venue as a hotel.</p> <p>4. The applicant has demonstrated that they will not add to cumulative impact within the Cumulative Impact Zone.</p> <p>5. The application and operation of the venue meeting the definition of a Hotel as per Clause C.</p> <p>C. For the purposes of this policy a Hotel is defined as a premises that is primarily used as an establishment providing overnight accommodation for customers.</p>
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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, Marriages and Civil Partnerships, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

5. Appendices

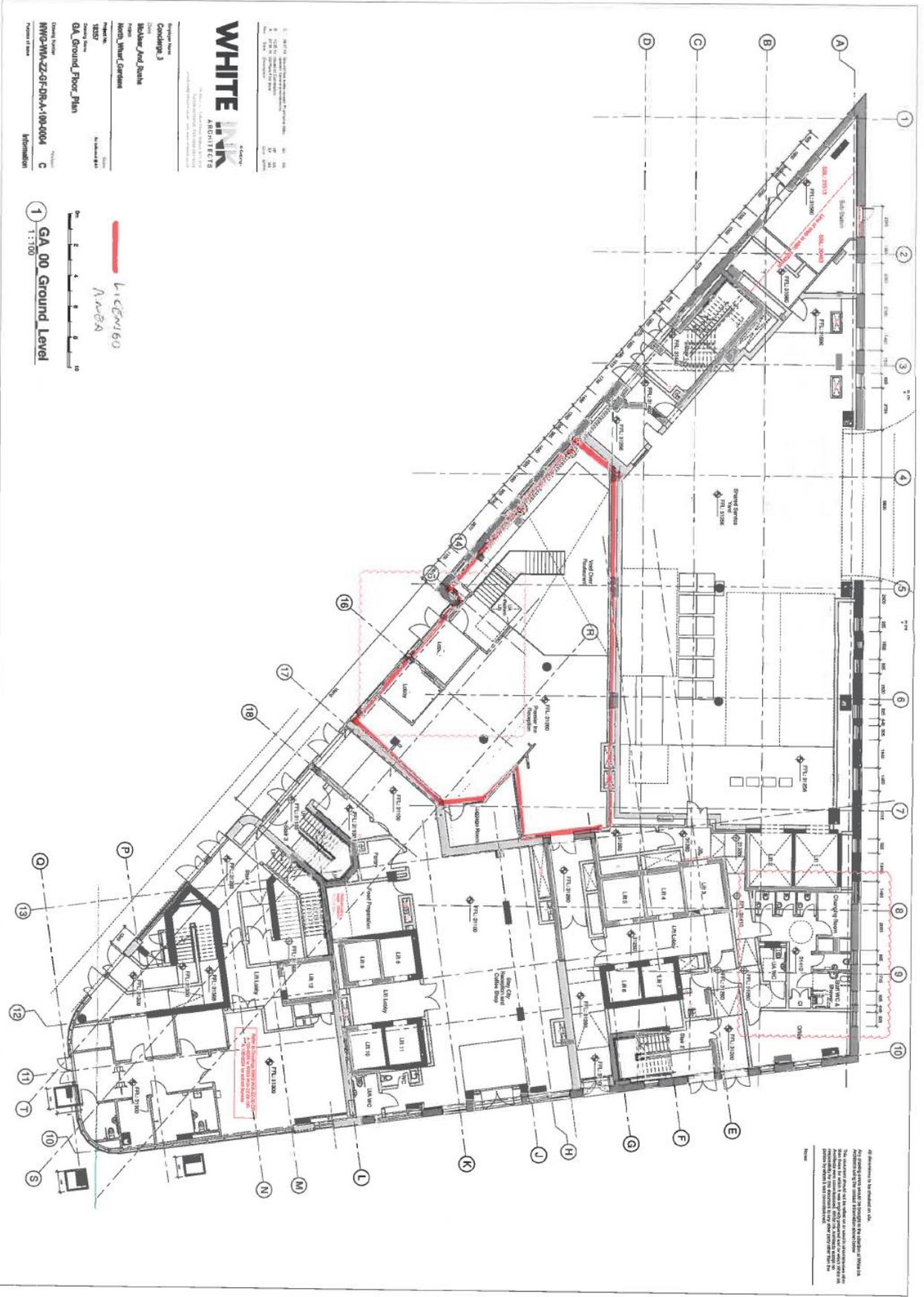
Appendix 1	Premises plans
Appendix 2	Applicant supporting documents
Appendix 3	Interested party 1 supporting documents
Appendix 4	Premises history
Appendix 5	Proposed conditions
Appendix 6	Residential map and list of premises in the vicinity

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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	07 January 2016
3	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2018
4	Environmental Health Service representation	02 December 2020
5	Metropolitan Police Service representation	02 December 2020
6	Interested Party 1 representation	02 December 2020
7	Interested Party 2 representation	29 November 2020



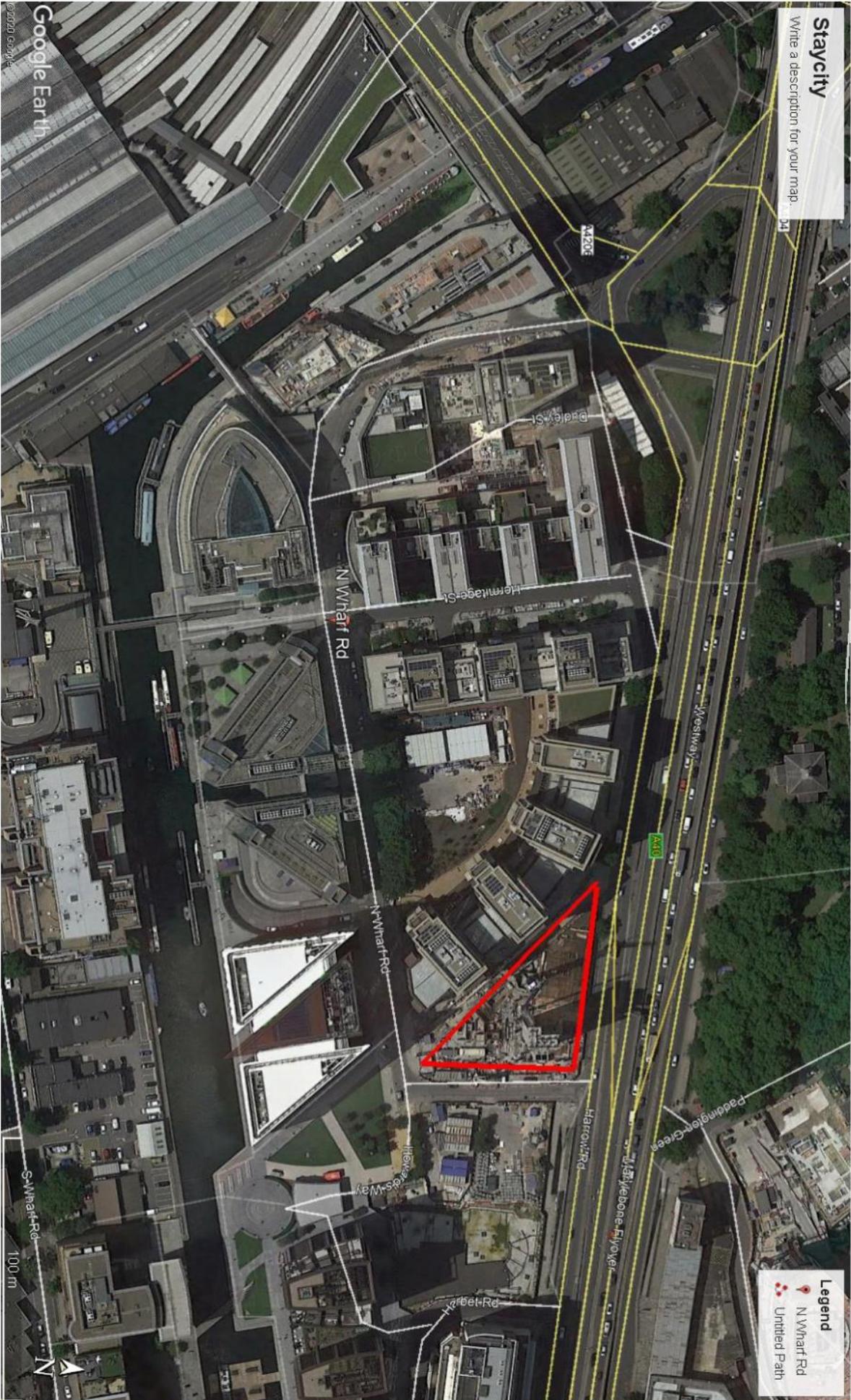
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 1000 15th Street, Suite 1000
 San Francisco, CA 94103
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Project Name: **GA_00 Ground Level**
 Designer: **White Ink Architects**
 Architect: **White Ink Architects**
 Date: **10/20/10**

GA_00 Ground Level
 1 1" = 1'-0"

LICEN160
 A-2024

As Prepared by the Architect or A/E
 All dimensions are in feet and inches.
 All dimensions are to the center of the member unless otherwise noted.
 All dimensions are to the center of the member unless otherwise noted.
 All dimensions are to the center of the member unless otherwise noted.
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 All dimensions are to the center of the member unless otherwise noted.



Applicant Supporting Documents

Appendix 2

There are no supporting documents from the applicant.

WCC LICENSING SUB-COMMITTEE NO. 4

Thursday 16th July 2020

Membership: Councillor Karen Scarborough (Chairman), Councillor Louise Hyams and Councillor Maggie Carman

Officer Support: Legal Officer: Barry Panto
Policy Officer: Kerry Simpkin
Committee Officer: Toby Howes
Presenting Officer: Jessica Donovan

Application for a New Premises Licence [20/03175/LIPN]

Full Decision

Premises

Wilde Aparthotels by Staycity
North Wharf Road
London
W2 1LF

Applicant

Staycity UK Ltd
Represented by Tim Shield (John Gaunt, Solicitors)
Simon Lee – Proposed DPS in attendance

Cumulative Impact Area?

No

Ward

Hyde Park

Summary of Application

These premises will offer serviced apartments consisting of studios and one-bedroom apartments. Each studio / apartment will offer cooking facilities, but the applicant will also provide an area on the ground floor of the premises (the licensed area) which is intended to extend a limited food and beverage offer. The proposed hours of operation are essentially within core hours with an extension of hours on New Year's Eve. However, the premises will remain open 24 hours a day due to the residential use of the accommodation and it is proposed that alcohol can be sold to residents and up to 4 bona fide guests for 24 hours a day.

The sale and consumption of alcohol does not have to be ancillary to food of any kind but there is a condition that 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.

A more detailed analysis of the intended use of the premises indicates that there will be 373 units allocated to Premier Inns whilst 247 units (approximately 40% of the total) will be allocated to Staycity Aparthotels. These units will be serviced apartments. The licensable activities are actually restricted to an area on the ground floor of the premises shown hatched in green on the plans (see page 88 of the report).

Proposed Activities and Hours

Retail Sale of Alcohol [On and Off sales]

Monday to Thursday 10.00 to 23.30
Friday and Saturday 10.00 to Midnight
Sunday 12.00 to 22.30
NYE extension from 10.00 on NYE to 00.30 on 2nd January
24-hour provision for residents (and up to four bona fide guests for each resident)

Late Night Refreshment [Indoors]

Monday to Thursday 23.00 to 23.30
Friday and Saturday 23.00 to Midnight
NYE extension from 23.00 on NYE to 05.00 on 2nd January

Recorded Music {Withdrawn at the hearing}

Monday to Thursday 10.00 to 23.30
Friday and Saturday 10.00 to Midnight
Sunday 12.00 to 22.30

Hours premises are open to the public

Monday to Sunday: 24-hour all-day operation

Representations Received

- Metropolitan Police (Reaz Guerra) – Now withdrawn
- Environmental Health (Maxwell Koduah)
- [REDACTED]
- [REDACTED]
- Richard Brown (CAB advice service) representing [REDACTED]

Summary of issues raised by objectors

- The main concern is why the licensable activities proposed are being made to the public in general and why that extends to core hours.
- There is concern as to the appropriateness of the application in an area that has a significant amount of residential accommodation and about problems that might be associated with dispersal from the premises late in the evening.
- There is a concern as to how the licensed are on the ground floor of the premises will actually be used.
- Concerns had also been expressed about the hours for servicing. The proposed conditions restricted servicing between 21.00 and 07.00 on the following day, whereas the objectors would prefer the restrictions to apply between 20.00 and 08.00 on the following day.

