



City of Westminster

Committee Agenda

Title: **Licensing Sub-Committee (2)**

Meeting Date: **Thursday, 3rd June 2021**

Time: **10.00 am**

Venue: **This will be a MS Teams Virtual Meeting**

Members: **Councillors:**
Tim Mitchell (Chairman)
Jacqui Wilkinson
Aicha Less

If you require further information, please contact Cameron MacLean, Temporary Senior Committee & 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. 10.00 AM: MONTCALM HOTEL, 2 WALLEMBERG PLACE, LONDON W1H 7TN (REVIEW HEARING)

Pages

1 - 162

Ward CIA* SCZ**	Site Name & Address	Application Type	Licensing Reference No.
Bryanston & Dorset	Montcalm Hotel 2 Wallenberg PI London W1H 7TN	Review	20/00177/LIREVP
*Cumulative Impact Area ** Special Consideration Zone			

This will be a virtual meeting. Members of the Public can view the LIVE broadcast using the media links on the Council's website.

2. 2.00 PM: 56 WARDOUR STREET, LONDON W1D 4JG

163 - 212

Ward CIA* SCZ*	Site Name & Address	Application Type	Licensing Reference No.
West End West End	56 Wardour St London W1D 4JG	New Premises Licence	21/01576/LIPN

N/A			
*Cumulative Impact Area ** Special Consideration Zone			

This will be a virtual meeting. Members of the Public can view the live broadcast using the media links on the Council's website.

**Stuart Love
Chief Executive
28 May 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 January 2021.

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

Core hours, as set out in the Council's Statement of Licensing Policy 2021, are when customers are permitted to be on the Premises. The maximum opening hours permitted will not exceed the start time and terminal hour for each of the days where licensable activity is permitted.

Note: The core hours are for all licensable activities but if an application includes Late Night Refreshment, then the starting time for that licensable activity will be 11.00 pm.

1. Casinos

Up to 24 hours a day whilst Casino Gaming is permitted by a Premises Licence under the Gambling Act 2005.

2. Cinemas, Cultural Venues and Live Sporting Premises

Monday to Sunday: 09:00 hours to 24:00 hours

3. Hotels

Monday to Thursday: 09:00 hours to 23:30 hours

Friday and Saturday: 09:00 hours to 24:00 hours

Sunday: 09:00 hours to 22:30 hours

Sundays Immediately Prior To A Bank Holiday: 09:00 hours to 24:00 hours

Sale of alcohol to guests for consumption in hotel/guest rooms only: Anytime up to 24 hours

4. Off licences

Monday to Saturday: 08:00 hours to 23:00 hours

Sunday: 09:00 hours to 22:30 hours

5. Outdoor Spaces

Monday to Thursday: 09:00 hours to 23:30 hours

Friday and Saturday: 09:00 hours to 24:00 hours

Sunday: 09:00 hours to 22:30 hours

Sundays Immediately Prior To A Bank Holiday: 09:00 hours to 24:00 hours

6. Pubs and bars, Fast Food and Music and Dance venues

Monday to Thursday: 10:00 hours to 23:30 hours

Friday and Saturday: 10:00 hours to 24:00 hours

Sunday: 09:00 hours to 22:30 hours

Sundays Immediately Prior To A Bank Holiday: 12:00 hours to 24:00 Hours

7. Qualifying Clubs

Monday to Thursday: 09:00 hours to 24:00 hours

Friday and Saturday: 09:00 hours to 24:00 hours

Sunday: 09:00 hours to 22:30 hours

Sundays Immediately Prior To A Bank Holiday: 09:00 hours to 24:00 hours

8. Restaurants

Monday to Thursday: 09:00 hours to 23:30 hours

Friday and Saturday: 09:00 hours to 24:00 hours

Sunday: 09:00 hours to 22:30 hours

Sundays Immediately Prior To A Bank Holiday: 09:00 hours to 24:00 hours

9. Sexual Entertainment Venues and Sex Cinemas

Monday to Thursday: 09:00 hours to 23:30 hours

Friday and Saturday: 09:00 hours to 24:00 hours

Sunday: 09:00 hours to 22:30 hours

Sundays Immediately Prior To A Bank Holiday: 09:00 hours to 24:00 hours

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Agenda Item 2.

By virtue of paragraph(s) 1 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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City of Westminster

Licensing Sub-Committee Report

Item No:	
Date:	3 June 2021
Licensing Ref No:	21/01576/LIPN - New Premises Licence
Title of Report:	56 Wardour Street London W1D 4JG
Report of:	Director of Public Protection and Licensing
Wards involved:	West End
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Miss Karyn Abbott Senior Licensing Officer
Contact details	Telephone: 07866 019698 Email: kabbott@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	4 March 2021		
Applicant:	Wardour Street Trading Limited		
Premises address:	56 Wardour Street London W1D 4JG	Ward:	West End
		Cumulative Impact Area:	West End
		Special Consideration Zone:	None
Premises description:	According to the application form, the premises proposes to operate as a restaurant and bar. This application is for a time limited licence for two years from the date its granted.		
Premises licence history:	<p>The premises currently has the benefit of a premises licence (20/07527/LIPDPS) which permits the following licensable activities and operating hours.</p> <p>Recorded Music Unrestricted</p> <p>Late Night Refreshment Monday to Saturday 23:00 to 00:30 Sunday 23:00 to 00:00</p> <p>Private Entertainment consisting of dancing, music, or other entertainment of a like kind for consideration and with view to profit Unrestricted</p> <p>Sale by Retail of Alcohol Monday to Saturday 10:00 to 00:00 Sunday 10:00 to 23:30</p> <p>Opening hours of the premises: Monday to Saturday 08:00 to 00:30 Sunday 08:00 to 00:00</p> <p>A copy of the premises licence and shadow licence is attached as appendix 3.</p>		
Applicant submissions:	None		

1-B Proposed licensable activities and hours							
Live Music:				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	23:00	23:00	23:00	23:00	23:00	23:00	23:00
End:	01:30	01:30	01:30	02:30	02:30	03:30	00:00
Seasonal variations/ Non-standard timings:			None				

Recorded Music:				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	23:00	23:00	23:00	23:00	23:00	23:00	23:00
End:	01:30	01:30	01:30	02:30	02:30	03:30	00:00
Seasonal variations/ Non-standard timings:			None				

Late Night Refreshment:				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	23:00	23:00	23:00	23:00	23:00	23:00	23:00
End:	01:30	01:30	01:30	02:30	02:30	03:30	00:00
Seasonal variations/ Non-standard timings:			None				

Sale by retail of alcohol				On or off sales or both:			Both
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	10:00	10:00	10:00	10:00	10:00	10:00	10:00
End:	01:30	01:30	01:30	02:30	02:30	02:30	00:00
Seasonal variations/ Non-standard timings:			None				

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	08:00	08:00	08:00	08:00	08:00	08:00	08:00
End:	01:30	01:30	01:30	02:30	02:30	02:30	00:00
Seasonal variations/ Non-standard timings:			None				
Adult Entertainment:			None				

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Metropolitan Police Service
Representative:	PC Cheryl Boon
Received:	18 March 2021
Application for a New (Time Limited) Premises Licence Ruby's 56 Wardour Street W1D 4JG 21/01576/LIPN	
<p>With reference to the above application, I am writing to inform you that the Metropolitan Police, as a Responsible Authority, are making a representation against this application.</p> <p>The venue is situated within the Cumulative Impact Area and it is our belief that if granted the application would undermine the Licensing Objectives in relation to The Prevention of Crime and disorder. The location of the premises is an area where historically Police resources have been in high demand, mainly due to high levels of intoxication and disorder in the early hours. It is felt that this application and the hours applied for would only contribute to an increase in crime and disorder.</p> <p>I appreciate your schedule of proposed conditions which do help to address some of the Police concerns, however I still have the following points that I would like some clarity on. I have where applicable proposed conditions, however if you feel you have some suggestions that might be more appropriate then please feel free to let me know.</p> <p>1. I note on the plans that there are two areas shaded grey (one on each floor) that do not fall under the constraints of a restaurant condition but will be seated and waiter/waitress service. Can you confirm how many customers you propose to accommodate within these areas? I would also like to propose the following two conditions for the grey shaded areas:</p> <ul style="list-style-type: none">- Alcohol shall not be supplied in the shaded grey area after 22:30 hours to persons who are not taking a table meal.- Any person in the shaded grey bar area consuming alcohol otherwise than as an ancillary to a table meal shall be required to leave the premises by 23:00 hours. <p>2. Due to the late hours being applied for in an area already associated with a high level of crime and disorder is there a dispersal policy in place? If there isn't one currently it would be something that Police would like to see before withdrawing our representation. I also propose the following condition to incorporate this:</p> <ul style="list-style-type: none">- A copy of the premises' dispersal policy shall be available at the premises for inspection by a police officer and/or an authorised officer of Westminster City Council. <p>3. It is noted that the closing time is the same as the terminal hour for licensable activities. How will this period be managed and will there be a winding down period whereby the service of alcohol ends before the premises closes?</p> <p>4. It's appreciated that on your operating schedule you have proposed the following condition: From 20:00 daily a minimum of 1 SIA Licensed Door Supervisors shall be on duty at the premises until 15 minutes after the premises closes to the public.</p> <p>However due to the late hour being applied for I would propose on Monday to Saturday that this be increased to a minimum of 2 SIA, so the condition would read: From 20:00 Monday to Saturday a minimum of 2 SIA Licensed Door Supervisors shall be on duty at the premises until 15 minutes after the premises closes to the public.</p>	

I look forward to hearing from you regarding the above points.

