

Committee Agenda

Title:

Licensing Sub-Committee (1)

Meeting Date:

Thursday 16 March 2023

Time:

10.00 am

Venue:

This will be an MS Teams Virtual Meeting

Members:

Councillors:

Aziz Toki (Chair) Md Shamsed Chowdhury Caroline Sargent

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

Email: scraddock@westminster.gov.uk Tel: 07790980186

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. LIO LONDON, BASEMENT AND LOWER GROUND FLOOR, 3-4 COVENTRY STREET, W1D 6BL

(Pages 1 - 44)

Ward CIA* SCZ**	Site Name & Address	Application Type	Licensing Reference No.
St James's * West End	Lio London Basement and Lower Ground Floor	Premises Licence Variation	23/00332/LIPV
** None	3-4 Coventry Street W1D 6BL		
*Cumulative ** Special Co	Impact Area onsideration Zone		

Stuart Love Chief Executive 8 March 2023 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:	12:00 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:

Friday and Saturday:

Sunday:

O9:00 hours to 24:00 hours

O9:00 hours to 24:00 hours

O9:00 hours to 22:30 hours

O9:00 hours to 22:30 hours

O9:00 hours to 22:30 hours

8. Restaurants

Monday to Thursday:

Friday and Saturday:

Sunday:

O9:00 hours to 23:30 hours

09:00 hours to 24:00 hours

09:00 hours to 22:30 hours

O9:00 hours to 22:30 hours

O9:00 hours to 22:30 hours

O9:00 hours to 22:30 hours

9. Sexual Entertainment Venues and Sex Cinemas

Monday to Thursday:

Friday and Saturday:

Sunday:

O9:00 hours to 23:30 hours

09:00 hours to 24:00 hours

O9:00 hours to 22:30 hours

O9:00 hours to 22:30 hours

O9:00 hours to 22:30 hours

Agenda Item 1.



Licensing Sub-Committee Report

Item No:

Date:

16 March 2023

Licensing Ref No:

23/00332/LIPV - Premises Licence Variation

Title of Report:

Lio London

Basement And Lower Ground Floor

3-4 Coventry Street

London W1D 6BL

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:

Kevin Jackaman

Senior Licensing Officer

Contact details

Telephone: 0207 641 6500

Email: kjackaman@westminster.gov.uk

1. A	pplication									
1-A A	Applicant and premises									
Applicati	on Type:	Variation of a Premises Licer	nce, Licensing Act	2003						
Applicati	on received date:	19 January 2023								
Applican		Lio London Ltd								
Premises		Lio London								
Premises	address:	Basement And Lower Ground Floor	Ward:	St James's						
		3-4 Coventry Street London	Cumulative Impact Area:	West End						
		W1D 6BL	Special Consideration Zone:	None						
Premises	s description:	The premise are a performar singers, dancers, acrobats a	nd international ar							
variation	description:	To vary the existing premises licence so as to: 1) Remove conditions 9, 18 and 26 and add further model conditions as set out in section 1D. 2) Extend the terminal hour for sales of alcohol by one hour to 04:00 Monday to Saturday and Sundays before Bank Holiday (only). No Change Sundays; and 3) To include the provision of films Monday to Saturday 10:00 to 04:00 and Sunday 12:00 to 00:30, in accordance with the proposed hours for sales of alcohol.								
Premises	s licence history:	The premises have had the benefit of a premises licence since at least 2005. The current premises licence reference is 23/00905/LIPVM, a copy of which is attached as Appendix 2 of this report. Please see Appendix 4 of the report for a full licence history The premises also has the benefit of a "shadow licence"								
Applican	t submissions:	(Licence number 20/11986/LIPN) The applicant has proposed a schedule of model conditions to be added to the premises licence. The conditions are set out at section 1D								
Applican	t amendments:	Since submission of this app condition 26 by way of a min- consequently is no longer se part of the current application	or variation application or variation application in the contraction of the contraction o	ation and						

1-B Current licensable activities, areas and hours										
Regulated Entertainment										
Performance	Performance of Dance									
	Current Proposed Licensable Area Hours Hours									
	S	tart:	End:	Start:	End:	Curre	nt:	Proposed:		
Monday	0	9:00	06:00	No char	nge	Basem	ent and	No change		
Tuesday	0	9:00	06:00			lower o	ground floor	_		
Wednesday	0	9:00	06:00							
Thursday	0	9:00	06:00							
Friday	0	9:00	06:00							
Saturday	09	9:00	06:00							
Sunday	09	9:00	06:00							
Seasonal		Curr	ent:				Proposed:			
Variations/		None	7	•			No change			
Non-standar	d									
timings:										

Performance of Live Music										
	Cur		_	Proposed Li		Licensable Area				
	Но	urs	Но	urs						
	Start:	End:	Start:	End:	Curre	nt:	Proposed:			
Monday	09:00	06:00	No chai	nge	Basen	nent and	No change			
Tuesday	09:00	06:00			lower	ground floor				
Wednesday	09:00	06:00								
Thursday	09:00	06:00								
Friday	09:00	06:00								
Saturday	09:00	06:00								
Sunday	09:00	06:00								
Seasonal	Curr	ent:				Proposed:				
Variations/	Variations/ None		•	1		No change				
Non-standard										
timings:										

Recorded music									
	Cur Ho			osed urs	Licens	sable Area			
	Start:	End:	Start:	End:	Curre	nt:	Proposed:		
Monday	Unrestr	icted	No char	nge	Basen	nent and	No change		
Tuesday				lower ground floor					
Wednesday									
Thursday									
Friday									
Saturday									
Sunday									
Seasonal	Curr	ent:				Proposed:			
Variations/	None	9	•		•	No change			
Non-standard timings:						_			

