



City of Westminster

Committee Agenda

Title: **Licensing Sub-Committee (4)**

Meeting Date: **Thursday 9 December 2021**

Time: **10.00 am**

Venue: **Rooms 18.01 - 18.03 - 18th Floor, 64 Victoria Street, London, SW1E 6QP**

Members: **Councillors:**

Karen Scarborough (Chairman)
Susie Burbridge
Aziz Toki

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

Admission to the public gallery is via a visitor's pass which is available from the main ground floor reception at 64 Victoria Street from 9.00am.

If you have a disability and require any special assistance, please contact the Committee Officer (details listed below) in advance of the meeting.

If you require further information, please contact the Committee Officer, Sarah Craddock, Committee and Councillor Support Co-ordinator.

Email: scraddock@westminster.gov.uk Tel: 07790 980186
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. WHISTLE PUNKS, 198-200 PICCADILLY, W1J 9HU

(Pages 1 - 24)

Ward CIA* SCZ* *	Site Name & Address	Application Type	Licensing Reference No.
St James * None ** West End	Whistle Punks, 198- 200 Piccadilly W1J 9HU	New Premises Licence	21/07647/LIPN
*Cumulative Impact Area ** Special Consideration Zone			

2. 7 HARBET ROAD, W2 1AJ**(Pages 25 - 60)**

Ward CIA* SCZ* *	Site Name & Address	Application Type	Licensing Reference No.
Hyde Park * None ** None	7 Harbet Road W2 1AJ	New Premises Licence	21/05609/LIPN
*Cumulative Impact Area ** Special Consideration Zone			

3. PITCH, 12 MEARD STREET, W1F 0EQ**(Pages 61 -
106)**

Ward CIA* SCZ* *	Site Name & Address	Application Type	Licensing Reference No.
West End * West End ** None	Pitch, 12 Meard Street, W1F 0EQ	New Premises Licence	21/08493/LIPN
*Cumulative Impact Area ** Special Consideration Zone			

4. 43 CHARING CROSS ROAD, WC2H 0AP

(Pages 107 - 144)

Ward CIA* SCZ* *	Site Name & Address	Application Type	Licensing Reference No.
St Jame s * West End ** None	43 Charing Cross Road, WC2H 0AP	Premises Licence Variation	21/07520/LIPV
*Cumulative Impact Area ** Special Consideration Zone			

5. 2 TENS FOR MAPPIN HOUSE, 4 WINSLEY STREET, W1W 8HF

(Pages 145 - 202)

**Stuart Love
Chief Executive
3 December 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

Licensing Sub-Committee Report

Agenda Item 1.

Item No:	
Date:	9 December 2021
Licensing Ref No:	21/07647/LIPN - New Premises Licence
Title of Report:	Whistle Punks 198-200 Piccadilly London W1J 9HU
Report of:	Director of Public Protection and Licensing
Wards involved:	St James's
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Jessica Donovan Senior Licensing Officer
Contact details	Telephone: 020 7641 6500 Email: Jdonovan@westminster.gov.uk

1. Application

1-A	Applicant and premises		
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	2 August 2021		
Applicant:	Whistle Punks Uk Ltd		
Premises:	Whistle Punks		
Premises address:	198-200 Piccadilly London W1J 9HU	Ward:	St James's
		Cumulative Impact Area:	None
		Special Consideration Zone:	West End
Premises description:	The premises intends to operate as a sporting venue.		
Premises licence history:	This is a new premises application and therefore no premises licence history exist.		
Applicant submissions:	On submission of the application, the applicant provided a brief outline of the application which can be found at Appendix 2 .		
Applicant amendments:	None		

1-B	Proposed licensable activities and hours						
Films:	Indoors, outdoors or both					Indoors	
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	09:00	09:00	09:00	09:00	09:00	09:00	09:00
End:	00:00	00:00	00:00	00:00	00:00	00:00	00:00
Seasonal variations/ Non-standard timings:	N/A						

Indoor Sporting Events:	Indoors, outdoors or both					Indoors	
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	09:00	09:00	09:00	09:00	09:00	09:00	09:00
End:	00:00	00:00	00:00	00:00	00:00	00:00	00:00
Seasonal variations/ Non-standard timings:	N/A						

Record Music:	Indoors, outdoors or both					Indoors	
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	09:00	09:00	09:00	09:00	09:00	09:00	09:00
End:	00:00	00:00	00:00	00:00	00:00	00:00	00:00
Seasonal variations/ Non-standard timings:	N/A						

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:	23:30	23:30	23:30	23:30	23:30	23:30	23:30
Seasonal variations/ Non-standard timings:		N/A					

Sale by retail of alcohol				On or off sales or both:			On premises
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	09:00	09:00	09:00	09:00	09:00	09:00	09:00
End:	23:30	23:30	23:30	23:30	23:30	23:30	23:30
Seasonal variations/ Non-standard timings:		N/A					

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	09:00	09:00	09:00	09:00	09:00	09:00	09:00
End:	00:00	00:00	00:00	00:00	00:00	00:00	00:00
Seasonal variations/ Non-standard timings:		N/A					

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Environmental Health
Representative:	Ian Watson
Received:	26 th August 2021

I refer to the application for a New Premises Licence.

The applicant has submitted floor plans of the premises.

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

The applicant is seeking the following

1. To provide for the Supply of Alcohol 'On' the premises Monday to Sunday between 09.00 to 23.30 hours.
2. To provide Late Night Refreshment 'Indoors' Monday to Sunday between 23.00 to 23.30 hours.
3. To provide regulated entertainment 'Indoors' comprising
 - Films
 - Indoor Sporting Events
 - Recorded MusicMonday to Sunday between 09.00 to 00.00 hours.

I wish to make the following representation

1. The hours requested for the Supply of Alcohol will have the likely effect of causing an increase in Public Nuisance within the area.
2. The hours requested to permit the provision of late-night refreshment will have the likely effect of causing an increase in Public Nuisance and impact on Public Safety within the area.
3. The hours requested to permit the provision of regulated entertainment will have the likely effect of causing an increase in Public Nuisance and impact on Public Safety within the area.

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

Should you wish to discuss the matter further please do not hesitate to contact me.

2-B	Other Persons		
Name:	[REDACTED]		
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]		
Status:	Valid	In support or opposed:	Opposed
Received:	05 August 2021		
<p>This kind of business, an axe-throwing bar, is a horrible idea, in general and especially for this area. The proposal mentions safety measures and refers to the alcohol bar as "ancillary". I cannot imagine how proprietors can disconnect drinking with throwing sharp weapons. Is this a good idea? Encouraging patrons to think it's okay to connect alcohol with dangerous implements. The 'sport' attracts by definition people interested in violent activity, and encourages interest and skill in wielding or throwing axes, knives and clubs outside of the premises. Yes, the owners do not endorse nor can they control what happens outside their doors, but this activity courts and fosters violent mentalities at a time when the Met police are trying to stem the flood of knife crimes. Yes, axe-throwing bars have proven very profitable and very popular in the US (and parts of the UK), the obvious motive for this proposed venture. Yes, there have not been fatalities. But those are not reasons to transport it to the central West End, where large crowds gather in Piccadilly Circus, and tourists, theatre goers, museum visitors and other peace loving people are in great numbers. Add to that intoxicated people who delight in violent activity, and it is a recipe for problems. Nearby [REDACTED] is a peaceful enclave of St. James, and St. James church itself is directly opposite the axe-bar, a church that celebrates a peaceful and loving lifestyle. I strongly urge you not to approve this proposal for something far from being harmless faddish fun.</p>			
Name:	[REDACTED] <i>(Withdrawn 15 October 2021)</i>		
Address and/or Residents Association:	[REDACTED] [REDACTED]		
Status:	Valid	In support or opposed:	Opposed
Received:	05 August 2021		
<p>[REDACTED] near the above proposed licence application for Whistles Punks Ltd, Unit 4, 200 Piccadilly .</p> <p>I strongly object to granting a license to the above company .</p> <p>1. The type of entertainment offered by this company is inappropriate to a central London location. For example, indoor 'axe throwing' is potentially dangerous given the problems with crime that already exist. No amount of security or safe guarding could guarantee that someone could not leave with a lethal weapon. How could Westminster even consider granting this company a license given the knife crime in London? Add alcohol to the equation and this would be a potential disaster.</p> <p>2. Our area is already plagued by licensed premises which result in drunken behaviour, screaming, yelling, car revving, etc. late nights and early mornings. We have Tramp on Jermyn Street, Tiger Tiger on Regent Street a pub on Babmaes Street and a pub on Duke Street , all of whose 'patrons' are consistently noisy and often drunk. On many occasions I have seen vomit, urine and even faeces on Jermyn Street and Apple Tree Yard left by these revellers. If you doubt that they are from these premises please note that I have observed people leaving the pubs to urinate or to vomit on Jermyn Street and Apple Tree Yard. Many clubbers park their cars outside Waterstones' Jermyn Street entrance and create disturbance when they go to and</p>			

return from these places. Allowing another licensed premise around the corner will only exacerbate an already untenable situation.

3. The Council needs to liaise with the Metropolitan Police when considering this application. Already overworked and understaffed, the Met certainly do not need yet another licensed premise in the area

I increasingly feel that residents in Westminster City Council are 'low men on the totem pole' when it comes to granting planning and licensing applications. I believe we are the last to be considered when it comes to the negative impact business premises have on our lives. I hope this is not the case with this application.

Following mediation, the interested party withdrew their representation on 15 October 2021.

3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
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.</p> <p>B. Applications for hours outside the core hours set out in Clause C will be considered on their merits, subject to other relevant policies, and with particular regard to the following:</p> <ol style="list-style-type: none"> 1. The demonstration of compliance in the requirements of policies CD1, PS1, PN1 and CH1 associated with the likelihood of the effect of the grant of a licence for later or earlier hours on crime and disorder, public safety, public nuisance and the protection of children from harm. 2. If the application is located within a Special Consideration Zone they have demonstrated that they have taken account of the issues identified in that area and provided adequate mitigation. 3. Whether there is residential accommodation in the proximity of the premises that would likely be adversely affected by premises being open or carrying out operations at the hours proposed. 4. The proposed hours of the licensable activities and when customers will be permitted to remain on the premises. 5. The proposed hours when any music, including incidental music, will be played. 6. The hours when customers will be allowed to take food or drink outside the premises or be within open areas which form part of the premises. 7. The existing hours of licensable activities and the past operation of the premises (if any) and hours of licensable premises in the vicinity. 8. Whether customers and staff have adequate access to public transport when arriving at and leaving the premises, especially at night. 9. The capacity of the premises. 10. The type of use, recognising that some venues are more likely to impact the licensing objectives than others; for example, pubs and bars are higher risk than theatres, cinemas and other cultural and sporting venues due to the nature of the operation. 11. The Licensing Authority will take into account the active measures proposed for a 'winding down' period including

arrangements for people to be collected from the premises to travel home safely.

12. Conditions on hours may be attached that require that the supply of alcohol for consumption on the premises ceases a suitable period of time before customers are required to leave the premises.

13. The council, acting as the Licensing Authority, may reduce hours if, after review, it is necessary to impose conditions specifying shorter hours in order to promote the licensing objectives.

14. Specific days for non-standard hours should be identified and justified as part of the application to allow responsible authorities and interested parties to evaluate the impact that these licensable activities may have, and to plan accordingly. The consideration of applications for later hours for Bank Holiday Mondays will take into account that later hours are generally granted for preceding Sundays and that the next day is a working day. Non-specific days are expected to be covered by Temporary Event Notices or variation applications.

C. For the purpose of Clauses A and B above, the Core Hours for applications for each premises use type as defined within this policy are:

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: 9am to Midnight.

3. Delivery Centres

Monday to Saturday: 8am to 11pm.

Sunday: 9am to 10.30pm.

4. Hotels

Monday to Thursday: 9am to 11.30pm.

Friday and Saturday: 9am to Midnight.

Sunday: 9am to 10.30pm.

Sundays immediately prior to a bank holiday: 9am to Midnight.

For the sale of alcohol to guests for consumption in

hotel/guest rooms only: Anytime up to 24 hours.

5. Outdoor Spaces

Monday to Thursday: 9am to 11.30pm.

Friday and Saturday: 9am to Midnight.

Sunday: 9am to 10.30pm.

Sundays immediately prior to a bank holiday: 9am to Midnight.

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

Monday to Thursday: 10am to 11.30pm.

Friday and Saturday: 10am to Midnight.

Sunday: Midday to 10.30pm.

Sundays immediately prior to a bank holiday: Midday to Midnight.

7. Qualifying Clubs

	<p>Monday to Thursday 9am to 11.30pm Friday and Saturday 9am to Midnight Sunday: 9am to 10.30pm Sunday immediately prior to a bank holiday: 9am to Midnight.</p> <p>8. Restaurants Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to Midnight. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to Midnight.</p> <p>9. Sexual Entertainment Venues and Sex Cinemas Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to Midnight. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to Midnight.</p> <p>10a. Shops (all licensable activities that are provided as ancillary to the primary use of the premises as a shop except the off sale of alcohol) Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to Midnight. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to Midnight.</p> <p>10b. Shops (off-sales of alcohol where it forms either the ancillary or primary use of the premises) Monday to Saturday: 8am to 11pm. Sunday: 9am to 10.30pm.</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. E. For the purposes of this policy, 'premises uses' are defined within the relevant premises use policies within this statement.</p> <p>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 11pm.</p>
<p>Policy CCSOS1 (A) applies</p>	<p>A. Applications outside the West End Cumulative Zones will generally be granted subject to:</p> <ol style="list-style-type: none"> 1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1. 2. The hours for licensable activities are within the council's Core Hours Policy HRS1. 3. The operation of any delivery services for alcohol and/or late-night refreshment meeting the council's Ancillary Delivery of Alcohol and/or Late-Night Refreshment Policy DEL1. 4. The applicant has clearly demonstrated that the sale by retail of alcohol and late-night refreshment will be ancillary to the venue's primary function as a cinemas, cultural and live sporting venues and outdoor space. 5. The applicant has taken account of the Special Consideration Zone Policy SCZ1 if the premises are located within a designated

	<p>area.</p> <p>6. The application and operation of the venue meeting the definition for a cinema, cultural venue, live sporting premises or outdoor space as per Clause C.</p> <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 operation of any delivery services for alcohol and/or late-night refreshment meeting the council's Ancillary Delivery of Alcohol and/or Late-Night Refreshment Policy DEL1. 4. The applicant has demonstrated that they will not add to cumulative impact within the Cumulative Impact Zone. 5. The applicant has clearly demonstrated that the sale by retail of alcohol and late-night refreshment will be ancillary to the venue's primary function as a cinema, cultural venue, live sporting premises or outdoor space. 6. The sale by retail of alcohol and/or late-night refreshment after 11pm is limited to customer, patrons or members of the audience who will or have made use of the primary function of the venue as a cinema, cultural venue or live sporting premises. 7. The application and operation of the venue meeting the definition for a cinema, cultural venue, live sporting premises or outdoor space as per Clause C. <p>C. For the purposes of this policy the primary function of a cinema, cultural venue and live sporting premises is defined as:</p> <ol style="list-style-type: none"> 1. Cinema For the exhibition of feature or shorts films to an audience. 2. Cultural Venues <ol style="list-style-type: none"> a. Theatres: for the performance of plays, dramatic or other entertainment performances to an audience. b. Performance Venues: for a live performance in front of an audience which may include concert halls, comedy clubs or similar performances venues. c. Cultural Uses: for the exhibition of art (e.g. galleries), a museum, or historical building/site that is open for visitors to visit on payment. 3. Live sporting premises: the premises or the use to which the licence is intended for <ol style="list-style-type: none"> a. Live sporting events in the form of boxing and wrestling which takes place either inside or outside in the presence of an audience. b. Live sporting events that are licensable as they are being held within a building where the sport and audience are accommodated wholly or partly inside that building. c. Live sporting events that will take place outside a building, where the live sporting event is not a licensable activity but other licensable activities, are provided ancillary to that live sporting event. 4. Outdoor space The use of an outdoor space for licensable activities and other purposes as part of or ancillary to an event, small to large concerts, national significant musical concert or events (e.g. Hyde Park), Mayoral or council organised events and seasonal activities (e.g. Christmas market or Winter Wonderland).
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	<p>5. For the purposes of C1 to C3 above:</p> <p>a. The sale of alcohol and late-night refreshment must be an ancillary function to the primary purpose of the venue.</p> <p>b. An audience may include either invited guests, members of that venue or associated organisation or members of the public who have purchased a ticket or not.</p>
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4. Equality Implications

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

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

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

5. Appendices

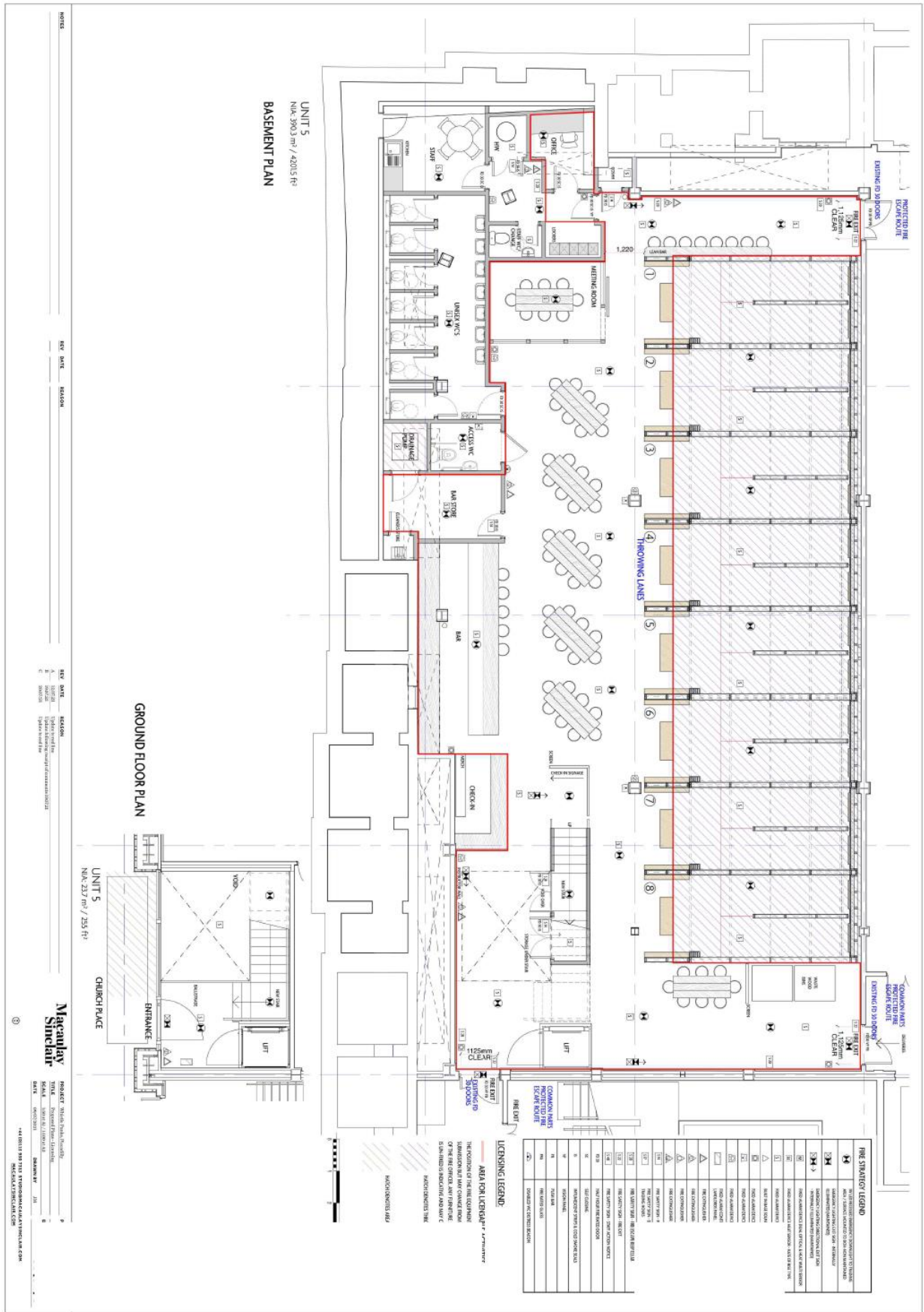
Appendix 1	Premises plans
Appendix 2	Applicant supporting documents
Appendix 3	Premises history
Appendix 4	Proposed conditions
Appendix 5	Residential map and list of premises in the vicinity

Report author:	Jessica Donovan Senior Licensing Officer
Contact:	Telephone: 020 7641 6500 Email: Jdonovan@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	07 January 2021
3	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2018
4	Environmental Health Service	26 August 2021
5	Interested party 1	05 August 2021
6	Interested party 2 (<i>Withdrawn 15 October 2021</i>)	05 August 2021



General

The premises is currently empty but was part of a retail store. The premises will have an entrance on Church Place leading down into the basement, where licensable activities will take place.

The Applicant already operates a number of sporting venues which incorporate axe throwing as a controlled activity and the sale of alcohol as an ancillary licensable activity. The existing licensed sites are located in Leeds, Manchester and Bristol, all of which trade without licensing issues.

There will be the sale of alcohol for consumption on this premises and this will also be ancillary to the main activity on site.

There are significant public transport possibilities around the area. This will be a venue with wide appeal and events led rather than alcohol-led. The activities provided, will also entertain audiences.

The premises is not located within Westminster's cumulative impact zone, but it is in the West End special consideration zone. Policy SCZ1 has therefore been considered. The hours for requested for licensable activities and closing times are within Westminster Council's Core Hours Policy HRS1 for live sporting venues.

There is no policy presumption against the grant of this application, provided it does not impact on the licensing objectives. The proposed conditions are offered to promote the licensing objectives.

Appropriate conditions detailed below have been drafted in consultation with Senior Practitioner Environmental Health (Licensing) and Westminster's District Surveyor who conducted a site visit as part of a Pre Consultation exercise.

Premises History

Appendix 3

There is no licence or appeal history for the premises.

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

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

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

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

Mandatory Conditions

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

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

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

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

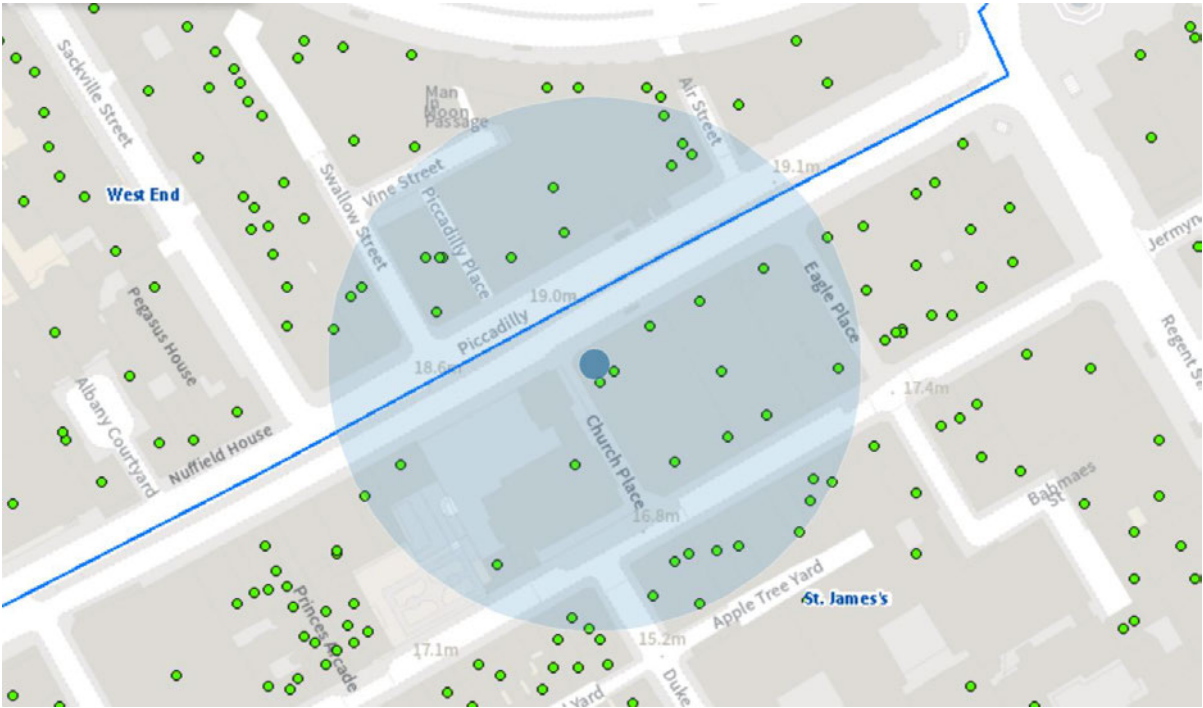
- 8(i) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
- 8(ii) For the purposes of the condition set out in paragraph 8(i) above -
- (a) "duty" is to be construed in accordance with the Alcoholic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

Conditions consistent with the operating schedule

10. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises and will include the external area immediately outside the premises entrance. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31-day period.
11. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
12. 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 visit by a relevant authority or emergency service.
13. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by the police or an authorised officer of the City Council at all times whilst the premises is open.
14. There shall be a personal license holder on duty on the premises at all times when the premises are authorised to sell alcohol.
15. All high risk activities will be hosted at all times and equipment locked away from customers when not in use.
16. No alcohol will be permitted inside the high risk activity areas, the lanes, hatched blue on the approved licence plans.
17. Customers will not be permitted to take part in high risk activities if they are unable to participate in the activity safely.
18. The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.
19. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.
20. All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.

21. All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device.
22. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
23. Curtains and hangings shall be arranged so as not to obstruct emergency safety signs or emergency equipment.
24. All fabrics, curtains, drapes and similar features including materials used in finishing and furnishing shall be either non-combustible or be durably or inherently flame-retardant fabric. Any fabrics used in escape routes (other than foyers), entertainment areas or function rooms, shall be non-combustible.
25. The sale of alcohol shall be ancillary to the main function of the premises as an axe throwing/live sporting venue.
26. Loudspeakers shall not be located outside the building.
27. Recorded music shall not be played in the entrance of the premises
28. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
29. Substantial refreshment and non-intoxicating beverages including drinking water shall be available to all parts of the premises where alcohol is sold or supplied for consumption on the premises.
30. 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.
31. Flashing or particularly bright lights on or outside the premises will not be permitted to cause a nuisance to nearby properties.
32. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
33. 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.
34. No licensable activities shall take place at the premises until the premises has been assessed as satisfactory by the Environmental Health Consultation Team at which time this condition shall be removed from the Licence by the licensing authority.
35. 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.
36. The number of persons permitted in the premises at any one-time (excluding staff) shall not exceed (X) persons.

37. Before the premises open to the public, the plans as deposited will be checked by the Environmental Health Consultation Team to ensure they are an accurate reflection of the premises constructed. Where the premises layout has changed during the course of construction new plans shall be provided to the Environmental Health Consultation Team and the Licensing Authority.
38. 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.
39. All customers attending the venue shall be 18 years or over.



Resident count: 53

Licensed premises within 75 metres of 198-200 Piccadilly, London, W1J 9HU				
Licence Number	Trading Name	Address	Premises Type	Time Period
11/11074/LIPN	Rush	200 Piccadilly London	Hairdresser or beauty salon	Saturday; 08:30 - 18:00 Sunday; 10:00 - 17:00 Monday to Friday; 08:00 - 21:00
16/05422/LIPVM	Waterstone's	203-206 Piccadilly London W1J 9HD	Cafe	Sunday; 10:00 - 00:00 Monday to Saturday; 10:00 - 00:30
15/04589/LIPT	Caffe Concerto	29-31 Piccadilly London W1J 0LF	Restaurant	Monday to Sunday; 08:00 - 23:30
20/11548/LIPCH	The Dilly	Le Meridien Hotel 21 Piccadilly London W1J 0BH	Hotel, 4+ star or major chain	Monday to Sunday; 00:00 - 00:00
11/12638/LIPDPS	Le Meridien Hotel	Le Meridien Hotel 21 Piccadilly London W1J 0BH	Hotel, 4+ star or major chain	Monday to Sunday; 00:00 - 00:00
06/07001/WCCMAP	The Yoshino Restaurant	3-5 Piccadilly Place London W1J 0DB	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30
20/05410/LIPDPS	Assouline	196A Piccadilly London W1J 9DY	Cafe	Sunday; 09:00 - 00:00 Monday to Thursday; 09:00 - 00:00 Friday to Saturday; 09:00 - 00:30
08/03634/LIPDPS	BG Group	Fifth Floor To Sixth Floor Eagle House 108 - 110 Jermyn Street London SW1Y 6RP	HQs and Institutional Offices	Monday to Sunday; 00:00 - 00:00

21/05856/LIPV	B A F T A (British Academy Of Film And Television Arts)	BAFTA 195 Piccadilly London W1J 9LN	Shop	Sunday; 07:00 - 00:30 Monday to Saturday; 07:00 - 01:30
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City of Westminster

Licensing Sub-Committee Report

Item No:	
Date:	09 December 2021
Licensing Ref No:	21/05609/LIPN - New Premises Licence
Title of Report:	7 Harbet Road London W2 1AJ
Report of:	Director of Public Protection and Licensing
Wards involved:	Hyde Park
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Kevin Jackaman Senior Licensing Officer
Contact details	Telephone: 0207 641 6500 Email: kjackaman@westminster.gov.uk

1.	Application		
1-A	Applicant and premises		
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	8 June 2021		
Applicant:	Paddington Basin Management Limited.		
Premises address:	7 Harbet Road London W2 1AJ	Ward:	Hyde Park
		Cumulative Impact Area:	None
		Special Consideration Zone:	None
Premises description:	<p>According to the application form Merchant square estate in Paddington basin is an 11 acre mixed use development which is host to many events during the year which are put on for those who live, work and visit the area.</p> <p>The application is time limited until 30 April 2026</p>		
Premises licence history:	This is an application for a new premises licence and therefore has no licence history however the application is submitted following pre application advice		
Applicant submissions:	Submissions from the applicant appear at appendix 2		
Applicant amendments:	None		

1-B	Proposed licensable activities and hours						
Films:	Indoors, outdoors or both					Outdoors	
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	12:00	12:00	12:00	12:00	12:00	12:00	12:00
End:	23:00	23:00	23:00	23:00	23:00	23:00	23:00
Seasonal variations/ Non-standard timings:	None						

Live music:	Indoors, outdoors or both					Outdoors	
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	N/A	N/A	N/A	12:00	12:00	12:00	12:00
End:				19:30	19:30	18:00	18:00
Seasonal variations/ Non-standard timings:	None						

Recorded music:				Indoors, outdoors or both			Outdoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	N/A	N/A	N/A	12:00	12:00	12:00	12:00
End:				20:00	20:00	20:00	20:00
Seasonal variations/ Non-standard timings:			None				

Performance of dance:				Indoors, outdoors or both			Outdoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	N/A	N/A	N/A	N/A	12:00	12:00	N/A
End:					16:00	16:00	
Seasonal variations/ Non-standard timings:			None				

Sale by retail of alcohol				On or off sales or both:			On the premises
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	12:00	12:00	12:00	12:00	12:00	12:00	12:00
End:	21:00	21:00	21:00	21:00	21:00	21:00	21:00
Seasonal variations/ Non-standard timings:			None				

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

2.	Representations
2-A	Responsible Authorities
Responsible Authority:	Environmental Health
Representative:	Anil Drayan
Received:	13 September 2021

I refer to the application for a new Premises Licence for the above premises.
The applicant has submitted an 'Estate Site Plan, dated 09/07/2021' which shows the external areas to be used for licensable activities.
The following licensable activities are being sought:
1. Supply of Alcohol 'On' the premises between 12:00 to 21:00 hours Monday to Sunday.
2. Provision of the following Regulated Entertainments 'Outdoors':

- Films (12:00 to 23:00 hours Monday to Sunday)
- Live Music (12:00 to 19.30:00 hours Thursday and Friday and 12:00 to 18:00 hours Saturday and Sunday)
- Recorded Music (12:00 to 20:00 hours Thursday to Sunday)
- Performance of Dance (12:00 to 16:00 hours Friday and Saturday)

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

1. The hours requested for and the Supply of Alcohol may lead to an increase in Public Nuisance in the area and impact on Public Safety
2. The hours requested for and the provision of the Regulated Entertainments applied for may lead to an increase in Public Nuisance in the area and may impact on Public Safety

The applicant is requested to contact the undersigned to discuss the application after which Environmental Health may propose additional conditions to allay its concerns

2-B Other Persons	
Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]
Received:	11 August 2021
<p>Most of these proposals (music, artists, etc.) are great, including the films on the screen facing the lawn - this is terrific (the screen is neat, unobtrusive, adds value and community, etc.). However, the infrastructure for showing other films on the pedestrianised zone by the canal facing down the canal is hideous, unsightly, unwanted, and a vile mis-appropriation of public space that people can no longer enjoy by it being there:</p> <ol style="list-style-type: none"> 1. It prevents the main purpose of that space: canalside walking - exercise and foot-traffic through-put of those enjoying the canal. 2. It tends to be sponsored by gaudy bright vulgar brands (last one was a bright pink ice cream brand - disgusting, unhealthy, and simple awful and in your face). The most ugly thing ever. 3. It blocks the view of the water for residents and visitors and walkers passing through. The purpose of this area is to enjoy outdoor spaces and water views, ducks, coots, swans, occasional fish, paddleboarding, fresh air, sunlight etc. <p>It would be so easy to place this second film screen in a space that is unused or less used and less obstructive (on the other side of the canal tucked in the corner perhaps - or similar). But to place such a purposefully-ugly monstrosity in the VERY middle of the thoroughfare is simply counter to all common-sense and inhibits public enjoyment of the area. Plus it is a nod to the sponsor's marketing interests - flagrant corruption.</p>	
Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED]
Received:	25 August 2021
<p>The [REDACTED] note with interest this application.</p> <p>Our main concern on all Premises Licence applications is the potential noise and disturbance</p>	

etc to adjacent residents and residents in the surrounding area as well as the potential for crime and disorder.