Conditions proposed by the Metropolitan Police Service can be found at Appendix 5.

Responsible Authority:	Environmental Health Service
Representative:	Maxwell Koduah
Received:	23 March 2021

I refer to the new time limited (2 year) premise licence application for the above-mentioned premises. The premises is located within the West End Cumulative Impact Area. I have considered the information that you have provided within and accompanying this application. I have also considered the proposed variation in line with the relevant policies within the Councils Statement of Licensing Policy dated January 2021.

The applicant is seeking to:

1. Perform live music indoors at the following times:
 - Monday – Wednesday: 23:00 – 01:30 hours
 - Thursday – Saturday: 23:00 – 02:30 hours
 - Sunday: 23:00 – 00:00 hours
2. Play recorded music indoors at the following times:
 - Monday – Wednesday: 23:00 – 01:30 hours
 - Thursday – Saturday: 23:00 – 02:30 hours
 - Sunday: 23:00 – 00:00 hours
3. Provide late-night refreshment indoors at the following times:
 - Monday – Wednesday: 23:00 – 01:30 hours
 - Thursday – Saturday: 23:00 – 02:30 hours
 - Sunday: 23:00 – 00:00 hours
4. Supply alcohol for consumption “on” & “off” the premises at the following times:
 - Monday – Wednesday: 10:00 – 01:30 hours
 - Thursday – Saturday: 10:00 – 02:30 hours
 - Sunday: 10:00 – 00:00 hours

Following consideration of the application and how it may affect the Licensing Objectives and meeting the requirements of the Council’s Statement of Licensing Policy I wish to make the following representations:

1. The hours requested to perform live music have the likely effect of causing an increase in Public Nuisance and within the West End Cumulative Impact area
2. The hours requested to play recorded music have the likely effect of causing an increase in Public Nuisance and within the West End Cumulative Impact area
3. The hours requested to provide late night refreshment have the likely effect of causing an increase in Public Nuisance and may affect Public Safety within the West End Cumulative Impact area
4. The supply of alcohol and hours requested to supply alcohol have the likely effect of causing an increase in Public Nuisance and may affect Public Safety within the West End Cumulative Impact area

There is a lic ref. 20/09463/LIPT in issue at the preemies. Additional information is required regarding how both licences, if this were granted, would operate. This will be discussed further with applicant.

As presented, the application would have the likely effect of causing an increase in Public Nuisance and may affect Public Safety within the West End Cumulative Impact area

Applicant is asked to contact the undersigned for further discussion and following this, additional conditions may be recommended by Environmental Health to support the licensing objectives Prevention of Public Nuisance and Public Safety.

Conditions proposed by the Environmental Health Service can be found at Appendix 5.

Responsible Authority:	Licensing Authority
Representative:	Kevin Jackaman
Received:	23 March 2021

I write in relation to the application submitted for a new premises licence for 56 Wardour Street, London, W1D 4JG

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

- Public Nuisance
- Prevention of Crime & Disorder
- Public Safety
- Protection of children from harm

The application seeks the following:

- **Live Music**
23:00 to 01:30 Monday to Wednesday
23:00 to 02:30 Thursday to Saturday
23:00 to 00:00 Sunday
- **Recorded Music**
23:00 to 01:30 Monday to Wednesday
23:00 to 02:30 Thursday to Saturday
23:00 to 00:00 Sunday
- **Late night Refreshment**
23:00 to 01:30 Monday to Wednesday
23:00 to 02:30 Thursday to Saturday
23:00 to 00:00 Sunday
- **Supply of Alcohol – On and Off the Premises**
10:00 to 01:30 Monday to Wednesday
10:00 to 02:30 Thursday to Saturday
10:00 to 00:00 Sunday
- **Opening Hours to Public**

08:00 to 01:30 Monday to Wednesday

08:00 to 02:30 Thursday to Saturday

08:00 to 00:00 Sunday

The premises are located within the West End Cumulative Impact Area and as such various policy points must be considered, namely CIP1 and RTN1.

Policy CIP1 states:

A. It is the Licensing Authority's policy to refuse applications within the West End Cumulative Impact Zone for: pubs and bars, fast food premises, and music and dancing and similar entertainment, other than applications to:

1. Vary the hours within Core Hours under Policy HRS1, and/or
2. Vary the licence to reduce the overall capacity of the premises.

C. Applications for other premises types within the West End Cumulative Impact Zones will be subject to other policies within this statement and must demonstrate that they will not add to cumulative impact.

D. For the purposes of this policy the premises types referred to in Clause A are defined within the relevant premises use policies within this statement.

Policy RTN1(B) states:

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 application and operation of the venue meeting the definition of a restaurant as per Clause C.

C. For the purposes of this policy a restaurant is defined as:

1. A premises in which customers are shown to their table or the customer will select a table themselves to which food is either served to them or they have collected themselves.
2. Which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at a table.
3. Which do not provide any takeaway service of food and/or drink for immediate consumption.
4. Where alcohol shall not be sold, supplied, or consumed on the premises otherwise than to persons who are bona fide taking substantial table meals and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.
5. The sale and consumption of alcohol prior to such meals may be in a bar area but must also be ancillary to the taking of such meal.

The Licensing Authority note that the premises intend to trade predominantly as a restaurant and have proposed Westminster's model restaurant condition, however it is also noted that there is a separate area (shaded grey) where the consumption of alcohol will not be subject to a table meal. The Licensing Authority would therefore seek further submission from the applicant as to how the area shaded grey will operate? Is it proposed that this area will be used for pre/post diners?

If there is no ancillary nature in respect of the shaded areas (albeit that the service of alcohol will be by waiter/waitress or bar staff service) then the application will also need to be considered under Policy PB1.

Policy PB1(B) states:

It is the Licensing Authority's policy to refuse applications within the West End Cumulative Impact Zone other than:

1. Applications to vary the existing licence hours within the council's Core Hours Policy HRS1.
2. Applications that seek to vary the existing licence so as to reduce the overall capacity of the premises.

For the purposes of this policy a Public House or Bar is defined as a premises, or part of a premises that's primary use is the sale or supply of alcohol for consumption on those premises and/or for consumption off the premises for consumption outside the venue.

The Licensing Authority note that there is already a premises licence in existence in respect of the premises and would seek clarification from the Applicant as to how they would propose to operate both licences in the event that the current application were to be granted?

The Licensing Authority note that this is a time limited application however the applicant is seeking hours in excess of core hours in the West end cumulative impact zone, the applicant is therefore required to provide further submission on how the premises will ensure that there is no adverse impact within the West End Cumulative Impact Area?

The Licensing Authority looks forward to receiving further submissions from the applicant in due course.

Please accept this as a formal representation

2-B Other Persons	
Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]
Received:	1 April 2021
<p>We are the freeholder and landlord of the above premises.</p> <p>Soho Estates granted a ease of the premises to Zentia (U) Restaurants Limited (registered company 473566). In July 2013, that company changed its name to Jackson and Rye Restaurants Limited and traded under that name from October 2013.</p> <p>Jackson and Rye Restaurants Limited granted an underlease to Big Martha Ltd (registered company number 11738913) in February 2019.</p> <p>We have been made aware of an application by Wardour Street Trading Ltd (registered company number 12497623) for a new premises licence. Wardour Street Trading Ltd has no connection with, or interest in the premises and indeed has no right either to occupy it or make an application in respect of it.</p> <p>We make a representation <u>against the grant of the application</u> based upon all four licensing objectives, inter alia, the following reasons:</p> <ol style="list-style-type: none">1. This company, who we do not recognise and have not vetted, wishes to operate a very late-night premises, against Policy, in the middle of the cumulative impact area.2. A key element of promoting the licensing objectives, of not adding to cumulative impact and requiring an exception to Policy in this case is being part of a managed estate where the landlord has at least some idea who the tenant is and what they are proposing. This is an unknown entity and operation to us.3. The applicant has no title or interest in the premises. The applicant has no authority either to make an application or occupy the premises in anyway.4. As the applicant is not known to us and has made no approach to discuss this application with us, we, as Landlord have serious concerns as to the likely effect on,	

inter alia, the prevention of public nuisance and prevention of crime and disorder should the application be granted.

