



City of Westminster

# Committee Agenda

Title: **Licensing Sub-Committee (3)**

Meeting Date: **Thursday 20 July 2023**

Time: **10.00 am**

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

Members: **Councillors:**  
Robert Eagleton (Chair)  
Md Shamsed Chowdhury  
Karen Scarborough

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

**Email: [scraddock@westminster.gov.uk](mailto:scraddock@westminster.gov.uk) Tel: 07790980186**  
**Corporate Website: [www.westminster.gov.uk](http://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. STK AT THE ME HOTEL (GROUND FLOOR), MARCONI HOUSE, 335 STRAND, WC2R 1HA

(Pages 1 - 40)

Ward CIA* SCZ**	Site Name & Address	Application Type	Licensing Reference No.
St James's  * None  ** None	STK At the ME Hotel (Ground Floor) Marconi House 335 Strand WC2R 1HA	Premises Licence Variation	23/02043/LIPV
*Cumulative Impact Area ** Special Consideration Zone			

**2. JOHN SNOW, 39 BROADWICK STREET, W1F 9QJ**

**(Pages 41 - 98)**

<b>Ward CIA* SCZ**</b>	<b>Site Name &amp; Address</b>	<b>Application Type</b>	<b>Licensing Reference No.</b>
West End  * West End  ** None	John Snow 39 Broadwick Street W1F 9QJ	Premises Licence Variation	23/02652/LIPV
*Cumulative Impact Area ** Special Consideration Zone			

**3. 1 HORSE GUARDS AVENUE, SW1A 2HU**

**(Pages 99 -  
122)**

<b>Ward CIA* SCZ**</b>	<b>Site Name &amp; Address</b>	<b>Application Type</b>	<b>Licensing Reference No.</b>
St James's  * None  ** None	1 Horse Guards Avenue SW1A 2HU	New Premises Licence	23/01731/LIPN
*Cumulative Impact Area ** Special Consideration Zone			

**Stuart Love  
Chief Executive  
12 July 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: 09:00 hours to 24:00 hours

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

Sunday: 09:00 hours to 22:30 hours

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

## **8. Restaurants**

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

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

Sunday: 09:00 hours to 22:30 hours

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

## **9. Sexual Entertainment Venues and Sex Cinemas**

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

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

Sunday: 09:00 hours to 22:30 hours

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

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City of Westminster

## Licensing Sub-Committee Report

Item No:	
Date:	20 July 2023
Licensing Ref No:	23/02043/LIPV - Premises Licence Variation
Title of Report:	STK At The ME Hotel (Ground Floor) Marconi House 335 Strand London
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:	Miss Jessica Donovan Senior Licensing Officer
Contact details	Telephone: 020 7641 6500 Email: <a href="mailto:jdonovan@westminster.gov.uk">jdonovan@westminster.gov.uk</a>

## 1. Application

1-A Applicant and premises			
<b>Application Type:</b>	Variation of a Premises Licence, Licensing Act 2003		
<b>Application received date:</b>	30 March 2023		
<b>Applicant:</b>	T.O.G. (Aldwych) Limited		
<b>Premises:</b>	STK At The ME Hotel (Ground Floor)		
<b>Premises address:</b>	Marconi House 335 Strand London WC2R 1HA	<b>Ward:</b>	St James's
		<b>Cumulative Impact Area:</b>	None
		<b>Special Consideration Zone:</b>	None
<b>Premises description:</b>	The premises currently operates as a restaurant on the Ground floor.		
<b>Variation description:</b>	<p>This variation seeks the following:</p> <ul style="list-style-type: none"> <li>To extend the ambit of the area for supply of alcohol on the premises to include the external area used under a pavement licence issued by Westminster City Council in order to use a mobile bar counter in that space to serve draught beer.</li> </ul>		
<b>Premises licence history:</b>	The premises has had the benefit of a premises licence since 2011 under licence number 22/00851/LIPDPS. However, a new premises licence was granted in 2022 for the ground floor only to allow it to operate as their own entity (23/01090/LIPV). The current premises licence for the ground floor can be viewed at <b>Appendix 3</b> of this report and the premises history <b>Appendix 4</b> .		
<b>Applicant submissions:</b>	The applicant provided a mediation email which can be found at <b>Appendix 2</b> .		
<b>Applicant amendments:</b>	None		



1-B Current and proposed licensable activities, areas and hours						
Late night refreshment						
Indoors, outdoors or both			Current :		Proposed:	
			Indoors		No change	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	23:00	05:00	No change		Ground Floor	No change
Tuesday	23:00	05:00				
Wednesday	23:00	05:00				
Thursday	23:00	05:00				
Friday	23:00	05:00				
Saturday	23:00	05:00				
Sunday	23:00	05:00				
Seasonal variations/ Non-standard timings:		Current:			Proposed:	
		From the start time on New Year's Eve to the finish time on New Year's Day.			No change	

Sale by Retail of Alcohol – Residents and Bona Fide guests						
On or off sales			Current :		Proposed:	
			Both		No change	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	00:00	00:00	No change		Ground Floor	Ground Floor & External area
Tuesday	00:00	00:00				
Wednesday	00:00	00:00				
Thursday	00:00	00:00				
Friday	00:00	00:00				
Saturday	00:00	00:00				
Sunday	00:00	00:00				
Seasonal variations/ Non-standard timings:		Current:			Proposed:	
		N/A			N/A	

Sale by Retail of Alcohol – Residents and Bona Fide guests						
On or off sales			Current :			Proposed:
			Both			No change
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	08:00	02:00	No change		Ground Floor	Ground Floor & External area
Tuesday	08:00	02:00				
Wednesday	08:00	02:00				
Thursday	08:00	02:00				
Friday	08:00	02:00				
Saturday	08:00	02:00				
Sunday	08:00	02:00				
Seasonal variations/ Non-standard timings:		Current: From the start time on New Year's Eve to the finish time on New Year's Day.			Proposed: No change	

Hours premises are open to the public						
	Current Hours		Proposed Hours		Premises Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	00:00	00:00	No change		Ground Floor	Ground Floor
Tuesday	00:00	00:00				
Wednesday	00:00	00:00				
Thursday	00:00	00:00				
Friday	00:00	00:00				
Saturday	00:00	00:00				
Sunday	00:00	00:00				
Seasonal variations/ Non-standard timings:		Current: N/A			Proposed: N/A	

1-C	Layout alteration
To extend the ambit of the area for supply of alcohol to include the external area used in order to use a mobile bar counter to serve draught beer.	
A copy of the plan can be found at <b>Appendix 1</b> .	

1-D	Conditions proposed to be added
Alcohol may be supplied from a mobile unit located in the area coloured red on the approved plan by waiter/waitress service, to customers seated at tables and chairs immediately outside the premises in a space approved by the City Council for such purposes. The mobile unit shall cease service at 23.00 and shall be taken inside the premises. There shall be no cash sales from the mobile unit which shall be monitored by staff at all times.	

## 2. Representations

2-A Responsible Authorities	
<b>Responsible Authority:</b>	Environmental Health Service
<b>Representative:</b>	Sally Fabbriatore
<b>Received:</b>	21 April 2023
<p>I refer to the application for a variation Premises Licence for the above premises. The premises already benefits from a premises licence, 22/01007/LIPN.</p> <p>This representation is based on the Operating Schedule and the submitted plans, showing the external area. A plan will need to be provided showing the whole licensed area with reference to the outside area as indicated in the application.</p> <p>The applicant is seeking to <i>extend the ambit of the area for supply of alcohol on the premises to include the external area used under a pavement licence issued by Westminster City Council in order to use a mobile bar counter in that space to serve draught beer.</i></p> <p>I wish to make the following representation in relation to the above application:</p> <p>The addition of a mobile bar in the external area outside of the premises may cause an increase in Public Nuisance in the area, it may also impact on Public Safety.</p> <p>It is believed that the proposed area is WCC land and so the impact of adding a bar to this land needs to be fully considered. Clarification is required as to whether this would be deemed an on sale or off sale of alcohol. The following condition is proposed:</p> <p><i>'There shall be no off sales of alcohol from the mobile unit save to the tables and chairs immediately outside the premises in a space approved by the City Council for such purposes.'</i></p> <p>Further conditions may be proposed by Environmental Health in order to help prevent Public Nuisance and protect Public Safety.</p> <p><b>The granting of the variation Premises Licence as presented would have the likely effect of causing an increase in Public Nuisance in the area and may impact on Public Safety.</b></p> <p>Should you wish to discuss the matter further please do not hesitate to contact me.</p>	

<b>2-B Other Persons</b>			
<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association:</b>		[REDACTED] [REDACTED] [REDACTED] [REDACTED]	
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	25 April 2023		

[REDACTED], London who is [REDACTED] to proposed site of license application, submits following objections:

- i. Crowding whether seated or standing near [REDACTED] may track [REDACTED] which is a [REDACTED]. Noise and other disturbances will affect [REDACTED] functioning.
- ii. Since [REDACTED] and ME Hotel [REDACTED] at [REDACTED] and [REDACTED], any activity which may potentially obstruct vehicular access at any time, should not be permitted near [REDACTED]. This area is also used to provide access [REDACTED] seekers, which may be hindered by proposed license.
- iii. A gathering specifically under the effect of alcohol near [REDACTED] may compromise or [REDACTED].
- iv. Activities which may potentially cause disturbances including noise, lights, litter, crowd etc to [REDACTED], should not be permitted.
- v. This area is frequented by students, many of them are below the legal age for drinking. Such a development is not conducive for students.

### 3. Policy & Guidance

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

#### **Policy HRS1 applies**

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

	<p>are expected to be covered by Temporary Event Notices or variation applications.</p> <p>C. For the purpose of Clauses A and B above, the Core Hours for applications for each premises use type as defined within this policy are:</p> <ol style="list-style-type: none"> <li>1. <b>Casinos:</b> Up to 24 hours a day whilst casino gaming is permitted by a premises licence under the Gambling Act 2005.</li> <li>2. <b>Cinemas, Cultural Venues and Live Sporting Premises:</b> Monday to Sunday: 9am to 12am</li> <li>3. <b>Hotels:</b> Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to 12am. For the sale of alcohol to guests for consumption in hotel/guest rooms only: Anytime up to 24 hours.</li> <li>4. <b>Off licences:</b> Monday to Saturday: 8am to 11pm. Sunday: 9am to 10.30pm.</li> <li>5. <b>Outdoor Spaces:</b> Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to 12am.</li> <li>6. <b>Pubs and bars, Fast Food and Music and Dance venues:</b> Monday to Thursday: 10am to 11.30pm. Friday and Saturday: 10am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 12pm to 12am.</li> <li>7. <b>Qualifying Clubs:</b> Monday to Thursday: 9am to 12am.. Friday and Saturday: 9am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to 12am.</li> <li>8. <b>Restaurants:</b> Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to 12am.</li> <li>9. <b>Sexual Entertainment Venues and Sex Cinemas:</b> Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to 12am.</li> </ol> <p>D. Core hours are when customers are permitted to be on the premises and therefore the maximum opening hours permitted will be to the same start and terminal hours for each of the days where licensable activity is permitted.</p> <p>E. For the purposes of this policy, 'premises uses' are defined within the relevant premises use policies within this statement.</p>
<p><b>Policy RNT1 applies</b></p>	<p>A. Applications outside the West End Cumulative Impact Zone will generally be granted subject to:</p> <ol style="list-style-type: none"> <li>1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1.</li> <li>2. The hours for licensable activities being within the council's Core Hours Policy HRS1.</li> <li>3. The operation of any delivery services for alcohol and/or latenight refreshment meeting the council's Ancillary Delivery of Alcohol and/or Late-Night Refreshment Policy DEL1.</li> <li>4. The applicant has taken account of the Special Consideration Zones Policy SCZ1 if the premises are located within a designated zone.</li> <li>5. The application and operation of the venue meeting the definition of a restaurant as per Clause C.</li> </ol> <p>B. Applications inside the West End Cumulative Impact Zone will generally be granted subject to:</p>

	<ol style="list-style-type: none"> <li>1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1.</li> <li>2. The hours for licensable activities are within the council's Core Hours Policy HRS1.</li> <li>3. The operation of any delivery services for alcohol and/or latenight refreshment meeting the council's Ancillary Delivery of Alcohol and/or Late-Night Refreshment Policy DEL1.</li> <li>4. The applicant has demonstrated that they will not add to cumulative impact within the Cumulative Impact Zone.</li> <li>5. The application and operation of the venue meeting the definition of a restaurant as per Clause C.</li> </ol> <p>C. For the purposes of this policy a restaurant is defined as:</p> <ol style="list-style-type: none"> <li>1. A premises in which customers are shown to their table or the customer will select a table themselves to which food is either served to them or they have collected themselves.</li> <li>2. Which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at a table.</li> <li>3. Which do not provide any takeaway service of food and/or drink for immediate consumption, except if provided via an ancillary delivery service to customers at their residential or workplace address.</li> <li>4. Where alcohol shall not be sold, supplied, or consumed on the premises otherwise than to persons who are bona fide taking substantial table meals and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.</li> <li>5. The sale and consumption of alcohol prior to such meals may be in a bar area but must also be ancillary to the taking of such meal.</li> </ol>
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#### 4. Equality Implications

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

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

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

## 5. Appendices

<b>Appendix 1</b>	Premises plans
<b>Appendix 2</b>	Applicant supporting documents
<b>Appendix 3</b>	Existing Premises Licence 23/01090/LIPV
<b>Appendix 4</b>	Premises history
<b>Appendix 5</b>	Proposed conditions
<b>Appendix 6</b>	Residential map and list of premises in the vicinity

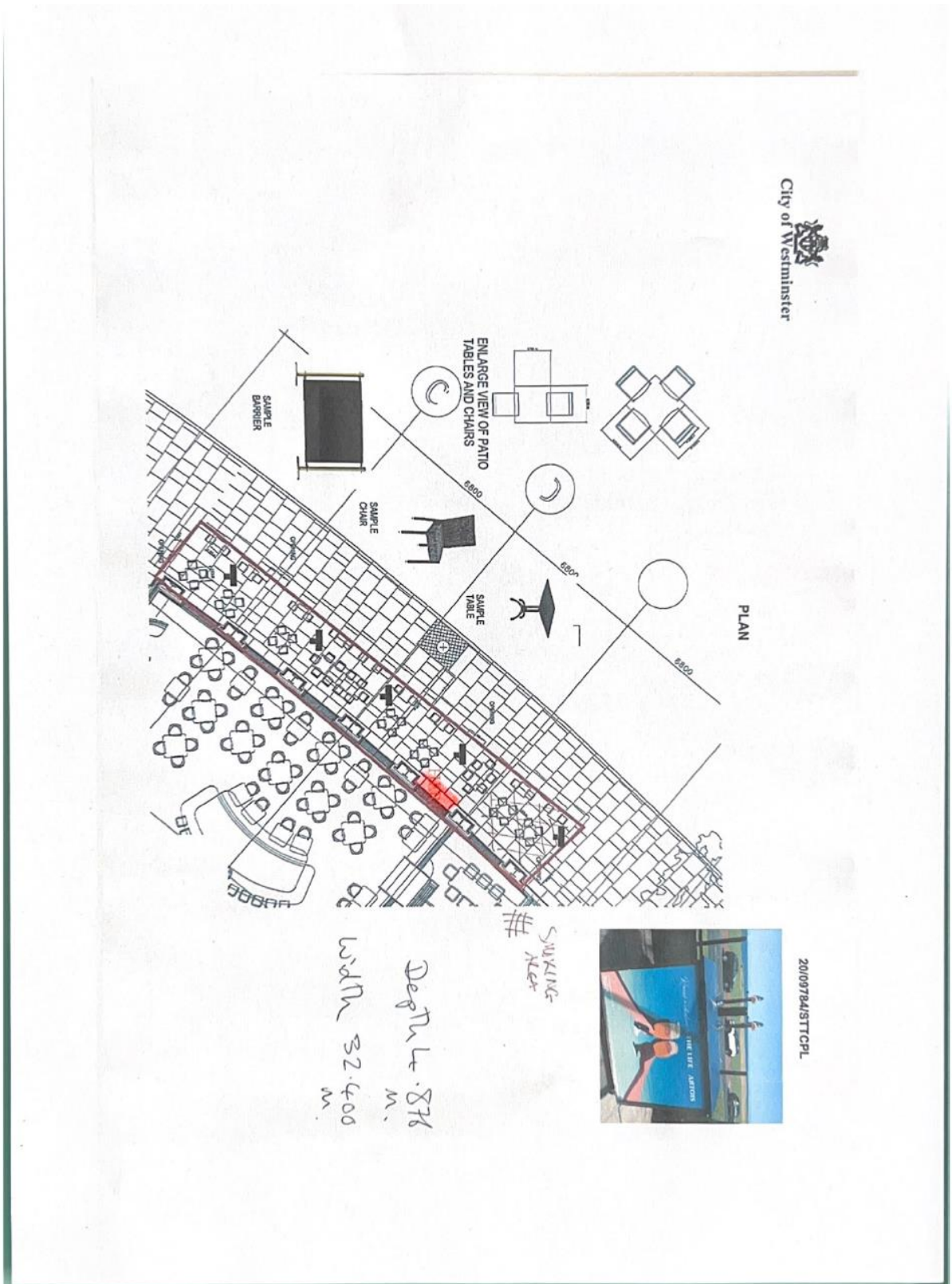
<b>Report author:</b>	Miss Jessica Donovan Senior Licensing Officer
<b>Contact:</b>	Telephone: 020 7641 6500 Email: jdonovan@westminster.gov.uk

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

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

<b>1</b>	Licensing Act 2003	N/A
<b>2</b>	City of Westminster Statement of Licensing Policy	01 October 2021
<b>3</b>	Amended Guidance issued under section 182 of the Licensing Act 2003	December 2022
<b>4</b>	Environmental Health Service Representation	21 April 2023
<b>5</b>	Interested party representation	25 April 2023





**Mediation with Interested Party**

**From:** jdonovan@westminster.gov.uk  
**To:** "Vikas Kumar" <Attpnm.london@mea.gov.in>  
**Sent:** Friday, May 26, 2023 9:53:12 AM  
**Subject:** 23/02043/LIPV-STK At The ME Hotel (Ground FI), Marconi House, 335 Strand, London

Dear Mr Kumar,

Following your representation on the above application, the applicant's representative has asked the Licensing Service to pass on the following information for your consideration.

1. He appears to be under the misapprehension that this is an application to somehow extend the licensed area.
2. The fact is that the area which is subject of the application is already licensed by the City Council under a pavement licence and is already being used by the restaurant
3. This application does not enlarge the area that is already being used. It is simply an application to use the area in a different way.
4. Alcohol can already be consumed in this area. This application simply changes the way the alcohol is served outside to customers seated at tables there.

If the above information satisfies your concerns and you wish to withdraw please let us know.

If you still have concerns and wish to mediate with the applicant's representative please confirm you are happy for us to pass on your email address to them.

