



City of Westminster

Committee Agenda

Title: **Licensing Sub-Committee (5)**

Meeting Date: **Tuesday 21 September 2021**

Time: **1.00 pm**

Venue: **This is a virtual meeting**

Members: **Councillors:**

Murad Gassanly (Chairman)
Jim Glen
Aicha Less

If you require further information, please contact the Committee Officer, Sarah Craddock, Committee and Councillor Liaison Officer.

Email: scraddock@westminster.gov.uk

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. PROUD EMBANKMENT, 8 VICTORIA EMBANKMENT, WC2R 2AB

(Pages 1 - 36)

Ward CIA* SCZ**	Site Name & Address	Application Type	Licensing Reference No.
St James's None* None**	Proud Embankment, 8 Victoria Embankment, WC2R 2AB	Initial consideration for any interim measures pending the full review of the Premises Licence	21/09716/LIREVX
*Cumulative Impact Area ** Special Consideration Zone			

Stuart Love
Chief Executive
20 September 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



City of Westminster

Executive Summary and Recommendations

21/09716/LIREVX	Licensing Sub-Committee Report	
Date:	Tuesday 21 st September 2021	
Subject:	<p>Initial consideration for any Interim measures pending the full review of the premises licence for:</p> <p>Proud Embankment 8 Victoria Embankment London WC2R 2AB</p>	
Licence Holder: Proud West End Limited	Ward: St James's	Cumulative Impact Area: None
<p>Summary</p> <p>An application was made by the Metropolitan Police Service on 17 September 2021 to review the premises licence for Proud Embankment, 8 Victoria Embankment, London WC2R 2AB under the Section 53A(1)(b) of the Licensing Act 2003 (premises associated with serious crime or serious disorder or both).</p> <p>Options</p> <p>The Committee after considering this report and the evidence presented at the hearing may take such interim steps as it considers necessary for the promotion of the licensing objectives. These steps are:</p> <ul style="list-style-type: none"> (a) modification of the conditions of the premises licence (modify, delete or add conditions); (b) to exclude the sale by retail of alcohol from the scope of the licence; (c) to remove the designated premises supervisor; (d) to suspend the licence; 		

1. Summary of review application

1.1 On Thursday 2nd September 2021 at approximately 03:30 hours, Police responded to a call to Proud Embankment stating that there were roughly 30 people fighting inside the venue. SIA security were seen to be struggling to clear the venue and attempting to eject several people. Several marked police carriers were deployed to the venue given the nature of the call, tying up extensive police resources, and leaving other calls to police unanswered. As police engaged with staff, they were told that the event was a private hire event with 380 people in attendance. Given the amount of people that had exited onto the street and that serious disorder had occurred, a Section 35 dispersal order was authorised enabling Police to clear the area effectively. In the opinion of a senior police officer the premises are associated with serious crime or serious disorder or both.

1.2 Police request the licensing Sub Committee consider the imposition of interim steps –

- A reduction of hours as per Westminster Core Hours:-
- Additional conditions to restrict the operation of the premises:-
- Alcohol to be ancillary to the premises operating as a Cabaret venue only
- No Private events will be booked

1.3 These interim steps are deemed both necessary and proportionate to reduce the risk of further serious violence or disorder; pending a full hearing where the Metropolitan Police will seek modification of the Premises Licence.

2. Submissions from Licensee

2.1 Due to the short notice of the hearing to consider interim steps it has not been possible for the licence holder to submit anything in time for the publication of this report.

2.2 Any submissions from the licence holder will be provided to members in advance of the hearing.

3. Interim steps

3.1 Under the provisions of section 53A(2)(a) of the Act the Licensing Authority must within 48 hours of receiving the review application consider whether it is necessary to take interim steps pending the determination of a full review of the premises licence.

4. Options

4.1 The Authority must, having regard to the application, take such interim steps as it considers necessary for the promotion of the licensing objectives. The steps are:

- (a) to modify the conditions of the premises licence (modify, delete or add conditions);
- (b) to exclude sale of alcohol from the scope of the licence;
- (c) to remove the designated premises supervisor;
- (d) suspend the licence

5. Appendices

- 5.1 Appendix 1 – Premises Licence
- Appendix 2 – Review Application Form
- Appendix 3 – Supporting evidence
- Appendix 4 – Licence History

If you have any queries about this report or wish to inspect one of the background papers please contact Jessica Donovan on 020 7641 6500, or email Jdonovan@westminster.gov.uk.