5. We do not believe this application will either (i) promote the licensing objectives; (ii) not add to cumulative impact; or indeed (iii) satisfy the merits of the high hurdle set by HRS1 or required exception in relation to the bar use sought.

We would be grateful if we could be kept apprised of the progress of the application, together with the hearing date in due course.

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Received:	1 April 2021

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

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

About The Soho Society

The Soho Society is a charitable company limited by guarantee established in 1972. The society is a recognised amenity group and was formed to make Soho a better place to live, work or visit by preserving and enhancing the area's existing diversity of character and uses, and by improving its facilities, amenities and environment. In particular, the society supports the Westminster City Council's policies, including the cumulative impact policy, as set out in the Statement of Licensing Policy 2021.

Application summary

New Premises Licence :

- Time limited premises licence application to help the business recover post COVID.
- The application is for a new premises licence to last for two years from the date that the premises is granted. The date given 31/12/2023 is a long-stop date purely for the purposes of the form.
- The premises licence will be personal to Wardour Street Trading Limited and shall not be transferred.
- The premises is a restaurant and bar. The plans submitted with the application sets out the layout of these premises, there's also the applicant's schedule of proposed conditions for the steps they will take to promote the licensing objectives.

New premises licence

Supply of Alcohol: Mon-Wed: 10:00 - 01:30. Thurs - Sat: 10:00 - 02:30. Sun: 10:00 - 00:00

Late Night Refreshment: Mon-Wed: 23:00 - 01:30. Thurs - Sat: 23:00 - 02:30. Sun: 23:00 - 00:00

Live Music: Mon-Wed: 23:00 - 01:30. Thurs - Sat: 23:00 - 02:30. Sun: 23:00 - 00:00

Recorded Music: Mon-Wed: 23:00 - 01:30. Thurs - Sat: 23:00 - 02:30. Sun: 23:00 - 00:00

Hours open: Mon-Wed: 08:00 - 01:30. Thurs - Sat: 08:00 - 02:30. Sun: 08:00 - 00:00

Proposed Conditions:

The applicant proposes a number of conditions, we highlight the following;

All windows and external doors shall be kept closed after 23:00 hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons.

With the exception of the area shaded grey on the approved plans the Premises shall operate as a restaurant.

Current licence

Sale of Alcohol: Mon - Sat: 10:00 - 00:00. Sun: 10:00 - 23:30.

Late Night Refreshment: Mon - Sat: 23:00 - 00:30. Sun: 23:00 - 00:00.

Playing of Recorded Music: Mon - Sun: 00:00. 00:00.

Opening Hours: Mon- Sat: 08:00 - 00:30. Sun: 08:00 - 00:00.

Capacity: 180

Condition 21. All windows and external doors shall be kept closed after 22:00 hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons.

The Soho Society's Position

- The Soho Society fully recognises the financial difficulties all businesses have suffered over the past year and we have generally been supportive of measures to help local businesses recover. However, this is the latest in a series of applications to extend hours in Soho and we are concerned this trend will continue as a mechanism to support business recovery post COVID. The year on year increase in licensed premises and especially those granted with later hours has resulted in a deterioration and reduction in residential amenity. Protecting residential amenity is the key aim of the licensing objectives, this is supported by the new Statement of Licensing Policy 2021 which states in its Forward to Policy Section, 'The licensing authorities proposed revisions to the statement of licensing policy will enable the hospitality and entertainment sectors to plan for the short and medium term, whilst maintaining the necessary protection for our residents and promoting the licensing objective as a whole.'
- **Soho during COVID:** although lockdown afforded respite for residents from the evening and night time noise generated by food and drink led premises, residents have once again experienced a reduction in amenity through high levels of noise and disturbance as a result of the AI Fresco scheme. Huge numbers of people returned to the area during the summer of 2020 (Appendix 1) numbers being higher than pre-COVID times which had a negative impact on residents who reported a significant increase in noise and general disturbance. A recent survey by the Soho Society asking residents about their experience of these schemes highlighted issues with street noise disturbing sleep, and some saying they were considering moving out of Soho, the full survey results can be found in Appendix 2.
- **Soho post COVID -19;** with the success of the roll out of the vaccine programme, coupled with the ambition to vaccinate the majority of the population by the summer, we know Soho will quickly recover to pre-COVID times, the AI Fresco scheme is evidence of this. The high level of cumulative impact described within the Cumulative Impact Assessment 2020 will swiftly return with people flocking to Soho in an attempt to return to a normal life. The impact on residents will be huge, any extensions to licences in our view cannot be justified under any circumstances.
- **Night time economy;** Soho is at the forefront of the late-night economy in Westminster with its numerous restaurants, bars and entertainment establishments. The area is densely populated at night with people out on the streets, resulting in high levels of noise nuisance/disturbance, crime and disorder and anti-social behaviour. In Soho between **01:00 - 03:00 there are 107 licensed premises, capacity information being available for 91 premises gives a total of 18,305.** Of the **107, 40 premises hold 3am licences, with a capacity of 9,104 for 39 premises,** this application if successful will add an additional late night licence to an area already saturated, it will result in an increase in cumulative impact in the End

Cumulative Impact Zone.

- **Wardour Street and the surrounds:** this area is home to a number of late night venues with significant capacities. Soho attracts large numbers of people during the daytime but even greater numbers at night due to the high concentration of venues. There are **9 significant late night venues licensed from 01:00 to 03:00, Wardour Street, 03:00; Village (capacity 400), The Residence (capacity 388), 100, Wardour Street (capacity 872), Freedom, (capacity 275). Brewer Street (east); 03:00 - Madame Jojo's (capacity 300), Sophisticats (capacity 100), El Camion (capacity 144). Walker's Court; 04:00 The Box (capacity 288), 01:00 Boulevard (capacity 486). Total capacity = 3,253.**

Statement of Licensing Policy 2020

- This application proposes to extend the hours of operation of a restaurant with two bars and regulated entertainment within the West End Cumulative Impact Zone, as presented it is contrary to the Core Hours Policy HRS1, Pubs & Bars Policy PB1, Restaurants Policy RTN1 and Cumulative Impact Policy CIP1.
- **Extension of hours;** this application seeks to extend the licensable activity from midnight Monday to Sunday to; 1:30am on Monday - Wednesday, and 2.30 am on Thursday and Saturday until December 2023. This is an increase of 1.5 hours and 2.5 hours respectively from the current licensed hours, when considering such applications the Council must consider the effect of later opening hours on compliance with the requirements of other policies, in particular CD1 and PN1, and also have regard to the following which are relevant in this case; residential accommodation in the proximity of the premises and its impact, the existing hours of licensable activities and past operation of the premises, and hours of licensable premises in the vicinity.
- **Bars;** the plans highlight two bar areas, the existing ground floor bar plus a new bar in the basement. Comparison of the current licensed plans with the proposed shows the existing bar on the ground to be extended from **10 seats to 21**, with the new bar in the basement providing an additional **15 seats bringing the total to 36**. We note the applicant's schedule of suggested conditions states, 'With the exception of the areas shaded grey on the approved plans the Premises shall operate as a restaurant' therefore they plan to create standalone bars which clearly fails the definition of a restaurant in the SoLP, '**Clause C, 5. The sale and consumption of alcohol prior to such meals may be in a bar area but must also be ancillary to the taking of such meal.**' The Public Houses and Bars Policy PB1 clearly states its policy to refuse such applications, if however the Sub-Committee is minded to find an exception to policy and accept this change in condition then any bar use should be restricted to 9pm and thereafter revert to Clause C (5) as above.
- **Restaurant use;** the main use of these premises is a restaurant, however we are concerned with the proposed use of the bars and the plans which indicate two raised areas. The applicant does not provide information for their use, in our view they appear to be stage areas for live performances. This restaurant has now transformed into premises with bars and entertainment late into the night which will have a negative impact on the Licensing Objectives.
- **Conditions;** we are concerned with the proposed condition 'all windows and external doors shall be kept closed after 23:00 hours, or at any time when regulated entertainment takes place, except for immediate access and egress of persons.' We strongly oppose this time and propose 22:00 hours in keeping with the current licence, this is to protect residential amenity which suffered noise nuisance from these premises due to the extremely large openable windows being open when live amplified performances were taking place (Appendix 3). Considering the large number of premises which surround it, allowing windows to remain open until 23:00 hours will significantly increase noise nuisance and disturbance, thereby

increasing the existing high level of ambient noise in the area.

