



City of Westminster

# Committee Agenda

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

Meeting Date: **Thursday 21 March 2024**

Time: **10.00 am**

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

Members: **Councillors:**

Robert Eagleton (Chair)  
Concia Albert  
Ed Pitt Ford

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

Admission to the public gallery is via a visitor's pass which is available from the main ground floor reception at 64 Victoria Street from 9.30am.

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

An Induction loop operates to enhance sound for anyone wearing a hearing aid or using a transmitter.

If you require further information, please contact the Committee Officer, Jonathan Deacon: Senior Committee Councillor Coordinator.

**Email:** [jdeacon@westminster.gov.uk](mailto:jdeacon@westminster.gov.uk)  
**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. CHILTERN FIREHOUSE, 1 CHILTERN STREET, W1U 7PA

(Pages 1 - 56)

Ward CIA* SCZ**	Site Name & Address	Application Type	Licensing Reference No.
Marylebone  * None  ** None	Chiltern Firehouse 1 Chiltern Street W1U 7PA	Premises Licence Variation	23/08839/LIPV
*Cumulative Impact Area ** Special Consideration Zone			

**2. M&S SIMPLY FOOD, 83-85 SHAFTESBURY AVENUE,  
W1D 5DA**

**(Pages 57 - 94)**

<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	M&S Simply Food 83-85 Shaftesbury Avenue W1D 5DA	New Premises Licence	24/00330/LIPN
*Cumulative Impact Area ** Special Consideration Zone			

**Stuart Love  
Chief Executive  
13 March 2024**

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:	21 March 2024
Licensing Ref No:	23/08839/LIPV - Premises Licence Variation
Title of Report:	Chiltern Firehouse 1 Chiltern Street London W1U 7PA
Report of:	Director of Public Protection and Licensing
Wards involved:	Marylebone
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>	4 December 2023		
<b>Applicant:</b>	Chiltern Street Hotel Limited		
<b>Premises:</b>	Chiltern Firehouse		
<b>Premises address:</b>	1 Chiltern Street London W1U 7PA	<b>Ward:</b>	Marylebone
		<b>Cumulative Impact Area:</b>	None
		<b>Special Consideration Zone:</b>	None
<b>Premises description:</b>	The premises operates as a Luxury Hotel.		
<b>Variation description:</b>	<p>This application seeks the following:</p> <p>This application is made in line with the Council's recent decision to grant a variation of the Conditions attached to the Planning Permission for this site, under Planning Application 23/02315/FULL, and is to amend the wording of Condition 46 on the current Premises Licence, so that tables and chairs are to be removed from/rendered unusable by 21:00 daily Sunday to Wednesday, and 22:00 daily Thursday, Friday and Saturday, as set out below:</p> <p>46. All tables and chairs shall be removed from the outside area or rendered unusable by 21:00 daily Sunday to Wednesday, and 22:00 daily Thursday, Friday and Saturday.</p> <p>The above represents an extension of 1 hour over the current condition on Thursday, Friday and Saturday; an extension to 22:00 having come to an end at the end of September 2022.</p>		
<b>Premises licence history:</b>	<p>The premises first had the benefit of a premises licence since March 2012.</p> <p>A copy of the current premises licence (23/04650/LIPDPS) can be found at <b>Appendix 1</b>.</p> <p>The premises has also had a number of Temporary Event Notices which can be found at <b>Appendix 3</b>.</p>		
<b>Applicant submissions:</b>	None		
<b>Applicant amendments:</b>	None		



<b>1-B</b>	<b>Current and proposed licensable activities, areas and hours</b>					
<b>Regulated Entertainment</b>						
<b>Performance of Dance – Residents, their bona fide guests and patrons of the hotel proprietor</b>						
	<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>	00:00	00:00	No Change		Basement, Ground, First, Second, Third and Fourth Floor	No change
<b>Tuesday</b>	00:00	00:00				
<b>Wednesday</b>	00:00	00:00				
<b>Thursday</b>	00:00	00:00				
<b>Friday</b>	00:00	00:00				
<b>Saturday</b>	00:00	00:00				
<b>Sunday</b>	00:00	00:00				
<b>Seasonal Variations/ Non-standard timings:</b>	<b>Current:</b> N/A				<b>Proposed:</b> N/A	

<b>Performance of Dance – Pre-booked private functions in the ground floor meeting room</b>						
	<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>	07:00	01:00	No change		Ground floor meeting room	No change
<b>Tuesday</b>	07:00	01:00				
<b>Wednesday</b>	07:00	01:00				
<b>Thursday</b>	07:00	01:00				
<b>Friday</b>	07:00	01:00				
<b>Saturday</b>	07:00	01:00				
<b>Sunday</b>	07:00	01:00				
<b>Seasonal variations/ Non-standard timings:</b>	<b>Current:</b> N/A				<b>Proposed:</b> N/A	

<b>Performance of Dance – Ground floor meeting room</b>						
	<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>	08:00	23:00	No change		Ground floor meeting room	No change
<b>Tuesday</b>	08:00	23:00				
<b>Wednesday</b>	08:00	23:00				
<b>Thursday</b>	08:00	23:00				
<b>Friday</b>	08:00	23:00				
<b>Saturday</b>	08:00	23:00				
<b>Sunday</b>	08:00	23:00				
<b>Seasonal</b>	<b>Current:</b>				<b>Proposed:</b>	

<b>variations/ Non-standard timings:</b>	N/A	N/A
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<b>Performance of Dance – Booked private functions in the Hotel Lounge/Function Space</b>						
	<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	01:00	No change		Hotel Lounge Bar and Function Space	No change
<b>Tuesday</b>	10:00	01:00				
<b>Wednesday</b>	10:00	01:00				
<b>Thursday</b>	10:00	01:00				
<b>Friday</b>	10:00	01:00				
<b>Saturday</b>	10:00	01:00				
<b>Sunday</b>	10:00	01:00				
<b>Seasonal variations/ Non-standard timings:</b>	<b>Current:</b>				<b>Proposed:</b>	
	N/A				N/A	

<b>Exhibition of a Film – Residents, their bona fide guests and patrons of the hotel proprietor</b>						
	<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>	00:00	00:00	No Change		Basement, Ground, First, Second, Third and Fourth Floor	No change
<b>Tuesday</b>	00:00	00:00				
<b>Wednesday</b>	00:00	00:00				
<b>Thursday</b>	00:00	00:00				
<b>Friday</b>	00:00	00:00				
<b>Saturday</b>	00:00	00:00				
<b>Sunday</b>	00:00	00:00				
<b>Seasonal variations: Non-standard timings:</b>	<b>Current:</b>				<b>Proposed:</b>	
	N/A				N/A	

<b>Exhibition of a Film – Pre-booked private functions in the ground floor meeting room</b>						
	<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>	07:00	01:00	No change		Ground floor meeting room	No change
<b>Tuesday</b>	07:00	01:00				
<b>Wednesday</b>	07:00	01:00				
<b>Thursday</b>	07:00	01:00				
<b>Friday</b>	07:00	01:00				
<b>Saturday</b>	07:00	01:00				
<b>Sunday</b>	07:00	01:00				
<b>Seasonal variations/ Non-standard timings:</b>	<b>Current:</b>				<b>Proposed:</b>	
	N/A				N/A	

<b>Exhibition of a Film – Ground floor meeting room</b>						
	<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>	08:00	23:00	No change		Ground floor meeting room	No change
<b>Tuesday</b>	08:00	23:00				
<b>Wednesday</b>	08:00	23:00				
<b>Thursday</b>	08:00	23:00				
<b>Friday</b>	08:00	23:00				
<b>Saturday</b>	08:00	23:00				
<b>Sunday</b>	08:00	23:00				
<b>Seasonal variations/ Non-standard timings:</b>	<b>Current:</b>				<b>Proposed:</b>	
	N/A				N/A	

<b>Exhibition of a Film – Booked private functions in the Hotel Lounge/Function Space</b>						
	<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	01:00	No change		Hotel Lounge Bar and Function Space	No change
<b>Tuesday</b>	10:00	01:00				
<b>Wednesday</b>	10:00	01:00				
<b>Thursday</b>	10:00	01:00				
<b>Friday</b>	10:00	01:00				
<b>Saturday</b>	10:00	01:00				
<b>Sunday</b>	10:00	01:00				
<b>Seasonal variations/ Non-standard timings:</b>	<b>Current:</b>				<b>Proposed:</b>	
	N/A				N/A	

<b>Performance of Live Music – Residents, their bona fide guests and patrons of the hotel proprietor</b>						
	<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>	00:00	00:00	No Change		Basement, Ground, First, Second, Third and Fourth Floor	No change
<b>Tuesday</b>	00:00	00:00				
<b>Wednesday</b>	00:00	00:00				
<b>Thursday</b>	00:00	00:00				
<b>Friday</b>	00:00	00:00				
<b>Saturday</b>	00:00	00:00				
<b>Sunday</b>	00:00	00:00				
<b>Seasonal variations: Non-standard timings:</b>	<b>Current:</b>				<b>Proposed:</b>	
	N/A				N/A	

Performance of Live Music – Pre-booked private functions in the ground floor meeting room						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	07:00	01:00	No change		Ground floor meeting room	No change
Tuesday	07:00	01:00				
Wednesday	07:00	01:00				
Thursday	07:00	01:00				
Friday	07:00	01:00				
Saturday	07:00	01:00				
Sunday	07:00	01:00				
Seasonal variations/ Non-standard timings:	Current: N/A				Proposed: N/A	

Performance of Live Music – Ground floor meeting room						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	08:00	23:00	No change		Ground floor meeting room	No change
Tuesday	08:00	23:00				
Wednesday	08:00	23:00				
Thursday	08:00	23:00				
Friday	08:00	23:00				
Saturday	08:00	23:00				
Sunday	08:00	23:00				
Seasonal variations/ Non-standard timings:	Current: N/A				Proposed: N/A	

Performance of Live Music – Booked private functions in the Hotel Lounge/Function Space						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	10:00	01:00	No change		Hotel Lounge Bar and Function Space	No change
Tuesday	10:00	01:00				
Wednesday	10:00	01:00				
Thursday	10:00	01:00				
Friday	10:00	01:00				
Saturday	10:00	01:00				
Sunday	10:00	01:00				
Seasonal variations/ Non-standard timings:	Current: N/A				Proposed: N/A	

**Playing of Recorded Music – Residents, their bona fide guests and patrons of the hotel proprietor**

	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
<b>Monday</b>	00:00	00:00	No Change		Basement, Ground, First, Second, Third and Fourth Floor	No change
<b>Tuesday</b>	00:00	00:00				
<b>Wednesday</b>	00:00	00:00				
<b>Thursday</b>	00:00	00:00				
<b>Friday</b>	00:00	00:00				
<b>Saturday</b>	00:00	00:00				
<b>Sunday</b>	00:00	00:00				
<b>Seasonal variations: Non-standard timings:</b>	<b>Current:</b> N/A				<b>Proposed:</b> N/A	

**Playing of Recorded Music – Ground floor meeting room**

	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
<b>Monday</b>	08:00	23:00	No change		Ground floor meeting room	No change
<b>Tuesday</b>	08:00	23:00				
<b>Wednesday</b>	08:00	23:00				
<b>Thursday</b>	08:00	23:00				
<b>Friday</b>	08:00	23:00				
<b>Saturday</b>	08:00	23:00				
<b>Sunday</b>	08:00	23:00				
<b>Seasonal variations/ Non-standard timings:</b>	<b>Current:</b> N/A				<b>Proposed:</b> N/A	

**Performance of Recorded Music – Hotel Lounge/Function Space**

	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
<b>Monday</b>	10:00	01:00	No change		Hotel Lounge Bar and Function Space	No change
<b>Tuesday</b>	10:00	01:00				
<b>Wednesday</b>	10:00	01:00				
<b>Thursday</b>	10:00	01:00				
<b>Friday</b>	10:00	01:00				
<b>Saturday</b>	10:00	01:00				
<b>Sunday</b>	10:00	01:00				
<b>Seasonal variations/ Non-standard timings:</b>	<b>Current:</b> N/A				<b>Proposed:</b> N/A	

**Anything of a similar description to Live Music, Recorded Music or Performance of Dance – Residents, their bona fide guests and patrons of the hotel proprietor**

	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
<b>Monday</b>	00:00	00:00	No Change		Basement, Ground, First, Second, Third and Fourth Floor	No change
<b>Tuesday</b>	00:00	00:00				
<b>Wednesday</b>	00:00	00:00				
<b>Thursday</b>	00:00	00:00				
<b>Friday</b>	00:00	00:00				
<b>Saturday</b>	00:00	00:00				
<b>Sunday</b>	00:00	00:00				
<b>Seasonal variations: Non-standard timings:</b>	<b>Current:</b> N/A				<b>Proposed:</b> N/A	

**Anything of a similar description to Live Music, Recorded Music or Performance of Dance – Pre-booked private functions in the ground floor meeting room**

	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
<b>Monday</b>	07:00	01:00	No change		Ground floor meeting room	No change
<b>Tuesday</b>	07:00	01:00				
<b>Wednesday</b>	07:00	01:00				
<b>Thursday</b>	07:00	01:00				
<b>Friday</b>	07:00	01:00				
<b>Saturday</b>	07:00	01:00				
<b>Sunday</b>	07:00	01:00				
<b>Seasonal variations/ Non-standard timings:</b>	<b>Current:</b> N/A				<b>Proposed:</b> N/A	

**Anything of a similar description to Live Music, Recorded Music or Performance of Dance – Ground floor meeting room**

	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
<b>Monday</b>	08:00	23:00	No change		Ground floor meeting room	No change
<b>Tuesday</b>	08:00	23:00				
<b>Wednesday</b>	08:00	23:00				
<b>Thursday</b>	08:00	23:00				
<b>Friday</b>	08:00	23:00				
<b>Saturday</b>	08:00	23:00				
<b>Sunday</b>	08:00	23:00				
<b>Seasonal variations/ Non-standard timings:</b>	<b>Current:</b> N/A				<b>Proposed:</b> N/A	

Anything of a similar description to Live Music, Recorded Music or Performance of Dance – Booked private functions in the Hotel Lounge/Function Space						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	10:00	01:00	No change		Hotel Lounge Bar and Function Space	No change
Tuesday	10:00	01:00				
Wednesday	10:00	01:00				
Thursday	10:00	01:00				
Friday	10:00	01:00				
Saturday	10:00	01:00				
Sunday	10:00	01:00				
Seasonal variations/ Non-standard timings:	Current:				Proposed:	
	N/A				N/A	

Late night refreshment – Patrons of the hotel proprietor						
Indoors, outdoors or both			Current :		Proposed:	
			Both		No change	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	23:00	05:00	No change		Basement, Ground, First, Second, Third and Fourth 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:	
	N/A				N/A	

**Late night refreshment – Hotel Lounge Bar/Function Space, Chiltern Street Restaurant and pre-booked events in the ground floor meeting room**

<b>Indoors, outdoors or both</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>	23:00	01:00	No change		Hotel Lounge Bar and Function Space, Chiltern Street Restaurant, and ground floor meeting room		No change			
<b>Tuesday</b>	23:00	01:00								
<b>Wednesday</b>	23:00	01:00								
<b>Thursday</b>	23:00	01:00								
<b>Friday</b>	23:00	01:00								
<b>Saturday</b>	23:00	01:00								
<b>Sunday</b>	23:00	01:00								
<b>Seasonal variations/ Non-standard timings:</b>		<b>Current:</b>				<b>Proposed:</b>				
		N/A				N/A				

**Sale by Retail of Alcohol - Residents, their bona fide guests and patrons of the hotel proprietor**

<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>	00:00	00:00	No Change		Basement, Ground, First, Second, Third and Fourth Floor					
<b>Tuesday</b>	00:00	00:00								
<b>Wednesday</b>	00:00	00:00								
<b>Thursday</b>	00:00	00:00								
<b>Friday</b>	00:00	00:00								
<b>Saturday</b>	00:00	00:00								
<b>Sunday</b>	00:00	00:00								
<b>Seasonal variations/ Non-standard timings:</b>		<b>Current:</b>				<b>Proposed:</b>				
		N/A				N/A				



Sale by Retail of Alcohol – Chiltern restaurant and pre-booked events in the ground floor meeting room						
On or off sales			Current :		Proposed:	
			Both		No change	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
<b>Monday</b>	07:00	01:00	No Change		Ground floor meeting and Chiltern restaurant	
<b>Tuesday</b>	07:00	01:00				
<b>Wednesday</b>	07:00	01:00				
<b>Thursday</b>	07:00	01:00				
<b>Friday</b>	07:00	01:00				
<b>Saturday</b>	07:00	01:00				
<b>Sunday</b>	07:00	01:00				
Seasonal variations/ Non-standard timings:		Current:			Proposed:	
		N/A			N/A	

Sale by Retail of Alcohol – Ground floor meeting room						
On or off sales			Current :		Proposed:	
			Both		No change	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
<b>Monday</b>	08:00	23:00	No Change		Ground floor meeting	None
<b>Tuesday</b>	08:00	23:00				
<b>Wednesday</b>	08:00	23:00				
<b>Thursday</b>	08:00	23:00				
<b>Friday</b>	08:00	23:00				
<b>Saturday</b>	08:00	23:00				
<b>Sunday</b>	08:00	23:00				
Seasonal variations/ Non-standard timings:		Current:			Proposed:	
		N/A			N/A	

Sale by Retail of Alcohol – Hotel Lounge Bar/Function Space						
On or off sales			Current :		Proposed:	
			Both		No change	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	10:00	01:00	No Change		Hotel Lounge Bar and Function Space	
Tuesday	10:00	01:00				
Wednesday	10:00	01:00				
Thursday	10:00	01:00				
Friday	10:00	01:00				
Saturday	10:00	01:00				
Sunday	10:00	01:00				
Seasonal variations/ Non-standard timings:		Current:			Proposed:	
		N/A			N/A	

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		Basement, Ground, First, Second, Third and Fourth 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:			Proposed:	
		N/A			N/A	

1-C Conditions being varied		
Condition	Proposed variation	
46. All tables and chairs shall be removed from the outside area or rendered unusable by 21:00 each day save that up until 30 September 2022 the hour shall be extended to 22:00 in respect of the courtyard only after which time the condition shall be reinstated and thereafter remain in full force and effect.	46. All tables and chairs shall be removed from the outside area or rendered unusable by 21:00 daily Sunday to Wednesday, and 22:00 daily Thursday, Friday and Saturday.	
Adult entertainment:	Current position:	Proposed position:
	No Change	No Change

## 2. Representations

2-A Responsible Authorities	
<b>Responsible Authority:</b>	Environmental Health Service
<b>Representative:</b>	Anil Drayan
<b>Received:</b>	28 December 2023
<p>Representation made as the proposal may lead to an increase in Public Nuisance in the area. The applicant is requested to contact the undersigned to discuss the nature of the application to ascertain if Environmental Health then considers additional conditions may be appropriate. Note if the application will need to go before the Licensing Sub committee for determination Environmental Health shall provide a record of relevant service requests logged in our database.</p>	

2-B Other Persons			
<b>Name:</b>	[REDACTED]		
<b>Address and/or Residents Association:</b>	[REDACTED] [REDACTED] [REDACTED] [REDACTED]		
<b>Status:</b>	Valid	<b>In support or objection:</b>	OBJECTION
<b>Received:</b>	28 December 2023		
<p>Against the licensing objectives. Many adjacent residents will testify that this extra hour gives too much noise for residents who live adjacent and want to go to bed by this time.</p> <p>Further Submissions I am a Neighbour and i Object to the proposal, as follows:</p> <p>I am amazed at the incorrect comments made by FH in their covering letter to Westminster Council in order to obtain the Planning permission which preceded this Licensing application! I live [REDACTED] the Firehouse and will be directly affected by these proposals, which would substantially increase the noise from FH which i can hear in all of the front rooms of my property. This is my only home, for the past 25 years, and, unlike the FH owners, i have no other home to go to escape Firehouse noise and nuisance.</p> <p>Noise from FH courtyard customers begins every day, 24/7/365, to escalate around 1500 or midday and continues until the courtyard closes, currently at 2100 every day. I have to shut my double-glazed windows every day at these times and keep them closed. Closed windows only dampen the noise but do not shut it out altogether; i can still hear it until at least the courtyard closes. This is a serious nuisance and loss of my amenity for me and my domestic guests. I can no longer use any of my front rooms to sleep my overnight guests. I would be interested to know how FH hotel residents fare?</p> <p>Crucially, in their original application and their Audio Report, Firehouse claimed that the noise impact on residents from the courtyard and this proposed hours extension would be "negligible, inconsequential and non-material" and " will have no discernible impact on the residential amenity of the neighbouring properties". This is completely untrue and the claim is upsetting, stressful and insulting to neighbouring residents, as we and all our visitors can confirm. I often now go to bed around 2200 to avoid Firehouse music from its nightclub, which can be heard and felt clearly in our flats, and which begins many nights by 2230, so that a courtyard extension will mean residents have no wind-down time at night. Please let us have that 2100-</p>			

2200 hour and those after it in peace. In the evening, residents - who make up the majority of units - should have preference in Chiltern Street and not businesses, who have their share throughout the daytime. I understand Firehouse offers free drinks to local residents, including those out of earshot, in order to gain their favour but am not interested in any hospitality they have to offer, and nothing they offer is relevant to this resident, except peace and quiet.