Background Papers

- Licensing Act 2003
- Violent Crime Reduction Act 2006
- The Licensing Act 2003 (Summary Review of Premises Licences) Regulations 2007
- Guidance issued under section 182 of the Licensing Act 2003 (March 2015)
- Department for Culture Media and Sport, Licensing Act 2003 – Expedited/Summary Licence Reviews Guidance (October 2007)



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

Schedule 12
Part A

WARD: St James's
UPRN: 010033604607

Premises licence

Regulation 33, 34

Premises licence
number:

20/02301/LIPDPS

Original Reference:

05/07412/LIPN

Part 1 – Premises details

Postal address of premises:

Proud Embankment
8 Victoria Embankment
London
WC2R 2AB

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

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

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

Performance of Dance

Sunday to Thursday: 09:00 to 03:30
Friday to Saturday: 09:00 to 04:30
Non-standard Timings: See Condition 15

Exhibition of a Film

Sunday to Thursday: 09:00 to 03:30
Friday to Saturday: 09:00 to 04:30
Non-standard Timings: See Condition 15

Performance of Live Music

Sunday to Thursday: 09:00 to 03:30
Friday to Saturday: 09:00 to 04:30
Non-standard Timings: See Condition 15

Playing of Recorded Music

Sunday to Thursday: 09:00 to 03:30
Friday to Saturday: 09:00 to 04:30
Non-standard Timings: See Condition 15

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

Sunday to Thursday: 09:00 to 03:30
Friday to Saturday: 09:00 to 04:30
Non-standard Timings: See Condition 15

Late Night Refreshment

Sunday to Thursday: 23:00 to 03:30
Friday to Saturday: 23:00 to 04:30
Non-standard Timings: See Condition 15

Sale by Retail of Alcohol

Sunday to Thursday: 09:00 to 03:00
Friday to Saturday: 09:00 to 04:00
Non-standard Timings: See Condition 15

The opening hours of the premises:

Sunday to Thursday: 09:00 to 04:00
Friday to Saturday: 09:00 to 05:00

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

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

Part 2

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

Proud West End Limited
10-14 Accommodation Road
Golders Green
London
NW11 8ED

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

11204308

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

Name: Alexander Edward Wilfred Proud

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: PERS-LIC
Licensing Authority: London Borough Of Camden

Date: 19 March 2020

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

Annex 1 – Mandatory conditions

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

5. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
6.
 - (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
 - (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
 - (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
 - (a) a holographic mark, or
 - (b) an ultraviolet feature.
7. The responsible person must ensure that—
 - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

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

- 8(i) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
- 8(ii) For the purposes of the condition set out in paragraph 8(i) above -

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

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

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

Where -

- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

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

- (i) the holder of the premises licence,
- (ii) the designated premises supervisor (if any) in respect of such a licence, or
- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

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

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

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

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

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

9. Admission of children to the premises must be restricted in accordance with the film classification recommended by the British Board of Film Classification or recommended by this licensing authority as appropriate.
10. All persons guarding premises against unauthorised access or occupation or against outbreaks of disorder or against damage (door supervisors) must be licensed by the Security Industry Authority.

Annex 2 – Conditions consistent with the operating Schedule

11. The venue shall ensure that for any club night events it operates, it has complete control over its ticket sales and will not sell tickets that exceed its capacity.
12. All drinking containers used within the premises shall be polycarbonate. All glass bottles to be decanted into polycarbonate glassware or polycarbonate glassware carafes, with the exception of champagne and bottles of spirits of a minimum size of 70cl, supplied by waiter/waitress service to tables. Staff will clear all empty champagne and spirit bottles from the tables promptly. Customers will not be permitted to self-serve or remove bottles from the tables. Customers will not be permitted to drink directly from champagne or spirit bottles.

Notwithstanding this condition, with the written agreement of the Westminster Police Licensing Team, a copy of which will be held at the premises reception, glass drinking vessels may be used for private, corporate and cabaret events.

13. From 22:30hrs when the premises are open for licensable activities all patrons attempting to gain entry or re-entry will be subject to a search, upon entry all bags are to be opened and searched. A general search policy shall be implemented as agreed with the Westminster Police Licensing Team and documented . In accordance with the general search policy, searching will be supplemented by the use of functional metal detecting mits operated by male and female door supervisors dedicated to that duty and monitored by the premises CCTV system, either until the end of permitted hours or until there are no further admissions.
14. All staff engaged outside the entrance to the premises, or supervising or controlling queues, shall wear high visibility yellow jackets or vests

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

15. Seasonal variations and/or non-standard timings:
 - (a) Extension of opening hours is permitted from 09:00 on 31 December to 06:00 on 02 January.
 - (b) Occasional extended hours is permitted for British Summer Time. Police to be notified in advance.
16. Whenever the premises are open for licensable activities then only the following persons may be admitted to the premises:
 - (a) Persons who have been invited to attend a pre-booked private function at the premises; or
 - (b) Persons who have purchased a ticket to an event at the premises. If the event is organised by an external promoter then the Premises Licence Holder will no less than 14 days prior to the event send to the Metropolitan Police Licensing Department a written risk assessment using the standard form provided; or
 - (c) Persons who will be consuming alcohol as an ancillary to a table meal at the premises.
17. A Waiter/ Waitress service shall be available throughout the premises at all times
18. When open to patrons, at least one personal licence holder (or a person with the authority of the relevant licensing authority or letter of delegation) to be present on the premises at 23:00 and thereafter.
19. There shall be no soliciting for custom by means of persons on the highway or any payment made to them by or on behalf of the licensees.
20. Other than when the premises are in use in accordance with the restaurant condition then at least two SIA Registered Door Supervisors shall be employed at the entrance to the premises after 21:00 hours or the time when the premises open for licensable activities whichever is later. Where the number of customers on the premises exceeds 200 at any one time then there will be at least one further SIA Registered Door Supervisor per 100 additional customers.
21. Registered door supervisors will request all patrons to leave the premises quietly and without engaging in any anti-social behaviour.
22. An acoustic lobby to be provided at all public entrances.
23. Except for the immediate access and egress of persons the internal entrance lobby door shall be kept closed after 22:00 hours and any time regulated