- **Cumulative Impact Policy CIP1**; this area has been identified by the Westminster City Council as under stress because of the cumulative effect of the concentration of late night and drink led premises and night cafes has led to serious problems of disorder and/or public nuisance affecting residents, visitors and other businesses. The Cumulative Impact Assessment 2020 highlights the impact of bars in an area, F82 stating 'amongst specific premises types assessed within the CIA, pubs and bars were one of the top licensed premises operation types that were most significantly aligned with incidents in their proximity,' and as for restaurant use, the applicant will need to demonstrate that this will also not add to cumulative impact.
- The policies in relation to the cumulative impact zone are directed at the global and cumulative effects of licences on the area as a whole (D16. of the policy). The policy provides an assumption to refuse pubs and bars, music and dance venues and fast food premises, the policies are intended to be strict and will only be overridden in genuinely exceptional circumstances (D.11 of the policy). The growth in the number of licensed premises in Soho has led to a marked deterioration in the quality of life and well-being of local residents and it has jeopardised the sustainability of the community. Soho has a substantial residential community and many of these residents suffer from problems such as, but not limited to, high levels of noise nuisance, problems with waste, urinating and defecating in the streets, threats to public safety, anti-social behaviour, crime and disorder and the change in character of this historic area. We therefore do not consider the proposed extension of hours to help the business recover post COVID as an exceptional circumstance.

The Licensing Objectives

The Statement of Licensing Policy 2012 or Section 183 Guidance does not provide for any circumstance, exceptional or otherwise, which would permit an application to be granted if the licensing objectives were harmed. We now consider the impact of this application on these objectives.

Prevention of Crime and Disorder CD1

Under this Policy the criteria applied is, 'whether the premises make or will make a significant contribution to levels of crime and disorder, and whether the operating schedule is based on an adequate risk assessment, undertaken by the applicant, which takes account of all the relevant considerations below to reduce the likelihood of crime and disorder occurring as a result of the grant of the application.'

The recently published Cumulative Impact Assessment 2020 presents overwhelming evidence of the year on year increase in cumulative impact in the West End Zone 1, **it highlights the rate of crime as 10 - 13 times higher between 6pm - 6am compared to the borough average.** It goes on to detail the number and types of crimes in the West End,

- **Public realm crimes:** (serious violence, robberies, theft and drug offences), alcohol-related callouts incidents, anti-social behaviour and demands on services were prevalent in Westminster between 2017 and 2019, among the highest in London and the country. All incidents observed concentrated in the West End many occurring in the evening and at night as well as weekends.
- **Total incident type 2017-2019:** serious violent crimes Night, 795 - proportion of Borough's incidents (31%). **Robberies Night, 2237 (33%). Theft and Handling Night, 24,407 (33%). Drug Offences Night, 1529 (40%).** Noise Complaints Night, 1389 (16%). Reactive Waste Management, 6630 (10%). Ambulance call outs to locations of licensed premises, 5353 (22%). Anti-Social behaviour on transport Night, 592 (13%), Anti-Social behaviour MPS, 9662 (16%). **Total = 50,594.**

- **Data description of incidents in 2017-2019** found all incident categories observed varied both in space and time. Many occurred in the evening and at night and on weekends when alcohol related activities typically peak. Incidents were primarily concentrated in the West End where licensed premises are disproportionately concentrated.
- **Robberies:** clustered within the West End, Charing Cross, Oxford Street in the evening and night.
- **Serious violent crimes:** recorded between **6pm and 6am** concentrated overwhelmingly in the West End.
- **Drug related crimes:** Westminster recorded the highest volume of drug offences of any borough between 2017-2019. Half of crimes were reported (48%) in the evening and night time. Drug related crimes between **6pm - 6am** were significantly clustered in and around the West End to varying degrees.
- **Theft and Handling:** most common crime type in the borough, in the evening and night they are particularly concentrated in the West End and along Oxford Street.

Crime statistics (September 2019 to February 2020) for this area supports the findings of the CIA, with an overall total of crimes being **1,397**.

Old Compton Street: Robbery = 19. Theft person = 162. Violence with injury = 47. All crime = 429

Wardour Street: Robbery = 6. Theft from person = 70. Violence with injury = 22. All crime = 301

Dean Street: Robbery = 12, Theft person = 57, Violence with injury = 30, All crime = 280.

Greek Street: Robbery = 12, Theft person = 76, Violence with injury = 33, All crime = 244

Frith Street: Robbery = 13, Theft person = 46, Violence with injury = 23, All crime = 143.

For residents living in Soho the findings of the Cumulative Impact Assessment is unsurprising, Soho transforms in the evening and night-time into an area which feels very unsafe and where levels of crime and disorder are high. As evidenced above criminal activity associated with the large number of late-night venues and the numbers of people on the streets results in high levels of serious crime. In Soho the majority of robberies take place late at night, people are targeted as they leave late night venues which is evidenced by the crime figures. Drug dealing is a particular problem, groups of dealers congregate to sell drugs and specifically target people as they leave premises, there are more dealers in the area at night than during the day, this is directly linked to the large number of late night venues which creates the drug market.

To add another late night licence to an area already saturated will only increase crime and disorder and fail to promote the licensing objectives.

Prevention of Public Nuisance Policy PN1

Under this Policy the criteria applied states, 'the potential for nuisance associated with the style, characteristics and activities of the business to be carried on at the premises and the potential steps which could be taken to reduce the risk of a nuisance occurring. This will particularly apply in areas of residential accommodation and where there is residential accommodation in the proximity of the premises.'

Residents live along the length of Wardour Street, Old Compton Street and Brewer Street, all dispersal routes from the premises. Late at night large groups of people hang out around the late night venues creating noise and disturbance. Residents already suffer from late night noise, disturbance in the form of pedicabs playing loud music, waiting taxis, plus a range of anti-social behaviour including street fouling. We are particularly concerned that these residents will

be disturbed by intoxicated people leaving these premises at a late hour having been given the opportunity to extend and increase their alcohol consumption by 1.5hrs and 2.5hrs respectively.

Public Safety PS1

Under this objective the applicant needs to '... demonstrate that the public will be safe within and in the vicinity of the premises,' and goes on to state 'Crime, disorder and antisocial behaviour inside and in the vicinity of licensed premises may threaten public safety and affect perceptions of public safety.' Drunk and highly intoxicated people on the streets late at night are very vulnerable requiring support and to prevent them from becoming victims of crime. To help people who become vulnerable on a night out Westminster City Council with the LGBT foundation has established the Soho Angels. As the Committee will know, these are group of volunteers who work on Friday and Saturday nights between 10pm and 5am helping vulnerable or distressed people on a night out. They work with St. John Ambulance who provide medical assistance at an eight-bedded night hub in St. Anne's Church on Dean Street. In their first year of operation they helped over 1,200 people, with medical assistance being given to 230 cases of which 80 were classed as serious incidents, and 40 crimes were reported. This is further evidence of the impact of the high number of late night uses and large numbers of people out on the streets such that a dedicated team of volunteers is required to help the vulnerable, keeping them safe from harm. However, due to COVID restrictions this service has ceased, we would expect it to resume post 21st June following the ending of all legal limits on social contact.

In summary

The application proposes a time-limited new premises licence to extend the terminal hours for all licensable activities to 1.30am/2.30am, this being a temporary extension until the long-stop date of 31 December 2023 to help the business recover post COVID. As evidenced throughout this representation it is our view that this application if granted will fail to support the licensing objectives and increase cumulative impact.

Please do not hesitate to contact us if you require any further information.

Appendix 1 : Old Compton Street, July & August 2020



Appendix 2 : Soho Society Residents Survey March 2021

Soho Society Residents Survey

Key Points from AI Fresco Survey in 2021

The survey ran from 1 March 2021 until 29 March 2021 and asked Soho residents about their experience of the AI Fresco dining scheme in 2020. An invitation to complete the survey was sent to 1,929 people - members of the Society and all subscribers to the Society's newsletter - on 1 March 2021.

133 residents responded with 72 saying that they lived on a street that was closed under the scheme in 2020. Responses suggested that many respondents were long term Soho residents. On average the respondents had lived in Soho for around 15 years. 15 respondents have lived in Soho for more than 30 years.

57 were long leasehold or freehold owners and 70 were tenants of which 24 were Soho Housing Association tenants.

28 respondents said they had children under 18 living with them in the household some or all of the time.

19 respondents on closed streets had children under 18 living with them some or all of the time.

When asked to think back on their experience of AI Fresco 2020

- 10 reported that the street noise woke their children
- 38 reported they were commonly unable to sleep, get to sleep or had their sleep disturbed
- 26 that they had problems working at home because of the noise
- 109 reported access problems on foot or by car
- 36 reported that they didn't feel safe in the street where they lived because of the crowds and the police losing control of the situation
- 62 reported they didn't feel safe because there was no social distancing
- 48 reported they didn't go out because of the scheme
- 44 reported that as a resident they were considering moving out of Soho because of this scheme - late night noise makes it impossible to live here any more

The AL Fresco Scheme for Soho in 2021 will see the same streets closed from 12 April 2021 to 30 September 2021 and will likely have a greater adverse impact on residents as the end time will be 11pm not 10pm as happened when the curfew was in effect last year. Also there is a risk of more drunken behaviour as there will be no requirement to serve a meal with the alcohol service.