Policy Position

There is no policy to refuse this application (as the proposal is for the premises to operate as Aparthotels and the premises are not situated in a CIA). The application must, therefore, be determined on merit. The proposal is for the premises to be open for 24 hours a day for residents and for the sale of alcohol to be allowed for 24 hours a day to residents. Otherwise, licensable activities are generally licensed until core hours.

DECISION

Having considered all the submissions made by the applicant and those opposing the application, the Licensing Sub-Committee has decided to grant the application subject to further conditions.

Members heard a description of the proposal from Mr Shield with further evidence being provided by Mr Lee. They did want flexibility so as to allow members of the public to have access to the licensed area, albeit restricted to the Council's core hours. This is how they operated elsewhere in the country and without any apparent problems. The licensed area was on the ground floor which is also the check in area for the Apartments, so the area is constantly supervised. A suggestion was made that there should be door staff at the entrance, but the applicants stated that the licensed area would not be a destination venue. **In addition, they indicated that they pride themselves in being a good operator and in their management plan their main doors are closed at 23:00.**

The members then heard from Richard Brown on behalf of the objectors and also from [REDACTED] on behalf of the [REDACTED]. Mr Brown identified his concerns above, and [REDACTED] provided evidence about the area in which the premises was situated and the increasing residential nature of that area. **There was a discussion as to how non-residents would disperse at the end of the day with concern about the routes that they might take and, related to that point, a discussion about the doors that might be used to exit the premises. By way of example, [REDACTED] made specific reference to customers that might make their way to Merchant Square. He said that only one gate to Merchant Square remained open for access/egress after 8pm and that closed at 23.00 hours.**

The members took on board many of the points made by the objectors and therefore granted the application subject to a number of additional conditions regarding the use of the licensed area on the ground floor and also restricting off-sales to residents for consumption in their apartments. A suite of key conditions has now been included and these are set out as conditions 45 to 52 below. Adjustments to the proposed hours for the collection of waste and the movement of waste have been made in accordance with the wishes of the objectors as no objection was made to their proposals at the hearing. However, the members decided not to make adjustments to the hours for deliveries as it was thought that those adjustments might be problematic for the operator which would need to accept a number of deliveries to service the entire Apartment block and many of these deliveries would not be associated with the licensable activities proposed.

The members still had some issues about the potential for nuisance to be caused by non-residents dispersing from the premises, including bona fide guests of residents. It was recognised that there was considerable residential accommodation in the general area and the members shared the concerns expressed by ██████████, in particular with regard to persons dispersing in the direction of Merchant Square. The licence holder cannot control how customers behave after they have left the premises, but they can control, to some extent, the direction in which they travel. The applicant is therefore advised to put arrangements in place to encourage customers leaving the premises to do so by directing them away from highly residential areas such as Merchant Square. This has not been included as a condition on the licence, but it is in the interests of the applicant to take that advice on board so as to ensure that residential neighbours are not disturbed. The applicant is reminded that if unacceptable nuisance or disturbance is caused to local residents as a result of this application being granted, the residents do have the option of bringing a review of the licence.

Subject to those concerns, the members were of the view that granting the application with the additional suite of conditions in place was a proportionate response to the application and would, therefore, promote the licensing objectives.

The application is granted subject to the following conditions in addition to the Mandatory conditions applicable to this type of application:

Conditions consistent with the operating schedule

9. The use of door staff will be risk assessed on an ongoing basis by the licence holder or premises supervisor. Where engaged, door staff shall be licensed by the Security Industry Authority.
10. Staff will receive training on matters concerning underage sales, drugs policies and operating procedures to include safety, evacuation and use of emergency equipment as required.
11. There shall be a zero-tolerance policy in relation to drugs at the premises and there shall be regular checks by management to prevent the use of drugs by patrons. Drugs seized shall be stored securely and handed to the police.

12. The management of the premises will liaise with police on issues of local concern or disorder.
13. The premises shall install and maintain a CCTV system as per the minimum requirements of 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 at 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 proper request of Police or authorised Officers during the preceding 31-day period.
14. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
15. No advertisements of any kind that advertise or promotes the establishment, its premises or any of its events, facilities, goods or services shall be inscribed or affixed upon the surface of the highway, upon any building, structure, works, street furniture, tree or any other property or be distributed to the public.
16. There shall be no drinks promotions at the premises which are inconsistent with the need to promote responsible drinking.
17. There shall be no self-service of alcohol on the premises.
18. A record shall be kept detailing all refused sales of alcohol. The record shall 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 when the premises are open to non-residents.
19. The premises licence holder shall comply with the reasonable requirements of the fire officer from time to time.
20. The premises will have adequate safety and firefighting equipment, and such equipment will be maintained in good operational order.
21. Spillages and breakages will be removed as soon as possible to reduce the risk to patrons and staff.
22. Toughened glasses will be used in the premises where appropriate.
23. Emergency Exits and means of escape shall be kept clear and in good operational condition.
24. Prominent, clear and legible notices shall be displayed at all exits requesting the public respect the needs of local residents and to leave the premises and area quietly.

25. Patrons will be encouraged by staff to leave quietly and respect the interests of the occupiers of any nearby noise sensitive premises. The licensee or a suitable staff member will monitor patrons leaving at the closing time.
26. Contact numbers for local taxi firm(s) shall be kept at the premises and made available to patrons requiring a taxi.
27. Children under the age of 16 shall not be permitted to enter the premises after 21:00 unless dining with an adult or attending a pre booked function or resident in the hotel.
28. There shall be adequate controls in place including staff training to safeguard against the sale of alcohol to persons under 18 years.
29. The premises supervisor or appointed staff member shall ensure that when children are admitted to the premises their presence is not inconsistent with the style of operation of the premises at that time and the licensable activities that are being carried out.
30. Policies in relation to children shall be adequately communicated to patrons by staff or through appropriate signage.
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) any faults in the CCTV
 - (f) any visit by a relevant authority or emergency service
32. 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.
33. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
34. All windows and external doors in the licensed area shall be kept closed after 21:00 hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons.
35. A direct telephone number for the duty manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.
36. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.

37. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 20.00 hours and 08.00 hours on the following day.
38. No collections of waste or recycling materials (including bottles) from the premises shall take place between 20.00 and 08.00 on the following day.
39. No deliveries to the premises shall take place between 21.00 and 07.00 on the following Day.
40. 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.
41. There shall be no striptease or nudity, and all persons shall be decently attired at all times, except when the premises are operating under the authority of a Sexual Entertainment Venue licence.
42. A Challenge 21 or Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
43. 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.
44. No licensable activities shall take place at the premises until the premises have been assessed as satisfactory by the Environmental Health Consultation Team at which time this condition shall be removed from the Licence by the Licensing Authority.
45. Licensable activities are restricted to the area shown hatched green on the plans of the ground floor of the premises attached to this licence.
46. The licensable activities authorised by this licence and provided at the premises shall be ancillary to the main function of the premises as serviced apartments / Aparthotel.
47. After 23:00 hours, there shall be no sales of alcohol for consumption off the licensed premises save for consumption in a Staycity apartment by residents and up to 4 of their bona fide guests.
48. The sale of alcohol for consumption on the premises shall only be to a person seated within the licensed area hatched green on the ground floor of the premises and shall be by waiter or waitress service only. The maximum number of such persons shall be 60.
49. There shall be no new entry to the licensed area hatched green on the ground floor of the premises after 23.00 apart from residents of the Staycity apartments and up to 4 of their bona fide guests.

50. Non-residents can only remain in the licensed area during the permitted hours for the sale of alcohol. For the avoidance of doubt, residents and up to four bona fide guests for each resident can potentially remain in the licensed area at any time of the day.
51. After 23.30 on Monday to Thursday, Midnight on Friday, Saturday and New Year's Eve, 00.30 on the day following New Year's Day and 22.30 on Sunday, alcohol can only be sold to residents and only after the production of a key card or some other evidence that they are staying at the Staycity apartments.
52. Persons permitted to temporarily leave and then re-enter the premises to smoke shall be restricted to a designated smoking area to be determined by the premises licence holder.

There is no licence or appeal history for the premises.

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

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

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

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

Mandatory Conditions

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

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

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

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

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

Conditions consistent with the operating schedule

10. The use of door staff will be risk assessed on an ongoing basis by the licence holder of premises supervisor. Where engaged, door staff shall be licensed by the Security Industry Authority.
11. Staff will receive training on matters concerning underage sales, drugs policies and operating procedures to include safety, evacuation and use of emergency equipment as required.
12. There shall be a zero tolerance policy in relation to drugs at the premises and there shall be regular checks by management to prevent the use of drugs by patrons. Drugs seized shall be stored securely and handed to the police.
13. The premises shall operate a proof of age scheme and will require photographic identification from any person who appears to be under the age of 21 years.
14. The management of the premises will liaise with police on issues of local concern or disorder.
15. The premises shall install and maintain a CCTV system as per the minimum requirements of 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 at 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 proper request of Police or authorised Officers during the preceding 31-day period.
16. A staff member who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to non-residents of the hotel. The staff member must be able to provide a Police or authority Council Officer copies of recent CCTV images or data with the absolute minimum of delay when properly requested.

The Metropolitan Police propose an alternative wording to condition 16 as follows:

16. 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.
17. There shall be no striptease or nudity in the public licensed area and all persons shall be decently attired at all times, except when the premises are operating under the authority of a Sexual Entertainment Venue Licence.

The Metropolitan Police propose an alternative wording to condition 17 as follows:

17. Other than in hotel bedrooms there shall be no striptease or nudity, and all persons shall be decently attired at all times, except when the premises are operating under the authority of a Sexual Entertainment Venue licence.
18. No advertisements of any kind that advertise or promotes the establishment, its premises or any of its events, facilities, goods or services shall be inscribed or affixed

upon the surface of the highway, upon any building, structure, works, street furniture, tree or any other property or be distributed to the public.

19. There shall be no drinks promotions at the premises which are inconsistent with the need to promote responsible drinking.
20. A record shall be kept detailing all refused sales of alcohol. The record shall 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 when the premises are open to non-residents.
21. To comply with the reasonable requirements of the fire officer from time to time.
22. The premises will have adequate safety and fire fighting equipment, and such equipment will be maintained in good operational order.
23. Spillages and breakages will be removed as soon as possible to reduce the risk to patrons and staff.
24. Toughened glasses will be used in the premises where appropriate.
25. Fire Exits and means of escape shall be kept clear and in good operational condition.
26. Where appropriate, prominent, clear and legible notices shall be displayed at all exits requesting the public respect the needs of local residents and to leave the premises and area quietly.
27. Patrons will be encouraged by staff to leave quietly and respect the interests of the occupiers of any nearby noise sensitive premises, Where appropriate the licensee or a suitable staff member will monitor patrons leaving at the closing time.
28. Noise or vibration shall not emanate from the premises so as to cause a nuisance to nearby properties.
29. Contact numbers for local taxi firm(s) shall be kept at the premises and made available to patrons requiring a taxi.
30. No films or videos of any description will be shown so that they can be viewed by persons under the age of any applicable BBFC/Local Authority certification.
31. Children under the age of 16 shall not be permitted to enter the premises after 21:00 unless dining with an adult or attending a pre booked function or resident in the hotel.
32. There shall be adequate controls in place including staff training to safeguard against the sale of alcohol to persons under 18 years.
33. The premises supervisor or appointed staff member shall ensure that when children are admitted to the premises their presence is not inconsistent with the style of operation of the premises at that time and the licensable activities that are being carried out.
34. Policies in relation to children shall be adequately communicated to patrons by staff or through appropriate signage.

