



City of Westminster

# Licensing Sub-Committee Report

Item No:

Licensing Ref No:

**15/03326/LIPN**

Date:

**25 June 2015**

Classification:

**For General Release**

Title of Report:

**Aura  
48-49 St James's Street  
London  
SW1A 1JT**

Report of:

**Director of Public Protection and Licensing**

Policy context:

**City of Westminster Statement of Licensing Policy**

Financial summary:

**None**

Report Author:

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Senior Licensing Officer**

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## APPLICATION DETAILS

<b>Application Type:</b>	A new (shadow) premises licence application under the Licensing Act 2003. This application is made by the landlord of the property. The applicant states it is seeking to protect its commercial interest in the property and seeks a new premises licence on identical terms to the licence currently in force at the premises (14/07530/LIPT).  The licence currently in force at the premises (14/07530/LIPT) which this application seeks to shadow is currently suspended due to the failure of the licence holder to pay the annual fee.		
<b>Applicant:</b>	Vevil International Limited	<b>Date Application Received:</b>	1 May 2015
<b>Premises Name and Address:</b>	Aura 48-49 St James's Street London SW1A 1JT		
<b>Ward Name:</b>	St James's	<b>Stress Area:</b>	None
<b>Description of Premises:</b>	The premises operates as a nightclub on the lower ground floor and has done so under the Licensing Act 2003 since conversion in 2005.		

*Note: Where the committee is minded to grant the licence it will be granted subject to the mandatory conditions and conditions consistent with the operating schedule modified to such extent as the authority considers appropriate for the promotion of the licensing objectives detailed in Appendix B to this report.*

<b>Proposed Licensable Activities:</b>	<b>Proposed Hours:</b>
<b>Performance of Dance</b> Monday to Sunday:	09:00 to 03:00
<b>Exhibition of a Film</b> Monday to Sunday:	09:00 to 03:00
<b>Performance of Live Music</b> Monday to Sunday:	09:00 to 03:00
<b>Playing of Recorded Music</b> Monday to Sunday:	09:00 to 03:00
<b>Anything of a similar description to Live Music or Recorded Music</b> Monday to Sunday:	09:00 to 03:00
<b>Late Night Refreshment</b> Monday to Saturday: Sunday: Sundays before Bank Holidays:	23:00 to 03:30 23:00 to 03:00 23:00 to 03:30
<b>Sale by Retail of Alcohol (On and Off)</b> Monday: Tuesday to Saturday:	09:00 to 00:00 09:00 to 03:00

Sunday: 12:00 to 02:30  
 Sundays before Bank Holidays: 12:00 to 03:00

**Opening Hours**

Monday to Saturday: 09:00 to 03:30  
 Sunday: 09:00 to 03:00  
 Sundays before Bank Holidays: 09:00 to 03:30

	<b>Relevant representations and policies applicable:</b>	<b>References / Notes</b>
1A	<p>On 14 May 2015, the Environmental Health Service initially made a representation against this application. However, following assurances that the application was for a “shadow” licence of the licence currently in force at the premises (14/07530/LIPT), the Environmental Health Service withdrew its representation on 11 June 2015.</p>	<p><b>Environmental Health Service comments</b></p>
1B	<p>On 22 May 2015, the Police Licensing Team confirmed they would not make a representation against this application on the basis that the conditions on the licence currently in force at the premises (14/07530/LIPT) would be mirrored on this “shadow” licence.</p>	<p><b>Metropolitan Police comments</b></p>
1C	<p>On 27 May 2015, the St James’s Conservation Trust made a representation against this application on the following grounds:</p> <ul style="list-style-type: none"> <li>• The location of the premises is inappropriate for a nightclub given the constrained pedestrian and vehicular access, management, safety and anti-social behaviour risks and the character of the area.</li> <li>• The operational history of the premises gives rise to concerns that a premises licence, if granted, would return the premises to a rowdy nightclub and management would be unable to manage late night disturbance.</li> </ul>	<p><b>St James’s Conservation Trust representation</b></p>
1D	<p>On 27 May 2015, Mrs Virginia Chichester made a representation against this application on behalf of the St James’s Conservation Trust, the Mayfair and St James’s Safer Neighbourhood Panel and as a local resident. It states that the premises is the wrong location for a nightclub, that the operational history of the premises gives rise for concern and that the licensable hours do not conform with the area and will increase the burden on police resources.</p>	<p><b>Local resident / St James’s Conservation Trust / Mayfair and St James’s Safer Neighbourhood Panel representation</b></p>
1E	<p>On 19 May 2015, Mr Taimur Khan made a representation as a local resident on the following grounds:</p> <ul style="list-style-type: none"> <li>• Historical noise levels at the premises which were reported to the premises but went unresolved give rise to concern;</li> <li>• Customers of the club frequently cause disturbance in the surrounding streets until an hour after the club closed at 3am;</li> <li>• Noise disturbances cause difficulty with sleep, particularly on Sundays.</li> </ul> <p>Following correspondence with the applicant on 10 June 2015, Mr</p>	<p><b>Local resident representation</b></p>