In this instance, allowing for dispersal, the hours applied for Films at 23.00, seven days a week, is too late.

We have a few queries arising from the documentation.

What sort of events are envisaged?

How frequently do they intend to use the licence?

Will there be 'pop up' bars/any events which are solely for consuming alcohol?

Are all the entrances to Merchant Square still open at 23.30, including one in Praed Street - opposite Sale Place?

What are the arrangements for the dispersal of customers/attendees to encourage quiet egress?

What is capacity of the events, showing films etc?

Also, not shown, can you confirm all glasses for drinks will be plastic or similar.

We would wish to see conditions agreed with the Police and Environmental Health.

Also, we will be interested to learn if any objections from residents or Residents Associations in the apartment blocks around Merchant Square. The address of the application is 7 Harbet Road, but the licence is to cover the entire estate - hopefully this will not have inadvertently misled any residents who saw the blue notice and the Council's orange notice.

██████████ is content for our contact details to be forwarded to applicant

As always, ██████████ are happy to enter into a dialogue with the applicant to discuss our concerns.

Name:	██████████
Address and/or Residents Association:	██████████ ██████████ ██████████ ██████████
Received:	13 August 2021

I am in general support of the application with one exception. The late night film screenings which have been put on have occasionally been advertised as 'sing-a-long' sessions.

These are late night sessions with headphones to prevent noise disturbing neighbours. The singalong sessions are therefore contradictory as they are loud and disturbing to those who live around the area. I object to these sessions.

Name:	██████████
Address and/or Residents Association:	██████████ ██████████ ██████████ ██████████
Received:	10 August 2021

I live at ██████████. Local residents are always subjected to noise in this area at most times of the day and night. There are already far too many pubs, restaurants, bars, outdoor singing. We do not need any extra we need less.

The brew dog pub is always extremely noisy and this from opening till close. Please do not allow this extra noise to go ahead and think this is a residential area with people who wish to be able to relax, rest, sleep at home and not be constantly disturbed by noise

3.	Policy & Guidance
The following policies within the City of Westminster Statement of Licensing Policy apply:	
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.</p> <p>B. Applications for hours outside the core hours set out in Clause C will be considered on their merits, subject to other relevant policies, and with particular regard to the following:</p> <ol style="list-style-type: none"> 1. The demonstration of compliance in the requirements of policies CD1, PS1, PN1 and CH1 associated with the likelihood of the effect of the grant of a licence for later or earlier hours on crime and disorder, public safety, public nuisance and the protection of children from harm. 2. If the application is located within a Special Consideration Zone they have demonstrated that they have taken account of the issues identified in that area and provided adequate mitigation. 3. Whether there is residential accommodation in the proximity of the premises that would likely be adversely affected by premises being open or carrying out operations at the hours proposed. 4. The proposed hours of the licensable activities and when customers will be permitted to remain on the premises. 5. The proposed hours when any music, including incidental music, will be played. 6. The hours when customers will be allowed to take food or drink outside the premises or be within open areas which form part of the premises. 7. The existing hours of licensable activities and the past operation of the premises (if any) and hours of licensable premises in the vicinity. 8. Whether customers and staff have adequate access to public transport when arriving at and leaving the premises, especially at night. 9. The capacity of the premises. 10. The type of use, recognising that some venues are more likely to impact the licensing objectives than others; for example, pubs and bars are higher risk than theatres, cinemas and other cultural and sporting venues due to the nature of the operation. 11. The Licensing Authority will take into account the active measures proposed for a 'winding down' period including arrangements for people to be collected from the premises to travel home safely. 12. Conditions on hours may be attached that require that the supply of alcohol for consumption on the premises ceases a suitable period of time before customers are required to leave the premises. 13. The council, acting as the Licensing Authority, may reduce hours if, after review, it is necessary to impose conditions specifying shorter hours in order to promote the licensing objectives. 14. Specific days for non-standard hours should be identified and justified as part of the application to allow responsible authorities

	<p>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>Policy CCSOS1(A) applies</p>	<p>A. Applications outside the West End Cumulative Zones will generally be granted subject to:</p> <ol style="list-style-type: none"> 1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1. 2. The hours for licensable activities are within the council's Core Hours Policy HRS1. 3. The operation of any delivery services for alcohol and/or late-night refreshment meeting the council's Ancillary Delivery of Alcohol and/or Late-Night Refreshment Policy DEL1. 4. The applicant has clearly demonstrated that the sale by retail of alcohol and late-night refreshment will be ancillary to the venue's primary function as a cinemas, cultural and live sporting venues and outdoor space. 5. The applicant has taken account of the Special Consideration Zone Policy SCZ1 if the premises are located within a designated area. 6. The application and operation of the venue meeting the definition for a cinema, cultural venue, live sporting premises or outdoor space as per Clause C <p>C. For the purposes of this policy the primary function of a cinema, cultural venue and live sporting premises is defined as:</p> <ol style="list-style-type: none"> 1. Cinema For the exhibition of feature or shorts films to an audience. 2. Cultural Venues <ol style="list-style-type: none"> a. Theatres: for the performance of plays, dramatic or other entertainment performances to an audience. b. Performance Venues: for a live performance in front of an audience which may include concert halls, comedy clubs or similar performances venues. c. Cultural Uses: for the exhibition of art (e.g. galleries), a museum, or historical building/site that is open for visitors to visit on payment. 3. Live sporting premises: the premises or the use to which the licence is intended for <ol style="list-style-type: none"> a. Live sporting events in the form of boxing and wrestling which takes place either inside or outside in the presence of an audience. b. Live sporting events that are licensable as they are being held within a building where the sport and audience are accommodated wholly or partly inside that building. c. Live sporting events that will take place outside a building, where the live sporting event is not a licensable activity but other licensable activities, are provided ancillary to that live sporting event. 4. Outdoor space The use of an outdoor space for licensable activities and other purposes as part of or ancillary to an event, small to large concerts, national significant musical concert or events (e.g. Hyde Park), Mayoral or council organised events and seasonal activities (e.g. Christmas market or Winter Wonderland). 5. For the purposes of C1 to C3 above: <ol style="list-style-type: none"> a. The sale of alcohol and late-night refreshment must be an ancillary function to the primary purpose of the venue.

	b. An audience may include either invited guests, members of that venue or associated organisation or members of the public who have purchased a ticket or not.
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4. Equality Implications

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

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

Section 149 (7) of the Equality Act 2010 defines the relevant protected characteristics as age, disability, gender reassignment, 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

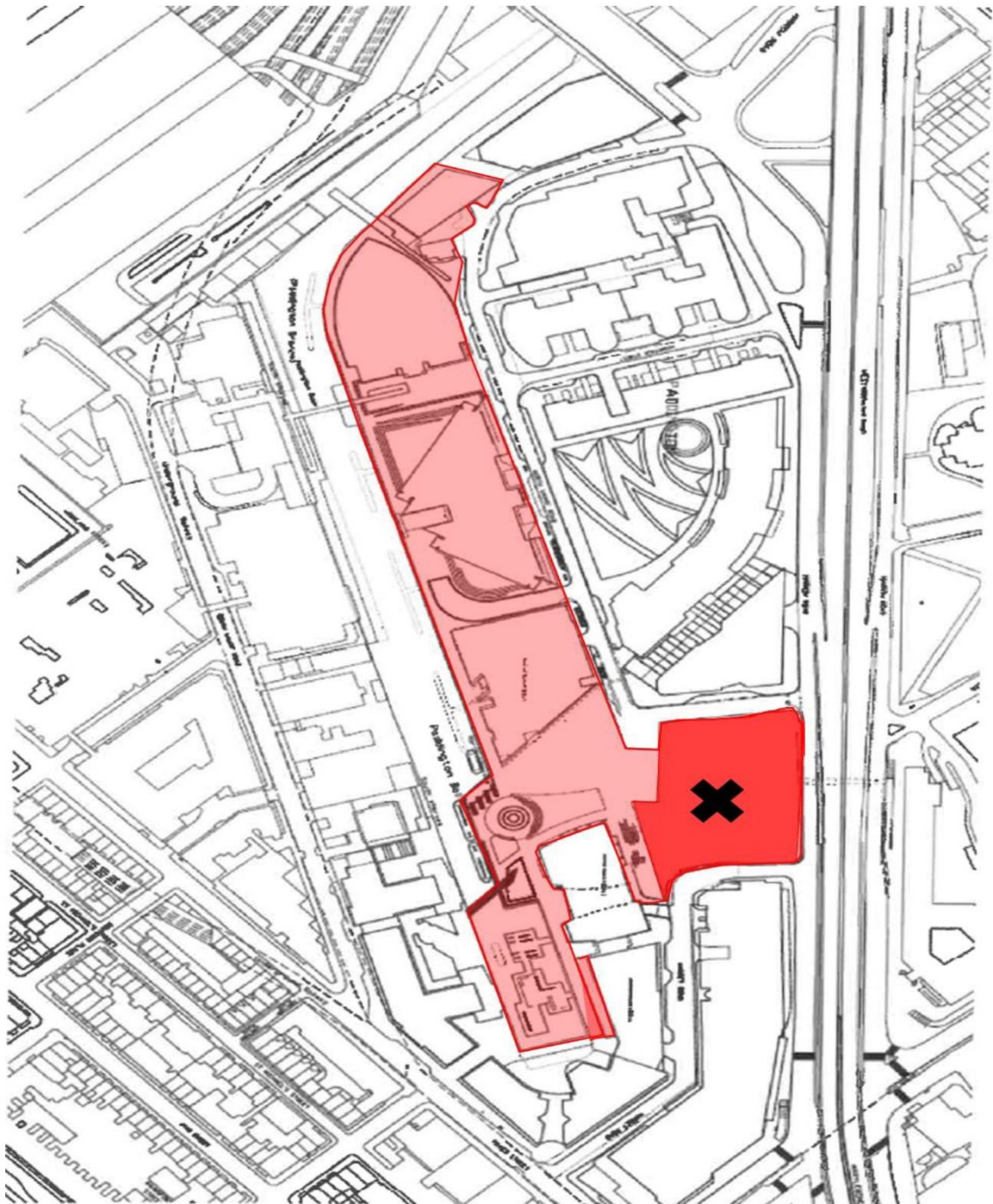
Report author:	Kevin Jackaman Licensing Officer
Contact:	Telephone: 0207 641 6500 Email: kjackaman@westminster.gov.uk

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

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

1	Licensing Act 2003	N/A
2	City of Westminster Statement of Licensing Policy	October 2021
3	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2018
4	Environmental Health representation	13 September 2021
5	Interested party representation (1)	11 August 2021

6	Interested party representation (2)	25 August 2021
7	Interested party representation (3)	13 August 2021
8	Interested party representation (4)	10 August 2021



**Merchant Square
Estate Site Plan
09/07/2021**

KEY
✘ Area under development
— The red line marks the private land operated by Paddington Basin Management Limited.
The event space will only be the external areas.

Merchant Square Estate in Paddington Basin is an 11-acre mixed-use development which is host to free many events during the year which are arranged for those who live, work and visit the area. The site which runs along the Grand Union Canal has a Floating Pocket Park, lawns and plazas as well as the towpath for events to take place along the whole space.

These areas provide the perfect setting to host activities that benefit the community, including the Dragon Boat Regatta charity event, which has previously raised 27,000 in aid of Children in intensive care at St Mary's Hospital, and London's first Float-in Cinema which provided a unique opportunity to watch family favourites on the canal. It is the estate's intention to continue to provide a positive impact on the area by offering free events that encourage the growth of the community and support local initiatives. With this in mind, we are requesting an events license over the estate. Examples of previous events are listed below:

- *Charity Dragon Boat Race*
- *Charity Rubber Duck Race Fundraising walks/races.*

- *Sports Screenings (Wimbledon etc.)*
- *Live Music Sessions*
- *Float-in Cinema*
- *Movie Evenings*
- *Canal Boat/Roving Traders Events*
- *Art Installations*
- *Christmas Light switch-on*
- *Pop-up Outdoor Bars*
- *Events that support health and wellbeing such as free fitness classes*
 - *Team-building events including crazy golf, volleyball and pop up Escape Rooms.*
 - *Easter scavenger hunts*
 -

B (Films)

We screen a number of free film viewings for the community as part of our seasonal activity. The screenings are generally over by 8pm, but if they are to be screened later, film audio is delivered via wireless headphones. Films are screened on the Merchant Square Big Screen on the Pavilion or by the canal, with the screen facing down the basin. Most films are family friendly, and admission of children to any films are restricted in accordance with the film classification recommended by the British Board of Film classification.

E (Live Music)

We host live music sessions in partnership with Busk in London, a non-profit initiative supported by the Mayor of London. The entertainment is background music for those that live and work in the area, to add to the ambiance of the canal and support up and coming musicians. These take place on the Floating Pocket Park or the West Plaza. Noise is continuously monitored throughout the event. Under most circumstances, live music concludes by 7.30pm, with the exception of specific seasonal events such as Christmas. In such cases, live music will never exceed 9pm.

M (Alcohol)

The sale of alcohol may accompany a restricted event such as the Float-In Cinema, a temporary pop up, Sports screenings etc. We recognise the responsibility to carry out the sale of alcohol safely. We

implement a strict Challenge 25 policy to ensure no alcohol sales are made to minors, where the only acceptable forms of identification are recognised photographic ID cards. Non-alcoholic beverages and substantial food shall be available in all parts of the premises where alcohol is sold or supplied for consumption. Those who are deemed too intoxicated are refused the service of alcohol and offered alternatives i.e. soft drinks.

General

Merchant Square is a site that is covered by a 24-hour security presence, who are an experienced team that have worked on numerous events in Merchant Square. Management structures and individual roles and responsibilities are clearly defined, and all events are thoroughly monitored throughout. A suitable event management plan is produced for all events and can be made available to the Responsible Authorities if requested. The EMP includes a detailed event overview, individual responsibilities, site plans, H&S documents, security arrangements and waste management if required. All plans will be based on the government guidance that has been provided for community events.

Public Nuisance

All amplified music will not exceed the recommended limit and all noise is monitored using decibel meters, kept in the control room or by the event manager on site. Film audio is delivered via wireless headsets if staged after 9pm. All residents are informed well in advance of the event via the Merchant Square website, newsletters, social media, email, front of house, internal posters and contact details are provided.

Public Safety

Full risk assessments are carried out specific to each event. An operation plan is presented for each event to cover any issues of overcrowding, and incidents. Any events with alcohol will be in a designated area, and access to those areas will be limited during those times. In the unlikely event of overcrowding, security plans will be prepared to reduce crowd density to include deploying barrier fencing, show stop procedures. Additional security and cleaning operatives are in position during event days. Firefighting equipment and means of escape areas shall be risk assessed under the event management plan under every event.

All security officers have a SOP's in accordance with regulations and regular scenario-based exercises are practiced. Merchant Square can provide full SOP's to WCC if required.

Merchant Square has designated smoking areas around the estate which the public can be directed to if needed. In the middle of two major stations, Paddington and Edgware Road and with multiple exits from the site, dispersal of areas can be done quickly.

The protection of children from harm

Our security team have lost children policy and for any events we have a designated lost child point. Our entire estate team are connected by radios and to the central control room where all issues are immediately reported and communicated amongst the team. In the event of a lost child, every attempt will be made to reconnect the child with their parent/guardian. When the collection of a lost child is made by a parent or guardian, proof of their identification is request before the child can accompany them. In the unlikely event that a child falls into the water, all staff are trained to conduct a form of water rescue. Any events that may have alcohol are in a restricted zone, with a strict restricted alcohol policy in place as outlined in section M.

Site Plan

Attached is a site plan referred to as Merchant Square Estate Site Plan. The site plan defines the boundaries of the estate. No single event shall ever cover more than 20% of the site. All events shall take place externally.

Pre application advice



City of Westminster

Office Names: Anil Drayan
Designation: Environmental Health Officer
Date: 30/03/21
Contact number: 07931546137
Email: adrayan@westminster.gov.uk
Application/Uniform Ref Number:
21/00944/PREAPM

Address: Open Space, Merchant Square Estate, London.

Existing Licence: No

Current Use: open space

Applicant:

Natasha Harbinson,
7 Harbet Road,
London, W2 1AJ

Cumulative Impact Zone: No

Special Consideration Zone: No

Applicant's Advice Request:

Merchant Square Estate in Paddington Basin is a mixed-use development which is host to many events during the year which are put on for those who live, work and visit the area. This involves a number of free events, charity events such as the annual Dragon Boat Regatta which raised £27,000 in 2019 and London's first Float-in Cinema in 2020. With the estate growing a lot more of the local community and further afield visiting the area, we want to be able to accommodate more community, free and charity events to introduce more people to the area. Our proposal is for an events license for the year over the estate. The type of events we've had in the past:

- *Charity Dragon Boat Race*
- *Charity Rubber Duck Race*
- *Sports Screenings (Wimbledon etc.)*
- *Live Music Sessions*
- *Float-in Cinema*
- *Movie Evenings*
- *Canal Boat/Roving Traders Events*
- *Art Installations*
- *Christmas Light switch-on*
- *Pop-up Outdoor Bars*
- *Fitness Events*
- *Team-building events*

Environmental Health advice and recommendations

This advice is provided by Westminster's Environmental Health Consultation Team (Regulatory Support Team 2) and is based on the information supplied above and also following a site visit.

1. Westminster's Statement of Licensing policy.

i. Licensing Policy and Licensing Objectives:

Environmental Health bases any recommendations on achieving compliance with Westminster's Statement of Licensing Policy which details the requirements for promoting the Licensing Objectives. The Policy can be found on the Council's website at the following link:

- <https://www.westminster.gov.uk/node/20023>

The criteria for promoting the Licensing Objectives in the Policy are under the following policies:

- PN1- Prevention of Public Nuisance
- PS1 - Promoting Public Safety
- CH1- Protection of Children from Harm
- CD1 - Prevention of Crime and Disorder

Note - the Council recently revised its Statement of Licensing Policy. One of the new requirements under the Policy is that greater emphasis has been placed on licensed premises to demonstrate compliance with policy CH1, Protection of Children from Harm, (see page 36 of policy). Free advice on complying with this can be found at:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/419604/What_to_do_if_you_re_worried_a_child_is_being_abused.pdf

ii. Spatial Policies:

An initial consideration of any proposal is to see if the premises are located in spatial areas where there are additional limitations on the licensable activities that can be permitted. These areas are designated as:

- Cumulative Impact Zone – where policy CIP1 applies or
- Special Consideration Zones – where policy SCZ1 applies.

Merchant Square is not in any of these areas so these special policies will not apply to a request for a Premises Licence in this location.

iii. Core Hours and Licensable Activities:

The next consideration is the 'Core Hours Policy' (HRS1) which stipulates the hours during which applications for the various licensable activities will generally be granted subject to other relevant considerations.

As any application will be for operations in the external space Environmental Health recommends the hours applied for most of the licensable activities should be as follows:

- 09:00 to 21:00 hours - Monday to Sunday

In order to stage the range of events requested the following Regulated Entertainments 'Outdoors' should be applied for;

- Plays
- Live music
- Recorded music
- Performance of dance
- Anything of a similar description to that falling within Live music, Recorded music or Performance of dance

In addition the Film licensing activity will need to be applied for. Based on a premises history check showing no issues arising involving the showing of films that have been previously staged under TEN's licences Environmental Health consider any application for Films could be applied for upto 23:00 hours if held under the following restrictions:

- *Film audio delivered to each attendee via wireless headsets if being staged after 21:00 hours*
- *Capacity restricted to under 500 patrons.*

Finally the application for the Supply of Alcohol ('On' and 'Off') should also be restricted to 09:00 to 21:00 hours Monday to Sunday.

The '*Hours premises are open to the public*' to be applied for are recommended to be 09:00 to 23:00 hours – Monday to Sunday

iv. Premises Use Policy:

The proposed premises use as an outdoor event site will come under policy CCSOS1 under which it states that applications '*will generally be granted subject to*' compliance with:

- *section A parts 1-5 and*
- *section C part 4*

Guidance on outdoor events under paragraphs F18 and F19 should also be followed.

2. Site Plan

The application should submit a site plan showing the whole of the Merchant Square Estate that is to be managed by the operator including the parts of the canal that is under a lease agreement.

The site plan should also include areas undergoing redevelopment – these should be shaded grey or other means of identification on the plan and annotated stating not to be used until cleared by Environmental Health Consultation Team under a ‘works’ condition (see under recommended list of conditions).

3.Event Management Plan (EMP)

All events staged at the premises (including any non- licensable events) should be carried out under a suitable and sufficient EMP. Such a plan should contain appropriate details on relevant aspects (see below under list of recommended conditions) with each event plan devised by a ‘competent’ person and signed off by a person with management responsibilities.

To help draw up an appropriate EMP you are advised to have regard to guidance provided by the Government for community events which is available at the following website:

- <https://www.gov.uk/government/publications/can-do-guide-for-organisers-of-voluntary-events/the-can-do-guide-to-organising-and-running-voluntary-and-community-events>

4.Temporary Structures, Capacity etc

- i. Any calculations on the safe capacity shall be made with reference to *‘The Technical Standards for Places of Entertainment – District Surveyor’s Association’* and any guidance provided by the Fire Brigade.
- ii. Westminster Building Control should be contacted if temporary structures are to be provided for an event as these may require a licence under Section 30 (Special and temporary structures), London Building Acts (Amendments) Act 1939.

In that situation full structural design details and calculations of all temporary structures must be submitted to Building Control and approval obtained prior to the event starting. The following are typical temporary structures that may need approval:

- Temporary stands
- Stage
- Framed tower for loudspeakers, lighting, flag poles etc
- Video/film screens, etc
- Freestanding boundary walls greater than 1.8m in height

Also structures that will require ‘noisy’ works to install (and dismantle) should only be carried out during the following times:

- 08:00 to 18:00 Monday to Saturday and
- 10:00 to 18:00 Sunday

5.Noise Management Plan (NMP)

The NMP must contain the following information as a minimum where appropriate:

- Any electronically amplified sound system such as from a music event or showing of Films is advised not to exceed 65dB(A) 15min Leq 1m from the nearest noise sensitive window.
- Film audio to be delivered to each attendee via wireless headsets if being staged after 21:00 hours
- NMP submitted to Westminster's Environmental Health Consultation Team at least 2 weeks prior to the event if any music event is planned to exceed 65dB(A) 15min Leq 1m from the nearest noise sensitive window – any notification should be sent to:
EHConsultationTeam@westminster.gov.uk
- Details of notification to residential premises at least 7 days prior to the event eg via website, leafletting with event and contact phone no details etc

6.Other matters to consider:

- i. I recommend that before any application is submitted you discuss your proposals with the local Amenity Society to avoid any misunderstandings etc.

The official society recognised by Westminster City Council for the area is The Paddington Waterways and Maida Vale Society (PWMVS) whose initial contact for Planning and Licensing matters is Mrs Elizabeth Virgo who can be contacted at elizabethvirgo@btinternet.com

- ii. Sale of Food and Goods:

Many community events include stall holders selling goods and food. For information please find attached to the e-mail containing this memo Environmental Health's Food and Trading Standards guidance for traders at events and markets.

- iii. Planning Considerations:

- Any event that is likely to last over several days (eg more than 14 days for a low impact event) or even a single day event that may affect the wider community may also require planning permission.
- You are therefore recommended to seek advice from Westminster's Planning Department if planning approval is also needed for an event.

Please also note the planning status of the premises will, however, not be a material consideration as to whether any Premises Licence should be granted. Conversely, under planning legislation, the approval of a Premises Licence does not provide automatic grounds for the planning status to also be changed.

7. Recommended Conditions to be submitted in the Operating Schedule of an application

1. The sale of alcohol at the premises will be ancillary to the primary use of the premises as an outdoor event space.
2. A suitable and sufficient Event Management Plan shall be drawn up by a competent person prior to an event and made available, if requested, to the Responsible Authorities. This shall be kept for at least one year, signed-off by a person with management responsibilities and must contain information and assessments, as a minimum, on the following aspects where relevant:
 - i. Details of responsible persons present including at least one person with management responsibilities of the licence holder Emergency and Evacuation procedures
 - ii. Crowd management and stewarding arrangements
 - iii. Overnight security arrangements
 - iv. A detailed site plan showing all permanent and temporary structures and all access and egress points
 - v. Capacity at any one time
 - vi. Certificates from competent persons on Temporary Structures, Electrical Power Supply and Gas equipment
 - vii. First Aid and Lost Children arrangements
 - viii. Noise Management Plan
 - ix. Risk Assessments
 - x. A waste management plan
 - xi. Sanitary accommodation
 - xii. Public Liability Insurance
3. All drinks sold, supplied or consumed shall only be in open polycarbonate or crushable vessels unless prior exemption has been obtained from Westminster's Environmental Health Consultation Team and/or Westminster Police Licensing Team for a specific event in writing or by e-mail.
4. 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.
5. In relation to the sale of alcohol, 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.
6. The Premises Licence holder shall comply with all reasonable requirements of Westminster Police Licensing Team, the London Fire and Emergency Planning Authority and Westminster City Council's Environmental Health Consultation Team, Filming & Events Team and City Inspectors
7. The Licensee must ensure that the LAeq (15 min) noise level does not exceed 65 dB(A) from any electronically amplified sound system 1m from the window of the nearest noise sensitive premises.

8. Events that include amplified music exceeding 65dB LAeq (15 min) must be notified to the Environmental Health Consultation Team at least two weeks prior to the event and the notification shall include the Noise Management Plan.
9. Admission of children to a Film event must be restricted in accordance with the film classification recommended by the British Board of Film Classification or as recommended by the classification by this licensing authority as appropriate.
10. Any event showing Films that are staged beyond 21:00 hours shall only be carried out under the following circumstances;
 - i. Film audio to be delivered to each attendee via wireless headsets
 - ii. Customer capacity less than 500 at any one time.
11. There shall be no noise audible at the nearest noise sensitive premises from any construction or similar works in association with the set up and/or dismantling of the site, outside the hours of:
08:00 - 18:00 Monday -Saturday
10:00 - 18:00 Sunday
12. No licensable activities shall take place at parts of the premises marked on the plans currently undergoing redevelopment until this area of 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.

Please note that any advice given will not guarantee that your application will be granted by the Licensing Service and the Environmental Health Consultation Team may still choose to make a representation to the application submitted.

Mediation correspondence

• [REDACTED]
Received: 13 Aug 2021

OBJECTION

13/08/2021 5:08 PM I am in general support of the application with one exception. The late-night film screenings which have been put on have occasionally been advertised as 'sing-a-long' sessions. These are late night sessions with headphones to prevent noise disturbing neighbours. The singalong sessions are therefore contradictory as they are loud and disturbing to those who live around the area. I object to these sessions.

Dear [REDACTED]

As it currently stands, the Estate have no direct involvement or input in the Openaire cinemas other than from a Health and Safety perspective. By applying for the Premises License the Estate hopes to have a more direct input into the Openaire operations since the activity can then take place under a license under our direct oversight.

Our aim as an Estate is to provide events that are directed at our occupiers, and as such we deliver an events program throughout the year which includes fitness classes aimed at health and wellbeing, musicians throughout the Estate, as well as numerous team activities that will also be covered under the PRS license. As always, we are more than happy to open a forum with our residents, and fully understand that an event advertised as a "sing along" is not to everyone's liking. Thank you for bringing this concern to our attention, we fully intend on addressing this with Openaire to make sure that this does not happen again.

[REDACTED]
Received: 10 Aug 2021

OBJECTION

10/08/2021 1:30 PM I live at [REDACTED]. Local residents are always subjected to noise in this area at most times of the day and night. There are already far too many pubs, restaurants, bars, outdoor singing. We do not need any extra we need less. The Brew Dog pub is always extremely noisy and this from opening till close. Please do not allow this extra noise to go ahead and think this is a residential area with people who wish to be able to relax, rest, sleep at home and not be constantly disturbed by noise.

