



CITY OF WESTMINSTER

MINUTES

Licensing Sub-Committee (2)

MINUTES OF PROCEEDINGS

Minutes of a meeting of the **Licensing Sub-Committee (2)** held on **Thursday 23rd June, 2022**, This meeting will be an MS Teams virtual meeting.

Members Present: Councillors Piddock and Tim Mitchell

Apologies for Absence: Councillor Maggie Carman

1. MEMBERSHIP

- 1.1 Councillor Maggie Carman sent her apologies as she was unable to join the meeting due to technical problems.

2. DECLARATIONS OF INTEREST

- 2.1 There were no declarations of interest.

1. MR FOGGS APOTHECARY, BASEMENT, 34 BROOK STREET, MAYFAIR, W1K 5DN

WESTMINSTER CITY COUNCIL LICENSING SUB-COMMITTEE NO. 2 **("The Committee")**

Wednesday 23rd June 2022

Membership: Councillor Angela Piddock (Chairman) and Councillor Tim Mitchell.

Officer Support Legal Advisor: Steve Burnett
Policy Officer: Kerry Simpkin
Committee Officer: Sarah Craddock
Presenting Officer: Karyn Abbott

Others present: Sarah Le Fevre, (Counsel) on behalf of Brook Street Bar Limited (Applicant).

For Brook Street Bar Limited:

Charlie Gilkes – Director
Duncan Stirling – Director
Ellie Kwong – Operations
Richard Vivian – Noise Consultant
Adrian Studd - Consultant

Maxwell Koduah – Environmental Health Officer (EHO)
Judy Kutter – Resident (Opposed)
Mike Dunn – Resident (Opposed)
Richard Brown (Solicitor, Westminster’s Citizens Advice)
representing Judy Kutter

**Application for a New Premises Licence in respect of
Mr Fogg’s Apothecary, Basement, 34 Brook Street, Mayfair, London W1K 5DN**

Ref No: 22/02758/LIPN

FULL DECISION

Premises

Mr Fogg’s Apothecary,
34 Brook Street,
Mayfair,
London
W1K 5DN

Applicant

Brook Street Bar Limited

Ward

West End

Cumulative Impact

N/A

Special Consideration Zone

N/A

Activities and Hours applied for

Regulated Entertainment indoors (Films, Indoor sporting events, Live and recorded music.)

Mondays to Saturdays 07.00 to 01.30
Sundays 12.00 to 23.30

Late night refreshments (Both)

Mondays to Saturdays 23.00 to 01.30
Sundays 23.00 to 23.30

Sale by retail of alcohol [on and off sales]

Mondays to Saturdays 07.00 to 01.30
Sundays 12.00 to 23.30

Opening Hours

Mondays to Saturdays 07.00 to 02.00
Sundays 12.00 to 00.00

All licensable activities and opening hours from the start of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

Summary of Application

This is an application for a New Premises Licence under the Licensing Act 2003 ("The Act"). The Premises intends to operate the premises as part of the Mr Fogg's brand of themed licensed establishments.

Representations Received

- Maxwell Koduah - Environmental Health Service
- 2 Local Resident (opposing)
- 3 Local Residents (supporting)

Summary of Representations

- THE EHO states that as presented, the application would have the likely effect of causing an increase in Public Nuisance and may affect Public Safety within the area
- Three supporting resident's representations states the operation is a benefit to the area, and unlikely to cause a nuisance to the area. It's well lit operation and door staff will deter crime and disorder and the operators are experience and respected.
- The two objecting resident's concerns are that the Premises will cause public nuisance as a result of the longer hours requested. The premises licence should be restricted to Westminster's Core Hours. There will be disturbance to residents living in the area from taxis and car use and customers dispersing at closing times.

Policy Position

HRS1

- Under Policy HRS1, applications within the core hours set out in the policy will generally be granted for the relevant premises uses, subject to not being contrary to other policies in the Statement of Licensing Policy and applications for hours outside the core hours set out in the policy will be considered on their merits, subject to other relevant policies, and with particular regard to the matters identified in Policy HRS1.