Because of Firehouse noise some of us have to shut our windows every day from early on, and even then we can still hear the courtyard, as the noise from it is as loud up here in our homes as can be witnessed down on the street. It is quite possibly even louder, as FH knows that noise travels upwards in this street and some noise they cannot hear on the street can be heard higher up, as several residents have complained to them about this. This has a terrible impact on our health, both emotional health and because of so much indoor pollution and little fresh air at home for the majority of the day because we have to shut front windows.

Residents all suffer from the noise nuisance from the courtyard but the only reason that no residents complained in the last two years about the temporary courtyard hours extensions was because of central Government legislation aimed at covid business recovery, which WCC Planning and Licensing committees were morally bound to support. Nevertheless, all members of WCC Planning and Licensing committees were unanimous at all of these committee meetings and stated very firmly that years 2021 and then 2022 should be the last time that extensions beyond 2100 in the courtyard were granted. But now the pandemic is over. Residents now ask the committee, in addition to election promises to listen more to the needs of residents, to uphold those commitments to residential amenity after 2100 and not grant this extension.

In summary:

1. [REDACTED] this is my only home.
2. My neighbours and I suffer already with noise from the courtyard every day from at least mid-afternoon until it closes at 2100.
3. Those of us who live here want to be able to enjoy peace and quiet between 2100 and 2200 as we wind down for sleep.
4. As FH knows, nearby residents have mentioned courtyard noise many times in complaints to them. FH Licence requires them to keep a record of complaints but these have presumably not been shown to WCC. Had they so been, then they would record that there is a clear problem.
5. The recent Audio report submitted to WCC to support this application recorded noise measurements from within the courtyard and not from inside our flats, so its conclusions of 'negligible' noise are not valid, especially as FH knows that noise travels upwards in the street and that residents can often hear noise from FH that FH staff claim they cannot hear.
6. Previous Planning and Licensing Committees in 2021 and 2022 have recommended that those covid extensions should not be made permanent. Nothing has changed meanwhile.
7. There have been complaints and the recent FH Audio report is based on a flawed premise. Residents are contacted WCC Environmental Health about this.
8. Any grant of extra hours should be temporary pending a proper audio report from within our flats and a proper examination of the email complaints we have made to FH about courtyard noise over the years.

<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association:</b>		[REDACTED] [REDACTED] [REDACTED] [REDACTED]	
<b>Status:</b>	Valid	<b>In support or objection:</b>	SUPPORT
<b>Received:</b>	22 Dec 2023		
Given the tight and visible management of Chiltern Firehouse I am supporting their current application for a change in their license.			
<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association:</b>		[REDACTED] [REDACTED] [REDACTED] [REDACTED]	
<b>Status:</b>	Valid	<b>In support or objection:</b>	SUPPORT
<b>Received:</b>	27 Dec 2023		
I do not see any issues with the extension of hours being requested. The Hotel manage the premises well and i have had no reason to believe that they will not their utmost to ensure that the locals will not be adversely affected by this			
<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association:</b>		[REDACTED] [REDACTED] [REDACTED] [REDACTED]	
<b>Status:</b>	Valid	<b>In support or objection:</b>	OBJECTION
<b>Received:</b>	1 Jan 2024		
<p>I object to Chiltern Firehouse's application to extend courtyard hours. As an [REDACTED] resident, the current noise disruption from mid-afternoon until 2100 affects our peace and quiet enjoyment of our homes. Seeking quiet between 2100-2200 is crucial for winding down and for my children to be able to sleep. I note this application has been made during winter, when we have our windows closed. During summer when we have no choice but to ventilate with open windows, we are disturbed by the noise from the courtyard all evening. There is very little respite.</p> <p>Numerous complaints from residents highlight courtyard noise. The recent audio report, focusing on courtyard measurements, lacks validity. It disregards the unique noise travel patterns in our street and fails to consider measurements inside our flats.</p> <p>The conclusion of 'negligible' noise is contradicted by residents consistently reporting audible noise, unbeknownst to Firehouse staff. This discrepancy questions the report's validity, necessitating a more comprehensive assessment of the noise impact.</p> <p>I urge the authority to consider:  Temporary Grant: Any approval for extended hours should be granted on a temporary basis, limited to a single year. This will allow for a thorough evaluation of the impact on residents, ensuring that the extended hours do not result in a permanent detriment to our quality of life.  Regular Review: A commitment to regular reviews and assessments of the extended hours' impact should be established. This will enable the licensing authority to reevaluate the situation periodically and make adjustments based on the evolving needs and concerns of the community.</p> Thank you for considering these views.			

<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association:</b>		[REDACTED] [REDACTED] [REDACTED]	
<b>Status:</b>	Valid	<b>In support or objection:</b>	SUPPORT
<b>Received:</b>	21 Dec 2023		
Dear Sir/Madam,			
I fully support this application. the Firehouse is an integral part of our community, a meeting place for friends and locals, an incredibly important employer and a force for good in the area. The request is innkeeping with the area and well withing the parameters of licenced establishments in the neighbourhood. The entire area is a perfect example of urban regeneration, in the last 10 years Chiltern street has become the envy of every metropolitan city. The courtyard is a calm haven in the midst the beating heart of London and it's only fair that we are allowed to enjoy this oasis for as many hours that there are in the day or at least one or two more.			
<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association:</b>		[REDACTED] [REDACTED] [REDACTED] [REDACTED]	
<b>Status:</b>	Valid	<b>In support or objection:</b>	OBJECTION
<b>Received:</b>	18 Dec 2023		
I object to this permanent extension of the licence on the following grounds: - The Firehouse have pushed beyond the limits of any licences previously granted. - Just last week there were two parties which lasted until 4.30 in the morning, emitting noise which reached the residents' flats. [REDACTED]			
<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association:</b>		[REDACTED] [REDACTED] [REDACTED]	
<b>Status:</b>	Valid	<b>In support or objection:</b>	SUPPORT
<b>Received:</b>	21 Dec 2023		
Chiltern Firehouse should be granted whatever extensions they seek to opening hours. They're now a symbolic part of the neighbourhood and Marylebone is a better place for their presence there. I can't think of an institution that adds more to the vibrance and atmosphere of Marylebone with no trouble to local communities than this. The impact of the firehouse on their local area is only positive.			
<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association:</b>		[REDACTED] [REDACTED] [REDACTED] [REDACTED]	
<b>Status:</b>	Valid	<b>In support or objection:</b>	SUPPORT
<b>Received:</b>	21 Dec 2023		
Chiltern Firehouse provides a wonderful experience to patrons, both local and further afield. It's a vibrant establishment that truly adds a sense of community and refinement to the Marylebone area. With this in mind, I support management wholeheartedly in their petition to add one additional hour on Thursdays, Fridays and Saturdays. I trust that this permission will be granted, given the vibrant role and positive impact Chiltern Firehouse has on the community in			

Westminster.			
<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association:</b>		[REDACTED] [REDACTED] [REDACTED]	
<b>Status:</b>	Valid	<b>In support or objection:</b>	OBJECTION
<b>Received:</b>	1 Jan 2024		

I am finding it hard to comment on the website.

Please note that I OPPOSE this application - 23/08839/LIPV

I live at [REDACTED] the Chiltern Firehouse courtyard. The noise throughout the day and late into the evening is unbearable. The Chiltern Firehouse management claim the noise is negligible, I do not know what this is based on, Please feel free to come and measure the noise level from my apartment and you will understand the stress and anxiety it causes me and my family on a daily basis.

I currently [REDACTED] as a result of the stress caused by Chiltern Firehouse

Please consider our mental health while reviewing this application

<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association:</b>		[REDACTED] [REDACTED] [REDACTED]	
<b>Status:</b>	Valid	<b>In support or objection:</b>	SUPPORT
<b>Received:</b>	22 Dec 2023		

As an [REDACTED] neighbour of the Chiltern Firehouse I would like to state my full support for this application. The Chiltern Firehouse is an unequivocal asset to the Marylebone neighbourhood and I do passionately believe that its success as a business is inextricably linked to the success and flourishing of the Marylebone neighbourhood and community. The management here care greatly about the Marylebone community and the way in which the business operates, including previous extensions of operating hours, has never had any negative effects on the neighbourhood in my opinion. To the contrary. With this in mind, I wholeheartedly support this application and thank the business for its great contribution to our dear Marylebone.

### 3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
<b>Policy HRS1 applies</b>	<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</li> </ol>

- identified in that area and provided adequate mitigation.
3. Whether there is residential accommodation in the proximity of the premises that would likely be adversely affected by premises being open or carrying out operations at the hours proposed.
  4. The proposed hours of the licensable activities and when customers will be permitted to remain on the premises.
  5. The proposed hours when any music, including incidental music, will be played.
  6. The hours when customers will be allowed to take food or drink outside the premises or be within open areas which form part of the premises.
  7. The existing hours of licensable activities and the past operation of the premises (if any) and hours of licensable premises in the vicinity.
  8. Whether customers and staff have adequate access to public transport when arriving at and leaving the premises, especially at night.
  9. The capacity of the premises.
  10. The type of use, recognising that some venues are more likely to impact the licensing objectives than others; for example, pubs and bars are higher risk than theatres, cinemas and other cultural and sporting venues due to the nature of the operation.
  11. The Licensing Authority will take into account the active measures proposed for a 'winding down' period including arrangements for people to be collected from the premises to travel home safely.
  12. Conditions on hours may be attached that require that the supply of alcohol for consumption on the premises ceases a suitable period of time before customers are required to leave the premises.
  13. The council, acting as the Licensing Authority, may reduce hours if, after review, it is necessary to impose conditions specifying shorter hours in order to promote the licensing objectives.
  14. Specific days for non-standard hours should be identified and justified as part of the application to allow responsible authorities and interested parties to evaluate the impact that these licensable activities may have, and to plan accordingly. The consideration of applications for later hours for Bank Holiday Mondays will take into account that later hours are generally granted for preceding Sundays and that the next day is a working day. Non-specific days are expected to be covered by Temporary Event Notices or variation applications.

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

**4. Hotels**

Monday to Thursday: 9am to 11.30pm.

Friday and Saturday: 9am to Midnight.

Sunday: 9am to 10.30pm.

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

For the sale of alcohol to guests for consumption in hotel/guest rooms only: Anytime up to 24 hours.

D. Core hours are when customers are permitted to be on the premises and therefore the maximum opening hours permitted will be to the same start and terminal hours for each of the days where licensable activity is permitted.



	E. For the purposes of this policy, 'premises uses' are defined within the relevant premises use policies within this statement.
<b>Policy HOT1 applies</b>	<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 sale by retail of alcohol, regulated entertainment and late-night refreshment must be an ancillary function to the primary purpose of the venue as a hotel.</li> <li>5. The applicant has taken account of the Special Consideration Zone Policy SCZ1 if the premises are located within a designated zone.</li> <li>6. The application and operation of the venue meeting the definition of a Hotel 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 sale by retail of alcohol, regulated entertainment and late-night refreshment must be an ancillary function to the primary purpose of the venue as a hotel.</li> <li>5. The applicant has demonstrated that they will not add to cumulative impact within the Cumulative Impact Zone.</li> <li>6. The application and operation of the venue meeting the definition of a Hotel as per Clause C.</li> </ol> <p>C. For the purposes of this policy a Hotel is defined as a premises that is primarily used as an establishment providing overnight accommodation for customers.</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>	Premises Licence 23/04650/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: 020 7641 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	07 January 2021
<b>3</b>	Amended Guidance issued under section 182 of the Licensing Act 2003	December 2023
<b>4</b>	Cumulative Impact Assessment	04 December 2023
<b>5</b>	Environmental Health Service	28 December 2023
<b>6</b>	Representation 1	28 December 2023
<b>7</b>	Representation 2	22 December 2023
<b>8</b>	Representation 3	27 December 2023
<b>9</b>	Representation 4	1 January 2024
<b>10</b>	Representation 5	21 December 2023
<b>11</b>	Representation 6	18 December 2023
<b>12</b>	Representation 7	21 December 2023
<b>13</b>	Representation 8	21 December 2023
<b>14</b>	Representation 9	1 January 2024
<b>15</b>	Representation 10	22 December 2023



**City of Westminster**

64 Victoria Street, London, SW1E 6QP

Schedule 12  
Part A

WARD: Marylebone High  
Street  
UPRN: 010033616706

Premises licence

Regulation 33, 34

Premises licence number:

23/04650/LIPDPS

Original Reference:

12/00502/LIPN

**Part 1 – Premises details**

**Postal address of premises:**

Chiltern Firehouse  
1 Chiltern Street  
London  
W1U 7PA

**Telephone Number:** Not Supplied

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

Not applicable

**Licensable activities authorised by the licence:**

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

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

**Performance of Dance**

Monday to Sunday: 00:00 to 00:00  
(Residents, their bona fide guests and patrons of the hotel proprietor)  
Monday to Sunday: 07:00 to 01:00  
(Pre-booked private functions in the ground floor meeting room)  
Monday to Sunday: 08:00 to 23:00  
(Ground floor meeting room)  
Monday to Sunday: 10:00 to 01:00  
(Pre-booked private functions in the Hotel Lounge Bar/Function Space)

**Exhibition of a Film**

Monday to Sunday: 00:00 to 00:00  
(Residents, their bona fide guests and patrons of the hotel proprietor)  
Monday to Sunday: 07:00 to 01:00  
(Pre-booked private functions in the ground floor meeting room)  
Monday to Sunday: 08:00 to 23:00  
(Ground floor meeting room)  
Monday to Sunday: 10:00 to 01:00  
(Pre-booked private functions in the Hotel Lounge Bar/Function Space)

**Performance of Live Music**

Monday to Sunday: 00:00 to 00:00  
(Residents, their bona fide guests and patrons of the hotel proprietor)  
Monday to Sunday: 07:00 to 01:00  
(Pre-booked private functions in the ground floor meeting room)  
Monday to Sunday: 08:00 to 23:00  
(Ground floor meeting room)  
Monday to Sunday: 10:00 to 01:00  
(Pre-booked private functions in the Hotel Lounge Bar/Function Space)

**Playing of Recorded Music**

Monday to Sunday: 00:00 to 00:00  
(Residents, their bona fide guests and patrons of the hotel proprietor)  
Monday to Sunday: 08:00 to 23:00  
(Ground floor meeting room)  
Monday to Sunday: 10:00 to 01:00  
(Hotel Lounge Bar/Function Space)

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

Monday to Sunday: 00:00 to 00:00  
(Residents, their bona fide guests and patrons of the hotel proprietor)  
Monday to Sunday: 07:00 to 01:00  
(Pre-booked private functions in the ground floor meeting room)  
Monday to Sunday: 08:00 to 23:00  
(Ground floor meeting room)  
Monday to Sunday: 10:00 to 01:00  
(Pre-booked private functions in the Hotel Lounge Bar/Function Space)

**Late Night Refreshment**

Monday to Sunday: 23:00 to 05:00  
(Patrons of the hotel proprietor)  
Monday to Sunday: 23:00 to 01:00  
(Hotel Lounge Bar/Function Space, Chiltem Street Restaurant and pre-booked events in ground floor meeting room)

**Sale by Retail of Alcohol**

Monday to Sunday: 00:00 to 00:00  
(Residents, their bona fide guests and patrons of the hotel proprietor)  
Monday to Sunday: 07:00 to 01:00  
(Chiltem Street Restaurant and pre-booked events in the ground floor meeting room)  
Monday to Sunday: 08:00 to 23:00  
(Ground floor meeting room)  
Monday to Sunday: 10:00 to 01:00  
(Hotel Lounge Bar/Function Space)

**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:**

Chiltern Street Hotel Limited  
C/o Manhattan Loft Corporation  
Edison House  
223 - 231 Old Marylebone Road  
London  
NW1 5QT

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

07218870

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

**Name:** Alexander Spencer

*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:** 14/158633/1  
**Licensing Authority:** The Royal Borough Of Kensington And Chelsea

**Date:** 4<sup>th</sup> October 2023

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

#### Annex 1 – Mandatory conditions

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
4.
  - (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
  - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
    - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
      - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
      - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
    - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
    - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
    - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
    - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
5. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
6.
  - (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
  - (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
  - (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification

bearing their photograph, date of birth and either—

- (a) a holographic mark, or
- (b) an ultraviolet feature.