Dear [REDACTED]

We fully understand your frustration with the noise generated by BrewDog but we hope that you can also notice the difference in how we manage any of the retailers situated physically on Merchant Square Estate. While we support our retailers, we first and foremost cater to the needs of our residents and occupiers, and expect our retailers to also take the same viewpoint.

The PRS license referenced in this application would at most cover a handful of events throughout the year, with the remainder of the events being very low-key events. All our events are on our website and social media channels, are largely delivered during the day.

• [REDACTED]

Received: 11 Aug 2021 by

OBJECTION

11/08/2021 10:15 AM Most of these proposals (music, artists, etc.) are great, including the films on the screen facing the lawn - this is terrific (the screen is neat, unobtrusive, adds value and community, etc.). However, the infrastructure for showing other films on the pedestrianised zone by the canal facing down the canal is hideous, unsightly, unwanted, and a vile mis-appropriation of public space that people can no longer enjoy by it being there:

- 1. It prevents the main purpose of that space: canalside walking - exercise and foot-traffic through-put of those enjoying the canal.*
- 2. It tends to be sponsored by gaudy bright vulgar brands (last one was a bright pink ice cream brand - disgusting, unhealthy, and simple awful and in your face). The most ugly thing ever.*
- 3. It blocks the view of the water for residents and visitors and walkers passing through. The purpose of this area is to enjoy outdoor spaces and water views, ducks, coots, swans, occasional fish, paddleboarding, fresh air, sunlight etc.*

It would be so easy to place this second film screen in a space that is unused or less used and less obstructive (on the other side of the canal tucked in the corner perhaps - or similar). But to place such a purposefully-ugly monstrosity in the VERY middle of the thoroughfare is simply counter to all common-sense and inhibits public enjoyment of the area. Plus is is a nod to the sponsor's marketing interests - flagrant corruption.

Merchant Square Response

Dear [REDACTED]

The Openaire Cinema is a temporary event which takes place for a maximum of 8 weeks out of the year. The estate is able to host this event because we are one of the few small end sections of the canal system, and it provides a great opportunity to introduce a greater audience to the Canal systems through a novel cinematic experience. We hope that by combining the cinema experience with the canal it would foster a more positive relationship between the attendees and our immediate urban nature.

One of the criteria of this event taking place in the Basin is that the Canal and River Trust (CRT) is prominently featured as part of the marketing campaign. It is our wish that by supporting the CRT we can enable them to continue to protect the natural beauty of the Paddington Basin. Working in conjunction with the CRT the Estate delivers numerous Corporate Social Responsibility days where we actively engage with our immediate community to protect our environment. One example of how we achieve this is through paddle and pick sessions where we and our community partners clean the canal system from the basin up to Little Venice, removing tonnes of waste year on year.

The Estate also endeavours to support and protect the wildlife situated in the basin and welcome the involvement of our residents in this ongoing project.

This collaboration is an important investment into Merchant Square because its increase our visitor community which ultimately supports our local businesses. As always, we are more than happy to open a forum with our residents, and fully understand that an event advertised as a "sing along" is not to everyone's liking.

• [REDACTED]

**Received: 25 Aug 2021 by
OBJECTION**

Premises Licence Application Ref: 21/05609/LIPN.

The [REDACTED] note with interest this application.

Our main concern on all Premises Licence applications is the potential noise and disturbance etc to adjacent residents and residents in the surrounding area as well as the potential for crime and disorder.

In this instance, allowing for dispersal, the hours applied for Films at 23.00, seven days a week, is too late.

- o We have a few queries arising from the documentation.
- o What sort of events are envisaged? o How frequently do they intend to use the licence?
-

To the members of [REDACTED]

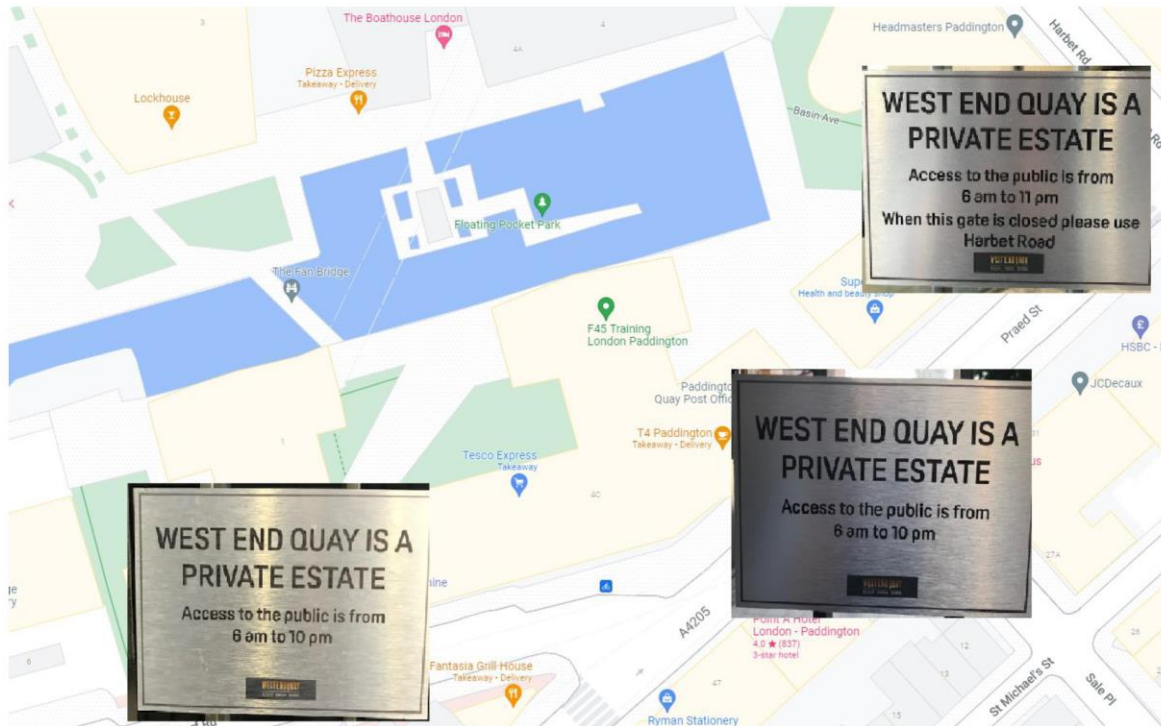
It is the Estates intention to continue to provide a positive impact on the area by offering free events that encourage the growth of the community and support local initiatives. Previous events include charity fundraisers, live music sessions, movie screenings, art exhibitions, events that support health and wellbeing and team building events. Most of our events are and will continue to be free for the community, however we will occasionally collaborate with third parties to bring more impactful events to Merchant Square such as the Openaire Float-In Cinema. These types of events increase our visitor community which supports our local businesses across Merchant Square Estate. The licence is only intended to be used two or



three times a year as 98% of our events do not require any events license. Some images of previous events below.

- o Will there be 'pop up' bars/any events which are solely for consuming alcohol? *We will not organise any events which are solely pop-up bars. Any events that involve alcohol sales will be one element of a wider event and will have non-alcoholic options on offer.*
- o Are all the entrances to Merchant Square still open at 23.30, including one in Praed Street - opposite Sale Place?

Merchant Square Estate does not have any exits leading onto Praed street, as all the gates are located on the neighbouring Estate, but we can confirm that the opening times of the gates are as follow:



- o What are the arrangements for the dispersal of customers/attendees to encourage quiet egress? *We have 24-hour security that can assist customers to enter and exit the site. Due to the low volume of people attending our events, additional resource is not needed to assist with the safe ingress and egress of the site. Where possible, attendees will be funnelled directly to North Wharf Road via the commercial buildings in order to reduce any impact that the event may have on our residents.*

- o What is capacity of the events, showing films etc? *In general, our events have a very low capacity, since most of the events are aimed at events targeting our residents and commercial occupiers. The Openaire cinema event is one of three annual events that have a greater gathering and the space can occupy a maximum capacity of 228, spread over 100 deckchairs, and 16 boats that can each be occupied by 8 people. The Estate cinema events have a maximum capacity of 100, seated on deckchairs.*

o Also, not shown, can you confirm all glasses for drinks will be plastic or similar. *All events that include food and drinks use 100% sustainable packaging including cutlery and napkins.*

Premises History

Appendix 3

Application	Details of Application	Application date	Decision
21/00944/PREAPM	Request for Pre application advice	09.02.2021	N/A

There is no appeal history for the premises.

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

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

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

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

Mandatory Conditions

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

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

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

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

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

10. All persons guarding premises against unauthorised access or occupation or against outbreaks of disorder or against damage (door supervisors) must be licensed by the Security Industry Authority.

Conditions consistent with the operating schedule

11. The sale of alcohol at the premises will be ancillary to the primary use of the premises as an outdoor event space.
12. A suitable and sufficient Event Management Plan shall be drawn up by a competent person prior to an event and made available, if requested, to the Responsible Authorities. This shall be kept for at least one year, signed-off by a person with management responsibilities and must contain information and assessments, as a minimum, on the following aspects where relevant:
 - Details of responsible persons present including at least one person with management responsibilities of the licence holder Emergency and Evacuation procedures
 - Crowd management and stewarding arrangements
 - Overnight security arrangements
 - A detailed site plan showing all permanent and temporary structures and all access and egress points
 - Capacity at any one time
 - Certificates from competent persons on Temporary Structures, Electrical Power Supply and Gas equipment
 - First Aid and Lost Children arrangements
 - Noise Management Plan
 - Risk Assessments
 - A waste management plan
 - Sanitary accommodation
 - Public Liability Insurance
13. All drinks sold, supplied or consumed shall only be in open polycarbonate or crushable vessels unless prior exemption has been obtained from Westminster's Environmental Health Consultation Team and/or Westminster Police Licensing Team for a specific event in writing or by e-mail.
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 for consumption on the premises.
15. In relation to the sale of alcohol, 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.
16. The Premises Licence holder shall comply with all reasonable requirements of Westminster Police Licensing Team, the London Fire and Emergency Planning Authority and Westminster City Council's Environmental Health Consultation Team, Filming & Events Team and City Inspectors

17. The Licensee must ensure that the LAeq (15 min) noise level does not exceed 65 dB(A) from any electronically amplified sound system 1m from the window of the nearest noise sensitive premises.
18. Events that include amplified music exceeding 65dB LAeq (15 min) must be notified to the Environmental Health Consultation Team at least two weeks prior to the event and the notification shall include the Noise Management Plan.
19. Admission of children to a Film event must be restricted in accordance with the film classification recommended by the British Board of Film Classification or as recommended by the classification by this licensing authority as appropriate.
20. Any event showing Films that are staged beyond 21:00 hours shall only be carried out under the following circumstances;
 - Film audio to be delivered to each attendee via wireless headsets
 - Customer capacity less than 500 at any one time.
21. There shall be no noise audible at the nearest noise sensitive premises from any construction or similar works in association with the set up and/or dismantling of the site, outside the hours of:
08:00 - 18:00 Monday -Saturday
10:00 - 18:00 Sunday
22. No licensable activities shall take place at parts of the premises marked on the plans currently undergoing redevelopment until this area of the premises has been assessed as satisfactory by the Environmental Health Consultation Team at which time this condition shall be removed from the Licence by the licensing authority.

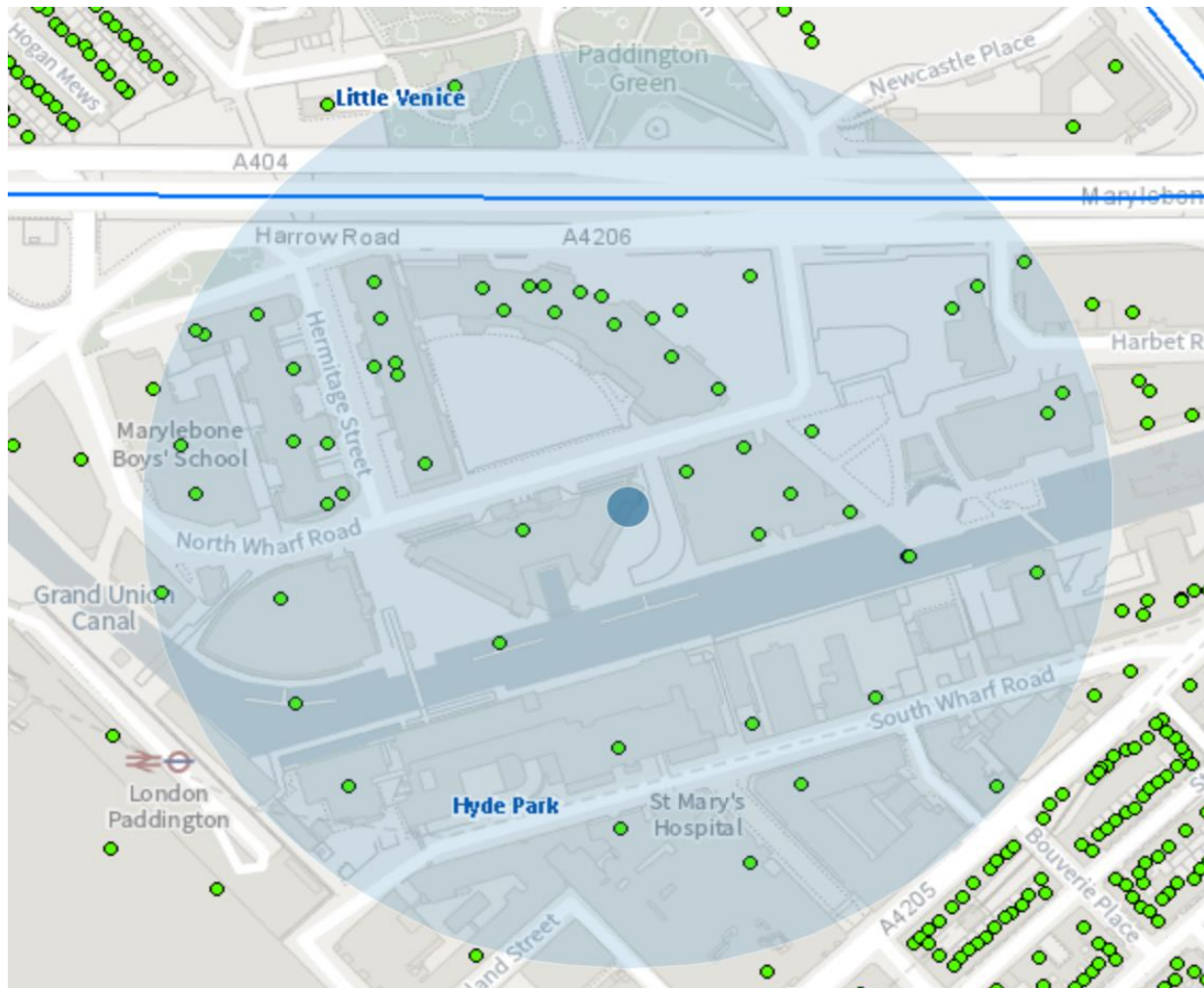
Conditions proposed by the Environmental Health

None

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

23.
 - (a) The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team.
 - (b) All entry and exit points will be covered enabling frontal identification of every person entering in any light condition.
 - (c) The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises and will include the external area immediately outside the premises entrance.
 - (d) All recordings shall be stored for a minimum period of 31 days with date and time stamping.
 - (e) Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31-day period.
24. 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.

25. A Challenge 21 or Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
26. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received concerning crime and disorder
 - (d) any incidents of disorder
 - (e) all seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system
 - (g) any refusal of the sale of alcohol
 - (h) any visit by a relevant authority or emergency service.
27. There shall be a personal licence holder on duty on the premises at all times when the premises are authorised to sell alcohol.
28. A minimum of 3 SIA licensed door supervisors shall be on duty from thirty minutes prior to the start of any event where alcohol will be sold until thirty minutes after the event has concluded. SIA door supervisors must correctly display their SIA licence(s) when on duty so as to be visible.
29. SIA licensed door supervisors shall wear high visibility jackets or vests.
30. There shall be no sales of alcohol for consumption off the premises.
31. The Premises Licence Holder shall risk assess the need for additional SIA licensed door supervisors at other times based on a documented risk assessment. A copy of the risk assessment shall be kept at the premises and produced to Police and/or an authorised officer of Westminster City Council on request

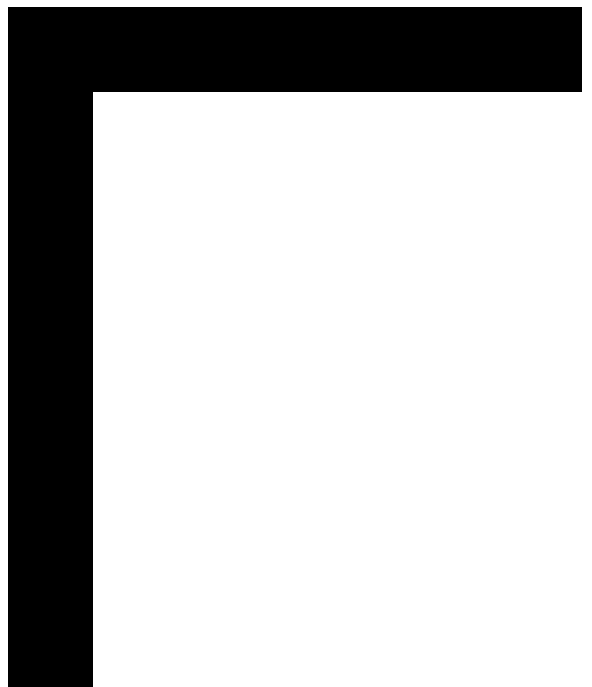


Resident count: 359

Licensed premises within 200m of 7 Harbert Road, London, W2				
Licence Number	Trading Name	Address	Premises Type	Time Period
20/10037/LIPDPS	Marks & Spencer	Waterside House 35 North Wharf Road London W2 1NW	Shop	Sunday; 07:00 - 22:30 Monday to Saturday; 07:00 - 23:00
21/06365/LIPDPS	Kupp	Unit 53 5 Merchant Square City Of Westminster London W2 1AS	Restaurant	Sunday; 07:00 - 22:30 Monday to Thursday; 07:00 - 23:00 Friday to Saturday; 07:00 - 00:00

20/05194/LIPRW	Wework 1st-7th Floors	Offices 5 Merchant Square West City Of Westminster London W2 1AS	Office	Not Recorded; XXXX - XXXX
21/03705/LIPDPS	Wework 1st-7th Floors	Offices 5 Merchant Square West City Of Westminster London W2 1AS	Office	Not Recorded; XXXX - XXXX
13/02774/LIPDPS	Marks & Spencer Plc	Waterside House 35 North Wharf Road London W2 1NW	Office	Sunday; 12:00 - 23:00 Monday to Saturday; 10:00 - 23:30
20/03175/LIPN	Not Recorded	Development Site At Paddington Exchange North Wharf Road London	Miscellaneous	Monday to Sunday; 00:00 - 00:00
20/10150/LIPN	Premier Inn	Development Site At Paddington Exchange North Wharf Road London	Hotel, 4+ star or major chain	Sunday; 06:00 - 23:00 Monday to Thursday; 06:00 - 00:00 Friday to Saturday; 06:00 - 00:30
20/07016/LIPVM	Heist Bank	3 - 15 North Wharf Road London W2 1LA	Wine bar	Sunday; 09:00 - 22:30 Monday to Thursday; 08:00 - 23:30 Friday to Saturday; 08:00 - 00:00 Sundays before Bank Holidays; 08:00 - 00:00
20/10167/LIPN	The House Boat	Barge At Pontoon A Paddington Basin North Wharf Road London	Vessel	Monday to Sunday; 10:00 - 23:00
20/07542/LIPT	Pizza Express	Units 35 And 37 3 Merchant Square City Of Westminster London W2 1BF	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
21/07566/LIPDPS	Lockhouse	3 Merchant Square City Of Westminster London W2 1AZ	Cafe	Sunday; 07:00 - 22:30 Monday to Thursday; 07:00 - 23:30 Friday to Saturday; 07:00 - 00:00
10/02411/LIPVM	Merchant Square	Development Site - Land At Harbet Road London W2 1JU	Park / Open Space	Monday to Sunday; 00:00 - 00:00





City of Westminster

Licensing Sub-Committee Report

Item No:	
Date:	09 December 2021
Licensing Ref No:	21/08493/LIPN - New Premises Licence
Title of Report:	Pitch 12 Meard Street London W1F 0EQ
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:	Roxsana Haq Senior Licensing Officer
Contact details	Telephone: 0207 641 6500 Email: rhaq@westminster.gov.uk

1.	Application		
1-A	Applicant and premises		
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	24 August 2021		
Applicant:	Golf Masters Ltd		
Premises:	Pitch		
Premises address:	12 Meard Street London W1F 0EQ	Ward:	West End
		Cumulative Impact Area:	West End
		Special Consideration Zone:	None
Premises description:	According to the application form, the premises intend to trade as an indoor golf club and golf leisure facility.		
Premises licence history:	This application is for a new premises, and therefore no premises licence history exists.		
Applicant submissions:	As part of the application form, the applicant provided the following information: <i>"The premises are situated within the West End Cumulative Impact Area, which is addressed herein. An acoustic report, dispersal and management plan are all submitted with the application. The application follows pre-application advice ref 21/06416/PREAPM and grant of planning permission 21/02628/FULL"</i> These submissions by the applicant can be found at Appendix 2.		
Applicant amendments:	None		

1-B	Proposed licensable activities and hours						
Sale by retail of alcohol				On or off sales or both:			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	11:00	10:00	11:00	11:00	11:00	10:00	10:00
End:	21:00	21:00	23:00	23:00	23:00	23:00	18:00
Seasonal variations/ Non-standard timings:			From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.				

Plays				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	11:00	10:00	11:00	11:00	11:00	10:00	10:00
End:	21:00	21:00	23:00	23:00	23:00	23:00	18:00
Seasonal variations/ Non-standard timings:			From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.				

Films				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	11:00	10:00	11:00	11:00	11:00	10:00	10:00
End:	21:00	21:00	23:00	23:00	23:00	23:00	18:00
Seasonal variations/ Non-standard timings:		From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.					

Indoor Sporting Events				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	11:00	10:00	11:00	11:00	11:00	10:00	10:00
End:	21:00	21:00	23:00	23:00	23:00	23:00	18:00
Seasonal variations/ Non-standard timings:		From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.					

Live Music				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	11:00	10:00	11:00	11:00	11:00	10:00	10:00
End:	21:00	21:00	23:00	23:00	23:00	23:00	18:00
Seasonal variations/ Non-standard timings:		From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.					

Recorded Music				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	11:00	10:00	11:00	11:00	11:00	10:00	10:00
End:	21:00	21:00	23:00	23:00	23:00	23:00	18:00
Seasonal variations/ Non-standard timings:		From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.					

Performance of Dance				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	11:00	10:00	11:00	11:00	11:00	10:00	10:00
End:	21:00	21:00	23:00	23:00	23:00	23:00	18:00
Seasonal variations/ Non-standard timings:		From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.					

Anything of a similar description to that falling within live music, recorded music or performance of dance.				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	11:00	10:00	11:00	11:00	11:00	10:00	10:00
End:	21:00	21:00	23:00	23:00	23:00	23:00	18:00
Seasonal variations/ Non-standard timings:		From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.					

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	11:00	10:00	11:00	11:00	11:00	10:00	10:00
End:	21:00	21:00	23:00	23:00	23:00	23:00	18:00
Seasonal variations/ Non-standard timings:		From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.					
Adult Entertainment:		None					

2.	Representations
2-A	Responsible Authorities
Responsible Authority:	Licensing Authority
Representative:	Kevin Jackaman
Received:	20 September 2021
<p>Dear Sirs</p> <p>I write in relation to the application submitted for a new premises licence: 12 Meard Street London W1F 0EQ.</p> <p>As a responsible authority under section 13 (4) of the Licensing Act 2003 as amended under the Police and Social Responsibility Act 2011, the Licensing Authority have considered your application in full. The Licensing Authority has concerns in relation to this application and how the premises would promote the four Licensing Objectives:</p> <ul style="list-style-type: none"> • Public Nuisance • Prevention of Crime & Disorder • Public Safety • Protection of children from harm <p>The application seeks the following:</p> <p>The application seeks the following:</p> <ul style="list-style-type: none"> • Plays, Films, Indoor Sporting Events Live Music, Recorded Music, Performance of Dance and Anything of a Similar Description <p>11:00 to 21:00 Monday</p> <p>10:00 to 21:00 Tuesday</p> <p>11:00 to 23:00 Wednesday, Thursday, Friday</p> <p>10:00 to 23:00 Saturday</p> <p>10:00 to 18:00 Sunday</p> <ul style="list-style-type: none"> • Supply of Alcohol – On the Premises <p>11:00 to 21:00 Monday</p>	

10:00 to 21:00 Tuesday

11:00 to 23:00 Wednesday, Thursday, Friday

10:00 to 23:00 Saturday

10:00 to 18:00 Sunday

- **Opening Hours to Public**

11:00 to 21:00 Monday

10:00 to 21:00 Tuesday

11:00 to 23:00 Wednesday, Thursday, Friday

10:00 to 23:00 Saturday

10:00 to 18:00 Sunday

The premises are located within the West End Cumulative Impact Area and as such policy points CIP1 and COMB1 must be considered.

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 COMB1 states:

B. Applications inside the West End Cumulative Impact Zones for premises that propose to operate as a 'combined use premises' will be considered on their merits and subject to:

1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1.
2. The hours for licensable activities for the relevant premises use being within the council's Core Hours Policy HRS1.
3. The applicant demonstrating that they will not add to cumulative impact within the Cumulative Impact Zone.

C. When considering what weight is to be given to the relevant uses and policies the Licensing Authority will take into account:

1. Whether it will undermine the licensing objectives.
2. The current and proposed use of the premises.
3. When those uses will take place.
4. What the primary use of the premises is or the uses that will take place in different parts of that premises.
5. Whether there would normally be a presumption to refuse an application for that use if it was operating as that premises type and not a combined use premises.
6. Whether the hours sought for the all or parts of the premises are within or outside the Core Hours.

D. The Licensing Authority will take into account, when considering the application, the relevant considerations from each of the appropriate premises uses policies within this statement

E. For the purpose of this policy a Combined Use Premises means premises which require a premises licence and where there is more than one premises use, and where the uses are not dependent on/or part of the other uses i.e. are not ancillary to the other uses.

The Licensing Authority note that the premises intend to trade as an Indoor golf club and golf leisure facility with licensable activities only being provided to:

a) Persons paying a minimum monthly golf club membership fee of £60 and their guests limited to no more than 4 at any time;

b) Persons attending a pre-booked indoor golf bay paying a minimum admission charge of £60 per bay per group and their guests limited to no more than 4 at any time;

c) Persons attending a pre-booked and bona fide private function or event to which members of the public are not admitted. A record of the event shall be kept for a minimum period of 31 days at the premises and made available for immediate inspection by police or an authorised officer of the Council throughout the entire 31-day period; or

d) Bona fide guests of the management, limited to no more than 15 persons at any time

It is also noted that the applicant has also proposed a condition that the licensable activities provided at the premises shall be ancillary to the main function of the premises as an indoor golf club and golf leisure facility.

The Licensing Authority's policies, in relation to the Cumulative Impact Areas, are directed at the global and cumulative effects of licences on the area as a whole. The Licensing Authority note the conditions that have been proposed together with the supporting documents submitted with the application however given the premises location within the West End Cumulative Impact Zone, the applicant is required to provide further submissions as to how the premises will not add to cumulative impact in the cumulative impact area, as per policy CIP1 and COMB1.

Subject to any further submissions, it will be for Licensing Sub-Committee Members to determine this application, given its location within the West End Cumulative Impact zone and the proposed style of operation.

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]	
Status:	Valid	In support or opposed:	Opposed
Received:	29 August 2021		
<p>To ensure that the applicant is not able to arbitrarily change the use of the area under review without having to reapply for a variation. That the licence if granted makes it a condition of the licence that there are no less than nine areas relating to playing / practicing golf.</p> <p>thank you</p>			
Name:		[REDACTED]	
Address and/or Residents Association:		[REDACTED] [REDACTED] [REDACTED]	
Status:	Valid	In support or opposed:	Support
Received:	02 September 2021		
<p>I live In Westminster at [REDACTED] and wish to make a representation in support of the application as I believe it will support the licensing objectives.</p> <p>I have been a customer at the City branch and find it a safe and convenient place to play and practice and have a drink afterwards. I think it will be a great addition to Soho.</p>			
Name:		[REDACTED]	
Address and/or Residents Association		[REDACTED] [REDACTED] [REDACTED] [REDACTED]	
Status:	Valid	In support or opposed:	Support
Received:	16 September 2021		
<p>On behalf of the Landlord, [REDACTED], we strongly support this application. We have been highly impressed by the operator Pitch in our dealings with them over the last 6 months through the planning process and in advance of taking a lease of the premises. Their existing site on Bishopsgate is a very professional, successful, and well-managed venue. Pitch have demonstrated a clear commitment to carefully manage and operate the site on Meard Street and we feel this alcohol license is an important ancillary offering to the main golfing activity of the business. Pitch have engaged with the local community, meeting with local residents and stakeholder groups ahead of this application and have taken on board the feedback received to their proposals.</p> <p>[REDACTED] are also a neighbour to the site, with our head office on Richmond Mews. We believe strongly in the importance of supporting leisure businesses in Soho and the West End in the recovery following the Covid pandemic and we are very excited that Pitch will be investing into the area and providing a new and exciting venue for local workers, residents and visitors.</p>			

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 premises use policies within this statement</p>
Policy CCSOS1 applies	<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 operation of any delivery services for alcohol and/or late-night refreshment meeting the council's Ancillary Delivery of Alcohol and/or Late-Night Refreshment Policy DEL1. 4. The applicant has demonstrated that they will not add to cumulative impact within the Cumulative Impact Zone. 5. The applicant has clearly demonstrated that the sale by retail of alcohol and late-night refreshment will be ancillary to the venue's primary function as a cinema, cultural venue, live sporting premises or outdoor space. 6. The sale by retail of alcohol and/or late-night refreshment after 11pm is limited to customer, patrons or members of the audience who will or have made use of the primary function of the venue as a cinema, cultural venue or live sporting premises. 7. The application and operation of the venue meeting the definition for a cinema, cultural venue, live sporting premises or outdoor space as per Clause C. <p>C. For the purposes of this policy the primary function of a cinema, cultural venue and live sporting premises is defined as:</p> <ol style="list-style-type: none"> 1. Cinema For the exhibition of feature or shorts films to an audience. 2. Cultural Venues <ol style="list-style-type: none"> a. Theatres: for the performance of plays, dramatic or other entertainment performances to an audience. b. Performance Venues: for a live performance in front of an audience which may include concert halls, comedy clubs or similar performances venues. c. Cultural Uses: for the exhibition of art (e.g. galleries), a museum, or historical building/site that is open for visitors to visit on payment. 3. Live sporting premises: the premises or the use to which the licence is intended for <ol style="list-style-type: none"> a. Live sporting events in the form of boxing and wrestling which takes place either inside or outside in the presence of an audience. b. Live sporting events that are licensable as they are being held within a building where the sport and audience are accommodated wholly or partly inside that building.