	<p>Khan confirmed he did not wish to object to the licence, but rather wanted to raise noise issues created by previous management of the premises.</p>	
1F	<p>On 26 May 2015, Mr Nicholas Turner made a representation against this application on the grounds that historical problems with the premises give rise to concerns, particularly in regards to customers queuing outside the premises and associated disturbances this caused. He also states that the applicant is an overseas company and presents a risk of non-compliance with the law.</p>	<b>Local resident representation</b>
1G	<p>On 29 May 2015, Ms Carole Whittall and Mr James Whittall made a representation against the application as a local resident on the grounds that the operation of a nightclub at this location will have a detrimental impact on the welfare and amenity of residents, particularly given the historical operation of the premises and the external queuing area.</p>	<b>Local resident representation</b>
1H	<p>On 28 May 2015, Ms Dounia Nadar made a representation against this application as a local resident on the grounds that the previous operation of the premises was a menace and a danger to the neighbourhood, citing violence at the premises. Ms Nadar states that groups of customers of the premises overflow onto the pavement and street, creating an obstruction for passers-by, which was poorly managed by the premises.</p>	<b>Local resident representation</b>
1I	<p>On 29 May 2015, Mr David Anderson made a representation as a local business. Mr Anderson states he does not wish the nightclub to reopen and cites issues of disturbance by groups leaving the premises, fighting in the queue to enter the premises and damage to their property.</p>	<b>Local resident representation</b>
1J	<p>The applicant has contacted the parties making representations via email and confirmed the intention to apply for a "shadow" licence as set out below:</p> <p><i>I would be happy to help you with any information to clarify what the application is about and why it is being made. It is not replacing the existing licence which remains in force. It is an application by the freehold landlord for a "shadow" licence, which will never come into force all the time the current licence is still in place, which it currently is. The landlord is simply seeking to preserve a licence on the building from an investment perspective.</i></p> <p><i>Shadow licences are often applied for by landlords in these circumstances and they place no additional risk on the property or to the residents because the current licence remains in place. This is the reason that the Police do not object to these types of applications.</i></p>	<b>Applicant submissions</b>
1K	<p>The following policies within the City Of Westminster Statement of Licensing Policy apply:</p> <p>Policy HRS1(ii) Applications for hours outside the core hours set out below in this policy will be considered on their merits, subject to other relevant policies and with particular regard to the specified criteria.</p>	<b>Policies applicable</b>



1L	<p>Policy MD1 It is the Licensing Authority's policy that applications will only be granted if the proposal meets the relevant criteria in Policies CD1, PS1, PN1 and CH1.</p> <p>The Licensing Sub-committee may refuse, grant in full or grant in part this proposal, having taken into account the representations received and Westminster's Statement of Licensing Policy. The decision taken should promote the licensing objectives of:</p> <ul style="list-style-type: none"> <li>• prevention of public nuisance,</li> <li>• prevention of crime &amp; disorder,</li> <li>• public safety and</li> <li>• protection of children from harm.</li> </ul>	<b>Summary</b>
<b>Current Licensing Position</b>	The licence currently in force at the premises (14/07530/LIPT) which this application seeks to shadow is currently suspended due to the failure of the licence holder to pay the annual fee. The premises has held a premises licence under the Licensing Act 2003 since conversion in 2005 (see <b>Appendix A</b> ).	
<b>Residential Density:</b>	26 units within a 75m radius of the premises are residential or proposed residential, refer to <b>Appendix C</b> .	
<b>Planning Position:</b>	Licensing cannot confirm the planning usage of this premises.	
<b>List of Appendices:</b>	A – Premises Licence History B - Conditions C – Residential Map and list of premises in the vicinity	

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

- Licensing Act 2003
- City of Westminster Statement of Licensing Policy (7<sup>th</sup> January 2011)
- Amended Guidance issued under section 182 of the Licensing Act 2003 (March 2015)
- Application form
- Application cover letter confirming intent to apply for a “shadow” licence
- Premises licence 14/07530/LIPT
- Plans
- Representations received
- Photos

## Licence & Appeal History

Whilst this is a new application for a “shadow” licence and as such has no history, the premises has an existing licence in force at the premises (14/07530/LIPT), the licence history for which is provided below.