Kind Regards

**Jessica Donovan**  
Senior Licensing Officer  
Public Protection and Licensing  
Westminster City Council  
15th Floor  
Westminster City Hall  
64 Victoria Street  
London SW1E 6QP

**From:** [Vikas Kumar](#)  
**To:** [Donovan, Jessica: WCC](#)  
**Cc:** [sspnm.london@mea.gov.in](mailto:sspnm.london@mea.gov.in)  
**Subject:** Re: 23/02043/LIPV-STK At The ME Hotel (Ground FI), Marconi House, 335 Strand, London  
**Date:** 06 June 2023 11:38:41  
**Attachments:** [image001.png](#)  
[image002.png](#)

Dear Ms. Jessica,

Reference – your email dated 26 May 2023 (trailed below).

Our concerns submitted to WCC on 25 April 2023 still remain unaddressed. It is reiterated that the High Commission is a diplomatic Mission, which organizes frequent diplomatic and other outreach events at its premises, involving dignitaries not only from India and the UK but from all other countries. Thus, large public events around and adjacent to the High Commission,

specifically under the influence of alcohol increases noise, litter and hinders access especially to visitors who commute on foot to attend the High Commission's events, while also increasing insecurity for the Mission Staff, especially as the conversion of public space into open air areas for congregation offers opportunity for hostile actors to reconnoitre and keep under surveillance our staff and Mission.

2. WCC is also aware that two bus stands have been placed in front of the High Commission despite our concerns. One of those is exactly where a restaurant has made seating area under the license application. This area with a standing crowd waiting for buses towards the entrance of High Commission of India has implications for security of the High Commission.

3. It is also important to reiterate that since this area is frequented by students, many of whom are below the legal age for drinking, WCC is requested to not permit serving of alcohol in the open.

Kind regards,

Vikas Kumar/ विकास कुमार  
Attache (Project & Maintenance Wing)  
High Commission of India  
Aldwych, London WC2B 4NA



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

Schedule 12  
Part A

WARD: St James's  
UPRN: 010033615771

Premises licence

Regulation 33, 34

Premises licence  
number:

23/01090/LIPV

Original Reference:

22/01007/LIPN

**Part 1 – Premises details**

**Postal address of premises:**

STK at the ME Hotel (Ground Floor)  
Marconi House  
335 Strand  
London  
WC2R 1HA

**Telephone Number:** Not Supplied

**Where the licence is time limited, the dates:**

Not applicable

**Licensable activities authorised by the licence:**

Late Night Refreshment  
Sale by Retail of Alcohol

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

**Late Night Refreshment**

Monday to Sunday: 23:00 to 05:00

*Non-standard Timings:* From the start time on New Year's Eve to the finish time on New Year's Day

**Sale by Retail of Alcohol**

Monday to Sunday: 00:00 to 00:00 (Residents and bona fide guests)

Monday to Sunday: 08:00 to 02:00

*Non-standard Timings:* From the start time on New Year's Eve to the finish time on New Year's Day

**The opening hours of the premises:**

Monday to Sunday: 00:00 to 00:00

**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:**

T.O.G. (Aldwych) Limited  
Acre House  
11/15 William Road  
London  
NW1 3ER

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

07608198

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

**Name:** Mr Kyle Gibson

*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:** 14905  
**Licensing Authority:** London Borough of Tower Hamlets

**Date:** 24 March 2023

**This licence has been authorised by Kevin Jackaman on behalf of the Director - Public Protection and Licensing.**

## Annex 1 – Mandatory conditions

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

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

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

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

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

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

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

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

Where -

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

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



## **Annex 2 – Conditions consistent with the operating Schedule**

10. After 01.00 hours, the sale of alcohol will be ancillary to food, consumed by seated persons, supplied by waiter / waitress.
11. Substantial food and non-intoxicating beverages, including drinking water, shall be available on the premises where alcohol is sold or supplied for consumption on the premises.
12. The supply of alcohol shall be by waiter or waitress service or bar service.
13. The supply of alcohol for consumption 'Off' the premises shall only be,
  - (i) In sealed containers ancillary to a take-away meal
  - (ii) To persons seated at the outside tables and chairs by waiter/waitress service.
14. There will be no self-service of alcohol.
15. 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.
16. The number of persons permitted in the premises between 01.00 hours and 02.00 hours (excluding staff) shall not exceed 200 persons.
17. All beers and lagers sold in glass bottles are to be decanted into drinking containers prior to being served.
18. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises and will include the external area immediately outside the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.
19. 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 are 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.
20. 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) b) all ejections of patrons
  - (c) c) any complaints received concerning crime and disorder
  - (d) any incidents of disorder
  - (e) all seizures of drugs or offensive weapons
  - (f) any faults in the CCTV system or searching/scanning equipment
  - (g) any refusal of the sale of alcohol
  - (h) any visit by a relevant authority or emergency service.
21. There shall be no new entry for non-residents after 00:30 hours.

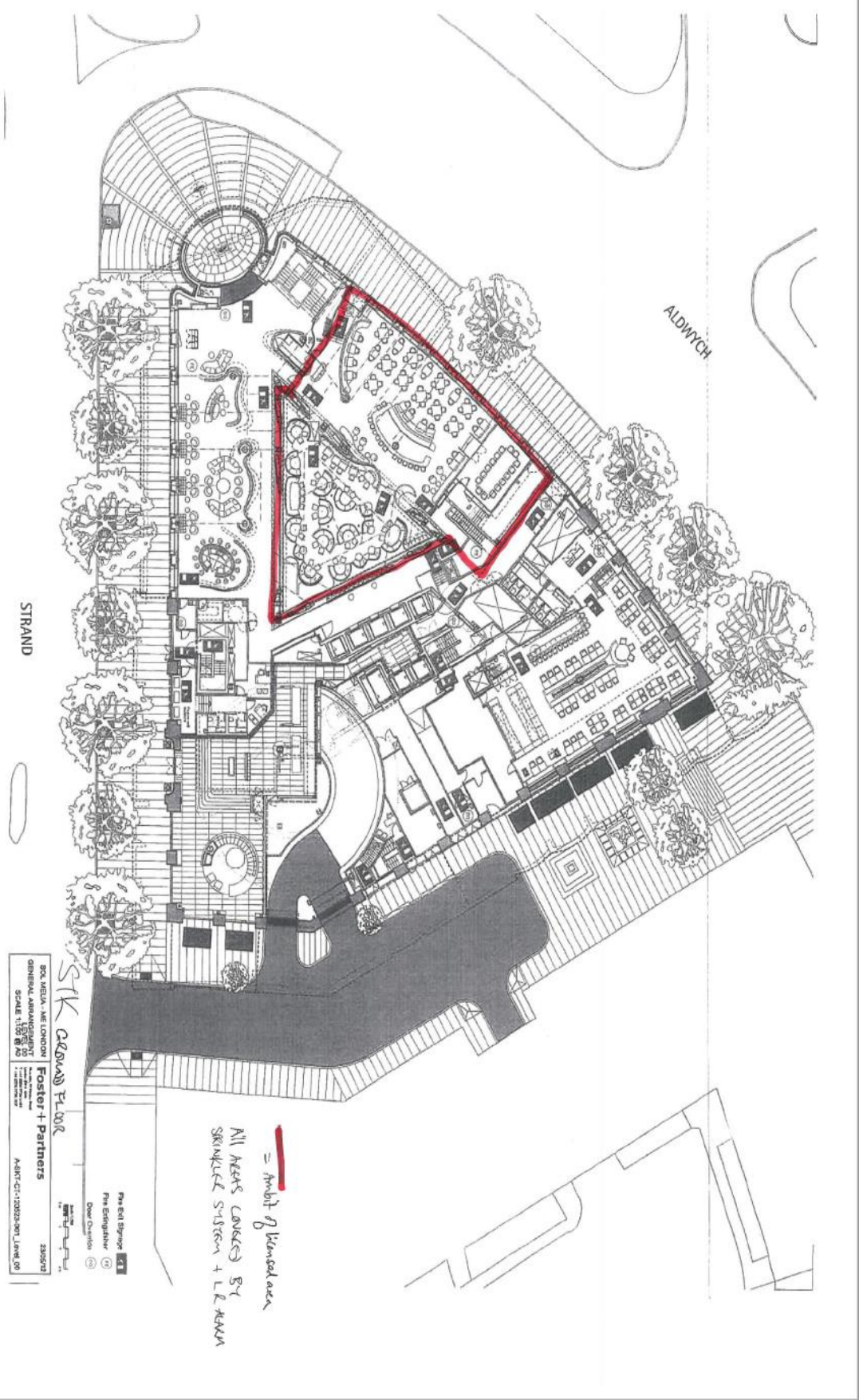
22. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.
23. Alcohol consumed outside the premises building shall only be consumed by patrons seated at tables.
24. All tables and chairs shall be removed from the outside area by 23.00 hours each day
25. The Supply of Alcohol to members of the public shall be permitted from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.
26. Where licensable activity is permitted, a minimum of one SIA registered door supervisor shall be on duty at the external entrance to the premises from 21.00 hours on Thursday to Saturday.
27. On Sundays to Wednesdays the requirement for and number of SIA door supervisors after 21.00 hours each day shall be risk assessed by the premises licence holder or DPS dependent upon the occasion, such risk assessment shall be kept at the premises for a minimum of 21 days following the occasion.
28. A noise limiter must be fitted to the musical amplification system set at a level determined by and in consultation with local residents to the satisfaction of an authorised officer of the Environmental Health Service, Premises Management so as to ensure that no noise nuisance is caused to local residents or businesses. The operational panel of the noise limiter shall then be secured by key or password to the satisfaction of officers from the Environmental Health Service and access shall only be by persons authorised by the Premises Licence holder. The limiter shall not be altered without prior agreement with the Environmental Health Service. No alteration or modification to any existing sound system(s) should be effected without prior knowledge of an authorised Officer of the Environmental Health Service. No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device.
29. Loudspeakers shall not be located in the entrance lobby or external to the premises building.
30. 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.
31. No fumes, steam or odours shall be emitted from the licensed premises so as to cause a nuisance to any persons living or carrying on business in the area where the premises are situated.
32. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and to leave the premises and the area quietly.
33. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
34. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.
35. All deliveries shall be to the service road leading to the basement delivery area.

36. All refuse will be stored internally prior to collection.
37. No rubbish including bottles will be moved, removed or placed in outside areas between 23.00 hours and 07.00 hours.
38. 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.
39. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.
40. All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.
41. All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device.
42. Curtains and hangings shall be arranged so as not to obstruct emergency safety signs or emergency equipment.
43. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
44. All fabrics, curtains, drapes and similar features including materials used in finishing and furnishing should be either non-combustible or be durably or inherently flame-retarded fabric. Any fabrics used in escape routes, other than foyers, entertainment areas or function rooms, should be non-combustible.
45. Any condition on this licence relating to live music will have effect and section 177A will not apply to such conditions.

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

None

Annex 4 – Plans





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

Schedule 12  
Part B

Premises licence  
summary

WARD: St James's  
UPRN: 010033615771

Regulation 33, 34

Premises licence  
number:

23/01090/LIPV

Part 1 – Premises details

Postal address of premises:

STK At The ME Hotel (Ground Floor)  
Marconi House  
335 Strand  
London  
WC2R 1HA

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Late Night Refreshment  
Sale by Retail of Alcohol

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

**Late Night Refreshment**

Monday to Sunday: 23:00 to 05:00

*Non-standard Timings:* From the start time on New Year's Eve to the finish time on New Year's Day

**Sale by Retail of Alcohol**

Monday to Sunday: 00:00 to 00:00 (Residents and bona fide guests)

Monday to Sunday: 08:00 to 02:00

*Non-standard Timings:* From the start time on New Year's Eve to the finish time on New Year's Day

The opening hours of the premises:

Monday to Sunday: 00:00 to 00:00

**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:**

T.O.G. (Aldwych) Limited  
Acre House  
11/15 William Road  
London  
NW1 3ER

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

07608198

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

Name: Mr Kyle Gibson

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

Restricted

**Date:** 24 March 2023

**This licence has been authorised by Kevin Jackaman on behalf of the Director - Public Protection and Licensing.**

Licensing Act 2003 - Premises History 23/01090/LIPV

Application	Details of Application	Date Determined	Decision
22/01007/LIPN	<p><b>New Premises Licence</b></p> <p><b>Late Night Refreshment:</b> Monday to Sunday 23:00 to 05:00</p> <p><b>Retail Sale of Alcohol (On and Off sales):</b> Monday to Sunday 08:00 to 02:00</p> <p>From the start time on New Year's Eve to the finish time on New Year's Day.</p>	10.06.2022	Granted under Delegated Authority
23/00527/LIPVM	Minor Variation: To amend condition 26 & 27	17.02.2023	Application refused
23/01090/LIPV	Variation application: To amend condition 26 & 27	24.03.2023	Granted under Delegated Authority

Licensing Act 2003 - Premises History 22/00851/LIPDPS

Application	Details of Application	Date Determined	Decision
11/06782/LIPN	<p>New Premises Licence</p> <p><b>Provision of facilities for Dancing</b> Monday to Sunday: 00:01 to 00:00 (Basement Function Rooms Only)</p> <p><b>Exhibition of a Film</b> Monday to Sunday: 00:01 to 00:00 (Basement Function Rooms Only)</p> <p><b>Provision of facilities</b></p>	17.11.2011	Granted under Delegated Authority



	<p><b>for making Music</b> Monday to Sunday: 00:01 to 00:00 (Basement Function Rooms Only)</p> <p><b>Performance of Live Music</b> Monday to Sunday: 00:01 to 00:00 (Basement Function Rooms Only)</p> <p><b>Playing of Recorded Music</b> Monday to Sunday: 00:01 to 00:00 (Basement Function Rooms Only)</p> <p><b>Performance of a Play</b> Monday to Sunday: 00:01 to 00:00 (Basement Function Rooms Only)</p> <p><b>Late Night Refreshment</b> Monday to Sunday: 23:00 to 05:00</p> <p><b>Sale by Retail of Alcohol</b> Monday to Sunday: 00:01 to 00:00</p>		
12/01735/LIPT	Application to Transfer: Sol Melia S.A. to Lomondo LTD	23.04.2012	Granted under Delegated Authority
12/01950/LIPDPS	Application to vary the Designated Premises Supervisor	23.04.2012	Granted under Delegated Authority
12/04408/LIPVM	Minor Variation: To vary the layout of the ground floor and films for all guest bedrooms	13.06.2012	Granted under Delegated Authority
12/07063/LIPV	Variation application: To incorporate the 1 <sup>st</sup> floor reception area within the licensed area.  To revise the public toilet provision and	13.09.2012	Granted under Delegated Authority

	meeting/function room layout in basement.  To revise seating layout on first floor roof terrace.		
13/01927/LIPV	Variation application: To amend condition 27 to permit up to 240 on the 10 <sup>th</sup> floor excluding staff  To remove condition 55 and 56.  To increase toilet facilities on 10 <sup>th</sup> floor and also fire exit door widths.	26.04.2013	Granted under Delegated Authority
13/02417/LIPV	Variation application: To permit a terminal hour of alcohol to the non residents on the ground floor areas of the premises with no new entry to the premises for non-residents after 00:30	30.05.2013	Granted under Delegated Authority
13/03742/LIPT	Application to Transfer: Lomondo Limited to London XXI Limited	10.06.2013	Granted under Delegated Authority
14/00248/LIPVM	Minor Variation: To add 3 additional conditions	30.01.2014	Granted under Delegated Authority
14/02293/LIPV	Variation application: To permit off sales of alcohol in unsealed containers to customers seated within the area shown edged in red on the plan.	24.04.2014	Granted under Delegated Authority
14/02904/LIPDPS	Application to vary the Designated Premises Supervisor	15.05.2014	Granted under Delegated Authority
14/04253/LIPDPS	Application to vary the Designated Premises Supervisor	20.06.2014	Granted under Delegated Authority
14/10570/LIPDPS	Application to vary the Designated Premises Supervisor	10.12.2014	Granted under Delegated Authority

	<p>Variation application: To remove condition 68.</p> <p>To permit a terminal hour for the supply of alcohol of 00:30 in the area hatched black on the plan in the south terrace of the 10<sup>th</sup> floor.</p> <p>To require the supply of alcohol to be ancillary to food after 23.00 in the area hatched black on the plan in the south terrace of the 10<sup>th</sup> floor.</p> <p>To require all patrons to be seated and served by waiter/waitress after 23:00 in the area hatched black on the plan in the south terrace of the 10<sup>th</sup> floor</p>		Refused by Licensing Sub-Committee
15/03351/LIPDPS	Application to vary the Designated Premises Supervisor	02.11.2015	Granted under Delegated Authority
15/07403/LIPDPS	Application to vary the Designated Premises Supervisor	18.09.2015	Granted under Delegated Authority
15/08328/LIPVM	Minor Variation: To install new outer doors at the main lobby entrance to the hotel.	13.10.2015	Granted under Delegated Authority
16/05795/LIPDPS	Application to vary the Designated Premises Supervisor	20.06.2016	Granted under Delegated Authority
16/08623/LIPDPS	Application to vary the Designated Premises Supervisor	24.08.2016	Granted under Delegated Authority
18/03239/LIPV	<p>Variation application: To permit regulated entertainment in the basement function rooms at any time.</p> <p>To permit recorded music in the ground floor restaurant and bar (STK) from 23.00 to midnight Sunday to</p>	17.05.2018	Granted by Licensing Sub-Committee

	Wednesday and from 23.00 to 01:00 Thursday to Saturday		
18/06018/LIPV	Variation application: To permit the use of the southern terrace area on the 10 <sup>th</sup> floor on Thursday to Saturdays until midnight.  To amend condition 37	19.07.2018	Granted by Licensing Sub-Committee
18/07151/LIPDPS	Application to vary the Designated Premises Supervisor	25.07.2018	Granted under Delegated Authority
19/01701/LIPV	Variation application:  To permit the use of the southern terrace area on the 10 <sup>th</sup> floor on Monday to Saturday until 01:00.  To amend condition 32  To add an additional condition	17.06.2019	Granted by Licensing Sub-Committee
20/04695/LIPV	Variation application: To permit off sales of alcohol  To add MC36 and MC18	23.07.2020	Granted under Delegated Authority
20/06010/LIPV	Variation application: To amend condition 37 (SIA condition)	20.08.2020	Granted under Delegated Authority
20/08205/LIPDPS	Application to vary the Designated Premises Supervisor	29.09.2020	Granted under Delegated Authority
22/00851/LIPDPS	Application to vary the Designated Premises Supervisor	11.02.2022	Granted under Delegated Authority

### **Temporary Event Notice History**

<b>Application</b>	<b>Details of Application</b>	<b>Date Determined</b>	<b>Decision</b>
21/07604/LITENP	Temporary Event Notice	06.08.2021	Event allowed to proceed
21/07606/LITENP	Temporary Event Notice	12.08.2021	Event allowed to proceed
21/07941/LITENP	Temporary Event Notice	19.08.2021	Event allowed to proceed
21/08007/LITENP	Temporary Event Notice	25.08.2021	Event allowed to proceed

**There is no appeal history**

***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 -

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

Where -

(i) P is the permitted price,

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

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

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

(i) the holder of the premises licence,

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

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

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

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

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

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

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

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



## **Annex 2 – Conditions consistent with the operating Schedule**

10. After 01.00 hours, the sale of alcohol will be ancillary to food, consumed by seated persons, supplied by waiter / waitress.
11. Substantial food and non-intoxicating beverages, including drinking water, shall be available on the premises where alcohol is sold or supplied for consumption on the premises.
12. The supply of alcohol shall be by waiter or waitress service or bar service.
13. The supply of alcohol for consumption 'Off' the premises shall only be,
  - (i) In sealed containers ancillary to a take-away meal
  - (ii) To persons seated at the outside tables and chairs by waiter/waitress service.
14. There will be no self-service of alcohol.
15. 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.
16. The number of persons permitted in the premises between 01.00 hours and 02.00 hours (excluding staff) shall not exceed 200 persons.
17. All beers and lagers sold in glass bottles are to be decanted into drinking containers prior to being served.
18. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises and will include the external area immediately outside the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.
19. 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 are 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.
20. 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) b) all ejections of patrons
  - (c) c) any complaints received concerning crime and disorder
  - (d) any incidents of disorder
  - (e) all seizures of drugs or offensive weapons
  - (f) any faults in the CCTV system or searching/scanning equipment
  - (g) any refusal of the sale of alcohol
  - (h) any visit by a relevant authority or emergency service.
21. There shall be no new entry for non-residents after 00:30 hours.