- entertainment takes place the external entrance door shall be kept closed or in any event after 22:00 hours.
24. No speakers shall be located in the entrance area.
 25. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
 26. Notices will be prominently displayed at exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
 27. All key staff shall be fully trained in Licensing, Health and Safety, First Aid and Hazard Routine.
 28. A manned cloakroom shall be situated within the premises.
 29. 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
 30. All kitchen and bar areas shall have a designated rubbish receptacle. All rubbish shall be removed to the refuse room after each service. All refuse shall be bagged. A contractor (or WCC) shall be employed who will remove the bags.
 31. All collections and deliveries, including equipment shall be made from the front of the premises on Embankment and shall be made between 23:00 and 08:00.
 32. Any refuse which is to be collected will either be:- (1) Properly presented and placed on the street 30 minutes before the agreed collection times by Westminster City Council's refuse department or (2) If an event is organised by a third party the organiser will arrange for all waste to be collected and taken away from the premises immediately on a vehicle as quietly as possible
 33. Other than when an event is organised by a 3rd party no rubbish including bottles or equipment will be moved, removed or placed in outside areas between 23:00 hours and 08:00 hours.
 34. 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
 35. The premises shall operate in accordance with strict Health and Safety procedures and shall have in place all necessary policies and risk assessments so as to ensure the safety of all those in and around the premises.
 36. No person shall give at the premises any exhibition, demonstration or performance of hypnotism, mesmerism or any similar act or process which produces or is intended to produce in any other person any form of induced sleep or trance in which susceptibility of the mind of that person to suggestion or direction is increased or intended to be increased.

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

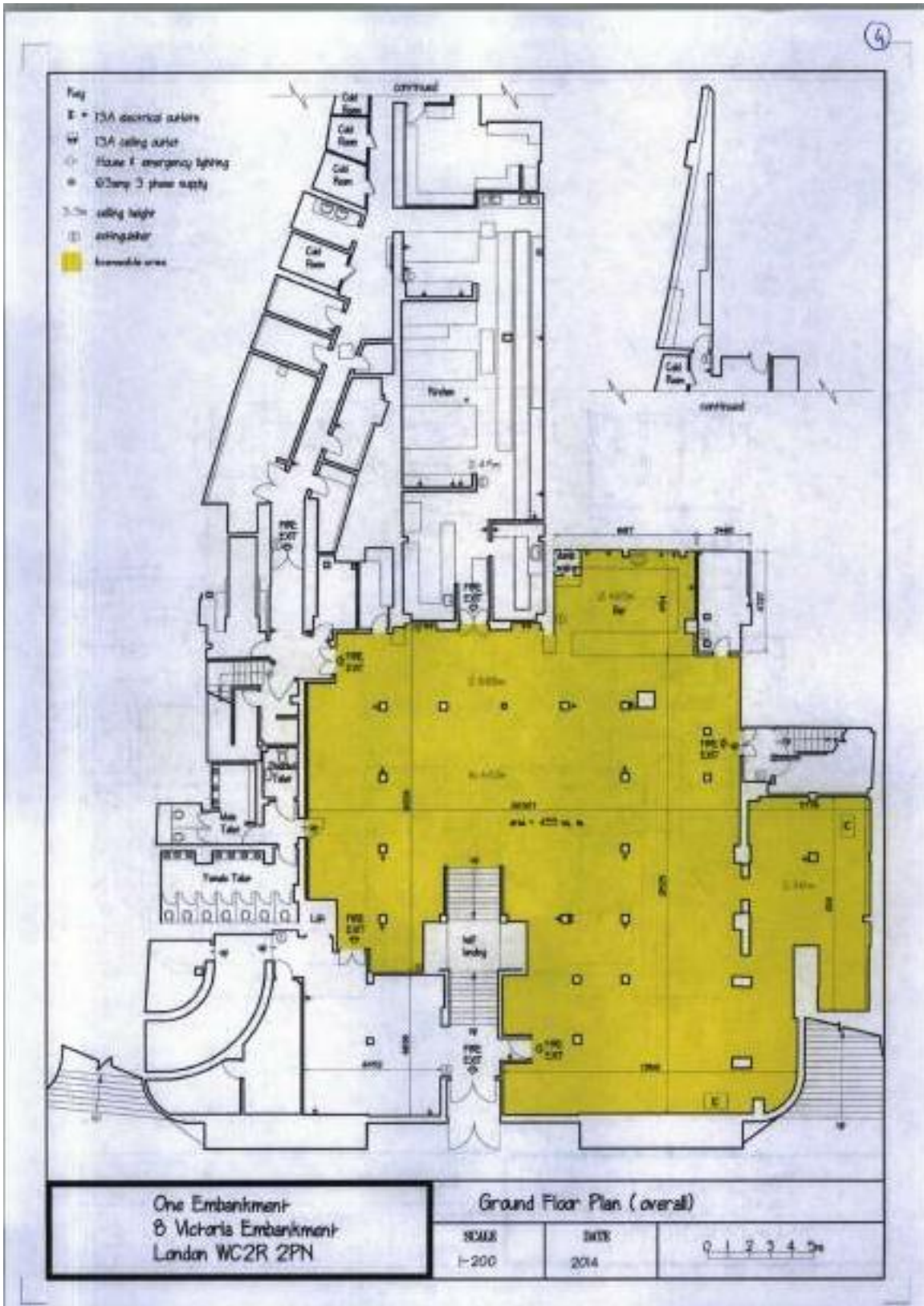
37. The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order
38. The certificates listed below shall be submitted to the licensing Authority upon written request.
 - a) Any permanent or temporary emergency lighting battery or system
 - b) Any permanent or temporary electrical installation
 - c) Any permanent or temporary emergency warning system
39. 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.
40. All exit doors shall be available at all material times without the use of a key, code, card or similar means.
41. All emergency doors shall be maintained effectively self closing and not held open other than by an approved device
42. Fire resisting doors to ducts, service shafts and cupboards shall be kept locked shut.
43. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
44. Only hangings, curtains, upholstery and temporary decorations, complying with the relevant British (or where appropriate European) Standard shall be used. Where necessary these shall be periodically tested for flame resistance and re-treated as necessary.
45. Curtains and hangings shall be arranged so as not to obstruct emergency safety signs or emergency equipment.
46. Staff with specific responsibilities in the event of fire or other emergency, together with deputies, shall receive training and written instruction appropriate to their role.
47. Any special effects or mechanical installations shall be arranged and stored so as to minimise any risk to the safety of those using the premises. The following special effects will only be used on 10 days prior notice being given to the Licensing Authority where consent has not previously been given:
 - (a) dry ice and cryogenic fog;
 - (b) smoke machines and fog generators;