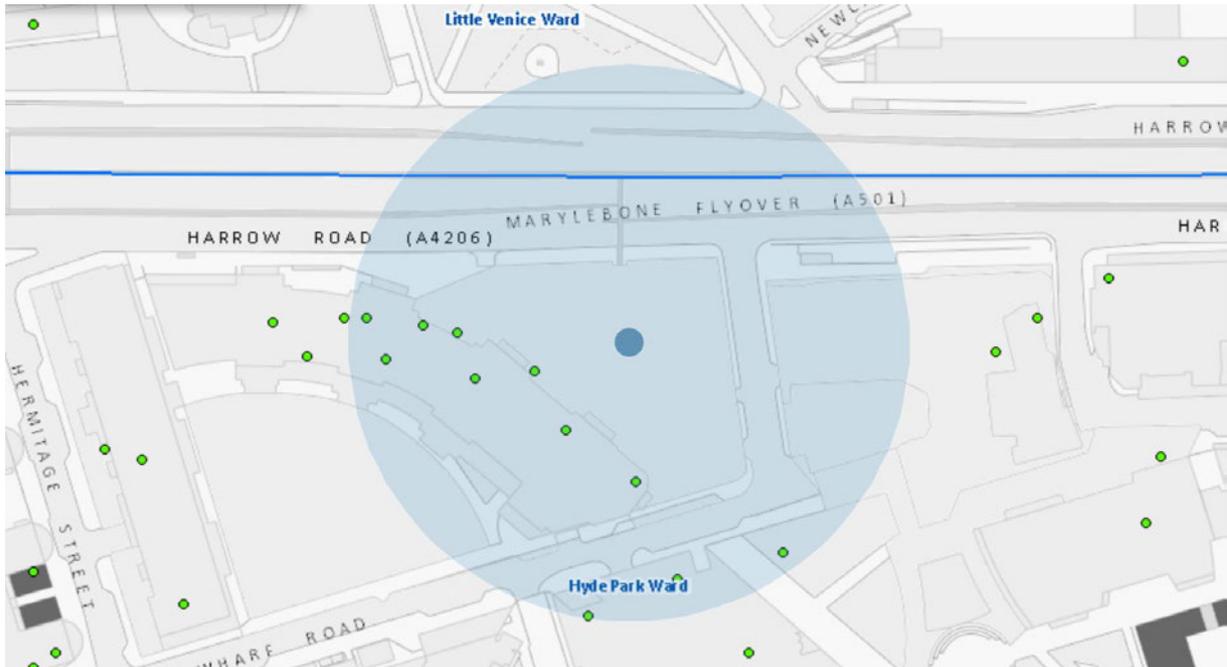
35. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:
- (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received concerning crime and disorder
 - (d) any incidents of disorder
 - (e) any faults in the CCTV
 - (f) any visit by a relevant authority or emergency service.

Conditions proposed by the Metropolitan Police

36. There shall be no sales of alcohol for consumption off the premises after **(23.00)**

Conditions proposed by the Environmental Health

None



Resident Count: 0

Licensed premises within 75 Metres of Development Site At Paddington Exchange, North Wharf Road, London				
Licence Number	Trading Name	Address	Premises Type	Time Period
20/03175/LIPN	Not Recorded	Development Site At Paddington Exchange North Wharf Road London	Miscellaneous	Monday to Sunday; 00:00 - 00:00
20/07016/LIPVM	Heist Bank	3 - 15 North Wharf Road London W2 1LA	Wine bar	Monday to Thursday; 08:00 - 23:30 Friday to Saturday; 08:00 - 00:00 Sunday; 09:00 - 22:30 Sundays before Bank Holidays; 08:00 - 00:00



City of Westminster

Licensing Sub-Committee Report

Agenda Item 2.

Item No:	
Date:	27 January 2021
Licensing Ref No:	20/09771/LIPV - Premises Licence Variation
Title of Report:	Puppet Theatre Barge Blomfield Road London W9 2PF
Report of:	Director of Public Protection and Licensing
Wards involved:	Little Venice
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Kevin Jackaman Senior Licensing Officer
Contact details	Telephone: 0207 641 6500 Email: kjackaman@westminster.gov.uk

1.	Application		
1-A	Applicant and premises		
Application Type:	Variation of a Premises Licence, Licensing Act 2003		
Application received date:	26 October 2020		
Applicant:	Art of The Puppet Limited		
Premises:	Puppet Theatre Barge		
Premises address:	Puppet Theatre Barge Blomfield Road London W9 2PF	Ward:	Little Venice
		Cumulative Impact Area:	None
Premises description:	Puppet Theatre Barge is a long-established and highly respected Puppet Theatre operating from a barge moored at Little Venice.		
Variation description:	The applicant seeks to vary the existing premises licence to add the exhibition of films to the existing permitted regulated entertainment and the sale by retail of alcohol for consumption ON the premises.		
Premises licence history:	The premises have had the benefit of a premises licence since December 2005. The current premises licence reference is 07/01450/WCCMAP which is attached as Appendix 2 of this report. Please see Appendix 5 of the report for a full licence history.		
Applicant submissions:	Following consultation with the Metropolitan Police, the applicant has amended the start time for the sale of alcohol on Sundays from 10:00 to 12:00		

1-B	Current and proposed licensable activities, areas and hours					
Regulated Entertainment						
Exhibition of films						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	N/A		10:00	22:00	The entire premises	No change
Tuesday			10:00	22:00		
Wednesday			10:00	22:00		
Thursday			10:00	22:00		
Friday			10:00	22:00		
Saturday			10:00	22:00		
Sunday			10:00	22:00		
Seasonal Variations/ Non-standard timings::	Current:			Proposed:		
	None			No change		

Performance of recorded music						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	10:00	22:00	No change		The entire premises	No change
Tuesday	10:00	22:00				
Wednesday	10:00	22:00				
Thursday	10:00	22:00				
Friday	10:00	22:00				
Saturday	10:00	22:00				
Sunday	10:00	22:00				
Seasonal variations/ Non-standard timings:	Current:				Proposed:	
	None				No change	

Performance of a play						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	10:00	22:00	No change		The entire premises	No change
Tuesday	10:00	22:00				
Wednesday	10:00	22:00				
Thursday	10:00	22:00				
Friday	10:00	22:00				
Saturday	10:00	22:00				
Sunday	10:00	22:00				
Seasonal variations/ Non-standard timings:	Current:				Proposed:	
	None				No change	

Sale by Retail of Alcohol						
On or off sales			Current :		Proposed:	
			N/A		On only	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	N/A		10:00	22:00	The entire premises	No change
Tuesday			10:00	22:00		
Wednesday			10:00	22:00		
Thursday			10:00	22:00		
Friday			10:00	22:00		
Saturday			10:00	22:00		
Sunday			12:00	22:00		
Seasonal variations/ Non-standard timings:	Current:				Proposed:	
	None				No change	

Hours premises are open to the public						
	Current Hours		Proposed Hours		Premises Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	10:00	22:00	No change		The entire premises	No change
Tuesday	10:00	22:00				
Wednesday	10:00	22:00				
Thursday	10:00	22:00				
Friday	10:00	22:00				
Saturday	10:00	22:00				
Sunday	10:00	22:00				
Seasonal variations/ Non-standard timings:	Current: None				Proposed: No change	

1-C	Layout alteration
No change of layout is proposed	

1-D	Conditions being added
Condition	
<ul style="list-style-type: none"> • The business will continue to operate in good faith as a Puppet Theatre and the sale of alcohol shall at all times be complimentary to that business purpose • Alcohol shall not be available for sale or consumption when the Puppet Theatre is holding an event aimed at children. • Staff shall be trained on security issues including how to identify and refuse service to customers that are drunk or appear to be drunk. • A written notice of 'authority' record shall be maintained for all staff who sell alcohol • There shall be comprehensive training for staff in the main requirements of the Licensing Act 2003, the specific measures and conditions in place to promote the Licensing Objectives and the staff roles and responsibilities. Such records shall be available for inspection by the responsible authorities. • The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order. • The means of escape provided for the premises shall be maintained unobstructed and free of trip hazards. • Satisfactory arrangements will be put in place to supervise an orderly dispersal of visitors when leaving the property to ensure the minimum of noise and disturbance to local residents and businesses. • No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the barge which gives rise to a nuisance. • No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between (22.00) hours and (08.00) hours on the following day • The premises will be promoted as family friendly and suitable for all ages. Should children be in attendance, there will be no inappropriate entertainment, promotions, activities or behaviour tolerated at the premises that might put children at risk. • There will be an effective age verification policy in accordance with the mandatory code. 	

<p>This policy will be one of Challenge 25 for age-restricted products and include the appropriate display of notices relating to the policy within the premises.</p> <ul style="list-style-type: none"> • These notices will indicate that any customer not appearing to have reached the age of 25 will be required to produce appropriate identification proving that they have turned 18 before being sold alcohol. • Appropriate ID will be a valid passport, photo driving licence, PASS accredited proof of age card or other reliable photo-ID that is recommended and approved for acceptance by the police or other authorities. • Staff shall be trained in aspects of responsible alcohol retailing and in particular the Protection of Children including the Challenge 25 policy. • Staff training will occur before a staff member is authorised to sell alcohol within the premises. 		
Adult entertainment:	Current position:	Proposed position:
	None	No change

2.	Representations
2-A	Responsible Authorities
Responsible Authority:	Environmental Health Service
Representative:	Dave Nevitt
Received:	18 November 2020

I wish to make Representations on the following grounds:

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

Following a site visit at the premises Environmental Health submitted the following comments:

The current Issued Licence for the barge is 07/01450/WCCMAP. The above application is to vary the Licence in order to ***'Add the 'Exhibition of films' to the existing permitted regulated entertainment and the sale by retail of alcohol for consumption ON the premises.'***

The application to add the Exhibition of Films is relatively uncontroversial.

The application to add the Sale of Alcohol for consumption 'On' the premises is slightly beyond the 'Core Hours' for a Sunday as defined in the City Council's Licensing Policy. I recommend that the application is amended so that the commencement time for the Sale of Alcohol on a Sunday is 1200 noon rather than 1000hrs.

The applicant has also submitted a number of proposed additional conditions and I make the following comments in respect of those:

Proposed Condition 1 – replace with: ***'The Licensable activities authorised by this licence shall at all times be ancillary to the main use of the premises as a Puppet Theatre.'***

Proposed Condition 2 – for clarity I recommend that the wording is amended, e.g. using the words, *'Where the screening or performance is primarily intended for children under XX years'*. I am happy to discuss the options for the wording of this condition.

Proposed Conditions 3-5 – are not necessary.

Proposed Conditions 6-11 – **Agreed.**

Proposed Condition 11 – not necessary and not practically enforceable.

Proposed Conditions 12-16 – can be replaced with WCC Model Conditions set out below.

I propose the following Conditions:

The Sale or supply of alcohol shall at all times only be to persons attending a pre-booked ticketed film screening or performance of a play on that day.

MC04 No drinks shall be served in glass containers at any time.

MC37 The number of persons permitted in the premises at any one time (excluding staff) shall not exceed (X) persons. (to be specified by EH).

MC45 No advertisements of any kind (including placard, poster, sticker, flyer, picture, letter, sign or other mark) that advertises or promotes the establishment, its premises, or any of its events, facilities, goods or services shall be inscribed or affixed upon the surface of the highway, or upon any building, structure, works, street furniture, tree, or any other property, or be distributed to the public.

MC47 A Challenge 21 or Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.

MC48 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.

MC49 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.

MC57 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.

