



## City of Westminster Licensing Sub-Committee

<b>Meeting:</b>	<i>Licensing Sub-Committee</i>
<b>Date:</b>	<i>3<sup>d</sup> July 2014</i>
<b>Classification:</b>	<i>General Release</i>
<b>Premises:</b>	<i>91 Club With Abracadabra Restaurant, 6-7 Ormond Yard, London, SW1Y 6JT</i>
<b>Wards Affected:</b>	<i>St James', Core CAZ North</i>
<b>Financial Summary:</b>	<i>None</i>
<b>Report of:</b>	<i>Operational Director for Premises Management</i>

### **1. Executive Summary**

- 1.1 The council has received an application for the grant of a sexual entertainment venue premises licence from Commer Investments Limited for 91 Club With Abracadabra Restaurant, 6-7 Ormond Yard, London, SW1Y 6JT. The report sets out the application details, objections, policy and legal context along with other considerations that the Committee requires to determine this application.

### **2. Options**

- 2.1 Following consideration of the information given orally at the hearing and in writing by the applicants and objectors, Members may:
- 2.1.1 Grant the application in full
  - 2.1.2 Grant the application subject to the standard conditions and/or any modifications to any part of the application and imposition of any additional conditions proposed by a party to the hearing, or
  - 2.1.3 Refuse the application

### **3. Application**

- 3.1 On 1<sup>st</sup> April 2014 the applicant applied for the grant of a sexual entertainment venue premises licence to provide full nudity by way of striptease, pole dancing and table dancing between the opening hours of 12:00 noon and 03:30 on each of the days Monday to Sunday (see Application form at [Appendix A1](#)).

- 3.2 Neither the applicant nor the premises have previously held a Sexual Entertainment Venue licence in Westminster. In addition, the applicant company has indicated that neither it, nor the people named on the application (David West – Director / Shareholder, Katie Morton – Manager, David Serlui – Manager) are involved with any other sex establishments (see [Appendix A1](#)).
- 3.3 The applicant does not seek to remove any of the Standard Conditions for Sexual Entertainment Venues and has proposed twelve additional conditions on the application form (see [Appendix A1](#)) to be attached to the licence if granted.
- 3.4 In addition, the applicant has proposed a further four conditions in an email dated 21 May 2014 (see [Appendix A6](#)), two of which have been amended following agreement to the five conditions proposed by Environmental Health in an email dated 24 June 2014 (see email at [Appendix A7](#) and schedule of conditions at [Appendix D](#)).
- 3.5 The applicant has provided premises plans and the proposed façade of the premises (see [Appendix A2](#)).
- 3.6 The applicant has submitted a Code of Conduct for Performers (see [Appendix A3](#)) and a Dancer Welfare and Equality Policy (see [Appendix A4](#)).
- 3.7 The applicant has submitted a letter dated 26 June 2014 (see [Appendix A5](#)) in which they state that the address of the application is 6 – 7 Ormond Yard as this used to be the front door of the premises. Now, however, the main entrance to the premises is at 91 Jermyn Street, They confirm that the Ormond Yard entrance will not be used for entry, dispersal or smoking, and conditions have been agreed to this effect (see [Appendix D](#)). Taxis will operate from the Jermyn Street entrance and the smoking area for patrons and dancers will also be on Jermyn Street in a designated area.
- 3.8 In the same letter, the applicant notes that the venue will be entertainment led rather than alcohol led and that conditions have been agreed to reduce the capacity of the venue to 100 persons on each of the ground and basement floors (see [Appendices A5 and D](#)).

#### **4. Objections**

- 4.1 The application has received nineteen (19) objections, attached as [Appendices B1 to B19](#).
- 4.2 Environmental Health made an objection to the application on 25 April 2014 on the grounds that the grant of a licence would be inappropriate having regard to the layout, character or condition of the premises (see [Appendix B1](#)). In addition, the Environmental Health Officer has proposed a further five conditions in an email dated 17 June 2014 (see [Appendix B1a](#)) which have been agreed by the applicant (see email at [Appendix A7](#) and schedule of conditions at [Appendix D](#)).

- 4.3 The Licensing Authority made an objection to the application on 25 April 2014 on the grounds that the applicant has not provided sufficient information as to how the premises intend to operate. In addition, the Licensing Authority has concerns regarding the CCTV layout and the areas intended to be used under the licence (see [Appendix B2](#)).
- 4.4 The remaining objections are from local residents and businesses. As permitted by paragraph 10(17) of Schedule 3 to the Act, all these objections are anonymous.
- 4.5 Objection 1, received on 16 April 2014, is from a local resident which states that Ormond Yard is a precious residential area where extra late night entertainment is not acceptable (see [Appendix B3](#)).
- 4.6 Objection 2, received on 14 April 2014, is from a local business which states that the area is inappropriate for a Sexual Entertainment Venue due to the large scale redevelopment for prestige offices, art galleries and high quality purveyors of fashion goods. It adds that the late hours tend to cause disturbance to residents (see [Appendix B4](#)).
- 4.7 Objection 3, received on 16 April 2014, is from a local business which states that a Sexual Entertainment Venue in the vicinity of their business will have a detrimental effect on them and their clients. They cite two recent incidents from the premises which have led to their clients raising complaints and are concerned that adding sexual entertainment to the premises will increase these problems (see [Appendix B5](#)).
- 4.8 Objection 4, received on 14 April 2014, is from a local business which simply objects to the application but gives no further grounds (see [Appendix B6](#)).
- 4.9 Objection 5, received on 23 April 2014, is from a local resident which states that the location is inappropriate given the residential nature of the area. They are concerned the entrance at 6 – 7 Ormond Yard will cause disruption, congestion and disturbance to public order, for which police intervention has been required in the past. Problems have been experienced from loud noises and sound from the premises. The character of the locality will be affected by a Sexual Entertainment Venue in this location in addition to the SEV premises, Gaslight on Duke of York Street (see [Appendix B7](#)).
- 4.10 Objection 6, received on 22 April 2014, is from a local business which feels it will be inappropriate for their clients to be exposed to a Sexual Entertainment Venue. They state this premises will not fit with the character of the locality of Jermyn Street (see [Appendix B8](#)).
- 4.11 Objection 7, received on 25 April 2014, is from a local resident which states that the proposed premises is not compatible with the residential nature of the area.

The concern is that the venue will increase the risk of noise, congestion, availability of parking spaces and will lead to collateral problems such as rowdiness, drug use, violence and health and safety risks (see [Appendix B9](#)).

- 4.12 Objection 8, received on 25 April 2014, is made on behalf of a local business and raises concerns regarding the proposed entrance of the premises – whether this will be at 6 – 7 Ormond Yard or 91 Jermyn Street. They believe the location is inappropriate given the predominantly residential area and are concerned that the applicants have no experience in running this type of venue. In addition, they believe the Gaslight on Duke of York Street already caters for demand for this type of entertainment in the area (see [Appendix B10](#)).
- 4.13 Objection 9, received on 28 April 2014, is from a local business which feels that a Sexual Entertainment Venue in this locality will have a detrimental effect on their business (see [Appendix B11](#)).
- 4.14 Objection 10, received on 28 April 2014, is from a local business which feels that a Sexual Entertainment Venue in this locality will have a detrimental effect on their business (see [Appendix B12](#)).
- 4.15 Objection 11, received on 24 April 2014, is from a local business which feels that a Sexual Entertainment Venue in this locality will have a detrimental effect on their business (see [Appendix B13](#)).
- 4.16 Objection 12, received on 25 April 2014, is made on behalf of a residential building in the locality and states that a Sexual Entertainment Venue in this location is inappropriate and will disrupt the residential nature of Ormond Yard. They state the Mews is secluded, poorly lit and echoes sound, making it inappropriate and likely to cause incidents threatening public order and requiring police intervention. They refer to incidents outside the premises where police have already been involved and are concerned that the premises will add to congestion problems and disruption to residents in the middle of the night. They have included a decision of Westminster Magistrate's Court of 18 October 2007 dismissing an appeal to extend the hours of Abracadabra and use of the access to Ormond Yard (see [Appendix B14](#)).
- 4.17 Objection 13, received on 25 April 2014, is made on behalf of a local residents' association which has concerns regarding issues from the premises and the applicants, including disturbance affecting local residents. They state the application will lead to a loss of residential amenity, late night noise and disturbance (see [Appendix B15](#)). In a further email dated 28 April 2014, the objector cites the increasing residential population of the area, as well as the historic nature of the area and the proximity to places of religious worship (see [Appendix B15a](#)).

- 4.18 Objection 14, received on 27 April 2014, is from a local resident who states that there is no need for another Sexual Entertainment Venue in the area given that two already exist in Mason's Yard and Duke of York Street. They add that this type of establishment is not conducive to the peaceful, quiet and quality atmosphere of the area and that there is an increased risk of late night noise from drunkenness and anti-social behaviour as well as late night traffic and taxis (see [Appendix B16](#)).
- 4.19 Objection 15, received on 19 May 2014, is from a local resident who states that the noise of customers arriving at and leaving the venue will create public nuisance and noise. They also believe such a venue will cause harm to their children and raises a concern that the premises will be alcohol led (see [Appendix B17](#)). Objection 15 was received after the consultation period for this application ended.
- 4.20 Objection 16, received on 6 June 2014, is from a local resident who states that the area is overwhelmingly residential and that the proposed application will have a detrimental effect on the area given the late night or early morning custom it will generate (see [Appendix B18](#)). Objection 16 was received after the consultation period for this application ended.
- 4.21 Objection 17, received on 6 June 2014, is from a local resident who states that the premises will cause noise, unwelcome traffic and people at all hours of the night and will alter the quality of living in the area (see [Appendix B19](#)). Objection 17 was received after the consultation period for this application ended.
- 4.22 The Metropolitan Police objected to this application on 15 April 2014 (see email at [Appendix B20](#)), but withdrew this objection following the agreement of a condition (see email at [Appendix B20a](#) and schedule of conditions at [Appendix D](#)).

## 5. Licensing Act 2003 Premises Licence

- 5.1 The table below sets out the current activities and times permitted by the premises licence.
- 5.2 A copy of the current Premises Licence is attached to this report as [Appendix C](#).

<b><u>Existing Premises Licence (13/09468/LIPDPS) permitted Licensable Activities</u></b>
<b>Regulated Entertainment:</b>  <b>Performance of Dance</b> <b>Provision of facilities for Dancing</b> <b>Provision of facilities for Making Music</b> <b>Performance of Live Music</b> <b>Provision of facilities for entertainment of a similar description to making music or</b>

<p><b>dancing</b>  <b>Anything of a similar description to Live Music, Recorded music or Performance of Dance</b>  Monday to Sunday: 09:00 to 03:30</p> <p><b>Playing of Recorded Music</b>  Unrestricted</p> <p><b>Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to a profit</b>  Unrestricted</p>
<p><b>Late Night Refreshment:</b>  Monday to Sunday 23:00 to 03:30</p>
<p><b>Sale of Alcohol: On and off the premises</b>  Monday to Saturday 10:00 to 03:00  Sunday 12:00 to 00:30</p>
<p><b>Non Standard Timings/Seasonal Variations</b></p> <p><b>Alcohol</b> may be sold or supplied from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).</p> <p>The terminal hour for <b>late night refreshment</b> on New Year's Eve is extended to 05:00 on New Year's Day.</p>
<p><b>Capacity:</b></p> <p>The maximum capacity at the premises when licensable activities are taking place is as follows:</p> <p>Basement: 100  Ground Floor: 135</p>
<p><b>Opening hours:</b>  Monday to Sunday 09:00 to 03:30</p>

**6. Policy Considerations**

6.1 Mandatory grounds for refusal – MG1

Under paragraph 12(1) of Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982, a Sexual Entertainment Venue licence shall not be granted:

- (a) to a person under the age of 18; or
- (b) to a person who is for the time being disqualified under paragraph 17(3); or
- (c) to a person, other than a body corporate, who is not resident in an EEA state or was not so resident throughout the period of six months immediately preceding the date when the application was made; or
- (d) to a body corporate which is not incorporated in an EEA state; or
- (e) to a person who has, within a period of 12 months immediately preceding the date when the application was made, been refused the grant or renewal of a licence for the premises, vehicle, vessel or stall in respect of which the application is made, unless the refusal has been reversed on appeal.

Paragraph 17(3) states that where a licence is revoked, its holder shall be disqualified from holding or obtaining a licence in the area of the appropriate authority for a period of 12 months beginning with the date of revocation.

The applicant has confirmed in the application form at Appendix A1 that none of the above grounds apply.

#### 6.2 Suitability of applicant – SU1

The applicant has stated that no relevant offences have been committed. In addition the Police and the Council's Licensing Inspectorate have carried out fit and proper persons checks and have not made any objections to the application on these grounds.

#### 6.3 SEV carried on for the benefit of another person – SU2

The Police and the Council's Licensing Inspectorate have undertaken appropriate checks and have made no comments on this issue.

#### 6.4 Appropriate number of SEV in a locality – NO1

The appropriate number of sexual entertainment venues in the relevant localities is 25 in the Westminster core CAZ north. This application, if granted, will not exceed 25.

#### 6.5 Character of the relevant locality – LO1

Ormond Yard is a predominantly residential cul-de-sac with pedestrian access into Mason's Yard. The premises is located within the core CAZ North. There are two SEV premises in the immediate vicinity of this premises, The Gaslight Club on Duke of York Street and Scotch St James in Mason's Yard (see map at [Appendix E](#)).

## 6.6 Use of premises in the vicinity – LO2

The main use of the premises in the immediate vicinity is residential with a few licensed premises (Licensing Act 2003). There are 2 other SEV premises in the immediate vicinity of the premises with a further 3 SEV premises within a 500 metre radius of the premises. There is one school and 5 places of religious worship within 500m of the premises and several more in the wider vicinity (see Appendix E).

## 6.7 Layout, character or condition of the venue – LO3

This premises is split over the ground floor and basement. The ground floor comprises of the entrances leading to Jermyn Street and Ormond Yard, a private dining and restaurant area with booths and a revolving table. The basement floor consists of a bar, dance podiums and several booths around the perimeter (see Appendix A2).

## 6.8 Hours – HR1

Policy HR1 states, “Where a premises is licensed under the 2003 Act for hours beyond the ‘core hours’ the council will have regard to those hours and generally grant a SEV licence to the hours authorised for other licensable activities, subject to the provision of a winding down period if appropriate”. Details of the permitted hours for licensable activities under the LA03 premises licence can be found above at paragraph 5 of this report. These proposed hours for relevant entertainment in this application do not exceed those permitted under the LA03 licence.

## 7. **Conditions**

### 7.1 Waiver of Standard Conditions

The applicant has not requested to waive any of the Standard Conditions.

### 7.2 Variation of Standard Conditions

The applicant has not requested to vary any of the Standard Conditions.

### 7.3 Proposed additional conditions

The applicant has proposed 12 additional conditions to be attached to the SEV licence which duplicate those imposed on the Licensing Act 2003 Premises Licence (13/09468/LIPDPS). They have also proposed a further four conditions in an email dated 21 May (see Appendix A6 and schedule of conditions at Appendix D). Conditions have also been agreed with Environmental Health and the Police (see Appendix D).

### 7.4 Conditions on the LA03 licence relating to Relevant Entertainment



There are no conditions on the LA03 Premises Licence with reference to Relevant Entertainment.

## **8. Legal Implications**

- 8.1 The Licensing Sub-Committee may determine to:
- (a) Grant the application in full
  - (b) Grant with additional special conditions which the Licensing Sub-Committee deem appropriate; or
  - (c) Refuse the application.
- 8.2 Before refusing to grant a licence to the applicant, the Licensing Authority shall give the applicant an opportunity to appear before and of being heard by the Licensing Sub-Committee (Para 10(19) Schedule 3 LG(MP)A1982).
- 8.3 In considering this application, the Licensing Sub-Committee shall have regard to any observations submitted to them by the Chief Officer of Police and any objections that have been received in writing within the 28 day consultation period (Para 10(18) Schedule 3 LG(MP)A1982).
- 8.4 The Licensing Sub-Committee may refuse to grant a licence for the following reasons:
- (a) that the applicant is unsuitable to hold a licence by reason of having been convicted of an offence or for any other reason;
  - (b) that if the licence were to be granted the business to which it relates would be managed by or carried on for the benefit of a person, other than the applicant, who would be refused the grant of such a licence if he made the application himself;
  - (c) that the number of sex establishments in the relevant locality at the time the application is made [determined] is equal to or exceeds the number which the authority consider is appropriate for that locality;
  - (d) that the grant or renewal of the licence would be inappropriate, having regard—
    - (i) to the character of the relevant locality; or
    - (ii) to the use to which any premises in the vicinity are put; or
    - (iii) to the layout, character or condition of the premises, vehicle, vessel or stall in respect of which the application is made.
- 8.5 If the Licensing Sub-Committee determine to grant a Sexual Entertainment Venue licence, the licence will be subject to the Standard Conditions for Sexual Entertainment Venue licences, unless the Sub-Committee determines that certain Standard Conditions should be expressly excluded or varied (Para 13(4) Schedule 3 LG(MP)A1982).
- 8.6 Should the Licensing Sub-Committee determine to refuse the application for the grant of a licence under Paragraph 12(3)(a) or (b) of Schedule 3 LG(MP)A 1982,

the applicant may appeal to the Magistrates' Court within 21 days beginning with the date on which the applicant is notified of the refusal of his application (Para 27(1) Schedule 3 LG(MP)A1982).