PB1

- Applications outside the West End Cumulative Zone will generally be granted subject to:

The application meeting the requirements of policies CD1, PS1, PN1 and CH1.

The hours for licensable activities being within the council's Core Hours Policy HRS1.

The application and operation of the venue meet the definition of a Public House or Bar in Clause D.

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

SUBMISSIONS AND REASONS

1. The Presenting Officer, Ms Karyn Abbott introduced the application and advised that the application was for a new Premises Licence for a themed bar.
2. Sarah Le Fevre, Counsel appearing on behalf of the Applicant, addressed the Committee and directed them initially to page 18 of the committee papers which detailed the Applicant's biography, identified awards they had received and confirmed the Applicant's commitment to trading in London. They have provided jobs and apprentice schemes to encourage employment.
3. Counsel added that the Applicants have the written support of residents, businesses, and landlords and that they had operated a number of their Premises Licences without issues.
4. The Committee was further informed that there were two expert reports in the committee papers which came to the common conclusion that should the application be granted, there was no risks of a negative effect on the licencing objectives.
5. Counsel confirmed that there is an existing premises licence, but this application is to extend the trading hours beyond the existing core hours.

Should this application be granted then the existing Premises Licence will be surrendered.

6. The Committee were advised of key points in support of the application. In summary these were the quality of the operation, a capacity figure of 270 substantially seated customers, 70% of customers having pre booked, a last entry time of midnight, the licensed area being located in the basement which minimised noise escape, good public transport away from the premises, the restriction of off sales to 23:00 hours and engagement with local residents.
7. In response to questions from the Committee the Applicant confirmed that food would always be available at the premises, and this was a proposed condition on the licence. They also accepted capacity of 270 but stated that this capacity would very rarely be deployed at the premises.
8. The Applicants stated to the Committee that members of the public would not be admitted on the premises between the hours of 07:00 and 09:00. There is also a 'no admittance condition' agreed, which they would not want to apply to smokers or people using their phones as they wanted some flexibility. Notwithstanding this, the total amount of patrons making calls and smoking in the outside areas has been limited to 10 people.
9. Mr Gilkes on behalf of the Applicant, emphasised to the Committee that he would be happy to set up a WhatsApp group to regularly liaise with residents. Furthermore, although they have not requested a condition requiring door staff at the premises, they would be happy to commit to having door staff at the premises between the hours of 18:00 until close on Thursday Fridays and Saturdays.
10. Ellie Kwong, on behalf of the Applicant advised the Committee that dispersal was by way of a staggered approach. The lights inside the premises would be switched on and the music volume decreased to give customers time to call taxis and prepare to leave. Customers would be expected to wait inside the premises for taxis to prevent loitering outside.
11. The EHO addressed the Committee and stated that the new conditions on the proposed process premises licence was much improved. The Applicant have an existing dispersal and outside smoking policy, and this would mitigate public nuisance.
12. The Committee were advised by the EHO that the Applicant have applied for hours access of Core Hours and he would expect the dispersal policy to be updated to take this into account. Mr Koduah confirmed that he had visited the premises and he is confident that the premises is acoustically sound and will not cause noise escape. He concluded that by having a last admission condition and systems to manage the conduct of patrons when they leave, he is confident that the Applicant can mitigate any potential public nuisance.