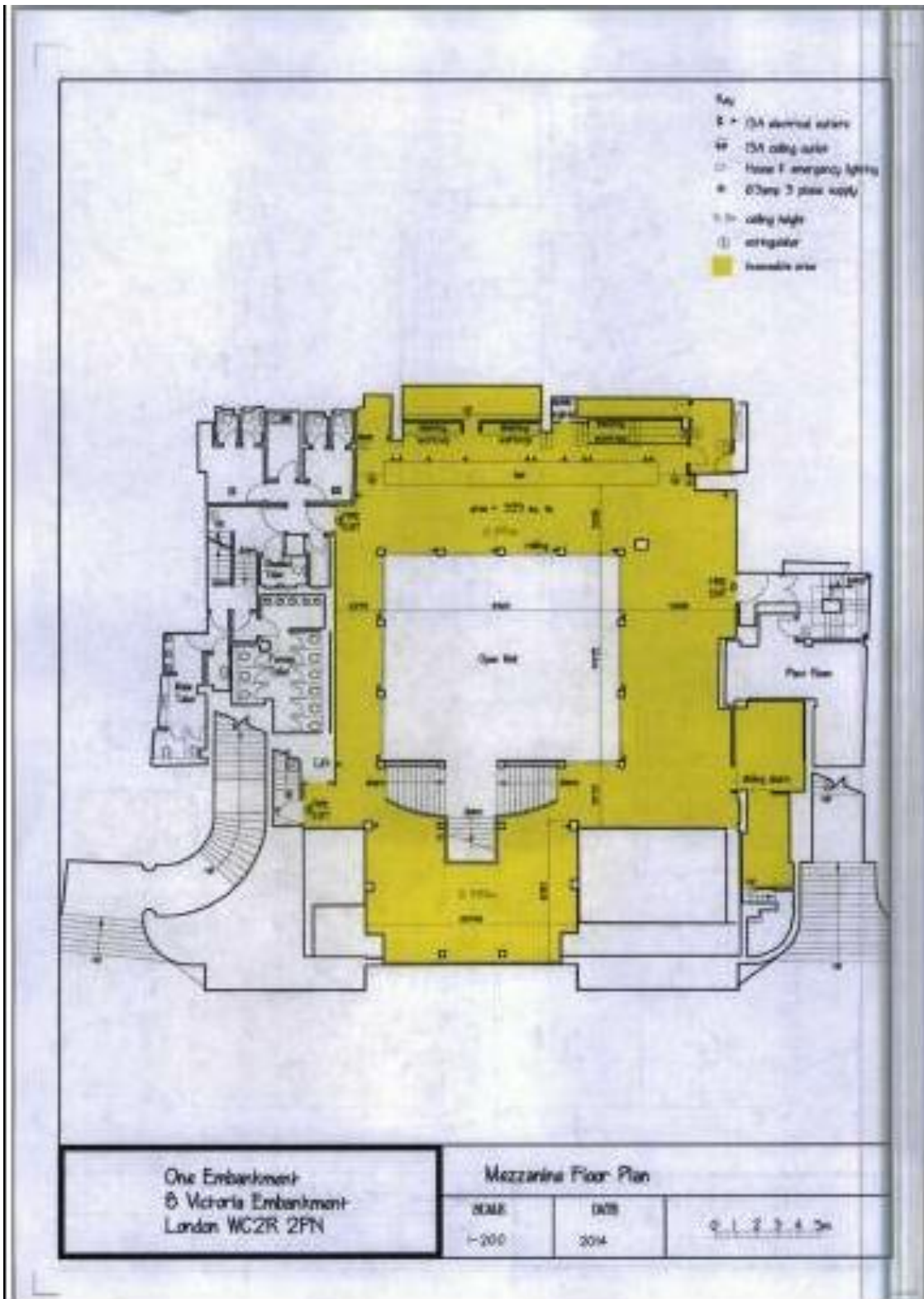
- (c) pyrotechnics including fire works;
 - (d) firearms;
 - (e) lasers;
 - (f) explosives and highly flammable substances;
 - (g) real flame;
 - (h) strobe lighting.
48. Flashing or particularly bright lights on or outside the premises will not be permitted to cause a nuisance to nearby properties (save insofar as they are necessary for the prevention of crime).
49. 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.
50. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
51. 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
52. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following:
- (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received concerning crime and disorder
 - (d) any incidents of disorder
 - (e) all seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system or searching equipment or scanning equipment
 - (g) any refusal of the sale of alcohol
 - (h) any visit by a relevant authority or emergency service.
53. The number of persons permitted in the premises (excluding staff) shall not exceed
- Ground Floor 450 persons
 - Mezzanine Floor 300 persons