## **9. Human Rights Act and Equalities Act**

- 9.1 In making a decision consideration will need to be given to the applicants rights under the European Convention on Human Rights. The right to peaceful enjoyment of possessions (Article 1 of the First Protocol) and freedom of expression (Article 10) may be relevant. The Home Office Guidance suggests that "local authorities would be well advised to consider whether any interference with the applicants rights under Article 10 or Article 1, Protocol 1 of the European Convention on Human Rights is necessary and proportionate for the prevention of disorder or crime, for the protection of health or morals or for the protection of the rights and freedoms of other, or in the case of Article 1, Protocol 1, can be justified in the general interest".

### **Appendices**

- A1 – Application Form
- A2 – Premises Plans
- A3 – Code of Conduct
- A4 – Dancer Welfare and Equality Policy
- A5 – Applicant's further submissions dated 26 June 2014
- A6 – Email proposing four additional conditions dated 21 May 2014
- A7 – Email from applicant agreeing EH conditions dated 24 June 2014
- B1 – Environmental Health Objection
- B1a – Email and memo from EH dated 17 June 2014 proposing 5 conditions
- B2 – Licensing Authority Objection
- B3 – Objection 1
- B4 – Objection 2
- B5 – Objection 3
- B6 – Objection 4
- B7 – Objection 5
- B8 – Objection 6
- B9 – Objection 7
- B10 – Objection 8
- B11 – Objection 9
- B12 – Objection 10
- B13 – Objection 11
- B14 – Objection 12
- B15 – Objection 13
- B15a – Objection 13's further submissions
- B16 – Objection 14
- B17 – Objection 15
- B18 – Objection 16

B19 – Objection 17  
B20 – Police objection  
B20a – Police withdrawal following agreement of condition  
C – Current Licensing Act 2003 Premises Licence  
D – Schedule of Conditions  
E – Map of the locality

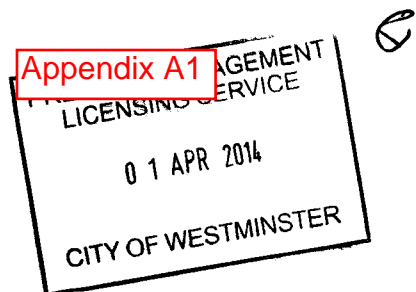
**If you have any queries about this report or wish to inspect any of the background papers please contact: Nick Nelson on 020 7641 3431 or at [nnelson@westminster.gov.uk](mailto:nnelson@westminster.gov.uk)**

## **BACKGROUND PAPERS**

Local Government (Miscellaneous Provisions) Act 1982  
Policing and Crime Act 2009  
Sexual Entertainment Venues Statement of Licensing Policy 2012  
Sexual Entertainment Venues Guidance and Procedure effective 17 February 2012



City of Westminster



# APPLICATION FOR A NEW SEXUAL ENTERTAINMENT VENUE LICENCE

IMPORTANT: This form is open to inspection by the public.

**We: Commer Investments Limited**  
*(Insert name(s) of applicant)*

**Apply for a new Sexual Entertainment Venue licence under the Local Government (Miscellaneous Provisions) Act 1982**

**Important Note:** Before completing this application, please read the following:

- WCC's Statement of Licensing Policy for Sexual Entertainment Venues
- WCC's Standard Conditions for Sexual Entertainment Venues
- WCC's Rules of Procedure governing Sexual Entertainment Venue applications

## PART 1 – Applicant Details

Please state whether you are applying for a Sexual Entertainment Venue licence as:

- a) an individual or individuals  complete section (A)
- b) a person other than an individual:
- i. as a body corporate  complete section (B)
- ii. as an unincorporated body  complete section (B)

**Section A – Individual Licensee Details**

First name(s):	
Surname:	
Former names (if any):	
Title:	
Home address:	N/A
Postcode:	
Email address:	
Contact telephone number:	
Date of Birth:	
Have you been a resident of an EEA state throughout the period of 6 months immediately preceding the date the application was made?	Yes <input type="checkbox"/> No <input type="checkbox"/>

**Additional Licensee Details (if necessary)**

First name(s):	
Surname:	
Former names (if any):	
Title:	
Home address:	N/A
Postcode:	
Email address:	
Contact telephone number:	
Date of Birth:	
Have you been a resident of an EEA state throughout the period of 6 months immediately preceding the date the application was made?	Yes <input type="checkbox"/> No <input type="checkbox"/>

**Section B – Body Corporate or Unincorporated Body Details**

Business Name: (if your business is registered, use its registered name)	Commer Investments Limited
Is your business registered in the UK with Companies House?	Yes <input checked="" type="checkbox"/> Registered Number: <b>07736026</b>
	No <input type="checkbox"/>
Is your business registered in another EEA state:	Yes <input type="checkbox"/> EEA State: Registered Number:
	No <input checked="" type="checkbox"/>
Legal Status: (e.g. Company Partnership, etc)	Private Limited Company
Home Country: (the country where the headquarters of your business is located)	England
Registered Address:	25 MANCHESTER SQUARE LONDON ENGLAND
	W1U 3PY
<b>Directors, Partners, Owners and Managers</b>	
You must provide details of all DIRECTORS (if the applicant is a company), all PARTNERS (if it is a partnership), and all MANAGERS of the business or organisation, including day-to-day MANAGERS OF THE PREMISES.	
Are there any such people for whom you need to provide details?	Yes <input checked="" type="checkbox"/> (please complete below) No <input type="checkbox"/>
Full name:	David Joseph West
Private address:	91B Jermyn Street, London SW1Y 6JB
Capacity:	Director/Shareholder
Full name:	Katie Morton

Private address:	8 Ormond Yard, St James, London SW1Y 6JT
Capacity:	Manager
Full name:	David Serlui
Private address:	12 Busby Place, London NW5 2SR
Capacity:	Manager
Full name:	
Private address:	
Capacity:	
Full name:	
Private address:	
Capacity:	
<b>Please use a separate sheet if necessary- see attached</b>	

**Other Business Interests**

Is the applicant, or any person named in this application, involved in any way with any other sex establishment (e.g. sexual entertainment venue, sex shop, sex cinema, hostess bar)?

Yes  (please complete below) No

Please provide details, including the name and address of the establishment and the nature and extent of the interest. (If necessary please provide a separate sheet).



## PART 2 – Premises Details

Premises name:	91 Club with Abracadabra Restaurant	
Premises address:	6-7 Ormond Yard London	
Postcode:	SW1Y 6JT	
Premises telephone number:	020 7930 3111	
Email:	david@hidelondon.com	
Website address:	Not obtained yet	
Where the licence is for a vehicle, vessel or stall, state where it is to be used as a sexual entertainment venue:	N/A	
Describe the nature of the relevant entertainment (e.g. striptease, pole dancing, table dancing etc):	Striptease, pole dancing, table dancing	
Does the relevant entertainment involve:	Full nudity	<input checked="" type="checkbox"/>
	Partial nudity	<input type="checkbox"/>
	No nudity (including implied nudity)	<input type="checkbox"/>

### Opening Hours

Please provide the proposed opening hours of the premises:

Day:	Start:	Finish:
Monday	12.00	03.30
Tuesday	12.00	03.30
Wednesday	12.00	03.30
Thursday	12.00	03.30
Friday	12.00	03.30
Saturday	12.00	03.30
Sunday	12.00	03.30

## **PART 3 – Policy & Conditions**

Please refer to the Council's Statement of Licensing Policy for Sexual Entertainment Venues.

State how your application will promote the following licensing objectives:

**Prevention of crime and disorder:**

See the premises code of conduct (attached)  
General legal obligations under other existing relevant legislation  
Standard Conditions for Sexual Entertainment Venue Premises will apply

**Additional Conditions**

1. The maximum number of persons accommodated within the premises at any one time (excluding staff) shall not exceed:  
Basement- 100  
Ground Floor- 135
2. All seating shall consist of tables and chairs arrangements and there shall be no cinema style seating
3. SIA licensed security shall be posted in the parts of the premises where striptease/table/lap dancing is taking place
4. All emergency doors shall be maintained effectively self closing and not held open other than by an approved device.
5. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
6. Curtains and hangings shall be arranged so as not to obstruct emergency signs.
7. 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.
8. 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.
9. All exit doors shall be available at all material times without the use of a key, code, card or similar means.
10. 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.
  - i. pyrotechnics including fire works
  - ii. firearms
  - iii. lasers
  - iv. explosives and highly flammable substances.
  - v. real flame.
  - vi. strobe lighting.
9. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
10. No Relevant Entertainment shall take place at the premises until the premises has been inspected to the satisfaction of the Licensing Service and Environmental Health Department.

**Public safety:**

<b>See above and attached</b>
<b>Prevention of public nuisance:</b>
<b>See above and attached</b>
<b>Protection of children from harm:</b>
<b>See above and attached</b>
<b>Improvement in the character and function of the city, or areas of it:</b>
<p>The proposal will not alter the character and function of this part of London, which already accommodates a high number of restaurant and leisure operators.</p> <p>The facade of the premises is not imposing and is consistent with other shop frontages in the immediate area. No signage other than the name of the premises will feature.</p> <p>The proposal is not alcohol led</p> <p><b>See above and attached</b></p>
<b>Please use a separate sheet if necessary</b>

If your application is in conflict with any of the policies listed in the Statement of Licensing Policy, state why you believe an exception should be made in your particular circumstances:

<b>Policy:</b>	<b>Reason for exception:</b>
	<b>The applicant does not believe the application made is in conflict with any of the policies listed in the Statement of Licensing Policy</b>
<b>Please use a separate sheet if necessary</b>	

### Standard Conditions

Please refer to the Council's Standard Conditions for Sexual Entertainment Venues. Should the application be granted, your licence will be subject to all standard conditions unless specifically excluded from your licence.

State which (if any) standard conditions you wish to dis-apply from your licence and the reasons you feel they should be dis-applied, including any individual circumstances relating to your operation:

<b>Condition:</b>	<b>Reason for removing the condition:</b>
	<b>The applicant does not wish any of the standard conditions to dis-apply from its licence</b>
<b>Please use a separate sheet if necessary</b>	

State any other conditions you wish to be attached to your licence:

The maximum number of persons accommodated within the premises at any one time (excluding staff) shall not exceed:

Basement- 100

Ground Floor- 135

All seating shall consist of tables and chairs arrangements and there shall be no cinema style seating

SIA licensed security shall be posted in the parts of the premises where striptease/table/lap dancing is taking place

All emergency doors shall be maintained effectively self closing and not held open other than by an approved device.

The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.

Curtains and hangings shall be arranged so as not to obstruct emergency signs.

The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.

The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.

All exit doors shall be available at all material times without the use of a key, code, card or similar means.

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.

- i. pyrotechnics including fire works
- ii. firearms
- iii. lasers
- iv. explosives and highly flammable substances.
- v. real flame.
- vi. strobe lighting.

No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.

No Relevant Entertainment shall take place at the premises until the premises has been inspected to the satisfaction of the Licensing Service and Environmental Health Department.

## **PART 4 – Previous Convictions/Disqualifications**

Have you, or any person named in or associated with this application, been convicted of any crime or offence?			
Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
If yes, please provide details on a separate sheet			
Have you been refused the grant or renewal of a licence for this premises, vehicle, vessel or stall within the last 12 months?			
Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
If yes, has the refusal been reversed on appeal?			
Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
Have you had a sex establishment licence revoked in Westminster within the last 12 months?			
Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>

## **PART 5 - Checklist**

Please tick as appropriate:

All relevant sections of the application form have been completed in full	<input checked="" type="checkbox"/>
Payment of the fee has been made in full (refer to Part 7 of this form)	<input checked="" type="checkbox"/>
A plan of the premises in accordance with the Rules of Procedure for Sexual Entertainment Venues has been included	<input checked="" type="checkbox"/>
A drawing showing the front elevation of the premises as proposed has been included	<input checked="" type="checkbox"/>
The code of conduct for performers has been included	<input checked="" type="checkbox"/>
Notice of this application has been published in a local newspaper / will be published in a local newspaper within the next 7 days, a full copy of the newspaper to be provided to the Licensing Authority as soon as possible	<input checked="" type="checkbox"/>
Notice of this application has been displayed at the premises	<input checked="" type="checkbox"/>
The application has been served on the Metropolitan Police Service	<input checked="" type="checkbox"/>

## PART 6 - Declaration

APPLICANTS ARE WARNED THAT ANY PERSON WHO, IN CONNECTION WITH AN APPLICATION FOR THE GRANT OF A LICENCE MAKES A FALSE STATEMENT WHICH HE KNOWS TO BE FALSE IN ANY MATERIAL RESPECT, OR WHICH HE DOES NOT BELIEVE TO BE TRUE, IS GUILTY OF AN OFFENCE AND LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING TWENTY THOUSAND POUNDS (£20,000).

I, Lana Tricker declare that the information given above is true and complete in every respect.

Signed	<i>LT LAW</i>
Date:	01.04.2014
Capacity:	Lana Tricker, Solicitor for Applicant

For joint applications:

Signed	
Date:	
Capacity:	

### Agent Details

Are you an authorised agent acting on behalf of the applicant?

Yes  No

If yes, please provide the following:

Agent name:	LT Law
Agent Address:	18 Soho Square London
Postcode:	W1D 3QL
Agent Telephone Number:	02070258332
Agent Email:	lana@ltlaw.co.uk



### Correspondence Details

Please provide the details to which all correspondence should be sent:

Name:	Lana Tricker, LT Law
Address:	18 Soho Square London
Postcode:	W1D 3QL
Telephone Number:	02070258332
Email:	lana@ltlaw.co.uk

## PART 7 – Payment

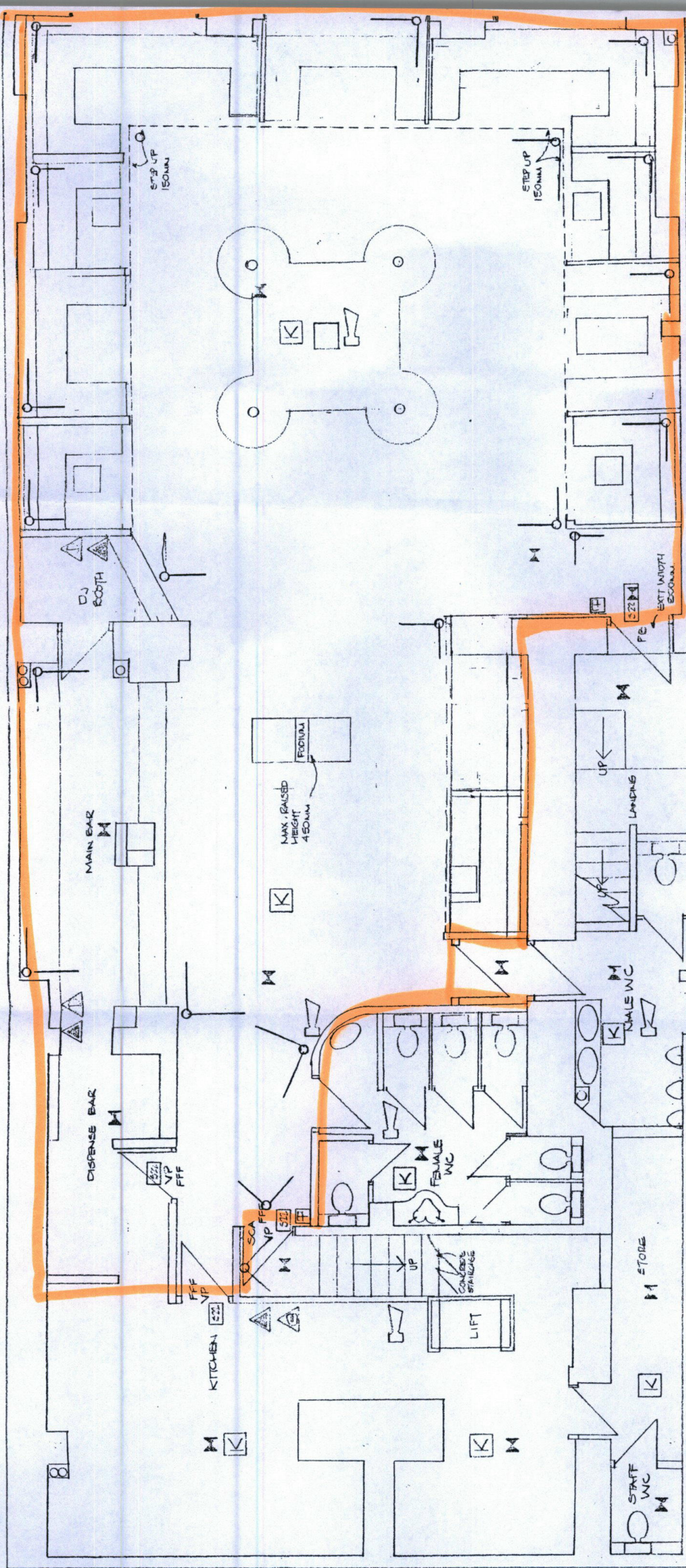
If applying by post you can pay by cheque, postal order or credit / debit card. Please make cheques and postal orders payable to 'City of Westminster'.