7. The responsible person must ensure that—

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

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

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

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

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

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

Where -

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

on the premises in a capacity which enables the member or officer to prevent the supply in question; and

- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
- 8(iii). Where the permitted price given by Paragraph 8(ii)(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- 8(iv). (1) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.
9. Admission of children to the premises must be restricted in accordance with the film classification recommended by the British Board of Film Classification or recommended by this licensing authority as appropriate.
10. All persons guarding premises against unauthorised access or occupation or against outbreaks of disorder or against damage (door supervisors) must be licensed by the Security Industry Authority.



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

None

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

11. The Premises Licence Holder shall, if requested in writing by local residents, host publicised meetings with local residents to discuss concerns relating to the operation of the Premises Licence. Notice of such meetings shall be notified in writing to local residents and other interested parties who have registered their wish to be notified to the Premises Licence Holder. The notice period shall be at least 10 days.
12. The Premises Licence holder shall appoint a competent Acoustic Consultant who is registered with the Institute of Acoustics to:
  - (i) carry out a survey,
  - (ii) produce a report and
  - (iii) assist the Premises Licence Holder in producing a 'Noise Mitigation Policy'.

The Noise Mitigation Policy shall have regard to all matters contained in the 'Guidance on Noise' Section of the City Council's Licensing Policy (currently Appendix 11 of the 2011 Policy).
13. The Premises Licence Holder shall ensure that the Noise Mitigation Policy is:
  - (i) implemented in full to ensure that, so far as is reasonably practicable, risk of Public Nuisance is minimized;
  - (ii) made available to local residents and to authorised Officers of the City Council upon request.
  - (iii) reviewed from time to time or in response to complaints or concerns received from local residents and, if necessary, amended. The Policy shall also be reviewed and amended if requested by the Environmental Health Consultation Team.
14. A copy of the policy shall be kept at the Hotel reception and shall be available immediately upon request by any local resident or licensing officer.
15. At all times the Hotel will be overseen by at least two SIA Door Supervisors.
16. The licence holder shall maintain a comprehensive CCTV system that ensures all public areas of the licensed premises are monitored, including all entry points, and which enable frontal identification of every person entering in any light condition. All cameras shall continually record whilst the premises are open to the public and the recordings shall be kept available for a minimum of 31 days with time and date stamping. Recordings shall be made available to a duly authorised City Council officer or a police officer together with facilities for viewing. The recordings for the preceding 31 days shall be made available immediately on request. The CCTV system shall be operated in accordance with the Data Protection Act 1998.
17. 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 to the public. This staff member shall be able to show Police recent recording with the absolute minimum of delay when requested.
18. The pavement from the building line to the kerb edge immediately outside the premises, including gutter/channel at its junction with the kerb edge, is swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements.
19. All refuse will be stored internally prior to collection.
20. Notices shall be prominently displayed at exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
21. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
22. No unauthorised advertisements of any kind (including placard, poster, sticker, flyer, picture, letter, sign or other mark) is inscribed or affixed upon the surface of the highway, or upon any building, structure, works, street furniture, tree, or any other property, or is distributed to the public, that advertises or promotes the establishment, its premises, or any of its events, facilities, goods or services.

23. 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.
24. When films are shown cinema style linked seating will not be provided except as agreed with the Environmental Health Consultation Team.
25. Any special effects or mechanical installations shall be arranged and stored so as to minimise any risk to the safety of those using the premises. The following special effects will only be used on 10 days prior notice being given to the Licensing Authority where consent has not previously been given:-
  - dry ice and cryogenic fog (except for food presentations)
  - smoke machines and fog generators
  - pyrotechnics including fire works
  - firearms
  - lasers
  - explosives and highly flammable substances.
  - real flame (except for candles)
  - strobe lighting.
26. No person shall give at the premises any exhibition, demonstration or performance of hypnotism, mesmerism or any similar act or process which produces or is intended to produce in any other person any form of induced sleep or trance in which susceptibility of the mind of that person to suggestion or direction is increased or intended to be increased.
 

NOTE: (1) This rule does not apply to exhibitions given under the provisions of Section 2(1A) and 5 of the Hypnotism Act 1952.
27. 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.
28. 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.
29. All exit doors on designated escape routes shall be available at all material times without the use of a key, code, card or similar means.
30. All self-closing doors shall be effectively maintained and not held open other than by an approved device.
31. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
32. Curtains and hangings shall be arranged so as not to obstruct emergency signs.
33. The certificates listed below shall be submitted to the Licensing Authority upon written request
  - Any emergency lighting battery or system
  - Any electrical installation
  - Any emergency warning system.
34. Except for the hotel bedrooms, the licensee shall not permit striptease in the premises. Except for the hotel bedrooms, the Licensee shall not permit nudity and all persons shall be decently attired at all times.
35. With the exception of the showing of films in Hotel Bedrooms, no entertainment, performance, service, or exhibition involving nudity or sexual stimulation which would come within the definition of a sex establishment in Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 as amended by the Greater London Council (General Powers) Act 1986 (whether or not locally adopted), shall be provided under the authority of this licence.

36. With the exception of public and life safety emergency speakers, Loudspeakers shall not be located in the external entrance lobby or outside the premises building.
37. With the exception of designated smoking bedrooms (if any), notices shall be
  - (i) prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
38. Waiter or Waitress service will be available at all times.
39. Capacities:
  - (i) Ground floor:
  - (ii) The maximum number of persons accommodated at any one time (excluding staff) shall not exceed 620, with no more than;
  - (iii) Restaurant 200 persons
  - (iv) Lounge Bar/Function Bar 340 persons
  - (v) Meeting Room 80 persons
40. A sound limiting device located in a separate and remote lockable cabinet from the volume control shall be fitted to any musical amplification system and set at a level determined by and to the satisfaction of an authorised officer of the Environmental Health Service to ensure that no noise nuisance is caused to local residents. The operational panel of the noise limiter shall then be secured to the satisfaction of officer from the Environmental Health Service. The keys securing the noise limiter cabinet shall be held by the licence holder or authorised manager only and shall not be accessed by any other person. The limiter shall not be altered without prior agreement with the Environmental Health Service.
41. No alteration or modification to any existing sound system(s) should be effected without the prior knowledge of an authorised Officer of the Environmental Health Service.
42. No additional sound generating equipment shall be used without being routed through the sound limiter device.
43. All windows and external doors to the ground floor bar and restaurant shall be kept closed from 18:00 hours except for immediate access and egress of persons.
44. No rubbish, including bottles, shall be moved, removed or placed in outside areas between 2300 hours and 0700 hours.
45. There shall be no regulated entertainment within the external courtyard area at any time except for unamplified live music for pre-booked private events and up to four musicians between the hours of 10:00 and 21:00.
46. All tables and chairs shall be removed from the outside area or rendered unusable by 21:00 each day save that up until 30 September 2022 the hour shall be extended to 22:00 in respect of the courtyard only after which time the condition shall be reinstated and thereafter remain in full force and effect.
47. A Challenge 21 scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence or passport.
48. The licence holder shall enter into an agreement with a hackney carriage and/or private carriage firm to provide transport for customers, with contact numbers made readily available to customers who will be encouraged to use such services. As part of this agreement that shall require the company to inform all drivers not to wait in the street with the engine running.
49. There shall be at least 1 SIA door supervisor or a dedicated and trained duty manager in the courtyard to manage the courtyard area whose primary purpose is to ensure that the four licensing objectives are promoted in particular that of prevention of public nuisance.

#### CHILTERN STREET RESTAURANT

50. There shall be no entry to new customers after 23:30 Monday to Thursday, 00:00 Friday and Saturday and 22:30 Sundays (00:00 on Sundays before Bank Holidays); and/or
- (i) No customer shall be permitted to remain in the Restaurant between 01:00 and 07:00 hours Monday to Sunday;
  - (ii) Subsections i) and ii) above do not apply to the following persons:-
    - a) Residents of the hotel and their bona fide guests
    - b) Patrons of the hotel proprietor's guest list up to a maximum of 25 persons. Such list to be kept at the reception and for 31 days thereafter and shall be made for inspection at the request of the Metropolitan Police or an authorised officer.
51. The restaurant shall only operate as a restaurant:
- (i) in which customers are shown to their table,
  - (ii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery,
  - (iii) which do not provide any takeaway service of food or drink for immediate consumption, and where alcohol shall not be sold, supplied, or consumed on the premises otherwise than to persons who are bona fide taking substantial table meal and provided always that the consumption of alcohol by such persons is ancillary to taking such meals except in:
    - (a) the holding bar area; and
    - (b) during pre-booked private functions.
52. There shall be no regulated entertainment in the restaurant.
53. After 11pm and before 7am admission to the restaurant shall be through the hotel only.

#### THE CHILTERN STREET HOTEL LOUNGE BAR/ FUNCTION ROOM

54. (i) No customer shall be permitted to remain in the Hotel Function Room/Lounge Bar between 01:00 and 10:00 hours Monday to Sunday;
- (ii) Subsection (i) above does not apply to the following persons:-
- a) Residents of the hotel and their bona fide guests
  - b) Patrons of the hotel proprietor's guest list up to a maximum of 25 persons. Such list to be kept at the reception and for 31 days thereafter and shall be made for inspection at the request of the Metropolitan Police or an authorised officer.
55. After 9pm and before 7am admission to the Hotel Lounge Bar shall be through the hotel reception only.
56. Except for recorded music, any regulated entertainment shall be restricted to pre-booked private functions. A copy of the booking including any guest list shall be kept at the reception and shall be available for inspection by any officer from one of the Responsible Authorities for a period of 31 days following the event.

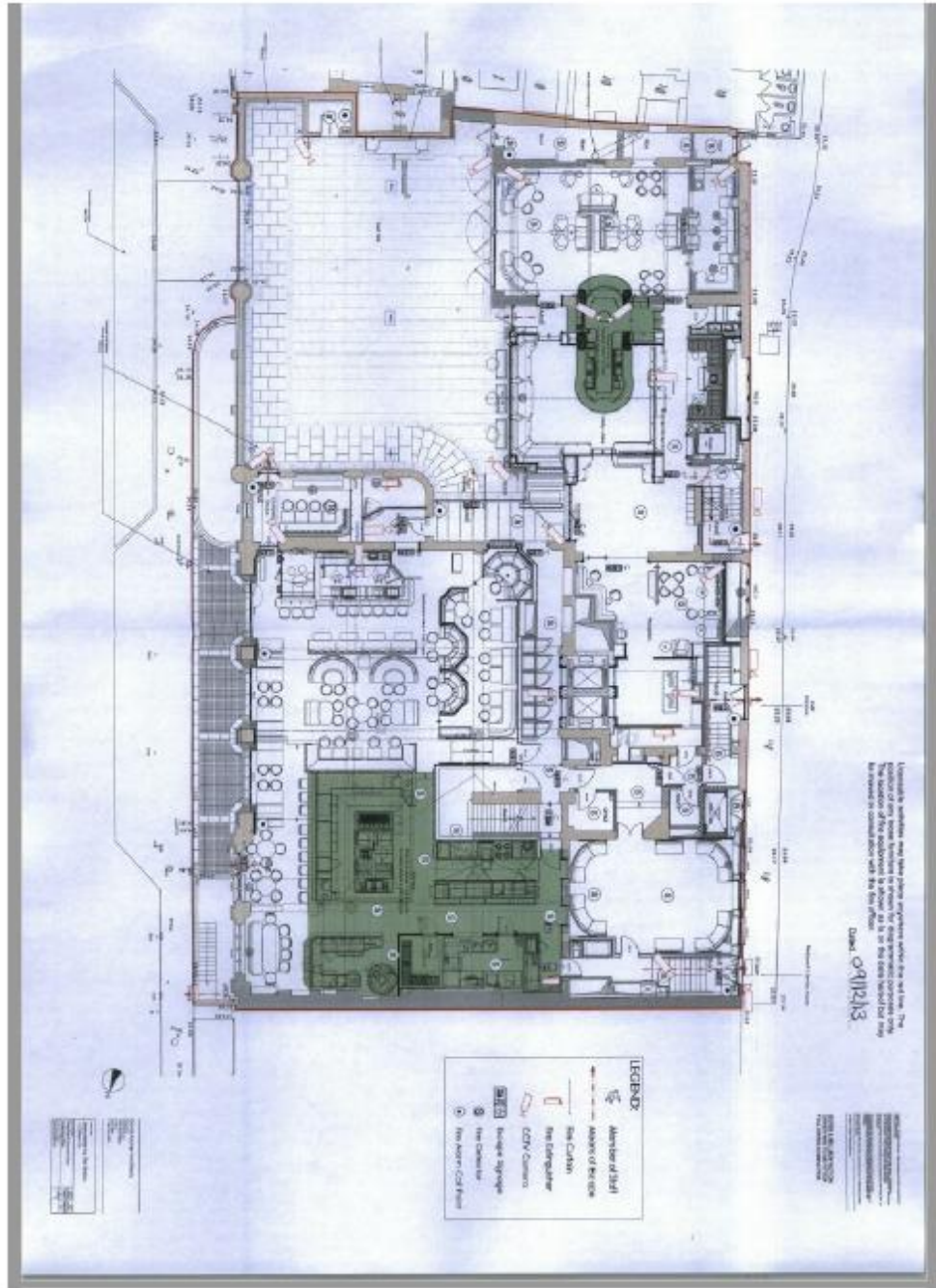
#### GROUND FLOOR MEETING ROOM

57. From 23:00 hours to 08:00 following morning, the Ground Floor Meeting Room shall only be used by:-
- (i) Hotel residents and their bona fide guests; and/or
  - (ii) Patrons of the hotel proprietor's guest list up to a maximum of 25 persons. Such list to be kept at the reception and for 31 days thereafter and shall be made for inspection at the request of the Metropolitan Police or an authorised officer.
  - (iii) For pre-booked events to 1am.
58. Between the hours of 21:00 and 22:00 daily the consumption of alcohol in the courtyard shall only be to patrons seated and served by waiter or waitress service.

This condition shall only apply until 30 September 2021, after which it shall be removed from the Licence.

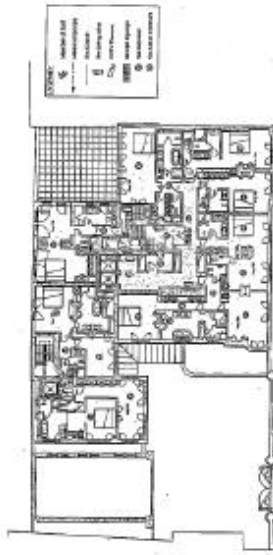
59. A Street Warden shall be employed to patrol the vicinity of the premises from 17:00 to midnight on Monday to Saturday and 17:00 to 23:00 on Sunday.
60. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All 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 are open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31-day period.
61. 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 Officer or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
62. A Challenge 21 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
63. 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.

Annex 4 – Plans



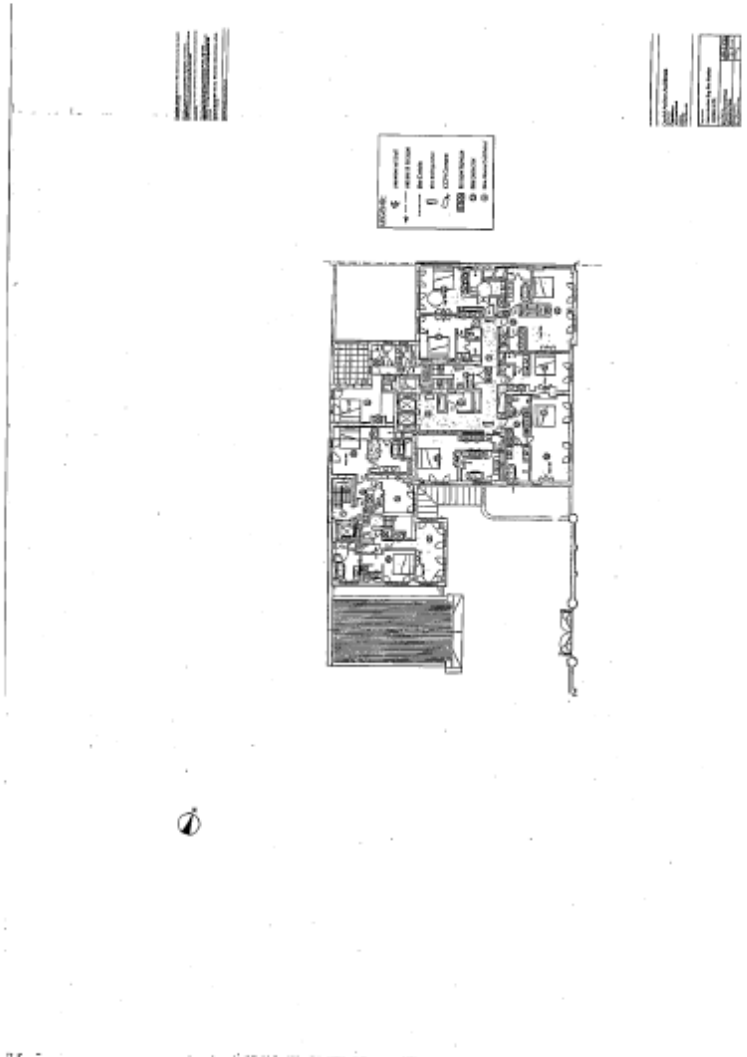






This plan is shown for your information and is not to be used for any other purpose without the written consent of the architect. The location of the building is shown on the site plan. The location of the building is shown on the site plan. The location of the building is shown on the site plan.

Drawn: J. J. J. J. J.



This set shows the work of the project and is intended to be used for the purpose of the project. The information contained herein is for informational purposes only. The information contained herein is not to be used for any other purpose. The information contained herein is not to be used for any other purpose. The information contained herein is not to be used for any other purpose.