Application	Details of Application	Date Determined	Decision
Transfer application <b>14/07530/LIPT</b>	Application to transfer the premises licence to Chesnut Management Limited.	03.11.2014	Granted Under Delegated Authority
Transfer application <b>14/06628/LIPT</b>	Application to transfer the premises licence to St James's Prospects Limited.	01.09.2014	Granted Under Delegated Authority
Review application <b>12/05180/LIREVP</b>	Application to review the premises licence by the police.	08.11.2012	Review determined by Licensing Sub-Committee
Transfer application <b>09/04429/LIPT</b>	Application to transfer the premises licence to Merlot 73 Limited.	13.08.2009	Granted Under Delegated Authority
Conversion application <b>05/06830/LIPCV</b>	Application to convert the Justices licence.	20.09.2005	Granted by Licensing Sub-Committee

**There is no appeal history for this application, however the licence currently in force at the premises does have an appeal history, set out below:**

The licence held by Merlot 37 Ltd (since transferred to St James's Prospects Ltd on 01.09.2014 and then Chesnut Management Ltd on 03.11.2014) was the subject of a review brought by the police. The Licensing Sub-Committee decided to add a number of conditions to the licence on 22<sup>nd</sup> August 2012. An appeal against that decision was dismissed in April 2013. The licensee sought permission to appeal that decision by the District Judge but the application was refused by the High Court on 31<sup>st</sup> October 2013.

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

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

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

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

**Mandatory Conditions**

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
4. (1) The responsible person 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(i) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

9(ii) For the purposes of the condition set out in paragraph 9(i) above –

(a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

(b) "permitted price" is the price found by applying the formula –

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

Where –

- (i) P is the permitted price,
  - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
  - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence –
- (i) the holder of the premises licence,
  - (ii) the designated premises supervisor (if any) in respect of such a licence, or
  - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

9(iii). Where the permitted price given by Paragraph 9(ii)(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

9(iv). (1) Sub-paragraph 9(iv)(2) below applies where the permitted price given by Paragraph 9(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

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

- 10. All persons guarding premises against unauthorised access or occupation or against outbreaks of disorder or against damage (door supervisors) must be licensed by the Security Industry Authority.
- 11. Admission of children to the premises must be restricted in accordance with the film classification recommended by the British Board of Film Classification or recommended by this licensing authority as appropriate.

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

### **Conditions relating to Regulated Entertainment**

### Lower Ground and Part-Basement:

12. 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.
13. 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).
14. Notwithstanding the provisions of Rule of Management No 6 the premises may remain open for the purposes of this licence from 11pm on each of the days Sunday to Saturday to 3am on the day following.
15. The provision of public entertainment under this licence shall remain as an ancillary part of the lawful Class A3 use of the premises.
16. Licensable entertainment shall not be provided in the entrance lobby.
17. At least two registered door supervisors shall be stationed at the entrance to the premises from 11pm on each night when the premises remain open beyond 11pm, so as to ensure that customers enter and exit the premises in a quiet and orderly manner.
18. No external doors or windows shall be fixed open after 11pm on any day of the week.
19. A sound limiter device shall be fitted to the sound system and shall be set and maintained at levels agreed by the Environmental Health Officer. The operational panel shall then be secured and the system will not be altered without the approval of the Environmental Health Officer.
20. The sound system shall not be altered or modified without the approval of the Environmental Health Officer.
21. No additional sound generation equipment shall be used on the premises without being routed through the sound limiter device.
22. Notices shall be provided at the premises requesting patrons to leave quietly. Similar reminders shall be made over the loud speakers and by door supervisors at the door.
23. The CCTV system shall be maintained and operated correctly to the satisfaction of the Metropolitan Police Crime Prevention Officer. The tapes from the system shall be retained for a period of 28 days.
24. The iron gate at the foot of the external entrance staircase shall be locked back in an open position while the premises are in use under this licence.
25. The final double leaf wooden doors on the alternative escape route shall be locked back in an open position while the premises are in use under this licence.
26. No unauthorised advertisements of any kind (including placard, poster, sticker, flyer, picture, letter, sign or other mark) is inscribed or affixed upon the surface of the highway, or upon any building, structure, works, street furniture, tree, or any other property, or is distributed on street to the public, that advertises or promotes the establishment, its premises, or any of its events, facilities, goods or services.