Anything of a similar description to live music, recorded music or performance of dance										
		rent	Prop		Licens	sable Area	able Area			
	Но	urs	Но	urs						
	Start:	End:	Start:	End:	Curre	nt:	Proposed:			
Monday	09:00	06:00	No char	nge	Basen	nent and	No change			
Tuesday	09:00	06:00			lower	ground floor				
Wednesday	09:00	06:00								
Thursday	09:00	06:00								
Friday	09:00	06:00								
Saturday	09:00	06:00								
Sunday	09:00	06:00								
Seasonal	Curr	ent:				Proposed:				
Variations/	None	9		•	•	No change				
Non-standard										
timings:										

Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit Proposed Current **Licensable Area** Hours Hours Start: | End: Start: End: **Current:** Proposed: Monday 09:00 06:00 No change Basement and No change 06:00 **Tuesday** 09:00 lower ground floor Wednesday 09:00 06:00 **Thursday** 06:00 09:00 Friday 09:00 06:00 Saturday 09:00 06:00 Sunday 09:00 06:00 Proposed: **Current:** Seasonal Variations/ No change None Non-standard timings:

Late night refreshment									
Indoors, outdo	oors or	both	Curren	t :			Pro	posed:	
			Both				No c	change	
		rent urs	Proposed Hours		Licens	sable Ar			
	Start:	End:	Start:	End:	Curre	nt:		Proposed:	
Monday	23:00	06:00	No char	nge	Basen	nent and		No change	
Tuesday	23:00	06:00			lower (lower ground floor			
Wednesday	23:00	06:00							
Thursday	23:00	06:00							
Friday	23:00	06:00							
Saturday	23:00	06:00							
Sunday	23:00	06:00							
Seasonal	nal Current:						sed:		
variations/	The	terminal	al hour for late night			No change			
Non-standard	refre	shment	t on New Year's Eve is						
timings:	exte	nded to (05:00 on New Year's						
	Day.								

Sale by Retail of Alcohol									
On or off sale	Curren	t :		F	Prop	posed:			
			On and	off		1	No c	hange	
	С	urrent	Prop	osed	Licens	sable Are	ea		
	F	lours	Но	urs					
	Start	End:	Start:	End:	Curre	nt:		Proposed:	
Monday	10:00	03:00	10:00	04:00	Basen	nent and		No change	
Tuesday	10:00	03:00	10:00	04:00	lower (ground flo	oor	- -	
Wednesday	10:00	03:00	10:00	04:00					
Thursday	10:00	03:00	10:00	04:00					
Friday	10:00	03:00	10:00	04:00					
Saturday	10:00	03:00	10:00	04:00					
Sunday	12:00	00:30	No cha	nge					
Seasonal	Cı	rrent:				Propos	ed:		
variations/	Su	ndays bef	ore Bank	Holidays	(other	Sundays	s be	efore Bank Holidays 12:00	
Non-standard	tha	ın Easter S	Sunday) 1	12:00 to (03:00	to 04:00)		
timings:	Th	e permitte	n New Y	ear's	The per	mitt	ed hours on New Year's		
	Ev	e will exte	end to the start of			Eve will extend to the start of			
	pe	rmitted ho	urs on the	e followin	ig day,	permitted hours on the following day,			
		if there are	•			or if there are no permitted hours on			
	1 .	anuary, to	00.00 or	n New Ye	ear's	1 Janua	ary, t	to 00.00 on New Year's	
	Ev	e.				Eve.			

		Current Hours		Proposed Hours		Premises Area	
	Start:	End:	Start:	End:	Curre	nt:	Proposed:
Monday	09:00	06:00	No chai	nge	Basen	nent and	No change
Tuesday	09:00	06:00			lower	ground floor	_
Wednesday	09:00	06:00					
Thursday	09:00	06:00					
Friday	09:00	06:00					
Saturday	09:00	06:00					
Sunday	09:00	06:00					
Seasonal	Curr	ent:				Proposed:	
variations/	None	Э				No change	
Non-standard							
timings:							

1-B L	icens	able ac	le activities to be added					
Films	Films							
Indoors,	outdo	ors or b	ooth	Current :		Proposed:		
				N/A		Indoors		
		Curi	~	Proposed Licensa Hours		sable Area		
		Start:	End:	Start:	End:	Currer	nt:	Proposed:
Monday		NA		10:00	04:00		ent and	No change
Tuesday				10:00	04:00	lower o	ground flooi	
Wednesd	lay			10:00	04:00			
Thursday	/			10:00	04:00			
Friday				10:00	04:00			
Saturday	1			10:00	04:00			
Sunday				12:00	00:30			
Seasonal	-	Curr	ent:				Proposed	
variations		N/A					•	pefore Bank Holidays 12:00
Non-stan	idard						to 04:00	tta dibassa an Nassa Waada
timings:							•	tted hours on New Year's ktend to the start of
								hours on the following day,
		· ·		are no permitted hours on				
	1 January, to 00.00 on New		•					
							Eve.	, 10 00.00 011 11011 1 001 0

1-C	Layout alteration
No alte	ration of layout is proposed

1-D Conditions being removed

- 9. 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.
- 18. A Close Circuit Television system shall be installed, maintained and operated correctly as specified by a Metropolitan Police Crime Prevention Officer. The tapes from the system to be retained for a period of 28 days.
- 26. After 23:00 on Friday and Saturday night where the premises operate as a nightclub or an external promoter led event 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.

Since submission, condition 26 has been removed by way of a minor variation application.

1-D Conditions being added

Condition

- 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.
- 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.
- 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.