If you would like to pay by credit / debit card please complete this section:

Type of credit / debit card:	<input type="checkbox"/> Visa <input type="checkbox"/> MasterCard
	<input type="checkbox"/> Solo <input type="checkbox"/> Maestro <input type="checkbox"/> Delta
Card number:	
Issue date:	/ (mm/yy)
Expiry date:	/ (mm/yy)
Issue number:	(for Maestro / Solo)
Name on card:	
Amount (£):	

**THIS APPLICATION SHOULD BE COMPLETED IN FULL AND RETURNED TO THE LICENSING SERVICE, PREMISES MANAGEMENT, WESTMINSTER CITY HALL, 64 VICTORIA STREET, LONDON, SW1E 6QP.**





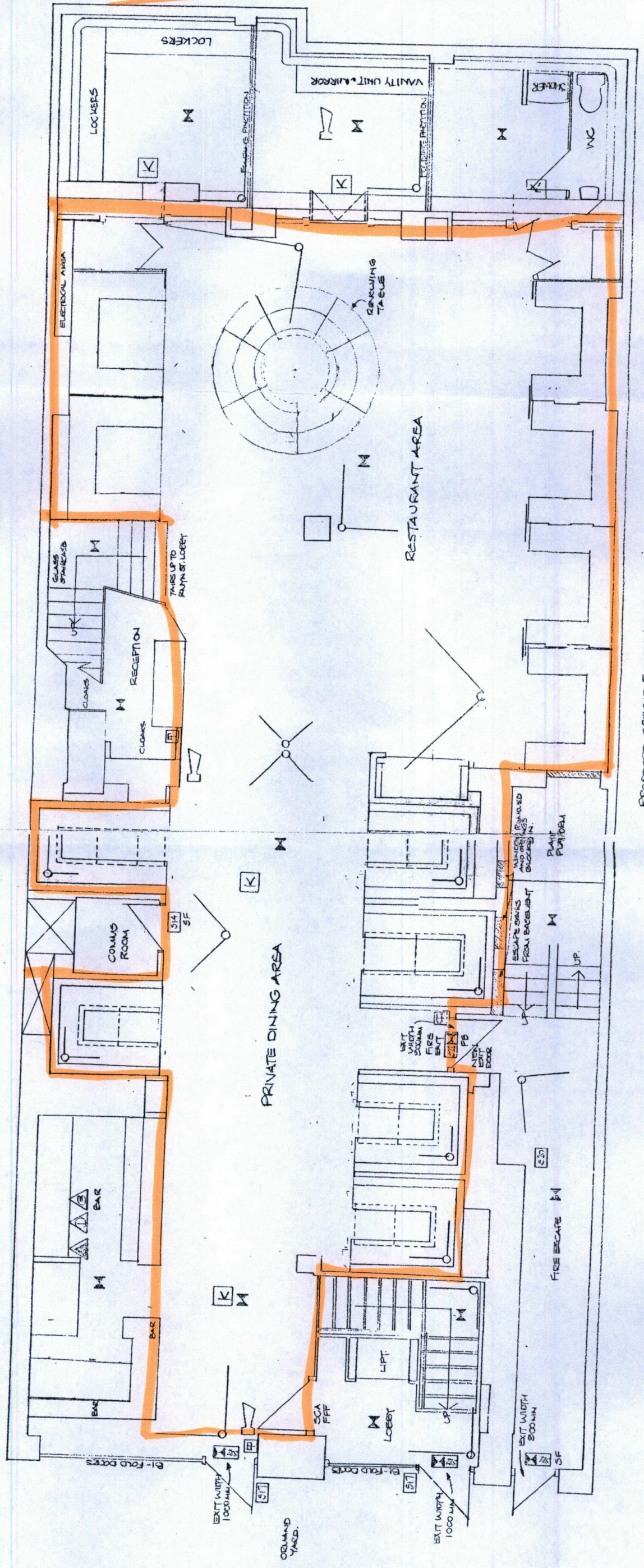
EXISTING BASEMENT LAYOUT

- KEY TO PLAN SYMBOLS
- M AREA COVERED BY ESCAPE LIGHTING SYSTEM
  - K HEAT DETECTORS
  - ☒ FIRE ALARM CALL POINTS
  - 📣 VOICE SOUNDER
  - 522 FIRE EXIT SIGNS
  - 522M FIRE EXIT SIGN INTERNALLY ILLUMINATED
  - VP VISION PANEL
  - 320 FIRE ESCAPE KEEP CLEAR
  - 517 SECURE DOOR OPEN WHEN FURNITURE ARE OCCUPIED
  - FFP DOOR FREE FROM FASTENINGS
  - 514 FIRE DOOR KEEP LOCKED
  - SF DOOR WITH SINGLE FASTENINGS
  - 🔥 CARBON DIOXIDE FIRE EXTINGUISHER
  - 🔥 WATER FIRE EXTINGUISHER
  - 🔥 FIRE BLANKET IN CONTAINER
  - SCA SELF CLOSING DOOR WITH AUTOMATIC RELEASE
  - FD DOORS WITH PANIC BUY FIRE DETECTION SYSTEM LINKED TO SYSTEM FOR COMPLETE BUILDING WITH ZONE INDICATOR PANEL LOCATED IN ENTRANCE LOBBY FROM JERMAN STREET
  - 📷 CCTV CAMERA POSITIONS 20° ANGLE 15M RANGE

Relevant Entertainment

(5)

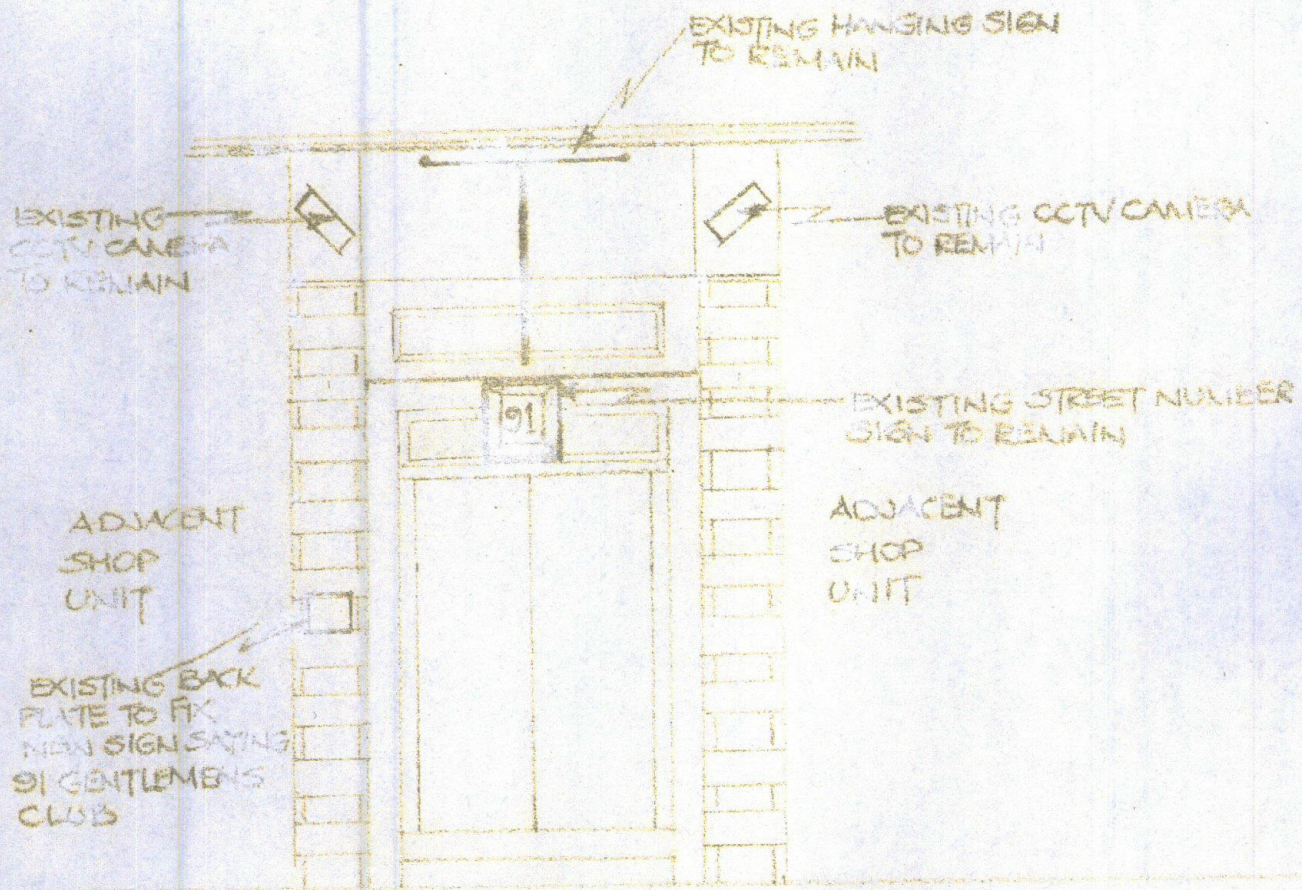




PROPOSED GROUND FLOOR LAYOUT

STANIS HUNT 2012





ELEVATION OF FRONT ENTRANCE DOOR  
TO 91 JERMYN STREET LONDON

SCALE 1:50  
DATE MARCH 2014



## CODE OF CONDUCT

There shall be no physical contact between the dancer and customer during a private dance other than the exchange of money or chip tokens

Customers must remain seated during a performance and must refrain from participating in the performance.

Customers must remain fully clothed at all times. Performances must cease immediately should this not be the case.

No physical contact is allowed between dancers during the performance of a dance.

Dancers must redress after each performance has concluded.

Dancers can only perform in the areas of the club designated by management.

Dancers must not give out any personal contact information.

Dancers shall not solicit for gratuities or payment for sexual favours.

Dancers shall not engage in any act of prostitution i.e. the receiving of gratuities or payment for sexual favours

Dancers shall not perform if under the influence of alcohol or drugs

**ALL DANCER SHALL COMPLY WITH THIS CODE OF CONDUCT. ANY FAILURE TO ADHERE TO THE CODE OF CONDUCT SHALL RENDER THE DANCER SUBJECT TO THE PREMISES DISCIPLINARY PROCEDURE**

**DANCER WELFARE & EQUALITY POLICY**

Club managers will provide a safe, healthy working environment and ensure our dancers are treated in a fair, sensitive and confidential manner in addition to providing welfare support for any individual as required.

Each venue will have a nominated female member of staff who will act as a welfare officer should any dancer feel unable to approach a member of the management team. This information and the contact numbers will be displayed on a notice within the premises and will be made available by the general manager.

Codes of Conduct will be rigorously enforced by both management and security to eliminate any potential incidents of sexual harassment or aggressive behaviour. All members of staff are to remain alert and immediately report any suspected incidents of this nature.

Any Dancer concerned about the behaviour of a customer shall report the incident immediately to the Duty Manager who shall take immediate action to resolve the matter

Staff members must constantly supervise the behaviour of customers at the premises and shall intervene where any customer is breaching the Code of Conduct for Customers or is otherwise causing alarm or distress to a Dancer

Any customer behaving inappropriately will be ejected from the venue

All employees, including bar staff, waitresses, D.J.'s, receptionists and toilet attendants are considered front line staff and are encouraged to report any matter which causes them concern.

Under no circumstances will any act of discrimination or exploitation be tolerated. Any report of such incidents will be reported to the general manager.

No member of staff will enter the Dancer's changing room without good cause. Visits should be restricted to members of management or security. Prior to entering the room the manager or supervisor must knock on the door and announce themselves. Private signs should be displayed setting out the rules for entering the changing room.

Dancers are reminded that for their own safety they must comply with all legal and statutory requirements, together with the Codes of Conduct and exit procedures.

Regular dancer meetings will be held to discuss any issues and to encourage feedback.

Every member of the team will be treated with dignity and respect.

Separate shower, changing and toilet facilities will be provided together with secure storage.

Dancers shall be provided with free drinking water on request

Dancers will not be required to drink alcohol.

18 Soho Square, London W1D 3QL

26 June 2014

FAO: Nick Nelson  
Licensing Service  
Westminster City Council  
4th Floor, City Hall  
64 Victoria Street  
LONDON SW1E 6QP

Our ref: LT/01383

Dear Mr Nelson

**RE: 91 CLUB, 6-7 ORMOND YARD, LONDON SW1Y 6JT – APPLICATION FOR NEW SEV LICENCE**

I refer to the above application which is listed for hearing on 3 July 2014. I confirm a hearing is necessary.

The premises are currently licensed under the Licensing Act 2003 to 3.30am Monday-Sunday for entertainment. No additional trading hours are sought as part of this application.

The Police have not objected to the application. The applicant has met with Environmental Health and the Licensing Authority to discuss the application, and we understand all of their operational concerns have been addressed by way of conditions. We have also spoken to the licensing inspectors and understand they have no objection to either the applicant or the application. Given the Police confirming they have no objection to this application, there are no crime and disorder concerns for the operation from that authority.

The premises trades now as a nightclub to the terminal hour, known as Hide, with a restaurant known as Abracadabra. The address of the application premises is 6-7 Ormond Yard (which is the same address shown on the premises licence) because in the past, some time ago, the front door was on Ormond Yard. When my client began operating the front door of the premises was moved to Jermyn Street and this is still the case.

There are a number of objections from local residents and local businesses in relation to the application. From the letters of representation it appears the objections stem from residents living on Ormond Yard, or residents living at the rear of the property.

For the avoidance of any doubt, we confirm that the front of the premises (i.e. entry to the premises), is on Jermyn Street and patrons will not be using Ormond Yard for entry, dispersal or smoking. My client has agreed conditions with Environmental Health to this effect. We also confirm that even whilst the club has been trading as Hide, Ormond Yard has not been used for entry or dispersal – only for some staff entry and deliveries. Current premises licence conditions 15-19, 27, 29 and 31 also confirm the current use of the Jermyn Street entrance for patrons.

Taxis for customer pick-ups/ drop offs do not enter via Ormond Yard as no entry is permitted on Ormond Yard. All taxi pick-ups/ drop offs will be via Jermyn Street. The smoking area for patrons and dancers will also be on Jermyn Street in a designated area. This is the current arrangement now for the nightclub. There will be no impact from the operation on Ormond

WCC

-2-

Yard, as all doors and windows will remain closed when relevant entertainment is being provided, and the doors and windows (which are glass), will be rendered opaque when relevant entertainment is taking place.

My client takes its neighbourly responsibilities in relation to Ormond Yard, very seriously. It has 11 external CCTV cameras on Ormond Yard alone, so that if any complaints are made the cameras can be examined and the source of the complaint identified, for the assistance of my client, the local residents and the authorities.

There will be further extensive CCTV system installed at the premises as shown on the proposed plans and should this application be granted, my client will also need to vary its premises licence to reflect the layout plans as they are installing new dancer facilities (changing rooms, toilets and showers) in three of the current private dining rooms. This application has not been submitted yet as my client is awaiting the outcome of this application.

The capacity at the premises has been assessed by Environmental Health and the District Surveyor. The capacity has been reduced from that on the premises licence to reflect the removal of the private dining rooms, and the capacity will now be a maximum of 100 patrons in the basement and 100 patrons on the ground floor. There is no objection to this capacity being imposed on the SEV.

The operation will see a high number of tables and chairs within the venue and, the authorities will be able to confirm that at adult entertainment venues, nearly all patrons are seated taking advantage of waiter/waitress service, much more than now.

As mentioned above, the premises currently trades as a club, with a restaurant. The impact on the local area should this application be granted, will be far less in any event as the clientele numbers will be less, the premises will not be drink-led- but entertainment led, and dispersal is more sporadic than a mass exodus at the end of the trading time.

In terms of the change in operation from a nightclub to a SEV premises, premises tend to have little if any queuing whilst operating as an adult entertainment venue, and minimal drunkenness and crime and disorder premises. The music levels within the premises itself, will also be lower than that in a nightclub. The frontage is anonymous and all standard conditions and procedures in relation to WCC SEV premises will be complied with.