13. Mrs Kuttner directed the Committee to Mr Brown's submissions starting at page 5 of the additional committee papers. She confirmed to the Committee that she lived on Brook Street 46 years.
14. Mrs Kuttner confirmed that she has no reason to believe Mr Fogg would not be well managed. However, it was her concerns that the later hours would cause nuisance to residents living in the area. She specifically highlighted to the Committee that people talking on phones or cab drivers waiting in the area, would be heard above the quiet ambient noise levels after midnight.
15. Mrs Kuttner also made reference to the experts reports which relates to tests and observations made at an earlier time than the closing times which have been applied for. It is also her view that the effect of a well-managed operation being located in a predominantly residential area, is to attract muggers, drug dealers and rough sleepers.
16. Mrs Kuttner made complaint to the Committee that patrons would use residents' gardens as toilets and that she was also concerned about the collection of rubbish at 04.00 hours.
17. In response to questions from the Committee, Mrs Kuttner stated that she had not discussed refuse collection with the Applicant, she is also aware that Claridges Hotel, which is located in the area, does not have many events which end after midnight. However, Claridges are good operators and continually work with residents in the vicinity. She advised that there are not many licensed premises with a terminal hour beyond 02:00 in the immediate area but there are a number of residents, who would be disturbed.
18. Mr Dunn then addressed the Committee and confirmed that his concerns on behalf of the residents, related to the excessive hours, conditions, off sales, and activities.
19. Mr Dunn submitted that in the main, conditions have been resolved and agreed with the Environmental Health Officer. However, he would like to prevent smokers from taking drinks into the outside area and the last entry condition to include smokers and patrons making telephone calls. He would also like to see a condition restricting the times for waste disposal and deliveries and preventing off sales at the premises after 2300 hours.
20. Mr Dunn was also concerned that the application included permission for films, live music, indoor sports and questioned whether this was really needed.
21. The Committee were finally directed by Mr Dunn to paragraph 14.42 of the Revised Guidance issued under section 182 of the Licensing Act 2003.
22. In summary Mrs Kuttner, reiterated her concerns about resident's sleep being disturbed. The EHO, explained that a condition relating to waste collection have been agreed and that initially the Applicant required 15 smokers to be allowed in the outside area, but they now agreed to reducing this to 10. He

also confirmed to the Committee that a restriction in relation to on and off sales was already agreed as a condition on the proposed premises licence.

23. Counsel for the Applicant, confirmed to the Committee that 10 people using the outside area is acceptable. She agreed that patrons using residents' gardens as a toilet is unpleasant, but the Applicant has installed three additional toilets to the premises.

Decision

24. The Committee has determined an application for a grant of a **NEW** Premises Licence under the Licensing Act 2003. The Committee realises that it has a duty to consider each application on its individual merits. There is no policy presumption to refuse the application that is not within the Cumulative Impact Area provided the licensing objectives are not undermined.

25. The Committee was satisfied that, in accordance with the Licensing Act 2003, Home Office Guidance, Westminster's Licensing Policy and on the evidence before it, it was appropriate and proportionate, in all the circumstances, to **GRANT** the application.

26. The Committee, in its determination of the matter, concluded that the conditions it imposed on the licence were appropriate and proportionate and would promote the licencing objectives.

27. Having carefully considered the committee papers, additional papers and the submissions made by all of the parties, both orally and in writing, **the Committee has decided**, after taking into account all of the individual circumstances of this case and the promotion of the four licensing objectives:

1. To grant permission for:

- a. **Live and recorded music (Indoors)** on Sundays 12:00 to 23.30 and Monday to Saturday 07.00 to 01.30

Seasonal Variation: From the end of permitted hours of New Year's Eve to the start of permitted hours on New Year's Day.

- b. **Films (indoors)** Sundays 12:00 to 23.30
Monday to Saturday 07.00 to 01.30

Seasonal Variation: From the end of permitted hours of New Year's Eve to the start of permitted hours on New Year's Day.

- c. **Indoor Sporting events (Indoors)** on Sundays 12:00 to 23.30
and Monday to Saturday 07.00 to 01.30

Seasonal Variation: From the end of permitted hours of New Year's Eve to the start of permitted hours on New Year's Day.

- d. **Late Night Refreshment (Both)** on Sundays 23:00 to 23.30 and Monday to Saturday 23.00 to 01.30

Seasonal Variation: From the end of permitted hours of New Year's Eve to the start of permitted hours on New Year's Day.

- e. **Sale of Alcohol for consumption (on/off) the premises** from Sundays 12:00 to 23.30 and Monday to Saturday 07.00 to 01.30

Seasonal Variation: From the end of permitted hours of New Year's Eve to the start of permitted hours on New Year's Day.