- 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.
- 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.
- The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.
- The means of escape provided for the premises shall be maintained unobstructed, free
 of trip hazards, be immediately available and clearly identified in accordance with the
 plans provided.
- All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.
- All emergency doors shall be maintained effectively self closing and not held open other than by an approved device.
- The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
- Curtains and hangings shall be arranged so as not to obstruct emergency safety signs or emergency equipment.
- After 03:00, Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke or make a phone call, shall be limited to (TBC) persons at any one time.
- Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke or make a phone call, shall not be permitted to take glass containers with them.
- The premises licence holder shall ensure that any patrons smoking outside the premises do so in an orderly manner and are properly supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.
- There shall be no new admittance to the premises after 03:00 hours.
- All members of management will be provided with Welfare and Vulnerability
 Engagement (WAVE) training to provide those working in the licensed industry with an
 awareness of vulnerability and their responsibilities towards people visiting their
 premises. This training is available at: Welfare and Vulnerability Engagement (WAVE)
 Resources (nbcc.police.uk)

Adult entertainment:	Current position:	Proposed position:	
	None	No change	

2.	Representations			
2-A	Responsib	le Authorities		
Respondant Author		Metropolitan Police Service		
Repres	entative:	Reaz Guerra		
Receiv	ed:	15 February 2023		

With reference to the above applications, I am writing to inform you that the Metropolitan Police, as a Responsible Authority, are objecting to this application as it is our belief that if granted the application would undermine the Licensing Objectives. The premises are situated within the West End Cumulative Impact Area.

There is insufficient detail contained within the operating schedule to promote the licensing objectives.

The hours sought exceed Westminster's Core Hours Policy.

It is for these reasons that we object to this application.

Responsible Authority:	Environmental Health
Representative:	Sally Fabbricatore
Received:	10 February 2023

I refer to the variation Premises Licence for the above premises. The premises already benefits from a premises licence 22/08698/LIPVM.

The premises is situated in the West End Cumulative Impact Zone.

This representation is based on the Operating Schedule, no further layout plans have been submitted.

The applicant is seeking the following:

- 1. To extend the terminal hour for the Supply of Alcohol (both on and off the premises) on Monday to Saturday and Sundays prior to bank holidays to 04:00 hours.
- 2. To include the provision of Films Monday to Saturday 10:00-04:00 hours, Sunday 12:00-00:30 hours and Sundays prior to bank holidays 12:00-04:00 hours.
- 3. To remove and replace conditions.

I wish to make the following representation in relation to the above application:

- 1. The extension of hours for Late Night Refreshment may cause an increase in Public Nuisance in the cumulative impact zone.
- 2. The provision of Films may cause an increase in Public Nuisance in the cumulative impact zone and may impact on Public Safety.
- 3. The removal and replacement of conditions may cause an increase in Public Nuisance in the cumulative impact zone.

The premises has undertaken pre-application advice 22/09691/PREAPM, where the issues and conditions raised have been taken into account, this is all being considered, but further

conditions may be proposed by Environmental Health in order to protect the Licensing Objectives.

The granting of the variation Premises Licence as presented would have the likely effect of causing an increase in Public Nuisance in the cumulative impact zone.

Responsible Authority:	Licensing Authority
Representative:	Jessica Donovan
Received:	15 February 2023

Dear Sirs

I write in relation to the application submitted for a variation of the premises licence for Lio London, Basement And Lower Ground Floor, 3-4 Coventry Street, London, W1D 6BL.

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

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

The application seeks the following variations:

- To remove and/or replace the conditions as outlined in the appended schedule of conditions:
- To extend the terminal hour for sales of alcohol by one hour to 04:00 Monday to Saturday and Sundays before Bank Holidays (only). No change Sundays; and
- To include the provision of films Monday to Saturday 10:00 to 04:00 and Sunday 12:00 to 00:30, in accordance with the proposed hours for sales of alcohol.

The premises are located within the West End Cumulative Impact Zone and it is noted that the existing premises conditions contains a condition that states "The sale of alcohol must be ancillary to the use of the premises for music and dancing and substantial refreshment" and as such various policy points must be considered, namely MD1, HRS1 and CIP1.

Policy MD1 (B) states:

- 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.
- C. The applications referred to in Clause B1 and B2 will generally be granted subject to:
- 1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1.
- 2. 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.

- 3. The application and operation of the venue continuing to meet the definition of a music and dance premises in Clause D.
- D. For the purposes of this policy a music and dance premises is defined as a premises whereby the primary purpose of the venue is to:
- 1. Provide regulated entertainment in the form of music, either in the form of live performances or recorded, to customers.
- 2. Provide regulated entertainment in the form of music, either as live performances or recorded, and provide facilities for the provision of dance.
- 3. The sale by retail of alcohol may be provided as either a considerable element of the operation of the premises or ancillary to the provision of regulated entertainment. a. Examples of venues that would fall within this policy are night clubs or bars that provide music and dancing. b. De-regulated entertainment (as set out in the glossary will not be subject to this policy).

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.

It is noted that proposed hours for licensable activities fall outside of Westminster's core hours for music and dance venues and therefore are a contrary to policy.

The Core hours for music and dance venues are:

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.

Given that the hours applied for are in excess of Westminster's core hours, the Licensing Authority require the applicant to provide submissions as to how the operation of the premises will not add to cumulative impact in the West End cumulative impact zone, in accordance with policy CIP1.

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

Please accept this as a formal representation.

3. Policy & Guidance

31	ithin the City of Westminster Statement of Licensing Policy apply:
Policy CIP1 applies	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 atotement.
Policy HRS1 applies	this statement. 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 childre 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 timpact 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 acco

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.