As heard in evidence before the Culture, Media and Sports Committee, when the SEV legislation was being considered, Inspector Adrian Studd stated (copy attached at question 64), in respect of SEV premises:

*"It is true to say that there is no evidence that they cause any crime and disorder. Very rarely. They tend to be fairly well run and they tend to have a fairly high staff ratio to customers. The people who tend to go there tend to be a bit older, so they do not drink so excessively and cause the crime and disorder problems outside."*

Most of the issues raised by the objectors relate to issues dealt with under the Licensing Act 2003 and, in our submission, show the importance to look at the immediate neighbourhood carefully, as shown in the map in the Licensing Sub Committee Report. For example, complaints have been made in relation to traffic congestion on Ormond Yard and noise and



**WCC**

**-2-**

nuisance in that immediate area. Ormond Yard is not used by my client for patron entry or dispersal as detailed above but it is the access route for deliveries and staff etc for The Cavendish London Hotel (81 Jermyn Street), and as such it is in use 24 hours for access to the hotel. It is also a route, through the pedestrianised area at the end of Ormond Yard, to reach Scotch St James, which also holds a late hour SEV and premises licence. There is no reason for patrons of this premises, even now, to walk around the block from Jermyn Street to Ormond Yard when leaving as it is a dead end street (with double yellow lines). There are adequate transport arrangements and taxi facilities from the premises in Jermyn Street and along the nearby main thoroughfare Piccadilly.

In terms of the area of the premises the entrance (as mentioned above), will be on Jermyn Street. There are two SEVs in the nearby vicinity already (Scotch and Gaslight), where the area has been deemed suitable for SEV premises.

In relation to our bottle and rubbish collection, it takes place usually in the afternoon, but it is always between 09.00 and 18.00. There are two refuse collectors for the premises – Dirty Harry's and Westminster's own service.

The premises has dancer induction packs where the WCC standard conditions will be complied with. Identification (and immigration proof) for the dancers will be recorded and kept on file for inspection by the authorities. The dancers will also undergo induction policy training, which will include education and training on the conditions of both the premises licence and the SEV licence along with the Code of Conduct, other operational policies, including health and safety and fire training. These records will all be maintained on the premises for inspection by the authorities and signed off on by management and the dancers. There will be a house mother in charge of the dancers for their welfare, along with a designated senior member of management. Customer notices dealing with the Code of Conduct will also be displayed on the tables, at the bar, at the entrance and in the toilets. Management/security will also speak to patrons entering about the Code of Conduct so they are aware of the rules and procedures.

In terms of exit and dispersal should this application be granted, upon entering the premises reception staff will inform customers that a taxi can be called either from reception or from their tables at any time. The waitresses will further give information and provide details of the dedicated taxi service available for customers during the course of the evening. There will also be signage at the entrance, at reception and the toilets which will reinforce the availability of a contact number for taxis.

There will be a winding down period within the venue at the end of the evening, where house lights will gradually be increased and music levels lowered, giving customers a window to gradually consume their beverages. Given the hours permitted under the licence for the retail sale of alcohol there is already a natural wind down period for consumption of alcohol. There will be SIA security on each of the floors and at the front of the premises, whilst the premises are operating under this licence. Door supervisors will also be able to assist in the calling of taxis and dispersal of patrons when they are leaving. Door supervisors will patrol the front of the premises, to encourage those patrons wishing to leave on foot, to do so quickly and quietly. Customers, of course will not be allowed to leave with any glass or bottled drink.

**WCC**

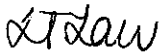
**-2-**

In terms of dispersal of dancers, all dancers and staff will be required to remain on the premises until notified by a member of security/management that all customers have left the building and they are able to leave. They too will be reminded to leave quietly and will not be allowed to exit unaccompanied, unauthorised or in large groups. Management and members of security will be responsible for ensuring that staff and dancers comply with the company policy in this respect.

Other objections raised by the residents, such as the sub-letting of the premises is incorrect. I have been instructed the premises have never been sub-let by my client. Further, one representation objects to the application on the basis that fire arms will be used at the premises. Fire arms are mentioned in the WCC standard condition dealing with special effects, as requested by officers in the usual way, primarily for theatres and other performance led venues. I confirm my client has no intention to seek such approval from the Council now or in the future.

Should you have any queries please contact Lana Tricker on 020 3755 5138.

Yours faithfully



**LT LAW**

14 October 2008 Commander Simon O'Brien, Chief Inspector Adrian Studd, Mr Simon Reed and Mr George Gallimore

probably committed some offence under the Theft Act or (b) We have the power to stop that person and confiscate that. That tends to be much more of a black and white position in which the police can involve themselves. In terms of pricing structures in a freely available and lawful commodity, it becomes much more difficult for us to have some enforcement view there.

**Q62 Helen Southworth:** How much do you think needs to be about enforcement and how much about better management in the first place?

**Mr O'Brien:** Before the Act there would be problems where people drank far too much and there would be problems with certain people that did not manage their premises particularly well. I think the Act has given us some significant powers, which I think we have used very sensibly and we will continue to do so. I think, frankly, that enforcement is only one part of what we need to be doing. I think the whole view about our consumption of alcohol in this country probably needs a broader look at. That whole culture change might not come from enforcement, but could come, as we have seen with smoking and other areas, through health and education. I think that is an area we need to be focused on in the future.

**Q63 Helen Southworth:** Is this something, in your experience, in which there is currently sufficient involvement from health agencies in town centres, for example? Or do you think that is something that needs to be worked on? I have an example of a meeting with the owners of licensed premises in my constituency. We began it with a presentation from the consultants at A&E, who gave graphic demonstrations of injuries that had been caused to people in our own town on a Friday and Saturday night. The impact of that was very considerable. People who had not experienced it and who did not realise what was happening to people when they were outside the doors were given it very graphically. Do you think we need to do more of that sort of thing?

**Mr O'Brien:** Certainly there have been some very good examples and I think we are working much more closely with colleagues in health, both in acute trusts and the primary care sector. In Cardiff, for example, the greater ability and desire to share certain anonymous data has been very useful. I think both services can then plan their particular construct that night. For example, knowing that emergency admissions have gone up in a particular location is not particularly stunning news, but at what time and over what premises allows us maybe to put further police officers into that area earlier or to put frontline ambulances further into the town centre. I think all those are bits of the problem solving that we are more used to dealing with these days. There is always going to be a problem in terms of our health colleagues and the issue of patient confidentiality, which we would respect, but in many ways just sharing our overall knowledge of a particular problem would allow us to respond in a much more professional and efficient way in the first place.

**Q64 Paul Farrelly:** I am the Member of Parliament for Newcastle-upon-Lyme which is a town in the Midlands, and like every town we have lots of pubs and we have the occasional problem of badly run pubs, particularly with respect to drug dealing. The latest antisocial behaviour problem concerns yobbos watching live Stoke City matches via a satellite signal that is supposed to go to Norway but comes into my town, and these pubs are co-run by a conservative councillor locally, which is quite an interesting problem and not just for the police. By far the major concern I have had about licensing in recent years was to do with the licensing of a lap dancing club in our town. There the police could not object because there were no crime and disorder problems. In fact, the police say that the people who go in there are generally far better behaved than the people drinking late at night in pubs. Of course people locally are looking for the police and licensing committees to make moral decisions. Has this issue caused you any problems? Would you like to see a separate licensing regime allowing some more local democratic involvement for what you might call adult entertainment?

**Mr Studd:** It is quite a difficult one. The Police Service has grappled with it over recent years, since it was introduced about 10 or 15 years ago. I think you are right when you say that often people look for a moral decision on it, which is something that it is very difficult for the police or local authorities to make. I guess there are only two distinctions. It is either entertainment, in which case it comes under the Licensing Act, or it is sexual encounter, in which case it has a separate licence. A number of local authorities have their own sex encounter licences, and that brings in a much more rigid campaign. They obviously get much more substantial fees, anything up to £30,000 a year, which allows them to visit the premises, and to monitor it and regulate it in that way. If it is just public entertainment—which is what they say it is—it is ordinary dancing and it falls within that same unit as a public house. It is very difficult to know what else can be done in relation to regulating it. It is true to say that there is no evidence that they cause any crime and disorder. Very rarely. They tend to be fairly well run and they tend to have a fairly high staff ratio to customers. The people who tend to go there tend to be a bit older, so they do not drink so excessively and cause the crime and disorder problems outside.

**Q65 Mr Farrelly:** Would it simplify things if anything to do with nudity were brought under the sexual encounter regime?

**Mr Studd:** What is nudity? Some lap dancing clubs take the G-string—well, they call it a G-string: you would be hard pushed to see it but they would say there is a G-string—and say that therefore they are not nude and therefore it is entertainment. There is the three foot rule, but where is the three foot? Is it from the dancer's hair or their body or their feet? When are they touching and when are they not touching? With the best will in the world, when you get into the fine detail of it—as we have tried to do

**Nelson, Nicholas**

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**From:** Lana Tricker [lana@ltlaw.co.uk]  
**Sent:** 21 May 2014 13:21  
**To:** Nelson, Nicholas  
**Cc:** Watson, Ian; Rowe, Steven  
**Subject:** FW: Abracadabra SEV

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Dear All

Please find below a list of additional special conditions my client is offering to add to the SEV licence for Abracadabra.

1. Patrons shall enter and exit the premises only via the entrance on Jermyn Street;
2. After 7.00pm, all staff and performers will enter and exit the premises using the Jermyn Street entrance;
3. The designated smoking area for patrons shall be in Jermyn Street;
4. After 7.00pm the designated smoking area for staff and performers shall be in Jermyn Street

Steve- the condition re performers redressing is on the standard SEV conditions as 'Performers must redress fully immediately after each performance' and we are not seeking to vary/waive that condition.

I would be grateful if you could amend the papers accordingly

Many thanks.

Kind regards  
Lana

Lana Tricker  
Principal, LT Law

M: 075257 11530  
T: 020 3755 5138

This e-mail is confidential and may also be privileged. If you are not the intended recipient please notify LT Law by return e-mail or at the numbers above and delete it, and any copies of it; you must not read, print, copy or use the communication for any purpose, and you must not disclose its contents to any other person. LT Law has taken steps to ensure that this message (and any attachments or hyperlinks contained within it) is free from computer viruses and the like. However, we cannot guarantee that no viruses are present, and we accept no liability for any damage caused by you opening this communication, or any attachments or Hyperlinks contained in it. Lana Tricker is the sole proprietor of LT Law. SRA No: 488281 Authorised and regulated by the Solicitors Regulation Authority.

**Nelson, Nicholas**

---

**From:** Lana Tricker [lana@ltlaw.co.uk]  
**Sent:** 24 June 2014 16:54  
**To:** Watson, Ian; Nelson, Nicholas  
**Cc:** Rowe, Steven  
**Subject:** RE: Abracadabra SEV

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Dear Ian

Just to let you know my client has no objection to the conditions on your memo being included on the SEV licence

Thanks

Kind regards

Lana

Lana Tricker  
Principal, LT Law

M: 075257 11530  
T: 020 3755 5138

This e-mail is confidential and may also be privileged. If you are not the intended recipient please notify LT Law by return e-mail or at the numbers above and delete it, and any copies of it; you must not read, print, copy or use the communication for any purpose, and you must not disclose its contents to any other person. LT Law has taken steps to ensure that this message (and any attachments or hyperlinks contained within it) is free from computer viruses and the like. However, we cannot guarantee that no viruses are present, and we accept no liability for any damage caused by you opening this communication, or any attachments or Hyperlinks contained in it. Lana Tricker is the sole proprietor of LT Law. SRA No: 488281 Authorised and regulated by the Solicitors Regulation Authority.

---

**From:** Watson, Ian [mailto:iwatson@westminster.gov.uk]  
**Sent:** 17 June 2014 14:50  
**To:** Lana Tricker; Nelson, Nicholas  
**Cc:** Rowe, Steven  
**Subject:** RE: Abracadabra SEV

Lana

Please find attached some additional and modified conditions with regard to the application.

The capacity condition for the ground floor has been reduced from 125 persons to 100 persons due to the proposal that the three private dining areas will be converted into a changing room for the performers.

Let me know if you have any concerns.

Regards

**Ian Watson**

Senior Practitioner Environmental Health (Licensing)  
EH Consultation and Licensing

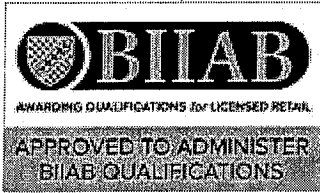
**Premises Management**

Westminster City Council  
City Hall, 4<sup>th</sup> Floor West

64 Victoria Street  
London, SW1E 6QP

Tel: 020 7641 3183  
Fax: 020 7641 3436  
Email: [iwatson@westminster.gov.uk](mailto:iwatson@westminster.gov.uk)

**Westminster Council's Team of the Year 2012**



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**From:** Lana Tricker [<mailto:lana@ltlaw.co.uk>]  
**Sent:** 21 May 2014 13:21  
**To:** Nelson, Nicholas  
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Kind regards  
Lana

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\*\*\*\*\*  
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[www.westminster.gov.uk](http://www.westminster.gov.uk)

\*\*\*\*\*

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CITY OF WESTMINSTER

MEMORANDUM

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**TO** Mr S Rowe Licensing Officer

**REFERENCE** 14/02824/LISEVN

---

**FROM** EH Consultation Team

**REFERENCE**

**BEING DEALT WITH BY** I Watson (iwatson@westminster.gov.uk)

**TELEPHONE** 020 7641 3183

**DATE** 25th April 2014

---

**Local Government (Miscellaneous Provisions) Act 1982**  
**Policing and Crime Act 2009**

**91 Club with Abracadabra Restaurant, 6-7 Ormond Yard, SW1**

I refer to the application for a Sexual Entertainment Venue Licence.

**The premises are located within the Westminster Core Commercial Activity Zone.**

The applicant has submitted Ground and Basement floor plans of the premises which are not referenced or dated.

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

The applicant is seeking the following

1. The application is to provide striptease, pole dancing and table dancing with full nudity during the opening hours of 12.00 – 03.30 Monday to Sunday.

I wish to make the following representation

1. The grant of the licence would be inappropriate having regard to the layout, character or condition of the premises.

Conditions have been proposed by the applicant but a visit will need to be made to the premises to ensure compliance with Westminster licensing policy and additional conditions may be proposed.

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

Ian Watson  
Senior Practitioner Environmental Health (Licensing)



**Nelson, Nicholas**

---

**From:** Watson, Ian  
**Sent:** 17 June 2014 14:50  
**To:** Lana Tricker; Nelson, Nicholas  
**Cc:** Rowe, Steven  
**Subject:** RE: Abracadabra SEV  
**Attachments:** 91 Club SEV conditions 7 14.doc

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Lana

Please find attached some additional and modified conditions with regard to the application.

The capacity condition for the ground floor has been reduced from 125 persons to 100 persons due to the proposal that the three private dining areas will be converted into a changing room for the performers.

Let me know if you have any concerns.

Regards

**Ian Watson**

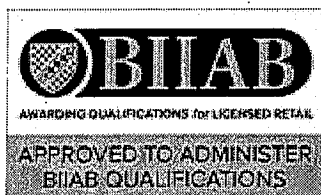
Senior Practitioner Environmental Health (Licensing)  
EH Consultation and Licensing

**Premises Management**

Westminster City Council  
City Hall, 4<sup>th</sup> Floor West  
64 Victoria Street  
London, SW1E 6QP

Tel: 020 7641 3183  
Fax: 020 7641 3436  
Email: [iwatson@westminster.gov.uk](mailto:iwatson@westminster.gov.uk)

**Westminster Council's Team of the Year 2012**



---

**From:** Lana Tricker [<mailto:lana@tlaw.co.uk>]  
**Sent:** 21 May 2014 13:21  
**To:** Nelson, Nicholas  
**Cc:** Watson, Ian; Rowe, Steven  
**Subject:** FW: Abracadabra SEV

Dear All

Please find below a list of additional special conditions my client is offering to add to the SEV licence for Abracadabra.

1. Patrons shall enter and exit the premises only via the entrance on Jermyn Street;

2. After 7.00pm, all staff and performers will enter and exit the premises using the Jermyn Street entrance;
3. The designated smoking area for patrons shall be in Jermyn Street;
4. After 7.00pm the designated smoking area for staff and performers shall be in Jermyn Street

Steve- the condition re performers redressing is on the standard SEV conditions as 'Performers must redress fully immediately after each performance' and we are not seeking to vary/waive that condition.

I would be grateful if you could amend the papers accordingly

Many thanks.