29 March 2021

Appendix 3 : Ruby's openable shop front



Ruby's in relation to other late night venues - Village and The Residence



3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
Policy CIP1 applies	<p>A. It is the Licensing Authority's policy to refuse applications within the West End Cumulative Impact Zone for: pubs and bars, fast food premises, and music and dancing and similar entertainment, other than applications to:</p> <ol style="list-style-type: none"> 1. Vary the hours within Core Hours under Policy HRS1, and/or 2. Vary the licence to reduce the overall capacity of the premises. <p>C. Applications for other premises types within the West End Cumulative Impact Zones will be subject to other policies within this statement and must demonstrate that they will not add to cumulative impact.</p> <p>D. For the purposes of this policy the premises types referred to in Clause A are defined within the relevant</p>
Policy HRS1 applies	<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. 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

	<p>travel home safely.</p> <p>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.</p> <p>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.</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 this application for each premises use type as defined within this policy are:</p> <p>6. Pubs and bars, Fast Food and Music and Dance venues Monday to Thursday: 10am to 11.30pm. Friday and Saturday: 10am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 12pm to 12am</p> <p>8. Restaurants 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.</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 PB1 applies</p>	<p>A. A. Applications outside the West End Cumulative 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 applicant has taken account of the Special Consideration Zones policy SCZ1 if the premises are located within a designated zone. 4. The application and operation of the venue meet the definition of a Public House or Bar in Clause D. <p>B. It is the Licensing Authority's policy to refuse applications within the West End Cumulative Impact Zone other than:</p> <ol style="list-style-type: none"> 1. Applications to vary the existing licence hours within the council's Core Hours Policy HRS1. 2. Applications that seek to vary the existing licence so as to reduce the overall capacity of the premises. <p>C. The applications referred to in Clause B1 and B2</p>

	<p>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, and/or, 2. The application and operation of the venue continuing to meet the definition of a Public House or Bar in Clause D. <p>D. For the purposes of this policy a Public House or Bar is defined as a premises, or part of a premises that's primary use is the sale or supply of alcohol for consumption on those premises and/or for consumption off the premises for consumption outside the venue</p>
<p>Policy RTN1 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 applicant has taken account of the Special Consideration Zones Policy SCZ1 if the premises are located within a designated zone. 4. The application and operation of the venue meeting the definition of a restaurant 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. 3. The applicant has demonstrated that they will not add to cumulative impact within the Cumulative Impact Zone. 4. The application and operation of the venue meeting the definition of a restaurant as per Clause C. <p>C. For the purposes of this policy a restaurant is defined as:</p> <ol style="list-style-type: none"> 1. A premises in which customers are shown to their table or the customer will select a table themselves to which food is either served to them or they have collected themselves. 2. Which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at a table. 3. Which do not provide any takeaway service of food and/or drink for immediate consumption. 4. Where alcohol shall not be sold, supplied, or consumed on the premises otherwise than to persons who are bona fide taking substantial table meals and provided always that the consumption of alcohol by such persons is ancillary to taking such meals. 5. The sale and consumption of alcohol prior to such meals may be in a bar area but must also be ancillary to the taking of such meal.

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

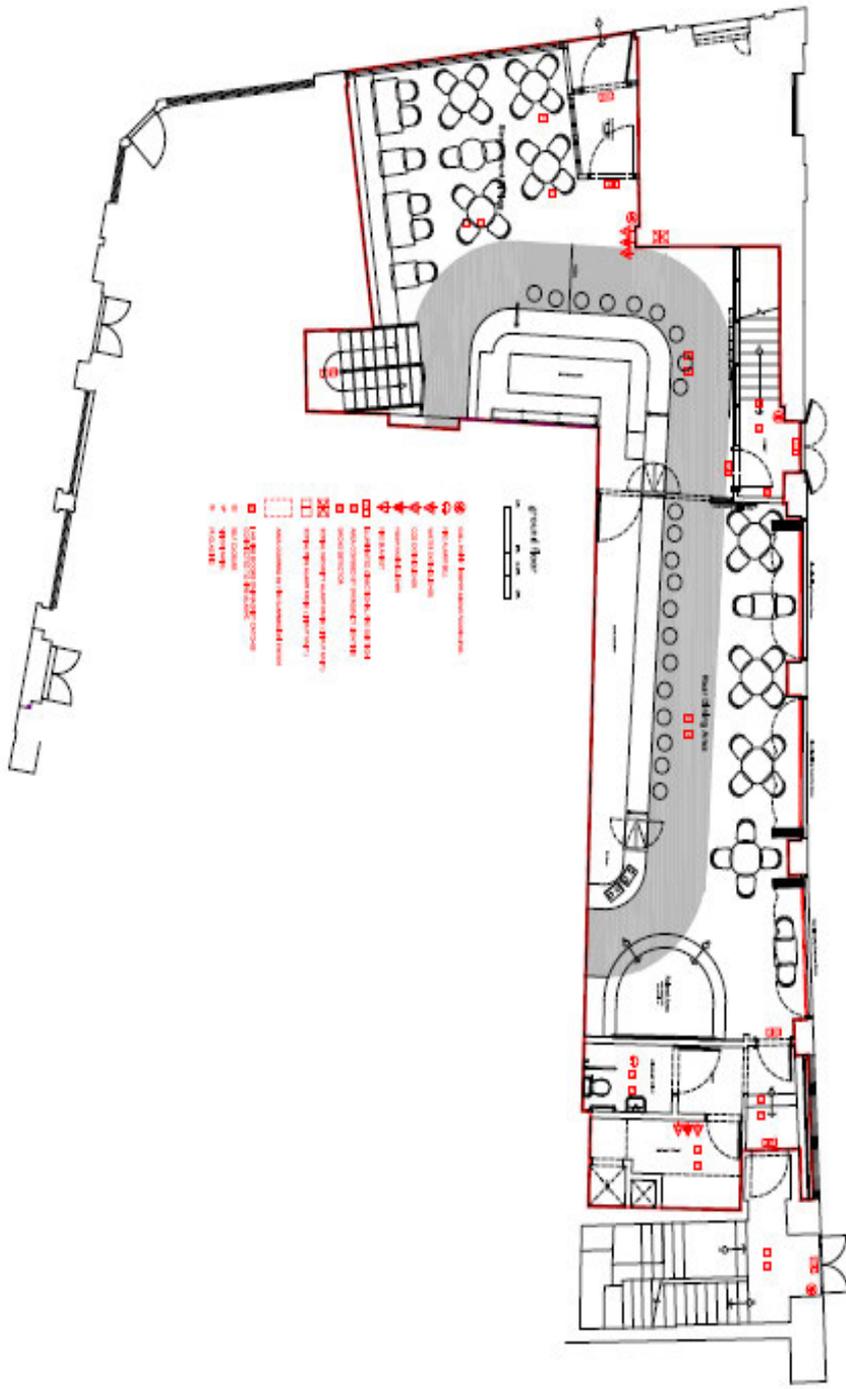
Appendix 1	Premises plans
Appendix 2	Applicant supporting documents
Appendix 3	Premises history
Appendix 4	Proposed conditions
Appendix 5	Residential map and list of premises in the vicinity

Report author:	Miss Karyn Abbott Senior Licensing Officer
Contact:	Telephone: 07866 019698 Email: kabbott@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	Metropolitan Police Service	18 th March 2021
5	Environmental Health Service	23 rd March 2021
6	Licensing Authority	23 rd March 2021
7	Representation 1	1 st April 2021
8	Representation 2	1 st April 2021



Blackdog
 11100 8th Ave
 10000
 10000
 10000

Blackdog
 11100 8th Ave
 10000
 10000
 10000

PROPOSED
 Ground Floor
 10000

11100 8th Ave
 10000
 10000
 10000

Applicant Supporting Documents

Appendix 2

None provided

Temporary Event Notices

Application	Details of Application	Date Determined	Decision
19/07566/LITENP	Temporary Event Notice	26 June 2019	Notice Granted
20/06553/LITENP	Temporary Event Notice	7 August 2020	Notice Granted
20/06656/LITENP	Temporary Event Notice	15 August 2020	Notice Granted
20/07339/LITENP	Temporary Event Notice	28 August 2020	Notice Granted