MC81 No licensable activities shall take place at the premises until the premises has been assessed as satisfactory by the Environmental Health Consultation Team at which time this condition shall be removed from the Licence by the licensing authority.

- Mandatory condition when a premises licence or a club premises certificate authorises the exhibition of films:

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

Responsible Authority:	Metropolitan Police
Representative:	Bryan Lewis
Received:	22 November 2020 (withdrawn 23 November 2020)

Police object to this application as it seeks to vary the premises licence, to enable the sale of alcohol. There are insufficient conditions proposed to support the following licensing objective, the prevention of crime and disorder. I have noted that you have agreed to the conditions proposed by EH. In addition, I propose the two standard model CCTV conditions.

- 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 and will include the external area immediately outside the premises entrance. 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.

Please confirm agreement to the above conditions

Following agreement of the above conditions, the Metropolitan Police withdrew their representation on 23 November 2020

2-B	Other Persons		
Name:	[REDACTED]		
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]		
Status:	Valid	In support or opposed:	Opposed
Received:	13 November 2020		

The puppet barge is moored in a very quiet residential area and the introduction of a premises which serves alcohol from 10am and which closes at 10.30pm at night has the potential to cause significant public nuisance as there is no provision for the related problems of alcohol consumption. The puppet barge currently serves children and their families. It is not big and I am not sure whether it has a toilet. My concerns would be the following:

Drinking spilling over onto the canal towpath

Smokers congregating outside the barge causing noise and litter in what is a spot for families to walk and feed the ducks and at night a very quiet residential street

Alcohol consumption throughout the day with no food provision has the potential to result in anti social behaviour, noise, litter and issues of toilet facilities. This is a very quiet residential area and these issues will cause significant public nuisance.

Sheldon Square and Merchant Square, further down the canal have been developed into mixed use spaces where there is adequate provision of the ancillary services needed to support leisure activities and eating and drinking. There is security, regular cleaning, lighting, transport links, litter bins, toilets and there is no residential accommodation at street level. This would be

a much better site for a boat intending to serve alcohol.

If this site is allowed to serve alcohol, it will precipitate more such applications and then the whole character of this stretch of the canal which is currently a safe and enjoyable place for families to enjoy the birdlife of the canal, will disappear. As we have seen with the pandemic, outside spaces near nature are invaluable and important for everyone's wellbeing.

Name:	[REDACTED]		
Address and/or Residents Association:	[REDACTED] [REDACTED]		
Status:	Valid	In support or opposed:	Opposed
Received:	14 November 2020		

As a local resident I strongly object to the granting of any license for premises operating on Browning's Pool / the canals of Little Venice.

This is a unique place of peace and tranquillity that must be protected by the council. The area is already under siege because of poor planning decisions. Families need a place that's undisturbed by unnecessary noise pollution and anti social behaviour. There is already a problem with juveniles / gangs using that part of the towpath where they take and sell drugs and where I have also seen violence which this facility would promote.

Otherwise the area does not need a cinema we have a fabulous one in Maida Vale (Everyman) and the venue itself is unsuitable and will present a safety risk to customers. Furthermore the area already has adequate drinking facilities at pubs like the Warwick castle and Bridge House. Both very nearby and not on the pond.

It also sets a very dangerous precedent. Little Venice is a residential area for urban families. This is not Camden Lock - a leisure and party zone. So please do not let the area slide down this slippery slope and make a sensible judgement.

Name:	[REDACTED]		
Address and/or Residents Association	[REDACTED] [REDACTED] [REDACTED]		
Status:	Valid	In support of opposed:	Opposed
Received:	22 November 2020		

It is specifically a children's venue and therefore does not require an alcoholic licence. The toilet facilities are inadequate - and after drinking on board I fear the towpath will become even more of a public lavatory than it is at present.
Possible danger of people falling overboard.
More noise pollution.
Even more parking problems.

The puppet theatre is essentially for CHILDREN not a drinking venue. One of the pleasures of the pool of Little Venice is its calm and serenity, in complete contrast to the crowds and bustle of Camden. Which is why I strongly disagree to The Puppet Barge having an alcohol licence. It will set a precedent for others to follow.
People need a retreat a place to rest and recharge.
The licence will create more noise, litter, and parking problems.
It is inevitable that people will want to drink outside of the barge.

The toilet facilities are not adequate enough and this will lead to people urinating on the towpath. The part of the wharf where the barge is situated already has a problem with drunks and drug addicts.

We need to keep this as a natural and clean area where Mums can bring their toddlers to feed the ducks and swans without the hassle of drunk and disorderly people.

I OBJECT TO THIS APPLICATION WHOLEHEARTEDLY.

Name:		[REDACTED]	
Address and/or Residents Association		[REDACTED] [REDACTED] [REDACTED]	
Status:	Valid	In support or opposed:	Opposed
Received:	17 November 2020		

Lack of toilet arrangements: would there be for WCs on board? It would be unacceptable to have customers using the towpath as a public urinal. We don't need another outlet serving alcohol, with The Bridge and The Warwick Castle 3 minutes away? Peace and quiet in a busy hub: Visitors come here to enjoy the peace and quiet of Brownings Pool, and this stretch of the canal.

The pressure of commerce in this area is mounting with the ever increasing development in Paddington Basin and North Wharf, to the great detriment of local residents in both social and private housing; both visually, in footfall, noise and refuse. There are so many food/alcohol outlets in and around the Basin already, and yet still there are pop-up food stands that appear on Wednesdays, with the resulting horrible odour of cooking. No one wants another Camden Lock here. If people want a place to visit like Camden Lock, go to Camden Lock. We already have a 'niche' cinema nearby with Everyman on Sutherland Avenue.

Name:		[REDACTED]	
Address and/or Residents Association		[REDACTED] [REDACTED] [REDACTED]	
Status:	Valid	In support or opposed:	Opposed
Received:	22 November 2020		

I live on [REDACTED] in close proximity to the Puppet Theatre Barge. My family will be negatively impacted if the application were approved.

Firstly, the setting - the barge, the narrow towpath and poor lighting - is unsuitable for serving alcohol. It should be immediately obvious that inebriated adults could cause damage to themselves as well as to other visitors in the conservation area.

Secondly, Little Venice is a residential area, which is also well served in terms of bars/pubs and restaurants. Indeed, there are two pubs within close proximity to the Puppet Theatre Barge, with one already causing some serious noise issues. The disturbance caused by a premise with an alcohol license in such a tranquil conservation area, in particular in what is arguably one of the most serene parts of the canal, would be disproportionate. Paddington central would be a more appropriate venue for this proposal

Thirdly, I very much doubt that the the toilet and garbage facilities will be sufficient, potentially leading to overflowing litter and urination in what is supposed to be a conservation area.

Finally, there is limited value in introducing another cinema in our area as we have an Everyman Cinema in Maida Vale.

Name:		[REDACTED]	
Address and/or Residents Association		[REDACTED] [REDACTED] [REDACTED]	
Status:	Valid	In support or opposed:	Opposed
Received:	21 November 2020		

I write on behalf of all three Little Venice councillors. We do recognise the contribution that this business has made to the local community over a long period of time and we are very supportive of that operation.

However the variation application appears to be fundamentally changing the nature of the business.

It is not clear what films would be shown and whether people can only buy drinks whilst they are watching films or before and after performances as well ?

It is not clear to us how the condition of the sale of alcohol being at all times complimentary to the business purpose of this being a puppet theatre can be achieved. The conditions offered also state alcohol will not be available if there is an event aimed at children which is the primary operation of the puppet theatre. We see these two extra conditions to be at odds with each other.

It is not clear how many people will be allowed to drink at the venue ? What is the capacity ? It would appear that drinks can be obtained without any food being which means that it could in essence be a bar which is a fundamental change to the current business.

This change of operation in a residential area would be of concern to us and could lead to being against the licensing objectives as there is a significant danger of noise and dispersal nuisance. The map does not seem to indicate the provision of toilets which would be likely to lead to significant issues.

In summary, based on the information provided, we cannot support this application.

[REDACTED]
[REDACTED]

Name:		[REDACTED]	
Address and/or Residents Association		[REDACTED] [REDACTED] [REDACTED]	
Status:	Valid	In support or opposed:	Opposed
Received:	20 November 2020		

[REDACTED] Blomfield Road. I strongly object to the granting of an alcohol licence. The barge is a long established children's puppet theatre, the provision of alcohol is not complimentary to that business purpose. The size of the barge is small and the towpath, where it is moored, narrow. Any overflow of customers, especially intoxicated ones, would create a public nuisance both in terms of noise and blockage of the towpath. The latter is used a lot during daylight hours by pedestrians and families enjoying the peaceful canalside scene. The noise generated by the departure of customers, intoxicated or otherwise, would create a disturbance particularly at night, in what is a residential neighbourhood. Noise travels a long way across the water as we know due to the few boats that travel along the canal, especially on a summer's evening. This noise is transient, the noise from a static barge would be very intrusive. Currently the Puppet Theatre, as far as I'm aware, does not operate in the evenings, nor do any of the static barges moored in Browning's Pool. The noisiest permanent inhabitants are the geese, and so it should remain. The venue is unsuitable as a licensed venue as the toilet facilities are not sufficient where alcohol may be provided from 10am to 10pm. This will result in antisocial behaviour in terms of the inevitable use of the canal, the towpath and surrounding streets as public toilets. As a floating venue, there is also a real risk of customers

falling into the water. There are plenty of alternative, more appropriate, licensed establishments nearby in Paddington Basin and pubs such as The Bridge House, which also has a theatre. I would urge refusal of this application which would otherwise alter the unique, peaceful, residential canal environment within a Conservation Area.

Name:		[REDACTED]	
Address and/or Residents Association		[REDACTED] [REDACTED] [REDACTED]	
Status:	Valid	In support or opposed:	Opposed
Received:	22 November 2020		

My husband and I recently purchased [REDACTED] one of the main reasons for our purchase was to create a home in the tranquil environs of Little Venice. A conservation area and a peaceful oasis in central London. We are somewhat alarmed to see that the puppet theatre barge has applied for a licence to serve alcohol.

It seems to us that the cost to the neighbourhood far outweighs whatever benefits the applicants may have highlighted in their attempt to secure a licence. We would hope that those considering the application will consider the potential impact on crime and disorder. The increased threat to public safety and public nuisance. Given the barge is a puppet theatre for children, surely childrens' safety is only diminished by the adults around them being served alcohol for those that want an alcoholic drink there are other licensed premises nearby e.g. The Bridge House and The Windsor Castle

I note that there are no plans it would seem to serve food together with the alcohol which may in of itself increase potential issues?

The venue is relatively small so there could be significant noise if customers spill out on the towpath, together with creating an obstacle on the towpath, that is of course in addition to the noise of departing inebriated customers into the immediate vicinity of the barge

Being a floating boat there are also concerns regarding WC management when serving alcohol; we do not want the towpath and the local area used as a public toilet

We hope for all these reasons that the application is not granted

Name:		[REDACTED]	
Address and/or Residents Association		[REDACTED] [REDACTED]	
Status:	Valid	In support or opposed:	Opposed
Received:	12 November 2020		

My family & I strongly oppose this application. [REDACTED] so are directly affected:

- Safety:** This floating barge has scant onboard space for drinking. The interior is filled with seating suitable for children's shows, not a comfortable drinking area. There would be overflow onto the very narrow towpath. Inebriated adults falling into the water or jostling/throwing someone else in, including a child, is likely. Inebriation is even more likely given the lack of facilities or space for food service.
- Nuisance:** Noise carries tremendously over water. Music from passing boats is audible from a great distance: this is tolerable given the fact that they are not stationery under our windows. Moreover, in this case, the noise would be that of shouting, loud conversation etc, not music. There is insufficient onboard space for socializing: there would be inevitable overflow onto the towpath, blocking it to people wishing to enjoy a quiet stroll or fish. The large trees on the street above would drive overflow onto the pavement that runs along the other side, directly under our windows. The noise, would rise into our and our neighbours' houses.