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:	Roxsana Haq Senior Licensing Officer
Contact:	Telephone: 0207 641 6500 Email: rhaq@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	October 2021
3	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2018
4	Licensing Authority representation	20 September 2021
5	Representation 1	29 August 2021
6	Representation 2	02 September 2021
7	Representation 3	16 September 2021

Pitch, 12 Meard Street, London W1F 0EQ

Thomas & Thomas
Partners LLP

Application for a Premises Licence

Pitch

Part Ground Floor and Basement

12 Meard Street

London W1F 0EQ

Dispersal and Management Plan

August 2021

1 Introduction

1. This document is submitted in support of an application for a Premises Licence for Pitch, part ground floor and basement of The Deck, 12 Meard Street, London W1F 0EQ ("the Premises"). All relevant staff will be trained in its implementation. The Plan will be reviewed regularly and whenever the Licensee becomes aware of issues associated with dispersal.
2. The Premises shall operate as an indoor golf club and leisure facility.
3. The applicant's vision is to deliver a state-of-the-art facility dedicated to golfing, aimed at providing accessible, high-quality golf training in central London for local workers, residents and visitors. Pitch utilise and harness the latest technology to allow its members the opportunity to train and develop their golfing skills in a dedicated, managed space, with on-site instructors. Whilst the facility is focused on one-to one tuition and small group play, some corporate events will be hosted, provided through an individual or corporate membership.



Frontage of Hasilwood House premises

1.1 The proposed hours are as follows:

	Sale of Alcohol (on the Premises)	Regulated Entertainment (Plays, Films, Indoor Sporting Events, Live & Recorded Music, Dance and anything of a similar description)	Opening Hours
Monday	11:00 to 21:00	11:00 to 21:00	11:00 to 21:00
Tuesday	10:00 to 21:00	10:00 to 21:00	10:00 to 21:00
Wednesday to Friday	11:00 to 23:00	11:00 to 23:00	11:00 to 23:00
Saturday	10:00 to 23:00	10:00 to 23:00	10:00 to 23:00
Sunday	10:00 to 18:00	10:00 to 18:00	10:00 to 18:00
Non-standard timings	From the end of the permitted hours on New Year's Eve to the start of the permitted hours on New Year's Day.		

- 1.2 The Premises are situated on the north side of Meard Street, mid-way between Wardour Street and Dean Street. The area has mixed uses, including restaurants, bars, retail and some residential. There are a variety of transport links nearby.
- 1.3 The main facility is located within the basement, with resulting natural acoustic benefits. The stairs which connect the ground and basement floors shall have an acoustic enclosure to ensure noise containment in the basement.
- 1.4 In the main, sessions are booked in advance of members entering the facility, this will allow a proactive management of the premises and the avoidance of a concentration of users. All members will be required to sign-in on entry with their ID cards. Those entering the Premises as a member's guest will be required to provide contact details on entry. These are important management elements for the operation of the Premises. Furthermore, membership by its very nature produces a self-regulation of behaviour. The result of this is a self-governance of members and the ability of identification in the unlikely scenario of any member or their guest causing a concern. Such accountability is a real benefit of a membership system.
- 1.5 In addition to the above, the following condition is proposed as part of the premises licence application, allowing the following categories of people to enter and use the facilities:
 - 1.5.1 *The provision of licensable activities shall only be provided to:*
 - a) *Persons paying a minimum monthly golf club membership fee of £60 and their guests limited to no more than 4 at any time;*
 - b) *Persons attending a pre-booked indoor golf bay paying a minimum admission charge of £60 per bay per group and their guests limited to no more than 4 at any time;*
 - c) *Persons attending a pre-booked and bona fide private function or event to which members of the public are not admitted. A record of the event shall be kept for a minimum period of 31 days at the premises and made available for immediate inspection by police or an authorised officer of the Council throughout the entire 31-day period; or*
 - d) *Bona fide guests of the management, limited to no more than 15 persons at any time.*

2 Planned Management Measures for Control of Noise

Executive Summary

- 2.1 The main facility is located within the basement, with resulting natural acoustic benefits. The stairs which connect the ground and basement floors shall have an acoustic enclosure to ensure noise containment in the basement.
- 2.2 The departure of customers will be managed in accordance with a Dispersal Policy, such as that at section 5 of this document. The management controls set out in the Dispersal Policy are designed to ensure all customers leave the area as quickly and as quietly as possible.
- 2.3 It will be a membership offence for members or their guests to cause disruption outside the entrance the Premises. A two-strike policy will be operated whereby any undue disruption caused by a member or their guest will result in a strike against the member's membership. Where a member receives two strikes their membership will be revoked.

Prevention of Noise and Vibration

- 2.4 Management controls are included in the Dispersal Policy at section 5 and the Deliveries, Collection and Servicing Procedures at section 6 of this document.
- 2.5 The objective of the management controls is to ensure residents are not disturbed by noise from the Premises in accordance with Policy PN1 (Licensing Objective: Prevention of Public Nuisance).
- 2.6 The following conditions will apply:
 - 2.6.1 *Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.*
 - 2.6.2 *No noise generated on the premises, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.*
 - 2.6.3 *The premises licence holder shall ensure that any patrons smoking outside the premises do so in an orderly manner so as to ensure that there is no public nuisance or obstruction of the public highway.*
 - 2.6.4 *No deliveries to the premises shall take place between (23.00) and (08.00) on the following day.*
 - 2.6.5 *No collections of waste or recycling materials (including bottles) from the premises shall take place between (23.00) and (08.00) on the following day unless it is during the Council's own times for commercial waste collection carried out for the street as stated on its website.*

- 2.6.6 *All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.*
- 2.6.7 *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 unless it is during the Council's own times for commercial waste collection carried out for the street as stated on its website.*
- 2.6.8 *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.*
- 2.6.9 *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.*

3 General Operational Controls

- 3.1 The applicant's management team takes their responsibilities as a neighbour very seriously. Management controls include:
 - 3.1.1 Extensive employee induction and on-going refresher training, including:
 - 3.1.1.1 Responsibilities in the local area and towards local residents.
 - 3.1.1.2 Customer care and hospitality.
 - 3.1.1.3 Complaint handling.
 - 3.1.1.4 Food Safety.
 - 3.1.1.5 Health and Safety.
 - 3.1.1.6 Fire Safety.
 - 3.1.1.7 Obligations under the Licensing Act 2003.
- 3.2 Operational procedures to mitigate nuisance in the local area, including:
 - 3.2.1 Responsible management of customers in and outside the Premises.
 - 3.2.2 Controlled management of the arrival of customers.
 - 3.2.4 Controlling and supervising customer smoking (see section 4 below).
 - 3.2.5 Sympathetic servicing of the Premises, see Operating Schedule for further details.
 - 3.2.6 Internal CCTV coverage including full frontal imaging of anyone entering the Premises. At any given time, there will be at least one member of staff on duty who is fully trained to operate the CCTV system.

4 Smoking Policy

- 4.1 The Premises shall have a "No smoking on Meard Street" policy. This shall be managed through the ground floor concierge.
- 4.2 The following condition is proposed: *"The premises licence holder shall ensure that any patrons smoking outside the premises do so in an orderly manner so as to ensure that there is no public nuisance or obstruction of the public highway."*

5 People Arriving, Departing & in the Vicinity

Dispersal Policy

- 5.1 The objective of the Dispersal Policy is to ensure a quiet, controlled and swift dispersal of the Premises' customers.
- 5.2 The Dispersal Policy promotes a professional and responsible management of customers as they leave the Premises to ensure they make their journey home without any adverse impact on local residents.
- 5.3 Despite the Premises' central London location, employees are made aware that local residents live close by.
- 5.4 This Dispersal Policy will be followed throughout the opening hours, although particular attention will be paid to customers leaving at night.

Entrances and Exits

- 5.5 The main entrance/exit of the Premises is located on Meard Street. This area shall be proactively managed, with a ground floor concierge desk manned throughout operating hours.

Dispersal

- 5.6 Given the proactively managed booking system, bookings are managed so to create a staggering of sessions and there will be a natural dispersal of patrons as a result. Customers are expected to depart the Premises in a gradual and controlled manner until close.
- 5.7 Towards closing time the following measures are taken to ensure a gradual and quiet closure of the Premises:
 - 5.7.1 Staggered hourly bookings with appropriate ending times.
 - 5.7.2 Raised lighting levels.
 - 5.7.3 Politely reminding customers the Premises is about to close.
 - 5.7.4 Asking customers if they require a taxi and advising customers to wait inside the Premises.
- 5.8 Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
- 5.9 Where appropriate, customers will be directed to nearby transport links and requested to leave quietly.

Transport

- 5.10 The Premises is well serviced by public transport links, as set out below. All staff will be familiar with the transport links so they can advise customers when required.

Tube

- 5.11 The following tube stations are located within easy walking distance of the Premises and the final trains on Monday-Thursday run until around 0:30, with a late night 24 hour tube service available Fridays and Saturdays in normal times:

- Tottenham Court Road Underground Station (6 minute walk)
- Leicester Square Underground Station (6 minute walk)
- Covent Garden (9 minute walk)
- Charing Cross Underground Station (10 minute walk)

- 5.12 Where necessary customers will be given directions to the relevant station and reminded to reach the station as quietly and as quickly as possible when they leave.

Rail

- 5.13 The Premises is also within walking distance of Charing Cross Rail station.

Buses

- 5.14 The Premises is well serviced by public buses. TFL bus services, including night buses, go to a variety of destinations throughout London from nearby bus stops.

- 5.15 Nearby bus routes include: 14, 19, 24, 29, 38, 176, N5, N19, N20, N29, N38, N41, N279

Taxi

- 5.16 Black cabs are readily available right through the day and night in the area with taxi ranks located at nearby Wardour Street, Brewer Street and Old Compton Street.

- 5.17 Staff will assist customers calling a taxi if required.

- 5.18 Customers will be asked not to utilise Meard Street for drop off and collection.

Private Car Service

- 5.19 The Premises will recommend a private car booking service. In the event a customer wants to book a car home, the customer will be invited to wait inside the Premises until their car has arrived to ensure a quick and quiet exit. Customers will be asked not to utilise Meard Street for drop off and collection.

6 Deliveries, Collections & Servicing

- 6.1 Deliveries and collections will be arranged carefully and sympathetically to the local amenity. Where possible, multiple deliveries and/or collections will be combined to avoid high numbers of vehicles servicing the premises. Late night and early morning delivery and collection times will be avoided wherever possible, to avoid disturbing local residents.
- 6.2 All servicing and waste management will take place off-street on Richmond Mews. Suppliers will be made aware of this arrangement.
- 6.3 A bottle crusher shall be used within the premises to further reduce the impact of refuse collection.
- 6.4 The following conditions shall apply:
- 6.4.1 *No deliveries to the premises shall take place between (23.00) and (08.00) on the following day .*
 - 6.4.2 *No collections of waste or recycling materials (including bottles) from the premises shall take place between (23.00) and (08.00) on the following day unless it is during the Council's own times for commercial waste collection carried out for the street as stated on its website.*
 - 6.4.3 *All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.*
 - 6.4.4 *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 unless it is during the Council's own times for commercial waste collection carried out for the street as stated on its website*
 - 6.4.5 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

7 Closing Procedure

- 7.1 Management controls will be implemented to ensure that the closing procedure has no adverse impact on local residents. The procedure promotes a quick and quiet closure of the Premises.
- 7.2 Management controls include:
 - 7.2.1 Ensuring all customers will be off the premises by the authorised closing times. There are no exceptions to this rule whatsoever.
 - 7.2.2 A prompt clean and clear up of the Premises as soon as possible after closure.
 - 7.2.3 Employees must leave the Premises quickly and quietly, at all times following the Dispersal Policy set out above.
 - 7.2.4 Employees are not permitted to loiter outside the Premises after closing.
 - 7.2.5 The pavement will be swept and cleaned every day.

8 Conclusion

- 8.1 A culmination of all these controls and safeguards, together with (i) the specific use proposed; and (ii) a membership element, combine to ensure the Premises shall be operated successfully and with minimal, if any, impact on the local amenity.
- 8.2 The applicant welcomes comment from both Responsible Authorities and Local Residents in respect of its procedures and aims to work with them to ensure the success of Pitch at this location.

**8-14 Meard Street
London**



**Preliminary Planning Compliance Report
Report 22836.PPCR.01**

**Golf Masters Ltd
62 Bishopsgate
London
EC2N 4AW**



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22836. TH1	Environmental Noise Time History
Appendix A	Glossary of Acoustics Terminology

1.0 INTRODUCTION

KP Acoustics Ltd has been commissioned by Golf Masters Ltd, 62 Bishopsgate, London, EC2N 4AW, to undertake a noise impact assessment of a proposed plant unit installation serving the building at 8-10 Meard Street, London, W1F 0EQ.

A 24 hour environmental noise survey has been undertaken on site and the background noise levels measured will be used to determine daytime and night-time noise emission criteria for plant installation, in agreement with the planning requirements of Westminster City Council.

This report presents the overall methodology and results from the environmental survey, followed by calculations to demonstrate the feasibility of the plant unit installation to satisfy the emissions criteria at the closest noise-sensitive receiver. Mitigation measures will be outlined as appropriate.

2.0 SITE SURVEYS

2.1 Site Description

As shown in Figure 2.1, the site is bounded by Offices to the North, to the West and to the East, Meard Street to the South.



Figure 2.1 Site Location Plan (Image Source: Google Maps)

Initial inspection of the site revealed that the background noise profile at the monitoring location was typical of an urban cityscape environment, with the dominant source being road traffic noise from the surrounding roads, and plant units associated with surrounding premises.

2.2 Environmental Noise Survey Procedure

Continuous automated monitoring was undertaken for the duration of the noise survey between 11.01 on 24/05/2021 and 13.46 on 25/05/2021.

The environmental noise measurement position, proposed plant installation locations, and the closest noise sensitive receiver relative to the plant installations are described within Table 2.1 and shown within Figures 2.2.




Icon	Descriptor	Location Description
	Noise Measurement Position	The microphone was installed on the plant wall at the 1 st floor roof level as shown in Figure 2.2. The location was approximately 2m from the nearest residential window and is considered to be representative of the nearest noise sensitive receiver.
	Closest Noise Sensitive Receiver	Rear façade. 1 st Floor window. Residential dwelling to the South.
	Proposed Plant Installation Location	Proposed plant installations are outlined in Section 5.1

Table 2.1 Measurement position and description



Figure 2.2 Site measurement position, identified receiver and proposed plant unit installation (Image Source: Google Maps)

The choice of the position was based both on accessibility and on collecting representative noise data in relation to the nearest noise sensitive receiver relative to the proposed plant installation.

Weather conditions were generally dry with light winds and therefore suitable for the measurement of environmental noise. The measurement procedure complied with ISO 1996-2:2017 Acoustics 'Description, measurement and assessment of environmental noise - Part 2: Determination of environmental noise levels'.

2.3 Equipment

The equipment calibration was verified before and after use and no abnormalities were observed. The equipment used is described within Table 2.2.

Measurement instrumentation		Serial no.	Date	Cert no.
Noise Kit 4	SvanteK Type 977B Class 1 Sound Level Meter	36453	27/02/2020	14015014-1
	Free-field microphone Aco Pacific 7052E	54143		
	Preamp SvanteK 2v12L	41508		
	SvanteK External windshield	-	-	-
Larson Davis CAL200 Class 1 Calibrator		17148	27/04/2021	05223/1

Table 2.2 Measurement instrumentation

3.0 RESULTS

The $L_{Aeq:5min}$, $L_{Amax:5min}$, $L_{A10:5min}$ and $L_{A90:5min}$ acoustic parameters were measured throughout the duration of the survey. Measured levels are shown as a time history in Figure 22836TH1.

Minimum background noise levels and logarithmically averaged L_{Aeq} levels are shown in Table 3.1 for daytime and night-time.

Time Period	Minimum background noise level L_{A90} dB(A)	Average ambient noise level L_{Aeq} dB(A)
Daytime (07:00-23:00)	43	50
Night-time (23:00-07:00)	39	44

Table 3.1 Minimum background noise levels and average ambient noise levels

4.0 NOISE ASSESSMENT GUIDANCE

4.1 Local Authority Guidance

The guidance provided by Westminster City Council, 'Policy ENV7: Controlling Noise from Plant, Machinery, and Internal Activity' is as follows:

Where development is proposed, the City Council will require the applicant to demonstrate that this will be designed and operated so that any noise emitted by plant and machinery and from internal activities, including noise from amplified or unamplified music and human voices, will achieve the following standards in relation to the existing external noise level at the nearest noise sensitive properties, at the quietest time during which the plant operates or when there is internal activity at the development.

1) *where the existing external noise level exceeds WHO Guideline levels of $L_{Aeq,12hrs}$ 55dB daytime (07.00- 19.00); $L_{Aeq,4hrs}$ 50dB evening (19.00-23.00); $L_{Aeq,8hrs}$ 45dB night-time (23.00-07.00): either*

a) and where noise from the proposed development will not contain tones or be intermittent sufficient to attract attention, the maximum emission level ($L_{Aeq15min}$) should not exceed 10dB below the minimum external background noise at the nearest noise sensitive properties. The background noise level should be expressed in terms of $L_{A90,15min}$.

b) or/and where noise emitted from the proposed development will contain tones, or will be intermittent sufficient to attract attention, the maximum emission level ($L_{Aeq15min}$) should not exceed 15dB below the minimum external background noise at the nearest noise sensitive properties. The background noise level should be expressed in terms of $L_{A90,15min}$.

2) *where the external background noise level does not exceed the above WHO Guideline levels, policy ENV 7(A)(1)(a) and (b) will apply except where the applicant is able to demonstrate to the City Council that the application of slightly reduced criteria of no more than 5 dB will provide sufficient protection to noise sensitive properties: either*

a) where noise emitted from the proposed development will not contain tones or be intermittent sufficient to attract attention, the maximum emission level ($L_{Aeq15min}$) should not exceed 5dB below the minimum external background noise level at the nearest noise sensitive properties. The background noise levels should be expressed in terms of $L_{A90, 15min}$ or

b) where noise emitted from the proposed development will contain tones or will be intermittent sufficient to attract attention, the maximum emission level ($L_{Aeq15min}$) should not exceed 10dB below the minimum external background noise level at the nearest noise sensitive properties. The background noise levels should be expressed in terms of $L_{A90, 15min}$.

4.2 Noise Emissions Criteria

It is currently unknown if the proposed plant installation is to be used at any time of the day or night.

The plant installation would fall within Section 2 (a) of the guidance above, the criteria has been set as shown in Table 4.1 in order to comply with the above requirements.

Time Period	Noise Criteria at Nearest Residential Receiver
Daytime (07:00 to 23:00)	38 dB(A)
Night-time (23:00 to 07:00)	34 dB(A)

Table 4.1 Proposed noise emissions criteria

5.0 NOISE IMPACT ASSESSMENT

5.1 Proposed Plant Installations

Currently, the exact details of the proposed units are unknown. Once all M&E proposals have been finalised, this report will be revised to include calculations which demonstrate compliance to the criteria set in Table 4.1.

6.0 CONCLUSION

An environmental noise survey has been undertaken at 8-10 Meard Street, London, W1F 0EQ, by KP Acoustics Ltd between 11.01 on 24/05/2021 and 13.46 on 25/05/2021. The results of the survey have enabled a minimum background noise level to be set.

A maximum noise emissions criteria for the proposed plant unit installations has been set based on the requirements of the City of Westminster for new plant unit installations.

Further calculations would need to be undertaken once all M&E proposals are finalised in order to demonstrate compliance.

8-10 Meard Street, Roof Plant Area
Environmental Noise Time History
From 24 May 2021 To 25 May 2021

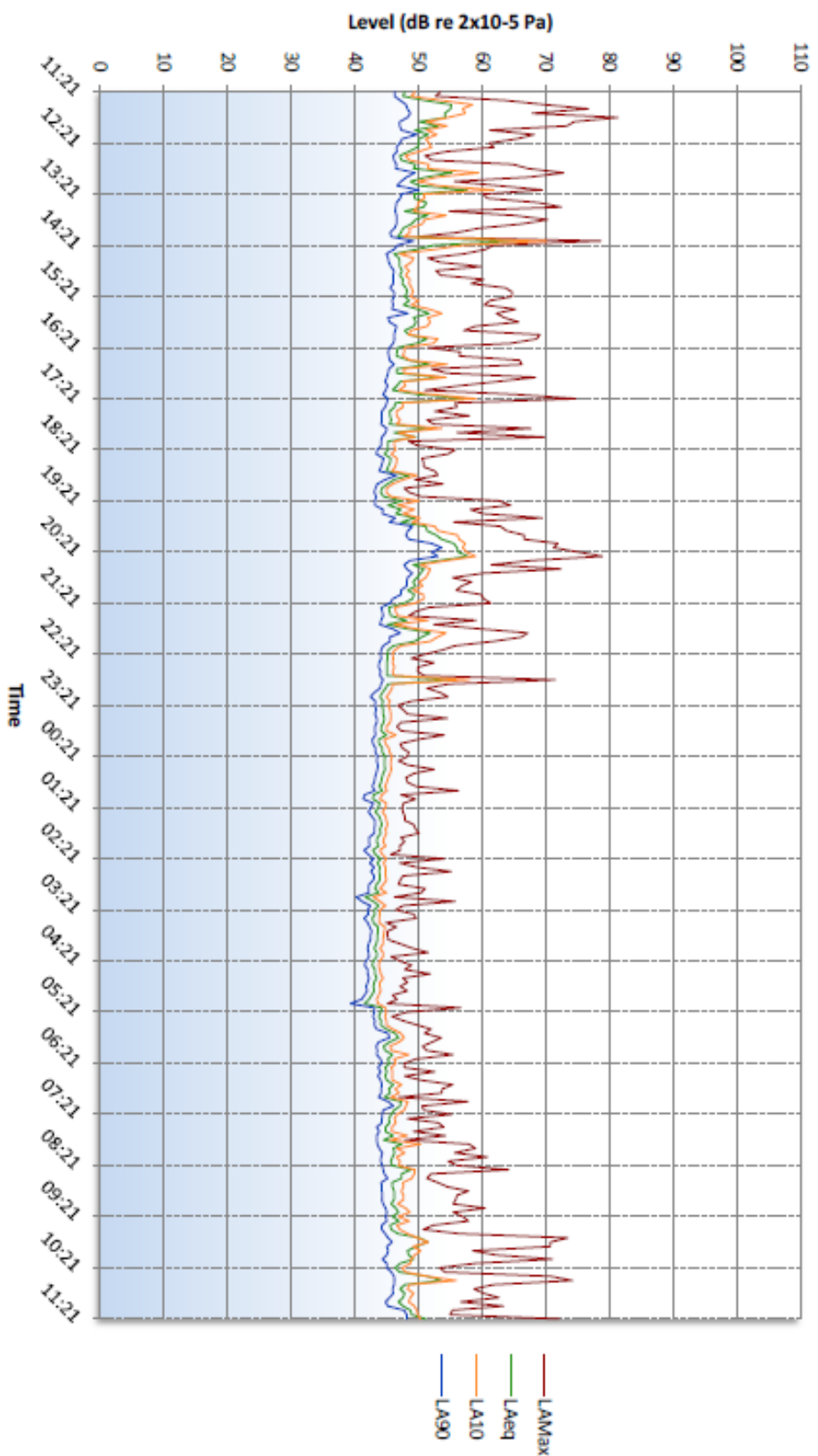
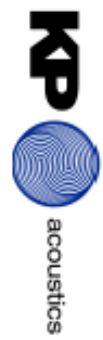


Figure 22836.TH1

GENERAL ACOUSTIC TERMINOLOGY

Decibel scale - dB

In practice, when sound intensity or sound pressure is measured, a logarithmic scale is used in which the unit is the 'decibel', dB. This is derived from the human auditory system, where the dynamic range of human hearing is so large, in the order of 10^{13} units, that only a logarithmic scale is the sensible solution for displaying such a range.

Decibel scale, 'A' weighted - dB(A)

The human ear is less sensitive at frequency extremes, below 125Hz and above 16Khz. A sound level meter models the ears variable sensitivity to sound at different frequencies. This is achieved by building a filter into the Sound Level Meter with a similar frequency response to that of the ear, an A-weighted filter where the unit is dB(A).

L_{eq}

The sound from noise sources often fluctuates widely during a given period of time. An average value can be measured, the equivalent sound pressure level L_{eq} . The L_{eq} is the equivalent sound level which would deliver the same sound energy as the actual fluctuating sound measured in the same time period.

L_{10}

This is the level exceeded for no more than 10% of the time. This parameter is often used as a "not to exceed" criterion for noise.

L_{90}

This is the level exceeded for no more than 90% of the time. This parameter is often used as a descriptor of "background noise" for environmental impact studies.

L_{max}

This is the maximum sound pressure level that has been measured over a period.

Octave Bands

In order to completely determine the composition of a sound it is necessary to determine the sound level at each frequency individually. Usually, values are stated in octave bands. The audible frequency region is divided into 11 such octave bands whose centre frequencies are defined in accordance with international standards. These centre frequencies are: 16, 31.5, 63, 125, 250, 500, 1000, 2000, 4000, 8000 and 16000 Hertz.

Environmental noise terms are defined in BS7445, *Description and Measurement of Environmental Noise*.

APPLIED ACOUSTIC TERMINOLOGY

Addition of noise from several sources

Noise from different sound sources combines to produce a sound level higher than that from any individual source. Two equally intense sound sources operating together produce a sound level which is 3dB higher than a single source and 4 sources produce a 6dB higher sound level.

Attenuation by distance

Sound which propagates from a point source in free air attenuates by 6dB for each doubling of distance from the noise source. Sound energy from line sources (e.g. stream of cars) drops off by 3dB for each doubling of distance.

Subjective impression of noise

Hearing perception is highly individualised. Sensitivity to noise also depends on frequency content, time of occurrence, duration of sound and psychological factors such as emotion and expectations. The following table is a guide to explain increases or decreases in sound levels for many scenarios.

Change in sound level (dB)	Change in perceived loudness
1	Imperceptible
3	Just barely perceptible
6	Clearly noticeable
10	About twice as loud

Transmission path(s)

The transmission path is the path the sound takes from the source to the receiver. Where multiple paths exist in parallel, the reduction in each path should be calculated and summed at the receiving point. Outdoor barriers can block transmission paths, for example traffic noise. The effectiveness of barriers is dependent on factors such as its distance from the noise source and the receiver, its height and construction.

Ground-borne vibration

In addition to airborne noise levels caused by transportation, construction, and industrial sources there is also the generation of ground-borne vibration to consider. This can lead to structure-borne noise, perceptible vibration, or in rare cases, building damage.

Sound insulation - Absorption within porous materials

Upon encountering a porous material, sound energy is absorbed. Porous materials which are intended to absorb sound are known as absorbers, and usually absorb 50 to 90% of the energy and are frequency dependent. Some are designed to absorb low frequencies, some for high frequencies and more exotic designs being able to absorb very wide ranges of frequencies. The energy is converted into both mechanical movement and heat within the material; both the stiffness and mass of panels affect the sound insulation performance.

There is no premises or appeal history for the premises.

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

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

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

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

Mandatory Conditions

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

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

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

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

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

Conditions consistent with the operating schedule

9. The licensable activities authorised by this licence and provided at the premises shall be ancillary to the main function of the premises as an indoor golf club and golf leisure facility.
10. There shall be no licensable activities on the ground floor of the premises.
11. The provision of licensable activities shall only be provided to:
 - a) Persons paying a minimum monthly golf club membership fee of £60 and their guests limited to no more than 4 at any time;
 - b) Persons attending a pre-booked indoor golf bay paying a minimum admission charge of £60 per bay per group and their guests limited to no more than 4 at any time;
 - c) Persons attending a pre-booked and bona fide private function or event to which members of the public are not admitted. A record of the event shall be kept for a minimum period of 31 days at the premises and made available for immediate inspection by police or an authorised officer of the Council throughout the entire 31-day period; or
 - d) Bona fide guests of the management, limited to no more than 15 persons at any time.
12. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31-day period.
13. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
14. The premises licence holder shall ensure that the management team register and successfully complete the nationally recognised counter terrorism training product referred to as ACT eLearning package or can demonstrate that the ACT eLearning product has been successfully completed within the preceding 12 months and that all staff employed by or at the premises complete the ACT eLearning within a reasonable period not exceeding 3 months from the day they start their employment.
15. No drinks shall be taken outside the premises.
16. 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.
17. 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.
 18. 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.
 19. All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.
 20. All emergency doors shall be maintained effectively self closing and not held open other than by an approved device.
 21. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
 22. Curtains and hangings shall be arranged so as not to obstruct emergency safety signs or emergency equipment.
 23. All fabrics, curtains, drapes and similar features including materials used in finishing and furnishing shall be either non-combustible or be durably or inherently flame-retarded fabric. Any fabrics used in escape routes (other than foyers), entertainment areas or function rooms, shall be non-combustible.
 24. The certificates listed below shall be submitted to the licensing authority upon written request.
 - i. Any permanent or temporary emergency lighting battery or system
 - ii. Any permanent or temporary electrical installation
 - iii. Any permanent or temporary emergency warning system
 25. Flashing or particularly bright lights on or outside the premises shall not cause a nuisance to nearby properties, save insofar as they are necessary for the prevention of crime.
 26. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
 27. No noise generated on the premises, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
 28. The premises licence holder shall ensure that any patrons smoking outside the premises do so in an orderly manner so as to ensure that there is no public nuisance or obstruction of the public highway.
 29. No deliveries to the premises shall take place between (23.00) and (08.00) on the following day.
 30. No collections of waste or recycling materials (including bottles) from the premises shall take place between (23.00) and (08.00) on the following day unless it is during the Council's own times for commercial waste collection carried out for the street as stated on its website.

31. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
32. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between (23.00) hours and (08.00) hours on the following day unless it is during the Council's own times for commercial waste collection carried out for the street as stated on its website.
33. 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.
34. 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.
35. 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.
36. A Challenge 21 or Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
37. No licensable activities shall take place at the premises until the licensing authority are satisfied that the premises is constructed or altered in accordance with the appropriate provisions of the District Surveyor's Association – Technical Standards for Places of Entertainment and the reasonable requirements of Westminster Environmental Health Consultation Team, at which time this condition shall be removed from the licence by the licensing authority. If there are minor changes during construction new plans shall be submitted when requesting removal of this condition.
38. The number of persons permitted in the premises at any one-time (excluding staff) shall not exceed 90 persons. *Final capacity figure shall be determined on clearance of "works" condition, but it shall not be more than 90.*

Conditions proposed by the Environmental Health

None

Conditions proposed by the Police

None

Residential Map and List of Premises in the Vicinity

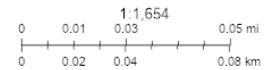
Appendix 5

12 Meard Street, London W1F 0EQ



26/11/2021, 11:13:31

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



Resident Count: 156

Licensed premises within 75 metres of 12 Meard Street, London W1F 0EQ				
Licence Number	Trading Name	Address	Premises Type	Time Period
21/11325/LIPCH	Ground To Fourth Floor	8 - 14 Meard Street London W1F 0EQ	Office	Not Recorded; XXXX - XXXX
21/05920/LIPDPS	Rudys 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
21/05299/LIPCH	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

21/02214/LIPT	Lo-Profile	Basement 84 - 86 Wardour Street London W1F 0TG	Club or institution	Monday; 09:00 - 01:30 Thursday; 09:00 - 03:30 Sunday; 12:00 - 23:00 Monday to Saturday; 10:00 - 23:30 Tuesday to Wednesday; 09:00 - 02:30 Friday to Saturday; 09:00 - 04:00
17/05557/LIPT	(Former 'Bunnychow')	74 Wardour Street London W1F 0TE	Restaurant	Sunday; 07:30 - 23:00 Monday to Saturday; 07:30 - 23:30
19/14296/LIPDPS	Tortilla	88 Wardour Street London W1F 0TH	Restaurant	Monday; 08:00 - 23:30 Tuesday; 08:00 - 23:30 Wednesday; 08:00 - 23:30 Thursday; 08:00 - 23:30 Friday; 08:00 - 00:00 Saturday; 08:00 - 00:00 Sunday; 08:00 - 22:30
18/16244/LIPV	Tortilla	88 Wardour Street London W1F 0TH	Restaurant	Monday; 08:00 - 23:00 Tuesday; 08:00 - 23:00 Wednesday; 08:00 - 23:00 Thursday; 08:00 - 23:00 Friday; 08:00 - 23:00 Saturday; 08:00 - 23:00 Sunday; 08:00 - 23:00
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

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
21/08374/LIPDPS	Dean Street Town House	69 - 71 Dean Street London W1D 3SE	Club or institution	Monday to Sunday; 00:00 - 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
20/03127/LIPN	Not Recorded	Royalty House 72-74 Dean Street London W1D 3SG	Office	Sunday; 08:00 - 00:00 Monday to Saturday; 07:00 - 01:00
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
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
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

17/06448/LICV	De Lane Lea Sports & Social Club	Ground Floor 75 Dean Street London W1D 3SQ	Film and TV studio	Monday to Saturday; 12:00 - 00:00
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
20/09463/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
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
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
11/11034/LIPDPS	Banana Tree Restaurants Ltd	103 - 109 Wardour Street London W1F 0UN	Restaurant	Sunday; 12:00 - 00:00 Monday to Thursday; 10:00 - 00:30 Friday to Saturday; 10:00 - 01:30
21/02792/LIPVM	Amathus	Hammer House 113-117 Wardour Street London W1F 0UN	Shop	Monday; 08:00 - 23:00 Tuesday; 08:00 - 23:00 Wednesday; 08:00 - 23:00 Thursday; 08:00 - 23:00 Friday; 08:00 - 23:00 Saturday; 08:00 - 23:00 Sunday; 10:00 - 22:30

19/02509/LIREVP	100 Wardour	Ground Floor 100 Wardour Street London W1F 0TN	Not Recorded	
19/11795/LIPDPS	100 Wardour	Ground Floor 100 Wardour Street London W1F 0TN	Restaurant	Sunday; 12:00 - 23:00 Monday to Wednesday; 09:00 - 02:30 Thursday to Saturday; 09:00 - 03:30
21/06005/LIPDPS	Lords Of Poke	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
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
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
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
19/06686/LIPDPS	Soho Dean Street	76 Dean Street London W1D 3SQ	Not Recorded	Monday to Sunday; 07:00 - 01:00
20/03156/LIPCH	Soho Dean Street	76 Dean Street London W1D 3SQ	Not Recorded	Monday to Sunday; 07:00 - 01:00
19/12106/LIPT	Mr Ji	72 Old Compton Street London W1D 4UN	Cafe	Monday to Sunday; 10:00 - 00:30
21/07271/LIPDPS	Bone Daddies	30 - 31 Peter Street London W1F 0AP	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30



City of Westminster

Licensing Sub-Committee Report

Item No:	
Date:	9 December 2021
Licensing Ref No:	21/07520/LIPV - Premises Licence Variation
Title of Report:	43 Charing Cross Road London WC2H 0AP
Report of:	Director of Public Protection and Licensing
Wards involved:	St James's
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Karyn Abbott Senior Licensing Officer
Contact details	Telephone: 0207 641 6500 Email: kabbott@westminster.gov.uk

1. Application

1-A	Applicant and premises		
Application Type:	Variation of a Premises Licence, Licensing Act 2003		
Application received date:	28 July 2021		
Applicant:	Cascade 2020 Ltd		
Premises address:	43 Charing Cross Road London WC2H 0AP	Ward:	St James's
		Cumulative Impact Area:	West End
		Special Consideration Zone:	None
Premises description:	The premises is currently operating as a restaurant.		
Variation description:	<p>This variation application seeks to permit the following:</p> <ul style="list-style-type: none"> • Removal of the licensable activity; the sale of alcohol. • Removal of the conditions relating to the sale of alcohol. • Extension of opening hours, to include late night refreshment to 03:00am. <i>(During the consultation period the hours were agreed with the Police to be reduced to 01:00)</i> • Submission of new, updated premises plan. 		
Premises licence history:	<p>The premises has had the benefit of a premises licence since September 2009. The current premises licence (21/06269/LIPT) can be viewed at Appendix 1 of this report.</p> <p>A full licence history for the premises appears at appendix 3.</p>		
Applicant amendments:	<p>Conditions have been agreed during the consultation period with the Metropolitan Police and the hours for Late Night Refreshment reduced to 01:00 which is reflected in 1-B of the Report. These conditions can be found at Appendix 5.</p>		

1-B	Current and proposed licensable activities, areas and hours					
Late night refreshment						
Indoors, outdoors or both		Current :			Proposed:	
		Both			No change	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	23:00	00:00	23:00	01:00	Ground and first floors	Basement, ground and first floors
Tuesday	23:00	00:00	23:00	01:00		
Wednesday	23:00	00:00	23:00	01:00		
Thursday	23:00	00:00	23:00	01:00		
Friday	23:00	00:00	23:00	01:00		
Saturday	23:00	00:00	23:00	01:00		
Sunday	23:00	00:00	23:00	01:00		
Seasonal	Current:			Proposed:		

variations/ Non-standard timings:	Sundays before a Bank Holiday 23:00 to 00:00. From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day	None
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Sale by Retail of Alcohol						
On or off sales			Current :		Proposed:	
			Both		No change	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	10:00	00:00	The applicant is seeking to remove the sale of alcohol from the licence		Ground and first floors	N/A
Tuesday	10:00	00:00				
Wednesday	10:00	00:00				
Thursday	10:00	00:00				
Friday	10:00	00:00				
Saturday	10:00	00:00				
Sunday	10:00	23:30				
Seasonal variations/ Non-standard timings:	Current:				Proposed:	
	Sundays before a Bank Holiday 23:00 to 00:00. From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day				None	

Hours premises are open to the public						
	Current Hours		Proposed Hours		Premises Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	07:00	00:00	07:00	01:00	Basement, ground and first floors	Basement, ground and first floors
Tuesday	07:00	00:00	07:00	01:00		
Wednesday	07:00	00:00	07:00	01:00		
Thursday	07:00	00:00	07:00	01:00		
Friday	07:00	00:00	07:00	01:00		
Saturday	07:00	00:00	07:00	01:00		
Sunday	07:00	00:00	07:00	01:00		
Seasonal variations/ Non-standard timings:	Current:				Proposed:	
	Sundays before a Bank Holiday 23:00 to 00:00. From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day				None	

1-C	Layout alteration
The basement is being added to the licenced area of the premises as per the plans attached to the application and attached at Appendix 1 .	

1-D	Conditions being removed	
Condition		
The applicant is seeking to remove the below conditions relating to the sale of alcohol if the variation application is to be granted.		
Mandatory Conditions 1 to 8(iv) relating to alcohol to be removed if the application is to be granted.		
Condition 11. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by the police or an authorised officer of the City Council at all times whilst the premises is open.		
Condition 12. 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.		
Condition 13. Sales of alcohol for consumption off the premises shall only be in sealed containers, and supplied with, and ancillary to a take away meal		
Condition 14. The supply of alcohol 'on' the premises shall be ancillary to the supply of a table meal.		
Condition 16. Patrons may not remove glassware or open containers from the premises or any external seating area.		
Condition 17. There shall be no 'Off' sales of alcohol between 08:00 and 10:00 hours.		
Condition 18. After 23:00 hours on Monday to Saturday and Sundays immediately prior to bank holidays and 22:30 hours on Sundays the sale of alcohol on the premises shall only be to persons taking a table meal there and consumption by such a person as ancillary to their meal.		
Condition 19. The supply of alcohol shall be by waiter or waitress service only and then only to persons who are seated.		
Condition 20. Substantial food and non-intoxicating beverages, including drinking water, shall be available throughout the permitted hours in all parts of the premises where alcohol is sold or supplied for consumption on the premises.		
Condition 23. No rubbish including bottles will be moved, removed or placed in outside areas between 23:00 hours and 08:00 hours.		
Adult entertainment:	Current position:	Proposed position:
	None	No change

2. Representations

2-A	Responsible Authorities
Responsible Authority:	Metropolitan Police Service
Representative:	PC Adam Deweltz
Received:	13 August 2021 (Withdrawn 8th September 2021)
<p>RE: Premises Licence Application for 43 Charing Cross Road, WC2H OAP</p> <p>With reference to the above, I am writing to inform you that the Metropolitan Police, as a responsible authority, are making a representation against this application. The venue is situated within the Cumulative Impact Area. It is our belief that if granted, the application would undermine the Licensing Objectives in relation to The Prevention of Crime and Disorder.</p> <p>Conditions and reducing the hours have been proposed by the Metropolitan Police and agreed with the applicant and can be found at Appendix 5</p>	
Responsible Authority:	Licensing Authority
Representative:	Roxsana Haq
Received:	25 August 2021
<p>I write in relation to the application submitted to vary a Premises Licence for the following premises:</p> <p>21/07520/LIPV: 43 Charing Cross Road, London WC2H 0AP</p> <p>As a responsible authority under section 13 (4) of the Licensing Act 2003 as amended under the Police and Social Responsibility Act 2011 the Licensing Authority have considered your application in full. The Licensing Authority has concerns in relation to this application and how the premises would promote the Licensing Objectives:</p> <ul style="list-style-type: none"> • Public Nuisance • Prevention of Crime & Disorder • Public Safety • Protection of Children from harm <p>This application seeks the following:</p> <ol style="list-style-type: none"> 1. Removal of the licensable activity; sale by the retail of alcohol. 2. Removal of the conditions relating to the sale of alcohol. 3. Late night refreshment 23:00 to 03:00am Monday to Sunday. 4. Submission of new, updated premises plan. <p>The premises is located within the West End Cumulative Impact Zone (CIZ) and as such, a number of policy points must be considered namely Cumulative Impact Policy CIP1, Fast Food Premises FFP1 and Core Hours Policy HRS1.</p> <p>Policy CIP1 states:</p> <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</p>	

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.

Fast Food Premises Policy FFP1

B. 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, and/or,
2. Applications that seek to vary the existing licence so as to reduce the overall capacity of the premises

Currently the licence permits late night refreshment:

Monday to Saturday: 23:00 to 00:00

Sunday: 23:00 to 23:30

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

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

The applicant is seeking to extend these hours by 3-3.5 hours each night within the West End CIZ when it is policy to refuse such applications as per policy HRS1 and CIP1. As the applicant has not provided additional information with their application in relation to the operation of the premises or offered any conditions it is not possible to consider this application under the Councils restaurant policy.

Policy point F30 states; "Fast food premises which are open after 11pm can attract large groups of customers, many of whom have been consuming alcohol in pubs, bars, or night clubs sometimes some distance away. The congregation of people around these premises leads to additional noise and disturbance and further congestion in the area. Although premises which serve cold food and drink are not subject to licensing and may stay open all night, they are not so attractive to people who have been drinking as those providing hot food and drink. The council considers that the addition of hot fast food and hot drink adds to the attractiveness of premises to people who have been drinking and who are more likely to be involved in anti-social behaviour"

These issues are of particular concern within the West End Cumulative Impact Zone where there are high concentrations of fast food premises in addition to other licensed premises. On this basis and because the attraction and retention of people by the premises mitigates against their rapid dispersal from the cumulative impact areas, the Licensing Authority considers that the grant of variations or new licences for fast food premises in the Cumulative Impact Areas should be limited to exceptional circumstances.

Policy point F33 States "Applications within the West End Cumulative Impact Zone, where there is a presumption to refuse under this policy will be expected to demonstrate why their application should be permitted as an exception to this policy."

Furthermore policy points F35 and F36 state. "It is not possible to give a full list of examples of when the council may treat an application as an exception. However, in considering whether a particular case is exceptional, the Licensing Authority will consider the reasons underlying the West End Cumulative Impact Zone special policy (CIP1) when considering applications."
"The Licensing Authority will not consider a case to be exceptional merely on the grounds that

the premises have been or will be operated within the terms of the conditions on the licence, or that are or will be generally well managed because of the reputation or good character of the licence holder or operator.

This is expected in the conduct of all licensed premises.”

The Licensing Authority seek further submissions as to the proposed operation of the premises and why this application should be viewed as an exception to policy.

As the Licensing Authority’s policies, in relation to the Cumulative Impact Zones (CIZ), are directed at the global and cumulative effects of licences on the area as a whole. The Licensing Authority encourages the applicant to provide further submissions in relation to the capacity of the premises during the later hours and whether the food purchased will be consumed on or off the premises? The applicant must also demonstrate how the premises will not add to cumulative impact in the cumulative impact area, as per policy CIP1 and HRS1.

It will be for Licensing Sub-Committee Members to determine this application, given its location within the West End Cumulative Impact area and the proposed hours of operation.

Further discussions will be held with the applicant prior to any scheduled hearing and any further submissions will be forwarded on for Members information.

Please accept this as a formal representation and I look forward to hearing from you soon.

2-B Other Persons	
Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]
Received:	15 August 2021
<p>This is an application to amend the hours and conditions of the Pizza Express premises, situated at 43 Charing Cross Road on the ground floor of the same building as the Hippodrome. The current premises licence allows the operation as a restaurant during Core Hours with on and off sales for alcohol and LNR, and the sale of alcohol being ancillary to takeaway food (off) and table meal (on).</p> <p>The application seeks to extend the hours for LNR to 03:00 and to remove alcohol and all of the ancillary conditions related to it from the licence. The premises will become an LNT venue open from 07:00 to 03:00.</p> <p>The premises are situated on the West side of Charing Cross Road in an area with (pre-COVID) a very high level of crime and ASB. There is also a significant amount of residential accommodation to the North of the premises. We attach a crime heat map for 2019 (pre-COVID) and residential accommodation within 100m of the premises.</p> <p>The CGCA believes that this will harm the Licensing Objectives related to Public Nuisance and Crime and Disorder for the reasons set out in our detailed representation. The reasons for this are set out in Westminster’s SoLP (FFP1) and are well known to the Licensing Authority and we will not repeat them here. Given the location of the premises in the heart of the West End CIZ the proposed extension of LNR hours will, in our view, give rise to harm to the Licensing Objectives both in the immediate vicinity and in the wider area.</p> <p>We are also very surprised that the applicant has failed to include any additional conditions with the application, merely stating that “The current Conditions in the application are sufficient to</p>	

support the licensing objectives for the changes made.”. We are concerned that no risk assessment has been carried out as required by CD1 and other Policies.

We ask that the application for the extension of late-night refreshment is refused outright. We do not object to the **removal** of the Licensable Activity of the sale of alcohol and associated conditions from the licence.

We hope that this representation is clear and ask that you advise us well in advance of any meeting at which this application will be discussed.

3. Policy & Guidance

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

Policy HRS1 applies

- A. Applications within the core hours set out below in this policy will generally be granted for the relevant premises uses, subject to not being contrary to other policies in the Statement of Licensing Policy.
- B. Applications for hours outside the core hours set out in Clause C will be considered on their merits, subject to other relevant policies, and with particular regard to the following:
1. The demonstration of compliance in the requirements of policies CD1, PS1, PN1 and CH1 associated with the likelihood of the effect of the grant of a licence for later or earlier hours on crime and disorder, public safety, public nuisance and the protection of children from harm.
 2. If the application is located within a Special Consideration Zone they have demonstrated that they have taken account of the issues identified in that area and provided adequate mitigation.
 3. Whether there is residential accommodation in the proximity of the premises that would likely be adversely affected by premises being open or carrying out operations at the hours proposed.
 4. The proposed hours of the licensable activities and when customers will be permitted to remain on the premises.
 5. The proposed hours when any music, including incidental music, will be played.
 6. The hours when customers will be allowed to take food or drink outside the premises or be within open areas which form part of the premises.
 7. The existing hours of licensable activities and the past operation of the premises (if any) and hours of licensable premises in the vicinity.
 8. Whether customers and staff have adequate access to public transport when arriving at and leaving the premises, especially at night.
 9. The capacity of the premises.
 10. The type of use, recognising that some venues are more likely to impact the licensing objectives than others; for example, pubs and bars are higher risk than theatres, cinemas and other cultural and sporting venues due to the nature of the operation.
 11. The Licensing Authority will take into account the active measures proposed for a ‘winding down’ period including arrangements for people to be collected from the premises to travel home safely.
 12. Conditions on hours may be attached that require that the supply of alcohol for consumption on the premises ceases a suitable period of time before customers are required to leave the premises.

	<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>Policy FFP1 applies</p>	<p>A. Applications outside the West End Cumulative Zones will generally be granted subject to:</p> <ol style="list-style-type: none"> 1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1. 2. The hours for licensable activities are within the council's Core Hours Policy HRS1. 3. The operation of any delivery services for alcohol and/or latenight refreshment meeting the council's Ancillary Delivery of Alcohol and/or Late-Night Refreshment Policy DEL1. 4. The applicant has taken account of the Special Consideration Zones Policy SCZ1 if the premises are located within a designated zone. 5. The application and operation of the venue meet the definition of a fast food premises 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, and/or, 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 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 operation of any delivery services for alcohol and/or latenight refreshment meeting the council's Ancillary Delivery of Alcohol and/or Late-Night Refreshment Policy DEL1. 3. The application and operation of the venue continuing to meet the definition of a Fast Food Premises in Clause D. <p>D. For the purposes of this policy a Fast Food Premises is defined as:</p> <ol style="list-style-type: none"> 1. A premises that provides late night refreshment, either by way of fast food over a counter, via a self-seating basis or take away for immediate consumption. 2. Food and drink are: <ol style="list-style-type: none"> a. Available on the premises for self-selection. b. Prepared on the premises. c. Cooked or produced off the premises but brought to that premises in advance of its sale to customers. 3. The food and drink are provided in pre-sealed or open disposable packaging which is intended for immediate consumption. 4. A fast-food premises can provide a delivery service as part of its operation, however that service must be ancillary to the main function of the premises as defined within sub-clauses D,1 to D,3 above.

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

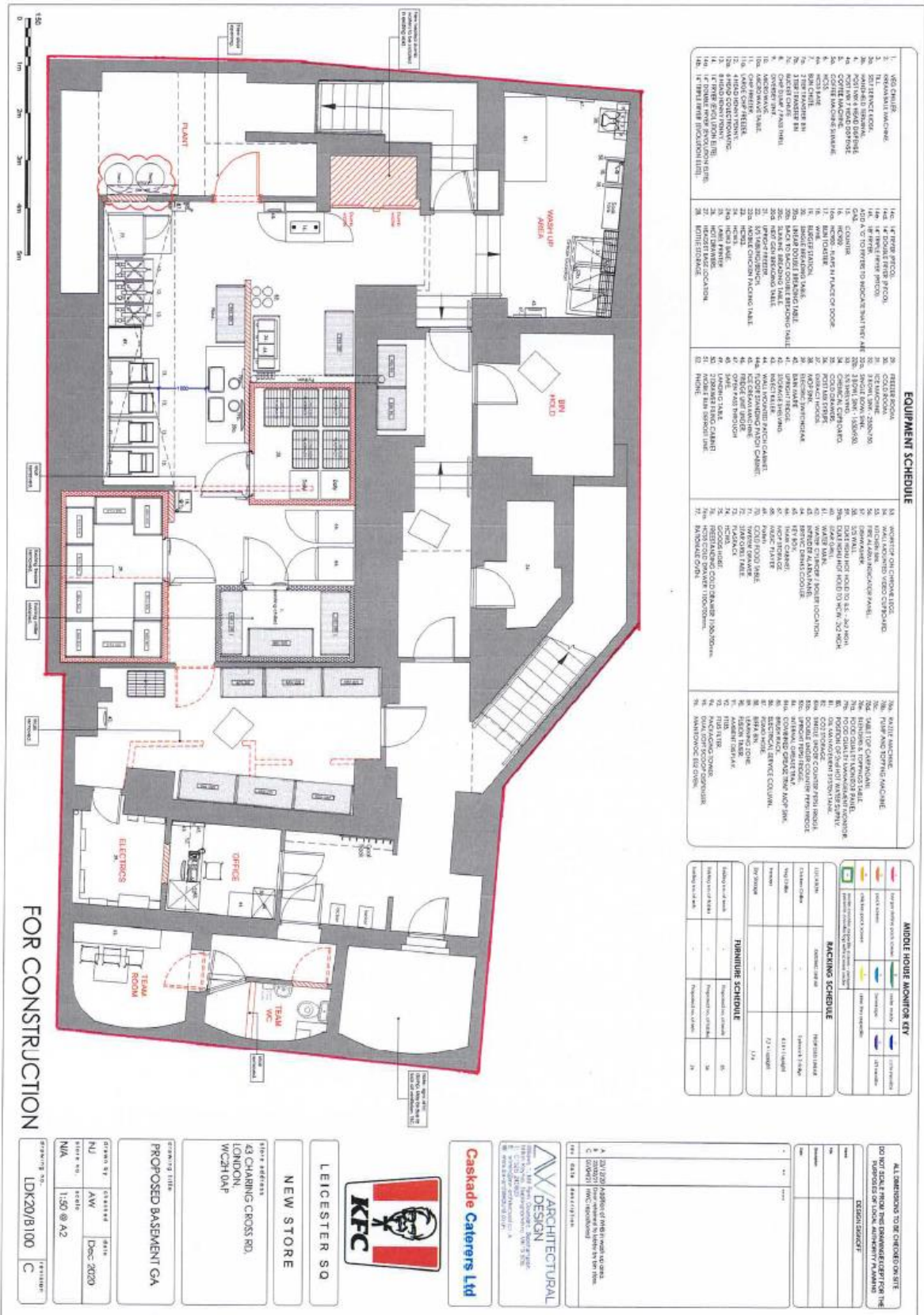
Appendix 1	Premises plans
Appendix 2	Current Premises Licence 21/06269/LIPT
Appendix 3	Premises history
Appendix 4	Applicant supporting documents
Appendix 5	Proposed conditions
Appendix 6	Residential map and list of premises in the vicinity

Report author:	Karyn Abbott Licensing Officer
Contact:	Telephone: 0207 641 6500 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	October 2021
3	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2018
4	Licensing Authority Representation	25 August 2021
5	Metropolitan Police Service (Withdrawn 8 September 2021)	13 August 2021
6	Representation 1	15 August 2021



EQUIPMENT SCHEDULE

1.	WBS CHAIRS	26.	REFRIGERATOR
2.	120V 15A SWITCH	27.	ICE MACHINE
3.	200V 15A SWITCH	28.	REPT LAMP 230V/230
4.	120V 15A SWITCH	29.	REPT LAMP 100V/230V
5.	120V 15A SWITCH	30.	2 BOWL 100V 15A SW
6.	120V 15A SWITCH	31.	CHINA COMPART
7.	COVER MACHINE	32.	CHINA COMPART
8.	COVER MACHINE	33.	CHINA COMPART
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50.	COVER MACHINE	75.	CHINA COMPART

MIDDLE HOUR MONITOR KEY

Icon: Refrigerator	Refrigerator	Icon: Ice Machine	Ice Machine
Icon: Rept Lamp	Rept Lamp	Icon: China Compartment	China Compartment
Icon: Cover Machine	Cover Machine	Icon: Cover Machine	Cover Machine
Icon: Cover Machine	Cover Machine	Icon: Cover Machine	Cover Machine
Icon: Cover Machine	Cover Machine	Icon: Cover Machine	Cover Machine
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FURNITURE SCHEDULE

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LEICESTER SQ
NEW STORE

SITE ADDRESS
43 CHARING CROSS RD,
LONDON,
WC2H 0AP

PROPOSED TITLE
PROPOSED BASEMENT GA

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CLIENT NAME: AW
CLIENT ADDRESS: R010
DATE: Dec 2020
SCALE: 1:50 @ A2
PROJECT NO: LDK20/8/100
SHEET NO: C

Caskade Caterers Ltd

WV ARCHITECTURAL DESIGN
ARCHITECTS
2001 LITTLE OXFORD ROAD, BRISTOL, AVON, BS2 9BT
TEL: 01274 414444 FAX: 01274 414444
WWW.WVARCHITECTURALDESIGN.CO.UK

DATE: 2020/12/01
DRAWING NO: LDK20/8/100
SHEET NO: C

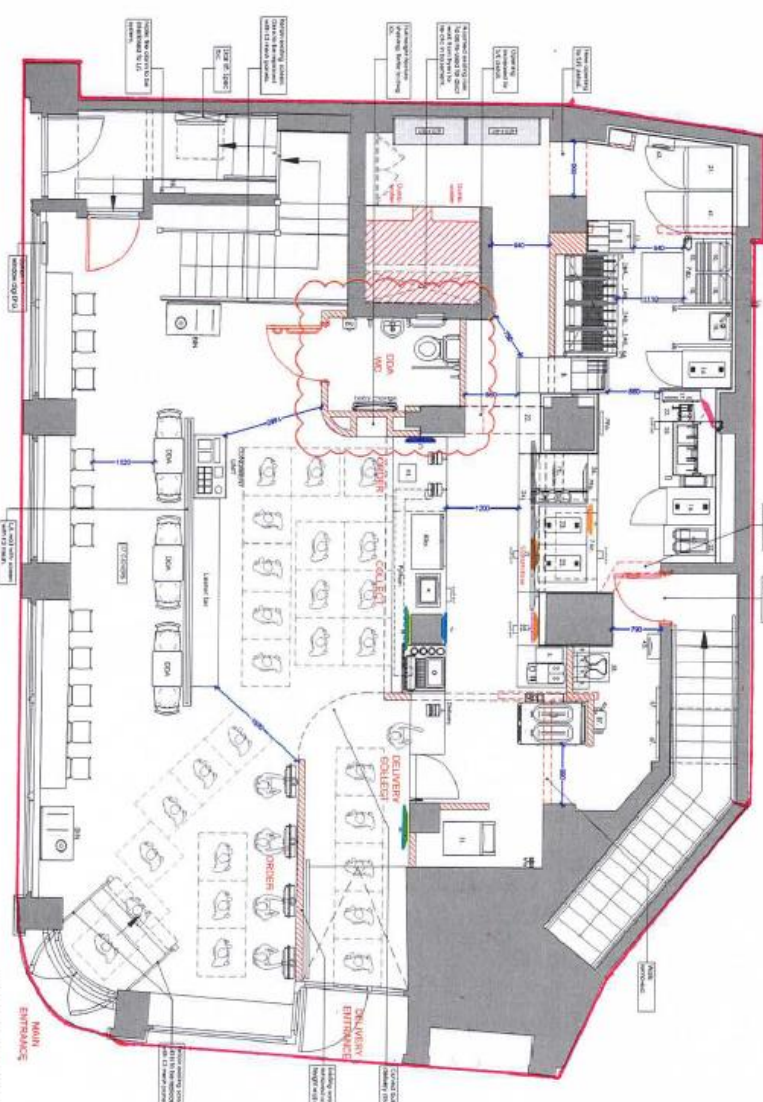
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FOR CONSTRUCTION