Policy MD1(B) applies

- 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.
- C. The applications referred to in Clause B1 and B2 will generally be granted subject to:
- 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 music and dance premises in Clause D.
- D. For the purposes of this policy a music and dance premises is defined as a premises whereby the primary purpose of the venue is to:
- 1. Provide regulated entertainment in the form of music, either in the form of live performances or recorded, to customers.
- 2. Provide regulated entertainment in the form of music, either as live performances or recorded, and provide facilities for the provision of dance.
- 3. The sale by retail of alcohol may be provided as either a considerable element of the operation of the premises or ancillary to the provision of regulated entertainment.
- a. Examples of venues that would fall within this policy are night clubs or bars that provide music and dancing.
- b. De-regulated entertainment (as set out in the glossary will not be subject to this policy).

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

Report author:	Kevin Jackaman
	Senior Licensing Officer
Contact:	Telephone: 02087 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.

Backgro	und Documents – Local Government (Access to Info	ormation) 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	December 2022
4	Metropolitan Police Service representation	15 February 2023
5	Environmental Health representation	10 February 2023
6	Licensing Authority representation	15 February 2023



Schedule 12 Part A WARD: St James's UPRN: 010033579206

Premises licence

Regulation 33, 34

Premises licence number:

23/00905/LIPVM

Original Reference:

05/06541/LIPCV

Part 1 - Premises details

Postal address of premises:

Lio London
Basement and Lower Ground Floor
3-4 Coventry Street
London
W1D 6BL

Telephone Number: 0207 734 7700

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 Sunday: 09:00 to 06:00

Performance of Live Music

Monday to Sunday: 09:00 to 06:00

Playing of Recorded Music Unrestricted

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

Dance

Monday to Sunday: 09:00 to 06:00

Late Night Refreshment

Monday to Sunday: 23:00 to 06:00

Private Entertainment consisting of dancing, music or other entertainment of a like kind

for consideration and with a view to profit Unrestricted

Sale by Retail of Alcohol

Monday to Saturday: 10:00 to 03:00 Sunday: 12:00 to 00:30

Sundays before Bank Holidays: 12:00 to 03:00 (Other than Easter Sunday)

For times authorised for New Year see conditions at Annex 1

The opening hours of the premises:

Monday to Sunday: 09:00 to 06:00

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:

Lio London Ltd The Courtyard 14A Sydenham Road Croydon CR0 2EE

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

11551613

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

Name: Aaron Sinkia

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: 847543

Licensing Authority: London Borough of Southwark

Date: 07 March 2023

This licence has been authorised by Emanuela Meloyan 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;
 - 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.
 - (ii) For the purposes of the condition set out in paragraph 8(i) above -
 - "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 + (DxV)

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,
 - the designated premises supervisor (if any) in respect of such a licence, or
 - 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.
- (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 subparagraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- (iv) 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 reproducing the effect of conditions subject to which the relevant existing licences have effect.

Conditions relating to regulated entertainment:

- 9. 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.
- 10. 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 Sunday to Saturday to 06:00 on the day following.
- 11. 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).
- 12. An attendant shall be stationed in the vicinity of the cloakroom during the whole time that it is in use.
- 13. Seven days notice shall be given to the Council when a live band is booked for which the primary purpose is NOT to provide music for dancing.
- 14. The number of persons accommodated (excluding staff) shall not exceed: Balcony 150, Basement 565.

Conditions for Sale of Alcohol

- 15. 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.
- 16. On any evening where the premises or part of the premises are open for music, dancing or entertainment and a Section 77 Special Hours Certificate is in operation, intoxicating liquor may not be sold or supplied to persons admitted to the premises after 11pm other than to:
 - a) Persons who have paid a minimum admission fee of at least £5 Monday to Thursday, and £7 Friday and Saturday (these fees to be reviewed and set by the Licensing Justices at their triennial renewal sessions) for music, dancing and entertainment (not to be credited against consumables); OR

- b) Persons who have paid a minimum annual admission fee of at least £150 payable in advance for music, dancing and entertainment (not to be credited against consumables). Such person may bring with them up to 4 guests. A list of all persons who have paid an annual admission fee will be held at reception for inspection by the relevant authority; OR
- Any person attending a private function at the premises, details of the type of function, host and a list of persons attending having been provided to the police at least 24 hours previously; OR
- d) Artistes and persons employed on the premises; OR e) Bona fide guests of the proprietor (not exceeding 10% of the total capacity for the premises as specified in the Public Entertainment Licence for the premises), a list of whom shall be kept at reception for inspection by appropriate authorities; OR
- f) Persons taking full table meals, a list of whom are held at reception for inspection by relevant authorities.
- 17. No striptease, no nudity and all persons on the premises to be decently attired.
- 18. A Close Circuit Television system shall be installed, maintained and operated correctly as specified by a Metropolitan Police Crime Prevention Officer. The tapes from the system to be retained for a period of 28 days.
- 19. No payment to be made by or on behalf of the licensee for bringing customers to the premises.
- 20. There shall be no gaming on the premises other than by machines authorised by Part III (Section 34) of the Gaming Act 1968, or by the Licensing Justices in accordance with Section 6 of the Gaming Act 1968.
- 21. No persons under 18 years of age to be permitted on the premises during permitted hours except by prior written notice to the police.
- 22. The maximum number of persons to be present in the licensed premises on each floor shall not exceed the number specified from time to time by the proper officer of the LFCDA. Currently Basement 565 and 30 staff; Balcony 150 and 25 staff.