2. To grant permission for the premises to open to the public on Sundays 12:00 to 00.00 and Monday to Saturday 07.00 to 02.00

Seasonal Variation: From the end of permitted hours of New Year's Eve to the start of permitted hours on New Year's Day.

3. The new premises licence will be subject to any relevant mandatory conditions.
4. The premises licence is subject to the following agreed conditions imposed by the Committee which are considered appropriate and proportionate to promote the licensing objectives.

Agreed conditions attached after a hearing by the licensing authority:

9. Substantial food and suitable beverages other than intoxicating liquor (including drinking water) shall be available during the whole of the permitted hours in all parts of the premises where intoxicating liquor is sold or supplied.
10. The maximum number of persons, excluding staff, to be present in the licensed premises shall not exceed 270 persons.
11. All licensable activities taking place between 07:00 and 09:00 hours at the premises shall be private events or to customers who have pre-booked. Such events shall be restricted to Champagne and/or Wine, and substantial food and non-intoxicating beverages shall be available.
12. The premises licence holder shall ensure that the premises operates in accordance with an Outdoor Management/Smokers and Dispersal Policy.
13. During the hours of operation, 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.

14. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and to leave the area quietly.
15. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before collection times.
16. 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.
17. The premises licence holder shall ensure that any patrons smoking outside the premises do so on an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.
18. 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.
19. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
20. No fumes, steam or odours shall be emitted from the licenced premises so as to cause a nuisance to any persons living or carrying on business in the area where the premises are situated.
21. 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.
22. A staff member from the premises who is conversant with the operation of the CCTV shall be on the premises at all times when the premises are open to the public. This staff member shall be able to show Police recent data or footage with the absolute minimum of delay when requested.
23. 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 refusal of sale of alcohol.

24. There shall be no striptease or nudity and all persons shall be decently attired at all times unless the premises are operating under the provisions of a Sexual Entertainment Licence.
25. A challenge 21 proof of age scheme shall be operated at the premise 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. 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.
27. 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.
28. All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.
29. All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device.
30. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
31. Curtains and hangings shall be arranged so as not to obstruct emergency safety signs or emergency equipment.
32. No licensable activities shall take place at the premises until premises licence 22/01012/LIPVM has been surrendered and is incapable of resurrection.
33. All windows and external doors shall be kept closed after 23:00 hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons
34. There shall be no admittance or re-admittance to the premises after midnight (00.00 hours) except for patrons permitted to temporarily leave the premises (e.g. to smoke, make a phone call).
35. There shall be no sales of alcohol for consumption off the premises after 23.00 hours
36. There shall be no sales of hot food or hot drink for consumption off the premises after 23.00 hours.
37. After 23:00 hours, patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke or make a phone call, shall be limited to 10 persons at any one time.

38. Patrons permitted to temporarily leave and then re-enter the premises (e.g. to smoke, make a phone call) shall not be permitted to take glass containers or consume drinks in the outside area after 00.00.
39. SIA licensed door supervisors, (the number to be calculated by way of a written risk assessment), shall be on duty from 18:00 at the premises whilst it is open for business, and they must correctly display their SIA licence(s) when on duty so as to be visible. A copy of the written risk assessment is to be made available to the Metropolitan Police and/or the Licensing Authority on request.
40. Notwithstanding the SIA condition above (no 39), at least 2 members of door supervisors shall be on duty at the entrance of the premises and patrolling the outside area on Brook Street from 23:00 hours until 30 minutes after the premises close, to supervise and prevent potential nuisance from customers.

This is the Full Decision of the Licensing Sub-Committee which takes effect forthwith.

**The Licensing Sub-Committee
23 June 2022**

2. 13 ECCLESTON YARD, CITY OF WESTMINSTER, LONDON, SW1W 9AZ

WESTMINSTER CITY COUNCIL LICENSING SUB-COMMITTEE NO. 2
("The Committee")

Wednesday 23rd June 2022

Membership: Councillor Angela Piddock (Chairman) and Councillor Tim Mitchell.