22. 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.
23. Alcohol consumed outside the premises building shall only be consumed by patrons seated at tables.
24. All tables and chairs shall be removed from the outside area by 23.00 hours each day
25. The Supply of Alcohol to members of the public shall be permitted from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.
26. Where licensable activity is permitted, a minimum of one SIA registered door supervisor shall be on duty at the external entrance to the premises from 21.00 hours on Thursday to Saturday.
27. On Sundays to Wednesdays the requirement for and number of SIA door supervisors after 21.00 hours each day shall be risk assessed by the premises licence holder or DPS dependent upon the occasion, such risk assessment shall be kept at the premises for a minimum of 21 days following the occasion.
28. A noise limiter must be fitted to the musical amplification system set at a level determined by and in consultation with local residents to the satisfaction of an authorised officer of the Environmental Health Service, Premises Management so as to ensure that no noise nuisance is caused to local residents or businesses. The operational panel of the noise limiter shall then be secured by key or password to the satisfaction of officers from the Environmental Health Service and access shall only be by persons authorised by the Premises Licence holder. The limiter shall not be altered without prior agreement with the Environmental Health Service. No alteration or modification to any existing sound system(s) should be effected without prior knowledge of an authorised Officer of the Environmental Health Service. No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device.
29. Loudspeakers shall not be located in the entrance lobby or external to the premises building.
30. 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.
31. No fumes, steam or odours shall be emitted from the licensed premises so as to cause a nuisance to any persons living or carrying on business in the area where the premises are situated.
32. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and to leave the premises and the area quietly.
33. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
34. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.
35. All deliveries shall be to the service road leading to the basement delivery area.

36. All refuse will be stored internally prior to collection.
37. No rubbish including bottles will be moved, removed or placed in outside areas between 23.00 hours and 07.00 hours.
38. 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.
39. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.
40. All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.
41. All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device.
42. Curtains and hangings shall be arranged so as not to obstruct emergency safety signs or emergency equipment.
43. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
44. All fabrics, curtains, drapes and similar features including materials used in finishing and furnishing should be either non-combustible or be durably or inherently flame-retarded fabric. Any fabrics used in escape routes, other than foyers, entertainment areas or function rooms, should be non-combustible.
45. Any condition on this licence relating to live music will have effect and section 177A will not apply to such conditions.

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

None

### **Conditions proposed to be added by the applicant**

46. Alcohol may be supplied from a mobile unit located in the area coloured red on the approved plan by waiter/waitress service, to customers seated at tables and chairs immediately outside the premises in a space approved by the City Council for such purposes. The mobile unit shall cease service at 23.00 and shall be taken inside the premises. There shall be no cash sales from the mobile unit which shall be monitored by staff at all times.

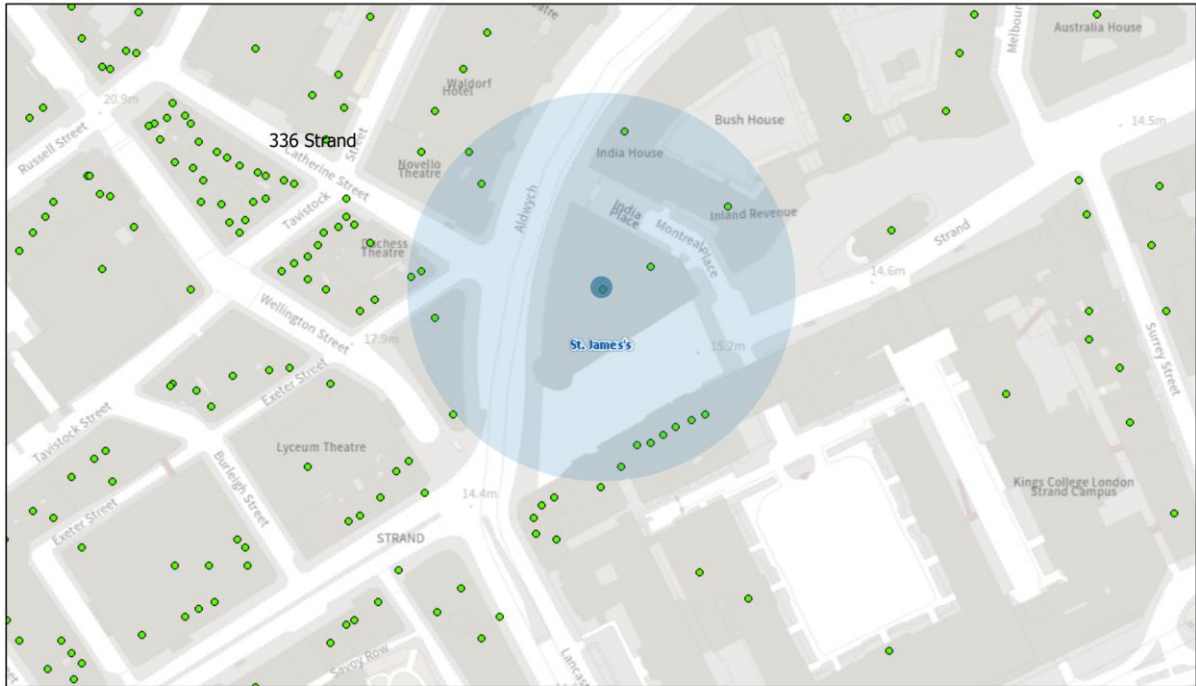
### **Conditions proposed by the Environmental Health Service**

47. There shall be no off sales of alcohol from the mobile unit save to the tables and chairs immediately outside the premises in a space approved by the City Council for such purposes.

### **The applicant proposes an alternative wording to condition 47 as follows:**

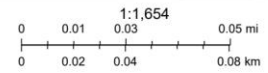
47. There shall be no off sales of alcohol from the mobile unit.

**Marconi House, 335 Strand, London, WC2R 1HA**



20/06/2023, 13:10:59

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



**Resident Count: 96**

<b>Licensed premises within 75 metres of Marconi House, 335 Strand, London, WC2R 1HA</b>				
<b>Licence Number</b>	<b>Trading Name</b>	<b>Address</b>	<b>Premises Type</b>	<b>Time Period</b>
23/01090/LIPV	STK At The ME Hotel (Ground Fl)	Marconi House 335 Strand London WC2R 1HA	Restaurant	Monday; 00:00 - 00:00   Tuesday; 00:00 - 00:00   Wednesday; 00:00 - 00:00   Thursday; 00:00 - 00:00   Friday; 00:00 - 00:00   Saturday; 00:00 - 00:00   Sunday; 00:00 - 00:00
22/07259/LIPDPS	Radio At The ME Hotel (10th Floor)	Marconi House 335 Strand London WC2R 1HA	Restaurant	Monday to Sunday; 00:00 - 00:00
21/10203/LIDPSR	Not Recorded	335 Strand London WC2R 1HA	Restaurant	Sunday; 08:00 - 00:00   Monday to Thursday; 06:00 - 00:00   Friday to Saturday; 06:00 - 01:00
22/00851/LIPDPS	ME Hotel	335 Strand London WC2R 1HA	Hotel, 4+ star or major chain	Monday to Sunday; 00:01 - 00:00
21/07108/LIPN	Luciano By Gino D'Acampo	Marconi House 335 Strand London WC2R 1HA	Restaurant	Monday to Sunday; 06:30 - 02:30
22/11762/LIPDPS	Kings College London - Bush House The Vault	Bush House 30 Aldwych London WC2B 4BG	College of Further Education	Wednesday; 09:00 - 03:00   Thursday; 09:00 - 03:30   Sunday; 09:00 - 01:00   Monday to Tuesday; 09:00 - 01:30   Friday to Saturday; 09:00 - 04:00
19/03727/LIPDPS	Kings College	Bush House 30 Aldwych London WC2B 4BG	Educational	

22/09737/LIPN	Novello Cafe	7 - 9 Aldwych London WC2B 4DA	Cafe	Sunday; 08:00 - 22:30   Monday to Thursday; 08:00 - 23:30   Friday to Saturday; 08:00 - 00:00
17/13163/LIPCH	Shapur Indian Restaurant	Basement And Ground Floor 149 Strand London WC2R 1JA	Restaurant	Sunday; 12:00 - 00:00   Monday to Saturday; 10:00 - 00:30
22/01363/LIPCH	Thai Square	148 Strand London WC2R 1JA	Restaurant	Sunday; 12:00 - 00:00   Monday to Saturday; 10:00 - 00:30
22/10687/LIPDPS	Pizza Express	Ground Floor 147 Strand London WC2R 1JA	Restaurant	Sunday; 12:00 - 00:00   Monday to Saturday; 10:00 - 00:30
21/14633/LIPDPS	One Aldwych Hotel	Ground Floor To Sixth Floor 1 Aldwych London WC2B 4BZ	Hotel, 4+ star or major chain	Monday to Sunday; 00:00 - 00:00
20/02517/LIPVM	India Club	143-145 Strand London WC2R 1JA	Restaurant	Sunday; 12:00 - 22:30   Monday to Thursday; 12:00 - 23:30   Friday to Saturday; 12:00 - 00:00
06/08176/WCCMAP	Strand News	145 Strand London WC2R 1JA	Shop	Sunday; 10:00 - 22:30   Monday to Saturday; 08:00 - 23:00
19/01156/LIPDPS	Franca Manca	1 - 5 Catherine Street London WC2B 5JS	Restaurant	Sunday; 12:00 - 00:00   Monday to Saturday; 10:00 - 00:30



City of Westminster

# Licensing Sub-Committee Report

Item No:	
Date:	20 July 2023
Licensing Ref No:	23/02652/LIPV - Premises Licence Variation
Title of Report:	John Snow 39 Broadwick Street London W1F 9QJ
Report of:	Director of Public Protection and Licensing
Wards involved:	West End
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Karyn Abbott Senior Licensing Officer
Contact details	Telephone: 0207 641 6500 Email: <a href="mailto:kabbott@westminster.gov.uk">kabbott@westminster.gov.uk</a>

## 1. Application

1-A Applicant and premises			
<b>Application Type:</b>	Variation of a Premises Licence, Licensing Act 2003		
<b>Application received date:</b>	24 April 2023		
<b>Applicant:</b>	Samuel Smith Southern		
<b>Premises:</b>	John Snow		
<b>Premises address:</b>	39 Broadwick Street London W1F 9QJ	<b>Ward:</b>	West End
		<b>Cumulative Impact Area:</b>	West End
		<b>Special Consideration Zone:</b>	None
<b>Premises description:</b>	The premises operates as a Public House.		
<b>Variation description:</b>	<p>This variation application seeks to permit the following:</p> <ol style="list-style-type: none"> <li>1. Extend all licensable activities (including opening hours) on Friday and Saturday until 00:00 hours.</li> <li>2. To remove all conditions currently attached to the Premises Licence and replace with updated conditions. This can be found in <b>1D and Appendix 4</b>.</li> <li>3. To add non-standard timings for all licensable activities (including opening hours) to extend for New Year's Eve. <i>'From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.'</i></li> </ol>		
<b>Premises licence history:</b>	<p>The premises has had the benefit of a premises licence since August 2005.</p> <p>The current premises licence (18/05402/LIPDPS) can be viewed at <b>Appendix 1</b> of this report.</p> <p>A full licence and Temporary Event Notice History for the premises appears at <b>Appendix 3</b>.</p>		
<b>Applicant submissions:</b>	<p>The applicant has proposed 13 new conditions to replace the historic conditions found on the licence. These can be found at <b>1D and Appendix 4</b>.</p> <p>The applicant has provided additional submissions in relation to the background of the premises, menus, photographs, and a dispersal policy. This can be found at <b>Appendix 2</b>.</p>		
<b>Applicant amendments:</b>	None		



1-B Current and proposed licensable activities, areas and hours						
Regulated Entertainment						
Recorded Music						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	Unrestricted		No Change		Ground and First Floor	No Change
Tuesday						
Wednesday						
Thursday						
Friday						
Saturday						
Sunday						
Seasonal variations:	Current:				Proposed:	
	None				No Change	
Non-standard timings:	Current:				Proposed:	
	None				N/A	

Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	Unrestricted		No Change		Ground and First Floor	No Change
Tuesday						
Wednesday						
Thursday						
Friday						
Saturday						
Sunday						
Seasonal variations:	Current:				Proposed:	
	None				No Change	
Non-standard timings:	Current:				Proposed:	
	None				N/A	

Late night refreshment						
Indoors, outdoors or both			Current :		Proposed:	
			Indoors		No Change	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	23:00	23:30	No Change		Ground and First Floor	No Change
Tuesday						
Wednesday						
Thursday						
Friday						
Saturday						
Sunday						
Seasonal	Current:				Proposed:	

<b>variations/ Non-standard timings:</b>	The terminal hour for late night refreshment on New Year's Eve is extended to 05:00 on New Year's Day.	From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.
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<b>Sale by Retail of Alcohol</b>						
<b>On or off sales</b>			<b>Current :</b>		<b>Proposed:</b>	
			Both		No Change	
	<b>Current Hours</b>		<b>Proposed Hours</b>		<b>Licensable Area</b>	
	<b>Start:</b>	<b>End:</b>	<b>Start:</b>	<b>End:</b>	<b>Current:</b>	<b>Proposed:</b>
<b>Monday</b>	10:00	23:00	No Change		Ground and First Floor	No Change
<b>Tuesday</b>	10:00	23:00	No Change			
<b>Wednesday</b>	10:00	23:00	No Change			
<b>Thursday</b>	10:00	23:00	No Change			
<b>Friday</b>	10:00	23:00	10:00	00:00		
<b>Saturday</b>	10:00	23:00	10:00	00:00		
<b>Sunday</b>	12:00	22:30	No Change			
<b>Seasonal variations/ Non-standard timings:</b>	<b>Current:</b>				<b>Proposed:</b>	
	Alcohol shall not be sold, supplied, consumed in or taken from the premises except during permitted hours. In this condition, permitted hours means: (a) On weekdays, other than Christmas Day, Good Friday or New Year's Eve, 10:00 to 23:00 (b) On Sundays, other than Christmas Day or New Year's Eve, 12:00 to 22:30 (c) On Good Friday, 12:00 to 22:30 (d) On Christmas Day, 12:00 to 15:00 and 19:00 to 22.30 (e) On New Year's Eve, except on a Sunday, 10:00 to 23:00 (f) On New Year's Eve on a Sunday, 12:00 to 22:30 (g) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).				From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.	

Hours premises are open to the public						
	Current Hours		Proposed Hours		Premises Area	
	Start:	End:	Start:	End:	Current:	Proposed:
<b>Monday</b>	10:00	23:30	No Change		Ground and First Floor	No Change
<b>Tuesday</b>	10:00	23:30	No Change			
<b>Wednesday</b>	10:00	23:30	No Change			
<b>Thursday</b>	10:00	23:30	No Change			
<b>Friday</b>	10:00	23:30	10:00	00:00		
<b>Saturday</b>	10:00	23:30	10:00	00:00		
<b>Sunday</b>	12:00	23:00	No Change			
<b>Seasonal variations/ Non-standard timings:</b>	<b>Current:</b>				<b>Proposed:</b>	
	None				From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.	

1-C <b>Layout alteration</b>
No proposed changes to the Layout

1-D <b>Conditions to be removed.</b>
<b>Conditions</b>
<p><b>Conditions which reproduce the effect of any restriction imposed on the use of the premises by specified enactment</b></p> <p><b>Conditions related to the Sale of Alcohol</b></p> <p>9. Alcohol shall not be sold, supplied, consumed in or taken from the premises except during permitted hours.</p> <p>In this condition, permitted hours means:</p> <p>(a) On weekdays, other than Christmas Day, Good Friday or New Year's Eve, 10:00 to 23:00</p> <p>(b) On Sundays, other than Christmas Day or New Year's Eve, 12:00 to 22:30</p> <p>(c) On Good Friday, 12:00 to 22:30</p> <p>(d) On Christmas Day, 12:00 to 15:00 and 19:00 to 22.30</p> <p>(e) On New Year's Eve, except on a Sunday, 10:00 to 23:00</p> <p>(f) On New Year's Eve on a Sunday, 12:00 to 22:30</p> <p>(g) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).</p> <p>NOTE - The above restrictions do not prohibit:</p> <p>(a) during the first twenty minutes after the above hours the consumption of the alcohol on the premises;</p> <p>(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;</p> <p>(c) during the first thirty minutes after the above hours the consumption of the alcohol on the premises by persons taking table meals there if the alcohol was supplied for consumption as ancillary to the meals;</p> <p>(d) the sale or supply of alcohol to or the consumption of alcohol by any person residing in the licensed premises;</p>

(e) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;

(f) the sale of alcohol to a trader or registered club for the purposes of the trade or club;

(g) 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;

(h) the taking of alcohol from the premises by a person residing there;

(i) 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;

(j) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

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

10. No person under fourteen shall be in the bar of the licensed premises during the permitted hours unless one of the following applies:

(a) He is the child of the holder of the premises licence.

(b) He resides in the premises, but is not employed there.

(c) He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress.

(d) The bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary.