Sheet 01 of 02

1. Name of the building  
 2. Address  
 3. City  
 4. State  
 5. Zip  
 6. Date

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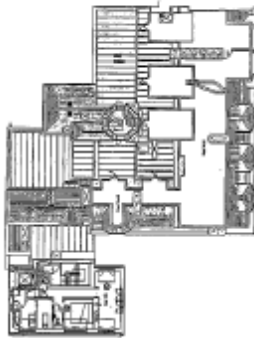
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Date: 2/2/2012

1. Name of the building  
 2. Address  
 3. City  
 4. State  
 5. Zip

6. Date of drawing  
 7. Scale  
 8. Drawing No.  
 9. Project No.

**LEGEND**  
 1. Elevator shaft  
 2. Staircase  
 3. Mechanical room  
 4. Electrical room  
 5. Telephone room  
 6. Janitor's closet  
 7. Storage room  
 8. Rest room  
 9. Conference room  
 10. Office



This plan shows the walls of the structure and furniture which may  
 be placed anywhere within the walls. The location of any doors, windows,  
 or other openings is shown by a line with a break. The location of the  
 columns is shown by a circle with a break. The location of the  
 elevators is shown by a rectangle with a break. The location of the  
 stairs is shown by a triangle with a break. The location of the  
 rest room is shown by a circle with a break. The location of the  
 janitor's closet is shown by a square with a break. The location of the  
 storage room is shown by a rectangle with a break. The location of the  
 mechanical room is shown by a rectangle with a break. The location of the  
 electrical room is shown by a rectangle with a break. The location of the  
 telephone room is shown by a rectangle with a break.

Date: 2.8.51, 2.11.2.



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

Schedule 12  
Part B

Premises licence  
summary

WARD: Marylebone High  
Street  
UPRN: 010033616706

Regulation 33, 34

Premises licence number:

23/04650/LIPDPS

**Part 1 – Premises details**

**Postal address of premises:**

Chiltern Firehouse  
1 Chiltern Street  
London  
W1U 7PA

**Telephone Number:** Not Supplied

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

Not applicable

**Licensable activities authorised by the licence:**

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

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

**Performance of Dance**

Monday to Sunday: 00:00 to 00:00  
(Residents, their bona fide guests and patrons of the hotel proprietor)  
Monday to Sunday: 07:00 to 01:00  
(Pre-booked private functions in the ground floor meeting room)  
Monday to Sunday: 08:00 to 23:00  
(Ground floor meeting room)  
Monday to Sunday: 10:00 to 01:00  
(Pre-booked private functions in the Hotel Lounge Bar/Function Space)

**Exhibition of a Film**

Monday to Sunday: 00:00 to 00:00  
(Residents, their bona fide guests and patrons of the hotel proprietor)  
Monday to Sunday: 07:00 to 01:00  
(Pre-booked private functions in the ground floor meeting room)  
Monday to Sunday: 08:00 to 23:00  
(Ground floor meeting room)  
Monday to Sunday: 10:00 to 01:00

(Pre-booked private functions in the Hotel Lounge Bar/Function Space)

**Performance of Live Music**

Monday to Sunday: 00:00 to 00:00

(Residents, their bona fide guests and patrons of the hotel proprietor)

Monday to Sunday: 07:00 to 01:00

(Pre-booked private functions in the ground floor meeting room)

Monday to Sunday: 08:00 to 23:00

(Ground floor meeting room)

Monday to Sunday: 10:00 to 01:00

(Pre-booked private functions in the Hotel Lounge Bar/Function Space)

**Playing of Recorded Music**

Monday to Sunday: 00:00 to 00:00

(Residents, their bona fide guests and patrons of the hotel proprietor)

Monday to Sunday: 08:00 to 23:00

(Ground floor meeting room)

Monday to Sunday: 10:00 to 01:00

(Hotel Lounge Bar/Function Space)

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

Monday to Sunday: 00:00 to 00:00

(Residents, their bona fide guests and patrons of the hotel proprietor)

Monday to Sunday: 07:00 to 01:00

(Pre-booked private functions in the ground floor meeting room)

Monday to Sunday: 08:00 to 23:00

(Ground floor meeting room)

Monday to Sunday: 10:00 to 01:00

(Pre-booked private functions in the Hotel Lounge Bar/Function Space)

**Late Night Refreshment**

Monday to Sunday: 23:00 to 05:00

(Patrons of the hotel proprietor)

Monday to Sunday: 23:00 to 01:00

(Hotel Lounge Bar/Function Space, Chiltern Street Restaurant and pre-booked events in ground floor meeting room)

**Sale by Retail of Alcohol**

Monday to Sunday: 00:00 to 00:00

(Residents, their bona fide guests and patrons of the hotel proprietor)

Monday to Sunday: 07:00 to 01:00

(Chiltern Street Restaurant and pre-booked events in the ground floor meeting room)

Monday to Sunday: 08:00 to 23:00

(Ground floor meeting room)

Monday to Sunday: 10:00 to 01:00

(Hotel Lounge Bar/Function Space)

**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.

<b>Name and (registered) address of holder of premises licence:</b> Chiltern Street Hotel Limited C/o Manhattan Loft Corporation Edison House 223 - 231 Old Marylebone Road London NW1 5QT
--

<b>Registered number of holder, for example company number, charity number (where applicable)</b> 07218870
---

<b>Name of designated premises supervisor where the premises licence authorises for the supply of alcohol:</b> Name: Alexander Spencer
---

<b>State whether access to the premises by children is restricted or prohibited:</b> Restricted
--

Date: 4<sup>th</sup> October 2023

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

## **Applicant Supporting Documents**

## **Appendix 2**

There are no supporting submissions.



**Licence & Appeal History**

<b>Application</b>	<b>Details of Application</b>	<b>Date Determined</b>	<b>Decision</b>
12/00502/LIPN	New premises application	15 March 2012	Granted by Licensing Sub-Committee
13/00561/LIPT	Transfer application - Chiltern Street Hotel Limited	9 May 2013	Granted Under Delegated Authority
13/09884/LIPV	Variation application:  To vary the layout of the Ground floor and Basement.  To add two works conditions.	10 January 2014	Granted Under Delegated Authority
13/10084/LIPVM	Minor Variation application:  To vary the layout of the Ground floor and Basement.	24 December 2013	Refused
14/01670/LIPDPS	Application to Vary the Designated Premises Supervisor	31 March 2014	Granted Under Delegated Authority
14/10069/LIPVM	Minor Variation application:  Remove Regulated Entertainment  Remove condition 48 'There shall be no regulated entertainment in the Restaurant.'  Add 7 conditions	5 December 2014	Granted Under Delegated Authority
14/11358/LIPDPS	Application to Vary the Designated Premises Supervisor	6 February 2015	Granted Under Delegated Authority
15/04899/LIPDPS	Application to Vary the Designated Premises Supervisor	5 July 2015	Granted Under Delegated Authority

19/00047/LIPDPS	Application to Vary the Designated Premises Supervisor	January 2019	Granted Under Delegated Authority
19/01197/LIPDPS	Application to Vary the Designated Premises Supervisor	12 February 2020	Granted Under Delegated Authority
20/08437/LIPDPS	Application to Vary the Designated Premises Supervisor	6 November 2020	Granted Under Delegated Authority
20/11588/LIPV	Variation application: To vary condition 46	8 April 2021	Granted by Licensing Sub-Committee
21/08705/LIPV	Variation application: To vary condition 46	2 February 2022	Granted by Licensing Sub-Committee
23/04650/LIPDPS	DPS Variation	30 July 2023	Granted Under Delegated Authority

**There is no appeal history**

**Temporary Event Notices**

<b>Application</b>	<b>Details of Application</b>	<b>Date Determined</b>	<b>Decision</b>
23/00789/LITENP	Temporary Event Notice	16 February 2023	Notice Granted
23/04388/LITENP	Temporary Event Notice	10 July 2023	Notice Granted
23/06682/LITENP	Temporary Event Notice	6 October 2023	Notice Granted
23/08084/LITENN	Temporary Event Notice	15 November 2023	Notice Granted
23/08272/LITENP	Temporary Event Notice	21 November 2023	Notice Granted
23/08274/LITENP	Temporary Event Notice	21 November 2023	Notice Granted
23/08275/LITENP	Temporary Event Notice	21 November 2023	Notice Granted
23/08276/LITENP	Temporary Event Notice	21 November 2023	Notice Granted
23/08277/LITENP	Temporary Event Notice	21 November 2023	Notice Granted
23/08894/LITENP	Temporary Event Notice	11 December 2023	Notice Granted
24/00451/LITENP	Temporary Event Notice	24 January 2024	Notice Granted

### ***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. Admission of children to the premises must be restricted in accordance with the film classification recommended by the British Board of Film Classification or recommended by this licensing authority as appropriate.

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

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

None

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

11. The Premises Licence Holder shall, if requested in writing by local residents, host publicised meetings with local residents to discuss concerns relating to the operation of the Premises Licence. Notice of such meetings shall be notified in writing to local residents and other interested parties who have registered their wish to be notified to the Premises Licence Holder. The notice period shall be at least 10 days.
12. The Premises Licence holder shall appoint a competent Acoustic Consultant who is registered with the Institute of Acoustics to: (i) carry out a survey, (ii) produce a report and (iii) assist the Premises Licence Holder in producing a 'Noise Mitigation Policy'. The Noise Mitigation Policy shall have regard to all matters contained in the 'Guidance on Noise' Section of the City Council's Licensing Policy (currently Appendix 11 of the 2011 Policy).
13. The Premises Licence Holder shall ensure that the Noise Mitigation Policy is: (i) implemented in full to ensure that, so far as is reasonably practicable, risk of Public Nuisance is minimized; (ii) made available to local residents and to authorised Officers of the City Council upon request. (iii) reviewed from time to time or in response to complaints or concerns received from local residents and, if necessary, amended. The Policy shall also be reviewed and amended if requested by the Environmental Health Consultation Team.
14. A copy of the policy shall be kept at the Hotel reception and shall be available immediately upon request by any local resident or licensing officer.
15. At all times the Hotel will be overseen by at least two SIA Door Supervisors.
16. The licence holder shall maintain a comprehensive CCTV system that ensures all public areas of the licensed premises are monitored, including all entry points, and which enable frontal identification of every person entering in any light condition. All cameras shall continually record whilst the premises are open to the public and the recordings shall be kept available for a minimum of 31 days with time and date stamping. Recordings shall be made available to a duly authorised City Council officer or a police officer together with facilities for viewing. The recordings for the preceding 31 days shall be made available immediately on request. The CCTV system shall be operated in accordance with the Data Protection Act 1998.
17. 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 to the public. This staff member shall be able to show Police recent recording with the absolute minimum of delay when requested.
18. The pavement from the building line to the kerb edge immediately outside the premises, including gutter/channel at its junction with the kerb edge, is swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements.

19. All refuse will be stored internally prior to collection.
20. Notices shall be prominently displayed at exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
21. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
22. No unauthorised advertisements of any kind (including placard, poster, sticker, flyer, picture, letter, sign or other mark) is inscribed or affixed upon the surface of the highway, or upon any building, structure, works, street furniture, tree, or any other property, or is distributed to the public, that advertises or promotes the establishment, its premises, or any of its events, facilities, goods or services.
23. 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.
24. When films are shown cinema style linked seating will not be provided except as agreed with the Environmental Health Consultation Team.
25. Any special effects or mechanical installations shall be arranged and stored so as to minimise any risk to the safety of those using the premises. The following special effects will only be used on 10 days prior notice being given to the Licensing Authority where consent has not previously been given:-
  - dry ice and cryogenic fog (except for food presentations)
  - smoke machines and fog generators
  - pyrotechnics including fire works
  - firearms
  - lasers
  - explosives and highly flammable substances.
  - real flame (except for candles)
  - strobe lighting.
26. No person shall give at the premises any exhibition, demonstration or performance of hypnotism, mesmerism or any similar act or process which produces or is intended to produce in any other person any form of induced sleep or trance in which susceptibility of the mind of that person to suggestion or direction is increased or intended to be increased.

NOTE: (1) This rule does not apply to exhibitions given under the provisions of Section 2(1A) and 5 of the Hypnotism Act 1952.
27. 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.
28. 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.
29. All exit doors on designated escape routes shall be available at all material times without the use of a key, code, card or similar means.
30. All self-closing doors shall be effectively maintained and not held open other than by an approved device.

31. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
32. Curtains and hangings shall be arranged so as not to obstruct emergency signs.
33. The certificates listed below shall be submitted to the Licensing Authority upon written request.
  - Any emergency lighting battery or system
  - Any electrical installation
  - Any emergency warning system.
34. Except for the hotel bedrooms, the licensee shall not permit striptease in the premises. Except for the hotel bedrooms, the Licensee shall not permit nudity and all persons shall be decently attired at all times.
35. With the exception of the showing of films in Hotel Bedrooms, no entertainment, performance, service, or exhibition involving nudity or sexual stimulation which would come within the definition of a sex establishment in Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 as amended by the Greater London Council (General Powers) Act 1986 (whether or not locally adopted), shall be provided under the authority of this licence.
36. With the exception of public and life safety emergency speakers, Loudspeakers shall not be located in the external entrance lobby or outside the premises building.
37. With the exception of designated smoking bedrooms (if any), notices shall be (i) prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
38. Waiter or Waitress service will be available at all times.
39. Capacities:
  - (i) Ground floor:
  - (ii) The maximum number of persons accommodated at any one time (excluding staff) shall not exceed 620, with no more than;
  - (iii) Restaurant 200 persons
  - (iv) Lounge Bar/Function Bar 340 persons
  - (v) Meeting Room 80 persons
40. A sound limiting device located in a separate and remote lockable cabinet from the volume control shall be fitted to any musical amplification system and set at a level determined by and to the satisfaction of an authorised officer of the Environmental Health Service to ensure that no noise nuisance is caused to local residents. The operational panel of the noise limiter shall then be secured to the satisfaction of officer from the Environmental Health Service. The keys securing the noise limiter cabinet shall be held by the licence holder or authorised manager only and shall not be accessed by any other person. The limiter shall not be altered without prior agreement with the Environmental Health Service.
41. No alteration or modification to any existing sound system(s) should be effected without the prior knowledge of an authorised Officer of the Environmental Health Service.
42. No additional sound generating equipment shall be used without being routed through the sound limiter device.
43. All windows and external doors to the ground floor bar and restaurant shall be kept closed from 18:00 hours except for immediate access and egress of persons.



44. No rubbish, including bottles, shall be moved, removed or placed in outside areas between 2300 hours and 0700 hours.
45. There shall be no regulated entertainment within the external courtyard area at any time except for unamplified live music for pre-booked private events and up to four musicians between the hours of 10:00 and 21:00.
46. All tables and chairs shall be removed from the outside area or rendered unusable by 21:00 each day save that up until 30 September 2022 the hour shall be extended to 22:00 in respect of the courtyard only after which time the condition shall be reinstated and thereafter remain in full force and effect.

**Condition 46 is proposed to be varied by the applicant to the following:**

All tables and chairs shall be removed from the outside area or rendered unusable by 21:00 daily Sunday to Wednesday, and 22:00 daily Thursday, Friday and Saturday.

47. A Challenge 21 scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence or passport.
48. The licence holder shall enter into an agreement with a hackney carriage and/or private carriage firm to provide transport for customers, with contact numbers made readily available to customers who will be encouraged to use such services. As part of this agreement that shall require the company to inform all drivers not to wait in the street with the engine running.
49. There shall be at least 1 SIA door supervisor or a dedicated and trained duty manager in the courtyard to manage the courtyard area whose primary purpose is to ensure that the four licensing objectives are promoted in particular that of prevention of public nuisance.

**CHILTERN STREET RESTAURANT**

50. There shall be no entry to new customers after 23:30 Monday to Thursday, 00:00 Friday and Saturday and 22:30 Sundays (00:00 on Sundays before Bank Holidays); and/or (i) No customer shall be permitted to remain in the Restaurant between 01:00 and 07:00 hours Monday to Sunday;  
(ii) Subsections i) and ii) above do not apply to the following persons:-
  - a) Residents of the hotel and their bona fide guests
  - b) Patrons of the hotel proprietor's guest list up to a maximum of 25 persons. Such list to be kept at the reception and for 31 days thereafter and shall be made for inspection at the request of the Metropolitan Police or an authorised officer.
51. The restaurant shall only operate as a restaurant:
  - (i) in which customers are shown to their table,
  - (ii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery,
  - (iii) which do not provide any takeaway service of food or drink for immediate consumption, and where alcohol shall not be sold, supplied, or consumed on the premises otherwise than to persons who are bona fide taking substantial table meal and provided always that the consumption of alcohol by such persons is ancillary to taking such meals except in:
    - (a) the holding bar area; and
    - (b) during pre-booked private functions.
52. There shall be no regulated entertainment in the restaurant.

53. After 11pm and before 7am admission to the restaurant shall be through the hotel only.

#### THE CHILTERN STREET HOTEL LOUNGE BAR/ FUNCTION ROOM

54. (i) No customer shall be permitted to remain in the Hotel Function Room/Lounge Bar between 01:00 and 10:00 hours Monday to Sunday;
- (ii) Subsection (i) above does not apply to the following persons:-
- a) Residents of the hotel and their bona fide guests
  - b) Patrons of the hotel proprietor's guest list up to a maximum of 25 persons. Such list to be kept at the reception and for 31 days thereafter and shall be made for inspection at the request of the Metropolitan Police or an authorised officer.
55. After 9pm and before 7am admission to the Hotel Lounge Bar shall be through the hotel reception only.
56. Except for recorded music, any regulated entertainment shall be restricted to pre-booked private functions. A copy of the booking including any guest list shall be kept at the reception and shall be available for inspection by any officer from one of the Responsible Authorities for a period of 31 days following the event.

#### GROUND FLOOR MEETING ROOM

57. From 23:00 hours to 08:00 following morning, the Ground Floor Meeting Room shall only be used by:- (i) Hotel residents and their bona fide guests; and/or (ii) Patrons of the hotel proprietor's guest list up to a maximum of 25 persons. Such list to be kept at the reception and for 31 days thereafter and shall be made for inspection at the request of the Metropolitan Police or an authorised officer. (iii) For pre-booked events to 1am.
58. Between the hours of 21:00 and 22:00 daily the consumption of alcohol in the courtyard shall only be to patrons seated and served by waiter or waitress service.
- This condition shall only apply until 30 September 2021, after which it shall be removed from the Licence.
59. A Street Warden shall be employed to patrol the vicinity of the premises from 17:00 to midnight on Monday to Saturday and 17:00 to 23:00 on Sunday.
60. 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 are open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31-day period.
61. 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 Officer or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
62. A Challenge 21 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.