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

Conditions related to the Sale of Alcohol

- 23. (a) Subject to the following paragraphs, the permitted hours on weekdays shall commence at 10.00 and extend until 03.00 on the morning following, except that
 - 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) Except on Sundays immediately before bank holidays (apart from Easter Sunday), the permitted hours on Sundays shall extend until 00.30 on the morning following, except that-
 - (i) the permitted hours shall end at 00.00 midnight on any Sunday on which music and dancing is not provided after midnight;

- (ii) where music and dancing end between 00.00 midnight on any Sunday and 00.30, the permitted hours on that Sunday shall end when the music and dancing end.
- (d) On Sundays immediately before bank holidays (other than Easter Sunday), the permitted hours shall extend until 03.00 on the morning following, except that-
 - (i) the permitted hours shall end at 00.00 midnight on any Sunday on which music and dancing is not provided after 00.00 midnight;
 - (ii) where music and dancing end between 00.00 midnight on any Sunday and 03.00, the permitted hours on that Sunday shall end when the music and dancing end.
- (e) The sale of alcohol must be ancillary to the use of the premises for music and dancing and substantial refreshment.
- (f) 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.

- 24. 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 (or the holder of the club premises certificate):
 - (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.
- 25. The terminal hour for late night refreshment on New Year's Eve is extended to 05:00 on New Year's Day.

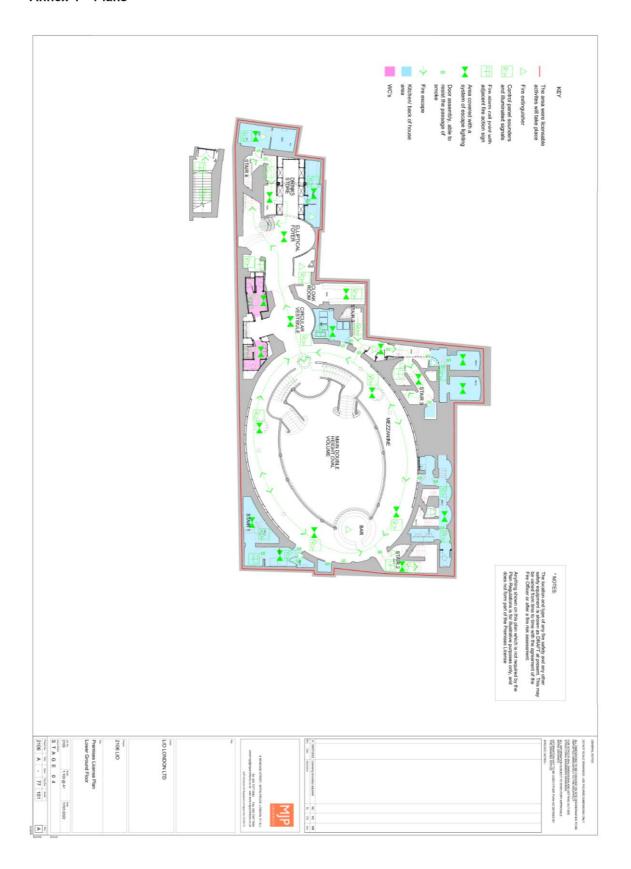
Annex 2 - Conditions consistent with the operating Schedule

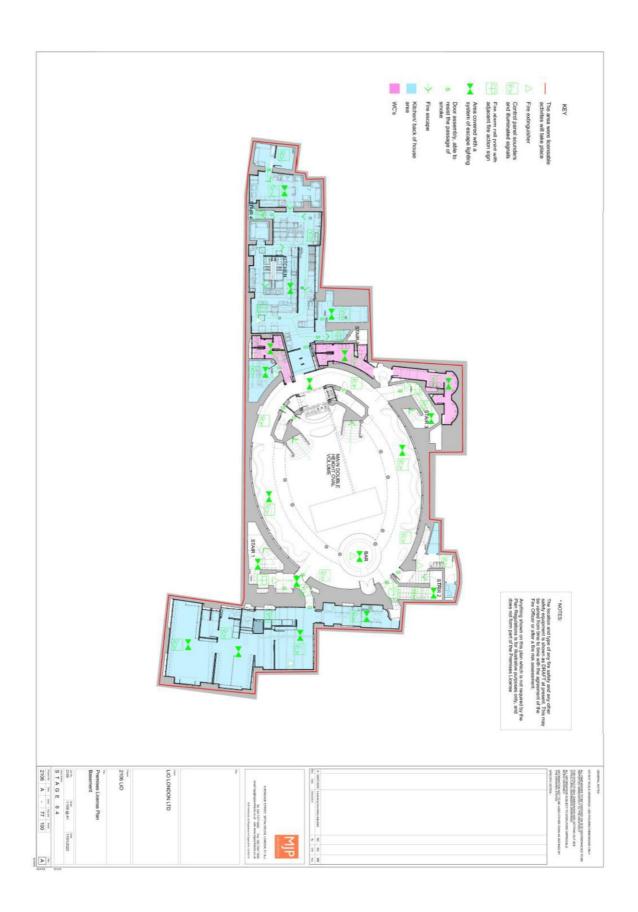
- 26. In the event that a serious assault is committed on the premises (or appears to have been committed) the management will immediately ensure that:
 - (a) The Police (and where appropriate, the London Ambulance Service) are called without delay, using emergency telephone number 999;
 - (b) All measures that are reasonably practicable are taken to apprehend any suspects pending the arrival of the Police;
 - (c) As is reasonably practicable, the crime scene is preserved so as to enable a full forensic investigation to be carried out by the Police; and
 - (d) Such other measures are taken (as appropriate) to fully protect the safety of all persons present on the premises.

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

27.	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 drink and food purchased.