Kind regards  
Lana

Lana Tricker  
Principal, LT Law

M: 075257 11530  
T: 020 3755 5138

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TO Licensing Officer

REFERENCE 14/02824/LISEVN

---

FROM EH Consultation Team

REFERENCE

BEING DEALT WITH BY I Watson (iwatson@westminster.gov.uk)

TELEPHONE 020 7641 3183

DATE 17th June 2014

---

**Local Government (Miscellaneous Provisions) Act 1982**  
**Policing and Crime Act 2009**

**91 Club with Abracadabra Restaurant, 6-7 Ormond Yard, SW1**

I refer to the application for a Sexual Entertainment Venue Licence.

The following conditions are requested to be attached to the SEV licence. These are in addition to those proposed by the applicant or modified to address Public Safety and Nuisance.

1. The maximum number of persons accommodated within the premises at any one time (excluding staff) shall not exceed  
Basement – 100 persons  
Ground Floor – 100 persons
2. The doors and windows into Ormond Yard from the ground floor restaurant will be maintained closed when relevant entertainment is being provided.
3. All doors and windows fronting onto Ormond Yard shall be rendered opaque when relevant entertainment takes place.
4. The designated smoking area for patrons shall be adjacent to the entrance in Jermyn Street.
5. After 7.00pm the designated smoking area for staff and performers shall be adjacent to the entrance in Jermyn Street.

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

Ian Watson  
Senior Practitioner Environmental Health (Licensing)

Mr Nicolas Nelson  
Licensing Service  
Westminster City Hall  
64 Victoria Street  
London  
SW1E 6QP

Mr Steven Rowe  
Environmental Health Case Officer Licensing

Tel: 020 7641 7825

Fax: 020 7641 7815

[srowe@westminster.gov.uk](mailto:srowe@westminster.gov.uk)

Team Email : [generallicensing@westminster.gov.uk](mailto:generallicensing@westminster.gov.uk)

Date: 25<sup>th</sup> April 2014

Ref: 14/02824/LISEVN

Dear Nick

**Application to for a new Sexual Entertainment Venue Licence in respect of 91 Club with Abracadabra Restaurant**

As an authorised officer for the council under the Local Government (Miscellaneous Provisions) Act 1982 please accept this letter as a formal objection to this application on behalf of the council.

The applicants have not provided sufficient information with the application as to how the premises are intended to operate as sexual entertainment venue and the plans do satisfy my concerns in relations to CCTV and the areas intended to be used under the licence.

I will arrange a visit to the premises to discuss the application with the applicant and if the concerns raised within this objection are fully addressed to the satisfaction of the council by way of written submissions, oral evidence or additional conditions then the council will withdraw its objection to this application.

Yours sincerely



Mr Steven Rowe  
Environmental Health Case Officer Licensing  
Environmental Health Consultation and Licensing

Supporting



[www.westminster.gov.uk/licensing](http://www.westminster.gov.uk/licensing)

Nelson, Nicholas

---

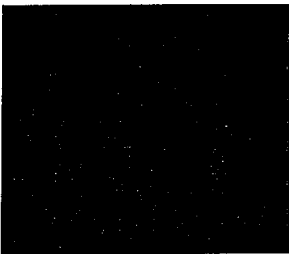
From: [REDACTED]  
Sent: 16 April 2014 13:27  
To: General Licensing  
Subject: Ref ref 14/02824/LISEVN.

Follow Up Flag: Follow up  
Flag Status: Completed

Dear Sirs,

I would like to lodge my objection to the new Sexual Entertainments Venue licence for 91 Club with Abracadabra Restaurant, 6—7 Ormond Yard, London, SW1Y 6JT ref 14/02824/LISEVN.

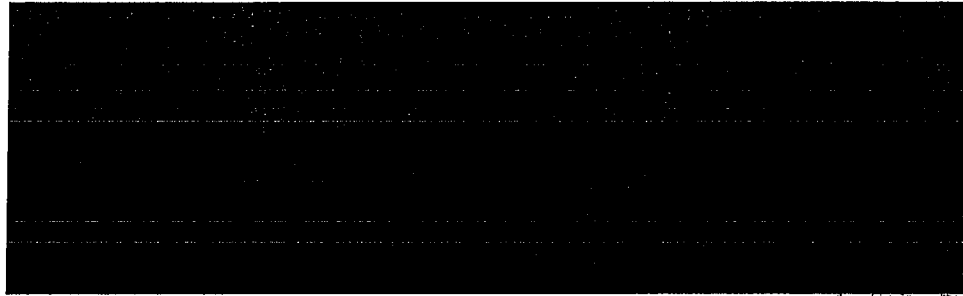
Ormond Yard represents a precious residential area with in the heart of London and whilst some disruption from surrounding businesses is to be expected and embraced, the extra comings and goings late at night, coupled with the noise of the bottle collection, is not acceptable.



I would prefer to be kept informed by email.

Yours faithfully,





PREMISES MANAGEMENT  
LICENSING SERVICE  
14 APR 2014  
CITY OF WESTMINSTER

Licensing Service  
Westminster City Hall  
64 Victoria Street  
London  
SW1E 6QP

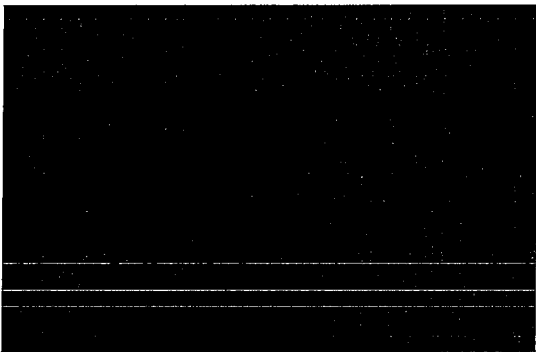
11/4/14

Ref: 14/02824/LISEVN.

Premises address: 91 Club with Abracadabra Restaurant, 6-7 Ormond Yard, London, SW1Y 6JT

Dear Sirs,

With regard to the application reference 14/02824/LISEVN we can only say that we believe that in this day and age it is inappropriate to have a sexual entertainment venue in this area of SW1. The area is the subject of large scale redevelopment for prestige offices, art galleries and high quality purveyors of fashion goods. It is inappropriate to have a sleazy sexual entertainment venue in this context and the late hours tend to cause disturbance to residents. In addition, we have heard rumours that the club in question has been, in the past, subject to police attention for various abuses.



*[Faint, mostly illegible text, likely bleed-through from the reverse side of the page.]*



Nelson, Nicholas

---

From: [REDACTED]  
Sent: 16 April 2014 14:29  
To: General Licensing  
Subject: REF: 14/02824/LISEVN

Follow Up Flag: Follow up  
Flag Status: Completed

Dear Licensing Service,



REF: 14/02824/LISEVN

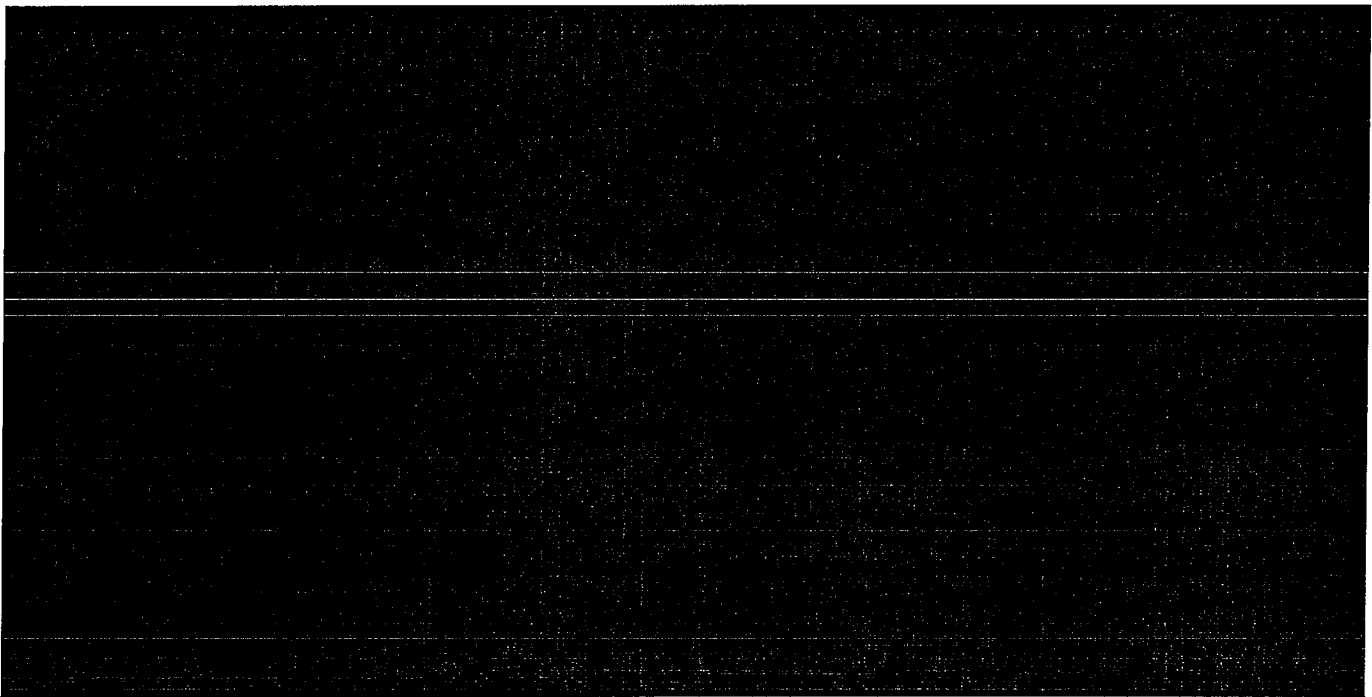
Re: new Sexual Entertainment Venue License for 91 Club with Abracadabra Restaurant, 6-7 Ormond Yard, London, SW1Y 6JT

As a [REDACTED] on prestigious Jermyn Street we do not feel that there is any need to be adding a Sexual Entertainment venue 1 block from [REDACTED]. Currently we have already had issues with patrons from Abracadabra with 2 fights in the last 3 months, [REDACTED]

[REDACTED]. These fights have occurred as they are sub-letting out the club to other clubs to use the location which does not fit in with the surroundings of Jermyn Street. Both of these issues have caused numerous complaints from [REDACTED], and I would be concerned what type of clientele they will be attracting to a late night license venue with Sexual Entertainment and will this continue to be sub-let causing more problems for [REDACTED].

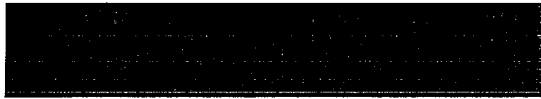
Please feel free to contact me directly should you require any further information.

Best regards

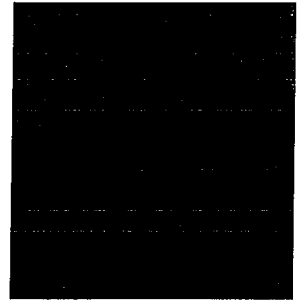








PREMISES MANAGEMENT  
LICENSING SERVICE  
14 APR 2014  
CITY OF WESTMINSTER



Your ref: 14/02824/LISEVN/

Our ref: [Redacted]

10 April 2014

City of Westminster  
Licensing Service  
Westminster City Council  
64 Victoria Street  
LONDON SW1E 6QP

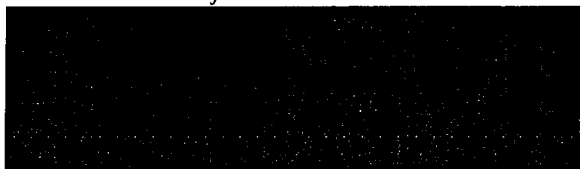
For the attention of: Steve Rowe

Dear Sirs

**NOTIFICATION OF A NEW PREMISES LICENCE APPLICATION UNDER THE  
LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982**

Please consider this letter as an objection to the application referred to above at  
6-7 Ormond Yard and we look forward to hearing further from you after the closing date  
of 28 April.

Yours faithfully





## Comments for Licensing Application 14/02824/LISEVN

### Application Summary

Application Number: 14/02824/LISEVN  
Address: 6-7 Ormond Yard London SW1Y 6JT  
Proposal: Sexual Entertainment Venue - New  
Case Officer: Mr Steve Rowe

### Customer Details

Name: [REDACTED]

Address: [REDACTED]

### Comment Details

Commenter Type: Neighbour  
Stance: Customer objects to the Licensing Application  
Comment Reasons:  
Comment: 3:58 PM on 23 Apr 2014 Dear Sir,

As the occupant of [REDACTED], I object very strongly to issue of a sexual entertainment license under Ref. 14/02824/LISEVN to Abracadabra at 6-7 Ormond Yard.

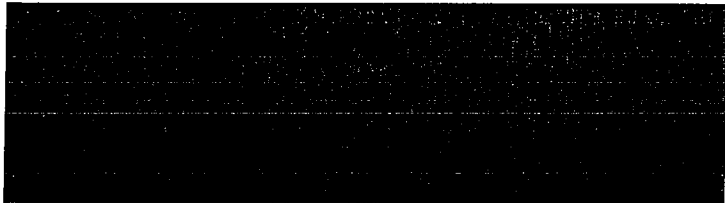
- 1) This will be totally out of place in this quiet mews behind St. James's Square, which is now residential except for the restaurant and barber's shop.
- 2) 6-7 Ormond Yard is a fire exit and should never be allowed to become a main entrance as this will cause noise, blocking the garages doors and disturbance to public order. There have already been past incidents in the early hours of the morning requiring police intervention.
- 3) Extra traffic will cause congestion in front of the lock up garages which are in use 24 hours daily, and will contravene the double yellow lines that run both sides of Ormond Yard.
- 4) There have been problems in the past with loud sound and noises in the middle of the night from the 6-7 Ormond Yard premises.
- 5) The quiet St. James's 'VILLAGE' atmosphere of the area will be destroyed by a totally out of place and extra SEX ENTERTAINMENT CLUB, particularly as there is already the long established Gas Light Club in Duke of York Street round the corner.

Please dismiss this sex license application.

Yours sincerely,

[REDACTED]

[REDACTED]



City of Westminster  
Licensing Service  
Westminster City Hall  
64 Victoria Street  
London SW1E 6QP

PREMISES MANAGEMENT  
LICENSING SERVICE  
22 APR 2014  
CITY OF WESTMINSTER

14<sup>th</sup> April 2014

Dear Sir,

REF: Licensing application reference 14/02824/LISEVN

We would like to register our objection in the strongest possible terms against the granting of the above new premises licence application at 91 Jermyn Street.



It goes without saying that it is inappropriate to say the least for [redacted] to have to pass [redacted] by those attending 'sexual entertainment.'

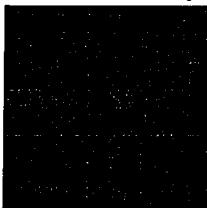
We have had to put up with a lot over recent years, [redacted]  
[redacted]

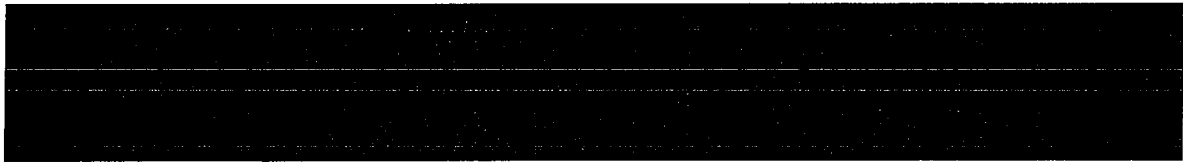
A 'sexual 'entertainment' business is one step too far, as I'm sure you will agree.

It does not fit in with the respectability of Jermyn Street and therefore does not belong in St. James's

We strongly object to this licence application.

Yours sincerely,





Licensing Service,  
4th Floor, Westminster City Hall,  
64 Victoria Street, London, SW1E 6QP  
Fax = 0207 641 7815, Tel = 020 7641 8549





**Subject: Objection to Application for a new Sexual Entertainments Venue license for the 91 Club with Abracadabra Restaurant, 6-7 Ormond Yard, London SW1Y 6JT**

Reference number: 14/02824/LISEVN

Date 25 April 2014

Dear Sir/Madam

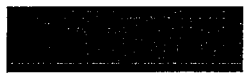
I wish to lodge my objections to the above application for a new Sexual Entertainments Venue license for the 91 Club with Abracadabra Restaurant, 6-7 Ormond Yard, London SW1Y 6JT, for the following reasons:

1. 
2. 
3. The proposed application for a new Sexual Entertainments Venue license is not compatible with the residential nature of  and associated needs for peace and quiet for the  owners and residents.
4. The proposed application for a new Sexual Entertainments Venue license will increase the risk of noise throughout the day and night, increase congestion, reduce the availability of parking spaces, and will lead to collateral problems associated this type of establishment – increased rowdiness, drug use, violence, and health & safety risks to residents of the area, staff & customers.
5. Opportunities for potential customers to visit well established Sexual Entertainments venues exist within other parts of Westminster, i.e. Soho, where it can be controlled more effectively in a focussed area by the local authorities, medical, health & safety personnel and police.