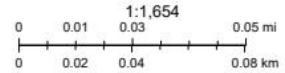
63. An incident log shall be kept at the premises and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:
- (a) all crimes reported to the venue
  - (b) all ejections of patrons
  - (c) 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 Chiltern Street, London



01/03/2024, 10:07:09

- Property Mailing List
- Ward Boundaries
- Ward Labels



**Resident Count = 186**

Licensed premises within 75 Metres of 1 Chiltern Street, London, W1U 7PA				
Licence Number	Trading Name	Address	Premises Type	Time Period
23/04650/LIPDPS	Chiltern Firehouse	1 Chiltern Street London W1U 7PA	Hotel, 4+ star or major chain	Monday to Sunday; 00:00 - 00:00
22/08664/LIPDPS	Monocle Cafe	18 Chiltern Street London W1U 7QA	Cafe	Saturday; 08:00 - 20:00   Sunday; 09:00 - 19:00   Monday to Friday; 07:00 - 20:00
15/02384/LIPVM	Cadenhead's Whisky Shop London	26 Chiltern Street London W1U 7QF	Shop	Monday; 10:00 - 18:30   Friday; 11:30 - 20:00   Saturday; 10:00 - 18:30   Tuesday to Thursday; 10:00 - 20:00

23/03794/LIPN	Not Recorded	56 Blandford Street London W1U 7JA	Public house or pub restaurant	Sunday; 12:00 - 23:00   Monday to Saturday; 10:00 - 23:30
17/11228/LIPDPS	Purl London	Basement 50-54 Blandford Street London W1U 7HX	Wine bar	Sunday; 12:00 - 23:00   Monday to Thursday; 12:00 - 00:00   Friday to Saturday; 12:00 - 00:30   New Year's Eve;
17/05008/LIPN	Simple Health Kitchen	48 Baker Street London W1U 7BS	Cafe	Monday to Sunday; 07:30 - 22:30
22/06407/LIPRW	Pinq	50 - 52 Baker Street London W1U 7BT	Restaurant	Sunday; 12:00 - 02:00   Monday to Saturday; 12:00 - 03:00   Sundays before Bank Holidays; 12:00 - 03:00
23/09143/LIPT	Royal China Club	40 - 42 Baker Street London W1U 7AJ	Restaurant	Sunday; 12:00 - 00:00   Monday to Saturday; 10:00 - 00:30
21/06266/LIPDPS	Chiltern Street Deli	27 Chiltern Street London W1U 7PJ	Cafe within another property	Monday to Sunday; 08:00 - 20:00
24/00695/LIPDPS	Il Baretto	43 Blandford Street London W1U 7HF	Restaurant	Sunday; 12:00 - 23:00   Monday to Saturday; 10:00 - 23:30
13/00772/LIPN	Il Baretto	43 Blandford Street London W1U 7HF	Restaurant	Sunday; 10:00 - 23:00   Monday to Saturday; 10:00 - 23:30
21/12412/LIPDPS	Ten Manchester Street Hotel	10 Manchester Street London W1U 4DG	Restaurant	Monday to Sunday; 00:00 - 00:00   Monday to Sunday; 10:00 - 01:30

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City of Westminster

## Licensing Sub-Committee Report

Item No:	
Date:	21 March 2024
Licensing Ref No:	24/00330/LIPN - New Premises Licence
Title of Report:	M&S Simply Food 83 - 85 Shaftesbury Avenue London W1D 5DX
Report of:	Director of Public Protection and Licensing
Wards involved:	West End
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Roxsana Haq Senior Licensing Officer
Contact details	Telephone: 0207 641 6500 Email: rhaq@westminster.gov.uk

## 1. Application

1-A Applicant and premises			
<b>Application Type:</b>	New Premises Licence, Licensing Act 2003		
<b>Application received date:</b>	17 January 2024		
<b>Applicant:</b>	London Retail Partners Limited		
<b>Premises:</b>	M&S Simply Food		
<b>Premises address:</b>	83 - 85 Shaftesbury Avenue London W1D 5DX	<b>Ward:</b>	West End
		<b>Cumulative Impact Area:</b>	West End
		<b>Special Consideration Zone:</b>	None
<b>Premises description:</b>	According to the application form the premises intend to trade as a Marks & Spencer Simply Food retail store.		
<b>Premises licence history:</b>	This is a new premises licence application and therefore no premises licence history exists.		
<b>Applicant submissions:</b>	None		
<b>Applicant amendments:</b>	None		

1-B Proposed licensable activities and hours							
<b>Sale by retail of alcohol</b>				<b>On or off sales or both:</b>			
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	08:00	08:00	08:00	08:00	08:00	08:00	09:30
<b>End:</b>	23:00	23:00	23:00	23:00	23:00	23:00	22:30
<b>Seasonal variations/ Non-standard timings:</b>		None.					

Hours premises are open to the public							
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	06:00	06:00	06:00	06:00	00:00	00:00	06:00
<b>End:</b>	24:00	24:00	24:00	24:00	24:00	24:00	24:00
<b>Seasonal variations/ Non-standard timings:</b>		None					
<b>Adult Entertainment:</b>		None					



## 2. Representations

2-A Responsible Authorities	
<b>Responsible Authority:</b>	Licensing Authority
<b>Representative:</b>	Karyn Abbott
<b>Received:</b>	14 February 2024

Dear Sirs

I write in relation to the application submitted for a new premises licence for **83 - 85 Shaftesbury Avenue, London, W1D 5DX**

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

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

The application seeks the following:

**Supply of Alcohol Off Premises**  
Monday to Saturday 08:00 to 23:00  
Sunday 09:30 to 22:30

**Opening Hours to Public**  
Monday to Sunday 06:00 to 00:00

The premises is located within the West End Cumulative Impact Area and as such various policy points must be considered, namely CIP1, HSR1 and SHP1.

The Licensing Authority notes within the operating schedule that the premises intends to operate primarily as a M&S Simple Food Store over one floor. It is also noted that operating hours applied for licensable activities currently fall within Westminster's core hours under the HRS1 Policy.

The premises falls within our SHP1 policy clause C 3 which states.

3. The licensable activity of the sale of alcohol for consumption off the premises must be an ancillary function to the primary use of the premises unless that primary use is to sell alcohol for consumption off the premises, e.g. a traditional off licence..

As the premises will be a M&S Simple Food would the applicant agree the below model condition 86.

MC86. The licensable activities authorised by this licence and provided at the premises shall be ancillary to the main function of the premises as a grocery shop.

The Licensing Authority would also like to know if the premises will be doing any deliveries and how this will be monitored and controlled in regards to the off sales.

The Licensing Authority would like the applicant to provide further submissions to the above to be able to assess any further relevant policy considerations.

The Licensing Authority also encourages the applicant to provide further submissions as to how the premises will not add to cumulative impact in the West End cumulative impact area, in accordance with policy CIP1.

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

Please accept this as a formal representation.

<b>Responsible Authority:</b>	Environmental Health Service
<b>Representative:</b>	Maxwell Owusu Koduah
<b>Received:</b>	14 February 2024

**M&S Simply Food, 83 - 85 Shaftesbury Avenue, London, W1D 5DX**

I refer to the new application for the above-mentioned premises. The premises is located within the West End Cumulative Impact Area. I have considered the information that you have provided within and accompanying this application. I have also considered the application in line with the relevant policies within the Councils Statement of Licensing Policy dated October 2021.

The applicant is seeking to supply alcohol for consumption off the premises Monday to Saturday 08:00 – 23:00 hours and Sunday 09:30 – 22:30 hours

**Following consideration of the application and how it may affect the Licensing Objectives and meeting the requirements of the Council’s Statement of Licensing Policy I wish to make the following representations:**

On this occasion, applicant has a responsibility to demonstrate how the proposed hours for the supply of alcohol for consumption off the premises would not lead to increased risk of street drinking issues and pre-loading of alcohol before patrons enter pubs, bars and clubs.

As applied, the hours requested to supply alcohol would have the likely effect of causing an increase in Public Nuisance within the West End Cumulative Impact Area

I have reviewed the conditions proffered as part of the application and additional conditions are being proposed to meet the licencing objectives of Public Nuisance and Public Safety.

For the above reasons, I make a representation on ground of public nuisance and public safety risk to the application.

If the committee is minded granting this application, then consideration may be given to the following conditions proposed to form part of the operating schedule

1. 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
2. Outside of the hours authorised for the sale of alcohol and whilst the premises are open to the public, the licence holder shall ensure that all alcohol within the premises (including alcohol behind the counter) is secured in a locked store room or behind locked grilles, locked screens or locked cabinet doors so as to prevent access to the alcohol by

both customers and staff.

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

Please contact me if you wish to discuss the above further.

<b>Responsible Authority:</b>	Metropolitan Police Service
<b>Representative:</b>	PC Dave Morgan
<b>Received:</b>	30 January 2024

**Application for a New Premises Licence: M&S Simply Food, 83 - 85 Shaftesbury Avenue, London, W1D 5DX - 24/00330/LIPN**

With reference to the above, I am writing to inform you that the Metropolitan Police Service as a Responsible Authority are **objecting** to this application on the basis that if granted, it would undermine the Licensing Objectives, namely The Prevention of Crime and Disorder and the Protection of Children from Harm.

The applicant is seeking:

Alcohol Sales (off sales):

**Monday to Saturday: 0800 – 2300**

**Sunday: 0930 - 2230**

The venue sits within the heart of the Westminster Cumulative Impact Zone and the Police are concerned that this venue may add to the cumulative impact in an already demanding area. I appreciate that you have already supplied a schedule of conditions, but I feel that there are a few more conditions that will need to be added to the licence to help promote the Licensing Objectives.

To move forward, I have attached a list of further conditions that I would like to see added to the licence should it be granted.

Please have a read of these conditions and feel free to contact me should you wish to discuss them further.

- **Outside of the hours authorised for the sale of alcohol and whilst the premises are open to the public, the licence holder shall ensure that all alcohol within the premises (including alcohol behind the counter) is secured in a locked store room or behind locked grilles, locked screens or locked cabinet doors so as to prevent access to the alcohol by both customers and staff.**
- **A minimum of 1 SIA licensed door supervisors shall be on duty at the premises at all times whilst it is open for business and they must correctly display their SIA licence(s) when on duty so as to be visible.**
- **All tills shall automatically prompt staff to ask for age verification identification when presented with an alcohol sale.**
- **Prominent signage indicating the permitted hours for the sale of alcohol shall be displayed so as to be visible before entering the premises, where alcohol is on**

public display, and at the point of sale.

- **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:**
  - i) all crimes reported to the venue**
  - ii) all ejections of patrons**
  - iii) any complaints received concerning crime and disorder**
  - iv) any incidents of disorder**
  - v) all seizures of drugs or offensive weapons**
  - vi) any faults in the CCTV system, searching equipment or scanning equipment**
  - vii) any refusal of the sale of alcohol**
  - viii) any visit by a relevant authority or emergency service.**
  
- **No miniature bottles of spirits of 20 cl or below shall be sold from the premises.**
  
- **There shall be no self-selection of spirits on the premises, save for spirit mixtures less than 5.5% ABV.**
  
- **On the Day of London Pride:**
  - i. Alcohol sales in respect of cans of beer or cider are limited to no more than 4 cans per person.**
  - ii. The premises will not externally advertise local promotions of alcohol.**
  - iii. No sales of alcohol in bottles or glass containers are made during this period.**
  - iv. Upon the direction of a Police Officer, using the grounds of the prevention of crime and disorder or public safety, the premises will immediately cease to sell alcohol until further directed by the Police.**

Kind regards,

PC Dave Morgan  
Westminster Licensing Unit



PC David Morgan  
Westminster Police Licensing Unit  
Westminster City Hall  
15th Floor, 64 Victoria Street  
London  
SW1E 6QP  
Email: dmorgan@westminster.gov.uk  
Your ref: 24/00330/LIPN

Dear Westminster Licensing Team,

The Metropolitan Police Service wishes to submit the further following information with regards to the representation made for:

**London Retail Partners Limited, 83 – 85 Shaftesbury Avenue, London, W1D 5DX**

As stated in my initial representation, the Police are objecting to this application on the basis that if granted, it would undermine the Licensing Objectives, namely The Prevention of Crime and Disorder and the Protection of Children from Harm.

The premises are intended to be an M&S Simply Food store and the venue sits on the corner of Shaftesbury Avenue and Frith Street. This is a very busy area and falls within the Westminster Councils Cumulative Impact Zone (CIZ).

The walking distances to the nearest underground stations are approximately:

Leicester Square: 365m  
Piccadilly Circus: 360m

As this is a new development, the Police have no historic crime data for the venue itself and the Police have no criticism of the operator.

Although the applicant has offered and accepted various conditions during the consultation period, the Police have asked for two further conditions to help promote the Licensing Objectives. These have been rejected by the applicant. These are:

1. Outside of the hours authorised for the sale of alcohol and whilst the premises are open to the public, the licence holder shall ensure that all alcohol within the premises (including alcohol behind the counter) is secured in a locked store room or behind locked grilles, locked screens or locked cabinet doors so as to prevent access to the alcohol by both customers and staff.
2. A minimum of 1 SIA licensed door supervisors shall be on duty at the premises at all times whilst it is open for business and they must correctly display their SIA licence(s) when on duty so as to be visible.

The reasons for requesting these conditions are that the Police have concerns with the venues location (being within the heart of the CIZ) and the potential issues it will cause with regards to shoplifting and Anti-social behaviour in the area.

The CIZ as a whole is experiencing higher levels of crime than at pre-covid levels and the Police have concerns that another licensed venue that is not conditioned sufficiently will have an adverse effect on the Cumulative Impact in that area.

As per the new draft Cumulative Impact Assessment 2023, Westminster now has the highest crime volumes in London and has the highest crime rate per 100,000 population. The West End (West End and St James Wards) now account for just under 66% of all crime within Westminster and 74% of all 'public realm' crime.

The 'West End Zone 1' where this venue sits, is described as the epicentre for issues associated with cumulative impact within the borough.

As can be seen from the statement provided by the local Dedicated Ward Officer, PC De Santis (Appendix 1), shoplifting can cause a major strain on the Police and their resources. He states that there were 260 shoplifting offences recorded within the West End in February and many of these offences were committed by those affected with alcohol and substance misuse.

Due to the area and the high crimes rates, the Police feel that without the two extra conditions requested, criminals will be drawn to the venue and this will ultimately cause issues for the Police and the wider community.

It is appreciated that each application is considered on its own merits but it is noted that a number of nearby similar sized convenience stores within the CIZ also have similar conditions to what the Police are requesting. These are:

- Co-Op, 104-105 Berwick Street, W1F 0QS (21/14598/LIPDPS) – MC28 & 1 x SIA
- Co-Op, 456 -459 Strand, WC2R 0RG (21/12718/LIPDPS) – MC28 & 1 x SIA
- Sainsbury's, 57-63 Charing Cross Road, WC2H 0NE (23/01552/LIPDPS) – MC28 & 1 x SIA
- Sainsbury's, 36-37 Strand, WC2N 5HY (23/09116/LIPDPS) – MC28
- M&S Simply Food, Unit 16, Charing Cross Station (24/00385/LIPDPS) – MC28 (similar wording)

It has recently been documented that the levels of convenience store shoplifting has been increasing in recent months. Appendix 2 shows the recently published Crime Report 2024 from the Association of Convenience Stores (ACS).

The report shows that shoplifting within the convenience store sector has increased by over 400% in the past year and that shops within the UK recorded 5.6million incidents of shop theft over the last year, up from the previous record of 1.1m incidents recorded in the 2023 Crime Report.

Other additional findings from the report were:

- The top motivations for repeat offending are (1) drug or alcohol addiction, (2) organised crime and (3) opportunism.

- The top triggers for abuse in stores are (1) encountering shop thieves, (2) enforcing the law on age restricted sales and (3) refusing to serve intoxicated customers.
- 87% of workers in convenience stores have faced verbal abuse over the last year. Two thirds of retailers (67%) believe that the cost of living crisis has led to an increase in theft.
- More than three quarters of retailers (76%) believe organised crime has become more prevalent over the last year.

The conditions requested by the Police are to help prevent crime and disorder and to make the venue undesirable to those wishing to commit crime. They are designed to keep both shop workers and customers safe and the Police are concerned that without them, organised and opportunistic shoplifting will target the venue which will likely have an adverse impact on the Police and the local area.

It is for these reasons that the Police request that the Licensing Sub-Committee consider imposing the two conditions requested by the Police should they be minded to grant the licence.

Dave Morgan

Westminster Police Licensing Team

## WITNESS STATEMENT

Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

URN

Statement of: PC DE SANTIS

Age if under 18: Over 18 (*if over 18 insert 'over 18'*) Occupation: Police Officer p252384

This statement (consisting of 1 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.

Witness Signature:

Date: 09/03/2024

Tick if witness evidence is visually recorded  (*supply witness details on rear*)

Notes started 23:42 on Saturday 9 March 2024 at CHARING CROSS POLICE STATION.

This is a statement about for recommendations relating to a new plan for a new store opening within my ward in SOHO.

I am the above named person and I'm a sworn police constable with the Metropolitan Police Service. In my service I had the opportunity of working as an Emergency Response Officer, West End Tasking Unit, The Fugitive Unit looking for wanted people and now as the SOHO Dedicated Ward Officer.

I was made aware of a new application for a new store which will include the sale of alcohol in the area. I have worked in SOHO and the WEST END for a very long time. Much of my work in the area is related to alcohol and other substance misuse. We have an issue of theft and shoplifting usually associated with these individuals which can cause a major strain in our police resourcing and our capacity to respond to incidents. It is so much so, that WESTMINSTER CITY COUNCIL has provided a PSPO in the area to deter and prevent issues relating to the consumption of alcohol on the streets. However, given the large number of people at night, this is impossible to police effectively. The location of this new store will likely increase the issue in the area, impacting how we can respond to violent crime.

As a local police officer, I vehemently oppose the sale of alcohol if this is going to happen without conditions that can ensure the safety of the staff and prevent offences that would cause a continuous resource problem to police. As you can see from the below graphs, the issue of theft and shoplifting in the WEST END is a large issue for us to tackle effectively as it stands, and a new store selling alcohol without preventive measures would make this much worse. As the figure below indicates, for the past month there has been about 260 offences in the WEST END. SOHO can be seen as a contributor to this, and therefore it would be irresponsible to have a new store selling alcohol without provisions to ensure staff safety and prevent offending.

I have also included the figures for anti-social behaviour in the area which impact the comfort and safety and the local community and residents. As seen by the below figures, they are also very high and cause a massive disruption to our daily operational deployments. I trust these to assist in considerations for the opening of any new store and the impact it will cause the local community and our policing response.

Witness Signature: .....