Annex 4 - Plans







Schedule 12 Part B

WARD: St James's UPRN: 010033579206

Premises licence summary

Regulation 33, 34

Premises licence number:

23/00905/LIPVM

Part 1 - Premises details

Postal address of premises:

Lio London
Basement and Lower Ground Floor
3-4 Coventry Street
London
W1D 6BL

Telephone Number: 0207 734 7700

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 Sunday: 09:00 to 06:00

Performance of Live Music

Monday to Sunday: 09:00 to 06:00

Playing of Recorded Music Unrestricted

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

Dance

Monday to Sunday: 09:00 to 06:00

Late Night Refreshment

Monday to Sunday: 23:00 to 06:00

Private Entertainment consisting of dancing, music or other entertainment of a like kind

for consideration and with a view to profit Unrestricted

Sale by Retail of Alcohol

Monday to Saturday: 10:00 to 03:00 Sunday: 12:00 to 00:30

Sundays before Bank Holidays: 12:00 to 03:00 (Other than Easter Sunday)

For times authorised for New Year see conditions at Annex 1

The opening hours of the premises:

Monday to Sunday: 09:00 to 06:00

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:

Lio London Ltd The Courtyard 14A Sydenham Road Croydon CR0 2EE

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

11551613

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

Name: Aaron Sinkia

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

Prohibited

Date: 07 March 2023

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

None

Licence & Appeal History

Application	Details of Application	Date Determined	Decision
05/06541/LIPCV	Conversion	15.09.2005	Granted by Licensing Sub Committee
12/05860/LIPVM	Minor variation – Change of layout (relocation of stage area)	23.07.2012	Granted under delegated authority
14/02765/LIPVM	Minor variation – Addition of condition	16.04.2014	Granted under delegated authority
14/08607/LIPVM	Minor variation – Addition of condition	24.10.2014	Granted under delegated authority
18/02164/LIPDPS	DPS variation	10.04.2018	Granted under delegated authority
19/07460/LIPDPS	DPS variation	15.07.2019	Granted under delegated authority
19/07587/LIPDPS	DPS variation	15.07.2019	Granted under delegated authority
20/11921/LIPT	Transfer - Maxwell's Restaurants Limited to Raymond Estates Ltd	08.01.2021	Granted under delegated authority
20/11986/LIPN	New premises Licence (Shadow licence)	21.01.2021	Granted under delegated authority
21/02929/LIPT	Transfer - Raymond Estates Ltd to Lio London Ltd	16.04.2021	Granted under delegated authority
22/08698/LIPVM	Minor variation – Change of layout (general refurbishment)	06.10.2022	Granted under delegated authority
23/00905/LIPVM	Minor variation – removal of condition 26	27.02.2023	Granted under delegated authority

There is no appeal history

Temporary Event Notices	Date of Event	Activities/Hours	Decision
23/00761/LITENP	19.02.2023 to 20.02.2023	Regulated entertainment, late night refreshment and Supply of Alcohol – 18:00 to 03:00	Event permitted
23/01026/LITENP	18.03.2021 to 19.03.2021	Supply of Alcohol – 03:00 to 04:00	Event permitted

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

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

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

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

Conditions: On Current Licence -

Mandatory:

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

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

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

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

- 8(i) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
- 8(ii) For the purposes of the condition set out in paragraph 8(i) above -
 - (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
 - (b) "permitted price" is the price found by applying the formula -

P = D + (DxV)

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,
 - 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 reproducing the effect of conditions subject to which the relevant existing licences have effect.

Conditions relating to regulated entertainment:

9. 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.

The applicant is seeking to remove condition 9

- 10. 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 Sunday to Saturday to 06:00 on the day following.
- 11. 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).
- 12. An attendant shall be stationed in the vicinity of the cloakroom during the whole time that it is in use.
- 13. Seven days notice shall be given to the Council when a live band is booked for which the primary purpose is NOT to provide music for dancing.
- 14. The number of persons accommodated (excluding staff) shall not exceed: Balcony 150, Basement 565.

Conditions for Sale of Alcohol

- 15. 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.
- 16. On any evening where the premises or part of the premises are open for music, dancing or entertainment and a Section 77 Special Hours Certificate is in operation, intoxicating liquor may not be sold or supplied to persons admitted to the premises after 11pm other than to:
 - a) Persons who have paid a minimum admission fee of at least £5 Monday to Thursday, and £7 Friday and Saturday (these fees to be reviewed and set by the Licensing Justices at their triennial renewal sessions) for music, dancing and entertainment (not to be credited against consumables); OR
 - b) Persons who have paid a minimum annual admission fee of at least £150 payable in advance for music, dancing and entertainment (not to be credited against consumables). Such person may bring with them up to 4 guests. A list of all persons who have paid an annual admission fee will be held at reception for inspection by the relevant authority; OR
 - c) Any person attending a private function at the premises, details of the type of function, host and a list of persons attending having been provided to the police at least 24 hours previously; OR
 - d) Artistes and persons employed on the premises; OR e) Bona fide guests of the proprietor (not exceeding 10% of the total capacity for the premises as specified

- in the Public Entertainment Licence for the premises), a list of whom shall be kept at reception for inspection by appropriate authorities; OR
- f) Persons taking full table meals, a list of whom are held at reception for inspection by relevant authorities.
- 17. No striptease, no nudity and all persons on the premises to be decently attired.
- 18. A Close Circuit Television system shall be installed, maintained and operated correctly as specified by a Metropolitan Police Crime Prevention Officer. The tapes from the system to be retained for a period of 28 days.

The applicant is seeking to remove condition 18

- 19. No payment to be made by or on behalf of the licensee for bringing customers to the premises.
- 20. There shall be no gaming on the premises other than by machines authorised by Part III (Section 34) of the Gaming Act 1968, or by the Licensing Justices in accordance with Section 6 of the Gaming Act 1968.
- 21. No persons under 18 years of age to be permitted on the premises during permitted hours except by prior written notice to the police.
- 22. The maximum number of persons to be present in the licensed premises on each floor shall not exceed the number specified from time to time by the proper officer of the LFCDA. Currently Basement 565 and 30 staff; Balcony 150 and 25 staff.