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**LEICESTER SQ
NEW STORE**

PROPOSED GF-GA

43 CHARING CROSS RD,
LONDON,
WC2H 0DP

DESIGNER:
ARC DESIGN

ARCHITECTURAL
DESIGN

FOR KFC CATERERS LTD
1100 BENTLEY WAY
LONDON EC2A 4DP
TEL: 020 7627 7320
WWW.ARCDESIGN.CO.UK

Cascade Caterers Ltd

CREATED BY: **CONRAD** DATE: **2018**

DRAWN BY: **AW** DATE: **Dec 2020**

CHECKED BY: **N/A** DATE: **1:50 @ A2**

PROJECT NO.: **LDK20/G100 F**



EQUIPMENT SCHEDULE

1. VEG CHAIRS	143. 4" PAPER FRONT	35. WORKTOP ON CHINA CABINETS	71. MEXICO MACHINE
2. 12" KITCHEN WASHBENCH	144. 4" PAPER FRONT	36. FIVE ALUMINUM COUNTERS	72. FLOUR AND SIFTING MACHINE
3. 12" KITCHEN WASHBENCH	145. 4" PAPER FRONT	37. 2" DOWN - 2" DOWN	73. 1/2" TALL TOP CUPBOARD
4. 12" KITCHEN WASHBENCH	146. 4" PAPER FRONT	38. 2" DOWN - 2" DOWN	74. 1/2" TALL TOP CUPBOARD
5. 12" KITCHEN WASHBENCH	147. 4" PAPER FRONT	39. 2" DOWN - 2" DOWN	75. 1/2" TALL TOP CUPBOARD
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8. 12" KITCHEN WASHBENCH	150. 4" PAPER FRONT	42. 2" DOWN - 2" DOWN	78. 1/2" TALL TOP CUPBOARD
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29. 12" KITCHEN WASHBENCH	171. 4" PAPER FRONT	63. 2" DOWN - 2" DOWN	99. 1/2" TALL TOP CUPBOARD
30. 12" KITCHEN WASHBENCH	172. 4" PAPER FRONT	64. 2" DOWN - 2" DOWN	100. 1/2" TALL TOP CUPBOARD
31. 12" KITCHEN WASHBENCH	173. 4" PAPER FRONT	65. 2" DOWN - 2" DOWN	101. 1/2" TALL TOP CUPBOARD
32. 12" KITCHEN WASHBENCH	174. 4" PAPER FRONT	66. 2" DOWN - 2" DOWN	102. 1/2" TALL TOP CUPBOARD
33. 12" KITCHEN WASHBENCH	175. 4" PAPER FRONT	67. 2" DOWN - 2" DOWN	103. 1/2" TALL TOP CUPBOARD
34. 12" KITCHEN WASHBENCH	176. 4" PAPER FRONT	68. 2" DOWN - 2" DOWN	104. 1/2" TALL TOP CUPBOARD
35. 12" KITCHEN WASHBENCH	177. 4" PAPER FRONT	69. 2" DOWN - 2" DOWN	105. 1/2" TALL TOP CUPBOARD
36. 12" KITCHEN WASHBENCH	178. 4" PAPER FRONT	70. 2" DOWN - 2" DOWN	106. 1/2" TALL TOP CUPBOARD
37. 12" KITCHEN WASHBENCH	179. 4" PAPER FRONT	71. 2" DOWN - 2" DOWN	107. 1/2" TALL TOP CUPBOARD
38. 12" KITCHEN WASHBENCH	180. 4" PAPER FRONT	72. 2" DOWN - 2" DOWN	108. 1/2" TALL TOP CUPBOARD
39. 12" KITCHEN WASHBENCH	181. 4" PAPER FRONT	73. 2" DOWN - 2" DOWN	109. 1/2" TALL TOP CUPBOARD
40. 12" KITCHEN WASHBENCH	182. 4" PAPER FRONT	74. 2" DOWN - 2" DOWN	110. 1/2" TALL TOP CUPBOARD
41. 12" KITCHEN WASHBENCH	183. 4" PAPER FRONT	75. 2" DOWN - 2" DOWN	111. 1/2" TALL TOP CUPBOARD
42. 12" KITCHEN WASHBENCH	184. 4" PAPER FRONT	76. 2" DOWN - 2" DOWN	112. 1/2" TALL TOP CUPBOARD
43. 12" KITCHEN WASHBENCH	185. 4" PAPER FRONT	77. 2" DOWN - 2" DOWN	113. 1/2" TALL TOP CUPBOARD
44. 12" KITCHEN WASHBENCH	186. 4" PAPER FRONT	78. 2" DOWN - 2" DOWN	114. 1/2" TALL TOP CUPBOARD
45. 12" KITCHEN WASHBENCH	187. 4" PAPER FRONT	79. 2" DOWN - 2" DOWN	115. 1/2" TALL TOP CUPBOARD
46. 12" KITCHEN WASHBENCH	188. 4" PAPER FRONT	80. 2" DOWN - 2" DOWN	116. 1/2" TALL TOP CUPBOARD
47. 12" KITCHEN WASHBENCH	189. 4" PAPER FRONT	81. 2" DOWN - 2" DOWN	117. 1/2" TALL TOP CUPBOARD
48. 12" KITCHEN WASHBENCH	190. 4" PAPER FRONT	82. 2" DOWN - 2" DOWN	118. 1/2" TALL TOP CUPBOARD
49. 12" KITCHEN WASHBENCH	191. 4" PAPER FRONT	83. 2" DOWN - 2" DOWN	119. 1/2" TALL TOP CUPBOARD
50. 12" KITCHEN WASHBENCH	192. 4" PAPER FRONT	84. 2" DOWN - 2" DOWN	120. 1/2" TALL TOP CUPBOARD
51. 12" KITCHEN WASHBENCH	193. 4" PAPER FRONT	85. 2" DOWN - 2" DOWN	121. 1/2" TALL TOP CUPBOARD
52. 12" KITCHEN WASHBENCH	194. 4" PAPER FRONT	86. 2" DOWN - 2" DOWN	122. 1/2" TALL TOP CUPBOARD
53. 12" KITCHEN WASHBENCH	195. 4" PAPER FRONT	87. 2" DOWN - 2" DOWN	123. 1/2" TALL TOP CUPBOARD
54. 12" KITCHEN WASHBENCH	196. 4" PAPER FRONT	88. 2" DOWN - 2" DOWN	124. 1/2" TALL TOP CUPBOARD
55. 12" KITCHEN WASHBENCH	197. 4" PAPER FRONT	89. 2" DOWN - 2" DOWN	125. 1/2" TALL TOP CUPBOARD
56. 12" KITCHEN WASHBENCH	198. 4" PAPER FRONT	90. 2" DOWN - 2" DOWN	126. 1/2" TALL TOP CUPBOARD
57. 12" KITCHEN WASHBENCH	199. 4" PAPER FRONT	91. 2" DOWN - 2" DOWN	127. 1/2" TALL TOP CUPBOARD
58. 12" KITCHEN WASHBENCH	200. 4" PAPER FRONT	92. 2" DOWN - 2" DOWN	128. 1/2" TALL TOP CUPBOARD
59. 12" KITCHEN WASHBENCH	201. 4" PAPER FRONT	93. 2" DOWN - 2" DOWN	129. 1/2" TALL TOP CUPBOARD
60. 12" KITCHEN WASHBENCH	202. 4" PAPER FRONT	94. 2" DOWN - 2" DOWN	130. 1/2" TALL TOP CUPBOARD
61. 12" KITCHEN WASHBENCH	203. 4" PAPER FRONT	95. 2" DOWN - 2" DOWN	131. 1/2" TALL TOP CUPBOARD
62. 12" KITCHEN WASHBENCH	204. 4" PAPER FRONT	96. 2" DOWN - 2" DOWN	132. 1/2" TALL TOP CUPBOARD
63. 12" KITCHEN WASHBENCH	205. 4" PAPER FRONT	97. 2" DOWN - 2" DOWN	133. 1/2" TALL TOP CUPBOARD
64. 12" KITCHEN WASHBENCH	206. 4" PAPER FRONT	98. 2" DOWN - 2" DOWN	134. 1/2" TALL TOP CUPBOARD
65. 12" KITCHEN WASHBENCH	207. 4" PAPER FRONT	99. 2" DOWN - 2" DOWN	135. 1/2" TALL TOP CUPBOARD
66. 12" KITCHEN WASHBENCH	208. 4" PAPER FRONT	100. 2" DOWN - 2" DOWN	136. 1/2" TALL TOP CUPBOARD
67. 12" KITCHEN WASHBENCH	209. 4" PAPER FRONT	101. 2" DOWN - 2" DOWN	137. 1/2" TALL TOP CUPBOARD
68. 12" KITCHEN WASHBENCH	210. 4" PAPER FRONT	102. 2" DOWN - 2" DOWN	138. 1/2" TALL TOP CUPBOARD
69. 12" KITCHEN WASHBENCH	211. 4" PAPER FRONT	103. 2" DOWN - 2" DOWN	139. 1/2" TALL TOP CUPBOARD
70. 12" KITCHEN WASHBENCH	212. 4" PAPER FRONT	104. 2" DOWN - 2" DOWN	140. 1/2" TALL TOP CUPBOARD

MIDDLE HOUR MONITOR KEY

Lighting
...

RACINGS SCHEDULE

...
...

FINISHING SCHEDULE

...
...

FOR CONSTRUCTION

LEICESTERS SQ

NEW STORE

11000 REFERENCE

45 CHARING CROSS RD,
LONDON
W1A 1AA

PROPOSED FF GA

DESIGNED BY: CHANGWANG
DRAWN BY: AW
DATE: DEC 2020
SCALE: 1:50 @ A2

PROJECT NO: LDK20/F100

Cascade Caterers Ltd

ARCHITECTURAL DESIGN

11000 REFERENCE

45 CHARING CROSS RD,
LONDON
W1A 1AA

PROPOSED FF GA

DESIGNED BY: CHANGWANG
DRAWN BY: AW
DATE: DEC 2020
SCALE: 1:50 @ A2

PROJECT NO: LDK20/F100



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

Schedule 12
Part A

WARD: St James's
UPRN: 100022733231

Premises licence

Regulation 33, 34

Premises licence number:

21/06269/LIPT

Original Reference:

09/04685/LIPN

Part 1 – Premises details

Postal address of premises:

PizzaExpress
43 Charing Cross Road
London
WC2H 0AP

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Late Night Refreshment
Sale by Retail of Alcohol

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

Late Night Refreshment

Monday to Saturday: 23:00 to 00:00

Sunday: 23:00 to 23:30

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

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

Sale by Retail of Alcohol

Monday to Saturday: 08:00 to 10:00 (Subject to condition 17)

Monday to Saturday: 10:00 to 00:00

Sunday: 10:00 to 23:30

Sundays before Bank Holidays: 10:00 to 00:00

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

The opening hours of the premises:

Monday to Saturday: 07:00 to 00:30

Sunday: 07:00 to 00:00

Sundays before Bank Holidays: 07:00 to 00:30

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:

Caskade 2020 Ltd
144 Seven Sister Road
London.
N7 7NS

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

12169255

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

Name: Santolo Gaito

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: LN/000018071
Licensing Authority: London Borough of Islington

Date: 28 July 2021

This licence has been authorised by Ola Ajose-Adeogun on behalf of the Director - Public Protection and Licensing.

Annex 1 – Mandatory conditions

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

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

7. The responsible person must ensure that—

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

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

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

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

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

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

Where -

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

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

Annex 2 – Conditions consistent with the operating Schedule

9. 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).
10. 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.
11. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by the police or an authorised officer of the City Council at all times whilst the premises is open.
12. 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.
13. Sales of alcohol for consumption off the premises shall only be in sealed containers, and supplied with, and ancillary to a take away meal
14. The supply of alcohol 'on' the premises shall be ancillary to the supply of a table meal.
15. The number of persons permitted in the premises at any one time (excluding staff) shall not exceed:
 - o Ground floor 90 persons
 - o First Floor 80 persons

With no more than 168 persons at any one

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

16. Patrons may not remove glassware or open containers from the premises or any external seating area.
17. There shall be no 'Off sales of alcohol between 08:00 and 10:00 hours.
18. After 23:00 hours on Monday to Saturday and Sundays immediately prior to bank holidays and 22:30 hours on Sundays the sale of alcohol on the premises shall only be to persons taking a table meal there and consumption by such a person as ancillary to their meal.
19. The supply of alcohol shall be by waiter or waitress service only and then only to persons who are seated.
20. Substantial food and non-intoxicating beverages, including drinking water, shall be available throughout the permitted hours in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
21. Notices shall be prominently displayed at exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
22. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
23. No rubbish including bottles will be moved, removed or placed in outside areas between 23:00 hours and 08:00 hours.
24. The highway and public spaces in the immediate vicinity of the premises shall be kept free of litter from the premises.
25. All waste to be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
26. An incident book shall be operated by staff employed at the premises and made available for inspection by the Police or the Licensing Authority upon reasonable request.



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

Schedule 12
Part B

WARD: St James's
UPRN: 100022733231

Premises licence
summary

Regulation 33, 34

Premises licence number:

21/06269/LIPT

Part 1 – Premises details

Postal address of premises: PizzaExpress 43 Charing Cross Road London WC2H 0AP
Telephone Number: Not Supplied

Where the licence is time limited, the dates: Not applicable
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Licensable activities authorised by the licence: Late Night Refreshment Sale by Retail of Alcohol
--

The times the licence authorises the carrying out of licensable activities: Late Night Refreshment Monday to Saturday: 23:00 to 00:00 Sunday: 23:00 to 23:30 Sundays before Bank Holidays: 23:00 to 00:00 Non-standard Timings: From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day Sale by Retail of Alcohol Monday to Saturday: 08:00 to 10:00 (Subject to condition 17) Monday to Saturday: 10:00 to 00:00 Sunday: 10:00 to 23:30 Sundays before Bank Holidays: 10:00 to 00:00 Non-standard Timings: From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day

The opening hours of the premises: Monday to Saturday: 07:00 to 00:30 Sunday: 07:00 to 00:00 Sundays before Bank Holidays: 07:00 to 00:30

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:

Cascade 2020 Ltd
144 Seven Sister Road
London.
N7 7NS

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

12169255

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

Name: Santolo Gaito

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

Restricted

Date: 28 July 2021

This licence has been authorised by Ola Ajose-Adeogun on behalf of the Director - Public Protection and Licensing.

Licence & Appeal History

Application	Details of Application	Date Determined	Decision
09/04685/LIPN	New Premises Application – Late Night Refreshment Monday to Saturday 23:00 to 00:00 Sunday 23:00 to 23:30 Retail Sale of Alcohol Monday to Saturday 08:00 to 10:00 (Subject to Conditions) Monday to Saturday 10:00 to 00:00 Sunday 10:00 to 23:30	3 rd September 2009	Granted by Licensing Sub-Committee
10/02027/LIPVM	Minor Variation – Internal Layout Changes	14 th April 2010	Granted under Delegated Authority
10/02292/LIPDPS	Designated Premises Supervisor Variation	14 th April 2010	Granted under Delegated Authority
13/03266/LIPDPS	Designated Premises Supervisor Variation	28 th May 2013	Granted under Delegated Authority
13/06433/LIPDPS	Designated Premises Supervisor Variation	13 th September 2013	Granted under Delegated Authority
14/04244/LIPT	Transfer Premises Licence Holder from Cafe Rouge Restaurants Limited to Tragus Group Limited	13 th September 2013	Granted under Delegated Authority
14/10101/LIPT	Transfer Premises Licence Holder from Tragus Group Limited to PizzaExpress (Restaurants) Limited	16 th January 2015	Granted under Delegated Authority
14/10104/LIPV	Variation of Premises Licence – Change the Layout and Remove Conditions	16 th January 2015	Granted under Delegated Authority
15/00601/LIPDPS	Designated Premises Supervisor Variation	24 th February 2015	Granted under Delegated Authority

15/00631/LIPVM	Minor Variation – Change the Layout	24 th February 2015	Granted under Delegated Authority
16/00769/LIPDPS	Designated Premises Supervisor Variation	23 rd March 2016	Granted under Delegated Authority
16/14176/LIPDPS	Designated Premises Supervisor Variation	16 th January 2017	Granted under Delegated Authority
19/01085/LIPDPS	Designated Premises Supervisor Variation	8 th March 2019	Granted under Delegated Authority
20/07538/LIPT	Transfer Premises Licence Holder from PizzaExpress (Restaurants) Limited to Pizzaexpress Limited	15 th September 2020	Granted under Delegated Authority
21/06269/LIPT	Transfer Premises Licence Holder from Pizzaexpress Limited to Cascade 2020 Ltd	23 rd July 2021	Granted under Delegated Authority

There is no appeal history

Temporary Event Notice History

Application	Details of Application	Date Determined	Decision
21/07553/LITENP	Temporary Event Notice	5 th August 2021	Notice Granted
21/07557/LITENP	Temporary Event Notice	5 th August 2021	Notice Granted
21/07563/LITENP	Temporary Event Notice	5 th August 2021	Notice Granted
21/07565/LITENP	Temporary Event Notice	13 th August 2021	Notice Granted

Applicant Supporting Documents

Appendix 4

No documents have been provided by the applicant.

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

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

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

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

Conditions: On Current Licence -

Mandatory:

Conditions 1 to 8(iv) has been proposed to be removed by the applicant.

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

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

A responsible person in relation to a licensed premises means the holder of the premise licence in respect of the premises, the designated premises supervisor (if any) or any individual aged

18 or over who is authorised by either the licence holder or designated premises supervisor. For premises with a club premises certificate, any member or officer of the club present on the premises in a capacity that which enables him to prevent the supply of alcohol.

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

Annex 2 – Conditions consistent with the operating Schedule

9. 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).

Condition 9 has been proposed to be replaced by the Metropolitan Police and agreed by the applicant to form part of the operating schedule.

- (a) The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team.
 - (b) All entry and exit points will be covered enabling frontal identification of every person entering in any light condition.
 - (c) The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises and will include the external area immediately outside the premises entrance.
 - (d) All recordings shall be stored for a minimum period of 31 days with date and time stamping.
 - (e) Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31-day period.
10. 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.

Condition 11 to 14 has been proposed to be removed by the applicant.

11. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by the police or an authorised officer of the City Council at all times whilst the premises is open.
12. 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.
13. Sales of alcohol for consumption off the premises shall only be in sealed containers, and supplied with, and ancillary to a take away meal
14. The supply of alcohol 'on' the premises shall be ancillary to the supply of a table meal.
15. The number of persons permitted in the premises at any one time (excluding staff) shall not exceed:
- o Ground floor 90 persons
 - o First Floor 80 persons

With no more than 168 persons at any one

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

Condition 16 to 20 has been proposed to be removed by the applicant.

16. Patrons may not remove glassware or open containers from the premises or any external seating area.
17. There shall be no 'Off' sales of alcohol between 08:00 and 10:00 hours.
18. After 23:00 hours on Monday to Saturday and Sundays immediately prior to bank holidays and 22:30 hours on Sundays the sale of alcohol on the premises shall only be to persons taking a table meal there and consumption by such a person as ancillary to their meal.
19. The supply of alcohol shall be by waiter or waitress service only and then only to persons who are seated.
20. Substantial food and non-intoxicating beverages, including drinking water, shall be available throughout the permitted hours in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
21. Notices shall be prominently displayed at exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
22. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.

Condition 23 has been proposed to be removed by the applicant.

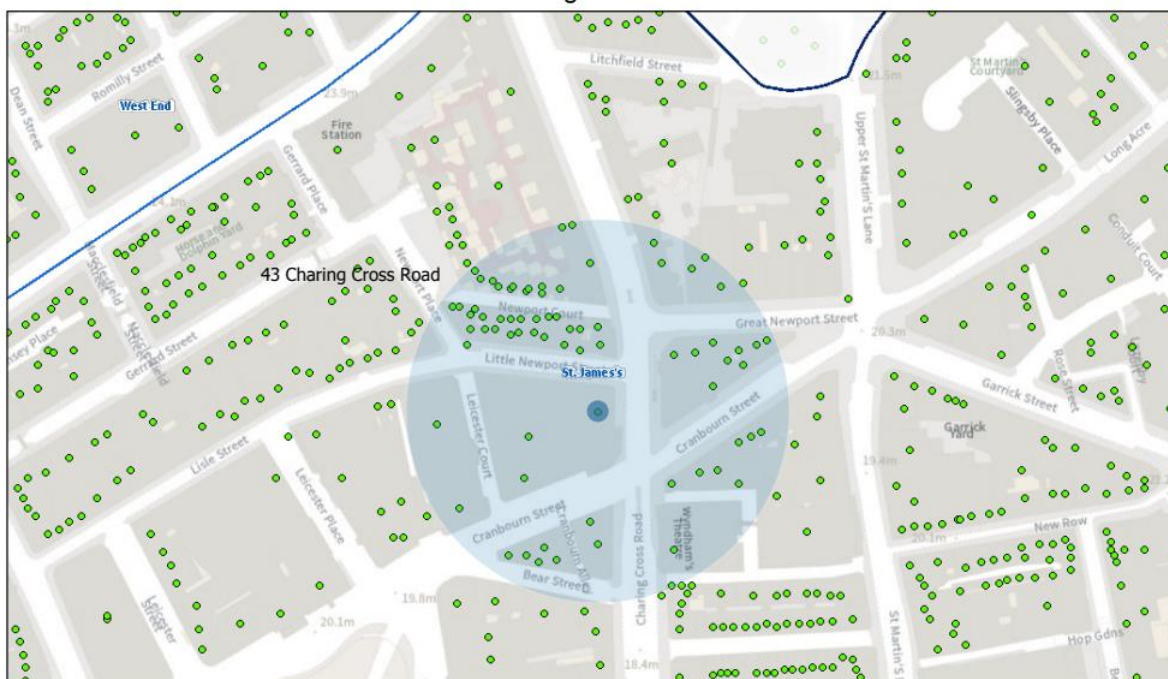
23. No rubbish including bottles will be moved, removed or placed in outside areas between 23:00 hours and 08:00 hours.
24. The highway and public spaces in the immediate vicinity of the premises shall be kept free of litter from the premises.
25. All waste to be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
26. An incident book shall be operated by staff employed at the premises and made available for inspection by the Police or the Licensing Authority upon reasonable request.

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

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

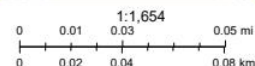
28. Handbag hooks will be fitted to tables throughout the premises.
29. A minimum of 2 SIA licensed door supervisors shall be on duty at the premises from 20:00 hours until 30 minutes after close to assist with dispersal. They must correctly display their SIA licence(s) when on duty so as to be visible.
30. The Premises Licence Holder shall risk assess the need for additional SIA licensed door supervisors at other times based on a documented risk assessment. A copy of the risk assessment shall be kept at the premises and produced to Police and/or an authorised officer of Westminster City Council on request.
31. All SIA licensed door supervisors shall wear high visibility yellow jackets or vests.
32. A copy of the premises dispersal policy shall be made readily available at the premises for inspection by a police officer and/or an authorised officer of Westminster City Council.

43 Charing Cross Road



23/11/2021, 16:27:38

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



Resident Count = 191

Licensed premises within 75 metres of 43 Charing Cross Road, London				
Licence Number	Trading Name	Address	Premises Type	Time Period
21/06269/LIPT	PizzaExpress	43 Charing Cross Road London WC2H 0AP	Restaurant	Sunday; 07:00 - 00:00 Monday to Saturday; 07:00 - 00:30 Sundays before Bank Holidays; 07:00 - 00:30
19/11112/LIPV	Hippodrome Casino	The Hippodrome 10 - 14 Cranbourn Street London WC2H 7JH	Casino or gambling club	Monday; 00:01 - 00:00 Tuesday; 00:01 - 00:00 Wednesday; 00:01 - 00:00 Thursday; 00:01 - 00:00 Friday; 00:01 - 00:00 Saturday; 00:01 - 00:00 Sunday; 00:01 - 00:00
21/01207/LIPDPS	WingWing	47 - 49 Charing Cross Road London WC2H 0AN	Restaurant	Sunday; 08:00 - 23:00 Monday to Saturday; 07:00 - 00:00

21/04330/LIPV	WingWing	47 - 49 Charing Cross Road London WC2H 0AN	Restaurant	Sunday; 08:00 - 23:00 Monday to Saturday; 07:00 - 00:00
21/04386/LIPDPS	The Porcupine Public House	48 Charing Cross Road London WC2H 0BS	Public house or pub restaurant	Sunday; 07:00 - 00:00 Sunday; 07:00 - 22:30 Monday to Thursday; 07:00 - 23:30 Monday to Saturday; 07:00 - 00:30 Friday to Saturday; 07:00 - 00:00 Sundays before Bank Holidays; 07:00 - 00:00
21/07319/LIPDPS	Essentials	Unit 1 Leicester Square Station Charing Cross Road London WC2H 0AP	Kiosk within another property	Monday to Sunday; 07:00 - 22:00
19/16525/LIPDPS	The Brewmaster	37 Cranbourn Street London WC2H 7AD	Pub or pub restaurant with odge	Sunday; 08:00 - 23:00 Monday to Thursday; 08:00 - 23:30 Friday to Saturday; 08:00 - 00:30
18/03438/LIPV	Cafe Fiori	42 Cranbourn Street London WC2H 7AN	Cafe	Sunday; 12:00 - 05:00 Monday to Saturday; 10:00 - 05:00
18/04929/LIPN	Kaya	10 Little Newport Street London WC2H 7JJ	Not Recorded	Monday to Sunday; 10:00 - 23:30
19/12259/LIPVM	Curry House CoCo Ichibanya	15 - 18 Great Newport Street London WC2H 7JE	Restaurant	Monday to Sunday; 11:00 - 23:00
20/02183/LIPDPS	Sartori	15 - 18 Great Newport Street London WC2H 7JE	Restaurant	Monday to Sunday; 07:00 - 00:30
20/07482/LIPCH	Angus Steak House	Basement And Ground Floor Part 20 Cranbourn Street London WC2H 7AA	Restaurant	Sunday; 10:00 - 00:00 Monday to Saturday; 10:00 - 01:00 Sundays before Bank Holidays; 10:00 - 01:00
19/14846/LIPCHT	Baozi Inn	8 Little Newport Street London WC2H 7JJ	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30
06/04526/WCCMAP	Piazza Restaurant	35 Cranbourn Street London WC2H 7AD	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30
20/03761/LIPCH	Wok To Walk	21 Cranbourn	Sales kiosk	Monday; 23:00 -

		Street London WC2H 7AA		05:00 Tuesday; 23:00 - 05:00 Wednesday; 23:00 - 05:00 Thursday; 23:00 - 05:00 Friday; 23:00 - 05:00 Saturday; 23:00 - 05:00 Sunday; 23:00 - 05:00
09/02405/LIPV	Noodle Stop	Ground 44 - 46 Cranbourn Street London WC2H 7AN	Restaurant	Sunday; 12:00 - 05:00 Monday to Saturday; 10:00 - 05:00
10/07083/LIPT	Cork And Bottle Wine Bar	Basement 44 - 46 Cranbourn Street London WC2H 7AN	Wine bar	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30
14/02708/LIPV	Cafe Koha Bar	10-11 St Martin's Court London WC2N 4AJ	Restaurant	Sunday; 10:00 - 02:30 Monday to Saturday; 10:00 - 04:30
06/12504/WCCMAP	Tokyo Diner	2 Newport Place London WC2H 7JP	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30
19/10950/LIPVM	Wok To Walk	22 Cranbourn Street London WC2H 7AA	Restaurant	Sunday; 10:00 - 23:00 Monday to Thursday; 10:00 - 03:00 Friday to Saturday; 10:00 - 04:00
12/01174/LIPT	Westminster Noodle Bar	Ground Floor 33 Cranbourn Street London WC2H 7AD	Restaurant	Friday to Saturday; 10:00 - 05:00 Sunday to Thursday; 10:00 - 02:00
21/07659/LIPDPS	Wyndhams Theatre	Wyndhams Theatre Charing Cross Road London WC2H 0DA	Theatre	Monday; 09:00 - 01:00 Tuesday; 09:00 - 01:00 Wednesday; 09:00 - 01:00 Thursday; 09:00 - 01:00 Friday; 09:00 - 01:00 Saturday; 09:00 - 01:00 Sunday; 09:00 - 01:00
19/03746/LIPDPS	Baozi Inn	25-26 Newport Court London WC2H 7JS	Restaurant	Saturday; 10:00 - 00:30 Sunday; 10:00 - 23:00 Monday to Friday; 10:00 - 23:30
18/07635/LIPV	Rimini Coffee Bar	Basement And Ground Floor West 47 Cranbourn Street London WC2H 7AN	Cafe	Sunday; 12:00 - 01:30 Sunday; 12:00 - 02:00 Monday to Thursday; 10:00 - 02:00 Monday to Thursday; 10:00 -

				02:00 Friday to Saturday; 10:00 - 04:00 Friday to Saturday; 10:00 - 03:00
19/01101/LIPDPS	Vue Cinemas West End	3 Cranbourn Street London WC2H 7AL	Cinema	Monday to Sunday; 00:00 - 00:00
20/10078/LIPDPS	PF Changs	10-11 Great Newport Street London WC2H 7JA	Restaurant	Sunday; 10:00 - 23:00 Monday to Thursday; 10:00 - 00:00 Friday to Saturday; 10:00 - 00:30 Sundays before Bank Holidays; 12:00 - 00:00
16/11140/LIPN	Aviva (Shadow)	10-11 Great Newport Street London WC2H 7JA	Office	Sunday; 12:00 - 22:30 Monday to Thursday; 10:00 - 23:30 Friday to Saturday; 10:00 - 00:00
21/12047/LIPDPS	Spaghetti House	24 Cranbourn Street London WC2H 7AB	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30
19/08082/LIPDPS	Ole & Steen, Unit 8	67 - 69 Charing Cross Road London WC2H 0NE	Not Recorded	Sunday; 06:30 - 22:30 Monday to Thursday; 06:30 - 23:30 Friday to Saturday; 06:30 - 00:00
13/02532/LIPN	Real Beijing	67 Charing Cross Road London WC2H 0NE	Restaurant	Sunday; 11:00 - 23:00 Monday to Saturday; 11:00 - 23:30 Sundays before Bank Holidays; 11:00 - 23:30
21/02975/LIPDPS	Sainsburys	57 Charing Cross Road London WC2H 0NE	Food store	Monday; 07:00 - 00:00 Tuesday; 07:00 - 00:00 Wednesday; 07:00 - 00:00 Thursday; 07:00 - 00:00 Friday; 07:00 - 00:00 Saturday; 07:00 - 00:00 Sunday; 07:00 - 00:00
21/08880/LIPDPS	Oseyo	Unit EC2 67-75 Charing Cross Road London WC2H 0NE	Not Recorded	Sunday; 09:00 - 22:00 Monday to Saturday; 08:00 - 23:00
13/06515/LIPN	Make Noodle Heaven	51 Charing Cross Road London WC2H 0NE	Restaurant	Monday to Sunday; 11:00 - 00:00

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City of Westminster

Licensing Sub-Committee Report

Item No:	
Date:	9th December 2021
Classification:	For General Release
Title of Report:	Mappin House 4 Winsley Street London W1W 8HF
Uniform Reference:	21/13311/LITENP
Report of:	Director of Public Protection and Licensing
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Abigail Mugisa Senior Licensing Officer
Contact Details:	E-mail: amugisa@westminster.gov.uk

1. TEMPORARY EVENT NOTICE DETAILS

Proposal:	<u>Permitted Temporary Activities:</u> <ul style="list-style-type: none"> • The sale by retail of alcohol • The provision of regulated entertainment • The provision of late-night refreshment <p><i>(Please find the Temporary Event Notice at Appendix A)</i></p>		
Premises User:	Mr James Spallone	Premises Name and Address:	Mappin House 4 Winsley Street London W1W 8HF
Date Temporary Event Notice Received:	19th November 2021	Event Period:	03:00 12.12.2021 – 04:30 12.12.2021 (1 Hour 30 minutes) 22:30 12.12.2021 – 03:30 13.12.2021 (5 Hours)
Ward Name:	West End	Times when licensable activities will be carried out on each day:	03:00 12.12.2021 – 04:30 12.12.2021 (1 Hour 30 minutes) 22:30 12.12.2021 – 03:30 13.12.2021 (5 Hours)
Number of attendees at event (including staff):	350	Cumulative Impact Area:	West End
Details of Premises Licence:	The premises does have the benefit of a Premises Licence (20/05431/LIPT). <i>(Please find the premises licence Appendix B)</i>		

<p>Notice of Objection by the Metropolitan Police Service:</p>	<p>With reference to the above TEN(s), Police object to these Temporary Event Notices for the following reasons to prevent crime and disorder and protect children from harm: -</p> <p>Insufficient details describing the event</p> <p>Insufficient undertakings provided to promote the licensing objectives. The TEN(s) states it is to cover two dates 21/13315/LITENP 19th and 20th Dec & 21/13311/LITENP - 5th and 6th Dec, stating that two different areas are being used, (VIP Room Day1 Temple Room Day2)</p> <p>Please provide a detailed plan showing what areas will be in use (e.g accessible by the public/customers) for the two events. Please also provide details regarding this being a private event?</p> <p><i>(Please find the objection from the Metropolitan Police at Appendix C)</i></p>
<p>Recommendation:</p>	<p>That the Sub-Committee consider the notice of objection given by The Metropolitan Police and determine whether or not the Licensing Authority should issue a counter notice to the premises user, in accordance with s.105 of the Licensing Act 2003.</p>

Additional procedural information – please see Appendix D

If you have any questions about this report, please contact Abigail Mugisa at
amugisa@westminster.gov.uk

Temporary Event Notice

Please Note: You will need to make a payment of £21.00 before the form submission can be accepted. You will be directed to pay when you submit the form.