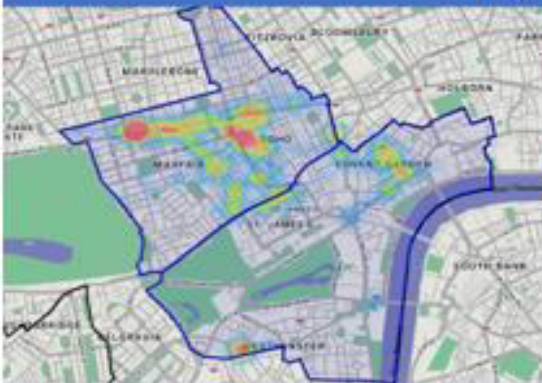
Signature Witnessed by Signature .....

Page 1 of 2



Continuation of Statement of: PC DE SANTIS

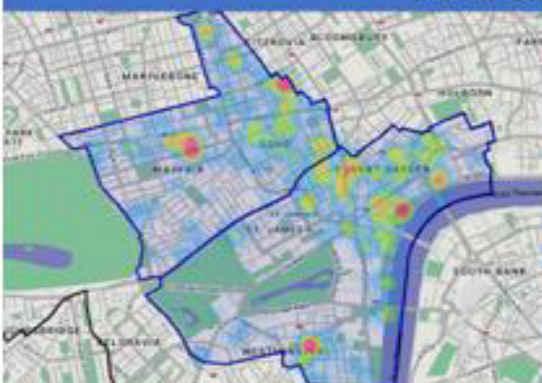
### Theft Shoplifting



For Feb there were 303 offences, this is an increase of 16.09% compared to last year's 261 offences and a decrease of 8.46% compared to Jan's 331 offences. Over previous rolling 12 months there were 3,839 offences, this is an increase of 30.58% compared to last year's 2,940 offences.

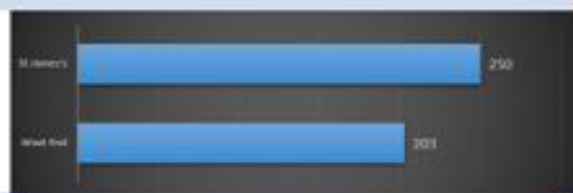


### Anti Social Behaviour



For February there were 453 reports, this is an increase of 7.86% compared to last year's 420 reports and a decrease of 2.79% compared to January's 466 reports. Over previous rolling 12 months there were 6,235 reports, this is an increase of 9.29% compared to last year's 5,700 reports.

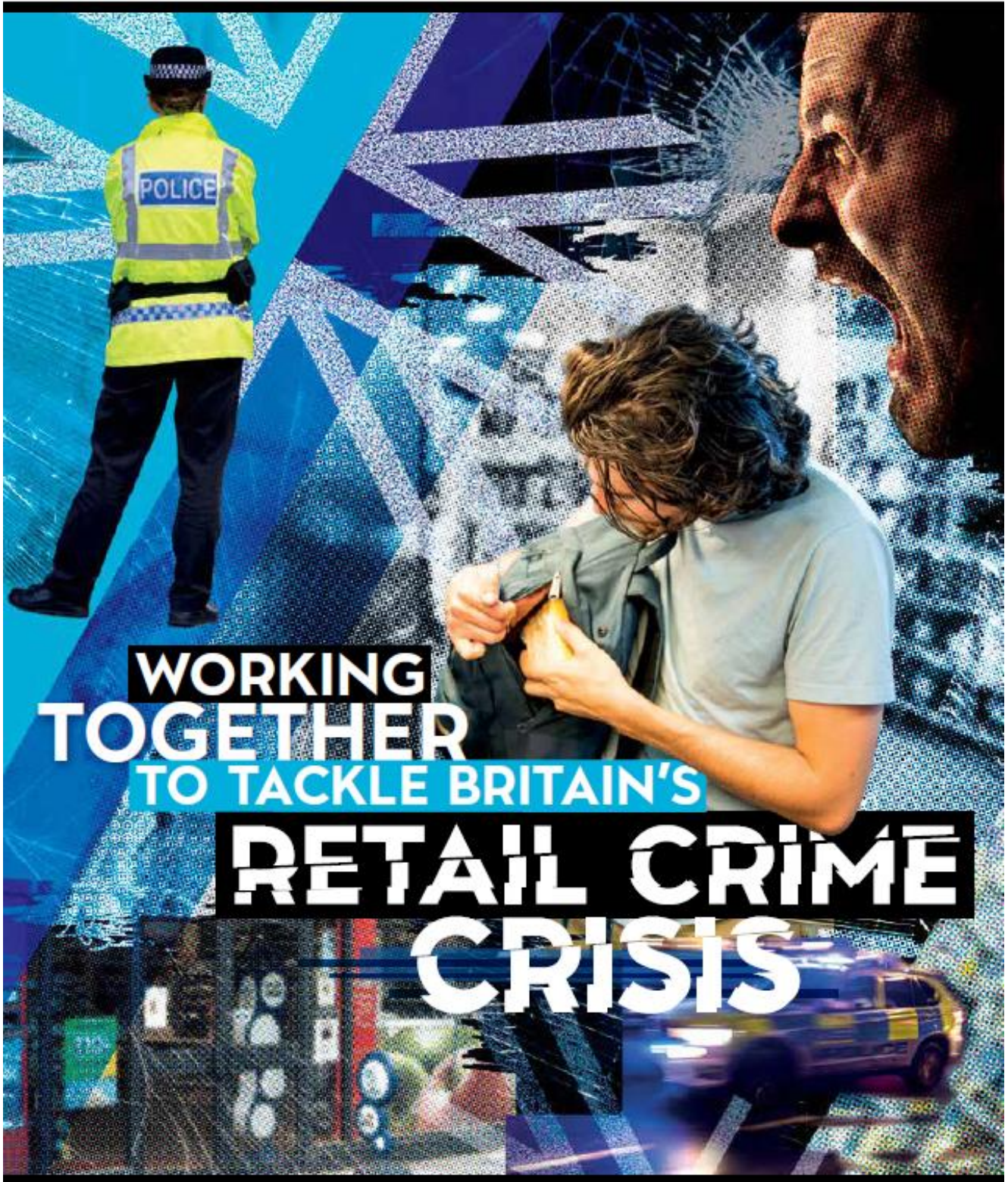
Category	Count
Environmental	14
Nuisance	407
Personal	34



Statement finished at 23:59 at CHARING CROSS POLICE STATION.

Witness Signature: 

Signature Witnessed by Signature: .....



# The Crime Report 2024

A report by the Association of Convenience Stores  
#ACSCrimeReport

**ACS** | the voice of  
local shops

Contents

2	Foreword	7	Tackling verbal abuse and anti-social behaviour
3	Evidence for action	8	Organised crime, burglary and fraud
4	Investment in crime prevention	9	Working with the police
5	Tackling shop theft	10	Managing crime
6	Tackling violence against shopworkers	12	Methodology

Foreword

The surge in media stories on retail crime over the past year tells us two things. Firstly, the problem has got worse and the statistics and stories are more striking than ever. Secondly, this is an issue the public cares about because it impacts people – the 437,000 who work in local shops, their families, and the wider community who use those stores and value the role they play. Stores being looted and shelves cleared is sadly not new for retailers and shopworkers, but it was a shock to the public.

Our Crime Report tracks the crime committed against these people and their businesses, and it is vital in informing the debate on how to tackle this serious problem. We take no pleasure in reporting these difficult findings. However, previous reports have helped to jolt politicians and police forces to look more closely at their response to crimes against local shops. We are encouraged by the publication of the National Retail Crime Action Plan. It highlights that police forces need to prioritise attendance at incidents where violence is used, to focus on lines of enquiry where evidence is available and implement a prolific offender strategy to address the small number of offenders that account for most of the crime and anti-social behaviour in communities.

I hope that the 2024 report, released just before the Police and Crime Commissioners elections in May, gives the evidence to make retail crime feature more prominently

Cost of crime to convenience stores

Crime against convenience retailers costs an estimated

£245m to the sector

£4,946 per store

10p crime tax per transaction

ACS the voice of local shops

ACS is proud to have co-ordinated the retail sector's support for ShopKind on behalf of the Home Office.



ShopKind



Home Office

EVIDENCE FOR ACTION – POLICY RECOMMENDATIONS

Recommendations for the UK Government

**1** Deliver justice for shopworkers and effective sanctions for offenders

The courts must use effective penalties for retail crime offenders including rehabilitation orders, community sentences and custodial sentences. The Government should formally review the impact of the aggravating factor for attacks on shopworkers, introduced as part of the Police, Crime, Sentencing and Courts Act (2022). If evidence suggests that the factor has not had an impact on sentencing outcomes, then the Government must implement a standalone offence for attacks on shopworkers.

**2** Additional police resources must be focused on neighbourhood policing

Commitments to increase the number of police officers are welcome, but only if this delivers a rise in neighbourhood policing patrols in hot spot areas, like high streets and local shopping parades. When we ask voters how they would invest funding in their communities two thirds (67%) want money spent in neighbourhoods on enhancing public spaces, community projects and community policing.

**3** Support investment in technology to deter and detect criminals

The Government should introduce incentives for investment in crime prevention equipment. The Home Office should co-ordinate a working group to increase the synergy between retailers' and police forces' use of technology to tackle retail crime. CCTV, facial recognition, and evidence sharing platforms can be powerful tools to detect and deter criminals. However, there is a lack of guidance on the use of facial recognition services. Further, online reporting platforms need to be compatible with retailers' own data systems to reduce time and friction in reporting crime.

Recommendations for Police and Crime Commissioners

**1** Include the National Retail Crime Action Plan in your Police and Crime Plan

All Police and Crime Commissioners should commit to deliver the National Retail Crime Action Plan in their Police and Crime Plans. This means prioritising police attendance at shops where violence is used or threatened, following reasonable lines of enquiry where CCTV footage is available and delivering hot spot patrolling.

**2** Develop a prolific offender strategy

Every Police and Crime Commissioner should have a strategy in place to identify prolific offenders that target high streets and local shopping parades. The majority of shop theft offences are committed by a small number of prolific offenders that often have drug addiction issues. Targeting this small group of offenders and supporting them to access rehabilitation services would have a huge impact on the level of shop theft and anti-social behaviour that blights communities.

**3** Make it easier for retailers to report crime and share evidence online

It is difficult and time consuming for retailers to report crime and share evidence with the police. Investing in consistent online reporting platforms would increase reporting levels and evidence shared with the police. This would ensure that police resources are allocated appropriately to meet the levels of crime in communities.

## Investment in crime prevention

"The rising levels of shop theft, violent crime and abuse threatens the wellbeing of retail staff. We have been equipping our colleagues with increased protection measures to help them feel safer at work. CCTV, security staff and intruder alarms have a significant impact on the security of convenience stores. We need government to support investment in crime prevention equipment to protect colleagues."

**Paul Gerrard, Campaigns, Public Affairs and Board Secretariat Director, The Co-op**

For more information go to [acs.org.uk](https://acs.org.uk)

**£339m**  
invested in crime prevention  
across the sector over the last year

### Top areas of support for colleagues

- 1 Counselling services
- 2 Support helpline made available
- 3 Additional training on crime management

### Retailers' investment priorities

- 1 CCTV
- 2 Security staff
- 3 Staff training on crime management
- 4 Intruder alarms
- 5 Internal radios

On average each store spent  
**£6,838**

on crime prevention measures over the year

### What we need

Retailers are investing record amounts in their businesses to prevent crime and protect colleagues and customers. Their priority is working with store colleagues to improve safety by providing training, employing dedicated security staff and delivering protective equipment such as CCTV, body worn cameras and internal radios.

Retailers are increasing their investment despite rising overhead costs driven by inflation and increased energy bills. We want the Government to support investment in crime prevention equipment, whether through tax relief or direct funding. We also need police and regulators to provide clarity on how to use new technologies such as facial recognition, to deter criminals.

## Tackling shop theft



"As a shop owner in Croydon, I've witnessed firsthand the escalating challenge of shop theft. This issue not only affects our business' already strained finances, but it also puts our staff and customers in distress. We've had to implement significant security measures to protect our premises and people. However, I believe that, beyond these measures, there's a need for greater awareness, community involvement, and support from law enforcement to tackle this growing concern effectively. Together, we can create a safer retail environment."

**Benedict Sohamtam, Owner, Freshfields Market**

For more information go to [acs.org.uk](https://acs.org.uk)

**67%** of retailers believe the cost of living crisis has led to an increase in theft



### Profile of shop thieves



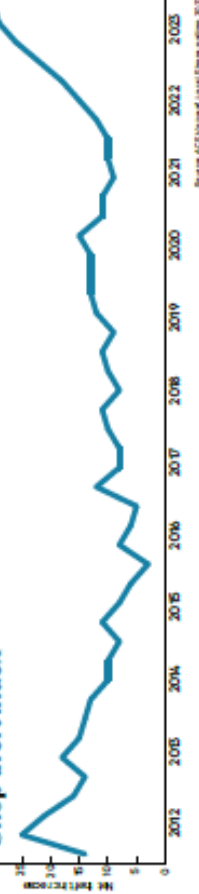
### Motivations for repeat offending

- 1 Drug or alcohol addiction
- 2 Organised crime
- 3 Opportunistic

### Most commonly stolen items

- 1 Meat
- 2 Alcohol
- 3 Confectionery

### Shop theft index



### What we need

Most shop theft is committed by a small number of offenders known to retailers, communities and the police. Every police force must prioritise identifying and tackling prolific offenders. Retail businesses should be able to access simple and effective systems to report crime and share evidence. We need to break the cycle of under reporting by investing more in police reporting systems and encouraging retailers to report all crime. ACS has created a dedicated guide for retailers on how to report crime, available at [www.acs.org.uk](https://www.acs.org.uk)

There also need to be effective sanctions for criminals. Prolific repeat offenders are often not even being taken to court, and when they are, the penalties they receive are not effective and can lead them to re-offend. The courts need to reflect the impact of retail crime in their sentencing decisions, and to look not just at custodial sentences but also rehabilitation orders and community sentences to break the cycle of re-offending.

## Tackling violence against shopworkers

"Too often shopworkers have to deal with violence. No one should be physically attacked at work."

Muhammed Rajak, Director, Buywell Day Today

For more information go to [acs.org.uk](http://acs.org.uk)

Number of incidents of violence estimated in the sector

**76,000+**

Number of incidents of robbery estimated in the sector

**6,100+**

### Top triggers for violence



### Of crimes where a weapon was present



### What we need

Retailers tell us that the volume and severity of violent incidents in their stores is unprecedented. There is a strong correlation between rising incidents of shop theft and violence towards shopworkers. Shop thieves increasingly use violence and abuse to intimidate shopworkers so they can get away from the scene.

We welcome the ongoing debate about the introduction of a standalone offence for attacks on shopworkers. The Government must lead an assessment into the impact of the aggravating factor for assaults on public facing workers in sentencing guidelines. We want to prioritise police attendance for incidents where violence is used or threatened in shops, and ensure evidence is gathered to support cases being heard in court.

## Tackling verbal abuse and anti-social behaviour

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"Convenience stores are the heartbeat of local communities. Verbal abuse and anti-social behaviour frightens customers and can make our communities feel unsafe."

Sue Nithyanandan, Owner, Concuter Epsom

For more information go to [acs.org.uk](http://acs.org.uk)

**87%** of store colleagues have experienced verbal abuse

### Over 1.2 million incidents of verbal abuse

**34%** of verbal abuse incidents are hate-motivated, according to retailers

**61%** of retailers believe anti-social behaviour in or around their store has increased over the past year

### Top anti-social behaviour concerns

- 1 Rowdy or irresponsible behaviour
- 2 Loitering
- 3 Littering
- 4 Begging
- 5 Vandalism

### What we need

Anti-social behaviour blights communities and male vital services, including shops, feel unsafe. 6% of retailers tell us that anti-social behaviour, including rowdy or inconsiderate behaviour, loitering, littering, begging and vandalism, has increased over the past year.

Police should use the anti-social behaviour powers that are already available to them and deliver the National Retail Crime Action Plan by conducting hot spot patrolling in areas with high levels of crime and anti-social behaviour. Community police must be provided the resources necessary to deliver these initiatives.

## Organised crime

"Convenience stores are increasingly targeted by gangs stealing to order and looting. We share evidence, and I would encourage retailers to report crime every time, but we need to have faith that the police will investigate offences and use that data - particularly to target these organised groups."

Susan Connolly, Connolly Spar, Sales & Marketing Director

For more information go to [acs.org.uk](http://acs.org.uk)

## 76% of retailers believe incidents involving organised crime groups have increased in the last 12 months

### Burglary

Number of incidents of burglary estimated in the sector = **7,100+**

The cost per incident = **£4,385**

Total cost to the sector = **£31m**

### Fraud

#### Retailers' top fraud concerns



#### What we need

Organised criminals impact the convenience sector through localised gangs stealing to order from stores, often exploiting vulnerable people with addiction problems to steal on their behalf. Some gangs operate across police force boundaries. 76% of retailers tell us that they believe that incidents in their businesses involving organised crime groups have increased in the last year.

We welcome the development of Operation Pegasus, which is delivering important action against these groups. However, there is still more to do. Police and government need to make it easier for all retailers to share evidence with the authorities and report incidents.

## Working with the police

ACS | the voice of local shops

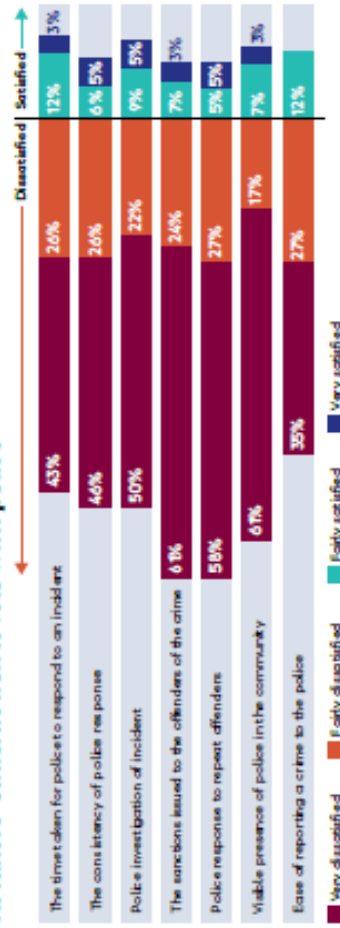


"Retail Crime, verbal abuse and violence against shopworkers are issues in our communities. Retail crime can damage finances already under pressure from inflation and cause serious physical and mental harm to both store colleagues and customers. Businesses and the police are working closely to better tackle retail crime. Retailers should always report crime so the police have the best possible picture of what is happening."