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

Conditions related to the Sale of Alcohol

- 23. (a) Subject to the following paragraphs, the permitted hours on weekdays shall commence at 10.00 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) Except on Sundays immediately before bank holidays (apart from Easter Sunday), the permitted hours on Sundays shall extend until 00.30 on the morning following, except that-
 - (i) the permitted hours shall end at 00.00 midnight on any Sunday on which music and dancing is not provided after midnight;
 - (ii) where music and dancing end between 00.00 midnight on any Sunday and 00.30, the permitted hours on that Sunday shall end when the music and dancing end.

- (d) On Sundays immediately before bank holidays (other than Easter Sunday), the permitted hours shall extend until 03.00 on the morning following, except that-
 - (i) the permitted hours shall end at 00.00 midnight on any Sunday on which music and dancing is not provided after 00.00 midnight;
 - (ii) where music and dancing end between 00.00 midnight on any Sunday and 03.00, the permitted hours on that Sunday shall end when the music and dancing end.
- (e) The sale of alcohol must be ancillary to the use of the premises for music and dancing and substantial refreshment.
- (f) 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.

- 24. 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 (or the holder of the club premises certificate):
 - (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.
- 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. In the event that a serious assault is committed on the premises (or appears to have been committed) the management will immediately ensure that:
 - (a) The Police (and where appropriate, the London Ambulance Service) are called without delay, using emergency telephone number 999;
 - (b) All measures that are reasonably practicable are taken to apprehend any suspects pending the arrival of the Police;
 - (c) As is reasonably practicable, the crime scene is preserved so as to enable a full forensic investigation to be carried out by the Police; and
 - (d) Such other measures are taken (as appropriate) to fully protect the safety of all persons present on the premises.

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

27. 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 drink and food purchased.

Conditions to be added to the premises licence

- 28. 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.
- 29. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
- 30. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received concerning crime and disorder
 - (d) any incidents of disorder
 - (e) all seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system, searching equipment or scanning equipment
 - (g) any refusal of the sale of alcohol
 - (h) any visit by a relevant authority or emergency service.

- 31. 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.
- 32. 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.
- 33. 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.
- 34. 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.
- 35. All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.
- 36. All emergency doors shall be maintained effectively self closing and not held open other than by an approved device.
- 37. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
- 38. Curtains and hangings shall be arranged so as not to obstruct emergency safety signs or emergency equipment.
- 39. After 03:00, Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke or make a phone call, shall be limited to (**TBC**) persons at any one time.
- 40. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke or make a phone call, shall not be permitted to take glass containers with them.
- 41. The premises licence holder shall ensure that any patrons smoking outside the premises do so in an orderly manner and are properly supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.
- 42. There shall be no new admittance to the premises after 03:00 hours.
- 43. All members of management will be provided with Welfare and Vulnerability Engagement (WAVE) training to provide those working in the licensed industry with an awareness of vulnerability and their responsibilities towards people visiting their premises. This training is available at: Welfare and Vulnerability Engagement (WAVE) Resources (nbcc.police.uk)



Resident count: 26

Licensed premises within 75m of 3-4 Coventry Street London W1D 6BL				
Licence Number	Trading Name	Address	Premises Type	Time Period
		Upper		
		Ground Floor		
		To Third		
		Floor 3-4		Sunday; 12:00
		Coventry		- 12:00
	The Rialto	Street		Monday to
	Casino	London W1D	Casino or	Saturday;
22/09452/LIPDPS	Piccadilly	6BL	gambling club	10:00 - 10:00
	Cafe De Paris	Basement	Premises	Monday to
	(Shadow	And Lower	Licence -	Sunday; 09:00
20/11986/LIPN	Licence)	Ground Floor	Shadow Licence	- 06:00

1	I	1040	İ	l I
		3-4 Coventry		
		Street		
		London W1D		
		6BL		Manday (O)
				Monday; 09:00
				- 06:00
				Tuesday;
				09:00 - 06:00
				Wednesday;
				09:00 - 06:00
		Basement		Thursday; 09:00 - 06:00
		And Lower		Friday; 09:00 -
		Ground Floor		06:00
		3-4 Coventry		Saturday;
		Street		09:00 - 06:00
		London W1D	Night clubs and	Sunday; 09:00
22/08698/LIPVM	Lio London	6BL	discos	- 06:00
V V V V V V V V V V V V V V V V		1 - 2	4,000	Sunday; 10:00
		Coventry		- 02:30
		Street		Monday to
		London W1D		Saturday;
22/01930/LIPDPS	Shake Shack	6BH	Food store	10:00 - 03:00
		1 - 2		Sunday; 23:00
		Coventry		- 02:30
		Street		Monday to
		London W1D		Saturday;
16/08990/LIPVM	Shake Shack	6BH	Restaurant	23:00 - 03:00
				Sunday; 12:00
		3-5 Wardour		- 22:30
	Basement Of 3-	Street		Monday to
2.44.42.47.15.7	5 Wardour	London W1D		Saturday;
21/14481/LIPT	Street	6PB	Restaurant	12:00 - 23:00
		32 Coventry		Manadanita
		Street		Monday to
04/05744/LIDNI	Loveline	London W1D	Destaurant	Sunday; 00:00
21/05711/LIPN	Layalina	6BR	Restaurant	- 00:00
				Monday; 10:30
				- 23:30
				Tuesday;
				10:30 - 23:30
				Wednesday;
				10:30 - 23:30
		Poor mart		Thursday;
		Basement		10:30 - 23:30 Friday: 10:30
		And Ground		Friday; 10:30 -
		Floor 7 Wardour		23:30 Saturday;
		Street		10:30 - 23:30
		London W1D		Sunday; 10:30
22/07173/LIPN	Not Recorded	6PE	Restaurant	- 23:30
ZZ/OT ITO/LITIN	140t Nocolueu	UI L	restaurant	20.00