The overflow & insufficient loos would also increase litter & urination on the water, by the towpath, on the pavements and garden walls. Litter & urination are already a problem on the towpath and water. Police enforcement is unlikely given the lack of action re the drug & prostitution problem along this precise stretch of the street.

3. Alcohol on a children's entertainment facility is inappropriate, especially if children are present. It is inappropriate to a quiet residential area along a towpath & watercourse that host fish, waterfowl, insects, songbirds & reptiles. Several pubs in walking distance offer more appropriate facilities with adequate loos, bins and safety provision.

Name:		[REDACTED]	
Address and/or Residents Association		[REDACTED] [REDACTED] [REDACTED]	
Status:	Valid	In support or opposed:	Opposed
Received:	20 November 2020		

I strongly object to the application and feel that the Puppet Barge is not an appropriate venue for licensing.

It is a stationary boat and the towpath is narrow. There will almost certainly be an overspill on to the towpath causing - most likely - alcohol fuelled incidents.

There is already a problem on Blomfield Road with public urinating: this will surely increase due to the lack of sufficient facilities on the barge. Litter is another problem that will only increase. Noise is bound to be a problem in the surrounding area not only from the towpath, but on the access steps up to Blomfield Road and the road itself. There is bound to be an increase in taxi traffic on Blomfield Road causing more noise and disruption.

Safety is at risk with the anticipated congestion. This is a popular area for visitors and residents alike who all enjoy strolling by the canal, feeding the birds and so on. The towpath is not wide enough to accommodate safely the increase in numbers.

Name:		[REDACTED]	
Address and/or Residents Association		[REDACTED] [REDACTED] [REDACTED]	
Status:	Valid	In support or opposed:	Opposed
Received:	20 November 2020		

An application for a cinema licence would appear to be harmless, but the prospect of suddenly having a licenced bar on a peaceful, pretty, narrow towpath is frankly frightening to those who live in the surrounding area.

This is an area where local residents and tourists visit on foot and by tour barge to enjoy the picturesque surroundings and local wildlife of ducks, swans and geese found in this neighbourhood. Many of the visitors are small children and babies brought to Rembrandt Gardens to enjoy the safety and quiet that currently exists there. The introduction of a licenced bar would alter this dynamic drastically.

This pleasant area known for its picturesque views will be at risk of being spoilt by many potential risks:

1. An increased risk of crime and disorderly behaviour should people become inebriated on the barge or on the narrow towpath just outside.
2. People drinking close to the narrow public towpath is extremely dangerous, with close proximity to open water an accident could easily occur.
3. For those leaving the barge wishing to carry on their evening, there are no nearby bars to go to, which will result in people loitering on the towpath.
4. This increase in footfall on such a narrow towpath will certainly affect passers-by.
5. Rembrandt Gardens is a beautiful spot at risk of being overrun by people leaving the barge to

continue drinking.

6. There will most certainly be an increase in noise disturbance for local residents, which is then amplified by the canal.

7. An increase of traffic in the area and people parking on the single yellow line on Blomfield Road will add to congestion on local roads.

8. Damage to the towpath, wildlife and surrounding area will occur due to an increase of littering and anti-social behaviour.

9. Children visiting the local wildlife area will be disturbed and therefore discouraged, as will the wildlife.

Name:

[REDACTED]

Address and/or Residents Association

[REDACTED]
[REDACTED]
[REDACTED]

Status:

Valid

In support or opposed:

Opposed

Received:

20 November 2020

I object to the proposed licence to sell alcohol by the Puppet Theatre. Blomfield Road, where I live, is entirely residential and the houses largely family occupied and is therefore an area unsuited to the sale of alcohol. The barge does not offer enough seating for social drinking and therefore it is bound to spread out onto the towpath. Alcohol and water are not a good combination and there is a very strong risk of drinkers falling in the canal. There is also the problem of other towpath users, including children, trying to find their way through a gaggle of cheerful drinkers. It does not appear that food will be served as I believe there is no catering kitchen on the barge so the alcohol consumption will not be muted by food. Additionally, the absence of adequate WCs for a drinking, non-eating crowd could lead to a very unpleasant situation and could constitute a public nuisance. For these reasons and the problem of noise in one of the few tranquil areas of London I object to the application.

Name:

[REDACTED]
[REDACTED]

Address and/or Residents Association

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Status:

Valid

In support or opposed:

Opposed

Received:

13 November 2020

Our comments are made as an Amenity Society recognised 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 recognise that these premises are run as a business and we are aware that it has to be a viable operation, providing services for locals as well as people who are not residents in this area. We are very keen to ensure that an appropriate balance is maintained between the legitimate rights of business and the equally legitimate and important rights of residents.

Introduction

With that in mind, this application raises a significant number of issues which lead us to conclude that, if granted as applied for, it will constitute an unacceptable risk to the licensing objectives. We would ask that if the licensing authority is minded to grant the application, it should be with amendments and additional conditions.

Our representation is made on the basis that the likely impact of the application, if granted, would be to harm the licensing objective of prevention of public nuisance.

There are houses lining the non Canal side of Blomfield Road, and we are aware that there are

three main concerns for these residents. Firstly the noise arising from activities on the Canal bank which seem to echo and resound ; secondly the impact of the noise made by people leaving the area, which is not well served by public transport and visitor parking, often leading to pedestrians puzzled as to where to go for transport; thirdly the narrowness of the road, which is one way, though bikers frequently ignore that, which has proved risky at times. Some of these concerns may apply to the those residents on Canal boat permanent moorings on both side of the Canal the other side of the bridge, running east up to the Maida Tunnel. Presumably as the Puppet Barge has an established travel pattern of sailing off elsewhere at the end of its "Little Venice Season", this licence would only apply to its specific mooring on Blomfield Road.

The application

We note that there is a premises licence in effect at the premises, ref: 07/01450/WCCMAP, which permits 'performance of plays' and 'recorded music' between 10am and 10pm.

The current application seeks to add sale of alcohol for consumption on the premises and exhibition of film between the same hours, with opening 30 mins later each day.

A number of conditions have been offered, including:

- (1) The business will continue to operate in good faith as a Puppet Theatre and the sale of alcohol shall at all times be complimentary to that business purpose
- (2) Alcohol shall not be available for sale or consumption when the Puppet Theatre is holding an event aimed at children.

Reasons for representation

Whilst we support the concept and the charity, we do have a number of points to make which would need to be satisfactorily addressed. We would welcome the applicant getting in touch with us to discuss the content of the representation. We are always open to discussions and frequently reach agreements, particularly if no residents have raised concerns.

1. The hour for sale of alcohol on a Sunday is outside of core hours (applied for 10am start, core hours is midday start).
2. Although it is said that alcohol would not be sold/available during an event aimed at children, this would need defining more clearly.
3. How frequently are the adult events?
4. Would it be ticket holder only?
5. We would have concerns if the licence permitted the premises in future to become a bar by the canal, open every night. We have tried quite hard to get reasonable restrictions in on past applications on the same bank from others. We do note the proposed condition that 'The business will continue to operate in good faith as a Puppet Theatre and the sale of alcohol shall at all times be complimentary to that business purpose' and consider that helpful.
6. Parking is a huge issue on that bit of Blomfield Road and there are a number of bikes which go down it the wrong way.
7. We presume that no alcohol would be consumed outside the boat on the towpath?
8. Consuming alcohol can cause people to be noisy when leaving, and sound echoes around the basin.
9. Will food be served with alcohol? We would be concerned if not, because this would make this another bar in the area.
10. We are pleased to see a condition proposed that 'No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between (22.00) hours and (08.00) hours on the following day' but would request similar for deliveries.
11. We are also pleased to see a condition which suggests that the applicant is aware of the need for customers to leave quietly – 'Satisfactory arrangements will be put in place to supervise an orderly dispersal of visitors when leaving the property to ensure the minimum of noise and disturbance to local residents and businesses' – but we would like more information about how this will work in practice.
12. Would customers consuming alcohol be seated and watching a performance, with drinks available for a short period beforehand?
13. What arrangements are there for smokers?
14. We would want to have restrictions on the timings of deliveries and removal of refuse

Conclusion

We are aware of difficulties posed to small businesses by the Covid-19 pandemic, and wish to support businesses where we can. However, we also have to look out for the interests of residents.

We are also aware that applications are often amended to take into account concerns raised by responsible authorities or other persons. Please let us know if any amendments are made to this application so that we can consider if they resolve our concerns and, if appropriate, liaise with local residents.

If a hearing takes place, we will endeavour to attend. Or appoint Richard Brown to represent us.

Name:	[REDACTED]		
Address and/or Residents Association	[REDACTED] [REDACTED] [REDACTED]		
Status:	Valid	In support or opposed:	Opposed
Received:	20 November 2020		

I strongly oppose this application. I look out over the basin so it will have a big impact on me. Adults supervising children on a canal tow path, then guiding them up and onto a slippery barge with no railings should not be drinking alcohol.

We already see what happens with only a moderate and informal consumption of alcohol on the tow path. Men gather to take and sell drugs and to drink. They then emerge to pee in the bushes outside my house and leave disgusting amounts of litter on the pavement. Just a few weeks ago I had to call the police after a very distressing incident involving alcohol. Two men who had been drinking on the tow path, threw a glass of brandy in my partner's face outside my house. Clearly drunk, they racially abused and attacked my partner, shoved their way into my front garden and threatened me when I came to help. The police report reference number of this alcohol fuelled incident is 6542215/20. This kind of incident will only increase with the granting of a licence.

The Puppet Theatre is a small venue and people will invariably spill out onto the tow path in the evening. This is a quiet residential area. My bedroom looks over the Basin so I will be disturbed by the sudden increase in people shouting and laughing as they emerge every night from the one small exit opposite my house — not to mention the increase in parking and traffic.

The granting of this licence threatens the unique atmosphere of Little Venice, an oasis of tranquility in the middle of London that many people appreciate and come to enjoy.

3.	Policy & Guidance
	Westminster City Council has adopted a revised Statement of Licensing Policy that became operative from 7 January 2021. This application for was applied for on 26 October 2020. At the time of submission, the Council's Statement of Licensing Policy 2016 was applied to this application. However, the Licensing Service has outlined below the policy considerations necessary for this application in accordance with the revised policy which will be effective when this application is determined on 14 January 2021
The following policies within the City Of Westminster Statement of Licensing Policy apply:	
Policy HRS1 applies	A. Applications within the core hours set out below in this policy will generally be granted for the relevant premises uses, subject to not being contrary to other policies in the Statement of Licensing Policy. B. Applications for hours outside the core hours set out in Clause C will be considered on their merits, subject to other relevant policies,

	<p>and with particular regard to the following:</p> <ol style="list-style-type: none"> 1. The demonstration of compliance in the requirements of policies CD1, PS1, PN1 and CH1 associated with the likelihood of the effect of the grant of a licence for later or earlier hours on crime and disorder, public safety, public nuisance and the protection of children from harm. 2. If the application is located within a Special Consideration Zone they have demonstrated that they have taken account of the issues identified in that area and provided adequate mitigation. 3. Whether there is residential accommodation in the proximity of the premises that would likely be adversely affected by premises being open or carrying out operations at the hours proposed. 4. The proposed hours of the licensable activities and when customers will be permitted to remain on the premises. 5. The proposed hours when any music, including incidental music, will be played. 6. The hours when customers will be allowed to take food or drink outside the premises or be within open areas which form part of the premises. 7. The existing hours of licensable activities and the past operation of the premises (if any) and hours of licensable premises in the vicinity. 8. Whether customers and staff have adequate access to public transport when arriving at and leaving the premises, especially at night. 9. The capacity of the premises. 10. The type of use, recognising that some venues are more likely to impact the licensing objectives than others; for example, pubs and bars are higher risk than theatres, cinemas and other cultural and sporting venues due to the nature of the operation. 11. The Licensing Authority will take into account the active measures proposed for a 'winding down' period including arrangements for people to be collected from the premises to travel home safely. 12. Conditions on hours may be attached that require that the supply of alcohol for consumption on the premises ceases a suitable period of time before customers are required to leave the premises. 13. The council, acting as the Licensing Authority, may reduce hours if, after review, it is necessary to impose conditions specifying shorter hours in order to promote the licensing objectives. 14. Specific days for non-standard hours should be identified and justified as part of the application to allow responsible authorities and interested parties to evaluate the impact that these licensable activities may have, and to plan accordingly. The consideration of applications for later hours for Bank Holiday Mondays will take into account that later hours are generally granted for preceding Sundays and that the next day is a working day. Non-specific days are expected to be covered by Temporary Event Notices or variation applications. <p>The premises trade as a theatre. The core hours specified for this premises use are as follows: Monday to Sunday: 9am to 12am</p>
<p>Policy CCSOS1 applies</p>	<p>A. Applications outside the West End Cumulative Zones will generally be granted subject to:</p> <ol style="list-style-type: none"> 1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1.