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

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

**1-D Conditions to be added**

**Proposed Conditions**

1. (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.
2. 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.
3. 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.
4. No drinks to be taken outside after 23.00 hours.
5. All outside tables and chairs shall be rendered unusable by 23.00 hours each day.
6. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
7. All waste shall be properly presented and placed out for collection no earlier than 30 minutes

before the scheduled collection times.		
8. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 23.00 hours and 08.00 hours on the following day.		
9. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.		
10. 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.		
11. 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.		
12. No deliveries to the premises shall take place between 23.00 and 08.00 hours on the following day.		
13. The premises licence holder shall ensure that any patrons drinking and/or 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.		
<b>Adult entertainment:</b>	<b>Current position:</b>	<b>Proposed position:</b>
	None	None

## 2. Representations

<b>2-A Responsible Authorities</b>	
<b>Responsible Authority:</b>	Metropolitan Police Service
<b>Representative:</b>	PC Steve Mulddon
<b>Received:</b>	22 May 2023
<b>Re: 23/02652/LIPV – John Snow, 39 Broadwick St, W1</b>	
Dear Westminster Licensing Team,	
I refer to the above-mentioned application for a new premises licence for the above listed address.	
Following consideration of the application and how it may affect the Licensing Objectives, I wish to make the following representations:	
The proposal made is likely to undermine the following licensing objectives:	
<ul style="list-style-type: none"> <li>• <b>The Prevention of Crime and Disorder</b></li> </ul>	
The venue is located within the cumulative impact area and as such crime levels are astronomically high. The police are currently struggling to cope with the current demand placed on us.	
Due to the location of the premises within the CIZ, the Police have concerns that the extra hour of alcohol consumption may add to existing crime and ASB within the immediate area.	
If the sub-committee were minded to grant this application, the police would respectfully request	

that the sale of alcohol is reduced to 23:30. With a closing time of 00:00, this would allow for a “drinking up period” and help to reduce the levels of intoxication as well as assist with the dispersal of customers.

**2-B Other Persons**

<b>Name:</b>	[REDACTED]
<b>Address and/or Residents Association:</b>	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
<b>Received:</b>	14 May 2023

We are being forced from our home in soho due to later licence opening hours and the cumulative impact of late night noise preventing sleep kindly reject this application.

**Further Submissions Received 19 May 2023**

Licencing have already saturated the area with excessive licences with alcohol creating cumulative impact of noise level rendering the high residential zone of dufours place [REDACTED] [REDACTED] unfit for children and further later licences will render the area unfit to live for adults both due to noise and and being an unsafe area due to the clear lack of of police resources to control. At what point in time will licencing take into account the need for residents to sleep or is it licencings expectation for residents to move out and to turn Soho into one huge unmanagable un livable unsafe nightmare. Any approval of additional licencing and later hours are a breach of human rights and continued disregard for residents weafare will result in an investigation of the motivation to approve

<b>Name:</b>	[REDACTED]
<b>Address and/or Residents Association:</b>	[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]
<b>Received:</b>	20 May 2023

**Reference: 23/02652/LIPV : John Snow, 39, Broadwick Street, W1F 9QJ**

We write to make a relevant representation to the above application on behalf of [REDACTED] [REDACTED]

**About the [REDACTED]**

The [REDACTED] is a charitable company limited by guarantee established in 1972. The Society is a recognised amenity group and was formed to make Soho a better place to live, work or visit by preserving and enhancing the area’s existing diversity of character and uses, and by improv-ing its facilities, amenities and environment.

**Application Summary.**

**Variation Premises Licence**

Public house. Seek to remove all conditions attached to the Premises Licence and replace with conditions submitted.

**Alcohol:** Friday - Saturday: 10:00 - 00:00

**Late Night Refreshment :** Friday - Saturday: 23:00 - 00:00

**Opening Hours:** Mon - Thurs: 10:00 - 23:30. Fri - Sat: 12:00 - 00:00. Sun: 12:00 - 23:00

**On and Off the premises**

**Capacity** : unknown

**New conditions**

4. No drinks to be taken outside after 11pm
5. All outside tables and chairs shall be rendered unusable by 23:00 each day

**Current Licence 18/05402/LIPDPS**

**Alcohol:** Monday - Saturday : 10:00 - 23:00. Sunday: 12:00 - 22:30

**Late Night Refreshment** : Monday - Saturday: 23:00 - 23:30

**Opening Hours:** Monday - Saturday : 10:00 - 23:30. Sunday: 12:00 - 23:00

**On and Off Sales Capacity** : unknown

**Representation**

We object to this application to extend the operating hours of this public house to midnight on Friday and Saturday, this being a full hour past their current licensed hours of 11pm. This extension will fail to promote the licensing objectives and increase cumulative impact in the West End Cumulative Impact Zone.

The premises is within Soho an area at the heart of the West End's entertainment district, with its **482** premises which includes a large proportion being late night **119** (25%) licensed with a terminal hour between **1am - 6am and a capacity of 22,480**. There are over 200 restaurants, 39 bars, 46 pubs, 31 clubs (including members clubs) and entertainment premises, the area is densely populated at night with people on a night out creating loud levels of noise causing disturbance, alongside increasing crime rates, disorder and anti-social behaviour.

The applicant acknowledges the pub is situated within the West End Cumulative Impact Zone and highlights the Pubs and Bars Policy PB1 stating the policy is to refuse a variation of hours but it does not apply when they are within core hours. However, the applicant still has to demonstrate that there will be no increase in cumulative impact and promote the licensing objectives. In our view a pub operating until midnight on Friday and Saturday the busiest nights of the week in Soho, will increase cumulative impact.

The additional hour will also result in more people being retained for longer in the area, a concern and raised within Cumulative Impact Policy,

D5 states, *'The retention of people late at night contributes to cumulative impact.'*

Considering the high and increasing crime rates in the area and the noise disturbance already experienced by residents who live on this street, this application should be refused.

**Residents**

The pub is situated in an area with a large number of residential properties, with a significant number of people living on [REDACTED] and the streets which surround it, there are over 200 flats. We know they are already disturbed by nighttime activity as people walk by either shouting, screaming or arguing, noise from pedicabs, car doors slamming and horns honking.

Not only will people living in the immediate vicinity be affected but also those who live in other parts of Soho, as patrons leave the premises to either continue their night out in the area or as they make their way home. For residents, people at some point will walk down their street or pass nearby and with people who are usually highly intoxicated, this involves, shouting, screaming, fighting creating a loud noise, they are also subjected to anti social-behaviour with people vomiting and urinating in the street or in their doorways.

With all of the above it is unsurprising residents experience sleep disturbance, a recent survey conducted by the [REDACTED] confirms that residents are disturbed by noise at night and this is having a negative impact on their lives. 87 people responded of which 78 are Soho residents with ages spread fairly evenly from 22 to 80, 59% having lived in Soho for more than 10 years.

When asked about disturbed sleep; 24% of respondents have their sleep disturbed 7 nights a week, 16% 5 or 6 nights a week and 19% 3 or 4 nights a week.

Furthermore, 64% of respondents agreed that noise nuisance from increased commercial activity at night is the most serious problem impacting Soho residents quality of life.

62% of respondents agreed that the council should not grant any extensions of hours for premises in Soho.

60% of respondents agreed that noise nuisance and sleep deprivation is adversely impacting my health and the health of the people they live with.

46% of respondents agreed that noise nuisance is so bad that they have considered moving away from Soho.

The full survey can be found in **Appendix 1**.

### **Crime and Disorder**

The Cumulative Impact Assessment 2020 presents overwhelming evidence of the year on year increase in cumulative impact in the West End Zone 1, ***it highlights the rate of crime as 10 - 13 times higher between 6pm - 6am compared to the borough average.*** The level of crime, disorder and anti social behaviour continues to be a huge problem in Soho, the crime figures are high and increasing. The recent police crime report for December 2022 highlights Soho as having the highest number of robberies, overall knife crime and violence against the person compared to other areas within the CIZ. The Committee will be aware of another recent serious incident on Greek Street where two police officers were stabbed which appears to be linked to the drugs trade, this follows on from another serious incident in the same street where a man was seriously injured.

These incidents confirm what residents already know that Soho is unsafe at night. Public safety is a huge concern and has been for a long time, the large number of licensed premises plus the numbers of people out on the streets at night attracts criminal gangs, which in turn results in high levels of crime and disorder creating a very unsafe environment for the public.

In Soho the majority of robberies take place at night, people are targeted as they leave venues. Alongside the robberies and assaults drug dealing is a huge problem with groups of dealers congregating to sell drugs to people as they leave premises or as they pass by. There are more dealers in the area at night than during the day, this is directly linked to the large number of venues and people which creates the drugs market. Pickpockets also operate in the area, they are part of a well organised criminal group who arrive in a van at night and disperse into Soho before re-turning to be driven away.

It is well known that intoxicated people become victims of crime, their vulnerability being exploited by gangs or individuals who are in Soho explicitly to target them. We believe patrons leaving this pub at night will be at high risk of becoming victims of crime.

### **Cumulative Impact Policy CIP1**

This area has been identified by the Westminster City Council as under stress because the cumulative effect of the concentration of late night and drink led premises and night cafes has led to serious problems of disorder and/or public nuisance affecting residents, visitors and other businesses. The evidence presented in the Cumulative Impact Assessment 2020 is overwhelming, it describes the high level of cumulative impact in the West End Zone between 2017-2019. It concludes that,

***'After consideration of the cumulative impact assessment it is the Licensing Authority's view that the number of premises licences in the West End, are such that it is likely granting further types of licences or varying existing licences would be inconsistent with the authority's duty to promote the licensing objectives. The granting of licences for certain types of operation that are likely to add to Cumulative Impact within these areas would not be consistent with the Licensing Authority's duty under the Licensing Act 2003.'***



(p.19) (*Our emphasis*)

This evidence supported further policy restrictions in the West End, however, the impact of COVID-19 resulted in the Licensing Authority deciding not to implement greater restrictions at this stage, but it may in the lifetime of the policy if footfall moves toward pre-March 2020 levels (D1). Soho is fully open for business and thriving, our observation is Soho attracts more people now than at pre-COVID times.

The policies in relation to the cumulative impact zone are directed at the global and cumulative effects of licences on the area as a whole (D16. of the policy).

**D23. *'The proximity of residential accommodation is a general consideration with regard to the prevention of public nuisance. It goes on, 'The nature of cumulative impact is that it is cumulative and affects not only the immediate vicinity of the premises, but the wider area; thus the number of people visiting the premises, the nature of licensable activities and the lateness of operations have an impact on an area as a whole, irrespective of whether or not there is residential accommodation in proximity to the premises.'* (our emphasis)**

It is important to note the policy relates to the global effects of alcohol licences in the whole impact zone and not just a part of it.

**In summary** Any increase in hours of a public house in the West End Cumulative Impact Zone will increase noise disturbance, crime, disorder, anti - social and cumulative impact.

**Appendix 1 : Soho Society Sleep Survey Results**

**Appendix 1 : Soho Society Sleep Survey Results - 31 October 2022**

The survey conducted by the Soho Society confirms that residents are disturbed by noise at night and this is having a negative impact on their lives.

87 people have responded of which 78 are Soho residents with ages spread fairly evenly from 22 to 80.

59% have lived in Soho more than 10 years

26% between 3 and 10 years 6% between 1 and 3 years and

9% have lived here less than a year

42% own their homes

20% are Soho Housing Association and the rest tenants with other landlords 10 respondents have children living at home with them

58% have double glazing 37% single glazing

5% have triple glazing

24% of respondents have their sleep disturbed 7 nights a week

16% of respondents have their sleep disturbed 5 or 6 nights a week

19% of respondents have their sleep disturbed 3 or 4 nights a week

19% of respondents have their sleep disturbed once or twice a week

20% do not have a problem with environmental noise pollution

Topping the list in September was people drinking in the street with 54 mentions, then pedicabs with 51, waste collections at 48, construction noise 36 and car horns 33 and deliveries at 25.

Other noise sources identified were air conditioning, motorbikes revving, building alarms and music from licensed venues. The most common identified problem at 42% of respondents was people drinking and shouting in the street.

64% of respondents agreed that noise nuisance from increased commercial activity at night is the most serious problem impacting Soho residents quality of life

46% of respondents agreed that noise nuisance is so bad that they have considered moving away from Soho

60% of respondents agreed that noise nuisance and sleep deprivation is adversely impacting my health and the health of the people they live with.

67% of respondents agreed that the council should base its noise policy on the World Health Organisation guidelines

64% of respondents agreed that our ward councillors should make this their priority during the next four years

69% of respondents agreed that during the time I have lived in Soho noise pollution has got significantly worse

73% of respondents agreed that if noise limits are being exceeded the council should consider reviewing existing alcohol licences

72% of respondents agreed that the council should install electronic noise monitoring in Soho

56% of respondents agreed that the council should not grant additional premises licence for the sale of alcohol in Soho.

62% of respondents agreed that the council should not grant any extensions of hours for premises in Soho

68% of respondents agreed that the council should renew its noise strategy as a matter of urgency

Many respondents made additional comments:-

*I left Soho 4 years ago. After 20 years, the noise & air pollution finally broke me. Like the frog in the pan of water with the heat gradually turned up, it took me a while to realise that it wasn't me going soft, it was the significant degradation of the environment around me. Since moved out of my flat, several other tenants have moved in & swiftly out again citing sleep dis-ruption & excessive night noise as their reason for leaving. The flat is now used as an office rather than as residential.*

*I am disappointed that another restaurant unit is going to be let on Hopkins Street by Shaftesbury when the residents already have an enormous amount of noise from the existing restaurants. No doubt they will also want an alcohol license, which will increase the noise and disturb residents even more.*

*working from home, I find it extremely exhausting not able to have rest at night, Screams and noise of drunk people every night, The Landlord WCC does not want to change the windows to a double glazing nor allow tenants to pay privately for windows to be upgraded. Noise at home, lack of sleep, and concentration in the day time. I have a hand held noise monitor, I recorded noise levels of 97db outside the pub at the corner of Broadwick and Berwick Streets.*

*More consideration needs to be given to residents from councillors, people visiting the area and local businesses in particular those who serve alcohol and have late night licences. Decisions such as granting planning and licence applications should not be made by people who do not live in the area and are therefore not impacted by the decision making.*

*Very difficult to get the local authority to understand and take complaints seriously. Officers often helpful but then the case goes to committee and they always seem to rule in favour of the commercial premises rather than residents.*

*There is supposed to be a presumption to refuse new licences but in practice the council still lets new things through until after Midnight, which is far too late and has made a nonsense of the policy.*

*There should be a quiet window of 11pm to 8am every day. 7am deliveries are far too early for a lot of people if they are noisy or use cages or refrigeration.*

*Regularly now (most nights) there are traffic jams in the street at 3am in the morning with cars picking up people leaving clubs. The cars frequently are using their horns. Last night they had their door open with music blaring. we have 2 motorbike stands close together. 1 in [redacted] and 1 in [redacted] There is always at least one bike revving up at either 3am or really early like 530am This noise has changed and increased over the past 3-4 years. I am woken up most nights at about 3am. And i have double glazing and am on [a high] floor.*

*Businesses take no responsibility for their customers drinking/eating and mainly shouting outside, including when they are queuing, and particularly when they are leaving. Post al fresco, there is a new attitude that anything goes on the streets and that includes contempt for the community who live here. The Council need to rethink this and put some major resource into enforcement.*

*I've lived in Soho for 60 years... Born and bred.. It's never been this noisy!*

*Early hours waste collections (including bottle smashing) also includes the food & beverage businesses putting their waste in the street and bottle bins at anti-social hours ahead of collection times. Our local restaurants are not supposed to put bottles out between the hours of 23:00 and 07:00 but they frequently do. Frequently delivery trucks some with noisy refrigeration units are also delivering early hours.*

*Also deliveries & pedicabs. Unfortunately my lack of sleep due to noise has caused serious health issues and I now cannot work and suffer anxiety and depression. I'm woken up on average 5 times per night and have considered suicide. Why I'm being denied sleep between the hours of 11pm and 7am astonishes me. The freeholders Shaftesbury Carnaby show a total disrespect to the effects that noise has on the residents of Soho*

**END**

### **3. Policy & Guidance**

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

<b>Policy CIP1 applies</b>	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.
<b>Policy HRS1 applies</b>	A. Applications within the core hours set out below in this policy will generally be granted for the relevant premises uses, subject to not

being contrary to other policies in the Statement of Licensing Policy.

B. Applications for hours outside the core hours set out in Clause C will be considered on their merits, subject to other relevant policies, and with particular regard to the following:

1. The demonstration of compliance in the requirements of policies CD1, PS1, PN1 and CH1 associated with the likelihood of the effect of the grant of a licence for later or earlier hours on crime and disorder, public safety, public nuisance and the protection of children from harm.
2. If the application is located within a Special Consideration Zone they have demonstrated that they have taken account of the issues identified in that area and provided adequate mitigation.
3. Whether there is residential accommodation in the proximity of the premises that would likely be adversely affected by premises being open or carrying out operations at the hours proposed.
4. The proposed hours of the licensable activities and when customers will be permitted to remain on the premises.
5. The proposed hours when any music, including incidental music, will be played.
6. The hours when customers will be allowed to take food or drink outside the premises or be within open areas which form part of the premises.
7. The existing hours of licensable activities and the past operation of the premises (if any) and hours of licensable premises in the vicinity.
8. Whether customers and staff have adequate access to public transport when arriving at and leaving the premises, especially at night.
9. The capacity of the premises.
10. The type of use, recognising that some venues are more likely to impact the licensing objectives than others; for example, pubs and bars are higher risk than theatres, cinemas and other cultural and sporting venues due to the nature of the operation.
11. The Licensing Authority will take into account the active measures proposed for a 'winding down' period including arrangements for people to be collected from the premises to travel home safely.
12. Conditions on hours may be attached that require that the supply of alcohol for consumption on the premises ceases a suitable period of time before customers are required to leave the premises.
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.

**6. Pubs and bars, Fast Food and Music and Dance venues**  
Monday to Thursday: 10am to 11.30pm.  
Friday and Saturday: 10am to Midnight.  
Sunday: Midday to 10.30pm.