With no more than 750 persons at any one time.

54. Alcohol shall be ancillary to the provision of regulated entertainment and or substantial food".
55. 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.

Annex 4 – Plans







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

Schedule 12
Part B

WARD: St James's
UPRN: 010033604607

Premises licence
summary

Regulation 33, 34

Premises licence
number:

20/02301/LIPDPS

Part 1 – Premises details

Postal address of premises:

Proud Embankment
8 Victoria Embankment
London
WC2R 2AB

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

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

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

Performance of Dance

Sunday to Thursday: 09:00 to 03:30
Friday to Saturday: 09:00 to 04:30
Non-standard Timings: See Condition 15

Exhibition of a Film

Sunday to Thursday: 09:00 to 03:30
Friday to Saturday: 09:00 to 04:30
Non-standard Timings: See Condition 15

Performance of Live Music

Sunday to Thursday: 09:00 to 03:30
Friday to Saturday: 09:00 to 04:30
Non-standard Timings: See Condition 15

Playing of Recorded Music

Sunday to Thursday: 09:00 to 03:30
Friday to Saturday: 09:00 to 04:30
Non-standard Timings: See Condition 15

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

Sunday to Thursday: 09:00 to 03:30
Friday to Saturday: 09:00 to 04:30
Non-standard Timings: See Condition 15

Late Night Refreshment

Sunday to Thursday: 23:00 to 03:30
Friday to Saturday: 23:00 to 04:30
Non-standard Timings: See Condition 15

Sale by Retail of Alcohol

Sunday to Thursday: 09:00 to 03:00
Friday to Saturday: 09:00 to 04:00
Non-standard Timings: See Condition 15

The opening hours of the premises:

Sunday to Thursday: 09:00 to 04:00
Friday to Saturday: 09:00 to 05:00

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

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

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

Proud West End Limited
10-14 Accommodation Road
Golders Green
London
NW11 8ED

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

11204308

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

Name: Alexander Edward Wilfred Proud

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

Registered

Date: 19 March 2020

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



**METROPOLITAN
POLICE**

TOTAL POLICING

Form for Applying for a Summary Licence Review

Application for the review of a premises licence under section 53A of the Licensing Act 2003
(premises associated with serious crime, serious disorder or both)

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing the form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink.

Use additional sheets if necessary.

Insert name and address of relevant licensing authority and its reference number:

Name: City of Westminster

Address:

Westminster City Hall, 64 Victoria Street

Post town: London

Post code: SW1E 6QP

Ref. No.:

I PC Reaz Guerra

on behalf of the chief officer of police for the Metropolitan Police area apply for the review of a premises licence under section 53A of the Licensing Act 2003.

1. Premises details

Postal address of premises or club premises, or if none, ordnance survey map reference or description:

Proud Embankment, 8 Victoria Embankment

Post town: London

Post code:
(if known) WC2R 2AB

2. Premises licence details

Name of premises licence holder or club holding club premises certificate (if known):

Proud West End Limited, 10-14 Accommodation Road, Golders Green, London, NW11 8ED

Number of premises licence or club premises certificate (if known):

20/02301/LIPDPS

3. Certificate under section 53A(1)(b) of the Licensing Act 2003 (Please read guidance note 1)

I confirm that a certificate has been given by a senior member of the police force for the police area above that in his opinion the above premises are associated with serious crime or serious disorder or both, and the certificate accompanies this application.