Therefore, I am requesting that the application for a new Sexual Entertainments Venue at 91 Club with Abracadabra Restaurant be rejected.

Please contact me by email  or phone 

Yours faithfully,



# Comments for Licensing Application 14/02824/LISEVN

## Application Summary

Application Number: 14/02824/LISEVN  
Address: 6-7 Ormond Yard London SW1Y 6JT  
Proposal: Sexual Entertainment Venue - New  
Case Officer: Mr Nick Nelson

## Customer Details

Name: [REDACTED]

Address: [REDACTED]

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Licensing Application

Comment Reasons:

Comment: 11:43 AM on 30 Apr 2014 Objection to Part 3 - Policy and Conditions - Prevention of Crime & Disorder.

Additional Conditions.

Section 10. Firearms, explosives and highly flammable substances.

"The above special effects shall be arranged and stored..."

Reasons for Objection:

1. The use of firearms, explosives and highly flammable substances can be accepted in a residential neighbourhood.
2. The additional conditions in the application does not provide any information on how the above special effects will be stored, where on the site plan will these effects be stored, does to place of storage meet health & safety or dangerous good regulations?
3. The presence of firearms cannot be accepted at the place of entertainment or restaurant. Such action would be against the UK national firearms control regulations.

**Nelson, Nicholas**

---

**From:** [REDACTED]  
**Sent:** 25 April 2014 13:06  
**To:** General Licensing  
**Cc:** [REDACTED]  
**Subject:** 6-7 Ormond Yard, SW1 - Application reference 14/02824/LISEVN  
**Attachments:** Abracadabra objection.doc  
  
**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Dear Sirs,

Please see attached an objection from [REDACTED] to the application by Commer Investments Ltd for a Sexual Entertainment Licence for 6-7 Ormond Yard.

I would be grateful if you would kindly acknowledge receipt.

Yours sincerely,

[REDACTED]

**91 CLUB WITH ABRACADABRA RESTAURANT**  
**APPLICATION FOR SEXUAL ENTERTAINMENT VENUE LICENCE**  
**APPLICATION REFERENCE 14/02824/LISEVN**

**OBJECTION BY** [REDACTED]

**The location of the premises**

The application itself and the notice displayed outside the premises give the address of the premises as 6-7 Ormond Yard. It is however difficult to comment adequately on the location of the premises, as the application contradicts itself/is misleading because:-

- (a) The plans lodged with the application show that whereas the basement has access from Ormond Yard, the ground floor fronts onto Jermyn Street at number 91.
- (b) The reception area is shown as being just inside the main entrance from Jermyn Street, thereby clearly indicating that the Jermyn Street entrance is intended to form the main customer access into the premises.
- (c) The sketch plan of the Jermyn Street entrance indicates an intention to erect a name plate stating "91 Gentlemen's Club".

Looking at paragraph 2.4.6 of the City Council's Statement of Licensing Policy, it is clear that Policy L01 is highly relevant. If the premises are to be regarded as being in Jermyn Street, there are few streets in the CAZ North which qualify better as containing "high profile retail" premises. Paragraph 2.4.11 of the Policy states "*Areas predominately characterised by general or family retail use may be inappropriate localities for sexual entertainment because of their use by children, either unsupervised or in a family context, and by adults wishing to avoid the characteristics of, or associated with, sexual entertainment venues.*"

If the premises are to be regarded as being in Ormond Yard, Ormond Yard is most definitely "*predominately residential*" (para 2.4.6), being a quiet cul de sac, albeit with pedestrian access into Mason's Yard. If customers are to arrive at or depart from the premises via Ormond Yard, this will add significantly to the ambient noise level in what is currently a very quiet residential enclave.

Parking in Jermyn Street late at night is already congested because of the existence of other premises licensed until the early hours of the morning. The grant of a licence for premises of the size of 6-7 Ormond Yard/91 Jermyn Street would make the situation markedly worse.

**The size/capacity of the premises**

Condition 1 of the Additional Conditions proposed by the applicant indicates that the capacity of the premises, **excluding staff**, will be 235. Taking into account the number of



performers needed to entertain anywhere near this number of customers (between 50 and 75), plus waiters, bar staff, management and internal security, the total number of people in the premises at any one time may well approach 400. It is submitted that this is an inappropriately high figure for this location.

### **The proposed Code of Conduct**

The first and most obvious difficulty with the Code is that it fails to comply with Condition 13 of the City Council's Standard Conditions (which the applicant has not sought to vary), in that there is no provision for performers to sign by way of acknowledgement and agreement. Whilst the applicant may argue that this is easily remedied, it indicates clearly that the applicant has either not read, or has failed to understand, the Standard Conditions.

The Code is seriously deficient, in that it fails to mention a large number of items which an experienced operator of table clubs would know immediately to be essential. One simple and obvious example is that there is no indication as to how a performer should react if a customer touches her during a performance.

An applicant with knowledge of operating table dancing clubs would also have prepared and submitted "House Rules" applicable to the behaviour of customers. Condition 22 of the Standard Conditions requires notices to be displayed warning customers that they may not touch performers during a performance, but this is only one out of a number of important matters to be dealt with in such rules.

### **The suitability of the applicant**

Policy SU1 of the Statement of Licensing Policy states that one of the considerations by which an application will be judged is "*The history of any association, whether formal or informal, with the management of entertainment or licensed premises*".

Table dancing, by its very nature, is a specialised form of entertainment, and very few table dancing clubs have been opened and operated successfully and without running into difficulty without hands on management experience elsewhere within the table dancing industry. Although those associated with the application obviously have considerable experience in running a restaurant and nightclub, some of the matters referred to within the application and indeed many matters omitted (see above) give rise to a distinct impression that that no-one within the applicant company has the specialised experience which would be crucial should the application be granted.

### **The proximity of other similar premises**

In connection with paragraph 2.4.22 of the Policy, the sub-committee may wish to take into account the location of [REDACTED]

[REDACTED]



PREMISES MANAGEMENT  
LICENSING SERVICE  
28 APR 2014  
CITY OF WESTMINSTER

City of Westminster  
Licensing Service  
Westminster City Hall  
64 Victoria Street  
London SW1E 6QP

17<sup>th</sup> April 2014

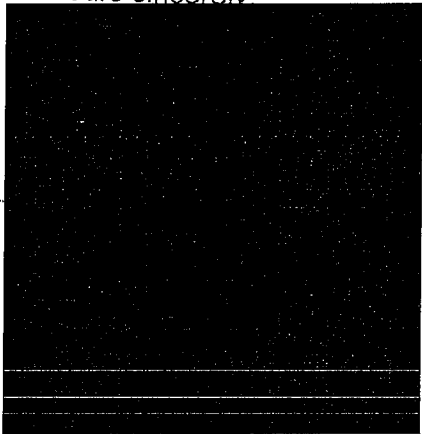
Dear Sir,

We would like to register our objection against licence application reference 14/02824/LISEVN at 91 Jermyn Street.

Our business premises are very near 91 Jermyn Street and we feel that the request for a licence for 'sex entertainment' will be detrimental to our business and the area.

We strongly object to this licence application.

Yours sincerely



PREMISES MANAGEMENT  
LICENSING SERVICE  
28 APR 2014  
CITY OF WESTMINSTER

City of Westminster  
Licensing Service  
Westminster City Hall  
64 Victoria Street  
London SW1E 6QP

17<sup>th</sup> April 2014

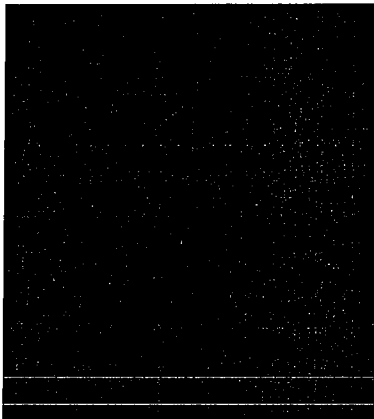
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We strongly object to this licence application.

Yours sincerely,





City of Westminster  
Licensing Service  
Westminster City Hall  
64 Victoria Street  
London SW1E 6QP

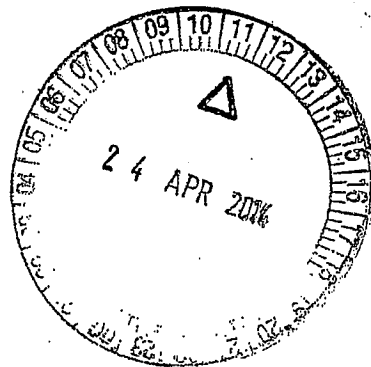
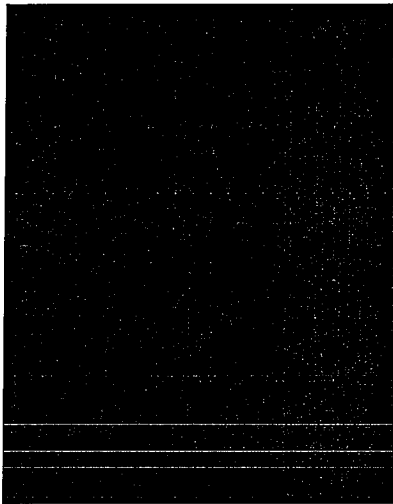
17<sup>th</sup> April 2014

Dear Sir,

We would like to register our objection against licence application reference 14/02824/LISEVN at 91 Jermyn Street.

Our business premises are very near 91 Jermyn Street and we feel that the request for a licence for 'sex entertainment' will be detrimental to our business and the area.

We strongly object to this licence application.



Nelson, Nicholas

---

From: [REDACTED]  
Sent: 25 April 2014 17:42  
To: General Licensing  
Subject: Your ref: 14/02824/LISEVN  
Attachments: Rejection of Appeal - 18.10.07.pdf

Westminster City Council  
Licensing Service  
Westminster City Hall  
64 Victoria Street  
London  
SW1E 6QP

25th April, 2014 (BY EMAIL AND POST)

Your ref: 14/02824/LISEVN

Dear Sirs,

Re: NOTIFICATION OF A NEW PREMISES LICENCE APPLICATION UNDER THE  
LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982

We manage the building known as [REDACTED]  
[REDACTED]  
[REDACTED]

Ormond Yard is a quiet discreet narrow Mews with no access for through traffic. There are few passing pedestrians as the only through access is via a small passageway at the end of the Yard which is not well lit at night. There are double yellow lines on both sides of the Yard.

The Yard comprises residential apartments and houses and rear access for commercial premises on Jermyn Street and garage access for 12 St James's Square. Abracadabra Restaurant is the largest commercial premises in the Yard but it has strict restrictions on access via Ormond Yard. In this respect we attach hereto a copy of a decision of the 18<sup>th</sup> October 2007 by Westminster Magistrates' Court dismissing an appeal by Mr David West of Jewelite Trading to extend the hours of Abracadabra and use of the access to Ormond Yard.

On behalf of the owners and residents of [REDACTED] we are making the strongest possible objection to the application for a new Sexual Entertainments Venue licence for 91 Club with Abracadabra Restaurant, 6-7 Ormond Yard, London. SW1Y 6JT.

A sex entertainment venue at 6-7 Ormond St will be completely inappropriate and will disrupt the residential nature of Ormond Yard as it has become today.

6-7 Ormond Yard is currently the emergency access only to the Abracadabra Restaurant. To allow it to become sex venue in a secluded poorly lit Mews where sound echoes, that few people use at night is inappropriate and may threaten public order and cause incidents requiring regular police intervention. There have in the past been incidents outside the premises where the police have been involved.

Ormond Yard has double yellow lines operating 24 hours/day, and is the exit for 6 lock up garages at Butler House and garages at 11 and 12 St James's Square; a sex venue will add to traffic /congestion problems and disruption to residents in the middle of the night.

In the short time available we have been unable to contact other residents in the Yard as your letter was received just before the Easter break. But we, on behalf of the residents of [REDACTED] urge you to disallow the application.

Kind regards.

[REDACTED]

[REDACTED]

[REDACTED]

JEWELITE TRADING

Appellant

And

WESTMINSTER CITY COUNCIL

Respondent

This is an appeal against the decision of the sub-committee of Westminster City Council (WCC) on 23<sup>rd</sup> March 2006 to refuse Jewelite's application to vary the existing Premises Licence for the premises trading as Hey Jo and Abracadabra at 6 Ormond Yard SW1.

This is a complete re-hearing of that application, although the application itself has now been amended. The application is now to extend the licence permitting the sale of alcohol in the basement part only (Hey Jo) from 3 am till 6 am, and reduce the licence permitting the sale of alcohol in the ground floor restaurant (Abracadabra) to 1 am (presently permitted until 3 am)

The application also seeks to amend some of the present conditions which restrict the use of the doors leading to Ormonds Yard so that those doors may be used until 10pm each night. There is another entrance to the premises in Jermyn Street.

I have read all the papers put before me, heard, of course, all the evidence given in person and have made a site visit to see the premises and the surrounding area, particularly Ormonds Yard, Masons Yard and Jermyn Street around the entrance to these premises.

I do not intend to rehearse the evidence in this judgement.

Ormonds Yard is a narrow Yard with residential properties and some commercial. The Applicant's premises are, I believe the largest commercial premises in the Yard that use or wish to use the Yard for customer access. At the end of the Yard is a very narrow alley suitable only for pedestrian access and with a very sharp turn in it. This gives out into Masons Yard, a far wider mews with space for easy vehicular access. The alley is not one which safety conscious pedestrians would choose to walk through at night.

I am of course bound by the Licensing Act 2003, and I have considered the WCC's Statement of Licensing Policy, the s182 Guidance and the decision of the WCC.

The premises are just outside the WCC's stress area.

At present the premises operate far under capacity. The restaurant generally closes at 11pm and so does not generally use fully its licence to sell alcohol, and the number of

customers in the basement is as often in single figures as it is in excess of 20. Overall there appear to be very few customers at this club. Mr West, the proprietor, says that he wishes to operate the club as an "extension of his social life" and says that he has a very great involvement in the running of the club. Indeed he has taken the trouble to gain a SIA security qualification enabling him to work as a member of the door staff.

The Appeal falls into 2 sections, which although quite different, are in some ways inextricably linked. Firstly, there is the application to permit the use of the Ormonds Yard doors until 10 pm. This is objected to by local residents and associations who are concerned about the possibilities greater public nuisance. Secondly, the application is to extend hours for the sale of alcohol in the basement until 6am. The objections to this come from WCC, the police and local residents and associations. In brief they object because they feel that this is likely to increase crime and disorder and public nuisance.

These premises were completely refurbished by the Appellant and re-opened in 2005. Since then there have been some problems with local residents. These problems have related to the use of the Ormonds Yard doors, the escape of noise because those doors have been open and the erection of signs, including a neon palm tree in the Yard.

The Appellant refutes the suggestion that allowing him to use the doors in Ormonds Yard will cause greater public nuisance and calls witnesses who support his application. He also says that if he is allowed to use that access it will add to the security of the area because he will have a member of security staff there who would be a deterrent to anyone causing a public nuisance or wishing to commit a crime. I cannot see that security staff would be any real deterrent unless they are outside or going in and out very frequently. The premises do not have an acoustic lobby at that entrance and it seems to me that the corollary of the increased security presence must therefore be an increase in the escape of noise from the club.

Having had the advantage of hearing from Mr West in person I did not find him a particularly credible witness. His evidence in his statement about the TENs granted was disingenuous, giving the impression that the premises had in fact been open until 6am on those occasions when in fact they had not. When one bears in mind that the only advertisement of these later openings was to customers on the night, the effect of these "late night licences" is negligible. In addition his explanation that the flashing neon palm tree erected in Ormonds Yard was a Christmas decoration was hard to credit particularly having seen the substantial nature of the stanchion to which it was attached and which still appears to remain. His explanation that he did not remove it until ordered to because he was "a bit slow" in removing this "Christmas decoration" is also not convincing. The presence of such a sign might well however attract some trade from those passing the entrance to Ormonds Yard from Duke of York Street. It is hard to believe that Mr West, a successful entrepreneur, would not realise this.

Additionally it is neither convincing nor acceptable for a club owner (particularly one who stresses his "hands-on" running of the club) to state that he was not aware that he was not permitted to use the Ormonds Yard entrance at any time (save for disabled or



emergency access). When one bears in mind the evidence of Mr Williams, (a witness for the Respondent) who I found to be a credible witness, that at some stage at least Mr West was at the hearing that granted the Premises Licence, Mr West's assertion of ignorance or misunderstanding of the condition is not believable.

In all those circumstances it is impossible to say that these premises are well run at present.

While it might not seem unreasonable in some ways to allow use of the doors into Ormonds Yard until 10 pm, in the particular circumstances of this case I am not satisfied that one could rely on adherence to that condition. I am also satisfied that if that condition were amended as requested by the Appellant it would result in a considerable increase in public nuisance.

The second part of this Appeal is an application to allow the basement part of the premises to remain open until 6 am.