Licensing Act 2003 History

Application	Details of Application	Date Determined	Decision
05/08286/LIPC	Premises Licence Conversion	17 September 2005	Granted under Delegated Authority
06/11352/WCCMAP	Master Licence	31 October 2006	Granted under Delegated Authority
09/01878/LIPDPS	Premises Licence Change of DPS	19 May 2009	Granted under Delegated Authority
13/06178/LIPT	Transfer of Premises Licence Holder from Mr Pui Keung Tsui to Zentia (UK) Restaurants Limited	28 August 2013	Granted under Delegated Authority
13/07004/LIPV	Premises Variation – to change the layout and replace conditions	4 November 2013	Granted under Delegated Authority
13/07012/LIPDPS	Premises Licence Change of DPS	4 November 2013	Granted under Delegated Authority
13/09548/LIPVM	Premises Licence Minor Variation – Change Layout and vary conditions	18 December 2013	Granted under Delegated Authority
14/04332/LIPDPS	Premises Licence Change of DPS	16 June 2014	Granted under Delegated Authority
16/00815/LIPDPS	Premises Licence Change of DPS	22 February 2016	Granted under Delegated Authority
16/03049/LIPCH	Change of Licensee Details	24 March 2016	Granted under Delegated Authority
16/06169/LIPV	Premises Variation – Permit Sale of Alcohol On and Off Premises Extend the hours of Retail Sale by Alcohol to 10:00 on Sundays. Extend Opening hours to 08:00 on Sundays	18 August 2016	Granted at Licensing Sub-Committee
16/11197/LIPDPS	Premises Licence Change of DPS	23 January 2017	Granted under Delegated Authority
17/04872/LIPDPS	Premises Licence Change of DPS	26 September 2017	Granted under Delegated Authority

17/09609/LIPDPS	Premises Licence Change of DPS	26 September 2017	Granted under Delegated Authority
18/09942/LIPDPS	Premises Licence Change of DPS	24 September 2018	Granted under Delegated Authority
19/04958/LIPDPS	Premises Licence Change of DPS	31 January 2020	Granted under Delegated Authority
19/04962/LIPT	Transfer of Premises Licence Holder from Jackson + Rye Restaurants Limited to Big Martha Ltd	31 January 2020	Granted under Delegated Authority
20/05096/LIPDPS	Premises Licence Change of DPS	17 July 2020	Granted under Delegated Authority
20/07527/LIPDPS	Premises Licence Change of DPS	16 September 2020	Granted under Delegated Authority

There is no appeal history

Licensing Act 2003 History

Application	Details of Application	Date Determined	Decision
19/00635/LIPN	Shadow Licence	12 March 2019	Granted under Delegated Authority
20/09463/LIPT	Transfer of Premises Licence Holder from Caprice Holdings Limited to Jackson & Rye Restaurants Limited	12 November 2020	Granted under Delegated Authority

There is no appeal history

Existing Licence



City of Westminster

64 Victoria Street, London, SW1E 6QP

Schedule 12
Part A

WARD: West End
UPRN: 100023471608

Premises licence

Regulation 33, 34

Premises licence number:

20/07527/LIPDPS

Original Reference:

05/08286/LIPC

Part 1 – Premises details

Postal address of premises:

Ruby's
56 Wardour Street
London
W1D 4JG

Telephone Number:

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

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

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

Playing of Recorded Music	Unrestricted
Late Night Refreshment	
Monday to Saturday:	23:00 to 00:30
Sunday:	23:00 to 00:00
Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit	Unrestricted
Sale by Retail of Alcohol	
Monday to Saturday:	10:00 to 00:00
Sunday:	10:00 to 23:30

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

The opening hours of the premises:	
Monday to Saturday:	08:00 to 00:30
Sunday:	08:00 to 00:00

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

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence:
Big Martha Ltd 56 Wardour Street W1D 4JG

Registered number of holder, for example company number, charity number (where applicable)
11738913

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol:
Name: Tim Danby
Please note: It is the policy of the Licensing Authority not to display the address details of a designated premises supervisor.

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol:
Licence Number: 14/09266/LIPERS Licensing Authority: Westminster City Council

Date: 16 September 2020

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

Annex 1 – Mandatory conditions

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

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

7. The responsible person must ensure that—

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

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

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

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

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

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

Where -

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

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

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

Conditions for Sale of Alcohol

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

NOTE - The above restrictions do not prohibit:

- (a) during the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;
- (b) during the first thirty minutes after the above hours the consumption of the alcohol on the premises by persons taking table meals there if the alcohol was supplied for consumption as ancillary to the meals;

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

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

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

Annex 2 – Conditions consistent with the operating Schedule

None

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

11. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
12. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to the public. This staff member must be able to show a Police or authorised council officer recent data or footage with the absolute minimum of delay when requested.
13. With the exception of the area hatched on the plans (Ref: PL-G-01 Rev A Ground Floor) the premises shall only operate as a restaurant (i) in which customers are shown to their table, (ii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery, (iii) which do not provide any take away service of food or drink for immediate consumption, and (iv) where intoxicating liquor shall not be sold, supplied, or consumed on the premises otherwise than to persons who are bona fide taking substantial table meals and provided always that the consumption of intoxicating liquor by such persons is ancillary to taking such meals.
14. Substantial food and non-intoxicating beverages including drinking water shall be available in all parts of the premises where alcohol is sold or supplied on the premises.
15. The sale of alcohol in the hatched area shall only be to persons seated and served at the bar.
16. The number of customers permitted in the hatched area shall be limited to 10 at any one time.
17. The availability of alcohol without food shall not be promoted or advertised otherwise than on menus and price lists within the premises.
18. Any person in the hatched bar area consuming alcohol otherwise than as an ancillary to a table meal shall be required to leave the premises by 23:00.
19. Alcohol shall not be supplied in the hatched area after 22:30 to persons who are not taking a table meal.
20. The supply of alcohol shall be by waiter, waitress or bar staff service only to persons seated at tables or at the bar.
21. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
22. All windows and external doors shall be kept closed after 22:00 hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons.
23. The number of persons permitted in the premises at any one time (excluding staff) shall not exceed 180 persons

24. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
25. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.
26. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
27. A challenge 21 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
28. Unless the premises are operating under the benefit of a Sexual Entertainment Venue licence there shall be no striptease, no nudity and all persons to be decently attired at all times.
29. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
30. No deliveries to the premises shall be arranged between 23.00 and 07.00.
31. During the hours of operation 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 the aforementioned area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.
32. Sales of alcohol for consumption off the premises shall be in sealed containers only and supplied with and ancillary to a takeaway meal for delivery only.



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

Schedule 12
Part B

WARD: West End
UPRN: 100023471608

Premises licence
summary

Regulation 33, 34

Premises licence number:

20/07527/LIPDPS

Part 1 – Premises details

Postal address of premises:

Ruby's
56 Wardour Street
London
W1D 4JG

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

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

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

Playing of Recorded Music	Unrestricted
Late Night Refreshment	
Monday to Saturday:	23:00 to 00:30
Sunday:	23:00 to 00:00
Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit	Unrestricted
Sale by Retail of Alcohol	
Monday to Saturday:	10:00 to 00:00
Sunday:	10:00 to 23:30

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

The opening hours of the premises:	
Monday to Saturday:	08:00 to 00:30
Sunday:	08:00 to 00:00

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

Name and (registered) address of holder of premises licence:
Big Martha Ltd 56 Wardour Street W1D 4JG

Registered number of holder, for example company number, charity number (where applicable)
11738913

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

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

Date: 16 September 2020

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

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

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

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

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

Mandatory Conditions

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

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

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

- 8(i) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or

off the premises for a price which is less than the permitted price.

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

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

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

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

Where -

(i) P is the permitted price,

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

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

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

(i) the holder of the premises licence,

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

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

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

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

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

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

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

Conditions consistent with the operating schedule

9. This Premises Licence shall be personal to Wardour Street Trading Ltd and shall not be transferred.

10. The Premises Licence shall last for a period of twenty-four (24) months from the date it is granted and shall lapse on XX/XX/XXXX.

11. 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.
12. No licensable activities shall take at the premises until the capacity of the premises has been determined by the Environmental Health Consultation Team and the licensing authority has replaced this condition on the licence with a condition detailing the capacity so determined.
13. With the exception of the areas shaded grey on the approved plans the Premises shall operate as a restaurant:
 - (a) in which customers are shown to their table,
 - (b) where the supply of alcohol is by waiter or waitress service only,
 - (c) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery,
 - (d) which do not provide any take away service of food or drink for immediate consumption,
 - (e) which do not provide any take away service of food or drink after 23.00, and
 - (f) where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there, and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.