I, the proposed premises user, hereby give notice under section 100 of the Licencing Act 2003 of my proposal to carry on a temporary activity at the premises described below.

Personal Details of Premises User *(Please read note 1)*

1. Your name		
Title	First name	Last
Mr	James	Spallone
2. Previous names <i>(if relevant)</i>		
3. Your date of birth		
4. Your place of birth		
5. National Insurance number		
6. Your current address <i>(We will use this address to correspond with you unless you complete the separate correspondence box below)</i>		
		Postcode
7. Other contact details		
Telephone numbers		
Daytime		
Mobile (optional)		
Email address		

Licensing Authority: *Westminster City Council*

Ref:

8. Alternative address for correspondence (*Address for correspondence associated with this application, if different to the previous address*)

<div style="background-color: black; width: 100%; height: 100%;"></div>	Postcode <div style="background-color: black; width: 100%; height: 15px;"></div>
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9. Alternative contact details (*if applicable*)

Title	<div style="background-color: black; width: 100%; height: 15px;"></div>
First name	<div style="background-color: black; width: 100%; height: 15px;"></div>
Last name	<div style="background-color: black; width: 100%; height: 15px;"></div>
Telephone numbers	
Daytime	<div style="background-color: black; width: 100%; height: 15px;"></div>
Mobile (optional)	
E-Mail address (optional)	<div style="background-color: black; width: 100%; height: 15px;"></div>

The Premises

Please select the address of the premises where you intend to carry out the licensable activities. If there is no address please select the street record in the address lookup and supply further details of the location (including Ordnance Survey references) (Please read note 2). Search for address

Mappin House
4 Winsley Street
London

W1W 8HF

Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)? If so, please enter the licence or certificate number below.

Premises licence number	20/05431/LIPT
Additional address information	Chinawhite

Do you intend to use the whole of the premises at this address (Please read note 3) <i>(If no, please give a description and details below)</i>	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
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VIP Room Day 1 Temple Room Day 2
The TEN will operate under the "Off" sales of alcohol provision. The entertainment will be provided under the unrestricted 'Private Entertainments' provisions on the licence for the premises.

Please describe the nature of the premises below. (Please read note 4)

Nightclub

Please describe the nature of the event below. (Please read note 5)

Extended hours over the festive period. Guest list and regular patrons only.

The operator will give the following undertaking:-

- Alcohol will not be permitted to be taken outside the building.
- Other than the hours, all other licence conditions will be complied with.
- No entry or re-entry to the premises after 02:00 hours, save for smokers.
- No more than 15 smokers outside at any given time.
- Everyone will be searched coming in and on re-entry.
- Club ID Scan, metal detecting wand and full pat-downs will be employed.
- All security outside will be wearing high vis jackets.
- At least 4 SIA staff in high visibility jackets to be outside the premises, 2 inside the front door, 2 floating and 4 in the basement downstairs. (At least 2 female door supervisors will be present).

The Applicant has established a staggered departure approach of customers over a one hour period, to minimise disturbance (on Event Day 2).

Licensing Authority: *Westminster City Council*

Ref:

The licensable activities

Please state the licensable activities that you intend to carry on at the premises (please mark an "X" next to the licensable activities you intend to carry on - either double click with the mouse, or press the space bar in the relevant field). (Please read note 6)

The sale by retail of alcohol	<input checked="" type="checkbox"/>
The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club	
The provision of regulated entertainment (Please read note 7)	<input checked="" type="checkbox"/>
The provision of late night refreshment	<input checked="" type="checkbox"/>
Are you giving a late temporary event notice? (Please read note 8)	

Please state the date and times on which you intend to use these premises for licensable activities. (Please read note 9) Please give times in 24 hour clock. eg. 19:00. (Please read note 10) How many days will your event cover?

Start date	12/12/2021	Time	03:00	End date	12/12/2021	Time	04:30	<input checked="" type="checkbox"/>
	12/12/2021		22:30		13/12/2021		03:30	

Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers. (Please read note 11)	350
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If the licensable activities will include the supply of alcohol, please state whether the supplies will be for consumption on or off the premises, or both (please mark an "X" next to the appropriate box). (Please read note 12)	On the premises only	
	Off the premises only	
	Both	<input checked="" type="checkbox"/>

Please state if the licensable activities will include the provision of relevant entertainment. If so, please state the times during the event period that you propose to provide relevant entertainment. (please read note 13)

N/A

Personal licence holders (please read note 14)

		Yes	No
Do you currently hold a valid personal licence? (please mark an "X" in the box that applies to you)		<input checked="" type="checkbox"/>	
Provide the details of your personal licence below.	Issuing licensing authority	[Redacted]	
	Licence number	[Redacted]	
	Date of issue	[Redacted]	
	Date of expiry	[Redacted]	
	Any further relevant details	[Redacted]	

Previous Temporary Event Notices you have given (please read note 15)

Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice? (please mark an "X" in the box that applies to you)	Yes	No
	<input checked="" type="checkbox"/>	
State the number of temporary event notices you have given for events in that same calendar year	28	
Have you already given a temporary event notice for the same premises in which the event period:	Yes	No
a) ends 24 hours or less before; or		
b) begins 24 hours or less after the event period proposed in this notice?		<input checked="" type="checkbox"/>
(please mark an "X" in the box that applies to you)		

Licensing Authority: *Westminster City Council*

Ref:

Associates and business colleagues (please read note 16)

Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes	No
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
If answering yes, please state the total number of temporary event notices your associate(s) have given for events in the same calendar year		
Has any associate of yours already given a temporary event notice for the same premises in which the event period:	Yes	No
a) ends 24 hours or less before; or		
b) begins 24 hours or less after the event period proposed in this notice?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes	No
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
If answering yes, please state the total number of temporary event notices your business colleague(s) have given for events in the same calendar year.		
Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period:	Yes	No
a) ends 24 hours or less before; or		
b) begins 24 hours or less after the event period proposed in this notice?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Condition (please read note 17)

It is a condition of this temporary event notice that where the relevant licensable activities described in Section 3 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user.

Declarations (please read note 18)

The information contained in this form is correct to the best of my knowledge and belief.

I understand that it is an offence:

(i) to knowingly or recklessly make a false statement in connection with this temporary event notice and that a person is liable on conviction for such an offence to a fine up to level 5 on the standard scale; and

(ii) to permit an unauthorised licensable activity to be carried on at any place an that a person is liable on conviction for any such offence to an unlimited fine, or to imprisonment for a term not exceeding six months, or to both.

Please tick the box if you agree with the declarations above.

Date	19/11/2021
Name of person signing	Ms Joanna Onisiforou

For events held outside, please upload a plan of the area.





Schedule 12
Part A

WARD: West End
UPRN: 010033546425

City of Westminster

64 Victoria Street, London, SW1E 6QP

Premises licence

Regulation 33, 34

Premises licence number:

20/05431/LIPT

Original Reference:

05/02035/LIPCV

Part 1 – Premises details

Postal address of premises:

China White
Whole Building
Mappin House
4 Winsley Street
London
W1W 8HF

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

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

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

Performance of Dance

Monday to Saturday: 09:00 to 03:00
Sunday: 09:00 to 23:00
Non-standard Timings: See condition 47

Performance of Live Music

Monday to Saturday: 09:00 to 03:00
Sunday: 09:00 to 23:00
Non-standard Timings: See condition 47

Playing of Recorded Music

Unrestricted

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

Monday to Saturday: 09:00 to 03:00
Sunday: 09:00 to 23:00
Non-standard Timings: See condition 47

Late Night Refreshment

Monday to Saturday: 23:00 to 03:30
Non-standard Timings: See condition 47

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 03:00
Sunday: 12:00 to 22:30
Non-standard Timings: See condition 47

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

The opening hours of the premises:

Monday to Saturday: 09:00 to 03:30
Sunday: 09:00 to 23:00

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:

Mr James Spallone
China White
Mappin House
4 Winsley Street
London W1W 8HF

Email: james@chinawhite.com

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

04691555

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

Name: James Nicola Spallone

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: 10/07358/LIPERS
Licensing Authority: City of Westminster Council

Date: 27 August 2020

Signed:



This licence has been authorised by Ms Roxsana Haq on behalf of the Director - Public Protection and Licensing.

Annex 1 – Mandatory conditions

1. 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.
2. For the purposes of the condition set out in paragraph 1—
 - (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979(6)
 - (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(7)
3. Where the permitted price given by Paragraph (b) of paragraph 2 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.
4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 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.
5. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
6. 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.
7. Every supply of alcohol under this licence must be made or authorised by a person who hold a personal licence.
8. (1) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

- (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children:
- (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to:
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;
 - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on
 - (i) the outcome of a race, competition or other event or process, or
 - (ii) the likelihood of anything occurring or not occurring;
 - (e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
9. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
10. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
11. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
- (2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.
12. The responsible person shall ensure that,
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml; and

- (b) customers are made aware of the availability of these measures.

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

13. All persons guarding premises against unauthorised access or occupation or against outbreaks of disorder or against damage (door supervisors) must be licensed by the Security Industry Authority.

Conditions reproducing the effect of conditions subject to which the relevant existing licenses have effect.

Conditions relating to Regulated Entertainment:

14. This licence is subject to all the former Rules of Management for Places of Public Entertainment licensed by Westminster City Council, in force from 4 September 1998 and incorporating amendments agreed by the Council on 25 October 1999, 30 June 2000, 16 January 2001 and 1 October 2001.
15. On New Year's Eve the premises can remain open for the purpose of providing regulated entertainment from the time when the provision of regulated entertainment must otherwise cease on New Year's Eve to the time when regulated entertainment can commence on New Year's Day (or until midnight on New Year's Eve where no regulated entertainment takes place on New Year's Day).
16. Notwithstanding the provisions of Rule of Management No. 6 the premises may remain open for the purposes of this licence from 23:00 on each of the days Monday to Saturday to 03:00 on the day following.
17. The security fastenings to the double doors in the escape corridor (opposite the staff room) shall be completely removed while the public are on the premises.
18. The doors to the ground floor bar area shall remain closed, except for the immediate access and egress of patrons, after 23:00.

Conditions related to the Sale of Alcohol

19. Substantial food and suitable non intoxicating beverages, including drinking water, shall be available throughout permitted hours in all parts of the premises where intoxicating is sold or supplied.
20. No striptease, no nudity and all persons to be decently attired.
21. No payment to be made by or on behalf of the premises for distribution of flyers or tickets within public areas in the Licensing Districts of Westminster.

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

Conditions for Sale of Alcohol

22. (a) Subject to the following paragraphs, the permitted hours on weekdays shall commence at 10.00 (12.00 on Christmas Day and Good Friday) and extend until 03.00 on the morning following except that,
- (i) the permitted hours shall end at 00.00 midnight on any day on which music and dancing is not provided after midnight; and

- (ii) on any day that music and dancing end between 00.00 midnight and 03.00, the permitted hours shall end when the music and dancing end
- (b) In relation to the morning on which summer time begins, paragraph (a) of this condition shall have effect,
 - (i) with the substitution of references to 04.00 for references to 03.00
- (c) The permitted hours on Sundays shall commence at 12.00 and extend until 22.30
- (d) The sale of alcohol must be ancillary to the use of the premises for music and dancing and substantial refreshment.
- (e) The permitted hours on New Year's Eve will extend to the start of permitted hours on the following day, or if there are no permitted hours on 1 January, to 00.00 on New Year's Eve.

NOTE - The above restrictions do not prohibit:

- (a) during the first thirty minutes after the above hours the consumption of the alcohol on the premises;
- (b) during the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;
- (c) 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.

23. If any entertainment is provided for children or if an entertainment is provided at which the majority of persons attending are children, then, if the number of children attending the entertainment exceeds 100, it shall be the duty of the holder of the premises licence:
- (a) to station and keep stationed wherever necessary a sufficient number of adult attendants, properly instructed as to their duties, to prevent more children or other persons being admitted to the building, or to any part thereof, than the building or part can properly accommodate,
 - (b) to control the movement of the children and other persons admitted while entering and leaving the building or any part thereof, and
 - (c) to take all other reasonable precautions for the safety of the children.
24. No person under fourteen shall be in the bar of the licensed premises during the permitted hours unless one of the following applies:

- (a) He is the child of the holder of the premises licence.
- (b) He resides in the premises, but is not employed there.
- (c) He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress.
- (d) The bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary.

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

25. 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

26. The number of persons accommodated at any time (excluding staff) shall not exceed the following:
- The temple Room - 75 but the total number of persons excluding staff in the basement at any one time shall not exceed 500.
Ground floor - 75
27. Whilst the premises are in use under this licence the entertainment shall be limited to a type commonly known as discotheque
28. On any evening where the premises or part of the premises are open for the purpose of music and dance in which the sale of alcohol must be ancillary to the use of the premises for music and dancing and substantial refreshment, intoxicating liquor shall not be sold or supplied to persons admitted to the premises after 23:00 other than to:
- i. Persons who have paid a minimum admission fee or at least £3 Monday to Thursday and £5 Friday and Saturday for music, dancing and entertainment (not to be credited against consumables);
 - ii. Persons who have paid a minimum annual admission fee of £150 (excluding founder members) payable in advance (not to be credited against consumables);
 - iii. Any persons attending a private function at the premises, of which 24 hours notice has been given to the police, a list of whom will be held at reception for inspection by any relevant authority;
 - iv. Artistes or persons employed on the premises;
 - v. Persons taking a full table meal, a list of whom are held at reception for inspection by any relevant authority;
 - vi. Bona fide guests of the proprietor, a list of whom shall be kept for inspection by appropriate authorities;
 - vii. Members and up to three guests of member of the propriety club operated by the owners. No person shall be admitted to the membership of the premises without an interval of 24 hours between the application for membership and admission on Monday and Tuesday limited to three guests and Wednesday to Saturday limited to one guest.
29. Persons under 18 may only be permitted in the basement as part of a private function whilst under the supervision of an adult.
30. At all times when the premises is open to the public and door security is employed at the premises all bags shall be searched.
31. On Thursday / Friday and Saturday all persons entering the premises after 2200hrs shall be searched in accordance with reasonable Metropolitan Police Search Instructions.
32. A daily Security Supervisor log shall be maintained at the premises recording full details of Door Security Staff on duty, including: Full name / DOB / SIA Licence number. This log shall be made available immediately upon request of Police and shall be stored by the venue operators for at least 6 months.
33. A daily log is to be maintained to ensure that any capacity limit set for the basement is recorded hourly and can be properly monitored. Information regarding the capacity will be given to an authorised officer or Police Officer on request.

34. Notices shall be prominently displayed at exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
35. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
36. Off Sales of Alcohol are to be in sealed containers only and for consumption off the premises.
37. There shall be no consumption of alcohol purchased on the premises outside, in the immediate vicinity of the premises including any smoking area.
38. No authorised advertisements of any kind (including placard, poster, sticker, flyer, picture, letter, sign or other mark) is inscribed or affixed upon the surface of the highway, or upon any building, structure, works, street furniture, tree, or any other property, or is distributed to the public, that advertises or promotes the establishment, its premises, or any of its events, facilities, goods or services.
39. All waste to be properly presented and placed out for collection no earlier than 30 minutes before the schedule collection times.
40. 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.
41. 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.
42. All door security personnel engaged outside the entrance to the premises, or supervising or controlling queues, shall wear high visibility yellow jackets or vests.
43. A manager shall be responsible for ensuring that all door security staff on duty have in their possession and are clearly displaying a valid SIA licence or have in their possession a SIA personal licence dispensation notice (LDN).
44. 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.
45. Save for when private corporate events are taking place, when the premises are open, save for when a Biometric Scanning System is in place (when fingerprint scanning will be required for all customers who have previously shown identification at the premises) all customers entering the premises will have their ID scanned on entry save for a maximum number of 25 guests per night who may be admitted at the manager's discretion without ID being scanned and recorded, and that a legible record of these people's names shall be retained on the premises for inspection by the licensing authority and police for a period of 31 days. The name of the manager authorising the entrance without scanning will also be recorded.

46. a. All drinking vessels used in the venue shall be polycarbonate. All drinks in glass bottles are to be decanted into polycarbonate containers or polycarbonate carafes prior to being served, with the exception of champagne or bottles of spirits with a minimum size of 70cl supplied by waiter/waitress service to tables. Staff shall clear all empty champagne and spirit bottles promptly from the tables. Customers shall not be permitted to leave their table carrying any such glass bottles or drink directly from the bottle.
- b. Notwithstanding a) above, with the written agreement of the Westminster Licensing Police, a copy of which will be held at the premises reception, glass drinking vessels may be used for private or pre-booked events within the areas agreed by the Police.

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

47. Provided that in any calendar year, there have been no applications for a temporary event notice, on no more than 15 occasions in that calendar year, the terminal hour on Sundays to be 03:00 for the purposes of private pre-booked functions to which the general public are not admitted, following 10 working days notice to the Police and the Licensing Authority and subject to the written consent of the Police.
48. Where condition 40 applies for less than a whole calendar year, the maximum number of such functions allowed in that calendar year shall be calculated pro rata.
49. When a customer chooses to pay by credit card, he/she will be presented with an itemised bill upon final payment, showing details of all drinks and food purchased.



Schedule 12
Part B

WARD: West End
UPRN: 010033546425

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

**Premises licence
summary**

Regulation 33, 34

Premises licence number:

20/05431/LIPT

Part 1 – Premises details

Postal address of premises:

China White
Whole Building
Mappin House
4 Winsley Street
London W1W 8HF

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

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

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

Performance of Dance

Monday to Saturday: 09:00 to 03:00
Sunday: 09:00 to 23:00
Non-standard Timings: See condition 47

Performance of Live Music

Monday to Saturday: 09:00 to 03:00
Sunday: 09:00 to 23:00
Non-standard Timings: See condition 47

Playing of Recorded Music

Unrestricted

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

Monday to Saturday: 09:00 to 03:00
Sunday: 09:00 to 23:00
Non-standard Timings: See condition 47

Late Night Refreshment

Monday to Saturday: 23:00 to 03:30
Non-standard Timings: See condition 47

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 03:00
Sunday: 12:00 to 22:30
Non-standard Timings: See condition 47

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

The opening hours of the premises:

Monday to Saturday: 09:00 to 03:30
Sunday: 09:00 to 23:00

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:

Mr James Spallone
China White
Mappin House
4 Winsley Street
London W1W 8HF

Email: james@chinawhite.com

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

04691555

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

Name: James Nicola Spallone

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

Restricted

Date: 27 August 2020



Signed:

This licence has been authorised by Ms Roxsana Haq on behalf of the Director - Public Protection and Licensing.

Consultee Comments for Licensing Application 21/13311/LITENP

Application Summary

Application Number: 21/13311/LITENP

Address: Mappin House 4 Winsley Street London W1W 8HF

Proposal: TEN Personal Licence Holder

Case Officer: Emanuela Meloyan

Consultee Details

Name: reaz guerra

Address: 64 Victoria Street, London SW1E 6QP

Email: Not Available

On Behalf Of: Metropolitan Police Service For TENs (for Licensing)

Comments

Dear James

With reference to the above TEN(s), Police object to these Temporary Event Notices for the following reasons to prevent crime and disorder and protect children from harm:-

Insufficient details describing the event.

Insufficient undertakings provided to promote the licensing objectives.

The TEN(s) states it is to cover two dates 21/13315/LITENP 19th and 20th Dec & 21/13311/LITENP - 5th and 6th Dec, stating that two different areas are being used, (VIP Room Day1 Temple Room Day2)

Please provide a detailed plan showing what areas will be in use (Eg accessible by the public/customers) for the two events. Please also provide details regarding this being a private event?

Reaz

APPENDIX D

ADDITIONAL INFORMATION FOR TEMPORARY EVENT NOTICES

1. TEMPORARY EVENT NOTICE PROCEDURE

- 1.1 Under s.100 (1) of the Licensing Act 2003 certain temporary events, which include licensable activities, are permitted under the Act if they are notified to the Council and the Police/Environmental Health by giving a 'Temporary Event Notice'. The notice must be given by the 'premises user' (usually the event organiser responsible for all aspects of the event).
- 1.2 Permitted temporary events are events that take place in any premises, open space or temporary structure. The event must consist of one or more licensable activities; and the premises must be used over a period of no longer than 168 hours, with no more than 499 people in attendance.
- 1.3 Licensable activities include the sale by retail of alcohol; the provision of regulated entertainment and the provision of late night refreshment (hot food or drink supplied between 11pm and 5am).
- 1.4 The premises user must send two copies of the temporary event notice to the Council, one copy to the environmental health department and one copy to the police leaving at least 10 clear working days before the event is due to begin. The Council must acknowledge receipt of the temporary event notice by the next working day.

2. NOTICE OF OBJECTION BY POLICE/ENVIRONMENTAL HEALTH

- 2.1 If the Police/ Environmental Health are satisfied that the event would undermine one or more of the licensing objectives, they must give a notice of objection stating their reasons as to why an objective would be undermined to the Council and premises user within 3 working days of receipt of the notice.

3. HEARING PROCEDURE FOLLOWING NOTICE OF OBJECTION BY POLICE/ENVIRONMENTAL HEALTH

- 3.1 The Sub-Committee is being asked to consider the notice of objection and hear any oral evidence given by or on behalf of the premises user and the Police/Environmental Health.
- 3.2 The Sub-Committee must consider whether to give a counter notice to the temporary event notice given by the premises user if it considers it necessary for the promotion of the licensing objectives.
- 3.3 The Council must convene a hearing to consider the notice of objection and give at least two day's notice to the premises user and the police.
- 3.4 The Sub-Committee must either reject the notice of objection to allow the event to take place, or issue a counter notice to prevent the event from taking place, or where or, after hearing the objections, allow the notice but attach relevant conditions from the premises licence. Please note not all premises will hold a premises licence.

- 3.5 The Council must, where it decides not to give a counter notice, give the premises user and the Police/Environmental Health a notice of the decision at least 24 hours before the beginning of the event period specified in the temporary event notice.
- 3.6 Where the Council decides to give a counter notice, it must give the premises user the counter notice and the reasons for its decision; and a copy of the counter notice and the reason for its decision to the police, at least 24 hours before the beginning of the event period specified in the temporary event notice.

4. APPEAL

- 4.1 Schedule 5, Part 3 of the Licensing Act 2003 provides a right of appeal to the premises user against the giving of a counter notice, and a right of appeal to the chief officer of Police/Environmental Health where the Council decides not to give a counter notice. Such an appeal must be commenced within 21 days beginning with the day on which the appellant was notified by the Licensing Authority of the decision appealed against.
- 4.2 No appeal may be brought later than five working days before the day on which the event period specified in the temporary event notice begins.

5. POLICY CONSIDERATIONS

- 5.1 The Westminster Statement of Licensing Policy for applications relating to premises and personal licences and temporary event notices made under the Licensing Act 2003 was determined for a three-year period commencing 7 January 2011. This contains no specific policy for Temporary Event Notices but urges longer periods of notice to be given for events which involve the use of the streets or necessitate the special management of traffic and services.

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City of Westminster

Licensing Sub-Committee Report

Item No:

Date:

9th December 2021

Classification:

For General Release

Title of Report:

**Mappin House
4 Winsley Street
London
W1W 8HF**

Uniform Reference:

21/13315/LITENP

Report of:

Director of Public Protection and Licensing

Policy context:

City of Westminster Statement of Licensing Policy

Financial summary:

None

Report Author:

**Abigail Mugisa
Senior Licensing Officer**

Contact Details:

E-mail: amugisa@westminster.gov.uk

1. TEMPORARY EVENT NOTICE DETAILS

Proposal:	<u>Permitted Temporary Activities:</u> <ul style="list-style-type: none"> • The sale by retail of alcohol • The provision of regulated entertainment • The provision of late-night refreshment <p><i>(Please find the Temporary Event Notice at Appendix A)</i></p>		
Premises User:	Mr James Spallone	Premises Name and Address:	Mappin House 4 Winsley Street London W1W 8HF
Date Temporary Event Notice Received:	19 ^h November 2021	Event Period:	03:00 19.12.2021 – 04:30 19.12.2021 (1 Hour 30 minutes) 22:30 19.12.2021 – 03:30 19.12.2021 (5 Hours)
Ward Name:	West End	Times when licensable activities will be carried out on each day:	03:00 19.12.2021 – 04:30 19.12.2021 (1 Hour 30 minutes) 22:30 19.12.2021 – 03:30 19.12.2021 (5 Hours)
Number of attendees at event (including staff):	350	Cumulative Impact Area:	West End
Details of Premises Licence:	The premises does have the benefit of a Premises Licence (20/05431/LIPT). <i>(Please find the premises licence Appendix B)</i>		
Notice of Objection by the Environmental Health Service:	Reference is made to application 21/13315/LITENP that is requesting the supply of alcohol, regulated entertainment and late-night refreshment on both the 19th and 20th December 2021 for up to 350 persons up to 04.30 hours. An objection is made to this TEN on the grounds of prevention of public nuisance and more information is required on the type of events being promoted and how you believe that the unrestricted private entertainment will apply when entry will be for guest list and regular patrons. <i>(Please find the objection from Environmental Health and additional submissions at Appendix C and Appendix C1)</i>		

<p>Notice of Objection by the Metropolitan Police Service:</p>	<p>With reference to the above TEN(s), Police object to these Temporary Event Notices for the following reasons to prevent crime and disorder and protect children from harm:-</p> <ul style="list-style-type: none"> - Insufficient details describing the event. - Insufficient undertakings provided to promote the licensing objectives. <p>The TEN(s) states it is to cover two dates 21/13315/LITENP 19th and 20th Dec & 21/13311/LITENP - 5th and 6th Dec, stating that two different areas are being used, (VIP Room Day1 Temple Room Day2).</p> <p>Please provide a detailed plan showing what areas will be in use (e.g accessible by the public/customers) for the two events.</p> <p>Please also provide details regarding this being a private event?</p> <p><i>(Please find the objection from the Metropolitan Police Appendix C2)</i></p>
<p>Recommendation:</p>	<p>That the Sub-Committee consider the notice of objection given by The Metropolitan Police and Environmental Health and determine whether or not the Licensing Authority should issue a counter notice to the premises user, in accordance with s.105 of the Licensing Act 2003.</p>

Additional procedural information – please see Appendix D

If you have any questions about this report, please contact Abigail Mugisa at
amugisa@westminster.gov.uk

Temporary Event Notice

Please Note: You will need to make a payment of £21.00 before the form submission can be accepted. You will be directed to pay when you submit the form.

I, the proposed premises user, hereby give notice under section 100 of the Licencing Act 2003 of my proposal to carry on a temporary activity at the premises described below.

Personal Details of Premises User *(Please read note 1)*

1. Your name		
Title	First name	Last
Mr	James	Spallone
2. Previous names <i>(if relevant)</i>		
3. Your date of birth		
4. Your place of birth		
5. National Insurance number		
6. Your current address <i>(We will use this address to correspond with you unless you complete the separate correspondence box below)</i>		
		Postcode
7. Other contact details		
Telephone numbers		
Daytime		
Mobile (optional)		
Email address	joannaonisiforou@incegd.com	

Licensing Authority: *Westminster City Council*

Ref:

8. Alternative address for correspondence (*Address for correspondence associated with this application, if different to the previous address*)

Ince Gordon Dadds Llp

Aldgate Tower 2 Leman Street London	<i>Postcode</i> E1 8QN
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9. Alternative contact details (*if applicable*)

Title	Ms	
First name	Joanna	
Last name	Onisiforou	
Telephone numbers		
Daytime	02077591371	
Mobile (optional)		
E-Mail address (optional)	joannaonisiforou@incegd.com	

The Premises

Please select the address of the premises where you intend to carry out the licensable activities. If there is no address please select the street record in the address lookup and supply further details of the location (including Ordnance Survey references) (Please read note 2). Search for address

Mappin House 4 Winsley Street London	W1W 8HF
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Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)? If so, please enter the licence or certificate number below.

Premises licence number	20/05431/LIPT	
Additional address information	Chinawhite	
Do you intend to use the whole of the premises at this address (Please read note 3) <i>(If no, please give a description and details below)</i>	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

VIP Room Day1 Temple Room Day2
The TEN will operate under the "Off" sales of alcohol provision. The entertainment will be provided under the unrestricted 'Private Entertainments' provisions on the licence for the premises.

Please describe the nature of the premises below. (Please read note 4)

Nightclub

Please describe the nature of the event below. (Please read note 5)

Extended hours over the festive period. Guest list and regular patrons only.

The operator will give the following undertaking:-

- Alcohol will not be permitted to be taken outside the building.
- Other than the hours, all other licence conditions will be complied with.
- No entry or re-entry to the premises after 02:00 hours, save for smokers.
- No more than 15 smokers outside at any given time.
- Everyone will be searched coming in and on re-entry.
- Club ID Scan, metal detecting wand and full pat-downs will be employed.
- All security outside will be wearing high vis jackets.
- At least 4 SIA staff in high visibility jackets to be outside the premises, 2 inside the front door, 2 floating and 4 in the basement downstairs. (At least 2 female door supervisors will be present).

The Applicant has established a staggered departure approach of customers over a one hour period, to minimise disturbance (for the Day 2 Event).

Licensing Authority: *Westminster City Council*

Ref:

The licensable activities

Please state the licensable activities that you intend to carry on at the premises (please mark an "X" next to the licensable activities you intend to carry on - either double click with the mouse, or press the space bar in the relevant field). (Please read note 6)

The sale by retail of alcohol	<input checked="" type="checkbox"/>
The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club	
The provision of regulated entertainment (Please read note 7)	<input checked="" type="checkbox"/>
The provision of late night refreshment	<input checked="" type="checkbox"/>
Are you giving a late temporary event notice? (Please read note 8)	

Please state the date and times on which you intend to use these premises for licensable activities. (Please read note 9) Please give times in 24 hour clock. eg. 19:00. (Please read note 10) How many days will your event cover?