Officer Support Legal Advisor: Steve Burnett
 Policy Officer: Kerry Simpkin
 Committee Officer: Sarah Craddock
 Presenting Officer: Karyn Abbott

Others present: Alun Thomas, Thomas and Thomas Solicitors on behalf of the applicant, Amie Wine Limited.
 William Sandbach – DPS and on behalf of the applicant

Application for a New Premises Licence in respect of
13 Eccleston Yard, City of Westminster, London SW1W 9AZ – 22/03444/LIPN

FULL DECISION

Premises

13 Eccleston Yard,
City of Westminster,
London
SW1W 9AZ

Applicant

Amie Wine Limited

Ward

Pimlico North

Cumulative Impact

N/A

Special Consideration Zone

N/A

Activities and Hours applied for

Sale by retail of alcohol [on and off sales]

09.00 until 22.30 Mondays to Wednesday,
09.00 until 23.00 Thursdays to Saturdays
09.00 until 21.30 on Sundays.

Opening Hours

07.30 until 23.00 Mondays to Wednesday,
07.30 to 23.30 Thursdays to Saturdays
07.30 until 22.00 on Sundays

Summary of Application

This is an application for a time limited Premises Licence under the Licensing Act 2003 ("The Act"). The Premises intends to operate as a pop-up wine shop with a small ancillary bar for 6 months from the time of grant.

Representations Received

- Dave Nevitt - Environmental Health Service (Withdrawn on 28th April 2022)
- 1 Local Resident

Summary of Representations

- The resident's concerns are that the Premises will cause disturbance from night life and catering activities which negatively impacts on residents' health, and noise caused by plant machinery.

Policy Position

HRS1

- Under Policy HRS1, applications within the core hours set out in the policy will generally be granted for the relevant premises uses, subject to not being contrary to other policies in the Statement of Licensing Policy and applications for hours outside the core hours set out in the policy will be considered on their merits, subject to other relevant policies, and with particular regard to the matters identified in Policy HRS1.

SHP1

- Applications for a shop outside the West End Cumulative Impact Zone will generally be granted subject to:
 1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1.
 2. The hours for licensable activities are within the council's Core Hours Policy HRS1.
 3. The operation of any delivery services for alcohol meeting the council's Ancillary Alcohol and/or Latenight Refreshment Delivery Service Policy DEL1.
 4. The application and operation of the venue meeting the definition of a shop in Clause C.

C. For the purposes of this policy:

1. A shop is defined as a stall, vehicle, vessel, temporary structure, building or part of a stall, vehicle, vessel, temporary structure or building where the primary activity is the sale of goods or services to customers upon payment.
2. The licensable activities for the sale of alcohol for consumption on the premises, regulated entertainment and/or late-night refreshment must be ancillary to the primary use of the premises as a shop.
3. The licensable activity of the sale of alcohol for consumption off the premises must be an ancillary function to the primary use of the premises unless that primary use is to sell alcohol for consumption off the premises, e.g. a traditional off licence.

SUBMISSIONS AND REASONS

28. The Presenting Officer, Ms Karyn Abbott introduced the application and advised that the application was for a new time limited Premises Licence for a wine shop and ancillary bar.

29. Mr Thomas, solicitor appearing on behalf of the Applicant, addressed the Committee and directed them to his Summary of Proposals and advised that the Premises is under the control of Grosvenor, a reputable landlord.
30. Mr Thomas stated that the area had not been licensed previously but what is required, is a licence for on and off sales at a wine shop with art gallery use. The premises licence will be time limited for six months and site is not located in a Cumulative Impact Area or Special Consideration Zone.
31. Mr Thomas went on to submit that all issues of concern have been addressed by conditions and certainly, the sale of alcohol will be ancillary to the use of the premises as a shop.
32. The Committee were informed that the objector lives some distance away from the venue and would not be directly affected by the operation of premises.
33. Mr Thomas confirmed that he had met with the environmental health officer and conditions had been agreed.
34. In response to questions from the Committee, Mr Thomas advised that the Premises have toilets and also additional facilities provided by Grosvenor. The landlord takes a strong line in managing premises and they are in fact present in the yard.
35. The Committee was further informed that if the Applicant was successful during the 6 months then they may well come back before the Committee for a new premises licence.
36. Mr Thomas concluded by explaining to the committee that he had come to an agreement with Mr Nevitt specifically in relation to a mezzanine level. Mr Burnett, the Committee's legal adviser, informed Mr Thomas that he was not happy with the drafting of the proposed, agreed conditions which did not appear precise or enforceable. Mr Thomas agreed to Mr Burnett liaising with Mr Nevitt to agree satisfactory conditions.
37. Mr Thomas asked the Committee to provide a Decision at the hearing due to the temporary nature of the premises licence applied for.
38. The Chair advised Mr Thomas that the full decision will be provided as soon as possible and in accordance with procedure and, that the Decision would not be done provided at the hearing.