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

14. In the areas shaded grey on the approved plans alcohol shall only be supplied to customers seated at tables/at the bar, by waiter/waitress or bar staff service.
15. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
16. There shall be no admittance or re-admittance to the premises after 00:30 Monday to Wednesday except for customers permitted to temporarily leave the premises to smoke.
17. There shall be no admittance or re-admittance to the premises after 01:30 Friday to Sunday except for customers permitted to temporarily leave the premises to smoke.
18. 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.
19. The premises licence holder shall ensure that any patrons drinking and/or smoking outside the premises do so in an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.
20. There shall be no sales of alcohol for consumption off the premises after 23:00.
21. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.
22. A direct telephone number for the 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

23. There shall be a personal licence holder on duty on the premises at all times when the premises are authorised to sell alcohol
24. From 20:00 daily a minimum of 1 SIA Licensed Door Supervisors shall be on duty at the premises until 15 minutes after the premises closes to the public.
25. All staff engaged outside the entrance to the premises, or supervising or controlling queues, shall wear high visibility yellow jackets or vests.
26. From 20:00 daily a minimum of 1 SIA Licensed Door Supervisors shall be on duty at the premises until 15 minutes after the premises closes to the public.

Condition 26 has proposed to be amended as shown below by the Metropolitan Police and has not yet been agreed by the applicant.

From 20:00 Monday to Saturday a minimum of 2 SIA Licensed Door Supervisors shall be on duty at the premises until 15 minutes after the premises closes to the public.

27. All staff engaged outside the entrance to the premises, or supervising or controlling queues, shall wear high visibility yellow jackets or vests.
28. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.
29. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
30. 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.
31. In the event that a serious assault is committed on the premises (or appears to have been committed) the management will immediately ensure that:
 - (a) The police (and, where appropriate, the London Ambulance Service) are called without delay;
 - (b) All measures that are reasonably practicable are taken to apprehend any suspects pending the arrival of the police;
 - (c) The crime scene is preserved so as to enable a full forensic investigation to

be carried out by the police; and

(d) Such other measures are taken (as appropriate) to fully protect the safety of all persons present on the premises.

32. A noise limiter must be fitted to the musical amplification system set at a level determined by and to the satisfaction of an authorised officer of the Environmental Health Service, so as to ensure that no noise nuisance is caused to local residents or businesses. The operational panel of the noise limiter shall then be secured by key or password to the satisfaction of officers from the Environmental Health Service and access shall only be by persons authorised by the Premises Licence holder. The limiter shall not be altered without prior agreement with the Environmental Health Service. No alteration or modification to any existing sound system(s) should be effected without prior knowledge of an authorised Officer of the Environmental Health Service. No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device.
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. No fumes, steam or odours shall be emitted from the licensed premises so as to cause a nuisance to any persons living or carrying on business in the area where the premises are situated.
35. Loudspeakers shall not be located in the entrance lobby or outside the premises building.
36. All windows and external doors shall be kept closed after 23:00 hours, or at any time when Regulated Entertainment takes place, except for the immediate access and egress of persons.
37. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
38. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
39. The licence holder shall ensure that any queue to enter the premises which forms outside the premises is orderly and supervised by door staff so as to ensure that there is no public nuisance or obstruction to the public highway.
40. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 23:00 hours and 08:00 hours on the following day.
41. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
42. No collections of waste or recycling materials (including bottles) from the premises shall take place between 23:00 hours and 08:00 hours on the following day.
43. No deliveries to the premises shall take place between 23:00 hours and 08:00 hours on the following day.
44. 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.

45. 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.
46. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.
47. From 22:00 daily the premises licence holder shall designate a member of staff as responsible for customer welfare
48. 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.
49. 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

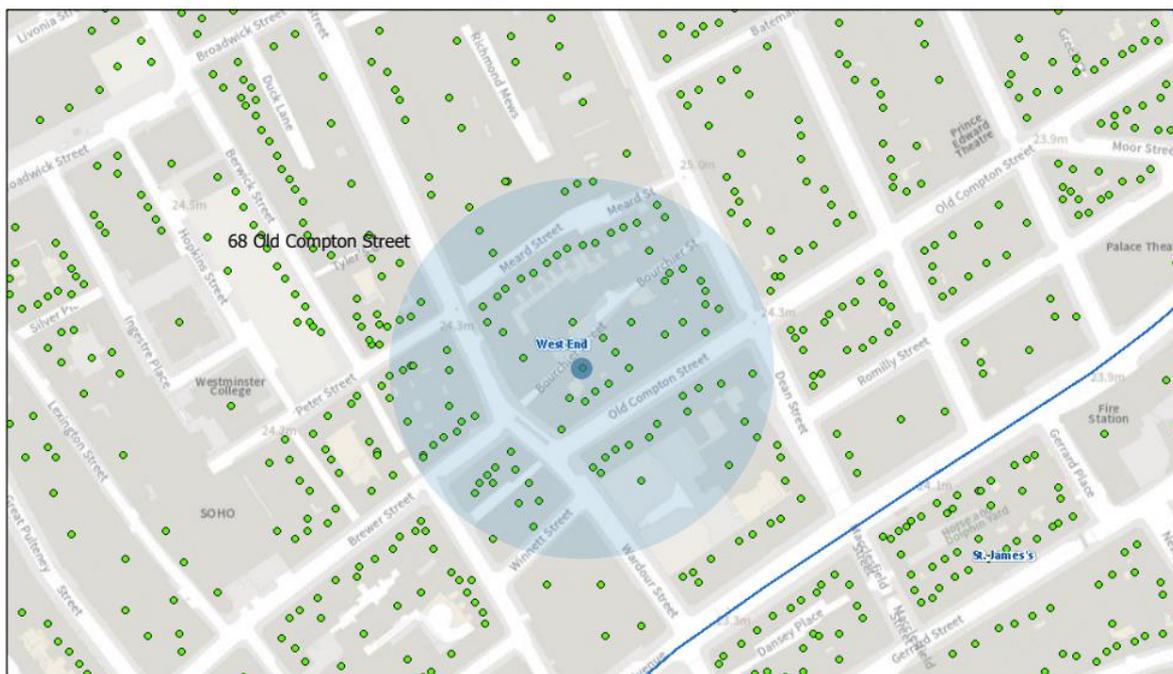
Conditions proposed by Environmental Health and has yet to be agreed by the applicant

50. There shall be no admittance or re-admittance to the premises after 00:30 hours on Thursday except for patrons permitted to temporarily leave the premises (e.g. to smoke, make a phone call).
51. There shall be no sales of hot food or hot drink for consumption off the premises after 23.00 hours
52. Any person in the areas shaded grey consuming alcohol otherwise than as an ancillary to a table meal shall be required to leave the premises by 23:00 hours
53. 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

Conditions proposed by the Police and has yet to be agreed by the applicant

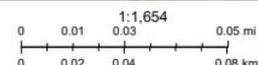
54. Alcohol shall not be supplied in the shaded grey area after 22:30 hours to persons who are not taking a table meal.
55. Alcohol shall not be supplied in the shaded grey area after 22:30 hours to persons who are not taking a table meal.
56. Any person in the shaded grey bar area consuming alcohol otherwise than as an ancillary to a table meal shall be required to leave the premises by 23:00 hours.
57. A copy of the premises' dispersal policy shall be available at the premises for inspection by a police officer and/or an authorised officer of Westminster City Council.

56 Wardour Street



19/05/2021, 07:40:32

- Property Mailing List
- Ward Labels
- Borough Boundary - Mask
- Borough Boundary - Detailed
- Ward Boundaries



Resident Count = 180

Licensed premises within 75 metres of 56 Wardour Street				
Licence Number	Trading Name	Address	Premises Type	Time Period
20/09463/LIPT	Jackson & Rye	56 Wardour Street London W1D 4JG	Restaurant	Sunday; 08:00 - 00:00 Monday to Saturday; 08:00 - 00:30
20/07527/LIPDPS	Rubys	56 Wardour Street London W1D 4JG	Restaurant	Sunday; 08:00 - 00:00 Monday to Saturday; 08:00 - 00:30
06/05560/WCCMAP	Gerry's Wine & Spirits	74-76 Old Compton Street London W1D 4UW	Shop	Sunday; 10:00 - 22:30 Monday to Saturday; 08:00 - 23:00
19/12106/LIPT	Mr Ji	72 Old Compton Street London W1D 4UN	Cafe	Monday to Sunday; 10:00 - 00:30
19/04930/LIPN	Runway East	66 Old Compton Street London W1D 4UH	Office	Monday; 09:00 - 23:30 Tuesday; 09:00 - 23:30 Wednesday; 09:00 - 23:30 Thursday; 09:00 - 23:30