Please tick the box to confirm:



4. Details of association of the above premises with serious crime, serious disorder or both
(Please read guidance note 2)

PROTECTIVE MARKING

On Thursday 2nd September 2021 at approximately 03:30 hours, Police responded to a call to Proud Embankment, Victoria Embankment, WC2 stating that there were roughly 30 people fighting inside the venue. (CAD 750 refers). The person making the call was a member of the management staff. Upon arrival, SIA security were seen to be struggling to clear the venue and attempting to eject several people. Several marked police carriers were deployed to the venue given the nature of the call, tying up extensive police resources, and leaving other calls to police unanswered. As police engaged with staff, they were told that the event was a private hire event with 380 people in attendance.

Given the amount of people that had exited onto the street and that serious disorder had occurred, a Section 35 dispersal order was authorised enabling Police to clear the area effectively.

As Police were dealing with the aftermath of what had happened, an SIA door supervisor approached Police and handed them a black lock knife with a 6-inch blade, which he stated was found outside on the floor by the main entrance. Police dispute this and believe that a knife was found inside the venue.

Westminster Police Licensing were notified of the incident by officers who attended and also received intelligence that the incident was gang related.

Police licensing attended the premises by pre-arranged appointment on Thursday 2nd September 2021, meeting with four of the managers but [REDACTED] who is both the Designated Premises Supervisor (DPS) and Premises Licence Holder failed to attend. He had also overseen arrangements for the night, supervised it and was present throughout.

Partial viewing of the premises CCTV, showed an altercation occurred on the stairs in the main room approximately 30 minutes after the bar closed and customers required to leave. The initial cause for the disorder is unknown currently. Security intervened and tried to break up a fight, however the incident escalated, and more people then attacked security, with approximately 20 people fighting with the security

The CCTV shows metal barriers being picked up and used as weapons, people arming themselves with bottles of spirits/champagne and walking around with them. Furniture is thrown off the stage and Security are assaulted several times. The Security and management lost complete control of the incident and were clearly totally overwhelmed.

No assault on door staff was reported to police despite head injuries sustained by two members of the door staff.

CCTV shows an attack using a large bottle and member of security with a significant head injury, with blood running down the back of his head and neck.

Police were told that a male by the name of [REDACTED], who is a drill music artist, called the venue on the 5th January 2021 to book his birthday party. This date subsequently changed to the 19th August 2021. The staff member who took the booking apparently conducted research (internet/social media) but found nothing that raised any concerns. The venue allowed [REDACTED] and his entourage to bring their own DJ.

The premises stated a full guest list was provided to the venue, so they knew in advance who was attending and that they ID scanned every person entering. In fact, the venue has admitted its staff member had not followed his instructions and rather than scan at entry, he moved along the queue with a hand held phone scanner. The premises stated this had been intended to save time. The venue stated that all customers were searched upon entry. Metal detecting mitts were not used, as required by a search condition. Contradictory information was given to police regarding the number of SIA security on duty.

PROTECTIVE MARKING

On Friday 3rd September 2021, Police Licensing collected the CCTV showing a sample of the disorder, with further CCTV footage and additional documentation (ID Scan Logs, SIA security and Incident Logs being collected on Wednesday 8th September 2021. No incident log could be provided to Police Licensing despite their request, on their first visit after the incident.

The serious disorder is clearly evidenced on the CCTV footage, which shows the disorder continued approximately 15 minutes within the venue, with further altercations takings place throughout the venue and outside.

The integrity, honesty and openness of the premises management is questionable, with the contradictory and inconsistent information that has been provided by the operator regarding the incident and how the event was managed and controlled. Police believe that there was a distinct lack of due diligence conducted for the event and its attendees. The premises claim they dealt with the incident well and that police allegedly thanked them for their efforts on the night, this is disputed by Police who dealt with the call.

It has also transpired that the booking was originally for 300 people but there were late additions added to the guest list the day before the event. These extra people were believed to also be drill music artists. It is our belief that no checks were conducted on these people either. The serious disorder that occurred required the use of significant Police resources, meaning they had to be re-deployed away from their original taskings.

The venue has some history of crime, persons involved in stabbings and robberies have previously been linked to the venue. There have been assaults with injuries and recent sexual assaults which have also occurred inside and not reported to police. The premises has also breached conditions on their premise licence, relating to carrying glass bottles, CCTV, searching, risk assessing events, health and safety. Despite many meetings with Mr Proud over the years, and the many assurances he has offered, high risk events have continued to take place at the venue and therefore we feel he is unlikely to change his style of operation.

There have been comprehensive failings by the premises in promoting and upholding the licensing objectives, in addition the associated crime and serious disorder that took place exposed the public to significant and unnecessary risk.

Police request the licensing Sub Committee consider the imposition of interim steps -

A reduction of hours as per Westminster Core Hours:-

Additional conditions to restrict the operation of the premises:-

Alcohol to be ancillary to the premises operating as a Cabaret venue only

No Private events will be booked

These interim steps are deemed both necessary and proportionate to reduce the risk of further serious violence or disorder; pending a full hearing where the Metropolitan Police will seek modification of the Premises Licence.