Decision

39. The Committee has determined an application for a grant of a time limited **NEW** Premises Licence under the Licensing Act 2003 for 6 months. The Committee realises that it has a duty to consider each application on its

individual merits. There is no policy presumption to refuse the application that is not within the Cumulative Impact Area provided the licensing objectives are not undermined.

40. The Committee was satisfied that, in accordance with the Licensing Act 2003, Home Office Guidance and on the evidence before it, it was appropriate and proportionate, in all the circumstances, to **GRANT** the application.

41. The Committee, in its determination of the matter, concluded that the conditions it imposed on the licence were appropriate and proportionate and would promote the licensing objectives.

42. Having carefully considered the committee papers and the submissions made by all of the parties, both orally and in writing, **the Committee has decided**, after taking into account all of the individual circumstances of this case and the promotion of the four licensing objectives: -

1. To grant permission for a time limited Premises Licence for a period of six (6) months from the date of grant.
2. To grant permission for the sale of alcohol for consumption (on/off) the premises from 09.00 until 22.30 Mondays to Wednesday, 09.00 until 23.00 Thursdays to Saturdays and 09.00 until 21.30 on Sundays.
3. To grant permission for the premises to open to the public from 07.30 until 23.00 Mondays to Wednesday, 07.30 to 23.30 Thursdays to Saturdays and 07.30 until 22.00 on Sundays.
4. That the new time limited premises licence will be subject to any relevant mandatory conditions.
5. The new time limited premises licence is subject to the following agreed conditions imposed by the Committee which are considered appropriate and proportionate to promote the licensing objectives.

Conditions Agreed at the Hearing:

9. The licensable activities authorised by this licence and provided at the premises shall be ancillary to the main function of the premises as a Wine Shop.
10. 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.

11. All sales of alcohol for consumption off the premises shall be in sealed containers only.
12. 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.
13. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
14. The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.
15. No deliveries to the premises shall take place between 20.00 and 08.00 hours on the following day.
16. 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.
17.
 - (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.
18. 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.
19. There shall be no sales of alcohol for consumption off the premises after 22:00 hours.
20. All tills shall automatically prompt staff to ask for age verification identification when presented with an alcohol sale.

21. No super-strength beer, lagers, ciders or spirit mixtures of 5.5% ABV (alcohol by volume) or above shall be sold at the premises, except for premium beers and ciders supplied in glass bottles and cans.
22. The supply of alcohol shall be by waiter or waitress service only.
23. 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.
24. 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.
25. 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.
26. The maximum number of persons permitted on the ground floor at the premises at any one time (excluding staff) shall be 30.
27. No licensable activities on the mezzanine shall take place at the premises until the works to the mezzanine have been assessed as satisfactory by the Environmental Health Consultation Team at which time this condition shall be removed from the Licence by the licensing authority.
28. No licensable activities shall take place on the mezzanine of the premises until the capacity of the whole 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.

This is the Full Decision of the Licensing Sub-Committee which takes effect forthwith.

**The Licensing Sub-Committee
15 June 2022**

3. RIU PLAZA, 1 NEATHOUSE PLACE, LONDON, SW1V 1LH

The application was Granted under Delegated Authority.

The Meeting ended at 1.15 pm