2. The hours for licensable activities are within the council's Core Hours Policy HRS1.
3. The applicant has clearly demonstrated that the sale by retail of alcohol and late-night refreshment will be ancillary to the venue's primary function as a cinemas, cultural and live sporting venues and outdoor space.
4. The applicant has taken account of the Special Consideration Zone Policy SCZ1 if the premises are located within a designated area.
5. The application and operation of the venue meeting the definition for a cinema, cultural venue, live sporting premises or outdoor space as per Clause C.

B. Applications inside the West End Cumulative Impact Zone will generally be granted subject to:

1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1.
2. The hours for licensable activities are within the council's Core Hours Policy HRS1.
3. The applicant has demonstrated that they will not add to cumulative impact within the Cumulative Impact Zone.
4. The applicant has clearly demonstrated that the sale by retail of alcohol and late-night refreshment will be ancillary to the venue's primary function as a cinema, cultural venue, live sporting premises or outdoor space.
5. The sale by retail of alcohol and/or late-night refreshment after 11pm is limited to customer, patrons or members of the audience who will or have made use of the primary function of the venue as a cinema, cultural venue or live sporting premises.
6. The applicant has demonstrated that they will not add to cumulative impact within the Cumulative Impact Zone.
7. The application and operation of the venue meeting the definition for a cinema, cultural venue, live sporting premises or outdoor space as per Clause C.

C. For the purposes of this policy the primary function of a cinema, cultural venue and live sporting premises is defined as:

1. Cinema For the exhibition of feature or shorts films to an audience.
2. Cultural Venues
 - a. Theatres: for the performance of plays, dramatic or other entertainment performances to an audience.
 - b. Performance Venues: for a live performance in front of an audience which may include concert halls, comedy clubs or similar performances venues.
 - c. Cultural Uses: for the exhibition of art (e.g. galleries), a museum, or historical building/site that is open for visitors to visit on payment.
3. Live sporting premises: the premises or the use to which the licence is intended for
 - a. Live sporting events in the form of boxing and wrestling which takes place either inside or outside in the presence of an audience.
 - b. Live sporting events that are licensable as they are being held within a building where the sport and audience are accommodated wholly or partly inside that building.
 - c. Live sporting events that will take place outside a building, where the live sporting event is not a licensable activity but other licensable activities, are provided ancillary to that live sporting event.

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, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation

5.	Appendices
Appendix 1	Premises Licence 07/01450/WCCMAP
Appendix 2	Comments from The Planning Authority
Appendix 3	Applicant supporting documents
Appendix 3	Premises history
Appendix 4	Proposed conditions
Appendix 5	Residential map and list of premises in the vicinity

Report author:	Kevin Jackaman Senior Licensing Officer
Contact:	Telephone: 0207 641 6500 Email: kjackaman@westminster.gov.uk

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

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

1	Licensing Act 2003	N/A
2	City of Westminster Statement of Licensing Policy	7 th January 2021
3	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2018
4	Environmental Health Service representation	13 November 2020
5	Metropolitan Police Representation (withdrawn 23 November 2020)	22 November 2020
6	Interested Part representation (1)	13 November 2020
7	Interested Part representation (2)	14 November 2020
8	Interested Part representation (3)	18 November 2020

9	Interested Part representation (4)	17 November 2020
10	Interested Part representation (5)	22 November 2020
11	Interested Part representation (6)	21 November 2020
12	Interested Part representation (7)	20 November 2020
13	Interested Part representation (8)	22 November 2020
14	Interested Part representation (9)	12 November 2020
15	Interested Part representation (10)	20 November 2020
16	Interested Part representation (11)	20 November 2020
17	Interested Part representation (12)	20 November 2020
18	Interested Part representation (13)	13 November 2020
19	Interested Part representation (14)	20 November 2020



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

Schedule 12
Part A

WARD: Little Venice
UPRN: 000000002188

Premises licence

Regulation 33, 34

Premises licence number:

07/01450/WCCMAP

Part 1 – Premises details

Postal address of premises:

Puppet Theatre Barge
Barge Bloom Pool Of Little Venice
Blomfield Road
London
W2 2PS

Telephone Number: 07836202745

Where the licence is time limited, the dates:

N/A

Licensable activities authorised by the licence:

- Regulated Entertainment:
- Performance of a Play
 - Playing of Recorded Music

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

- Regulated Entertainment:
- Performance of a Play: Monday to Sunday - 10:00 to 22:00
 - Playing of Recorded Music: Monday to Sunday - 10:00 to 22:00

The opening hours of the premises:

Monday to Sunday - 10:00 to 22:00

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

On and Off

Part 2

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

Art Of The Puppet Limited
78, Middleton Road
London
E84BP
Electronic Mail : puppet@movingstage.co.uk
Telephone Number : 0207 249 6876

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

1386096

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

Name: N/A
Address: N/A
Phone: N/A

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

Licence Number: N/A
Licensing Authority: N/A

Date: _____

Signed: _____
Director of Legal & Administrative Services

Annex 1 – Mandatory conditions

None

Annex 2 – Conditions consistent with the operating Schedule

1. Children shall not be allowed on the premises unless accompanied by an adult carer.

2. The premises will maintain a comprehensive CCTV system that ensures all areas of the licensed premises are monitored including all entry and exit points, and the street environment and which enable frontal identification of every person entering in any light condition. All cameras shall continually record whilst the premises are open to the public and the video recordings shall be kept available for a minimum of 31 days with time and date stamping. (ii) Tape recordings shall be made available to an authorised officer or a police officer together with facilities for viewing. (iii) The recordings for the preceding two days shall be made available immediately on request. Recordings outside this period shall be made available on 24 hours notice. (Subject to the Data Protection Act 1998).

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

3. The maximum capacity shall be 55 people



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

Schedule 12
Part B

WARD: Little Venice
UPRN: 00000002188

Premises licence
summary

Regulation 33, 34

Premises licence number:

07/01450/WCCMAP

Part 1 – Premises details

Postal address of premises:

Puppet Theatre Barge
Barge Bloom Pool Of Little Venice
Blomfield Road
London
W2 2PS

Telephone Number: 07836202745

Where the licence is time limited, the dates:

N/A

Licensable activities authorised by the licence:

Regulated Entertainment:
- Performance of a Play
- Playing of Recorded Music

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

Regulated Entertainment:
- Performance of a Play: Monday to Sunday - 10:00 to 22:00
- Playing of Recorded Music: Monday to Sunday - 10:00 to 22:00

The opening hours of the premises:

Monday to Sunday - 10:00 to 22:00

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

On and Off

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

Art Of The Puppet Limited
78, Middleton Road
London
E84BP

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

1386096

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

Name: N/A

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

Restricted

Date:

Signed:

Director of Legal & Administrative Services

INTERNAL MEMORANDUM

From: Frederica Cooney, North Planning Team, Placeshaping and Town Planning, Growth, Planning and Housing.

To: Kevin Jackaman, Licensing

Date: 16th November 2020

Re: Puppet Theatre Barge', Blomfield Road, W2 2PS

Your reference: 20/09771/LIPV

Our reference:

Thank you for your licensing service consultation request regarding the above site. It is understood that you have received an application by Art Of The Puppet Limited for a variation to a Premises Licence under the Licensing Act 2003.

The Puppet Theatre Barge is located within the Maida Vale Conservation Area and was previously known as 'Barge Bloom Pool of Little Venice'. It is understood that the last use of the barge was for a residential houseboat with a certificate of lawfulness granted in 2006 (06/03284/CLEUD).

From a search of planning records for the site we have since had no further planning history. It is advised that planning permission would be required for the use of the theatre.

Please do not hesitate to contact me if I can be of further assistance.

Kind regards

Frederica Cooney
Senior Planning Officer
North Planning Team
Placeshaping and Town Planning
Growth, Planning and Housing
Westminster City Council
www.westminster.gov.uk

Application Summary

Variation of premises licence

05/11220/LIPN
Puppet Theatre Barge
Blomfield Road
Little Venice
London
W9 2PF

Applicant is:

Art of the Puppet Ltd

Reg: 01386096
78 Middleton Road
E8 4BP

Description of Business and the proposed variation

Puppet Theatre Barge is a long-established and highly-respected Puppet Theatre operating from a barge moored at Little Venice. It is currently licensed under premises licence number 05/11220/LIPN (Westminster Council) for the provision of regulated entertainment (recorded music and performance of plays). This application seeks to vary the existing premises licence to:

Add the 'Exhibition of films' to the existing permitted regulated entertainment and the sale by retail of alcohol for consumption ON the premises.

- **ADD** the Exhibition of Films 1000 – 2200hrs Daily
- **ADD** the Sale by Retail of Alcohol for consumption ON the premises
1000 – 2200hrs Monday to Saturday
1200 – 2200hrs Sunday (as agreed with Police)

Variation Detail – Extra conditions

(Including amendments agreed with Police and Environmental Health
shown in BOLD)

- (1) **The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises and will include the external area immediately outside the premises entrance. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31-day period.**
- (2) **A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.**
- (3) **The Licensable activities authorised by this licence shall at all times be ancillary to the main use of the premises as a Puppet Theatre.**
- (4) **Alcohol shall not be available for sale or consumption where the screening or performance is primarily intended for children under 12 years**
- (5) Staff shall be trained on security issues including how to identify and refuse service to customers that are drunk or appear to be drunk.
- (6) A written notice of 'authority' record shall be maintained for all staff who sell alcohol
- (7) There shall be comprehensive training for staff in the main requirements of the Licensing Act 2003, the specific measures and conditions in place to promote the Licensing Objectives and the staff roles and responsibilities. Such records shall be available for inspection by the responsible authorities.
- (8) 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.
- (9) The means of escape provided for the premises shall be maintained unobstructed and free of trip hazards.
- (10) Satisfactory arrangements will be put in place to supervise an orderly dispersal of visitors when leaving the property to ensure the minimum of noise and disturbance to local residents and businesses.

- (11) No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the barge which gives rise to a nuisance.
- (12) No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between (22.00) hours and (08.00) hours on the following day
- (13) The premises will be promoted as family friendly and suitable for all ages. Should children be in attendance, there will be no inappropriate entertainment, promotions, activities or behaviour tolerated at the premises that might put children at risk.
- (14) The Sale or supply of alcohol shall at all times only be to persons attending a pre-booked ticketed film screening or performance of a play on that day.**
- (15) **No drinks shall be served in glass containers at any time.**
- (16) **The number of persons permitted in the premises at any one time (excluding staff) shall not exceed (**) persons.** (to be specified by EH at final inspection).
- (17) **No advertisements of any kind (including placard, poster, sticker, flyer, picture, letter, sign or other mark) that advertises or promotes the establishment, its premises, or any of its events, facilities, goods or services shall be inscribed or affixed upon the surface of the highway, or upon any building, structure, works, street furniture, tree, or any other property, or be distributed to the public.**
- (18) **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.**
- (19) **A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by the police or an authorised officer of the City Council at all times whilst the premises are open.**

- (20) 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.**
- (21) Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.**
- (22) No licensable activities shall take place at the premises until the premises has been assessed as satisfactory by the Environmental Health Consultation Team at which time this condition shall be removed from the Licence by the licensing authority.**

Response to Planning Authority comments

From: [Jackaman, Kevin: WCC](#)
To: [Jackaman, Kevin: WCC](#)
Subject: Puppet Theatre Barge, Blomfield Road, London - 20/09771/LIPV
Date: 18 January 2021 13:27:51
Attachments: [Puppet Theatre Barge - variation Summary of Conditions V2.doc](#)

Hi Kevin

I have attached a word document showing the conditions that we offered and the incorporation of extras agreed with both police and EH. There is some duplication over Challenge 25 which you may choose to iron out.