Start date	19/12/2021	Time	03:00	End date	19/12/2021	Time	04:30	<input checked="" type="checkbox"/>
	19/12/2021		22:30		20/12/2021		03:30	

Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers. (Please read note 11)	350
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If the licensable activities will include the supply of alcohol, please state whether the supplies will be for consumption on or off the premises, or both (please mark an "X" next to the appropriate box). (Please read note 12)	On the premises only	
	Off the premises only	
	Both	<input checked="" type="checkbox"/>

Please state if the licensable activities will include the provision of relevant entertainment. If so, please state the times during the event period that you propose to provide relevant entertainment. (please read note 13)

N/A

Personal licence holders (please read note 14)

Do you currently hold a valid personal licence? (please mark an "X" in the box that applies to you)	Yes	No
	<input checked="" type="checkbox"/>	

Provide the details of your personal licence below.	Issuing licensing authority	<input type="text" value="████████████████████"/>
	Licence number	<input type="text" value="████████████████████"/>
	Date of issue	<input type="text" value=""/>
	Date of expiry	<input type="text" value=""/>
	Any further relevant details	<input type="text" value=""/>

Previous Temporary Event Notices you have given (please read note 15)

Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice? (please mark an "X" in the box that applies to you)	Yes	No
	<input checked="" type="checkbox"/>	

State the number of temporary event notices you have given for events in that same calendar year 29

Have you already given a temporary event notice for the same premises in which the event period:	Yes	No
a) ends 24 hours or less before; or		
b) begins 24 hours or less after the event period proposed in this notice?		<input checked="" type="checkbox"/>
(please mark an "X" in the box that applies to you)		

Licensing Authority: *Westminster City Council*

Ref:

Associates and business colleagues (please read note 16)

Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes	No
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
If answering yes, please state the total number of temporary event notices your associate(s) have given for events in the same calendar year		
Has any associate of yours already given a temporary event notice for the same premises in which the event period:	Yes	No
a) ends 24 hours or less before; or		
b) begins 24 hours or less after the event period proposed in this notice?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes	No
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
If answering yes, please state the total number of temporary event notices your business colleague(s) have given for events in the same calendar year.		
Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period:	Yes	No
a) ends 24 hours or less before; or		
b) begins 24 hours or less after the event period proposed in this notice?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Condition (please read note 17)

It is a condition of this temporary event notice that where the relevant licensable activities described in Section 3 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user.

Declarations (please read note 18)

The information contained in this form is correct to the best of my knowledge and belief.

I understand that it is an offence:

(i) to knowingly or recklessly make a false statement in connection with this temporary event notice and that a person is liable on conviction for such an offence to a fine up to level 5 on the standard scale; and

(ii) to permit an unauthorised licensable activity to be carried on at any place an that a person is liable on conviction for any such offence to an unlimited fine, or to imprisonment for a term not exceeding six months, or to both.

Please tick the box if you agree with the declarations above.

Date	19/11/2021
Name of person signing	Ms Joanna Onisiforou

For events held outside, please upload a plan of the area.

James, Spallone





Schedule 12
Part A

WARD: West End
UPRN: 010033546425

City of Westminster

64 Victoria Street, London, SW1E 6QP

Premises licence

Regulation 33, 34

Premises licence number:

20/05431/LIPT

Original Reference:

05/02035/LIPCV

Part 1 – Premises details

Postal address of premises:

China White
Whole Building
Mappin House
4 Winsley Street
London
W1W 8HF

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

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

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

Performance of Dance

Monday to Saturday: 09:00 to 03:00
Sunday: 09:00 to 23:00
Non-standard Timings: See condition 47

Performance of Live Music

Monday to Saturday: 09:00 to 03:00
Sunday: 09:00 to 23:00
Non-standard Timings: See condition 47

Playing of Recorded Music

Unrestricted

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

Monday to Saturday: 09:00 to 03:00
Sunday: 09:00 to 23:00
Non-standard Timings: See condition 47

Late Night Refreshment

Monday to Saturday: 23:00 to 03:30
Non-standard Timings: See condition 47

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 03:00
Sunday: 12:00 to 22:30
Non-standard Timings: See condition 47

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

The opening hours of the premises:

Monday to Saturday: 09:00 to 03:30
Sunday: 09:00 to 23:00

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:

Mr James Spallone
China White
Mappin House
4 Winsley Street
London W1W 8HF

Email: james@chinawhite.com

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

04691555

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

Name: James Nicola Spallone

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: 10/07358/LIPERS
Licensing Authority: City of Westminster Council

Date: 27 August 2020

Signed:



This licence has been authorised by Ms Roxsana Haq on behalf of the Director - Public Protection and Licensing.

Annex 1 – Mandatory conditions

1. 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.
2. For the purposes of the condition set out in paragraph 1—
 - (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979(6)
 - (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(7)
3. Where the permitted price given by Paragraph (b) of paragraph 2 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.
4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 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.
5. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
6. 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.
7. Every supply of alcohol under this licence must be made or authorised by a person who hold a personal licence.
8. (1) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

- (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children:
- (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to:
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;
 - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on
 - (i) the outcome of a race, competition or other event or process, or
 - (ii) the likelihood of anything occurring or not occurring;
 - (e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
9. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
10. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
11. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
- (2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.
12. The responsible person shall ensure that,
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml; and

- (b) customers are made aware of the availability of these measures.

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

13. All persons guarding premises against unauthorised access or occupation or against outbreaks of disorder or against damage (door supervisors) must be licensed by the Security Industry Authority.

Conditions reproducing the effect of conditions subject to which the relevant existing licenses have effect.

Conditions relating to Regulated Entertainment:

14. This licence is subject to all the former Rules of Management for Places of Public Entertainment licensed by Westminster City Council, in force from 4 September 1998 and incorporating amendments agreed by the Council on 25 October 1999, 30 June 2000, 16 January 2001 and 1 October 2001.
15. On New Year's Eve the premises can remain open for the purpose of providing regulated entertainment from the time when the provision of regulated entertainment must otherwise cease on New Year's Eve to the time when regulated entertainment can commence on New Year's Day (or until midnight on New Year's Eve where no regulated entertainment takes place on New Year's Day).
16. Notwithstanding the provisions of Rule of Management No. 6 the premises may remain open for the purposes of this licence from 23:00 on each of the days Monday to Saturday to 03:00 on the day following.
17. The security fastenings to the double doors in the escape corridor (opposite the staff room) shall be completely removed while the public are on the premises.
18. The doors to the ground floor bar area shall remain closed, except for the immediate access and egress of patrons, after 23:00.

Conditions related to the Sale of Alcohol

19. Substantial food and suitable non intoxicating beverages, including drinking water, shall be available throughout permitted hours in all parts of the premises where intoxicating is sold or supplied.
20. No striptease, no nudity and all persons to be decently attired.
21. No payment to be made by or on behalf of the premises for distribution of flyers or tickets within public areas in the Licensing Districts of Westminster.

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

Conditions for Sale of Alcohol

22. (a) Subject to the following paragraphs, the permitted hours on weekdays shall commence at 10.00 (12.00 on Christmas Day and Good Friday) and extend until 03.00 on the morning following except that,
- (i) the permitted hours shall end at 00.00 midnight on any day on which music and dancing is not provided after midnight; and

- (ii) on any day that music and dancing end between 00.00 midnight and 03.00, the permitted hours shall end when the music and dancing end
- (b) In relation to the morning on which summer time begins, paragraph (a) of this condition shall have effect,
 - (i) with the substitution of references to 04.00 for references to 03.00
- (c) The permitted hours on Sundays shall commence at 12.00 and extend until 22.30
- (d) The sale of alcohol must be ancillary to the use of the premises for music and dancing and substantial refreshment.
- (e) The permitted hours on New Year's Eve will extend to the start of permitted hours on the following day, or if there are no permitted hours on 1 January, to 00.00 on New Year's Eve.

NOTE - The above restrictions do not prohibit:

- (a) during the first thirty minutes after the above hours the consumption of the alcohol on the premises;
- (b) during the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;
- (c) 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.

- 23. If any entertainment is provided for children or if an entertainment is provided at which the majority of persons attending are children, then, if the number of children attending the entertainment exceeds 100, it shall be the duty of the holder of the premises licence:
 - (a) to station and keep stationed wherever necessary a sufficient number of adult attendants, properly instructed as to their duties, to prevent more children or other persons being admitted to the building, or to any part thereof, than the building or part can properly accommodate,
 - (b) to control the movement of the children and other persons admitted while entering and leaving the building or any part thereof, and
 - (c) to take all other reasonable precautions for the safety of the children.
- 24. No person under fourteen shall be in the bar of the licensed premises during the permitted hours unless one of the following applies:

- (a) He is the child of the holder of the premises licence.
- (b) He resides in the premises, but is not employed there.
- (c) He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress.
- (d) The bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary.

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

25. 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

26. The number of persons accommodated at any time (excluding staff) shall not exceed the following:
- The temple Room - 75 but the total number of persons excluding staff in the basement at any one time shall not exceed 500.
Ground floor - 75
27. Whilst the premises are in use under this licence the entertainment shall be limited to a type commonly known as discotheque
28. On any evening where the premises or part of the premises are open for the purpose of music and dance in which the sale of alcohol must be ancillary to the use of the premises for music and dancing and substantial refreshment, intoxicating liquor shall not be sold or supplied to persons admitted to the premises after 23:00 other than to:
- i. Persons who have paid a minimum admission fee or at least £3 Monday to Thursday and £5 Friday and Saturday for music, dancing and entertainment (not to be credited against consumables);
 - ii. Persons who have paid a minimum annual admission fee of £150 (excluding founder members) payable in advance (not to be credited against consumables);
 - iii. Any persons attending a private function at the premises, of which 24 hours notice has been given to the police, a list of whom will be held at reception for inspection by any relevant authority;
 - iv. Artistes or persons employed on the premises;
 - v. Persons taking a full table meal, a list of whom are held at reception for inspection by any relevant authority;
 - vi. Bona fide guests of the proprietor, a list of whom shall be kept for inspection by appropriate authorities;
 - vii. Members and up to three guests of member of the propriety club operated by the owners. No person shall be admitted to the membership of the premises without an interval of 24 hours between the application for membership and admission on Monday and Tuesday limited to three guests and Wednesday to Saturday limited to one guest.
29. Persons under 18 may only be permitted in the basement as part of a private function whilst under the supervision of an adult.
30. At all times when the premises is open to the public and door security is employed at the premises all bags shall be searched.
31. On Thursday / Friday and Saturday all persons entering the premises after 2200hrs shall be searched in accordance with reasonable Metropolitan Police Search Instructions.
32. A daily Security Supervisor log shall be maintained at the premises recording full details of Door Security Staff on duty, including: Full name / DOB / SIA Licence number. This log shall be made available immediately upon request of Police and shall be stored by the venue operators for at least 6 months.
33. A daily log is to be maintained to ensure that any capacity limit set for the basement is recorded hourly and can be properly monitored. Information regarding the capacity will be given to an authorised officer or Police Officer on request.

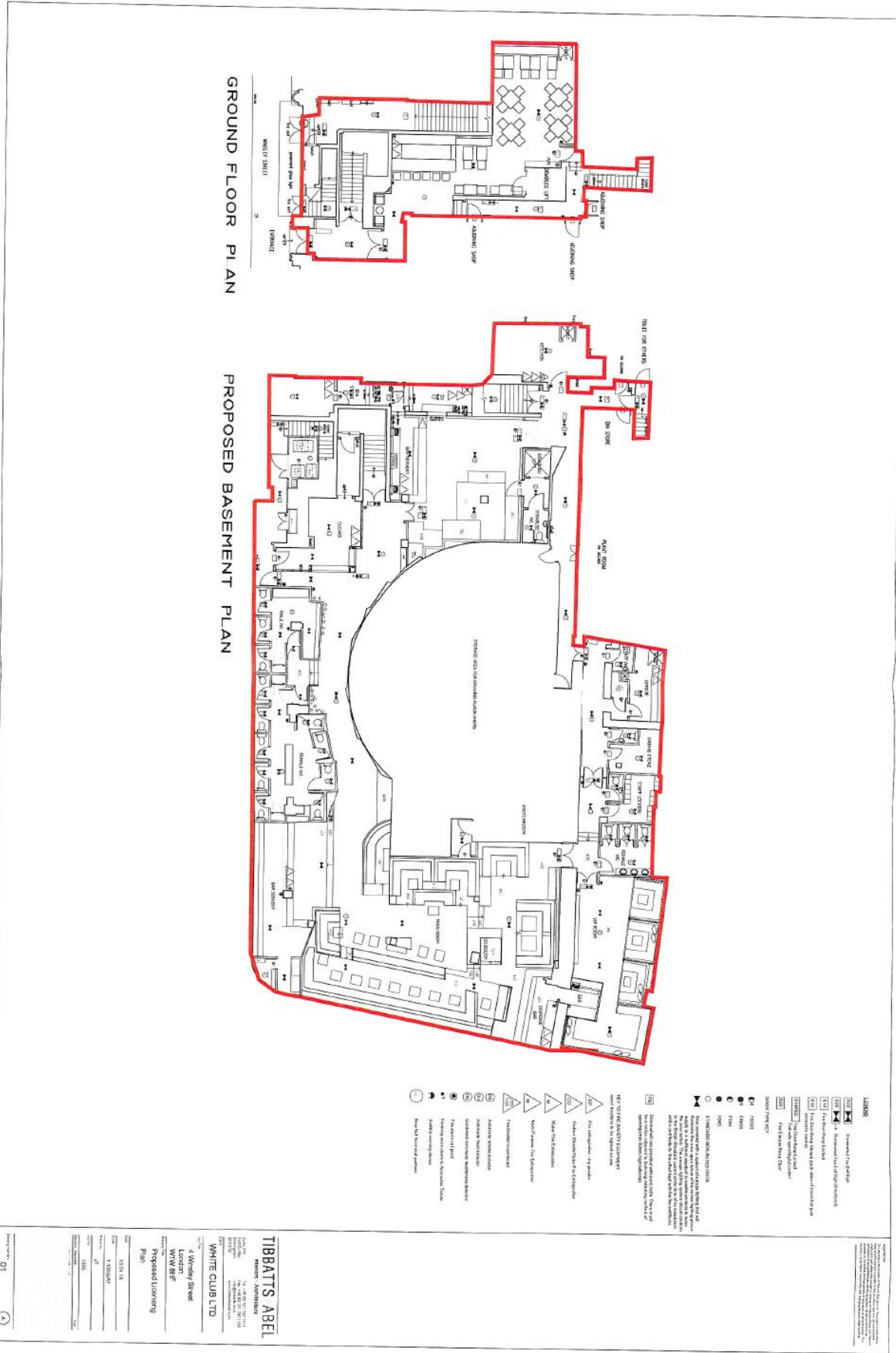
34. Notices shall be prominently displayed at exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
35. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
36. Off Sales of Alcohol are to be in sealed containers only and for consumption off the premises.
37. There shall be no consumption of alcohol purchased on the premises outside, in the immediate vicinity of the premises including any smoking area.
38. No authorised advertisements of any kind (including placard, poster, sticker, flyer, picture, letter, sign or other mark) is inscribed or affixed upon the surface of the highway, or upon any building, structure, works, street furniture, tree, or any other property, or is distributed to the public, that advertises or promotes the establishment, its premises, or any of its events, facilities, goods or services.
39. All waste to be properly presented and placed out for collection no earlier than 30 minutes before the schedule collection times.
40. 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.
41. 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.
42. All door security personnel engaged outside the entrance to the premises, or supervising or controlling queues, shall wear high visibility yellow jackets or vests.
43. A manager shall be responsible for ensuring that all door security staff on duty have in their possession and are clearly displaying a valid SIA licence or have in their possession a SIA personal licence dispensation notice (LDN).
44. 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.
45. Save for when private corporate events are taking place, when the premises are open, save for when a Biometric Scanning System is in place (when fingerprint scanning will be required for all customers who have previously shown identification at the premises) all customers entering the premises will have their ID scanned on entry save for a maximum number of 25 guests per night who may be admitted at the manager's discretion without ID being scanned and recorded, and that a legible record of these people's names shall be retained on the premises for inspection by the licensing authority and police for a period of 31 days. The name of the manager authorising the entrance without scanning will also be recorded.

46. a. All drinking vessels used in the venue shall be polycarbonate. All drinks in glass bottles are to be decanted into polycarbonate containers or polycarbonate carafes prior to being served, with the exception of champagne or bottles of spirits with a minimum size of 70cl supplied by waiter/waitress service to tables. Staff shall clear all empty champagne and spirit bottles promptly from the tables. Customers shall not be permitted to leave their table carrying any such glass bottles or drink directly from the bottle.
- b. Notwithstanding a) above, with the written agreement of the Westminster Licensing Police, a copy of which will be held at the premises reception, glass drinking vessels may be used for private or pre-booked events within the areas agreed by the Police.

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

47. Provided that in any calendar year, there have been no applications for a temporary event notice, on no more than 15 occasions in that calendar year, the terminal hour on Sundays to be 03:00 for the purposes of private pre-booked functions to which the general public are not admitted, following 10 working days notice to the Police and the Licensing Authority and subject to the written consent of the Police.
48. Where condition 40 applies for less than a whole calendar year, the maximum number of such functions allowed in that calendar year shall be calculated pro rata.
49. When a customer chooses to pay by credit card, he/she will be presented with an itemised bill upon final payment, showing details of all drinks and food purchased.

Annex 4 – Plans



GROUND FLOOR PLAN

PROPOSED BASEMENT PLAN

- LEGEND**
- Standard fire exit door
 - Standard fire exit door with panic bar
 - Fire alarm call point
 - Fire extinguisher
 - Fire door
 - Fire door with panic bar
 - Fire door with vision panel
 - Fire door with vision panel and panic bar
 - Fire door with vision panel and panic bar and fire alarm call point
 - Fire door with vision panel and panic bar and fire alarm call point and fire extinguisher
 - Fire door with vision panel and panic bar and fire alarm call point and fire extinguisher and fire alarm call point
 - Fire door with vision panel and panic bar and fire alarm call point and fire extinguisher and fire alarm call point and fire extinguisher and fire alarm call point

TIBBATT'S ABEL
 ARCHITECTS
 11, The Quadrant, Woking, Surrey, GU24 0JH
 Tel: 01483 513111 Fax: 01483 513112
 Email: info@tibbattsabel.co.uk
 Website: www.tibbattsabel.co.uk

WHITE CLUB LTD
 1, White Horse Lane, Woking, Surrey, GU24 0JH
 Tel: 01483 513111 Fax: 01483 513112
 Email: info@whiteclub.co.uk
 Website: www.whiteclub.co.uk

Proposed Licensing Plan

Client: White Club Ltd
 Location: White Horse Lane, Woking, Surrey, GU24 0JH
 Project: Proposed Licensing Plan
 Date: 13/10/19
 Drawn: JTB
 Checked: JTB
 Scale: 1:1000
 Status: Final



Schedule 12
Part B

WARD: West End
UPRN: 010033546425

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

**Premises licence
summary**

Regulation 33, 34

Premises licence number:

20/05431/LIPT

Part 1 – Premises details

Postal address of premises:

China White
Whole Building
Mappin House
4 Winsley Street
London W1W 8HF

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

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

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

Performance of Dance

Monday to Saturday: 09:00 to 03:00
Sunday: 09:00 to 23:00
Non-standard Timings: See condition 47

Performance of Live Music

Monday to Saturday: 09:00 to 03:00
Sunday: 09:00 to 23:00
Non-standard Timings: See condition 47

Playing of Recorded Music

Unrestricted

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

Monday to Saturday: 09:00 to 03:00
Sunday: 09:00 to 23:00
Non-standard Timings: See condition 47

Late Night Refreshment

Monday to Saturday: 23:00 to 03:30
Non-standard Timings: See condition 47

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 03:00
Sunday: 12:00 to 22:30
Non-standard Timings: See condition 47

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

The opening hours of the premises:

Monday to Saturday: 09:00 to 03:30
Sunday: 09:00 to 23:00

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:

Mr James Spallone
China White
Mappin House
4 Winsley Street
London W1W 8HF

Email: james@chinawhite.com

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

04691555

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

Name: James Nicola Spallone

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

Restricted

Date: 27 August 2020



Signed:

This licence has been authorised by Ms Roxsana Haq on behalf of the Director - Public Protection and Licensing.

Consultee Comments for Licensing Application 21/13315/LITENP

Application Summary

Application Number: 21/13315/LITENP

Address: Mappin House 4 Winsley Street London W1W 8HF

Proposal: TEN Personal Licence Holder

Case Officer: Abigail Mugisa

Consultee Details

Name: Ian Watson

Address: LICENSING DEPARTMENT FOURTH FLOOR, WESTMINSTER CITY HALL, 64
VICTORIA STREET, LONDON SW1E 6QP

Email: Not Available

On Behalf Of: Environmental Health Service For TENs

Comments

Dear Joanna

Reference is made to application 21/13315/LITENP that is requesting the supply of alcohol, regulated entertainment and late night refreshment on both the 19th and 20th December 2021 for up to 350 persons up to 04.30 hours.

An objection is made to this TEN on the grounds of prevention of public nuisance and more information is required on the type of events being promoted and how you believe that the unrestricted private entertainment will apply when entry will be for guest list and regular patrons.

Regards

Ian Watson

From: [Watson, Ian: WCC](#)
To: [Donovan, Jessica: WCC](#)
Subject: FW: 21/13315/LITENP Mappin House 4 Winsley Street London W1W 8HF [INCE-EU_GDG_OPEN.FID45250]
Date: 01 December 2021 16:50:15
Attachments: [image007.png](#)
[image008.png](#)
[image009.png](#)

Hi Jess

This e-mail trail can be included in the report.

Regards

Ian Watson

Senior Practitioner Environmental Health (Licensing)
EH Consultation
Regulatory Support Team 2
Public Protection and Licensing
Westminster City Council
15th Floor
City Hall
64 Victoria Street
Victoria
London
SW1E 6QP

Tel: 07983 392684

Email: iwatson@westminster.gov.uk



From: Watson, Ian: WCC
Sent: 01 December 2021 16:45
To: Joanna Onisiforou <JoannaOnisiforou@incegd.com>
Subject: RE: 21/13315/LITENP Mappin House 4 Winsley Street London W1W 8HF [INCE-EU_GDG_OPEN.FID45250]

Hi Joanna

I have considered your response to my concerns about private events and 'Off' sales and I am not satisfied that my points have been addressed on a legal basis. Regarding the meaning of the term 'private' or the 'Off' sales of alcohol within the premises. In that respect I have asked the licensing authority to have the TEN determined by the licensing subcommittee next Thursday.

Happy to discuss.

Regards

Ian Watson

Senior Practitioner Environmental Health (Licensing)
EH Consultation
Regulatory Support Team 2
Public Protection and Licensing
Westminster City Council

15th Floor
City Hall
64 Victoria Street
Victoria
London
SW1E 6QP

Tel: 07983 392684

Email: iwatson@westminster.gov.uk



From: Joanna Onisiforou <JoannaOnisiforou@incedg.com>

Sent: 01 December 2021 14:31

To: Watson, Ian: WCC <iwatson@westminster.gov.uk>

Subject: RE: 21/13315/LITENP Mappin House 4 Winsley Street London W1W 8HF [INCE-EU_GDG_OPEN.FID45250]

Dear Ian,

I just wondered whether you have had an opportunity to consider our discussions and my subsequent email of yesterday.

Unfortunately, I am not having any joy in contacting the police.

Kind regards,

Joanna

Joanna Onisiforou

Associate



D: [+44 \(0\) 20 7759 1371](tel:+442077591371) / M: [+44 \(0\) 7880 186 244](tel:+44207880186244)

JoannaOnisiforou@incedg.com

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incedg.com



From: Joanna Onisiforou

Sent: 30 November 2021 13:17

To: Watson, Ian: WCC <iwatson@westminster.gov.uk>

Subject: 21/13315/LITENP Mappin House 4 Winsley Street London W1W 8HF [INCE-EU_GDG_OPEN.FID45250]

Dear Ian,

Good to speak with you today. As discussed, I understand that the main issues of concern are:

1. How unrestricted private entertainment fits in with the clientele for these events.
2. Off sales of alcohol

Saturday Event

In regard to point 1, the main reason for the extension of hours is to cater for high profile football teams, celebrities and their guests. It is to allow these select guests further time to remain at the premises and for their dispersal after the usual clientele leave the premises. The unrestricted private entertainment would apply to these select private guests.

The applicant is happy to reduce the capacity to 150 people between 3am and 4.30am

Sunday Event

There is no proposed change to the usual Sunday events that have been taking place at this premises over a number of years. Again, only regular patrons and those listed on a guest list will be allowed to attend.

The premises licence permits consumption of alcohol inside of the premises building. In regard to off sales of alcohol, there will be no alcohol permitted to be taken outside of the building.

I look forward to hearing from you once you have considered the above and happy to discuss further.

As you know Covid restrictions have presented many obstacles for nightclub operators and the applicant simply wishes make use of the festive period. Any comments or suggestions to assist with this event going ahead would be much appreciated.

I look forward to hearing from you.

Kind regards,

Joanna

Joanna Onisiforou

Associate



D: [+44 \(0\) 20 7759 1371](tel:+442077591371) / M: [+44 \(0\) 7880 186 244](tel:+44207880186244)

JoannaOnisiforou@incegd.com

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T: [+44 \(0\) 20 7493 6151](tel:+442074936151) / F: [+44 \(0\) 20 7437 8216](tel:+442074378216)

incegd.com



From: Watson, Ian: WCC <iwatson@westminster.gov.uk>

Sent: 24 November 2021 15:42

To: Joanna Onisiforou <JoannaOnisiforou@incegd.com>

Cc: TEN's Mailboxes: WCC <TENS@westminster.gov.uk>; Police Tens: WCC <Police.Tens@westminster.gov.uk>; EH Consultation Team: WCC <EHConsultationTeam@westminster.gov.uk>

Subject: [EXTERNAL] 21/13315/LITENP Mappin House 4 Winsley Street London W1W 8HF

Dear Joanna

Reference is made to application 21/13315/LITENP that is requesting the supply of alcohol, regulated entertainment and late night refreshment on both the 19th and 20th December 2021 for up to 350 persons up to 04.30 hours.

An objection is made to this TEN on the grounds of prevention of public nuisance and more information is required on the type of events being promoted and how you believe that the unrestricted private entertainment will apply when entry will be for guest list and regular patrons.

Regards

Ian Watson

Senior Practitioner Environmental Health (Licensing)

EH Consultation

Regulatory Support Team 2

Public Protection and Licensing

Westminster City Council

15th Floor

City Hall

64 Victoria Street

Victoria

London

SW1E 6QP

Tel: 07983 392684

Email: iwatson@westminster.gov.uk



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The COVID-19 vaccine has been proven to be safe and effective at protecting people against serious illness from coronavirus. For information about vaccine centres and how to book your appointment, visit: www.westminster.gov.uk/vaccinations

In addition to regular testing and getting vaccinated, the most important thing we can all do is remember: Hands, Face, Space, Fresh air.

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Find out more at: <https://bit.ly/wccfis>

Westminster City Council switchboard: +44 20 7641 6000.

www.westminster.gov.uk

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Consultee Comments for Licensing Application 21/13315/LITENP

Application Summary

Application Number: 21/13315/LITENP

Address: Mappin House 4 Winsley Street London W1W 8HF

Proposal: TEN Personal Licence Holder

Case Officer: Abigail Mugisa

Consultee Details

Name: reaz guerra

Address: 64 Victoria Street, London SW1E 6QP

Email: Not Available

On Behalf Of: Metropolitan Police Service For TENs (for Licensing)

Comments

Dear James

With reference to the above TEN(s), Police object to these Temporary Event Notices for the following reasons to prevent crime and disorder and protect children from harm:-

Insufficient details describing the event.

Insufficient undertakings provided to promote the licensing objectives.

The TEN(s) states it is to cover two dates 21/13315/LITENP 19th and 20th Dec & 21/13311/LITENP - 5th and 6th Dec, stating that two different areas are being used, (VIP Room Day1 Temple Room Day2)

Please provide a detailed plan showing what areas will be in use (Eg accessible by the public/customers) for the two events. Please also provide details regarding this being a private event?

Reaz

APPENDIX D

ADDITIONAL INFORMATION FOR TEMPORARY EVENT NOTICES

1. TEMPORARY EVENT NOTICE PROCEDURE

- 1.1 Under s.100 (1) of the Licensing Act 2003 certain temporary events, which include licensable activities, are permitted under the Act if they are notified to the Council and the Police/Environmental Health by giving a 'Temporary Event Notice'. The notice must be given by the 'premises user' (usually the event organiser responsible for all aspects of the event).
- 1.2 Permitted temporary events are events that take place in any premises, open space or temporary structure. The event must consist of one or more licensable activities; and the premises must be used over a period of no longer than 168 hours, with no more than 499 people in attendance.
- 1.3 Licensable activities include the sale by retail of alcohol; the provision of regulated entertainment and the provision of late night refreshment (hot food or drink supplied between 11pm and 5am).
- 1.4 The premises user must send two copies of the temporary event notice to the Council, one copy to the environmental health department and one copy to the police leaving at least 10 clear working days before the event is due to begin. The Council must acknowledge receipt of the temporary event notice by the next working day.

2. NOTICE OF OBJECTION BY POLICE/ENVIRONMENTAL HEALTH

- 2.1 If the Police/ Environmental Health are satisfied that the event would undermine one or more of the licensing objectives, they must give a notice of objection stating their reasons as to why an objective would be undermined to the Council and premises user within 3 working days of receipt of the notice.

3. HEARING PROCEDURE FOLLOWING NOTICE OF OBJECTION BY POLICE/ENVIRONMENTAL HEALTH

- 3.1 The Sub-Committee is being asked to consider the notice of objection and hear any oral evidence given by or on behalf of the premises user and the Police/Environmental Health.
- 3.2 The Sub-Committee must consider whether to give a counter notice to the temporary event notice given by the premises user if it considers it necessary for the promotion of the licensing objectives.
- 3.3 The Council must convene a hearing to consider the notice of objection and give at least two day's notice to the premises user and the police.
- 3.4 The Sub-Committee must either reject the notice of objection to allow the event to take place, or issue a counter notice to prevent the event from taking place, or where or, after hearing the objections, allow the notice but attach relevant conditions from the premises licence. Please note not all premises will hold a premises licence.

- 3.5 The Council must, where it decides not to give a counter notice, give the premises user and the Police/Environmental Health a notice of the decision at least 24 hours before the beginning of the event period specified in the temporary event notice.
- 3.6 Where the Council decides to give a counter notice, it must give the premises user the counter notice and the reasons for its decision; and a copy of the counter notice and the reason for its decision to the police, at least 24 hours before the beginning of the event period specified in the temporary event notice.

4. APPEAL

- 4.1 Schedule 5, Part 3 of the Licensing Act 2003 provides a right of appeal to the premises user against the giving of a counter notice, and a right of appeal to the chief officer of Police/Environmental Health where the Council decides not to give a counter notice. Such an appeal must be commenced within 21 days beginning with the day on which the appellant was notified by the Licensing Authority of the decision appealed against.
- 4.2 No appeal may be brought later than five working days before the day on which the event period specified in the temporary event notice begins.

5. POLICY CONSIDERATIONS

- 5.1 The Westminster Statement of Licensing Policy for applications relating to premises and personal licences and temporary event notices made under the Licensing Act 2003 was determined for a three-year period commencing 7 January 2011. This contains no specific policy for Temporary Event Notices but urges longer periods of notice to be given for events which involve the use of the streets or necessitate the special management of traffic and services.

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