22/10452/LIPDPS	Thistle Piccadilly Hotel	39 Coventry Street London W1D 6BZ 11 Wardour	Hotel, 4+ star or major chain	Sunday; 12:00 - 23:00 Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 23:30 Monday to Saturday; 10:00 - 00:30
23/00615/LIPD	Misato Restaurant	Street London W1D 6PG	Restaurant	Monday to Sunday; 11:00 - 00:00
21/06490/LIPT	Sugar	First Floor And Second Floor 11 Wardour Street London W1D 6PG	Club or institution	Monday; 09:00 - 03:30 Tuesday; 09:00 - 03:30 Wednesday; 09:00 - 03:30 Thursday; 09:00 - 03:30 Friday; 09:00 - 06:00 Saturday; 09:00 - 06:00 Sunday; 09:00 - 23:00 Monday to Thursday; 09:00 - 03:30 Friday to Saturday; 09:00 - 06:00
19/09537/LIPDPS	Waxy O'Connor's	Basement And Ground Floor 14 - 16 Rupert Street London W1D 6DD	Public house or pub restaurant	Sunday; 12:00 - 00:00 Sunday; 12:00 - 23:00 Monday to Thursday; 10:00 - 23:30 Monday to Saturday; 10:00 - 00:30 Friday to Saturday; 10:00 - 00:00 Sundays before Bank Holidays; 12:00 - 00:00 Sunday; 12:00
16/10204/LIPV	London Jade Garden	15 Wardour Street London W1D 6PH	Restaurant	- 23:00 Monday to Thursday; 10:00 - 00:00 Friday to

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				Saturday; 10:00 - 00:30
				Monday; 10:00
				- 00:30
				Tuesday;
				10:00 - 00:30
				Wednesday;
				10:00 - 00:30
				Thursday;
				10:00 - 00:30
				Friday; 10:00 -
				00:30
		15 Wardour		Saturday;
		Street		10:00 - 00:30
00/00004/1/17001		London W1D	D , ,	Sunday; 12:00
20/03201/LIPN	Orient London	6PH	Restaurant	- 00:00
				Sunday; 12:00
				- 00:30 Monday to
				Saturday;
		25-29		10:00 - 01:30
		Coventry		Sundays
		Street		before Bank
	Happy Bar &	London W1D		Holidays;
20/02193/LIPRW	Grill	7AG	Restaurant	12:00 - 01:00
		Ground Floor		
		Right		
		Haymarket		
		House 1A		Sunday; 09:00
		Oxendon Street		- 01:00
	The Comedy	London		Monday to Saturday;
17/02769/LIPDPS	Store	SW1Y 4EE	Theatre	09:00 - 05:00
177027037211 21 3	Otorc	OVVII TEE	THOATIC	Sunday; 12:00
				- 00:00
				Monday to
				Wednesday;
		18 Rupert		10:00 - 01:00
		Street		Thursday to
	1	London W1D		Saturday;
22/07383/LIPDPS	Heritage	6DD	Restaurant	10:00 - 01:30
				Sunday; 12:00
				- 00:00 Monday to
				Monday to Wednesday;
		17 Wardour		10:00 - 00:30
		Street		Thursday to
		London W1D		Saturday;
20/02226/LIPDPS	Morden & Lea	6PJ	Restaurant	10:00 - 01:30
		31 Coventry		
		Street		Monday to
	Prince Of Wales	London W1D		Sunday; 09:00
22/11749/LIPDPS	Theatre	6AS	Theatre	- 00:00

I	I	1	1	1
22/06997/LIPDPS	W Hotel	W London Leicester Square 10 Wardour Street London W1D 6QF	Hotel, 4+ star or major chain	Monday to Sunday; 00:00 - 00:00
21/13272/LIPDPS	Burger & Lobster	W London Leicester Square 10 Wardour Street London W1D 6QF	Not Recorded	Monday to Sunday; 08:00 - 01:00
22/12049/LIPT	Old Town 97	19 Wardour Street London W1D 6PL	Restaurant	Sunday; 12:00 - 04:00 Monday to Saturday; 10:00 - 04:00
06/12381/WCCMAP	Cafe T.P.T.	21 Wardour Street London W1D 6PN	Restaurant	Sunday; 12:00 - 01:00 Monday to Saturday; 10:00 - 01:00
19/03860/LIPDPS	Four Seasons	23 Wardour Street London W1D 6PW	Restaurant	Sunday; 12:00 - 05:00 Monday to Saturday; 10:00 - 05:00
22/11676/LIPDPS	The Piano Works - West End	Clareville House 47 Whitcomb Street London WC2H 7DH	Night clubs and discos	Wednesday; 09:00 - 03:30 Sunday; 12:00 - 00:00 Monday to Tuesday; 09:00 - 01:30 Thursday to Saturday; 09:00 - 02:30
18/09315/LIPN	Studio 88 (Shadow Licence)	Sub-Basement, Basement Part And Ground Floor Part Clareville House 47 Whitcomb Street London WC2H 7DH	Premises Licence - Shadow Licence	Wednesday; 09:00 - 02:30 Sunday; 12:00 - 00:00 Monday to Tuesday; 09:00 - 01:30 Thursday to Saturday; 09:00 - 03:30