	<p>Sundays immediately prior to a bank holiday: Midday to Midnight.</p> <p>D. Core hours are when customers are permitted to be on the premises and therefore the maximum opening hours permitted will be to the same start and terminal hours for each of the days where licensable activity is permitted.</p> <p>E. For the purposes of this policy, 'premises uses' are defined within the relevant premises use policies within this statement.</p> <p>Note: The core hours are for all licensable activities but if an application includes late night refreshment then the starting time for that licensable activity will be 11pm.</p>
<p><b>Policy PB1 applies</b></p>	<p>A. Applications outside the West End Cumulative Zone will generally be granted subject to:</p> <ol style="list-style-type: none"> <li>1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1.</li> <li>2. The hours for licensable activities being within the council's Core Hours Policy HRS1.</li> <li>3. The operation of any delivery services for alcohol and/or latenight refreshment meeting the council's Ancillary Delivery of Alcohol and/or Late-Night Refreshment Policy DEL1.</li> <li>4. The applicant has taken account of the Special Consideration Zones policy SCZ1 if the premises are located within a designated zone.</li> <li>5. The application and operation of the venue meet the definition of a Public House or Bar in Clause D.</li> </ol> <p>B. It is the Licensing Authority's policy to refuse applications within the West End Cumulative Impact Zone other than:</p> <ol style="list-style-type: none"> <li>1. Applications to vary the existing licence hours within the council's Core Hours Policy HRS1.</li> <li>2. Applications that seek to vary the existing licence so as to reduce the overall capacity of the premises.</li> </ol> <p>C. The applications referred to in Clause B1 and B2 will generally be granted subject to:</p> <ol style="list-style-type: none"> <li>1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1, and/or,</li> <li>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.</li> <li>3. The application and operation of the venue continuing to meet the definition of a Public House or Bar in Clause D.</li> </ol> <p>D. For the purposes of this policy a Public House or Bar is defined as a premises, or part of a premises that's primary use is the sale or supply of alcohol for consumption on those premises and/or for consumption off the premises for consumption outside the venue.</p>

#### 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

<b>Appendix 1</b>	Current Premises Licence 18/05402/LIPDPS
<b>Appendix 2</b>	Applicant supporting documents
<b>Appendix 3</b>	Premises history
<b>Appendix 4</b>	Proposed conditions
<b>Appendix 5</b>	Residential map and list of premises in the vicinity

<b>Report author:</b>	Karyn Abbott Senior Licensing Officer
<b>Contact:</b>	Telephone: 0207 641 6500 Email: kabbott@westminster.gov.uk

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

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

<b>1</b>	Licensing Act 2003	N/A
<b>2</b>	City of Westminster Statement of Licensing Policy	October 2021
<b>3</b>	Amended Guidance issued under section 182 of the Licensing Act 2003	December 2022
<b>4</b>	Metropolitan Police Service	22 May 2023
<b>5</b>	Representation 1	14 May 2023
<b>6</b>	Representation 2	20 May 2023



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

Schedule 12  
Part A

WARD: West End  
UPRN: 100023471111

Premises licence

Regulation 33, 34

Premises licence number:

18/05402/LIPDPS

Original Reference:

05/05573/LIPC

**Part 1 – Premises details**

**Postal address of premises:**

John Snow  
39 Broadwick Street  
London  
W1F 9QJ

**Telephone Number:** 020 7437 1344

**Where the licence is time limited, the dates:**

Not applicable

**Licensable activities authorised by the licence:**

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

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

<b>Playing of Recorded Music</b>	Unrestricted
<b>Late Night Refreshment</b> Monday to Saturday:	23:00 to 23:30
<b>Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit</b>	Unrestricted
<b>Sale by Retail of Alcohol</b> Monday to Saturday:	10:00 to 23:00
Sunday:	12:00 to 22:30

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

**The opening hours of the premises:**

Monday to Saturday:	10:00 to 23:30
Sunday:	12:00 to 23:00

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

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

**Part 2**

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

Samuel Smith Southern  
The Old Brewery  
1 High Street  
Tadcaster  
LS24 9SB  
*Electronic Mail : tom@ssob.wanadoo.co.uk*  
*Head Office Phone Number : 01937 83225*

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

01345661

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

**Name:** Mr David James Hemmings

*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:** 06/00237/LIPERS  
**Licensing Authority:** London Borough Of Croydon

**Date:** 25 July 2018

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



#### Annex 1 – Mandatory conditions

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

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

7. The responsible person must ensure that –

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

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

- 8 (i) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
- (ii) For the purposes of the condition set out in paragraph 8(i) above -
  - (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
  - (b) "permitted price" is the price found by applying the formula -
 
$$P = D + (D \times V)$$
 Where -
    - (i) P is the permitted price,
    - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
    - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
  - (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -

- (i) the holder of the premises licence,
  - (ii) the designated premises supervisor (if any) in respect of such a licence, or
  - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
- (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.
- (iv). (1) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

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

**Conditions related to the Sale of Alcohol**

9. Alcohol shall not be sold, supplied, consumed in or taken from the premises except during permitted hours.

In this condition, permitted hours means:

- (a) On weekdays, other than Christmas Day, Good Friday or New Year's Eve, 10:00 to 23:00
- (b) On Sundays, other than Christmas Day or New Year's Eve, 12:00 to 22:30
- (c) On Good Friday, 12:00 to 22:30
- (d) On Christmas Day, 12:00 to 15:00 and 19:00 to 22:30
- (e) On New Year's Eve, except on a Sunday, 10:00 to 23:00
- (f) On New Year's Eve on a Sunday, 12:00 to 22:30
- (g) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).

NOTE - The above restrictions do not prohibit:

- (a) during the first twenty minutes after the above hours the 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) during the first thirty minutes after the above hours the consumption of the alcohol on the premises by persons taking table meals there if the alcohol was supplied for consumption as ancillary to the meals;

(d) the sale or supply of alcohol to or the consumption of alcohol by any person residing in the licensed premises;

(e) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;

(f) the sale of alcohol to a trader or registered club for the purposes of the trade or club;

(g) 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;

(h) the taking of alcohol from the premises by a person residing there;

(i) 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;

(j) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

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

10. No person under fourteen shall be in the bar of the licensed premises during the permitted hours unless one of the following applies:

(a) He is the child of the holder of the premises licence.

(b) He resides in the premises, but is not employed there.

(c) He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress.

(d) The bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary.

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

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

**Annex 2 – Conditions consistent with the operating Schedule**

None

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

None





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

Schedule 12  
Part B

WARD: West End  
UPRN: 100023471111

Premises licence  
summary

Regulation 33, 34

Premises licence number:

18/05402/LIPDPS

**Part 1 – Premises details**

**Postal address of premises:**

John Snow  
39 Broadwick Street  
London  
W1F 8QJ

**Telephone Number:** 020 7437 1344

**Where the licence is time limited, the dates:**

Not applicable

**Licensable activities authorised by the licence:**

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

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

<b>Playing of Recorded Music</b>	Unrestricted
<b>Late Night Refreshment</b>	
Monday to Saturday:	23:00 to 23:30

**Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit** Unrestricted

<b>Sale by Retail of Alcohol</b>	
Monday to Saturday:	10:00 to 23:00
Sunday:	12:00 to 22:30

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



**The opening hours of the premises:**

Monday to Saturday:	10:00 to 23:30
Sunday:	12:00 to 23:00

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

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

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

Samuel Smith Southern  
The Old Brewery  
1 High Street  
Tadcaster  
LS24 9SB

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

01345661

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

**Name:** Mr David James Hemmings

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

Restricted

**Date:** 25 July 2018

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



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**Samuel Smith (Southern) (the "Applicant")**

**Application to vary a Premises Licence**

**John Snow, 39 Broadwick Street, London W1F 9QJ (the "Premises")**

**Applicant's Written Submissions**

This statement is made in support of an application to vary a premises licence with the intention of outlining the Applicant's case and seeking to address the concerns of those maintaining representations.

Amplification of the points made below, together with further submissions, will be made orally at the licensing sub-committee hearing if all representations are not withdrawn.

**Background & Layout**

The Applicant is a longstanding independent brewery which takes a long-term view. It is unique in that it only stocks it owns products (including soft drinks and snacks) and has a staunchly traditional approach to its pubs in that they do not play any music, nor have televisions, nor permit laptops to be used. The whole ethos is that local communities can enjoy spending time together without unwanted distractions. By not playing music and showing television, the pubs do not attract trouble. Current food and drinks menus are at **appendix 1**.

The current layout plans have not changed for decades. The Premises is over five floors with the layout as follows:

- Basement - Back of house with male and female W.Cs
- Ground - Large horseshoe bar with loose furniture
- First Floor- A further bar and dining area
- Second Floor - Kitchen, storage, two staff bedrooms and a staff bathroom
- Third Floor - Two further staff bedrooms, a staff living room, a staff bathroom and a staff kitchen

Unusually for central London there is spacious staff accommodation. Pictures of the public areas are at appendix 2.

### The Application

This is a relatively simple application to extend the hours for opening and licensable activity until the Core Hours (as defined in the Statement of Licensing Policy). The Applicant rarely seeks to amend its licences. However, with the country's current economic issues and patrons attending the Premises less often, but wishing to stay later, it considers that it necessary to seek to extend the hours from the old on-licence hours prescribed by the Licensing Act 1964.

Given that the existing licence conditions are virtually non-existent, thirteen model conditions have been proffered to ensure that the premises licence better upholds the four licensing objectives.

### Representations from Local Resident and [REDACTED]

The concerns raised by a local resident and the [REDACTED] and the Applicant's comments are as follows:

#### General Concerns with crime rates and noise disturbance in Soho

The Applicant accepts that there is anti-social behaviour in Soho. However, it does not accept that its patrons are adding to it. The Applicant's offer is simply not attractive to a 'party going' crowd that could be a focus for drug dealers and pedicabs. Instead, it is one of the few traditional pubs left in Soho where friends and family can go for a drink or a meal in a comfortable, quiet, environment which is conducive to conversation. In other words, a moderating influence on the large number of late-night, vertical drinking establishments which offer loud music and drinks promotions. Tellingly, for as long as management can remember, there has been no reason to call the Metropolitan Police in respect of any patrons behaving badly, nor have there been any visits from other WCC officers.

The new conditions proffered will ensure that this remains the case and the Applicant has developed a Dispersal Policy (a draft of which is at appendix 3). The Applicant is happy to adopt the appropriate model condition, namely:

- 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.

#### Cumulative Impact

Before making this application, the Statement of Licensing Policy was considered. There is no policy to refuse applications to vary the existing licensed hours for public houses within the Core Hours, as is being proposed. It goes on to say that such applications 'will generally be granted' subject to meeting the policies relating to the four licensing objectives, the delivery of alcohol policy (which is not relevant to this application) and to meeting the definition of a public house (which is not in question).

Regarding the four licensing objectives, the Applicant suggests that public safety is not a relevant concern and, with no adult entertainment, nor evidence of underage sales, neither is the protection of children from harm objective. This leaves the prevention of crime and disorder and public nuisance.

The risk of crime and disorder has been addressed above. Put simply, there is no suggestion that the Premises is currently adding to the crime and disorder issues in Soho, nor is there any evidence that a modest increase in hours within Core will see this change. Regarding the prevention of public nuisance, there is no representation from the 'independent experts', namely Environmental Health. This is not surprising as, with no music and modern extraction there have been no complaints in respect of noise, vibration or smells. Furthermore, the Applicant is seeking to reduce the hours patrons are permitted to drink outside.

The Applicant would therefore submit that the requirements of the Statement of Licensing Policy are met.

#### Representation from the Metropolitan Police

The Applicant is prepared to reduce the hours sought for the sale of alcohol by 30 minutes to allow for a 30-minute drinking up period as recommend by PC Steve Muldoon.

#### Financial Considerations

Whilst the Applicant has a long history, it is not immune to financial pressures. Whilst Soho might appear busy, especially in the last two months, takings are down considerably and patrons are coming out later. Utility and staffing costs have also increased significantly, whilst the move to hybrid working for most offices in the area, means that volumes of trade on Fridays have decreased. These economic factors can properly be considered in a licensing determination. In R (o/a/o Hope and Glory Public House Ltd) v City of Westminster Magistrates' Court and Others [2011] EWCA Civ 31, the Court of Appeal (per Toulson LJ) observed that [at 42]:

*'Licensing decisions often involve weighing a variety of competing considerations: the demand for licensed establishments, the economic benefit to the proprietor and to the locality by drawing in visitors and stimulating the demand, the effect on law and order, the impact on the lives of those who live and work in the vicinity, and so on.'*

#### Conclusion

The Premises is one of relatively few pubs in the West End which has not already got a premises licence with Core Hours. Nevertheless, it has an excellent reputation and, with its commitment to traditional values, this is not set to change. There are no issues raised with the operation of the Premises itself. It is noted that no further conditions have been suggested but the Applicant would, of course, consider any suggestions made. Should anyone wish to discuss matters further prior to the licensing sub-committee hearing the writer can be contacted at [REDACTED]

Niall McCann  
Partner, Keystone Law

## APPENDIX 1 - FOOD MENU

# MENU

House Olives (kcal 140) v 4.50 | Smokehouse Bar Nuts (Kcal 483) v 4.25 | Chilli & Lime Cashews & Peanuts (Kcal 439) v 3.95  
Fiery Chilli Rice Crackers (Kcal 234) v 3.95 | Roasted Shell on Pistachio Nuts (Kcal 256) v 4.25

### BAR SNACKS & SHARING 3 for 18.95 5 for 29.95

Chopped Sausages, Honey & Mustard Glaze (kcal 464) 6.95  
BBQ Chilli Wings (Kcal 604/1208) 6.95/10.95  
Hand Battered Fish Finger Bites with Jalapeno Tartare Sauce (kcal 572) 7.95  
Halloumi Fries, Spicy Harissa Yoghurt (kcal 692) v 7.25  
Garlic Bread 3.95 (kcal 334) with cheese (kcal 497) 4.95  
Hunters Chicken Chunky Chips with Melted Cheese, Crispy Bacon crumb and BBQ Sauce (kcal 710) 6.50  
Loaded Nachos. Crushed Avocado, Cheese Sauce, Sour Cream, Tomato Salsa, Jalapenos v (kcal 555/1110) v 7.25 / 11.50

### MAINS & PUB CLASSICS

Bangers & Mash with Rich Onion Gravy and Onion Rings (kcal 993/ 1197) 12.95 / 14.95  
Traditional Hand Battered Fish & Chips, Tartare Sauce, Mushy Peas (kcal 1394) 15.50  
Whitby Bay Whole Tail Scampi, Tartare Sauce, Chips and Mushy Peas (kcal 725) 13.95  
The Big Catch, Hand Battered Fish Goujons & Whitby Bay Scampi, Chips, Tartare Sauce, Mushy Peas (Kcal 1467) 15.95  
Samuel Smiths Steak and Ale pie, Creamy Mash, Buttered Carrots, Gravy (kcal 1012) 14.50  
Mac & Cheese with Three Cheese, Stilton, Cheddar & Brie, Green Salad and Garlic Bread (kcal 1036) v 12.50  
Smoky Three Bean chilli, Rice, Crushed Avocado, Nachos and Pico de Gallo Salsa (kcal 785) ve 12.95  
Grilled Half Chicken & Chips, Rich Chicken Gravy & Aioli, Finished with BBQ Chilli Glaze (kcal 1061) 14.50  
Caesar Salad. Cos Lettuce, Anchovy, Crispy Croutons and Parmesan (kcal 381) 10.95  
*add grilled chicken (kcal 100) or halloumi (Kcal 329) to your salad 3.50 each, also you could add bacon (Kcal 256) for 1.25*

### SIDES & EXTRAS

Chips (kcal 318) 5.00 | Sweet Potato Fries (Kcal 310) 6.00 | Onion Rings (kcal 388) 4.00 | Mushy Peas (kcal 74) 2.50  
Garden Peas (Kcal 60) 2.50 | Green Leaf Salad (kcal 38) 3.95 | Buttered Carrots (kcal 71) 3.95

### BURGERS

*All served on a toasted bun with lettuce, tomato, onion, dill gherkin. Served with green leaf salad or chips,*

Classic Burger, Burger Sauce (kcal 501/781) 13.95  
BBQ Bacon & Cheese Burger, Burger Sauce (kcal 791/1071) 15.00  
Fried Chicken Burger, Sriracha Mayonnaise (kcal 612/892) 13.95  
Plant Based Burger, Vegan Mayonnaise (kcal 648/928) ve 13.95  
Fried Fish Finger Burger, Jalapeño Tartare Sauce (Kcal 620/886) 13.95

#### Extras

*Add a Fried Egg, Onion rings, Cheddar Cheese or Bacon to your burger for 1.25 each.*

*Why not upgrade to sweet potato fries for 1.00*

Allergen information. We can provide information on allergens in our food. Please ask a member of staff, however as our food is prepared in a kitchen where various allergens are handled, we cannot guarantee that any dishes are completely allergen free. Our meat, fish and chicken may contain bones

*Adults need around 2000 Kcal a day*

LDN 8

# MENU

## SANDWICHES

*Available Lunchtimes only between 12.00 and 3.00 pm*

*All served with green leaf salad or chips - upgrade to sweet potato fries for 1.00*

Sausage Sandwich with Caramelized Red Onion and English Mustard (kcal 831/1117) 8.95

Grilled Chicken Club Sandwich with Crushed Avocado, Bacon, Tomato, Lettuce, Siracha Mayo (kcal1049/1335) 11.50

Hunters Chicken & Bacon Ciabatta Sandwich with Grilled Cheese and BBQ Chilli Sauce (kcal1057/1374) 11.95

Grilled Three Cheese and Cured Tomato Ciabatta Sandwich (kcal 796/1114) v 8.95 *add bacon (Kcal 256) 1.25*

Brie & Pear Chutney Sandwich with Tomato and Lettuce (kcal 591/909) v 8.50 *add bacon (Kcal 256) 1.25*

## DESSERTS AND CHEESE

Vanilla Cheesecake, Berry Sauce (kcal 474) v 6.50

Chocolate & Salted Caramel Fondant Pudding, Raspberry Sauce, Vanilla Ice Cream (kcal 614) v 6.50

Sticky Toffee Pudding, Vanilla Ice Cream (kcal 503) v 6.95

Chocolate Brownie, Chocolate Fudge Sauce, Vanilla Ice Cream (kcal 743) v 6.50

Bramley Apple & Blackberry Crumble, Custard (kcal 503) v 6.95

Ice Creams. *Please ask your server for today's choice of dairy and non-dairy flavours* (kcal 246) 5.50

Cheese Plate, Pear Chutney, Oat Biscuits (kcal 650) 7.50

## COFFEE AND TEAS

Latte (kcal 75) 2.95

Espresso 2.80

Cappuccino (kcal 32) 2.95

Americano 2.80

Teas 2.95 *please ask about our flavours*

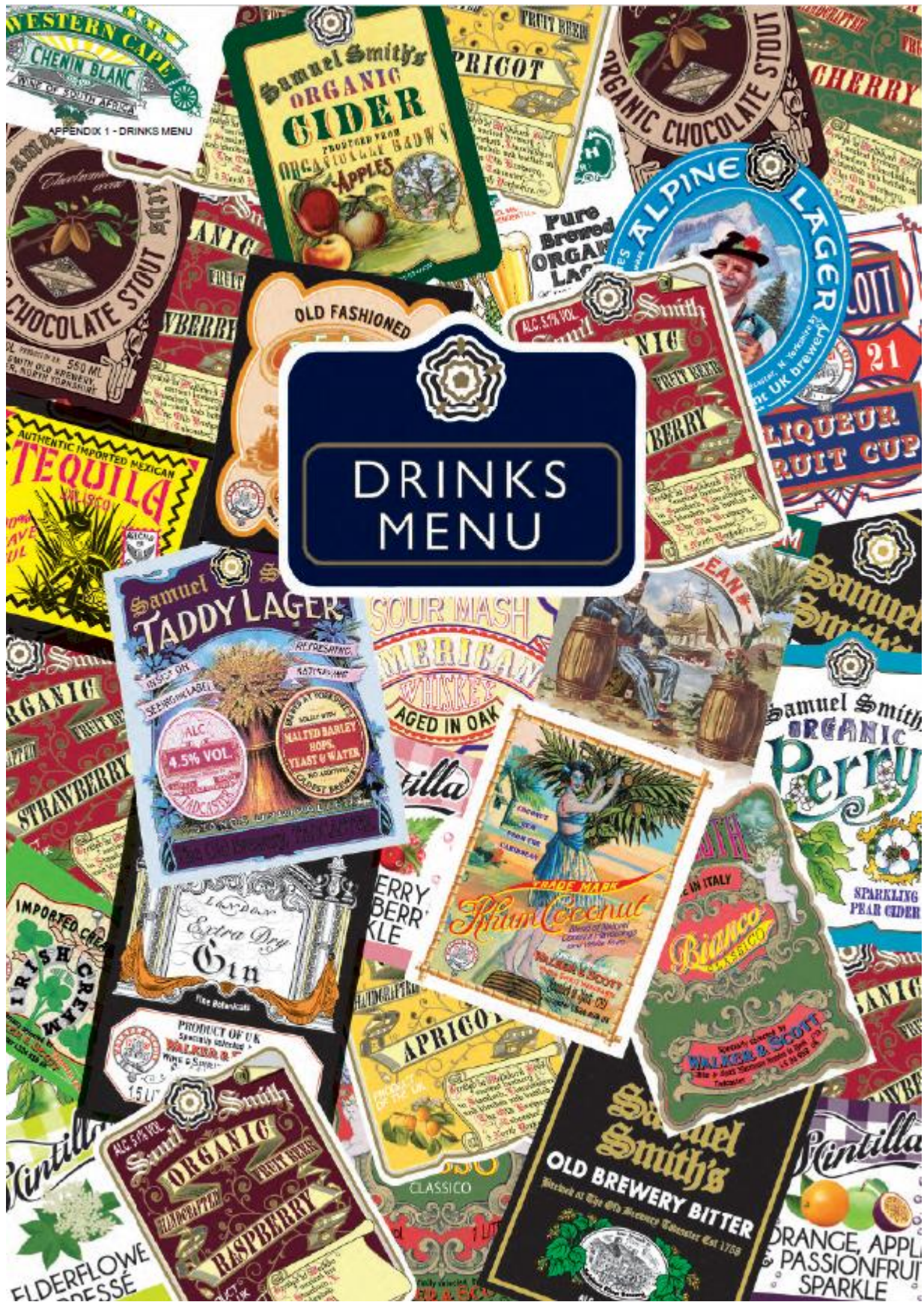
Fair Trade Hot Chocolate (kcal 394) 3.95