Alex Goswami, Chief Superintendent, North Wales Police

For more information go to [acs.org.uk](http://acs.org.uk)

## Retailers' satisfaction levels with police



**ONLY 42%** of all retail crime is reported by retailers to the police

**Why retailers don't always report crime**  
Based on open-ended responses)



1. No confidence in a follow up investigation



2. Perceived lack of interest from police



3. The time it takes to file and prove is reports

#### What we need

We welcome that the vast majority of Police and Crime Commissioners now reference business crime in their Police and Crime Plans. However, much more progress is needed. Retailers are dissatisfied with the ease of reporting incidents to the police, which leads to underreporting.

When retailers do report incidents, the majority do so online. It is important that all police forces make available simple online reporting for retailers. We have launched the Stop Shop Theft Campaign to campaign for forces to tell retailers how they should be reporting incidents and who their single point of contact for business crime is. The campaign is available here: <http://myurl.com/bothertz>

Crime is one of the biggest operational challenges for retailers and the illustration below outlines some of the key considerations for managing crime.

Assessing the vulnerabilities of your business to crime and planning a proportionate response is essential, whether it is installing CCTV or providing additional training for staff.

An example risk assessment for a convenience store is available from the Health and Safety Executive website: <https://www.hse.gov.uk/htsk/cvsaestudies/pd/youngspert.pdf>

## External security



Where reasonably practicable, advertising on shop windows should be restricted to allow for clear viewing into and out of the premises.

Ensure that all doors and windows are secured to prevent burglaries.

For high-risk stores, consider the installation of external shutters (this may require planning consent).

## Anti-social behaviour

If you are experiencing anti-social behaviour contact your local police or community safety partnership via [www.police.uk](http://www.police.uk) or your local police website

If you are experiencing persistent anti-social behaviour you can use the Community Trigger power to force a response from local agencies. To find out how to activate the Community Trigger in your area visit: <https://asbhelp.co.uk/asb-help/>

## ATMs

If you have an ATM located outside, ensure that you have CCTV with a good view of the ATM. This will help with the police investigation in the event of an ATM tam raid.

## Colleagues and customers



## Store colleagues

Make sure you consult with store colleagues on risks assessment and provide regular training on:

- Security measures such as panic buttons and CCTV;
- Internal and external crime reporting processes;
- Dealing with abusive customers.

ACS has developed the following materials to support store colleagues:

- ACS Managing Violence and Abuse in Convenience Stores. The animation is available on ACS' YouTube Channel
- The Suzy Lamplugh Trust in association with ACS has developed 'Suzy's Charter for Workplace Safety'.

## Customer service

Be attentive, acknowledge all customers as they enter the store, so that potential thieves know that you are watching them.

Display shopping materials in your store to promote positive behaviour towards store colleagues.

If you think you have spotted someone concealing goods, avoid direct confrontation, instead, offer them a silent or help with carrying their goods.

## In-store security



## CCTV

Ensure one camera provides quality images of everyone entering your premises and a second that covers the till. Identify other frequently targeted areas of the store for camera location and consider the angle of view and lighting.

When operating CCTV in your premises you need to display signs telling people CCTV is in operation. You must also keep a record of your policy for protecting your customers and employees' privacy for example not using audio recording or putting cameras in private areas. Do not keep CCTV footage for longer than you need. More information is available on the Information Commissioner's Office website: [ico.org.uk](http://ico.org.uk)

Any company using CCTV for crime prevention purposes is required to pay an annual data protection fee to the Information Commissioner's Office. To find out more about how to pay your annual data protection fee visit [ico.org.uk/fee](http://ico.org.uk/fee)

## Self-Scan Tills

ACS created dedicated guidance on preventing theft from self-scan tills that is available on the ACS website: [acs.org.uk/crime-report-2022](http://acs.org.uk/crime-report-2022)

## Cyber crime

Retailers can protect themselves from the most common cyberattacks by backing up data, keeping smartphones and tablets safe, preventing malware damage, avoiding phishing attacks, (e.g. emails asking for sensitive information such as bank details), and using passwords to protect your data

For more information on ways to improve cyber security in your business see the National Cyber Security Centre's guidance for small businesses here: [nccsc.gov.uk/smallbusiness](http://nccsc.gov.uk/smallbusiness)

## Till position

Place high-value goods or targeted products (meat, cheese, alcohol, confectionery) in view of the till.

Ensure that the front of the store is visible from the till so staff can see customers approaching.

## Age restricted sales

Ensure you have visible Challenge 25 signage at the entrance, till and near all age-restricted products in your store. This will remind customers they will be a challenged for proof of Age. You can download and print Challenge 25 materials here: [acs.org.uk/challenge25](http://acs.org.uk/challenge25)

Make sure staff know the store policy and acceptable proof of age documents.

When asking for ID think about the following as ways to prevent confrontation: deflect, flatter, being constructive. For more information about ways to mitigate violence from enforcing age-restricted sales, see ACS' Preventing Underage Sales Guide here: [acs.org.uk/advice/age-restrictions](http://acs.org.uk/advice/age-restrictions)

## Managing cash

To reduce the risk of burglary and robbery, decrease the amount of cash held in tills and on your premises and consider using counter drop safes. Regularly change the routine of banking procedures so they are not easily observable.

To reduce the risk of burglary and robbery, decrease the amount of cash held in tills and on your premises and consider using counter drop safes. Regularly change the routine of banking procedures so they are not easily observable.

## Internal theft

- Check references of any new employee
- Highlight internal investigation procedures in staff meetings or staff newsletters
- Implement training processes for Store Managers and Supervisors to help them identify staff theft
- Train staff to make them aware of the security features in-store.

## Identifying staff theft

- Monitor till processes carefully and review individual end of day reports.
- Use till company's systems to allow CCTV to combine with real-time till receipt images.
- Monitor voids and refunds transactions closely
- Analyse till, cash management and inventory data to identify trends - look for anything out of the ordinary.
- When carrying out internal theft investigations, ensure you establish how and why the offence happened. This enables you to tackle the motive and presents an opportunity to prevent future incidents.

## Reporting staff theft

- Report incidents to the police using the 101 number.
- Only using civil action means that the offender can move into another business and repeat the offence.



## 1. ACS Crime Survey 2024

Unless otherwise stated all data in this report comes from ACS' Crime Survey 2024: an online survey conducted between 13<sup>th</sup> November 2023 and 12<sup>th</sup> January 2024 capturing incidents of crime experienced by convenience retailers over the last 12 months.

The survey had 47 valid respondents, representing over 8,200 convenience stores in total. The survey gathered responses from independent, multiple and co-operative retailers and the data has been weighted to represent these store types in the same proportion as they are represented in the overall market. Data regarding the overall number of stores in the convenience sector, as well as a breakdown by store type, can be found in ACS' 2023 Local Shop Report.

## 2. Why retailers don't always report crime

Information on why retailers don't always report crime was captured through the following open-ended question: 'What, if anything, prevents you from reporting crimes to the police?'. Responses were categorised into themes using an inductive coding approach, resulting in the themes represented in the report.

## 3. ACS Voice of Local Shops survey (VOLS)

The VOLS survey is a telephone survey with a sample of 1,100 independent retailers, including unaffiliated, symbol group and independent forecourt retailers.

The Shop Theft Index was created from the following VOLS question:

*Which of the following best describes your experience of violence in the last year?*

- I have experienced an increase in shop theft
- I have experienced a decrease in shop theft
- I have experienced the same level of shop theft
- I have not experienced any shop theft
- Don't know

The index number is the percentage of retailers who experienced an increase minus the percentage who experienced a decrease.

## 4. ACS Colleague Survey 2023

An online survey looking at the demographics, experiences and situations of staff working within the convenience sector. Fieldwork was carried out between 26<sup>th</sup> January and 10<sup>th</sup> March 2023. The percentage of staff experiencing verbal abuse was based on the following question within the Colleague Survey:

*Over the last twelve months, how often (if at all) have you been a victim of the following in the workplace?*

- Never
- Hardly ever
- Every few months
- Monthly
- Don't know
- Daily or almost daily

Those who responded with any option other than 'never' were considered to have experienced some form of verbal abuse in the last year.

## 5. Shopper Polling

A survey of 1,072 UK adults conducted by Yonder. Fieldwork was carried out between the 29<sup>th</sup> and 30<sup>th</sup> of March 2023. The percentage of customers who have witnessed violence or abuse towards shopworkers was based on the following question:

*Have you ever witnessed shopworkers being verbally or physically abused by another customer?*

- Yes I have
- No I haven't
- Don't know
- Prefer not to say

Those who answered 'don't know' or 'prefer not to say' were excluded for analysis.

## Acknowledgements

Thank you to all the retailers who took the time to complete our 2024 Crime Survey and share their crime data with us, without which this report would not be possible.

## Additional resources

For more information about retail crime and wider crime trends please see the following websites, reports and statistics:

**ShopKind campaign**  
<https://nbcc.police.uk/crime-prevention/shopkind-webpage>

**British Retail Consortium**  
<https://brc.org.uk/making-a-difference/priorities/crime/>

**USDAW Freedom From Fear campaign**  
<https://www.usdaw.org.uk/freedomfromfear>

**Home Office Commercial Victimization Survey (CVS) 2022**  
The CVS is a telephone survey where respondents from a representative sample of business premises in England and Wales are asked about crimes experienced at their premises in the 12 months prior to the interview.

Estimates for the 2022 CVS are based on 390 interviews with respondents at premises in wholesale and retail.

<http://tinyurl.com/y72t5bp6>

**Office for National Statistics (ONS) Crime in England and Wales**  
ONS publish quarterly their Crime in England and Wales statistical bulletins which are produced in partnership with the Home Office. The statistics are based on police recorded crime data and look at trends in overall police recorded crime.

<http://tinyurl.com/5ky82ymk>



For more details on this report and guidance, contact Rosie Wiggins at ACS by emailing [rosie.wiggins@acs.org.uk](mailto:rosie.wiggins@acs.org.uk)

For more details on ACS:  
Visit: [www.acs.org.uk](http://www.acs.org.uk)  
Call: 01252 515001  
Follow us on Twitter: @ACS\_Localshops



### 3. Policy & Guidance

The following policies within the City of Westminster Statement of Licensing Policy apply:	
<p><b>Cumulative Impact Policy CIP1 applies</b></p>	<p><b>A.</b> It is the Licensing Authority’s policy to refuse applications within the West End Cumulative Impact Zone for: pubs and bars, fast food premises, and music and dancing and similar entertainment, other than applications to:</p> <ol style="list-style-type: none"> <li>1. Vary the hours within Core Hours under Policy HRS1, and/or</li> <li>2. Vary the licence to reduce the overall capacity of the premises.</li> </ol> <p><b>C.</b> Applications for other premises types within the West End Cumulative Impact Zones will be subject to other policies within this statement and must demonstrate that they will not add to cumulative impact.</p> <p><b>D.</b> For the purposes of this policy the premises types referred to in Clause A are defined within the relevant premises use policies within this statement.</p>
<p><b>Hours Policy HRS1 applies</b></p>	<p><b>A.</b> 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>B.</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</li> </ol>

	<p>time before customers are required to leave the premises.</p> <p><b>13.</b> The council, acting as the Licensing Authority, may reduce hours if, after review, it is necessary to impose conditions specifying shorter hours in order to promote the licensing objectives.</p> <p><b>14.</b> Specific days for non-standard hours should be identified and justified as part of the application to allow responsible authorities and interested parties to evaluate the impact that these licensable activities may have, and to plan accordingly. The consideration of applications for later hours for Bank Holiday Mondays will take into account that later hours are generally granted for preceding Sundays and that the next day is a working day. Non-specific days are expected to be covered by Temporary Event Notices or variation applications.</p> <p><b>C.</b> 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> <p><b>11a. Shops (all licensable activities that are provided as ancillary to the primary use of the premises as a shop except the off sale of alcohol)</b>  Monday to Thursday: 9am to 11.30pm.  Friday and Saturday: 9am to Midnight.  Sunday: 9am to 10.30pm.  Sundays immediately prior to a bank holiday: 9am to Midnight.</p> <p><b>11b. Shops (off-sales of alcohol where it forms either the ancillary or primary use of the premises)</b>  Monday to Saturday: 8am to 11pm.  Sunday: 9am to 10.30pm.</p> <p><b>D.</b> 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><b>E.</b> 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>Shops Policy SHP1 applies</b></p>	<p><b>B.</b> Applications for a shop inside the West End Cumulative Impact Zone will be considered on their own merits and subject to:</p> <ol style="list-style-type: none"> <li><b>1.</b> The application meeting the requirements of policies CD1, PS1, PN1 and CH1.</li> <li><b>2.</b> The hours for licensable activities are within the council’s Core Hours Policy HRS1.</li> <li><b>3.</b> The operation of any delivery services for alcohol meeting the council’s Ancillary Alcohol and/or Late-night Refreshment Delivery Service Policy DEL1.</li> <li><b>4.</b> The applicant having taken account of the Special Consideration Zone Policy SCZ1 if the premises are located within a designated zone.</li> <li><b>5.</b> The application and operation of the venue meeting the definition of a shop in <b>Clause C.</b></li> </ol>

	<p><b>C. For the purposes of this policy:</b></p> <ol style="list-style-type: none"> <li>1. A shop is defined as a stall, vehicle, vessel, temporary structure, building or part of a stall, vehicle, vessel, temporary structure or building where the primary activity is the sale of goods or services to customers upon payment.</li> <li>2. The licensable activities for the sale of alcohol for consumption on the premises, regulated entertainment and/or late night refreshment must be ancillary to the primary use of the premises as a shop.</li> <li>3. The licensable activity of the sale of alcohol for consumption off the premises must be an ancillary function to the primary use of the premises unless that primary use is to sell alcohol for consumption off the premises, e.g. a traditional off licence.</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

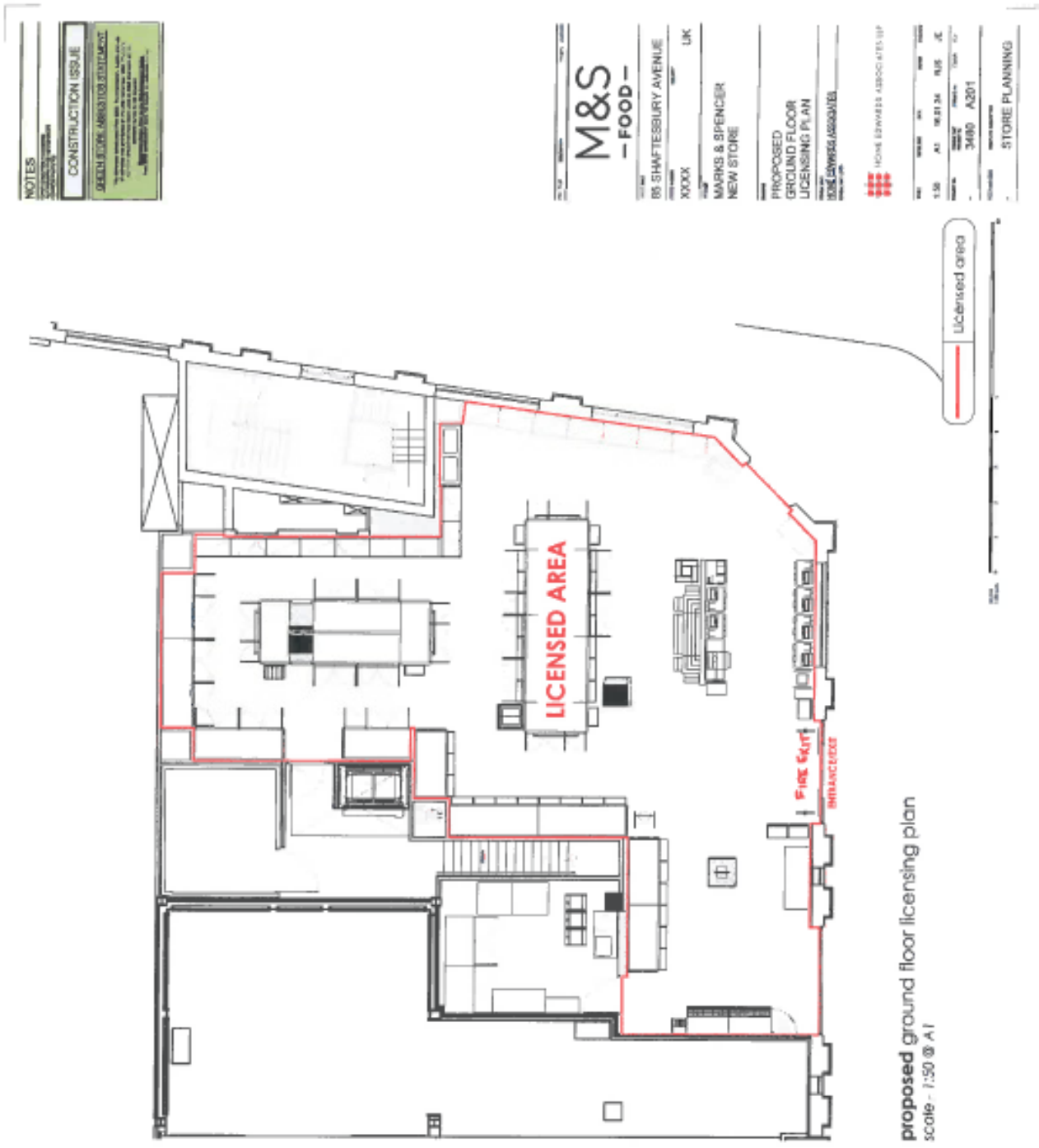
<b>Appendix 1</b>	Premises plans
<b>Appendix 2</b>	Applicant supporting documents
<b>Appendix 3</b>	Premises history
<b>Appendix 4</b>	Proposed conditions
<b>Appendix 5</b>	Residential map and list of premises in the vicinity

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**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 2023
<b>4</b>	Cumulative Impact Assessment	04 December 2023
<b>5</b>	Licensing Authority representation	14 February 2024
<b>6</b>	Environmental Health representation	14 February 2024
<b>7</b>	Metropolitan Police representation	30 January 2024



## **Applicant Supporting Documents**

## **Appendix 2**

There are no applicant submissions.

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. (a) The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team.
  - (b) All entry and exit points will be covered enabling frontal identification of every person entering in any light condition.
  - (c) The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises and will include the external area immediately outside the premises entrance.
  - (d) All recordings shall be stored for a minimum period of 31 days with date and time stamping.
  - (e) Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31-day period.
10. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
  11. 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.
  12. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by the police or an authorised officer of the City Council at all times whilst the premises is open.
  13. All members of staff working on the tills will receive training relevant to the sale of alcohol prior to being authorised to sell alcohol. Such training will be refreshed at least annually. Records of training shall be maintained for a period of at least 12 months and made available for inspection at the premises by the police or authorised officer of the City Council at all times when the premises are open.
  14. No more than 15% of the sales area shall be used at any one time for the sale, exposure for sale, or display of alcohol
  15. No super strength beers. Lagers or ciders of 5.5% abv (Alcohol by volume) or above shall be sold at the premises with the exception of premium specialist beer, lager or cider.
  16. All sales of alcohol for consumption off the premises shall be in sealed containers

### **Conditions proposed by the Licensing Authority.**

17. The licensable activities authorised by this licence and provided at the premises shall be ancillary to the main function of the premises as a grocery shop.