Signature of applicant

Signature:		Date:	16th September 2021
-------------------	---	--------------	---------------------

Capacity:	Police Constable
------------------	------------------

Contact details for matters concerning this application

Surname:	Guerra	First Names:	Reaz
-----------------	--------	---------------------	------

PROTECTIVE MARKING

Address:			
Police Licensing Team, 15 th Floor, Westminster City Hall, 64 Victoria Street			
Post town:	London	Post code:	SW1E 6QP
Tel. No.:	02076411705	Email:	reaz.guerra@met.police.uk

Notes for guidance

1. A certificate of the kind mentioned in the form must accompany the application in order for it to be valid under the terms of the Licensing Act 2003. The certificate must explicitly state the senior officer's opinion that the premises in question are associated with serious crime, serious disorder or both.
Serious crime is defined by reference to section 81 of the Regulation of Investigatory Powers Act 2000. In summary, it means:
 - conduct that amounts to one or more criminal offences for which a person who has attained the age of eighteen and has no previous convictions could reasonably be expected to be sentenced to imprisonment for a term of three years or more; or
 - conduct that amounts to one or more criminal offences and involves the use of violence, results in substantial financial gain or is conduct by a large number of persons in pursuit of a common purpose.
Serious disorder is not defined in legislation, and so bears its ordinary English meaning.
2. Briefly describe the circumstances giving rise to the opinion that the above premises are associated with serious crime, serious disorder, or both.

Retention Period: 7 years
MP 146/12



**METROPOLITAN
POLICE**

TOTAL POLICING

Certificate under Section 53A(1)(b) of the Licensing Act 2003

Metropolitan Police Service | New Scotland | Yard 8-10 Broadway | London | SW1H 0BG

**I hereby certify that in my opinion the premises described below are associated with:
both serious crime and serious disorder**

Premises (Include business name and address and any other relevant identifying details):

Postal address of premises or club premises, or if none, ordnance survey map reference or description:

Proud Embankment, 8 Victoria Embankment

Post town:

London

Post code:
(if known)

WC2R 2AB

Premises licence number (if known):

20/02301/LIPDPS

Name of premises supervisor (if known):

Alexander Edward Wilfred Proud

PROTECTIVE MARKING

I am a Supt* in the Metropolitan Police Service. ADDERLEY

*Insert rank of officer giving the certificate, which must be superintendent or above.

I am giving this certificate because I am of the opinion that other procedures under the Licensing Act are inappropriate in this case because:

(Give a brief description of why other procedures such as a standard review process are thought to be inappropriate, e.g. the degree of seriousness of the crime and/or disorder, the past history of compliance in relation to the premises concerned)

PROTECTIVE MARKING

On Thursday 2nd September 2021 at approximately 03:30 hours, Police responded to a call to Proud Embankment, Victoria Embankment, WC2 stating that there were roughly 30 people fighting inside the venue. (CAD 750 refers). The person making the call was a member of the management staff. Upon arrival, SIA security were seen to be struggling to clear the venue and attempting to eject several people. Several marked police carriers were deployed to the venue given the nature of the call, tying up extensive police resources, and leaving other calls to police unanswered. As police engaged with staff, they were told that the event was a private hire event with 380 people in attendance. Given the amount of people that had exited onto the street and that serious disorder had occurred, a Section 35 dispersal order was authorised enabling Police to clear the area effectively. As Police were dealing with the aftermath of what had happened, an SIA door supervisor approached Police and handed them a black lock knife with a 6-inch blade, which he stated was found outside on the floor by the main entrance. Police dispute this and believe that a knife was found inside the venue. The CCTV shows metal barriers being picked up and used as weapons, people arming themselves with bottles of spirits and walking around with them. Furniture is thrown off the stage and Security are assaulted several times. The Security and management lost complete control of the incident and were clearly totally overwhelmed. No assault on door staff was reported to police despite head injuries sustained by two members of the door staff. CCTV shows an attack using a large bottle and a member of security with a significant head injury, with blood running down the back of his head and neck. The integrity, honesty and openness of the premises is questionable, with the contradictory and inconsistent information that has been provided by the operator regarding the incident and how the event was managed and controlled. Police believe that there was a distinct lack of due diligence conducted for the event and its attendees. The premises claim they dealt with the incident well and that police allegedly thanked them for their efforts on the night, this is disputed by Police. Open source research show that this event had been externally promoted, with a lack of due diligence in fully risk assessing this event. The venue has some history of crime, persons involved in stabbings and robberies have previously been linked to the venue. There have been assaults with injuries and recent sexual assaults which have also occurred inside and not reported to police. The premises has also breached conditions on their premises licence, relating to carrying glass bottles, CCTV, searching, risk assessing events, health and safety. Despite many meetings with [REDACTED] over the years, and the many assurances offered, high risk events have continued to take place at the venue and therefore we feel he is unlikely to change his style of operation. On Saturday 11th September, a call was made to police (CAD 762 11/09/21) by a customer who was inside the venue stating that they saw a male inside who was in possession of a firearm. Police attended by the informant is believed to have left prior to their arrival and the male could not be identified. Enquiries are on going to verify this information. Since Jan 2019 to Sep 2021 there has been 37 crimes recorded at this premises, including 10 allegations of assault, 5 of which were recorded as GBH. Three incidents resulting in serious disorder. Within this time period (Jan 19 - to date) the premises would have been closed for significant periods due to covid restrictions.