It is fair to say that Jermyn Street itself is perhaps less residential, and that the residents' objections to this part of the application are from those same residents who still fear greater nuisance through the Ormonds Yard access.

The objections from WCC are that although this is not a stress area there will be an unacceptable increase in people coming into the area from and after the closing of other licensed premises. They believe that this would lead to an increase in footfall through the area and the risk of crime and disorder and public nuisance. This view is endorsed by The St James's Conservation Trust, the police and local residents.

Their evidence is that at night this is generally a quiet area with many residents.

There is no suggestion that there should be a last entry cut off time and in view of the fact that existing conditions have not been adhered to I would have serious doubts about compliance with such a condition. Bearing in mind the proximity of this area to the West End Stress Area, it would also seem likely that many people would be attracted by the prospect of being able to continue to purchase alcohol after 3 am. Although these premises do not have a large capacity I am satisfied that there would be likely to be a substantial increase in activity and related noise and nuisance if this extension were granted.

In conclusion therefore, having considered the Licensing Objectives, the evidence, the Statement of Licensing Policy, and the s182 Guidance, I refuse this Appeal.

Elizabeth Roscoe

District Judge (MC)  
City of Westminster Magistrates' Court  
18.10.07



Nelson, Nicholas

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From: [REDACTED]  
Sent: 25 April 2014 10:21  
To: General Licensing  
Cc: [REDACTED]  
Subject: [REDACTED] Objection to : New Sexual Entertainment venue : Your Ref : 14/02824/LISEVN  
Follow Up Flag: Follow up  
Flag Status: Completed

Dear General Licensing, [REDACTED]

New Sexual Entertainment venue : Your Ref : 14/02824/LISEVN – 91 Club With Abracadabra Restaurant, 6 Ormond Yard, London SW1Y 6JT

On behalf of eth [REDACTED], I wish to have this initial, **in principle objection**, to the above proposed "New" Sexual Entertainment Venue application received by WCC 01/04/2014 – and ask that you note that a fuller detailed objection and evidence, where it can be defined, **will be prepared and submitted on 28/4/14 – the current last date for objection.**

The existing Abracadabra Club and operators/owners, have helped in their behaviour to create a large file of issues, both with [REDACTED], and no doubt, also therefore with the City Council, local enforcement and Metropolitan Police officers, and others, including those most directly affected by disturbance, local St. James's area neighbours.

[REDACTED] is increasingly concerned about both ever-increasing later hours applications in the [REDACTED] area and the nature of the "entertainment/club" uses which are capable of following past patterns of a cycle of declining individual and group behaviours, with likely Police involvement, loss of residential amenity and late night noise and disturbance as well as management issues of operators levels of control and compliance with any conditions to mitigate these negative impacts on an historic Conservation and Special Policy Area.

For all these outline in principle concerns, the [REDACTED] does not see how a new Sexual Entertainment Venue application can be reasonably considered in this area and at these premises, under City Council and relevant strategic and national policies.

Yours Sincerely,

[REDACTED]

[REDACTED]



**Nelson, Nicholas**

---

**From:** [REDACTED]  
**Sent:** 28 April 2014 15:58  
**To:** General Licensing  
**Cc:** [REDACTED]  
**Subject:** [REDACTED] - Objection to : New Sexual Entertainment venue :  
 Your Ref : 14/02824/LISEVN

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Dear General Licensing/ Case Officer : Mr McNelson (?) Mr Steve Rowe,

Your Ref : New Sexual Entertainment venue : Your Ref : 14/02824/LISEVN – 91 Club With Abracadabra Restaurant,  
 6 Ormond Yard, London SW1Y 6JT

Further to my email of 25/4/14, on behalf of [REDACTED] as below, I am confirming the [REDACTED] objection (the original 14/4/14 Online WCC : Summary : stated expiry date for consultations : "Frid 02 May 2014 – and case officer : Mr Steve Rowe ) to the above application, as follows :

#### 1.0 Past Planning and Licensing compliance evidence

The Owners/Operators of this building and its various uses, across the premises, have apparently had a long history of Planning Enforcement Cases with the City of Westminster (a recent file search : 02/01/2014 - has 9 No. Planning Enforcement file records of various categories) listed as :

City Council Enforcement Enquiry File Ref Nos.

06/34617/F  
 07/35655/F  
 07/35792/F  
 07/37198/F  
 08/40163/F  
 08/40675/F  
 10/46121/D  
 10/46331/F

(11/06494/FULL) – unauthorised guest house use – status (?).

13/54323/M

These multiple Planning cases are in parallel with multiple Licensing applications and in one case, over recent years, subsequent appeal action (Appeal refused, Judgement by District Judge (MC) 18.10.2007), over proposals by the applicants for later hours of existing uses.

These applications have been subject to objections by the [REDACTED] representing the interests in particular of a growing local residential population across the district (and within 75 metres of the premises), against potential increases in late night noise and disturbance, related to new and increased users and the consequences of a spiral of ever-later hours of operation, across St. James's.

#### 2.0 St. James's increased residential population evidence

(In the City Council's 15 March 2012 Licensing Hearing papers – Licensing Ref No. 11/12582/LIPV, residential premises in the area were then identified as :

“...57 (3 of which are proposed ) of the 195 units within a 75 metre radius of the premises are residential (29.2%)...”

This has increased as the 3 No. proposed have since been completed in Jermyn Street (Nos. 99/100) and applications and consented improvements, in Duke of York Street (7 and 8 St. James's Square/Apple Tree Yard) and as proposed (for example, at 6 and 7 Ames House, Duke of York Street) are part of an important trend of increased quality residential conversions across the wider St. James's area and in particular, parts of Jermyn Street (One Eagle Place, Babmaes Street and 114 Jermyn Street), which falls on the direct routes to and from the Mayfair clubs and Leicester Square and Soho areas.

### 3.0 New Sexual Entertainment Venue – Breach of City Council policy and criteria

The area is not only increasingly residential in character, and in premises attracting back the potential for family living, it is also an historic area, laid out on the axis of one of London's most important Squares (St. James's) and one of its most important Churches. In the latter case, the only Church outside the City of London designed by Sir Christopher Wren.

This place of faith and community support/education, clearly attracts families and therefore, in [REDACTED] opinion is in conflict with City of Westminster's policy controls and criteria for considering a new sexual entertainment premises license (which the applicant seeks for : “...Striptease, pole dancing, table dancing...” and : “...full nudity...” “...Monday to Sunday from 12.00 – 03.30am...”

### 4.0 [REDACTED] – Objection to application

For these above reasons, [REDACTED] objects to the application :

The evidence base from our and City Council files, against this proposed use at these premises relates to past concerns of residents and those representing residents, police as well as City Council officers/Ward Councillors and adjacent premises owners and operators, [REDACTED]

These local interests are against anti-social activity and uses, in combination with late hours and, based on experience over the last 15 years, the likelihood of increased disturbance risks for loss of residential amenity, public order and safety; of both residents and guests, as well as to visitors to historic St. James's.

Yours sincerely,

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Nelson, Nicholas

---

From: [REDACTED]  
Sent: 27 April 2014 13:42  
To: General Licensing  
Subject: REF; 14/02824/LISEVN

Follow Up Flag: Follow up  
Flag Status: Completed

Re; SEV license application for ABRACADABRA, 6-7 ORMOND YARD, ST.JAMES'S, LONDON SW1Y 6J

Dear Sir/Madam,

I write to you with regard to the SEV application which has been submitted to you, address and reference number as above.

I own an apartment in [REDACTED] and I wish to very strongly state my OBJECTION to this license being granted to the Abracadabra.

The reasons for my objection are;

- \* We already have two clubs with full SEV licenses in the immediate vicinity; one being the Directors Lodge in Masons Yard SW1, and the other, the GASLIGHT CLUB, which is in the basement of Bray House. Why do we need another?
- \* This type of establishment is not conducive to the peaceful, quiet and quality atmosphere of the area in both business and non-business hours.
- \* There is a high risk of increased late night noise from revellers, drunkenness, anti-social behaviour etc.
- \* Considerable extra late night traffic of cars/taxis etc, dropping off and collecting patrons creating noise, doors being slammed, etc. This all happening in the restricted areas of Duke of York Street and Ormond Yard.
- \* A possibly detrimental effect on property values in the immediate area, making it a less attractive area in which to live.

My address for correspondence purposes is; [REDACTED]  
[REDACTED]

Please WITHHOLD this information from the applicants.

I trust you shall note my comments. Please contact me if you wish to discuss further. Thank you.

Yours faithfully,

[REDACTED]

# Comments for Licensing Application 14/02824/LISEVN

## Application Summary

Application Number: 14/02824/LISEVN

Address: 6-7 Ormond Yard London SW1Y 6JT

Proposal: Sexual Entertainment Venue - New

Case Officer: Mr Nick Nelson

## Customer Details

Name: [REDACTED]

Address: [REDACTED]

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Licensing Application

Comment Reasons:

Comment: 4:24 PM on 19 May 2014 I object to the granting of 14/02824/LISEVN | Sexual Entertainment Venue at 6-7 Ormond Yard London SW1Y 6JT

My reasons are

1. I believe the arriving and leaving noise of 235 people (100 in basement and 135 on ground floor) will create a public nuisance in the form of noise between 12 midnight and 3.30 am. Ormond Yard is a cobbled high sided alley where the noise reverberates. We will not get any sleep if this establishment opens 7 days a week between 12 and 3.30 am.
2. I have a 16 year old daughter and 18 year old son. I believed when I bought a house on Ormond yard that Westminster wanted to support residents to live there. A full nudity sexual entertainment venue in the street will cause my children harm.
3. The application says it is not alcohol led. I do not believe this. So alcohol is not on sale while the punters watch their naked table dancers? No bottles of champagne for sale at inflated prices?
4. Where will the punters smoke if not in Ormond Yard, making noise and disturbance for the residents?
5. Where will the dancers smoke if not in Ormond Yard making noise and disturbance?



**Nelson, Nicholas**

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**From:** [REDACTED]  
**Sent:** 06 June 2014 14:13  
**To:** General Licensing

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Dear Sir,

Ref licensing application 14/02824/LISEVN

Sexual entertainment venue at 6-7 Ormond Yard, London, SW1Y 6JT

I will shortly be living at [REDACTED]. This will be my main home and I strongly object to having a lap dancing club virtually on my doorstep.

The north side of Ormond yard is overwhelmingly residential, and there are a number of flats and a house on the south. This sort of establishment, which is bound to attract late night and early morning custom, will have a very detrimental effect on the street, given that customers will come into Ormond Yard to smoke, and possibly drink, and may use the Ormond Yard doors to enter and exit the premises.

Yours faithfully,

[REDACTED]



This email is free from viruses and malware because avast! Antivirus protection is active.

**Nelson, Nicholas**

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**From:** [REDACTED]  
**Sent:** 06 June 2014 14:29  
**To:** 'generallicensing@westminster.gov.uk'

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Dear Sir,

Ref licensing application 14/02824/LISEVN

Sexual entertainment venue at 6-7 Ormond Yard, London, SW1Y 6JT

I am currently a resident at [REDACTED] and I strongly object to having a lap dancing club virtually on my doorstep.  
It will cause noise, unwelcome traffic and people at all hours of the night.  
It will completely alter the quality of living here. .

Yours sincerely,

[REDACTED]

[REDACTED]

**Nelson, Nicholas**

---

**From:** Qureshi, Sabihah  
**Sent:** 15 April 2014 16:34  
**To:** General Licensing  
**Subject:** FW: Application for SEV 6-7 Ormond Yard 14/02824/LISEVN

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

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**From:** Whitely, Cherie  
**Sent:** 15 April 2014 11:01  
**To:** Lana Tricker  
**Cc:** idoxlicensing  
**Subject:** Application for SEV 6-7 Ormond Yard 14/02824/LISEVN

Application for SEV 6-7 Ormond Yard SW1

Our ref: 14/02824/LISEVN

15 April 2014

Dear Lana

The Metropolitan Police, as a responsible authority, object to this application as there are insufficient conditions contained in the operating schedule to satisfy Police concerns in relation to the prevention of crime and disorder.

I would ask that you add the following condition to the application:

**A minimum of 3 SIA licensed door supervisors shall be on duty at the premises at all times whilst it is open for business.**

I look forward to hearing from you in due course.

Cherie

Cherie Whiteley  
Police Sergeant  
Westminster Police Licensing Unit  
4th Floor  
Westminster City Hall  
64 Victoria Street  
London  
SW1E 6QP

0207 641 3347  
[cwhitely2@westminster.gov.uk](mailto:cwhitely2@westminster.gov.uk)

**Nelson, Nicholas**

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**From:** Qureshi, Sabihah  
**Sent:** 15 April 2014 16:35  
**To:** General Licensing  
**Subject:** FW: Application for SEV 6-7 Ormond Yard 14/02824/LISEVN

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

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**From:** Whitely, Cherie  
**Sent:** 15 April 2014 13:21  
**To:** Lana Tricker  
**Cc:** idoxlicensing  
**Subject:** RE: Application for SEV 6-7 Ormond Yard 14/02824/LISEVN

Thank you

I can confirm that I will now withdraw my objection.

Regards

Cherie

Cherie Whiteley  
Police Sergeant  
Westminster Police Licensing Unit  
4th Floor  
Westminster City Hall  
64 Victoria Street  
London  
SW1E 6QP

0207 641 3347  
[cwhitely2@westminster.gov.uk](mailto:cwhitely2@westminster.gov.uk)

---

**From:** Lana Tricker [<mailto:lana@tlaw.co.uk>]  
**Sent:** 15 April 2014 13:19  
**To:** Whitely, Cherie  
**Cc:** idoxlicensing  
**Subject:** RE: Application for SEV 6-7 Ormond Yard 14/02824/LISEVN

Dear licensing and Cherie

I confirm the applicant has agreed to amend its operating schedule for the SEV licence to include the following new condition:

**A minimum of 3 SIA licensed door supervisors shall be on duty at the premises at all times whenever the premises is operating under the authority of a Sexual Entertainment Venue licence**

I would be grateful if you can add this condition to the application

Thanks

Kind regards

Lana

Lana Tricker

Principal, LT Law

M: 075257 11530

T: 020 7025 8332

This e-mail is confidential and may also be privileged. If you are not the intended recipient please notify LT Law by return e-mail or at the numbers above and delete it, and any copies of it; you must not read, print, copy or use the communication for any purpose, and you must not disclose its contents to any other person. LT Law has taken steps to ensure that this message (and any attachments or hyperlinks contained within it) is free from computer viruses and the like. However, we cannot guarantee that no viruses are present, and we accept no liability for any damage caused by you opening this communication, or any attachments or Hyperlinks contained in it. Lana Tricker is the sole proprietor of LT Law. SRA No: 488281 Authorised and regulated by the Solicitors Regulation Authority.





Schedule 12  
Part A

WARD: St James's  
UPRN: 100023349935

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

**Premises licence**

Regulation 33, 34

<b>Premises licence number:</b>	13/09468/LIPDPS
<b>Original Reference:</b>	05/10267/LIPC

**Part 1 – Premises details**

**Postal address of premises:**

Hide  
6 - 7 Ormond Yard  
London  
SW1Y 6JT

---

**Telephone Number:** Not Supplied

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

Not applicable

**Licensable activities authorised by the licence:**

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

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

<b>Performance of Dance</b>	
Monday to Sunday:	09:00 to 03:30
<b>Provision of facilities for Dancing</b>	
Monday to Sunday:	09:00 to 03:30
<b>Provision of facilities for making Music</b>	
Monday to Sunday:	09:00 to 03:30
<b>Performance of Live Music</b>	
Monday to Sunday:	09:00 to 03:30
<b>Playing of Recorded Music</b>	Unrestricted

**Provision of facilities for entertainment of a similar description to making music or dancing**

Monday to Sunday: 09:00 to 03:30

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

Monday to Sunday: 09:00 to 03:30

**Late Night Refreshment**

Monday to Sunday: 23:00 to 03:30

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

**Sale by Retail of Alcohol**

Monday to Saturday: 10:00 to 03:00

Sunday: 12:00 to 00:30

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

**The opening hours of the premises:**

Monday to Sunday: 09:00 to 03:30

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

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

**Part 2**

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

Jewelite Trading Limited  
8 Ormond Yard  
St James  
London  
SW1Y 6JT

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

04795856

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

**Name:** Mr David Serlui

***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:** 148565

**Licensing Authority:** London Borough Of Brent

**Date:** \_\_\_\_\_ **20 January 2014** \_\_\_\_\_

**Signed:** pp  
**Operational Director - Premises Management**

## 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 shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.  
  
(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children—
  - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—
    - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
    - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
  - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
  - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;
  - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on—
    - (i) the outcome of a race, competition or other event or process, or
    - (ii) the likelihood of anything occurring or not occurring;
  - (e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
5. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

6. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
7. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.  
(2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.
8. The responsible person shall ensure that–
  - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures–
    - (i) beer or cider: ½ pint;
    - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
    - (iii) still wine in a glass: 125 ml; and
  - (b) customers are made aware of the availability of these measures.