### **Conditions for sale of alcohol**

27. Substantial food and non-intoxicating beverages (including drinking water) shall be available during the whole of the permitted hours in all parts of the premises where intoxicants are provided.
28. On any evening where the premises or part of the premises are open for the purpose of music, dance and entertainment, intoxicating liquor may not be sold or supplied to persons admitted to the premises after 11pm other than to:
  - (a) Persons who have paid a minimum admission fee of at least £5 Monday to Thursday and £7 Friday and Saturday for music, dance and entertainment. (Not to be credited against consumables).
  - (b) Any person attending a private function at the premises, details of the type of function, host and list of persons attending having been provided to police at least 24 hours previously.
  - (c) Artistes or persons employed on the premises.
  - (d) Bona fide guests of the proprietor, a list of whom shall be kept at reception for inspection by appropriate authorities.
  - (e) Persons taking a full table meal.
  - (f) Members of the proprietary club operating at these premises.
29. No striptease, no nudity and all persons to be decently attired at all times.
30. There shall be no gaming on the premises other than by machines authorised by Part III (Section 34) of the Gaming Act 1968
31. The terminal hour for late night refreshment on New Year's Eve is extended to 05:00 on New Year's Day.

### **Conditions consistent with the operating Schedule**

32. 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.
33. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to the public. This staff member shall be able to show Police recent data or footage with the absolute minimum of delay when requested.

### **Conditions attached after a hearing by the licensing authority**

34. The hours permitted for the sale of alcohol are:
  - (a) Monday 09:00 to 00:00
  - (b) Tuesday to Saturday 09:00 to 03:00

- (c) Sunday 12:00 to 02:30
  - (d) Sunday before Bank Holiday 12:00 to 03:00
  - (e) In relation to the morning on which summer time begins, paragraph (b) of this condition shall have effect with the substitution of references to 04.00 for references to 03.00
  - (f) The permitted hours for the sale of alcohol on New Year's Eve are 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, 00.00 midnight on 31st December)
- 35. No payment shall be made by or on behalf of the licensee to any person for bringing customers onto the premises directly from the street.
  - 36. When a customer chooses to pay by credit card, he/she will be presented with an itemised bill on final payment, showing details of all drinks and food purchased.
  - 37. Where the sale of alcohol takes place after 00:30 on the day following Sundays (other than the Sundays before Bank Holidays) this will be only to persons attending private pre-booked functions at the premises or to members of the private club operating at the premises and their guests.
  - 38. No external promoters will be used to organise the private functions on Sundays referred to in condition 37 above, such private functions to be organised by the premises licence holder/designated premises supervisor.
  - 39. Where a private function takes place at the premises on Sundays (other than Sundays before Bank Holidays) where alcohol is to be sold after 00:30 the following day, a full guest list must be produced by the premises at least 24 hours prior to the function together with a booking sheet for each function regarding the following information as a minimum - name of the individual who has hired the premises together with contact details; date of hiring and purpose of event. The guest list and booking sheet will be made available to the police or an authorised officer of the Council upon request at the premises on the night of the function and for a period of 14 days thereafter.
  - 40. Where alcohol is being sold on Sundays (other than Sundays before Bank Holidays) after 00:30 the day following to members of the private club operating at the premises, members shall be permitted to have no more than 4 guests accompanying them, and all members must have been accepted as members of the private club no later than 24 hours beforehand.
  - 41. The number of persons accommodated at the premises shall not exceed 210 persons (exclusive of staff).
  - 42. There shall be no admittance to the premises after 00:00.
  - 43. Patrons permitted to temporarily leave and then re-enter the premises, eg to smoke, shall not be permitted to take drinks or glass containers with them.
  - 44. Every member of staff will undergo documented responsible server training within a month of the decision and (for new staff) within 3 months of starting employment.
  - 45. All staff will receive refresher responsible server training once per year.
  - 46. The licensee shall maintain further CCTV cameras outside the premises so as to both south and north in St James's Street.
  - 47. All staff engaged outside the entrance to the premises, or supervising or controlling queues shall wear high visibility yellow jackets or vests.



48. There shall be a personal licence holder on duty on the premises at all times when the premises are authorised to sell alcohol.
49. The licence holder shall ensure that any queue to enter the premises which forms outside the premises is orderly and supervised by door staff so as to ensure that there is no public nuisance or obstruction to the public highway.
50. No drinks shall be served in glass containers at any time.
51. Exterior door staff shall be equipped with "body cams".
52. Should the CCTV system develop a significant fault, the premises licence holder will inform the Police of the fault and of the proposed time for rectification.
53. The premises licence holder shall install and use a clubscan or similar device at the entrance to the premises.
54. All door staff shall work for a contractor who is a member of the Security Industry Authority's Approved Contractor Scheme.
55. There shall be one door supervisor for every thirty customers, with a number of four door supervisors at all times.
56. All door staff shall wear distinctive clothing so that they can be readily identified at the premises.
57. A member of the door staff shall patrol on both sides of St James' Street between Piccadilly and Jermyn Street.
58. The Licensee will give local residents who want it a dedicated hotline telephone number which will always be manned during trading hours and for 30 minutes thereafter.
59. That a Management Plan requiring the Licensee to use their best endeavours to manage customers, external to the premises, including arrival, departure and dispersal of customers quickly, quietly and towards Piccadilly shall be submitted to Environmental Health for approval and the Licensee shall thereafter implement and maintain the said Plan.