				Friday; 09:00 - 23:30 Saturday; 09:00 - 23:30 Sunday; 09:00 - 23:30
20/10050/LIPT	Leggero	64 Old Compton Street London W1D 4TL	Cafe	Friday; 07:30 - 00:00 Saturday; 08:00 - 00:00 Sunday; 08:00 - 23:00 Monday to Thursday; 07:30 - 23:30
16/11472/LIPN	Starbucks	Ground Floor National House 60 - 66 Wardour Street London W1F 0TA	Restaurant	Monday to Thursday; 23:00 - 23:30 Friday to Saturday; 23:00 - 00:00
18/07653/LIPDPS	Freedom	Basement And Ground Floor National House 60 - 66 Wardour Street London W1F 0TA	Restaurant	Sunday; 09:00 - 00:00 Monday to Saturday; 09:00 - 03:30
20/06360/LIPT	Balans Restaurant	Ground Floor 60 - 62 Old Compton Street London W1D 4UG	Restaurant	Monday; 09:00 - 03:30 Tuesday to Sunday; 09:00 - 05:00
20/00639/LIPT	Las Banderas	Basement And Ground Floor 68-70 Wardour Street London W1F 0TB	Cafe	Sunday; 12:00 - 22:00 Monday to Thursday; 10:00 - 23:30 Friday to Saturday; 10:00 - 00:00
06/05841/WCCMAP	Camisa & Son	Basement And Ground Floor 61 Old Compton Street London W1D 6HS	Shop	Sunday; 10:00 - 22:30 Monday to Saturday; 08:00 - 23:00
19/00878/LIPT	Camisa & Son	Basement And Ground Floor 61 Old Compton Street London W1D 6HS	Shop	Sunday; 10:00 - 22:30 Monday to Saturday; 08:00 - 23:00
20/09026/LIPDPS	Poppies Fish & Chips	55-59 Old Compton Street London W1D 6HP	Cafe	Sunday; 09:00 - 01:00 Monday to Saturday; 09:00 - 01:30
13/02742/LIPDPS	Cafe Espana	Basement To First Floor 63 Old Compton Street London W1D 6HT	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30
20/10736/LIPCH	Comptons Of Soho Public House	51 - 53 Old Compton Street London W1D 6HN	Public house or pub restaurant	Sunday; 12:00 - 23:00 Monday to Thursday; 10:00 - 00:00 Friday to Saturday; 10:00 - 00:30 Sundays before Bank Holidays; 12:00 - 00:30
14/09446/LIPN	Pickle And Toast	72 Wardour Street London W1F 0TD	Cafe	Thursday; 07:00 - 23:30 Friday; 07:00 - 00:00 Saturday;

				08:00 - 00:00 Sunday; 08:00 - 22:30 Monday to Wednesday; 07:00 - 23:00
18/01928/LIPDPS	Hipchips	49 Old Compton Street London W1D 6HL	Restaurant	Sunday; 12:00 - 20:00 Monday to Saturday; 12:00 - 23:00
18/14474/LIPVM	O Bar	83-85 Wardour Street London W1D 6QE	Public house or pub restaurant	Monday; 09:00 - 03:30 Tuesday; 09:00 - 03:30 Wednesday; 09:00 - 03:30 Thursday; 09:00 - 03:30 Friday; 09:00 - 03:30 Saturday; 09:00 - 03:30 Sunday; 12:00 - 00:00 Sunday; 12:00 - 00:00
19/01788/LIPDPS	Tuk Tuk	Basement And Ground Floor 56 Old Compton Street London W1D 4UE	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30
17/05557/LIPT	(Former Bunnychow')	74 Wardour Street London W1F 0TE	Restaurant	Sunday; 07:30 - 23:00 Monday to Saturday; 07:30 - 23:30
20/10524/LIPCH	Village Bar	Basement Ground Floor And Part First Floor 81 Wardour Street London W1D 6QD	Night clubs and discos	Sunday; 09:00 - 00:00 Monday to Friday; 09:00 - 03:30
21/03024/LIPDPS	The Friendly Society	Basement 79 Wardour Street London W1D 6QB	Night clubs and discos	Sunday; 12:00 - 22:30 Monday to Thursday; 10:00 - 23:30 Friday to Saturday; 10:00 - 00:00
20/11368/LIPCH	Admiral Duncan Public House	54 Old Compton Street London W1D 4UD	Not Recorded	
19/11488/LIPCH	Byron	99 Wardour Street London W1F 0UF	Restaurant	Sunday; 12:00 - 22:30 Monday to Thursday; 10:00 - 23:30 Friday to Saturday; 10:00 - 00:00 Sundays before Bank Holidays; 12:00 - 00:00
20/10739/LIPCH	Duke Of Wellington	77 Wardour Street London W1D 6QA	Public house or pub restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30
20/06643/LIPT	Wok To Walk	Ground Floor 4	Cafe	Sunday; 11:00 -

		Brewer Street London W1F 0SB		00:00 Monday to Saturday; 11:00 - 01:00
09/06572/LIPN	Amorino	41 Old Compton Street London W1D 6HF	Restaurant	Sunday; 12:00 - 23:00 Monday to Saturday; 12:00 - 01:00
20/05763/LIPV	Maoz	43 Old Compton Street London W1D 6HG	Restaurant	Sunday; 11:00 - 00:00 Monday to Thursday; 11:00 - 01:00 Friday to Saturday; 11:00 - 02:00
17/08963/LIPN	Rambla	64 Dean Street London W1D 4QQ	Restaurant	Sunday; 12:00 - 23:00 Monday to Thursday; 10:00 - 00:00 Friday to Saturday; 10:00 - 00:30
20/10945/LIPDPS	Tonkotsu	Basement To First Floor 63 Dean Street London W1D 4QG	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30
12/07184/LIPT	Peep Show And Revue Bar	Basement Floor And Ground Floor 1 Tisbury Court London W1D 6BD	Shop	Friday to Saturday; 09:00 - 01:00 Sunday to Thursday; 09:00 - 00:00
19/12383/LIPN	Not Recorded	6 Brewer Street London W1F 0SB	Night clubs and discos	Monday; 09:00 - 03:30 Tuesday; 09:00 - 03:30 Wednesday; 09:00 - 03:30 Thursday; 09:00 - 03:30 Friday; 09:00 - 03:30 Saturday; 09:00 - 03:30 Sunday; 12:00 - 01:00
20/06824/LIPN	Sophisticats	Basement And Part Ground Floor 3-7 Brewer Street London W1F 0RD	Sexual Entertainment Venue	Sunday; 09:00 - 23:00 Monday to Saturday; 09:00 - 03:00
14/08411/LIPN	Shadow Lounge	Basement And Part Ground Floor 3-7 Brewer Street London W1F 0RD	Night clubs and discos	Sunday; 09:00 - 00:00 Monday to Saturday; 09:00 - 03:30
19/03892/LIPDPS	Sophisticats	Basement And Part Ground Floor 3-7 Brewer Street London W1F 0RD	Sexual Entertainment Venue	Sunday; 09:00 - 05:00 Monday to Saturday; 09:00 - 06:00 New Year's Eve; 00:00 - 00:00
18/06896/LIPN	Kirazu	3 Winnett Street London W1D 6JY	Restaurant	Sunday; 17:00 - 22:30 Monday to Saturday; 17:00 - 23:30
17/14216/LIPDPS	Maitre Choux	60 Dean Street London W1D 6AW	Cafe	Sunday; 12:00 - 22:30 Monday to Saturday; 10:00 -

				23:00
16/00056/LIPCH	&Pasta	60 Dean Street London W1D 6AW	Cafe	Sunday; 07:00 - 23:00 Monday to Thursday; 07:00 - 00:00 Friday to Saturday; 07:00 - 00:30
18/04298/LIPDPS	Smack Soho	Kemble House 58 Dean Street London W1D 6AL	Cafe	Monday to Saturday; 12:00 - 22:00
20/05608/LIPDPS	Bone Daddies	30 - 31 Peter Street London W1F 0AP	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30
21/01748/LIPVM	Rudy's Pizza	Ground Floor To First Floor 80-82 Wardour Street London W1F 0UN	Restaurant	Sunday; 12:00 - 23:00 Monday to Saturday; 10:00 - 00:00
19/12079/LIPV	Blacks	Basement To First Floor 67 Dean Street London W1D 4QH	Club or institution	Monday; 10:00 - 01:30 Tuesday; 10:00 - 01:30 Wednesday; 10:00 - 01:30 Thursday; 10:00 - 01:30 Friday; 10:00 - 01:30 Saturday; 10:00 - 01:30 Sunday; 12:00 - 01:00
14/09062/LIDPSR	Unit D	Development Site At 1 - 4 Walker's Court And 8 - 10 Brewer Street London W1F 0SB	Night clubs and discos	Sunday; 12:00 - 01:00 Monday to Saturday; 09:00 - 03:30 Sundays before Bank Holidays; 12:00 - 03:30
14/09057/LIDPSR	(Nightclub)	Development Site At 1 - 4 Walker's Court And 8 - 10 Brewer Street London W1F 0SB	Night clubs and discos	Sunday; 12:00 - 01:00 Monday to Saturday; 09:00 - 03:30 Sundays before Bank Holidays; 12:00 - 03:30
17/01564/LIPV	Honest Burgers	Basement And Ground Floor 4 Meard Street London W1F 0EF	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30