Allergen information. We can provide information on allergens in our food. Please ask a member of staff, however as our food is prepared in a kitchen where various allergens are handled, we cannot guarantee that any dishes are completely allergen free. Our meat, fish and chicken may contain bones

*Adults need around 2000 Kcal a day*

LDN 8







# COCKTAILS

 <p><b>Summer Fruit Cup</b> fruit cup liqueur, ice and lemonade with all the fruit; strawberries, raspberries, orange, lemon, lime</p>	 <p><b>Pineapple Cooler</b> pure pineapple juice, rum, coconut, soda, ice, strawberry and a slice of lime</p>	 <p><b>Raspberry Dream</b> the triple raspberry: raspberry gin, raspberry &amp; cranberry juice, whole raspberries, ice and sprig of mint</p>
 <p><b>Dark &amp; Stormy</b> double dark rum, ginger beer, ice and a wedge of lime</p>	 <p><b>Mojito</b> double white rum, brown rock sugar and soda infused with mint leaves, wedges of lime, ice and mint garnish</p>	 <p><b>Rum Punch</b> rum, coconut, peach schnapps, Fairtrade pure orange juice, strawberries, raspberries, ice, and slice of orange, mint sprig</p>

# LIQUEURS & APERITIFS

Walker & Scott Wine & Spirits Merchants was founded in York in 1721, before being purchased by local brewer Samuel Smith's in 1956.

Remaining true to its original principles, Walker & Scott's specially selects the highest quality wines and spirits from around the world, all of which are produced by first class independent suppliers.



## OLD FASHIONED PEACH SCHNAPPS

An infusion of natural fruit with the finest spirit, distilled and blended in France by one of the world's most eminent fruit liqueur producers.



## RHUM COCONUT

A blend of natural coconut flavourings and white rum from the Caribbean.



## SONG OF THE SOUTH

A tasty American whisky liqueur recalling the halcyon days of the Deep South, when show boats served up local whisky seasoned with fresh fruit.



## IRISH CREAM LIQUEUR

Hailing from County Tipperary, usually served 'on the rocks'.



# DRAUGHT BEERS & CIDER

## ORGANIC WHEAT BEER



An unfiltered organic wheat beer with a champagne-like effervescence and well defined citrus aroma.



5.0% A.B.V

## PURE BREWED ORGANIC LAGER



Brewed with great care using only organic malted barley, organic hops, medium-soft water and a bottom-fermenting yeast; matured at low temperatures to bring out its delicate flavour and soft hop-character finish.



5.0% A.B.V

## EXTRA STOUT

Dark malts are used to produce a refreshing, smooth and creamy stout with a delicate malt aroma.



4.5% A.B.V

## DOUBLE FOUR LAGER

Double fermented to achieve a clean tasting, well balanced, refreshing lager with a drier finish, brewed from the four natural ingredients of malted barley, hops, yeast and water and four per cent ABV.



4.0% A.B.V

## OLD BREWERY BITTER

Fermented in stone Yorkshire squares to create a full bodied malty beer of unique character. Either served from an oak cask or on keg. Where served from an oak cask, we go to great lengths to make sure that the beer is fresh; it is delivered to the pub just twenty-four hours after the cask is filled at the brewery.



4.0% A.B.V

## TADDY LAGER

A high quality, full flavoured lager brewed using distinctive low bitterness aroma hops and a yeast strain different to our other lagers, giving tropical fruit scents with a bouquet of mango and pineapple.



4.5% A.B.V



The cooperage at the Old Brewery.

## ALPINE LAGER

2.8% beer pays half the excise duty, we pass the saving onto the customer to give excellent value for money in what is a lager of remarkable quality.



2.8% A.B.V

## SOVEREIGN BITTER

A pale coloured beer with a delicate flavour and a pleasant floral aroma - satisfying, refreshing and easy to drink.



4.1% A.B.V

## CIDER RESERVE

Made using two different apple types to create an excellent medium dry cider with a clean, fresh palate and a well defined appley character.

Naturally gluten free.



5.2% A.B.V



## BOTTLED BEERS



### NUT BROWN ALE

Best barley malt, yeast and aromatic hops; fermented in 'stone Yorkshire squares' to create a relatively dry ale with rich nutty colour and a palate of beech nuts, almonds and walnuts.

5.0% A.B.V. 355ml



### TADDY PORTER

Dark, full in body and packed with the intense dry flavour of roasted barley.

5.0% A.B.V. 355ml



### YORKSHIRE STINGO

A strong ale which we age in our own oak barrels in the brewery cellars. The result is a beer with deep flavours of toffee, raisin and soft oak notes.

LIMITED AVAILABILITY

8-9% A.B.V. 555ml



### OATMEAL STOUT

Fermented in 'stone Yorkshire squares' to create an almost opaque, wonderfully silky and smooth textured ale with a complex medium dry palate and bittersweet finish.

5.0% A.B.V. 355ml



### IMPERIAL STOUT

This distinctive type of beer was originally brewed to withstand the abuses of shipping to Imperial Russia in foul weather. It was a favourite of Russian nobility, whose taste for the finest food and drink was world famous.

A rich flavourful brew, it is deep chocolate in colour with a roasted barley nose and flavour that is a complexity of malt, hops, alcohol and yeast. Fermented in 'stone Yorkshire squares'.

7.0% A.B.V. 355ml



### ORGANIC CHOCOLATE STOUT

The perfect marriage of rich and delicious organic cocoa with the dry and rounded flavour of roasted malt.

5.0% A.B.V. 355ml



All Samuel Smith's ales and stouts (except Sovereign and Extra Stout) are fermented in 'stone Yorkshire squares' - fermenting vessels made of solid slabs of slate which give the beers a characteristic full bodied taste. The same strain of yeast has been used since the 19th century.



### ORGANIC PALE ALE

A classic malt-accented, copper-coloured pale ale in which subtle fruity esters from our yeast strain interact with dry caramel flavours.

5.0% A.B.V. 355ml



# ORGANIC FRUIT BEERS



## CHERRY FRUIT BEER

5.1% A.B.V 355ml



## STRAWBERRY FRUIT BEER

5.1% A.B.V 355ml



## RASPBERRY FRUIT BEER

5.1% A.B.V 355ml



## APRICOT FRUIT BEER

5.1% A.B.V 355ml



We brew four delicious beers using organic fruits. A base strong beer is brewed at Melbourn Brothers Brewery in Stamford, Lincolnshire, before it is brought up to the Old Brewery, Tadcaster, where it is blended with four different organic fruit juices. The result is four beers bursting with fresh fruit flavours, balanced with the hint of sourness from the base beer.

## ORGANIC CIDER & PERRY



### ORGANIC CIDER

A medium dry cider with brilliant straw colour, light body, clean apple flavour and a gentle apple blossom finish.



NATURALLY  
GLUTEN FREE.  
5.0% A.B.V 355ml

### ORGANIC PERRY

A dry, sparkling pear cider with glowing pale straw colour, smooth body, crisp but rich flavour and the gentle aroma of a summer pear orchard



NATURALLY  
GLUTEN FREE.  
5.0% A.B.V 355ml



## SPIRITS

### AUTHENTIC MEXICAN TEQUILA

Produced by one of the twelve main tequila producers in the Jalisco region of Mexico.



### EXTRA PREMIUM ALL GRAIN VODKA

Distilled to the highest standards using grain spirit to give a delicate and distinctive palate.



### RASPBERRY GIN

A luscious raspberry gin made with pure grain spirit, natural flavours and fine botanicals.



### LONDON EXTRA DRY GIN

A true London-distilled gin made from grain spirit, juniper berry oil and aromatic roots are added during distillation to impart a distinctive character.



### SPECIAL DARK RUM

Dark, rich and on fire like the sunsets in the Isles of the Caribbean, the rum contains a good portion of aged dark rum.



### CARIBBEAN SUPERIOR WHITE RUM

Lazy days in the sun with little to do? Time for a rum drink - distilled and blended in the Caribbean.



### SPICED RUM

Smooth, deep and with the perfect spiced seasoning to cut through and deliver a flawless taste of the Caribbean. Mix it, or just on ice.



### SOUR MASH AMERICAN WHISKY

Made from rye grain and aged in white oak casks, sour mash is an oxymoron because it actually produces the richness and sweetness that makes it a world classic.



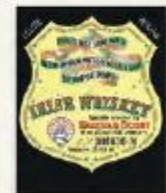
### FINEST OLD BLENDED SCOTCH WHISKY

Produced using a substantial percentage of single malt whisky, the high malt content makes it rich and very smooth with a warming finish - but not overly peaty.



### IRISH WHISKY

Made from famous Irish spring water and superior malted barley, aged in American white oak bourbon casks.



### FINEST FRENCH BRANDY X.O.

A blend of the finest X.O. brandies aged in oak barrels for between three and five years.



### JULES DURET COGNAC VSOP

Only the finest cognacs, aged in Limousin oak casks, have been combined skilfully and subtly to create this pale, smooth and delicate VSOP.



# WINES

Walker & Scott's wines are single grape varieties and are produced in the designated regions of their countries of origin.



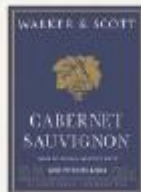
## FINE RUBY PORT

PORTUGAL  
Our house port has youthful red and black fruit flavours and a robust finish.



## CABERNET SAUVIGNON

Valle del Maipo, Chile - intense colour, clean dark fruits nose and palate with a hint of oak.



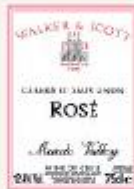
## CHENIN BLANC

Western Cape, South Africa - relatively dry with a fresh vibrant zingy palate and lively fruit.



## ROSÉ

Valle del Maipo, Chile - pale dry rosé with a delicate soft fruits nose.



## SPARKLING WHITE WINE

Pale, Brilliant yellow colour, fruity in nose with intense floral notes. Creamy taste with a fresh sweetness level.



All Samuel Smith's beers are brewed solely from: Authentic natural ingredients without chemicals, additives, raw material adjuncts, artificial sweeteners, colourings, flavours or preservatives

Samuel Smith's was the first brewery to register with the Vegan Society. All our beers and ciders are suitable for a vegan diet

*(except Old Brewery Bitter where served from the wood and Yorkshire Sings which contain traces of isinglass finings).*



**SAMUEL SMITH**  
The Old Brewery  
High Street, Tadcaster,  
North Yorkshire, LS24 9SB  
UNITED KINGDOM

01937 832225

[www.samuelsmithbrewery.co.uk](http://www.samuelsmithbrewery.co.uk)  
[sales@samuelsmithbrewery.co.uk](mailto:sales@samuelsmithbrewery.co.uk)



# SOFT DRINKS AND NON ALCOHOLIC



We are proud to produce our own range of delicious soft drinks at the Old Brewery, Tadcaster. These are all made from authentic natural ingredients and are suitable for a vegan diet.

(Except for Tomato Juice Cocktail which contains anchovies)





APPENDIX 2 – PHOTOGRAPHS OF PUBLIC AREAS











## APPENDIX 3 - DISPERSAL POLICY

### DISPERSAL POLICY

#### JOHN SNOW, 39 BROADWICK STREET, LONDON W1F 9QJ

At 10.45pm all patrons standing outside shall be told that they must return inside.

At 10.55pm all patrons standing outside shall be told that they must return inside immediately.

Every 15 minutes after 11pm a Team Member will ensure that no patrons are standing outside. Any that are will be told that they must return inside immediately.

At 11.20pm the bell will be rung to indicate that any last orders are to be placed at the bar.

At 11.30pm the bell will be rung again to indicate that the bar is now closed.

At 11.40pm all customers will be informed that they need to finish their drinks as soon as possible.

At 11.50pm any remaining customers will be told to leave immediately.

At midnight the doors will be locked.

**Licence & Appeal History**

<b>Application</b>	<b>Details of Application</b>	<b>Date Determined</b>	<b>Decision</b>
05/05573/LIPC	Conversion Licence	27 August 2005	Granted under Delegated Authority
06/00190/LIPDPS	Premises Licence – Vary DPS	12 January 2006	Granted under Delegated Authority
06/01329/LIPDPS	Premises Licence – Vary DPS	27 February 2006	Granted under Delegated Authority
06/04203/WCCMAP	Master Licence – <b>Late Night Refreshment</b> – Monday to Saturday 23:00 to 23:30 <b>Retail Sale of Alcohol</b> – Monday to Saturday 10:00 to 23:00 Sunday 12:00 to 22:30	27 August 2005	Granted under Delegated Authority
09/02789/LIPDPS	Premises Licence – Vary DPS	22 April 2009	Granted under Delegated Authority
10/00318/LIPT	Transfer Premises Licence Holder from Mr Cornelius Christopher Scully to Mr Thomas Jeffrey Paget	16 March 2010	Granted under Delegated Authority
10/03152/LIPDPS	Premises Licence – Vary DPS	15 June 2010	Granted under Delegated Authority
10/09431/LIPDPS	Premises Licence – Vary DPS	15 December 2010	Granted under Delegated Authority
15/06020/LIPCH	Premises Licence – Change of Licence Holder Details	23 July 2015	Granted under Delegated Authority
17/03559/LIDPSR	Premises Licence – Removal of DPS	3 May 2017	Granted under Delegated Authority
17/03779/LIPDPS	Premises Licence – Vary DPS	3 May 2017	Granted under Delegated Authority

17/07383/LIPT	Transfer Premises Licence Holder from Mr Thomas Jeffrey Paget to Samuel Smith (Southern)	22 November 2017	Granted under Delegated Authority
17/07385/LIPDPS	Premises Licence – Vary DPS	22 November 2017	Granted under Delegated Authority
18/05307/LIPT	Transfer Premises Licence Holder from Samuel Smith (Southern) to Samuel Smith Southern	12 June 2018	Granted under Delegated Authority
18/05402/LIPDPS	Premises Licence – Vary DPS	25 July 2018	Granted under Delegated Authority

**There is no appeal history**

**There has been no Temporary Event Notice History**

***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 -

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

Where -

(i) P is the permitted price,

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

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

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

(i) the holder of the premises licence,

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

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

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

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

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

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

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



**The applicant has proposed to delete condition 9 to 11 from the operating schedule of the licence.**

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

**Conditions related to the Sale of Alcohol**

9. Alcohol shall not be sold, supplied, consumed in or taken from the premises except during permitted hours.

In this condition, permitted hours means:

- (a) On weekdays, other than Christmas Day, Good Friday or New Year's Eve, 10:00 to 23:00
- (b) On Sundays, other than Christmas Day or New Year's Eve, 12:00 to 22:30
- (c) On Good Friday, 12:00 to 22:30
- (d) On Christmas Day, 12:00 to 15:00 and 19:00 to 22.30
- (e) On New Year's Eve, except on a Sunday, 10:00 to 23:00
- (f) On New Year's Eve on a Sunday, 12:00 to 22:30
- (g) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).

NOTE - The above restrictions do not prohibit:

- (a) during the first twenty minutes after the above hours the 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) during the first thirty minutes after the above hours the consumption of the alcohol on the premises by persons taking table meals there if the alcohol was supplied for consumption as ancillary to the meals;
- (d) the sale or supply of alcohol to or the consumption of alcohol by any person residing in the licensed premises;
- (e) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- (f) the sale of alcohol to a trader or registered club for the purposes of the trade or club;
- (g) 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;
- (h) the taking of alcohol from the premises by a person residing there;
- (i) 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;
- (j) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

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

10. No person under fourteen shall be in the bar of the licensed premises during the permitted hours unless one of the following applies:
- (a) He is the child of the holder of the premises licence.
  - (b) He resides in the premises, but is not employed there.

(c) He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress.

(d) The bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary.

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

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

### **Annex 2 – Conditions consistent with the operating Schedule**

None

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

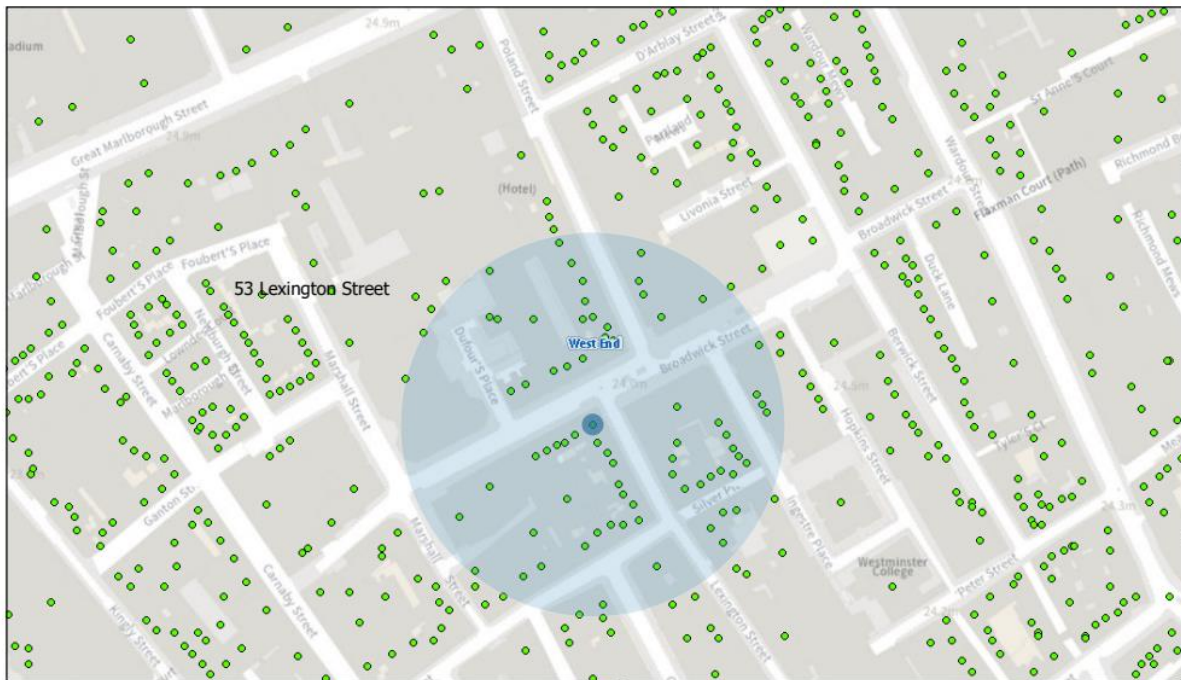
None

### **Applicant proposes to add the below conditions to the operating schedule**

12. (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.
13. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
14. 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.
15. No drinks to be taken outside after 23.00 hours.
16. All outside tables and chairs shall be rendered unusable by 23.00 hours each day.
17. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
18. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.