Police having considered alternative options are of the opinion that a summary review and the imposition of interim steps is the most appropriate course of action and necessary for the following reasons: -

Given the history of this premises in relation to violent crime and serious disorder, with police having previously raised concerns and given advice on serious criminal and disorderly behaviour attributable to activities taking place on the premises, a further serious incident has occurred. The serious disorder that occurred in this incident (2nd Sep 2021), with bottles being used as weapons and a knife being found at the premises clearly demonstrate that the premises having breached a number of conditions and in doing so has failed to operate in a safe and responsible manner, and continued to place the public and its staff at significant risk. A summary review is considered to be necessary to prevent the occurrence of further serious crime and disorder. There have been comprehensive failings by the premises in promoting and upholding the licensing objectives. The associated crime and serious disorder that took place exposed the public to significant and unnecessary risk. Police request the Licensing Committee consider the imposition of the proposed interim steps, to prevent any further incidents of serious violence or disorder; pending a full hearing when the Metropolitan Police Service will seek modification of the Premises Licence.

PROTECTIVE MARKING

Signature

Signature:	Addley	Date:	16/9/21
------------	--------	-------	---------

Retention Period: 7 years
MP 147/12

APPENDIX 4**Licence and Appeal History****Premises licence history**

Application	Details of Application	Date Determined	Decision
05/07412/LIPN	New premises licence	25.10.2005	Granted by Licensing Sub-Committee
06/09890/LIPV	Variation application	27.10.2006	Granted under Delegated Authority
06/08881/WCCMAP	Master Licence	21.05.2007	Granted under Delegated Authority
08/03943/LIPV	Variation application	04.06.2008	Granted under Delegated Authority
08/05910/LIPV	Variation application	06.08.2008	Granted under Delegated Authority
08/06601/LIPDPS	Application to Vary the Designated Premises Supervisor	23.07.2008	Granted under Delegated Authority
08/07378/LIPRW	Removal of works condition	06.08.2008	Granted under Delegated Authority
08/09815/LIPV	Variation application	21.11.2008	Granted under Delegated Authority
08/11371/LIPDPS	Application to Vary the Designated Premises Supervisor	30.12.2008	Granted under Delegated Authority
10/03506/LIPT	Transfer application	25.06.2010	Granted under Delegated Authority
11/00542/LIPVM	Minor Variation application	09.02.2011	Refused
11/01327/LIPV	Variation application	14.04.2011	Granted by Licensing Sub-Committee
14/00477/LIPT	Transfer application	07.02.2014	Granted under Delegated Authority

14/00478/LIPDPS	Application to Vary the Designated Premises Supervisor	07.02.2014	Granted under Delegated Authority
14/09154/LIPV	Variation application	11.12.2014	Granted by Licensing Sub-Committee
18/02728/LIPT	Transfer application	09.04.2018	Granted under Delegated Authority
18/02733/LIPDPS	Application to Vary the Designated Premises Supervisor	09.04.2018	Granted under Delegated Authority
18/06283/LIPDPS	Application to Vary the Designated Premises Supervisor	26.07.2018	Granted under Delegated Authority
18/07961/LIPDPS	Application to Vary the Designated Premises Supervisor	10.08.2018	Granted under Delegated Authority
19/00927/LIPVM	Minor Variation application	15.02.2019	Granted under Delegated Authority
19/10284/LIPVM	Minor Variation application	11.09.2019	Granted under Delegated Authority
19/17069/LIPDPS	Application to Vary the Designated Premises Supervisor	08.01.2020	Granted under Delegated Authority
20/02301/LIPDPS	Application to Vary the Designated Premises Supervisor	19.03.2020	Granted under Delegated Authority

Temporary Event Notice history

Application	Details of Application	Date Determined	Decision
18/12322/LITENP	Application for a Temporary Event Notice	19.10.2018	Event allowed to proceed
18/15841/LITENP	Application for a Temporary Event Notice	18.12.2018	Event allowed to proceed
19/05630/LITENP	Application for a Temporary Event Notice	16.05.2019	Event allowed to proceed
19/16805/LITENP	Application for a Temporary Event Notice	18.12.2019	Event allowed to proceed
20/01423/LITENP	Application for a Temporary Event Notice	17.03.2020	Event allowed to proceed
21/07535/LITENP	Application for a Temporary Event Notice	03.08.2021	Event not allowed to proceed
21/07611/LITENP	Application for a Temporary Event Notice	05.08.2021	Event allowed to proceed

There is no appeal history for the premises.

This page is intentionally left blank