# Aura, 48-49 St James's Street



Residential / Proposed Residential	26
Under Construction	Not known
Other Uses	Not known
Proportion Residential of all Uses	Not known

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 Meters

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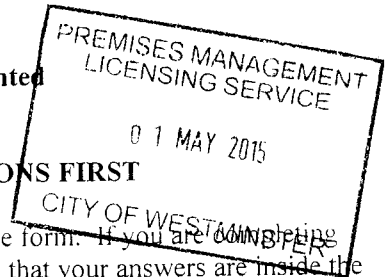
**Premises within 75 metres of: Aura, 48 - 49 St James's Street**

<b>p / n</b>	<b>Name of Premises</b>	<b>Premises Address</b>	<b>Opening Hours</b>
13/10221/LIPV	Fifty St James	50 St James's Street London SW1A 1JT	Monday to Sunday 00:00 - 00:00
14/03657/LIPDPS	The Wolseley	Basement And Ground Floor 157 - 160 Piccadilly London W1J 9EA	Monday to Sunday 09:00 - 01:30
12/09555/LIPDPS	Caviar House Restaurant	Ground Floor 161 Piccadilly London W1J 9EA	Sunday 10:00 - 23:00 Monday to Saturday 10:00 - 23:30
15/03264/LIPVM	Blue Posts Public House	6 Bennet Street London SW1A 1RE	Friday to Saturday 10:00 - 00:00 Monday to Thursday 10:00 - 23:30 Sundays before Bank Holidays 12:00 - 00:00 Sunday 12:00 - 22:30
14/09521/LIPVM	Mayfair Club	Basement 49-50 Dover Street London W1J 8DJ	Sunday 09:00 - 05:00 Monday to Saturday 09:00 - 06:00
15/00816/LIPDPS	The Ritz Hotel	The Ritz Hotel 150 - 156 Piccadilly London W1J 9BT	Monday to Sunday 00:00 - 00:00
15/00536/LIPDPS	The Ritz Club Casino	150 Piccadilly London W1J 9BT	Monday to Sunday 00:00 - 00:00
12/09326/LIPVM	Whisky Shop	70 Piccadilly London W1J 8HP	Monday to Saturday 08:00 - 23:00 Sunday 10:00 - 22:30
12/03962/LIPN	Caffe Concerto	61 Piccadilly London W1J 0DY	Monday to Sunday 07:00 - 23:30
07/00273/WCCMAC	White's Club	37 St James's Street London SW1A 1JG	Monday to Saturday 10:00 - 23:30 Sunday 12:00 - 23:00
07/00183/WCCMAP	Davidoff Of London	35 St James's Street London SW1A 1HD	Monday to Saturday 08:00 - 23:00 Sunday 10:00 - 22:30
15/00844/LIPDPS	Mahiki	1 Dover Street London W1S 4LA	Sunday 09:00 - 00:30 Monday to Saturday 09:00 - 03:30
14/09776/LIPVM	The Clarence Public House	4 Dover Street London W1S 4LD	Monday to Saturday 07:00 - 00:30 Sunday 07:00 - 23:30
07/00217/WCCMAP	Franco's	61-63 Jermyn Street London SW1Y 6LX	Monday to Saturday 07:30 - 00:30

# **Background Documents**

[Insert name and address of relevant licensing authority and its reference number (optional).]

**Application for a premises licence to be granted under the Licensing Act 2003**



**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We Vevil International Ltd  
(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

**Part 1 – Premises Details**

Postal address of premises or, if none, ordnance survey map reference or description			
Aura 48-49 St James's Street			
Post town	London	Postcode	SW1A 1JT
Telephone number at premises (if any)			
Non-domestic rateable value of premises		£132,000	

**Part 2 - Applicant Details**

Please state whether you are applying for a premises licence as

Please tick as appropriate

- a) an individual or individuals \*  please complete section (A)
- b) a person other than an individual \*
  - i. as a limited company  please complete section (B)
  - ii. as a partnership  please complete section (B)
  - iii. as an unincorporated association or  please complete section (B)
  - iv. other (for example a statutory corporation)  please complete section (B)

- c) a recognised club  please complete section (B)
- d) a charity  please complete section (B)
- e) the proprietor of an educational establishment  please complete section (B)
- f) a health service body  please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales  please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England  please complete section (B)
- h) the chief officer of police of a police force in England and Wales  please complete section (B)

\* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or

I am making the application pursuant to a statutory function or   
 a function discharged by virtue of Her Majesty's prerogative

**(A) INDIVIDUAL APPLICANTS** (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
<b>Surname</b>			<b>First names</b>		
I am 18 years old or over				<input type="checkbox"/> Please tick yes	
Current postal address if different from premises address					
Post town				Postcode	
<b>Daytime contact telephone number</b>					
<b>E-mail address (optional)</b>					

**SECOND INDIVIDUAL APPLICANT** (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
<b>Surname</b>			<b>First names</b>		
I am 18 years old or over					<input type="checkbox"/> Please tick yes
Current postal address if different from premises address					
Post town				Postcode	
<b>Daytime contact telephone number</b>					
<b>E-mail address (optional)</b>					

**(B) OTHER APPLICANTS**

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name Vevil International Ltd
Address Elian Fiduciary Services (BVI) Limited, Nemours Chambers, Road Town, Tortola VG 1110, BVI
Registered number (where applicable)  1821231
Description of applicant (for example, partnership, company, unincorporated association etc.)  Company
Telephone number (if any)
E-mail address (optional)

**Part 3 Operating Schedule**

When do you want the premises licence to start?

DD	MM	YYYY
01	06	2015

If you wish the licence to be valid only for a limited period, when do you want it to end?

D	MM	YYYY

Please give a general description of the premises (please read guidance note 1)

Nightclub

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment

Please tick any that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

**Provision of late night refreshment** (if ticking yes, fill in box I)

**Supply of alcohol** (if ticking yes, fill in box J)

**In all cases complete boxes K, L and M**



**A**

<b>Plays</b> Standard days and timings (please read guidance note 6)			<b>Will the performance of a play take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input type="checkbox"/>						
				Outdoors	<input type="checkbox"/>						
Both	<input type="checkbox"/>										
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 3)								
Mon											
Tue											
Wed						<b>State any seasonal variations for performing plays</b> (please read guidance note 4)					
Thur											
Fri									<b>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</b> (please read guidance note 5)		
Sat											
Sun											

**B**

<b>Films</b> Standard days and timings (please read guidance note 6)			<b>Will the exhibition of films take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 3)		
Mon	09.00	03.00			
Tue	09.00	03.00	<b>State any seasonal variations for the exhibition of films</b> (please read guidance note 4)		
Wed	09.00	03.00			
Thur	09.00	03.00	<b>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</b> (please read guidance note 5)		
Fri	09.00	03.00			
Sat	09.00	03.00			
Sun	09.00	03.00			

C

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 6)			<b><u>Please give further details</u></b> (please read guidance note 3)
Day	Start	Finish	
Mon			<b><u>State any seasonal variations for indoor sporting events</u></b> (please read guidance note 4)
Tue			
Wed			
Thur			<b><u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5)
Fri			
Sat			
Sun			

**D**

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 6)			<b><u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 3)		
Mon					
Tue					
Wed			<b><u>State any seasonal variations for boxing or wrestling entertainment</u></b> (please read guidance note 4)		
Thur					
Fri			<b><u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5)		
Sat					
Sun					

**E**

<b>Live music</b> Standard days and timings (please read guidance note 6)			<b>Will the performance of live music take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give further details here</b> (please read guidance note 3)					
Mon	09.00	03.00						
Tue	09.00	03.00						
Wed	09.00	03.00				<b>State any seasonal variations for the performance of live music</b> (please read guidance note 4)		
Thur	09.00	03.00						
Fri	09.00	03.00				<b>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</b> (please read guidance note 5)		
Sat	09.00	03.00						
Sun	09.00	03.00						

**F**

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon	09.00	03.00	<b><u>Please give further details here</u></b> (please read guidance note 3)		
Tue	09.00	03.00			
Wed	09.00	03.00	<b><u>State any seasonal variations for the playing of recorded music</u></b> (please read guidance note 4)		
Thur	09.00	03.00			
Fri	09.00	03.00	<b><u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5)		
Sat	09.00	03.00			
Sun	09.00	03.00			

**G**

<b>Performances of dance</b> Standard days and timings (please read guidance note 6)			<b><u>Will the performance of dance take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)		Indoors	<input checked="" type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b><u>Please give further details here</u></b> (please read guidance note 3)			
Mon	09.00	03.00				
Tue	09.00	03.00				
			<b><u>State any seasonal variations for the performance of dance</u></b> (please read guidance note 4)			
Wed	09.00	03.00				
Thur	09.00	03.00				
			<b><u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5)			
Fri	09.00	03.00				
Sat	09.00	03.00				
Sun	09.00	03.00				