Dave Nevitt indicated that he would keep his representation 'live' just so that he could assist at the hearing and to keep the residents' objections in perspective, but he was otherwise happy.

I have asked Stan Middleton about planning permission. His comments to me from earlier in the process were:

This part of the planning comments is incorrect.

*The Puppet Theatre Barge
was previously known as 'Barge Bloom Pool of Little Venice'. It is understood that the last use of the barge was for a residential houseboat with a certificate of lawfulness granted in 2006 (06/03284/CLEUD).*

We have never been a residential house boat and have never been known as 'Barge Bloom of Little Venice' - this barge was a different boat that used to be moored on the same stretch of canal and has nothing to do with us.

We were granted planning permission by Westminster council in 2005 Unfortunately we can't currently find any paperwork to support this.

This information was passed to Frederica Cooney, but I am not aware that she has responded. The Puppet Theatre barge has operated at this location for 30 years.

Regards, Mike

Correspondence with interested parties

From: [Jackaman, Kevin: WCC](#)
To: [Jackaman, Kevin: WCC](#)
Subject: Puppet Theatre Barge, Blomfield Road, London - 20/09771/LIPV
Date: 18 January 2021 13:29:22
Attachments: [Residents response .pdf](#)
[Puppet Theatre Barge - variation Summary of Conditions.pdf](#)

Dear Kevin

Could you kindly email the below message and attachments to the 13 local residents.

Thanks, Mike

Dear Concerned Resident

I act for the applicant, Art of the Puppet Ltd, in their application for variation of their existing premises licence.

We note your representation that, unless withdrawn, will cause the matter to proceed to a hearing in due course where the licensing sub-committee of Westminster Council will be required to determine the grant of the application. At that hearing you will be expected to provide evidence to support your concerns that the grant of the application would negatively affect the licensing objectives (the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm).

We very much respect the right of local residents to raise their concerns, but we are sure that your worries are unfounded.

I would respectfully invite you to study the attached summary of the submitted application and the conditions since agreed with police and the environmental protection team. Attached also is a letter from my client, Stan Middleton, of the Puppet Barge giving clear information about the business and of the intentions of the application.

Should you feel sufficiently reassured that you would be able to withdraw your opposition to this application, I would ask that you kindly email licensing@westminster.gov.uk to say so.

Please do not hesitate to contact me if you require clarification on any point. Stan Middleton has also indicated that he would be happy to speak with anyone with lingering concerns.

Kind Regards, Mike

Mike Nickson

DIRECTOR, Inn Confidence
Inn Confidence Ltd
Suite 136, Imperial Court
Exchange Street East
Liverpool
L2 3AB
E | mike.nickson@innconfidence.co.uk
W | www.innconfidence.co.uk

Dear Resident

Thank you for your letter, and for sharing with us your concerns, which we take very seriously. I feel there have been some misunderstandings about our intentions, and I hope that this letter, and the conditions attached, will give everyone the information they need to make a reasonable and informed judgment about our request. We would like to make clear that we do not want to upset anyone, as we care greatly for our local community and for our neighbors.

Like you, we are fully invested in the peace and tranquility of the area, having been operating in the pool at Little Venice since 1988. In fact, I like to think that we have played our part in contributing to this ambience, by being a friendly, charming, cultural asset at the heart of the local community. For those of you who don't know, the Puppet Theatre Barge (patron Michael Palin) is a small family business, currently run by three generations of the same family of puppeteers. The running of this small theatre is a labour of love, and our passion lies in the art of puppetry. We have no intention of becoming a bar (which is why we have proposed strict conditions as part of our application) – the sale of alcohol would make up a very small part of our business, but would act as a financial lifeline after what has been an incredibly difficult year.

Public nuisance

Noise

For more than 30 years, we have hosted evening performances for adult audiences in Little Venice. These have included plays by Shakespeare, Lorca and Coleridge, most recently we hosted a three-week run of evening performances as part of the London International Mime Festival in January 2020. We have always had a 'bring your own alcohol' policy for these performances aimed at adults, so managing people who have had a drink is nothing new to us. We have never received a single noise complaint, or indeed any other form of complaint about our audiences in all the years we have been operating here. The difference now would be that drinking will be controlled by the conditions and commitments of the licence.

We host an average of around 20 to 30 performances aimed at adults per year and we would like to assure you that this number would not change as it is difficult to attract an audience of adults to watch a puppet show, so regular events for adults are not financially viable (even with the addition of alcohol).

People visiting our theatre are there to see the show. We have no intention of becoming a bar, but like all other theatres, would like to be able to offer a drink to audience members attending a performance. Audience members would be seated in the theatre when drinking, and as is stated in our conditions, only people with a ticket to attend a show would be permitted to buy a drink. We open the doors to the theatre 30min before the performance starts, so there will be no time for excessive drinking. As is the case with many theatres, we do not serve food but we have a range of snacks. Most of our audience members have either been for dinner before attending the show or have reservations for afterwards.

Toilet facilities

The Puppet Theatre Barge has toilet facilities. Our audience is made up of theatre lovers and puppetry enthusiasts, many of them elderly or on family outings, and is not comparable to people leaving a pub or bar after a night of drinking.

Smokers

In our experience, most smokers have been responsible about the disposing of their cigarette stubs. We provide an ashtray on the deck of the boat, and this has never caused an issue before.

Bins and deliveries

We are a very small business and bring all stock to the theatre ourselves. We have never taken any deliveries in Little Venice, but instead use our office address in East London, as there is very little storage space in the theatre itself.

Being such a small venue, disposing of refuse has never been an issue. We use the recycling bins and the Canal and River Trust bins opposite the Bridge House pub, and would continue to do so during the permitted hours (8am to 10pm).

Parking

The number of performances we would be holding per year would be the same as we have for more than 30 years, so parking would not be affected. The vast majority of performances are on the weekends, when in my experience, parking is not usually an issue.

Crime and disorder

Our audience is made up of friendly theatre lovers and puppetry enthusiasts. When we host evening events, the presence of our theatre audience makes the dimly-lit towpath safer and less intimidating, thereby constituting a deterrent to the sort of anti-social behaviour referred to by some residents.

Public safety

Our theatre is fully furnished with anti-slip strips on the gangplank, sand and grit painted into the deck and anti-slip edging on the staircase. We have numerous handrails and lighting to help people see their way on and off the boat.

Protection of children

We are primarily a children's theatre, but as with many theatres, we also host work for adults. So as to protect children, we have proposed the condition 'Alcohol will not be sold where the screening or performance is aimed primarily at children under the age of 12'. This condition, in effect, means that, for more than 90% of our events, we would not be selling alcohol.

Cinema

We would like to assure you that we have no intention of becoming a cinema. Our theatre makes a unique contribution to the cultural ecology of the UK, as we are dedicated to preserving the art of the marionette, an important piece of British heritage. Film screenings that we host would be one-off screenings of work by independent filmmakers or niche puppetry films. I think it's worth adding that mainstream film distribution companies charge extremely large screening fees, so it is not financially viable for any small venue to become a cinema.

Thank you for taking the time to read this letter which is an honest explanation of our intentions. I hope it gives you a better understanding of our theatre and of us, your neighbors

Best wishes

Stan Middleton
Puppet Theatre Barge

From: [Jackaman, Kevin: WCC](#)
To: [Jackaman, Kevin: WCC](#)
Subject: FW: Puppet Theatre Barge, Blomfield Road, London - 20/09771/LIPV
Date: 18 January 2021 13:40:36
Attachments: [Puppet Theatre Barge - variation Summary of Conditions.pdf](#)
[PWWAS response.pdf](#)

From: Mike Nickson [<mailto:mike.nickson@innconfidence.co.uk>]
Sent: 03 December 2020 20:08
To: 'Jackaman, Kevin: WCC'
Subject: FW: Puppet Theatre Barge, Puppet Theatre Barge, Barge Maybrent Of Little Venice, Blomfield Road, London - 20/09771/LIPV

Sorry Kevin

We don't have an email address for the PWMVS. Could you please send the email below and the attachments (which is a different letter from Stan Middleton in response to their specific concerns)

Cheers, Mike

Dear [REDACTED]

I act for the applicant, Art of the Puppet Ltd, in their application for variation of their existing premises licence.

We note your representation that, unless withdrawn, will cause the matter to proceed to a hearing in due course where the licensing sub-committee of Westminster Council will be required to determine the grant of the application. At that hearing you will be expected to provide evidence to support your concerns that the grant of the application would negatively affect the licensing objectives (the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm).

We very much respect the right of local residents to raise their concerns, but we are sure that your worries are unfounded.

I would respectfully invite you to study the attached summary of the submitted application and the conditions since agreed with police and the environmental protection team. Attached also is a letter to you from my client, Stan Middleton of the Puppet Barge, giving clear information about the business, the intentions of the application and answering the specific points in your letter.

Should you feel sufficiently reassured that you would be able to withdraw your opposition to this application, I would ask that you kindly email licensing@westminster.gov.uk to say so.

Please do not hesitate to contact me if you require clarification on any point. Stan Middleton has also indicated that he would be happy to speak with anyone with lingering concerns.

Kind Regards, Mike

Dear [REDACTED]

Thank you for your letter, and for sharing with us your concerns, which we would like to reassure you, we take very seriously. Like you, we are fully invested in the peace and tranquility of the area – having been operating in the pool at Little Venice since 1988, I believe that we have played our part in contributing to this, by being a friendly, charming, cultural asset at the heart of the local community. The Puppet Theatre Barge (patron Michael Palin) is a small family business, currently being run by three generations of the same family of puppeteers. Before I address the points you have made, I would first like to make very clear that the running of the theatre is a labour of love, and our passion lies in the art of puppetry. We have no intention of becoming a bar (nor would we be able to do so with the conditions we are proposing as part of our application) and the sale of alcohol would make up a very small part of the business, but would act as a financial lifeline after what has been an incredibly difficult year.

For more than 30 years, we have hosted evening performances for adult audiences in Little Venice, these have included plays by Shakespeare, Lorca and Coleridge. Most recently we hosted a three-week run of evening performances as part of the London International Mime Festival in January 2020. We have always had a 'bring your own alcohol' policy for these performances aimed at adults, so managing people who have had a drink is nothing new to us. We have never received a single noise complaint, or indeed any other form of complaint about our audiences in all the years we have been operating here. The only difference if we were granted a licence would be that drinking will be controlled by the conditions and commitments of the licence. Only ticket holders attending one of our adult shows would be able to have a drink while watching the performance.

In answer to your specific points

1. This was flagged up by the Environmental Health Officer (EHO) and we have agreed to core hours from 12 noon.
2. This has been clarified with the EHO, who made the same point, and the condition now reads 'Alcohol will not be sold where the screening or performance is aimed primarily at children under the age of 12'. This condition, in effect, means that, for more than 90% of our events, we would not be selling alcohol.
3. Over the last 30 years, we have hosted an average of around 20 to 30 adult performances per year. This number would not change as it is difficult to attract an audience of adults to watch a puppet show, so regular events for adults are not financially viable (even with the addition of alcohol).
4. Alcohol would only be available to ticket holders with a ticket for that performance. We open our doors half an hour before the event, so this would be their chance to buy a drink before watching the show.
5. The conditions proposed in our application would not allow us to become a bar, open every night. We would need to be hosting shows every night, which, from our many years' experience in the business, is simply not financially viable. We have no intention of becoming a bar, as our passion lies in the art of puppetry.