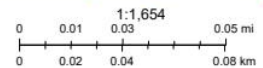
19. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 23.00 hours and 08.00 hours on the following day.
20. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
21. 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.
22. 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.
23. No deliveries to the premises shall take place between 23.00 and 08.00 hours on the following day.
24. The premises licence holder shall ensure that any patrons drinking and/or 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.

39 Broadwick Street, London



21/06/2023, 08:48:47

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



Resident Count = 175

Licensed premises within 75 metres of 39 Broadwick Street, London				
Licence Number	Trading Name	Address	Premises Type	Time Period
22/03539/LIPDPS	Bao	53 Lexington Street London W1F 9AS	Restaurant	Sunday; 12:00 - 22:30   Monday to Thursday; 10:00 - 23:30   Friday to Saturday; 10:00 - 00:00
15/02234/LIPN	Said London	41 Broadwick Street London W1F 9QL	Shop	Sunday; 08:00 - 22:30   Monday to Saturday; 08:00 - 23:00
13/09832/LIPDPS	Central Convenience Store	43 Broadwick Street London W1F 9QN	Shop	Sunday; 10:00 - 22:30   Monday to Saturday; 08:00 - 23:00
23/03366/LIPRW	Not Recorded	Basement And Ground Floor 49 Lexington Street London W1F 9AP	Restaurant	Sunday; 12:00 - 00:00   Monday to Saturday; 10:00 - 00:30   New Year's Eve; 00:00 - 00:00

22/11837/LIPDPS	Mildreds Restaurant	45 Lexington Street London W1F 9AN	Restaurant	Sunday; 12:00 - 23:00   Monday to Saturday; 10:00 - 23:30
22/10808/LIPDPS	Andrew Edmunds	Basement And Ground Floor 46 Lexington Street London W1F 0LP	Wine bar	Sunday; 12:00 - 23:00   Monday to Saturday; 10:00 - 23:30
22/10809/LIPDPS	Academy Club	First Floor Front 46 Lexington Street London W1F 0LP	Wine bar	Sunday; 12:00 - 23:00   Monday to Saturday; 10:00 - 23:30
21/03989/LIPDPS	Not Recorded	Basement West 33 Broadwick Street London W1F 0DQ	Miscellaneous	Monday to Sunday; 00:00 - 00:00
22/04981/LIPCH	Itsu	31 Broadwick Street London W1F 0DG	Restaurant	Monday to Sunday; 09:00 - 21:30
22/11763/LIPVM	Tapas Brindisa Soho	46 Broadwick Street London W1F 7AF	Restaurant	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   Saturday; 10:00 - 00:30   Sunday; 10:00 - 00:30
21/08299/LIPT	Star & Garter	62 Poland Street London W1F 7NX	Pub or pub restaurant with lodge	Sunday; 12:00 - 22:50   Monday to Thursday; 10:00 - 23:30   Friday to Saturday; 10:00 - 00:00   Sundays before Bank Holidays; 12:00 - 00:00
21/07109/LIPCH	Coqfighter	Basement And Ground Floor 75 Beak Street London W1F 9SS	Restaurant	Sunday; 12:00 - 00:00   Monday to Saturday; 10:00 - 00:30
22/03015/LIPDPS	Inko Nito	55 Broadwick Street London W1F 9QS	Restaurant	Sunday; 07:30 - 23:00   Monday to Saturday; 07:30 - 00:30
21/02909/LIPN	(Shadow Licence)	61 Poland Street London W1F 7NU	Night clubs and discos	Sunday; 09:00 - 02:00   Monday to Saturday; 09:00 - 03:30

23/02785/LIPT	Milk And Honey	61 Poland Street London W1F 7NU	Night clubs and discos	Sunday; 09:00 - 02:00   Monday to Saturday; 09:00 - 03:30   Sundays before Bank Holidays; 09:00 - 03:30
20/08983/LIPT	Not Recorded	Basement And Ground Floor 61 - 63 Beak Street London W1F 9SL	Restaurant	Sunday; 12:00 - 23:00   Monday to Thursday; 10:00 - 00:00   Friday to Saturday; 10:00 - 00:30
20/08982/LIPT	Kazu Restaurants 1 Limited	Basement And Ground Floor 61 - 63 Beak Street London W1F 9SL	Restaurant	Sunday; 12:00 - 23:00   Monday to Saturday; 10:00 - 23:30
14/00083/LIPDPS	Social Eating House	58 Poland Street London W1F 7NR	Restaurant	Sunday; 09:00 - 23:00   Monday to Thursday; 09:00 - 23:30   Friday to Saturday; 09:00 - 00:00   Sundays before Bank Holidays; 09:00 - 00:00
20/11111/LIPN	Not Recorded	58-59 Poland Street London W1F 7NR	Restaurant	Sunday; 09:00 - 23:00   Monday to Thursday; 09:00 - 23:30   Friday to Saturday; 09:00 - 00:00
17/00898/LIPN	The Quaich Whisky Shop	34 Lexington Street London	Shop	Sunday; 09:00 - 21:00   Monday to Saturday; 08:00 - 22:00
16/12033/LIPN	The Lexington	34 Lexington Street London	Hotel, 4+ star or major chain	Sunday; 10:00 - 22:30   Monday to Saturday; 08:00 - 23:00
20/11419/LIPCH	Sun & Thirteen Cantons	21 Great Pulteney Street London W1F 9NG	Pub or pub restaurant with lodge	Monday; 10:00 - 23:30   Tuesday; 10:00 - 23:30   Wednesday; 10:00 - 23:30   Thursday; 10:00 - 23:30   Friday; 10:00 - 23:30   Saturday; 10:00 - 23:30   Sunday; 12:00 - 23:00
21/06782/LIPT	Third Man	1 Marshall Street	Shop	Sunday; 10:00 -

	Records	London W1F 9BA		21:00   Monday to Saturday; 08:00 - 21:00
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City of Westminster

# Licensing Sub-Committee Report

Item No:

Date:

20 July 2023

Licensing Ref No:

23/01731/LIPN - New Premises Licence

Title of Report:

1 Horse Guards Avenue  
London  
SW1A 2HU

Report of:

Director of Public Protection and Licensing

Wards involved:

St James's

Policy context:

City of Westminster Statement of Licensing Policy

Financial summary:

None

Report Author:

Jessica Donovan  
Senior Licensing Officer

Contact details

Telephone: 020 7641 6500  
Email: Jdonovan@westminster.gov.uk

## 1. Application

1-A Applicant and premises			
<b>Application Type:</b>	New Premises Licence, Licensing Act 2003		
<b>Application received date:</b>	20 March 2023		
<b>Applicant:</b>	Huckletree (1HGA) Limited		
<b>Premises:</b>	N/A		
<b>Premises address:</b>	1 Horse Guards Avenue London SW1A 2HU	<b>Ward:</b>	St James's
		<b>Cumulative Impact Area:</b>	None
		<b>Special Consideration Zone:</b>	None
<b>Premises description:</b>	The premises currently operates an office/workspace.		
<b>Premises licence history:</b>	This is an application for a new premises licence and as such there is no licence history.		
<b>Applicant submissions:</b>	<p>Huckletree 1HGA is a workspace with shared workspaces, private offices, 1 event spaces/main breakout area and 4 meeting rooms.</p> <p>The workspace is accessed by:</p> <p>(a) Office tenants - those persons with a minimum one month contract to occupy office space.</p> <p>(b) Resident desk members - those persons who pay a minimum membership of £525 per calendar month for access to a fixed desk;</p> <p>(c) Hot desk members - those persons who pay a minimum membership of £260 per calendar month for access to shared workspace;</p> <p>(d) Persons attending a private pre-booked event, seminar or function; (e) Directors and employees of the licence holder and its affiliated companies; (f) Persons who have pre-booked a meeting room and paid a minimum charge of £40 per visit; (g) Any guests of the above.</p> <p>Huckletree's corporate events include networking, panel discussions, product launches, conferences and workshops which take in our meeting rooms and event space (with access to a terrace).</p> <p>The applicant has provided a mediation letter which can be found at <b>Appendix 2</b>.</p>		
<b>Applicant amendments:</b>	During Consultation, the applicant agreed to reduce the timings for the Retail Sale of Alcohol from 08:00 to 23:00 Monday to Sunday to the timings stated at <b>1-B</b> .		

1-B Proposed licensable activities and hours							
Sale by retail of alcohol				On or off sales or both:			On Sales
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
<b>Start:</b>	10:00	10:00	10:00	10:00	10:00	10:00	12:00
<b>End:</b>	23:00	23:00	23:00	23:00	23:00	23:00	22:30
<b>Seasonal variations/ Non-standard timings:</b>		N/A					

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
<b>Start:</b>	08:00	08:00	08:00	08:00	08:00	08:00	08:00
<b>End:</b>	23:00	23:00	23:00	23:00	23:00	23:00	23:00
<b>Seasonal variations/ Non-standard timings:</b>		N/A					

## 2. Representations

2-A Responsible Authorities	
<b>Responsible Authority:</b>	Environmental Health Service
<b>Representative:</b>	Kudzaishe Mondhlani
<b>Received:</b>	28 April 2023
<p>I refer to the application for a Premises Licence.</p> <p>The applicant has submitted floor plans of the premises showing Westminster LG, Westminster GF, and Westminster L1.</p> <p>This representation is based on the plans and operating schedule submitted.</p> <p>The applicant is seeking the following.</p> <ol style="list-style-type: none"> <li>1. To provide for the Supply of Alcohol 'On' the premises Monday to Sunday between 08.00 and 23.00 hours.</li> </ol> <p>I wish to make the following representation.</p> <ol style="list-style-type: none"> <li>1. The hours requested for the Supply of Alcohol will have the likely effect of causing an increase in Public Nuisance within the area.</li> </ol> <p>The granting of the application as presented would have the likely effect of causing an increase in Public Nuisance within the area.</p> <p>The applicant has provided additional information, the application will be assessed upon a site visit and EH conditions will be proposed to uphold the licensing objectives</p> <p>Should you wish to discuss the matter further please do not hesitate to contact me.</p>	

2-B Other Persons			
<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association:</b>		[REDACTED] [REDACTED] [REDACTED]	
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	28 April 2023		
<p>We consider that the supply of alcohol to the premises and workspaces will create significant pressure on the private traffic in the area, particularly to Horseguards Avenue (London SW1A 2HU) and Whitehall Court (London SW1A 2EP). Furthermore, the close proximity of the said property to the entrance of the Ministry of Defence needs careful consideration from a security angle.</p> <p>Corporate events and product launches are planned, and in addition access will be available to an existing terrace on a first-floor level overlooking Whitehall Gardens. This terrace [REDACTED] [REDACTED] [REDACTED]. In this respect we would be grateful for an indication of the type of company you envisage using your services. We are concerned about excessive noise levels, flashing lights, and unsightly mess.</p>			
<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association:</b>		[REDACTED] [REDACTED] [REDACTED]	
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	21 April 2023		
<p>I strongly oppose the granting of a New Premises Licence to No 1, Horse Guards Avenue, [REDACTED] [REDACTED], containing mainly residential flats.)</p> <p>Dating from approx. 1884 this Grade 2* listed building was designed to be naturally ventilated via windows, ( their appearance protected by listing), including those of sleeping accommodation/bedrooms, on the elevations above and sideways from the Applicant's external terrace. Windows opened for ventilation admit external noise, here particularly relevant, especially on hot summer nights.</p> <p>Lessons should be learnt from the WHC Farmers Club Licensing precedent, where Licensed drinking on their outdoor terrace generates noise disturbance to Leaseholders and residents nearby, a situation comparable to that proposed via this New Licence.</p> <p>[REDACTED] the Farmers Club have learnt that "Licences", "Time limits", "Agreements" and "Complaints" give them no ongoing reliable protection. They cannot trust the Licence holders. Eg one tenant has suffered late night noise disturbance, on and off, for more than 20 years. Refusal of a New Premises Licence would indicate the Authority's understanding and respect for Residential Leaseholder's rights, to protect the quality of their home life, including peaceful nights.</p>			

<b>Name:</b>	[REDACTED]		
<b>Address and/or Residents Association</b>	[REDACTED] [REDACTED] [REDACTED]		
<b>Status:</b>	Valid	<b>In support of opposed:</b>	Opposed
<b>Received:</b>	18 April 2023		

Thank you for your letter of April 4th regarding the above application. I wish to object [REDACTED] where there are about [REDACTED] in which Huckletree is one at the [REDACTED]. We already have two Clubs and a hotel overlooking the river and depending which member of their staff in on duty depends on how much we are disturbed. The thought of yet another drinking establishment does not fill me with confidence of the peace in the evenings. Where alcohol is involved with loud talking and laughter which gets worse the later it goes on is a well known fact. Fortunately the Ghurkha restaurant has been limited to 9pm both for drinking and smoking.

<b>Name:</b>	[REDACTED]		
<b>Address and/or Residents Association</b>	[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]		
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	26 April 2023		

I have [REDACTED].  
I have the following objections to the above application.

1. The dominant purpose of this area are governmental and commemorative. There is already licensed premises in Villiers Street, Craven Passage and Northumberland Avenue and hotels, soon to be increased by the opening of Raffles Hotel. What is the public interest in adding another?
2. What are the precedents for allowing licensed premises in a predominately residential building? In particular how will the security of the building be protected from unauthorised access through the licensed premises?

### 3. Policy & Guidance

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

<p><b>Policy HRS1 applies</b></p>	<p>A. Applications within the core hours set out below in this policy will generally be granted for the relevant premises uses, subject to not being contrary to other policies in the Statement of Licensing Policy.</p> <p>B. Applications for hours outside the core hours set out in Clause C will be considered on their merits, subject to other relevant policies, and with particular regard to the following:</p> <ol style="list-style-type: none"> <li>1. The demonstration of compliance in the requirements of policies CD1, PS1, PN1 and CH1 associated with the likelihood of the effect of the grant of a licence for later or earlier hours on crime and disorder, public safety, public nuisance and the protection of children from harm.</li> <li>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.</li> <li>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.</li> <li>4. The proposed hours of the licensable activities and when customers will be permitted to remain on the premises.</li> <li>5. The proposed hours when any music, including incidental music, will be played.</li> <li>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.</li> <li>7. The existing hours of licensable activities and the past operation of the premises (if any) and hours of licensable premises in the vicinity.</li> <li>8. Whether customers and staff have adequate access to public transport when arriving at and leaving the premises, especially at night.</li> <li>9. The capacity of the premises.</li> <li>10. The type of use, recognising that some venues are more likely to impact the licensing objectives than others; for example, pubs and bars are higher risk than theatres, cinemas and other cultural and sporting venues due to the nature of the operation.</li> <li>11. The Licensing Authority will take into account the active measures proposed for a 'winding down' period including arrangements for people to be collected from the premises to travel home safely.</li> <li>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.</li> <li>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.</li> <li>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</li> </ol>
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	<p>are expected to be covered by Temporary Event Notices or variation applications.</p> <p>C. For the purpose of Clauses A and B above, the Core Hours for applications for each premises use type as defined within this policy are:</p> <ol style="list-style-type: none"> <li>1. <b>Casinos:</b> Up to 24 hours a day whilst casino gaming is permitted by a premises licence under the Gambling Act 2005.</li> <li>2. <b>Cinemas, Cultural Venues and Live Sporting Premises:</b> Monday to Sunday: 9am to 12am</li> <li>3. <b>Hotels:</b> Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to 12am. For the sale of alcohol to guests for consumption in hotel/guest rooms only: Anytime up to 24 hours.</li> <li>4. <b>Off licences:</b> Monday to Saturday: 8am to 11pm. Sunday: 9am to 10.30pm.</li> <li>5. <b>Outdoor Spaces:</b> Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to 12am.</li> <li>6. <b>Pubs and bars, Fast Food and Music and Dance venues:</b> Monday to Thursday: 10am to 11.30pm. Friday and Saturday: 10am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 12pm to 12am.</li> <li>7. <b>Qualifying Clubs:</b> Monday to Thursday: 9am to 12am.. Friday and Saturday: 9am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to 12am.</li> <li>8. <b>Restaurants:</b> Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to 12am.</li> <li>9. <b>Sexual Entertainment Venues and Sex Cinemas:</b> Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to 12am.</li> </ol> <p>D. Core hours are when customers are permitted to be on the premises and therefore the maximum opening hours permitted will be to the same start and terminal hours for each of the days where licensable activity is permitted.</p> <p>E. For the purposes of this policy, 'premises uses' are defined within the relevant premises use policies within this statement.</p>
<p><b>Policy PB1 applies</b></p>	<p>A. Applications outside the West End Cumulative Zone will generally be granted subject to:</p> <ol style="list-style-type: none"> <li>1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1.</li> <li>2. The hours for licensable activities being within the council's Core Hours Policy HRS1.</li> <li>3. The operation of any delivery services for alcohol and/or latenight refreshment meeting the council's Ancillary Delivery of Alcohol and/or Late-Night Refreshment Policy DEL1.</li> <li>4. The applicant has taken account of the Special Consideration Zones policy SCZ1 if the premises are located within a designated zone.</li> <li>5. The application and operation of the venue meet the definition of a Public House or Bar in Clause D.</li> </ol> <p>B. It is the Licensing Authority's policy to refuse applications within</p>

	<p>the West End Cumulative Impact Zone other than:</p> <ol style="list-style-type: none"> <li>1. Applications to vary the existing licence hours within the council's Core Hours Policy HRS1.</li> <li>2. Applications that seek to vary the existing licence so as to reduce the overall capacity of the premises.</li> </ol> <p>C. The applications referred to in Clause B1 and B2 will generally be granted subject to:</p> <ol style="list-style-type: none"> <li>1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1, and/or,</li> <li>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.</li> <li>3. The application and operation of the venue continuing to meet the definition of a Public House or Bar in Clause D.</li> </ol> <p>D. For the purposes of this policy a Public House or Bar is defined as a premises, or part of a premises that's primary use is the sale or supply of alcohol for consumption on those premises and/or for consumption off the premises for consumption outside the venue.</p>
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#### 4. Equality Implications