# H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<b>Will this entertainment take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Mon	09.00	03.00		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue	09.00	03.00	<b>Please give further details here</b> (please read guidance note 3)		
Wed	09.00	03.00			
Thur	09.00	03.00	<b>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</b> (please read guidance note 4)		
Fri	09.00	03.00			
Sat	09.00	03.00	<b>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</b> (please read guidance note 5)		
Sun	09.00	03.00			



**J**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 6)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 4) From the start time on New Year’s Eve to the finish time on New Year’s Day  <b>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</b> (please read guidance note 5)  Sundays before Bank Holidays 12.00 to 03.00		
Mon	09.00	00.00			
Tue	09.00	03.00			
Wed	09.00	03.00			
Thur	09.00	03.00			
Fri	09.00	03.00			
Sat	09.00	03.00			
Sun	12.00	02.30			

**State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor:**

Name Jane Beels	
Address	
Postcode	
Personal licence number (if known)	
Issuing licensing authority (if known)	

**I**

<b>Late night refreshment</b> Standard days and timings (please read guidance note 6)			<b>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b><u>Please give further details here</u></b> (please read guidance note 3)		
Mon	23.00	03.30			
Tue	23.00	03.30			
Wed	23.00	03.30	<b><u>State any seasonal variations for the provision of late night refreshment</u></b> (please read guidance note 4) On New Year’s Eve from 23.00 until 05.00 on New Year’s Day		
Thur	23.00	03.30			
Fri	23.00	03.30	<b><u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u></b> (please read guidance note 5)  Sundays before Bank Holidays 23.00 to 03.30		
Sat	23.00	03.30			
Sun	23.00	03.00			

K

**Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8).**

None

L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 6)			<u>State any seasonal variations</u> (please read guidance note 4)
Day	Start	Finish	
Mon	09.00	03.30	
Tue	09.00	03.30	
Wed	09.00	03.30	
Thur	09.00	03.30	
Fri	09.00	03.30	
Sat	09.00	03.30	
Sun	09.00	03.00	

**Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list** (please read guidance note 5)

Sundays before Bank Holidays 09.00 to 03.30

**M** Describe the steps you intend to take to promote the four licensing objectives:

**a) General – all four licensing objectives (b, c, d and e)** (please read guidance note 9)

See attached schedule

**b) The prevention of crime and disorder**

See box a

**c) Public safety**

See box a

**d) The prevention of public nuisance**

See box a

**e) The protection of children from harm**

See box a

**Checklist:**


**Please tick to indicate agreement**

- I have made or enclosed payment of the fee. [✓]
- I have enclosed the plan of the premises. [✓]
- I have sent copies of this application and the plan to responsible authorities and others where applicable. [✓]
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable. [✓]
- I understand that I must now advertise my application. [✓]
- I understand that if I do not comply with the above requirements my application will be rejected. [✓]

**IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.**

**Part 4 – Signatures** (please read guidance note 10)

**Signature of applicant or applicant’s solicitor or other duly authorised agent** (see guidance note 11).  
**If signing on behalf of the applicant, please state in what capacity.**

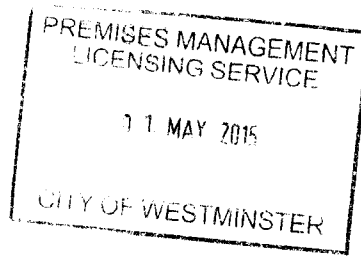
Signature	
Date	1 <sup>st</sup> May 2015
Capacity	Solicitors for Applicant

**For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant’s solicitor or other authorised agent** (please read guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)			
Craig Baylis BLP Adelaide House London Bridge			
Post town	London	Postcode	EC4R 9HA
Telephone number (if any)	0203 400 2326		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) craig.baylis@blplaw.com			

Date: 1<sup>st</sup> May 2015  
Our ref: CAB/35155.00001  
Your ref:  
DDI: 020 3400 2326  
e-mail: [craig.baylis@blplaw.com](mailto:craig.baylis@blplaw.com)



**BY COURIER**

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

Dear Sir

**Aura, 48/49 St James's Street, London SW1A 1JT**

We act on behalf of the landlord of this property who is concerned to protect their commercial interest in this property

We are instructed to make application for a shadow licence in identical terms to that which is currently in force for these premises (14/07530/LIPT).

We enclose application together with DPS consent, plan of the premises as currently approved under licence number 14/07530/LIPT and our cheque for £635.