6. The number of performances we would be holding per year would be the same as we have for more than 30 years, meaning that parking would not be affected. The vast majority of performances are on the weekends, when in my experience, parking is not usually an issue.
7. No alcohol would be consumed on the towpath as people would not be permitted to take their drinks off the premises.
8. We feel that what we are suggesting is not comparable to people leaving a pub or bar after a night of drinking. Our audience is visiting the theatre with the primary purpose of watching the show, which leaves little time for excessive drinking. We would always ensure that audience members cause as little disturbance as possible when they leave the theatre.
9. Food would not be served, as we do not have the facilities to do so. We offer a range of snacks, but I would reiterate that audience members are coming to watch a show. Most people who visit the theatre in the evening have usually been for dinner before the show, or are heading there afterwards.
10. We are a very small business and bring all stock to the theatre ourselves. We have never taken any deliveries in Little Venice, but instead use our office address in East London, as there is very little storage space in the theatre.
11. This point has been covered in question 8. However, I would add that our evening performances generally start at 7.30pm and last for around an hour. Guests normally leave the theatre between 8.30 and 9pm, which means they would have had very little time to become drunk and noisy.
12. This is precisely the plan. People visiting our theatre are there to see the show. With a licence, they would be able have a drink to take in and watch with the performance and they would be seated when drinking it.
13. In our experience, most smokers have been responsible about the disposing of their cigarette stubs. We provide an ashtray on the deck of the boat, and this has never caused an issue before.
14. As we do not receive deliveries to Little Venice, this will not be an issue. When disposing of refuse, we use the recycling bins and the Canal and River Trust bins opposite the Bridge House pub, during the permitted hours (8am to 10pm).

I hope that the information I have provided has given you a better understanding of what we are proposing, and helped to resolve your concerns. Our proposal is very modest, and is intended to be extremely respectful of the very special place that we are so lucky to be a part of.

Please don't hesitate to contact me if you have any further questions.

Yours sincerely,

Stan Middleton

Licence & Appeal History

Application	Details of Application	Date Determined	Decision
05/11220/LIPN	New premises licence	15.12.2005	Granted by Licensing Sub Committee
07/01450/WCCMAP	Master licence	15.12.2005	Granted by Licensing Sub Committee

There is no appeal history

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

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

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

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

Conditions: On Current Licence -

Mandatory:

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

- (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
5. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
6. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
- (a) a holographic mark, or
 - (b) an ultraviolet feature.
7. The responsible person must ensure that—
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

A responsible person in relation to a licensed premises means the holder of the premise licence in respect of the premises, the designated premises supervisor (if any) or any individual aged 18 or over who is authorised by either the licence holder or designated premises supervisor.

For premises with a club premises certificate, any member or officer of the club present on the premises in a capacity that which enables him to prevent the supply of alcohol.

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

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

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

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

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

Where -

(i) P is the permitted price,

(ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -

(i) the holder of the premises licence,

(ii) the designated premises supervisor (if any) in respect of such a licence, or

(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

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

8(iv). (1) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

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

Annex 2 – Conditions consistent with the operating Schedule

10. Children shall not be allowed on the premises unless accompanied by an adult carer.
11. The premises will maintain a comprehensive CCTV system that ensures all areas of the licensed premises are monitored including all entry and exit points, and the street environment and which enable frontal identification of every person entering in any light condition. All cameras shall continually record whilst the premises are open to the public and the video recordings shall be kept available for a minimum of 31 days with time and date stamping. (ii) Tape recordings shall be made available to an authorised officer or a police officer together with facilities for viewing. (iii) The recordings for the preceding two days shall be made available immediately on request. Recordings outside this period shall be made available on 24 hours notice. (Subject to the Data Protection Act 1998).

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

12. The maximum capacity shall be 55 people

Environmental Health has proposed the following alternative condition

The number of persons permitted in the premises at any one time (excluding staff) shall not exceed (X) persons. (to be specified by EH).

Conditions proposed by the Applicant

13. The business will continue to operate in good faith as a Puppet Theatre and the sale of alcohol shall at all times be complimentary to that business purpose

Environmental Health have proposed the following amended condition which has been agreed by the applicant so as to form part of the operating schedule:

The Licensable activities authorised by this licence shall at all times be ancillary to the main use of the premises as a Puppet Theatre.'

14. Alcohol shall not be available for sale or consumption when the Puppet Theatre is holding an event aimed at children.

Environmental Health have proposed the following amended condition which has been agreed by the applicant so as to form part of the operating schedule:

Alcohol shall not be available for sale or consumption when the Puppet Theatre is holding an event where the screening or performance is primarily intended for children under xx years

15. Staff shall be trained on security issues including how to identify and refuse service to customers that are drunk or appear to be drunk.
16. A written notice of 'authority' record shall be maintained for all staff who sell alcohol
17. There shall be comprehensive training for staff in the main requirements of the Licensing Act 2003, the specific measures and conditions in place to promote the Licensing Objectives and the staff roles and responsibilities. Such records shall be available for inspection by the responsible authorities.

18. 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.
19. The means of escape provided for the premises shall be maintained unobstructed and free of trip hazards.
20. Satisfactory arrangements will be put in place to supervise an orderly dispersal of visitors when leaving the property to ensure the minimum of noise and disturbance to local residents and businesses.
21. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the barge which gives rise to a nuisance.
22. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between (22.00) hours and (08.00) hours on the following day
23. The premises will be promoted as family friendly and suitable for all ages. Should children be in attendance, there will be no inappropriate entertainment, promotions, activities or behaviour tolerated at the premises that might put children at risk.
24. There will be an effective age verification policy in accordance with the mandatory code. This policy will be one of Challenge 25 for age-restricted products and include the appropriate display of notices relating to the policy within the premises.
25. These notices will indicate that any customer not appearing to have reached the age of 25 will be required to produce appropriate identification proving that they have turned 18 before being sold alcohol.
26. Appropriate ID will be a valid passport, photo driving licence, PASS accredited proof of age card or other reliable photo-ID that is recommended and approved for acceptance by the police or other authorities.
27. Staff shall be trained in aspects of responsible alcohol retailing and in particular the Protection of Children including the Challenge 25 policy.
28. Staff training will occur before a staff member is authorised to sell alcohol within the premises.

Environmental Health have proposed the following model conditions in place of conditions 24 to 27 above which have been agreed by the applicant so as to form part of the operating schedule:

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.

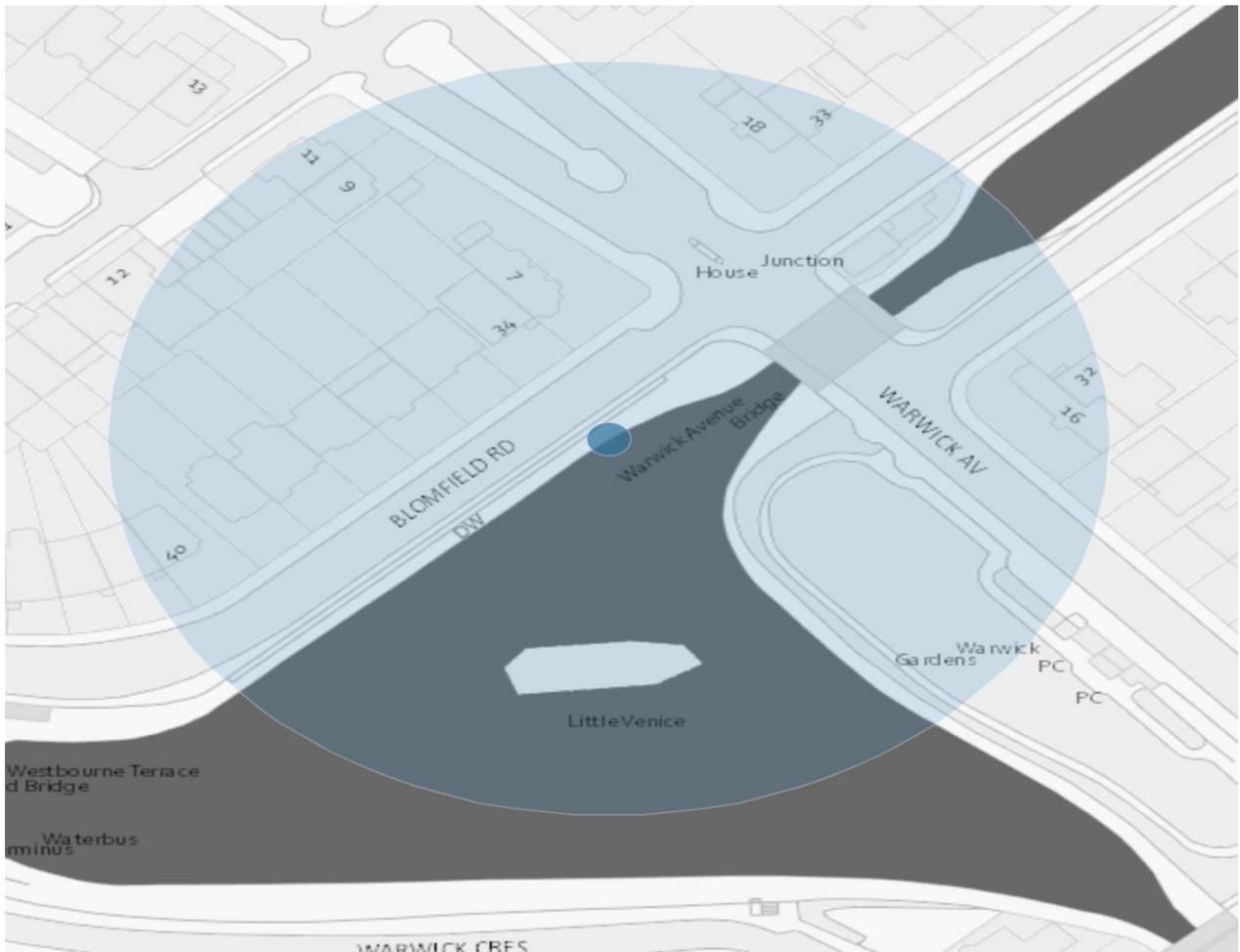
A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by the police or an authorised officer of the City Council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

Additional conditions proposed by Environmental Health and agreed by the applicant so as to form part of the operating schedule

29. The Sale or supply of alcohol shall at all times only be to persons attending a pre-booked ticketed film screening or performance of a play on that day.
30. No drinks shall be served in glass containers at any time.
31. No advertisements of any kind (including placard, poster, sticker, flyer, picture, letter, sign or other mark) that advertises or promotes the establishment, its premises, or any of its events, facilities, goods or services shall be inscribed or affixed upon the surface of the highway, or upon any building, structure, works, street furniture, tree, or any other property, or be distributed to the public.
32. 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.
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. No licensable activities shall take place at the premises until the premises has been assessed as satisfactory by the Environmental Health Consultation Team at which time this condition shall be removed from the Licence by the licensing authority.

Conditions proposed by Metropolitan Police and agreed by the applicant so as to form part of the operating schedule

35. 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 and will include the external area immediately outside the premises entrance. 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.
36. 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.



Resident count: 28

Licensed premises within 75 m of Puppet Theatre Barge, Blomfield Road, London, W9 2PF				
Licence Number	Trading Name	Address	Premises Type	Time Period
07/02052/WCCMAP	Lapwing Passenger Vessel	Little Venice Grand Union Canal Paddington Branch Warwick Crescent London W9 1AB	Cafe	Monday to Saturday; 10:00 - 23:30 Sunday; 12:00 - 23:00