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

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

#### **Conditions reproducing the effect of conditions subject to which the relevant existing licences have effect**

##### **Conditions relating to regulated entertainment**

10. This licence is subject to all the former Rules of Management for Places of Public Entertainment licensed by Westminster City Council, in force from 4 September 1998 and incorporating amendments agreed by the Council on 25 October 1999, 30 June 2000, 16 January 2001 and 1 October 2001.
11. On New Year's Eve the premises can remain open for the purpose of providing regulated entertainment from the time when the provision of regulated entertainment must otherwise cease on New Year's Eve to the time when regulated entertainment can commence on New Year's Day (or until midnight on New Year's Eve where no regulated entertainment takes place on New Year's Day).
12. Notwithstanding the provisions of Rule of Management number 6, the premises may be kept open for the purposes of this licence from 11pm on each of the days Sunday to Saturday to 3.30am on the day following.
13. All entrance and exit doors shall be kept closed except when in use for immediate entrance and exit.

14. An attendant shall be on duty in the vicinity of the cloakroom during the whole time that it is in use.
15. That the applicant will use best endeavours to ensure that patrons leave the premises via the Jermyn Street exit.
16. When both parts of the premises are in use for the same private function, only the Jermyn Street exit will be used, except in an emergency when both exit routes will be available to the patrons.
17. When the premises are open solely to the public, only the Jermyn Street exit will be used, except in an emergency when both exit routes will be available to patrons.
18. That the applicant will use best endeavours to ensure that the taxi and minicab companies collect and deliver patrons from the club from the Jermyn Street exit of the premises.
19. That the applicants shall use reasonable endeavours to ensure that customers do not cause any nuisance in Ormond Yard.
20. That the sound limiting device installed at the premises shall be set and maintained at a level to be decided upon by the Environmental Health Officer.
21. A noise limiting device located in a separate and remote lockable cabinet from the volume control must be fitted to the musical amplification system set at a level determined by and to the satisfaction of an authorised officer of the Environmental Health Service's Community Protection Department so as 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 officers from the Environmental Health Service. The keys securing the noise limiter cabinet shall be held by the applicant only, and shall not be accessed by any other person. The limiter shall not be altered without prior agreement with the Environmental Health Service.
22. No alteration or modification to any existing sound system(s) should be effected without prior knowledge of an authorised Officer of the Environmental Health Service.
23. Any additional sound generating equipment shall not be used on the premises without being routed through the sound limiter device.
24. No speakers shall be located in the entrance lobby or staircase area.
25. Upon a request being made by local residents, the licensee shall provide such residents with telephone numbers to enable them to contact the premises, the management and the licensee.
26. The provision of music and dancing on the ground floor must remain ancillary to A3 restaurant use.
27. The licensee will use a designated cab/taxi company to collect patrons from Jermyn Street and encourage patrons not to use illegal cabs by displaying such notices.
28. The licensee to use his best endeavours to encourage patrons and/or motor vehicles not to congregate or cause a nuisance on the public highway outside the premises or in the vicinity.
29. The licensee to use his best endeavours to ensure that no queuing or gathering of patrons or patrons' motor vehicles will be permitted in Ormond Yard.
30. Details of an adequate and dedicated refuse storage area are sent to Westminster City Council for approval within 28 days of the grant of any licence.



31. The licensee to use the Jermyn Street address on all literature that advertises the public entertainment which will take place at the premises.
32. The number of persons accommodated at any one time (excluding staff) shall not exceed the following:- Basement - 100, Ground Floor - 135

**Conditions relating to the Sale of Alcohol:**

33. Intoxicating liquor may only be sold or supplied to persons who have paid a minimum admission fee of £5.00 or persons who are dining at the premises at not less than £10.00 per head. Such fees not to be credited against consumables.
34. Substantial food and suitable beverages other than intoxicating liquor (including drinking water) shall be available during the whole of the permitted hours in all parts of the premises where intoxicating liquor is sold or supplied.

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

35. Alcohol shall not be sold or supplied except during permitted hours.
  - (a) Subject to the following paragraphs, the permitted hours on weekdays (Monday to Saturday) shall commence at 10.00 (12.00 on Christmas Day and Good Friday) and extend until 03.00 on the morning following, except that -
    - (i) the permitted hours shall end at 00.00 midnight on any day on which music and dancing is not provided after midnight; and
    - (ii) on any day that music and dancing end between 00.00 midnight and 03.00, the permitted hours shall end when the music and dancing end.
  - (b) In relation to the morning on which summer time begins, paragraph (a) of this condition shall have effect-
    - (i) with the substitution of references to 04.00 for references to 03.00.
  - (c) Except on Sundays immediately before bank holidays (apart from Easter Sunday), the permitted hours on Sundays shall commence at 12.00 and extend until 00.30 on the morning, except that-
    - (i) the permitted hours shall end at 00.00 midnight on any Sunday on which music and dancing is not provided after midnight;
    - (ii) where music and dancing end between 00.00 midnight on any Sunday and 00.30, the permitted hours on that Sunday shall end when the music and dancing end.
  - (d) On Sundays immediately before bank holidays (other than Easter Sunday), the permitted hours shall commence at 12.00 and extend until 03.00 on the morning, except that-
    - (i) the permitted hours shall end at 00.00 midnight on any Sunday on which music and dancing is not provided after 00.00 midnight;
    - (ii) where music and dancing end between 00.00 midnight on any Sunday and 03.00, the permitted hours on that Sunday shall end when the music and dancing end.

- (e) The sale of alcohol must be ancillary to the use of the premises for music and dancing and substantial refreshment.
- (f) The permitted hours on New Year's Eve will extend to the start of permitted hours on the following day, or if there are no permitted hours on 1 January, to 00.00 on New Year's Eve.

NOTE - The above restrictions do not prohibit:

- (a) during the first thirty minutes after the above hours the consumption of the alcohol on the premises;
- (b) during the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;
- (c) the sale or supply of alcohol to or the consumption of alcohol by any person residing in the licensed premises;
- (d) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- (e) the sale of alcohol to a trader or registered club for the purposes of the trade or club;
- (f) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of her Majesty's naval, military or air forces;
- (g) the taking of alcohol from the premises by a person residing there;
- (h) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied;
- (i) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

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

36. No person under fourteen shall be in the bar of the licensed premises during the permitted hours unless one of the following applies:
- (a) He is the child of the holder of the premises licence.
  - (b) He resides in the premises, but is not employed there.
  - (c) He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress.
  - (d) The bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary.

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

37. If any entertainment is provided for children or if an entertainment is provided at which the majority of persons attending are children, then, if the number of children attending the entertainment exceeds 100, it shall be the duty of the holder of the premises licence (or the holder of the club premises certificate):

- (a) to station and keep stationed wherever necessary a sufficient number of adult attendants, properly instructed as to their duties, to prevent more children or other persons being admitted to the building, or to any part thereof, than the building or part can properly accommodate,
  - (b) to control the movement of the children and other persons admitted while entering and leaving the building or any part thereof, and
  - (c) to take all other reasonable precautions for the safety of the children.
38. The terminal hour for late night refreshment on New Year's Eve is extended to 05:00 on New Year's Day.

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

39. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
40. 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 must be able to show a Police or authorised council officer recent data or footage with the absolute minimum of delay when requested.
41. There shall be a personal licence holder on duty on the premises every Friday and Saturday night from 22:00 until closed, when the sub-basement 'club area' is open.
42. All staff engaged outside the entrance to the premises, or supervising or controlling queues, shall wear high visibility armbands and will display the SIA badges prominently.
43. All persons entering the premises after 23:00 for the purpose of attending the sub-basement 'club area' shall be searched by an SIA trained member of staff using a 'wand' and monitored by the premises CCTV system.
44. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following:
  - (a) all crimes reported to the venue
  - (b) all ejections of patrons
  - (c) any complaints received
  - (d) any incidents of disorder
  - (e) all seizures of drugs or offensive weapons
  - (f) any faults in the CCTV system or searching equipment or scanning equipment
  - (g) any refusal of the sale of alcohol
  - (h) any visit by a relevant authority or emergency service.
45. All drinking containers used within the basement area of the venue shall be polycarbonate. All glass bottles to be decanted into polycarbonate glassware carafes, with the exception of champagne or bottles of spirits with a minimum size of 70cl by waiter/waitress service to tables. Staff will clear empty champagne and spirit bottles promptly.

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

**Annex 4 – Plans**

**Attached**





Schedule 12  
Part B

WARD: St James's  
UPRN: 100023349935

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

**Premises licence  
summary**

Regulation 33, 34

**Premises licence number:**

13/09468/LIPDPS

**Part 1 – Premises details**

**Postal address of premises:**

Hide  
6 - 7 Ormond Yard  
London  
SW1Y 6JT

**Telephone Number:** Not Supplied

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

Not applicable

**Licensable activities authorised by the licence:**

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

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

**Performance of Dance**

Monday to Sunday: 09:00 to 03:30

**Provision of facilities for Dancing**

Monday to Sunday: 09:00 to 03:30

**Provision of facilities for making Music**

Monday to Sunday: 09:00 to 03:30

**Performance of Live Music**

Monday to Sunday: 09:00 to 03:30

**Playing of Recorded Music**

Unrestricted

**Provision of facilities for entertainment of a similar description to making music or dancing**

Monday to Sunday: 09:00 to 03:30

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

Monday to Sunday: 09:00 to 03:30

**Late Night Refreshment**

Monday to Sunday: 23:00 to 03:30

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

**Sale by Retail of Alcohol**

Monday to Saturday: 10:00 to 03:00

Sunday: 12:00 to 00:30

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

**The opening hours of the premises:**

Monday to Sunday: 09:00 to 03:30

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

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

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

Jewelite Trading Limited  
8 Ormond Yard  
St James  
London  
SW1Y 6JT

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

04795856

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

**Name:** Mr David Serlui

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

Restricted

**Date:** \_\_\_\_\_ 20 January 2014 \_\_\_\_\_

**Signed:** pp  
**Operational Director - Premises Management**

## **Appendix D – Schedule of Conditions**

### **Standard Conditions:**

1. Whilst Relevant Entertainment is taking place no person under the age of 18 shall be on the licensed premises and a clear notice to that effect shall be displayed at the entrance in a prominent position so that it can be easily read by persons entering the premises.
2. Whenever persons under the age of 18 are admitted to the premises there will be no promotional or other material on display within the premises which depicts nudity or partial nudity.
3. The licence or a clear copy shall be prominently displayed at all times so as to be readily and easily seen by all persons using the premises.
4. No provision of relevant entertainment, or material depicting nudity or relevant entertainment, shall be visible from outside the premises.
5. Menus and drinks price lists shall be clearly displayed at the front entrance of the club, reception area, tables and bar at such a position and size as to be easily read by customers. This price list shall show all consumable items and any minimum tariff including charges and fees applicable to Performers.
6. Except with the consent of the Licensing Authority, no advertisements of any kind (including placard, poster, sticker, flyer, picture, letter, sign or other mark) shall be inscribed or affixed at the premises, on the surface of the highway or on any building, structure, works, street furniture, tree or any other property or be distributed in the street to the public that advertises or promotes the relevant entertainment at the premises.
7. The licence holder or other person concerned in the conduct or management of the premises shall not seek to obtain custom by means of personal solicitation or touting, nor enter into any agreement with a third party to do so.
8. Adequate toilets, washing and changing facilities for use by the Performers shall be provided.
9. Either the licence holder or a named responsible person shall be present throughout the time the Relevant Entertainment takes place.
10. The premises will install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer that ensures all areas of the licensed premises are monitored including all entry and exit points will be covered enabling frontal identification of every person entering any

light condition. All cameras shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period together with facilities for viewing.

11. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to the public and this staff member should be able to show Police recent data and footage with the absolute minimum of delay of the request.
12. An incident log shall be kept at the premises, and made available on request to the Licensing Authority or the Police, which will record the following:
  - (a) all crimes reported to the venue;
  - (b) all ejections of patrons;
  - (c) any complaints received;
  - (d) any incidents of disorder;
  - (e) seizures of drugs or offensive weapons;
  - (f) any faults in the CCTV system or searching equipment or scanning equipment;
  - (g) any refusal of the sale of alcohol;
  - (h) any visit by a relevant authority or emergency service;
  - (i) any breach of licence conditions reported by a Performer
13. The licence holder shall produce a Code of Conduct setting out rules and obligations between the licence holder and performers whilst performing. All Performers shall sign the Code of Conduct in their proper name acknowledging that they have read, understood and are prepared to abide by the said Code of Conduct, and a copy so signed shall be retained by the licence holder and shall be readily available for inspection by the Police and/or authorised persons upon reasonable request.
14. Individual records shall be kept at the premises of the real names, stage names and addresses of all Performers working at the premises. The record will include either a copy of their birth certificate, current passport, EU driving licence or national identity card and shall be made immediately available for inspection by the Police and/or the Licensing Authority upon request.
15. Details of all work permits and/or immigration status relating to persons working at the premises shall be retained by the licence holder and be readily available for inspection by the Licensing Authority, a Police Officer or Immigration Officer.
16. Relevant entertainment shall be given only by performers and the audience shall not be permitted to participate in the relevant entertainment.

17. There shall be no physical contact between Performers whilst performing.
18. Performers will not request or give out any telephone number, address or any other contact information from or to any customer. Any such information given by a customer shall be surrendered to the premises manager as soon as is practicable.
19. Relevant Entertainment shall take place only in the designated areas approved by the Licensing Authority as shown on the licence plan. Arrangements for access to the dressing room shall be maintained at all times whilst Relevant Entertainment is taking place and immediately thereafter.
20. Customers must remain fully clothed at all times. The Performer must not remove any of the customer's clothing at any time.
21. Where relevant entertainment is provided in booths, or other areas of the premises where private performances are provided, the booth or area shall not have a door or other similar closure, the area shall be constantly monitored by CCTV, and access to the booth or other area shall be adequately supervised.
22. Whenever Relevant Entertainment is being provided there shall be no physical contact between Performers and customers or between customers and Performers except for the exchanging of money or tokens at the beginning or conclusion of the performance and only for the purpose of that performance. Clearly legible notices to this effect shall clearly be displayed in each private booth and in any performance area.
23. Performers must redress fully immediately after each performance.

**Additional conditions proposed by the applicant:**

24. The maximum number of persons accommodated within the premises at any one time (excluding staff) shall not exceed:  
Basement – 100  
Ground Floor - 135
25. All seating shall consist of tables and chairs arrangements and there shall be no cinema style seating.
26. SIA licensed security shall be posted in the parts of the premises where striptease / table / lap dancing is taking place.
27. All emergency doors shall be maintained effectively self closing and not held open other than by an approved device.



28. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
29. Curtains and hangings shall be arranged so as not to obstruct emergency signs.
30. 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.
31. 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.
32. All exit doors shall be available at all material times without the use of a key, code, card or similar means.
33. 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.
- i. pyrotechnics including fire works
  - ii. firearms
  - iii. lasers
  - iv. explosives and highly flammable substances.
  - v. real flame.
  - vi. strobe lighting.
34. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
35. No Relevant Entertainment shall take place at the premises until the premises has been inspected to the satisfaction of the Licensing Service and Environmental Health Department.

**Additional condition proposed by the Police and agreed with the applicant:**

36. A minimum of 3 SIA licensed door supervisors shall be on duty at the premises at all times whenever the premises is operating under the authority of a Sexual Entertainment Venue licence.

**Additional conditions proposed by EH and agreed with the applicant:**

37. The maximum number of persons accommodated within the premises at any one time (excluding staff) shall not exceed
- Basement – 100 persons
  - Ground Floor – 100 persons

38. The doors and windows into Ormond Yard from the ground floor restaurant will be maintained closed when relevant entertainment is being provided.
39. All doors and windows fronting onto Ormond Yard shall be rendered opaque when relevant entertainment takes place.
40. The designated smoking area for patrons shall be adjacent to the entrance in Jermyn Street.
41. After 7.00pm the designated smoking area for staff and performers shall be adjacent to the entrance in Jermyn Street.

**Additional conditions offered by the applicant:**


42. Patrons shall enter and exit the premises only via the entrance on Jermyn Street.
43. After 7.00pm, all staff and performers will enter and exit the premises using the Jermyn Street entrance.



# City of Westminster


Corporate GIS Team

**Abracadabra,  
6-7 Ormond Yard,  
London, SW1Y 6JT**

 500m Buffer

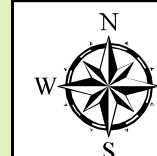
 Abracadabra

 SEVs (Licensed Issued)

 Faith Groups

 Schools

 Hostels - Special Needs Schemes



Scale: 1:3,600

0 50 100 Metres

Map produced by Corporate GIS Team  
Date: June 2014 Ref: 806

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