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

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

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

#### 5. Appendices

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

<b>Report author:</b>	Jessica Donovan Senior Licensing Officer
<b>Contact:</b>	Telephone: 020 7641 6500 Email: Jdonovan@westminster.gov.uk

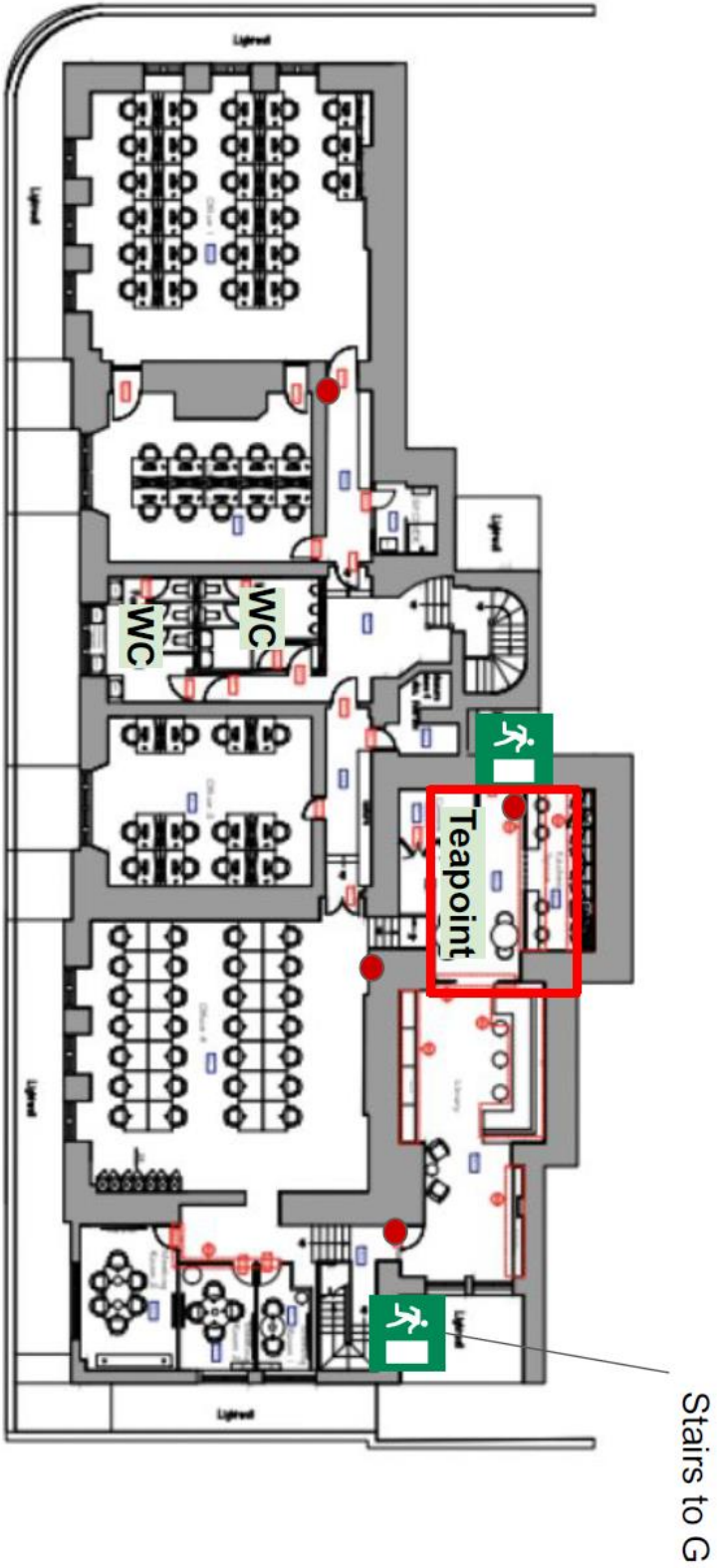


**If you have any queries about this report or wish to inspect one of the background papers please contact the report author.**

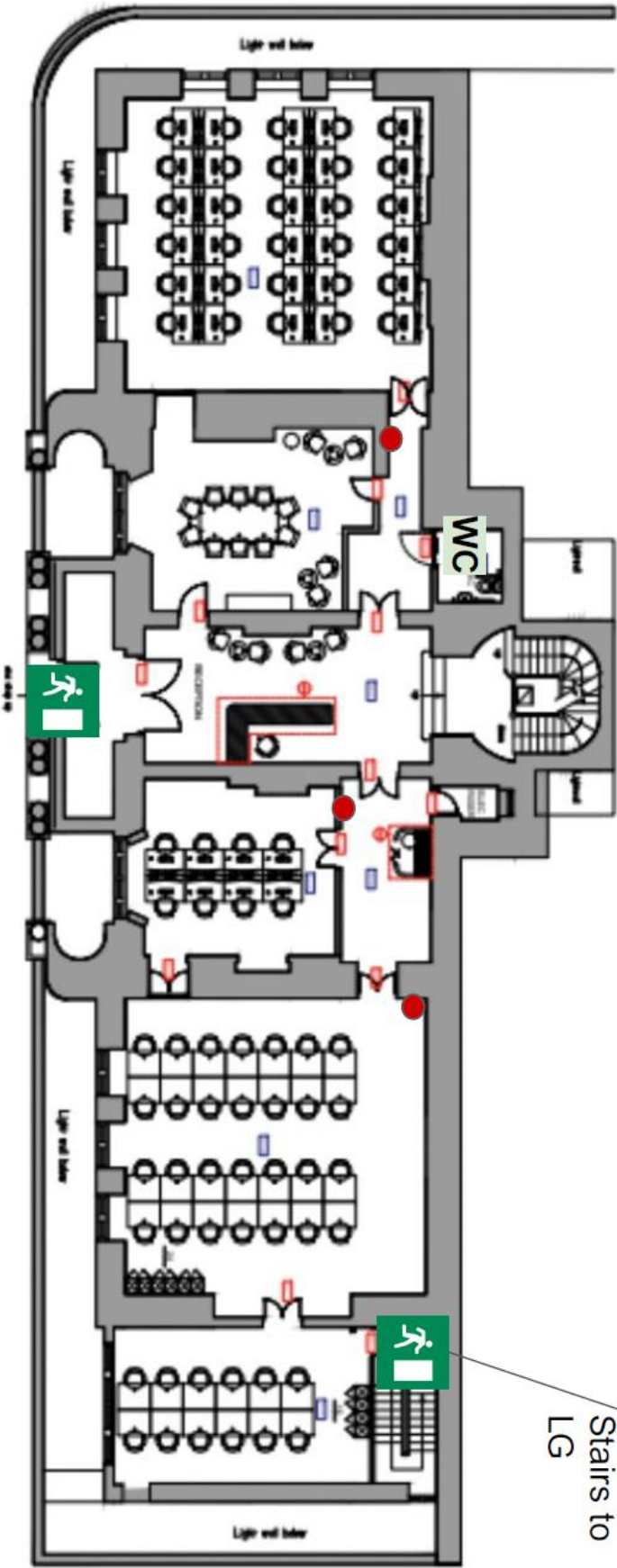
**Background Documents – Local Government (Access to Information) Act 1972**

<b>1</b>	Licensing Act 2003	N/A
<b>2</b>	City of Westminster Statement of Licensing Policy	01 October 2021
<b>3</b>	Amended Guidance issued under section 182 of the Licensing Act 2003	December 2022
<b>4</b>	Environmental Health Service representation	28 April 2023
<b>5</b>	Interested party 1 representation	28 April 2023
<b>6</b>	Interested party 2 representation	21 April 2023
<b>7</b>	Interested party 3 representation	18 April 2023
<b>8</b>	Interested party 4 representation	26 April 2023

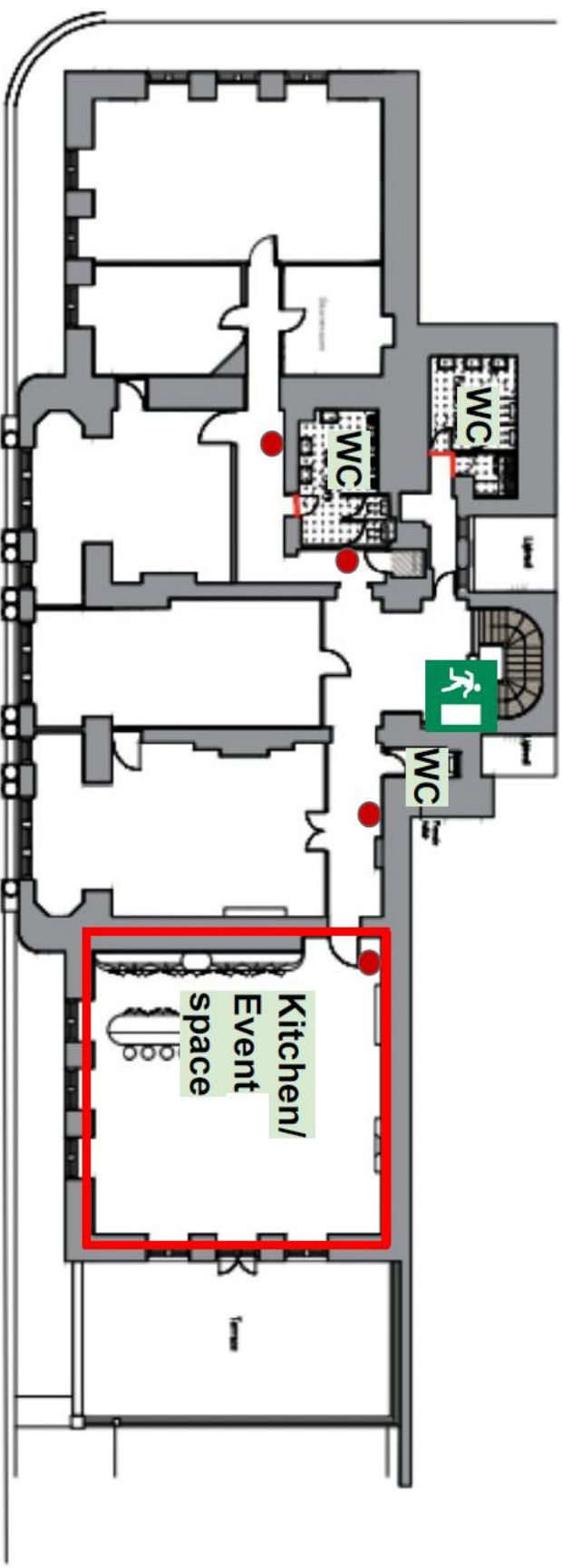
# Westminster LG



# Westminster GF



# Westminster L1



Mediation letter

Dear Residents,

We would like to introduce ourselves and our workspace business, Huckletree. We understand that there have been concerns regarding our application for an alcohol licence for our Westminster workspace. We want to assure you that we're not looking to turn our space into a bar or nightclub. Our purpose is quite the opposite.

At Huckletree we create workspace to help innovative businesses to thrive. We curate each workspace around an industry sector, so companies can work alongside the brightest talent, connect with the right businesses, and collaborate with curious minds relevant to their field. Our Westminster workspace is home to companies that champion climate action, health and social equality, and technologists building new security and digital solutions for good.

Our community believes in the power of collaboration. Members benefit from access to various events, workshops, and business support services. We organise corporate events such as founders' roundtables, panel discussions on different subjects, networking events, and professional workshops. These events offer opportunities for learning, growth, and connection.

Events can typically take place between Monday and Saturday from 10:00 am to 11:00 pm, and on Sundays from 12:00 pm to 10:30 pm. We're committed to ensuring that our event schedule respects the surrounding community.

Our company's mission, since Day 1, has always been to create the most exciting innovation ecosystem throughout the UK and Ireland. We are committed to creating a positive impact through our workspaces. We do this by bringing together disruptive brands, venture capitalists, and global innovation teams. By working alongside the brightest talent and connecting with the right businesses, our members are leaders in their respective industries.

We acknowledge concerns about potential noise and disruptive behaviour. However we're committed to creating a positive and inclusive environment that encourages productivity, innovation, and growth. Our workspace is carefully designed to support businesses while maintaining a respectful and professional atmosphere.

We'd love to invite you to visit our space, meet our team, and interact with some of our members. We believe it will provide you with a better understanding of who we are and how our community operates. Let us know if you're interested, and we'll arrange a convenient time for a coffee and a tour. Our team will be available to show you around and answer any questions you may have.

We appreciate you taking the time to consider our perspective. We look forward to hearing from you soon.

Best Regards,

The Huckletree Team

*If you would like to come to the space please email us on: [ben@huckletree.com](mailto:ben@huckletree.com) , [kieran@huckletree.com](mailto:kieran@huckletree.com)*





# HUCKLETREE

*Helping businesses  
do braver work  
together*



HUCKLETREE



# Work space



Lower ground - 73  
Ground - 78  
1st floor - 54

# Breakout areas



# Event Space



Standing - 75  
Seated - 45



There is no licence or appeal history for the premises.

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

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

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

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

**Mandatory Conditions**

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

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

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

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

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

#### **Conditions consistent with the operating schedule**

9. Notices shall be prominently displayed at exits reminding persons leaving to respect the needs of local residents and businesses and to leave the premises quiet.

10. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
11. 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.

### **Conditions proposed by the Environmental Health**

12. The licensable activities authorised by this licence and provided at the premises shall be ancillary to the main function of the premises as offices.
13. The supply of alcohol shall only be to
  - a) Directors and employees of the licence holder and its affiliated companies;
  - b) Office tenants - those persons with a minimum one month contract to occupy office space.
  - c) Resident desk members
  - d) Hot desk members
  - e) Persons attending a private pre-booked event, seminar or function; Any guests of the above.

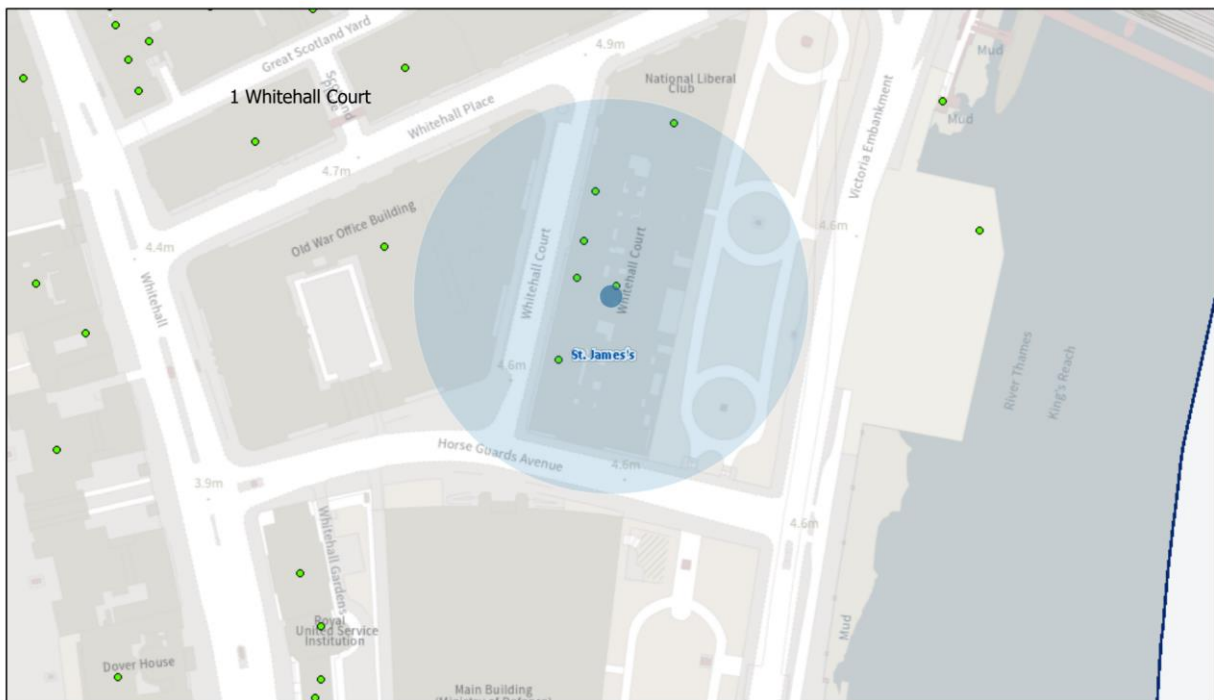
A list of whom shall be kept on the premises at all times together with a record also showing the names and dates of attendance of any guests introduced by members. All records shall be produced on demand for inspection by the police or an authorised officer of the Council.

14. 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.
15. 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.
16. All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device.
17. 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.
18. There shall be no licensable activities on the terrace after 22:00 hours
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.

## Conditions proposed by the Metropolitan Police Service

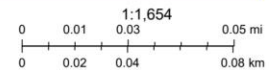
20.
  - a) The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team.
  - (b) All entry and exit points will be covered enabling frontal identification of every person entering in any light condition.
  - (c) The CCTV 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.
21. 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.
22. The Licence holder will ensure a full risk assessment is completed for all pre-booked events in the event space. This risk assessment will be available to the licensing authority and Police upon request.
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. 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.

**1 Horse Guards Avenue, London, SW1A 2HU**



19/06/2023, 15:38:05

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



**Resident Count: 112**

<b>Licensed premises within 75 Metres of 1 Horse Guards Avenue, London, SW1A 2HU</b>				
<b>Licence Number</b>	<b>Trading Name</b>	<b>Address</b>	<b>Premises Type</b>	<b>Time Period</b>
20/07368/LIPV	The Farmers Club	First Floor 3 Whitehall Court London SW1A 2EL	Club or institution	Monday to Sunday; 07:00 - 00:00
21/08270/LIPDPS	The Royal Horseguards Hotel	2 Whitehall Court London SW1A 2EJ	Hotel, 4+ star or major chain	Monday to Sunday; 00:00 - 00:00
17/12868/LIPDPS	Victoria Embankment Gardens	Victoria Embankment Gardens At The Rear Of Whitehall Court Victoria Embankment London SW1A 2HU	Civic amenity site	Monday to Sunday; 09:00 - 01:30
06/03994/WCCMAC	The Savage Club	Part Ground Floor 1 Whitehall Place London SW1A 2HD	Club or institution	Monday to Sunday; 07:00 - 01:30

22/02265/LICV	National Liberal Club	Basement Part Ground Floor Part And First Floor 1 Whitehall Place London W1A 2HD	Club or institution	Monday; 00:00 - 00:00   Tuesday; 00:00 - 00:00   Wednesday; 00:00 - 00:00   Thursday; 00:00 - 00:00   Friday; 00:00 - 00:00   Saturday; 00:00 - 00:00   Sunday; 00:00 - 00:00
23/02894/LIPDPS	The National Liberal Club	1 Whitehall Place London SW1A 2HD	Miscellaneous	Monday to Sunday; 00:00 - 00:00