### **Conditions proposed by the Metropolitan Police Service**

17. Outside of the hours authorised for the sale of alcohol and whilst the premises are open to the public, the licence holder shall ensure that all alcohol within the premises (including alcohol behind the counter) is secured in a locked store room or behind locked grilles, locked screens or locked cabinet doors so as to prevent access to the alcohol by both customers and staff.

18. A minimum of 1 SIA licensed door supervisors shall be on duty at the premises at all times whilst it is open for business and they must correctly display their SIA licence(s) when on duty so as to be visible.
19. All tills shall automatically prompt staff to ask for age verification identification when presented with an alcohol sale.
20. Prominent signage indicating the permitted hours for the sale of alcohol shall be displayed so as to be visible before entering the premises, where alcohol is on public display, and at the point of sale.
21. 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.
22. No miniature bottles of spirits of 20 cl or below shall be sold from the premises.
23. There shall be no self-selection of spirits on the premises, save for spirit mixtures less than 5.5% ABV.
24. On the Day of London Pride:
  - i. Alcohol sales in respect of cans of beer or cider are limited to no more than 4 cans per person.
  - ii. The premises will not externally advertise local promotions of alcohol.
  - iii. No sales of alcohol in bottles or glass containers are made during this period.
  - iv. Upon the direction of a Police Officer, using the grounds of the prevention of crime and disorder or public safety, the premises will immediately cease to sell alcohol until further directed by the Police.

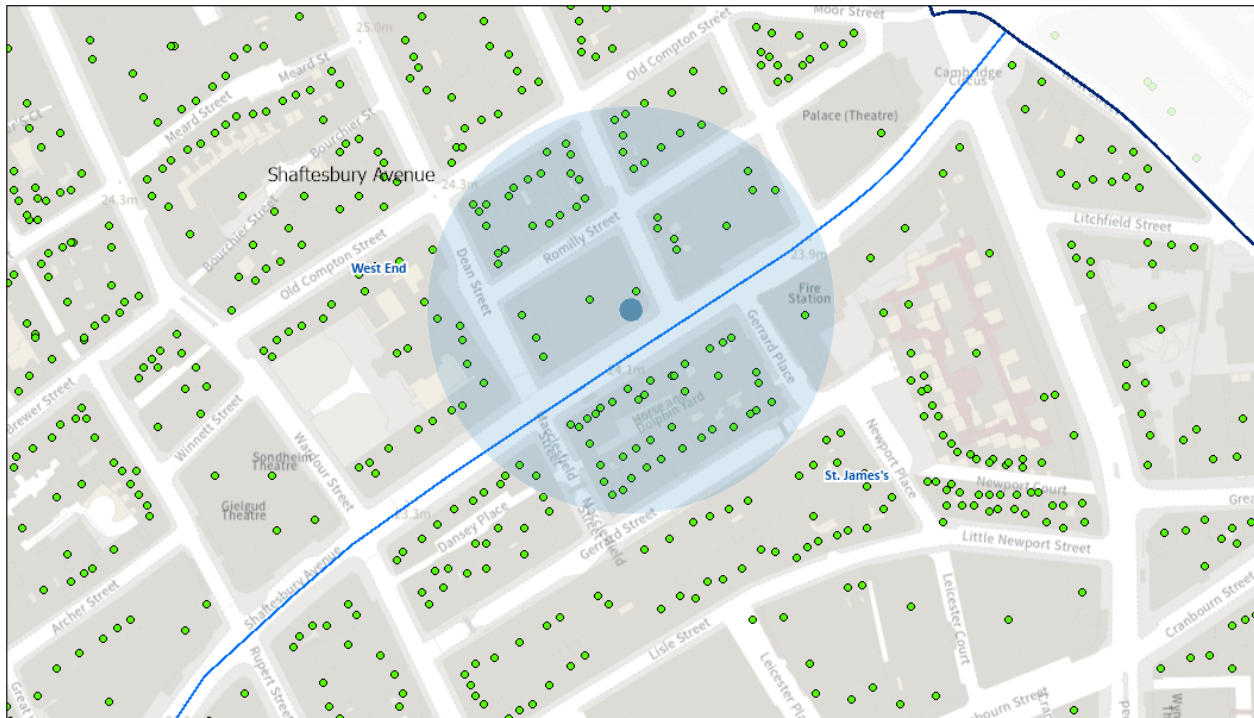
**Conditions proposed by the Environmental Health Service.**

26. 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
27. Outside of the hours authorised for the sale of alcohol and whilst the premises are open to the public, the licence holder shall ensure that all alcohol within the premises (including alcohol behind the counter) is secured in a locked store room or behind locked grilles, locked screens or locked cabinet doors so as to prevent access to the alcohol by both customers and staff.
28. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.

# Residential Map and List of Premises in the Vicinity

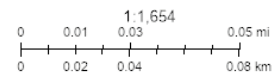
# Appendix 5

83-85 SHAFTESBURY AVENUE, LONDON, CITY OF WESTMINSTER, W1D 5DX



08/03/2024, 12:08:53

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



**Resident Count: 100**

## Licensed premises within 75m of 83 - 85 Shaftesbury Avenue

Licence Number	Trading Name	Address	Premises Type	Time Period
16/00203/LIPCH	Shibuya Soho	110 Shaftesbury Avenue London W1D 5EJ	Restaurant	Monday to Sunday; 10:00 - 23:00
21/10986/LIPN	Zhang Liang Mala Tang	112 Shaftesbury Avenue London W1D 5EJ	Restaurant	Sunday; 09:00 - 23:00   Monday to Thursday; 09:00 - 00:00   Friday to Saturday; 09:00 - 00:30
19/12586/LIPN	Nusa Dua	Basement And Ground Floor 118-120 Shaftesbury Avenue London W1D 5EP	Restaurant	Monday to Sunday; 11:00 - 23:30

17/14772/LIPN	The Shan State	100 - 102 Shaftesbury Avenue London W1D 5EE	Restaurant	Monday to Sunday; 12:00 - 23:30
21/10156/LIPDPS	Bar Shu	28 Frith Street London W1D 5LF	Restaurant	Sunday; 11:00 - 00:00   Monday to Saturday; 11:00 - 00:30
23/01948/LIDPSR	Not Recorded	9 Horse And Dolphin Yard London W1D 5AZ	Restaurant	Sunday; 12:00 - 01:00   Monday to Saturday; 07:00 - 01:00
23/01040/LIPVM	Gerrys Club	Basement 52-53 Dean Street London W1D 5BJ	Club or institution	Monday; 10:00 - 03:30   Tuesday; 10:00 - 03:30   Wednesday; 10:00 - 03:30   Thursday; 10:00 - 03:30   Friday; 10:00 - 03:30   Sunday; 12:00 - 23:00
23/01917/LIPRW	Kiwa Sushi & Grill	1 Gerrard Place London W1D 5PA	Restaurant	Monday; 10:00 - 01:00   Tuesday; 10:00 - 01:00   Wednesday; 10:00 - 01:00   Thursday; 10:00 - 01:00   Friday; 10:00 - 01:00   Sunday; 12:00 - 01:00
16/07026/LIPCH	Golden Lion Public House	51 Dean Street London W1D 5BH	Public house or pub restaurant	Sunday; 07:00 - 23:00   Sunday; 07:00 - 00:00   Monday to Thursday; 07:00 - 23:30   Monday to Saturday; 07:00 - 00:30   Friday to Saturday; 07:00 - 00:00
24/00217/LIPDPS	BA Shan Restaurant	24 Romilly Street London W1D 5AH	Restaurant	Sunday; 12:00 - 23:30   Monday to Saturday; 12:00 - 00:00

22/07467/LIPVM	Assa	23 Romilly Street London W1D 5AQ	Club or institution	Monday; 10:00 - 00:30   Monday; 10:00 - 00:30   Tuesday; 10:00 - 00:30   Tuesday; 10:00 - 00:30   Wednesday; 10:00 - 00:30   Wednesday; 10:00 - 00:30   Thursday; 10:00 - 00:30   Thursday; 10:00 - 00:30   Friday; 10:00 - 00:30   Friday; 10:00 - 00:30   Saturday; 10:00 - 00:30   Sunday; 12:00 - 00:00   Sunday; 12:00 - 00:00
13/06021/LIPDPS	Genting Casino London China Town	First Floor Wingate House 93 - 107 Shaftesbury Avenue London W1D 5DY	Casino or gambling club	Monday to Sunday; 00:00 - 23:59
23/03588/LIPDPS	Curzon Soho Cinema	93-107 Shaftesbury Avenue London W1D 5DY	Cinema	Monday; 09:00 - 02:30   Tuesday; 09:00 - 02:30   Wednesday; 09:00 - 02:30   Thursday; 09:00 - 02:30   Friday; 09:00 - 02:30   Saturday; 09:00 - 02:30   Sunday; 09:00 - 00:00
06/07153/WCCMAP	Crispin's Food & Wine	90 - 92 Shaftesbury Avenue London W1D 5EA	Shop	Monday to Sunday; 08:00 - 05:00
23/05357/LIPDPS	Mr Foggs Pawnbrokers	50 Dean Street London W1D 5BQ	Restaurant	Sunday; 12:00 - 00:00   Monday to Saturday; 09:00 - 03:30
23/07524/LIPVM	De Hems Public House	11 Macclesfield Street London W1D 5BW	Pub or pub restaurant with lodge	Monday; 07:00 - 00:30   Tuesday; 07:00 - 00:30   Wednesday; 07:00 - 00:30   Thursday; 07:00 - 00:30   Friday; 07:00 - 00:30   Saturday; 07:00 - 00:30   Sunday; 07:00 - 00:00

17/14358/LIPDPS	Not Recorded	39 Frith Street London W1D 5LL	Cafe	Monday to Sunday; 06:00 - 03:00
15/02220/LIPV	Bistro 1	27 Frith Street London W1D 5LE	Restaurant	Sunday; 08:00 - 00:00   Monday to Saturday; 08:00 - 01:00
12/02725/LIPDPS	Gauthier At Lindsay House	21 Romilly Street London W1D 5AF	Restaurant	Sunday; 10:00 - 22:30   Monday to Thursday; 10:00 - 23:30   Friday to Saturday; 10:00 - 00:00
21/07119/LIPDPS	Oversea	Ground Floor 7 Gerrard Street London W1D 5PH	Restaurant	Sunday; 12:00 - 00:00   Monday to Saturday; 10:00 - 00:30
09/06680/LIPVM	French House Public House	49 Dean Street London W1D 5BG	Public house or pub restaurant	Sunday; 12:00 - 00:00   Monday to Saturday; 10:00 - 00:30
19/00966/LIPDPS	Haozhan Restaurant	Basement To First Floor 8 Gerrard Street London W1D 5PJ	Restaurant	Sunday; 12:00 - 00:00   Monday to Saturday; 10:00 - 00:30
23/08456/LIPCHT	Sushi Kyoto Ltd	26 Romilly Street London W1D 5AJ	Restaurant	Sunday; 12:00 - 00:00   Monday to Saturday; 10:00 - 00:30
22/08190/LIPV	Xing Long Men Chinatown Ltd	9 Gerrard Street London W1D 5PL	Shop	Monday; 10:00 - 22:30   Tuesday; 10:00 - 22:30   Wednesday; 10:00 - 22:30   Thursday; 10:00 - 22:30   Friday; 10:00 - 22:30   Saturday; 10:00 - 22:30   Sunday; 10:00 - 22:30
19/02423/LIPDPS	Sushi Eatery	Basement And Ground Floor 40 Frith Street London W1D 5LN	Restaurant	Sunday; 12:00 - 00:00   Monday to Saturday; 10:00 - 00:30
22/09788/LIPDPS	New Fook Lam Moon	Basement And Ground Floor 10 Gerrard Street London W1D 5PW	Restaurant	Monday to Sunday; 10:00 - 01:00



23/08244/LIPRW	Prosecco Café	Basement And Ground Floor 26 Frith Street London W1D 5LD	Restaurant	Sunday; 09:00 - 22:30   Monday to Thursday; 09:00 - 23:30   Friday to Saturday; 09:00 - 00:00
15/06965/LIPN	Blade Soho	26 Frith Street London W1D 5LD	Hairdresser or beauty salon	Sunday; 12:00 - 20:00   Monday to Saturday; 10:00 - 22:00
19/07471/LIPVM	Monga Fried Chicken	Basement And Ground Floor 12 Macclesfield Street London W1D 5BP	Restaurant	Sunday; 12:00 - 01:00   Monday to Saturday; 10:00 - 01:00
15/07793/LIPDPS	Little Four Seasons	Basement To First Floor 11 Gerrard Street London W1D 5PP	Restaurant	Sunday; 11:00 - 01:00   Monday to Saturday; 11:00 - 00:00
18/02226/LIPDPS	Feng Shui Inn	4 - 5 Gerrard Street London W1D 5PF	Restaurant	Sunday; 12:00 - 00:00   Monday to Saturday; 10:00 - 00:30
20/02323/LIPDPS	Wingmans	29 - 31 Old Compton Street London W1D 5JS	Restaurant	Sunday; 12:00 - 00:00   Monday to Saturday; 10:00 - 00:30
20/04624/LIPVM	Preto	71-73 Shaftesbury Avenue London W1D 6LN	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; 12:00 - 00:00
18/11987/LIPDPS	Berenjak	27 Romilly Street London W1D 5AL	Restaurant	Sunday; 12:00 - 00:00   Monday to Saturday; 10:00 - 00:30
22/07461/LIPDPS	Cuts	Basement And Ground Floor 41 Frith Street London W1D 5LW	Hairdresser or beauty salon	Saturday; 10:00 - 22:00   Sunday to Friday; 11:00 - 22:00
20/05990/LIPDPS	Rosas	Ground Floor And Basement 48 Dean Street London W1D 5BF	Shop	Sunday; 12:00 - 23:00   Monday to Saturday; 10:00 - 23:30
23/06701/LIPDPS	Four Seasons	12 Gerrard Street London W1D 5PR	Restaurant	Monday to Sunday; 09:00 - 03:30

19/12734/LIPDPS	Wan Chai Corner Chinese Restaurant	Tang House 3 Gerrard Street London W1D 5PD	Restaurant	Sunday; 12:00 - 00:00   Monday to Saturday; 10:00 - 00:30
23/03807/LIPDPS	Neat Meat	Basement And Ground Floor 33 Old Compton Street London W1D 5JU	Restaurant	Monday; 11:00 - 23:30   Tuesday; 11:00 - 23:30   Wednesday; 11:00 - 23:30   Thursday; 11:00 - 23:30   Friday; 11:00 - 00:00   Saturday; 11:00 - 00:00   Sunday; 11:00 - 22:30   Monday to Thursday; 11:00 - 23:30   Friday to Saturday; 11:00 - 00:00
21/04531/LIPN	Viet Noodle Bar	Basement And Ground Floor 34 Greek Street London W1D 5DJ	Restaurant	Sunday; 12:00 - 20:00   Monday to Saturday; 12:00 - 23:00
23/03511/LIPV	Ku Bar	Basement To First Floor 25 Frith Street London W1D 5LB	Night clubs and discos	Monday; 10:00 - 01:00   Tuesday; 10:00 - 01:00   Wednesday; 10:00 - 01:00   Thursday; 10:00 - 01:00   Friday; 10:00 - 01:00   Saturday; 10:00 - 01:00   Sunday; 10:00 - 22:30   Sundays before Bank Holidays; 10:00 - 01:00
23/07554/LIPT	Not Recorded	Basement And Ground Floor 27 Old Compton Street London W1D 5JP	Restaurant	Sunday; 10:00 - 00:00   Monday to Wednesday; 08:00 - 00:30   Thursday to Saturday; 08:00 - 03:00
16/04918/LIPCHT	Pepe Italian Street Food	Basement And Ground Floor 27 Old Compton Street London W1D 5JP	Restaurant	Sunday; 10:00 - 00:00   Monday to Wednesday; 08:00 - 00:30   Thursday to Saturday; 08:00 - 01:00
22/11465/LIPDPS	Laxsa In Soho	Basement To First Floor 37 Old Compton Street London W1D 5JY	Restaurant	Sunday; 12:00 - 00:00   Monday to Saturday; 10:00 - 00:30
18/08208/LIPN	Far East	Ground Floor 13 Gerrard Street London W1D 5PS	Not Recorded	Monday to Sunday; 09:00 - 05:00

19/16307/LIPDPS	Experimental Cocktail Club	First Floor And Second Floor 13 Gerrard Street London W1D 5PS	Night clubs and discos	Sunday; 09:00 - 02:00   Monday to Saturday; 09:00 - 03:30   Sundays before Bank Holidays; 09:00 - 02:30
22/08436/LIPDPS	Y Ming	35 - 36 Greek Street London W1D 5DL	Restaurant	Sunday; 12:00 - 00:00   Monday to Saturday; 10:00 - 00:30
21/02934/LIPDPS	Kettners Townhouse	29 Romilly Street London W1D 5HP	Not Recorded	Monday to Sunday; 00:00 - 00:00
19/08394/LIPDPS	Tiangfu	14 Gerrard Street London W1D 5PT	Shop	Sunday; 11:00 - 22:30   Monday to Saturday; 11:00 - 23:00
21/04874/LIPDPS	Dodo Supermarket	Basement And Ground Floor 24 Frith Street London W1D 5LA	Shop	Sunday; 10:00 - 22:30   Monday to Thursday; 08:00 - 01:00   Friday to Saturday; 08:00 - 03:00
18/15565/LIPRW	Olle Restaurant	Basement And Ground Floor 84-88 Shaftesbury Avenue London W1D 6NH	Restaurant	Sunday; 12:00 - 23:00   Monday to Thursday; 10:00 - 00:00   Friday to Saturday; 10:00 - 00:30   Sundays before Bank Holidays; 12:00 - 00:00
23/01510/LIPCH	Rasa Sayang Restaurant	5 Macclesfield Street London W1D 6AY	Restaurant	Sunday; 11:00 - 23:30   Monday to Saturday; 11:00 - 00:00
23/02159/LIPDPS	The Piccadilly London Soho	69 Shaftesbury Avenue London W1D 6EX	Hotel, 3 star or under	Monday to Sunday; 00:00 - 00:00

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