Yours faithfully

**BERWIN LEIGHTON PAISNER LLP**

- cc: Westminster Police, City Hall, Westminster City Council, 4<sup>th</sup> Floor, 64 Victoria Street, London SW1E 6QP
- London Fire & Emergency Planning Authority, 156 Harrow Road, London W2 6NL
- Development Planning Services, Westminster City Council, 64 Victoria Street, London SW1E 6QP
- Health & Safety, Community Protection Team, Westminster City Council, Environmental Health Consultation Team, 64 Victoria Street, London SW1E 6QP
- Community Protection Team, Westminster City Council, Environmental Health Consultation Team, 64 Victoria Street, London SW1E 6QP
- Head of Commissioning, Child Protection & Quality, Social and Community Services, Children & Families, 4 Frampton Street, London NW8 8LF
- Community Protection Team, Westminster City Council, Environmental Health, Trading Standards, 5<sup>th</sup> Floor, 64 Victoria Street, London SW1E 6QP
- Director of Public Health, Inner North West London Primary Care Trusts, (Hammersmith and Fulham, Kensington and Chelsea, Westminster), 15 Marylebone Road, London NW1 5JD



Schedule 12  
Part A

WARD: St James's  
UPRN: 100023336943

# City of Westminster

64 Victoria Street, London, SW1E 6QP

## Premises licence

Regulation 33, 34

**Premises licence number:**

14/07530/LIPT

**Original Reference:**

05/06830/LIPCV

### Part 1 – Premises details

#### Postal address of premises:

Aura  
48-49 St James's Street  
London  
SW1A 1JT

**Telephone Number:** Not Supplied

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

Not applicable

#### Licensable activities authorised by the licence:

Performance of Dance  
Exhibition of a Film  
Performance of Live Music  
Playing of Recorded Music  
Anything of a similar description to Live Music, Recorded Music or Performance of Dance  
Late Night Refreshment  
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 03:00

##### Exhibition of a Film

Monday to Sunday: 09:00 to 03:00

##### Performance of Live Music

Monday to Sunday: 09:00 to 03:00

##### Playing of Recorded Music

Monday to Sunday: 09:00 to 03:00

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

Monday to Sunday: 09:00 to 03:00

**Late Night Refreshment**

Monday to Saturday: 23:00 to 03:30  
Sunday: 23:00 to 03:00  
Sundays before Bank Holidays: 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**

Tuesday to Saturday: 09:00 to 03:00  
Monday: 09:00 to 00:00  
Sunday: 12:00 to 02:30  
Sundays before Bank Holidays: 12:00 to 03:00

*For times authorised for New Year see conditions at Annex 1 & 3*

**The opening hours of the premises:**

Monday to Saturday: 09:00 to 03:30  
Sunday: 09:00 to 03:00  
Sundays before Bank Holidays: 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:**

Chesnut Management Limited  
3rd Floor  
Heritage House  
235 Main Street  
Gibraltar

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

08663114

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

**Name:** Not Specified

***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:**

Not Applicable

**Date: 10<sup>th</sup> June 2015**

**This licence has been authorised by Mrs Sumeet Anand-Patel on behalf of the Director  
- Public Protection and Licensing.**

## Annex 1 – Mandatory conditions

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
4.
  - (1) The responsible person 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(i) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
- 9(ii) For the purposes of the condition set out in paragraph 9(i) above -
  - (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
  - (b) "permitted price" is the price found by applying the formula -
 
$$P = D + (D \times V)$$
 Where -
    - (i) P is the permitted price,
    - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
    - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
  - (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
    - (i) the holder of the premises licence,
    - (ii) the designated premises supervisor (if any) in respect of such a licence, or
    - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

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

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

**Conditions relating to Regulated Entertainment**

Lower Ground and Part-Basement:

- 12. 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.
- 13. 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).
- 14. Notwithstanding the provisions of Rule of Management No 6 the premises may remain open for the purposes of this licence from 11pm on each of the days Sunday to Saturday to 3am on the day following.
- 15. The provision of public entertainment under this licence shall remain as an ancillary part of the lawful Class A3 use of the premises.
- 16. Licensable entertainment shall not be provided in the entrance lobby.
- 17. At least two registered door supervisors shall be stationed at the entrance to the premises from 11pm on each night when the premises remain open beyond 11pm, so

as to ensure that customers enter and exit the premises in a quiet and orderly manner.

18. No external doors or windows shall be fixed open after 11pm on any day of the week.
19. A sound limiter device shall be fitted to the sound system and shall be set and maintained at levels agreed by the Environmental Health Officer. The operational panel shall then be secured and the system will not be altered without the approval of the Environmental Health Officer.
20. The sound system shall not be altered or modified without the approval of the Environmental Health Officer.
21. No additional sound generation equipment shall be used on the premises without being routed through the sound limiter device.
22. Notices shall be provided at the premises requesting patrons to leave quietly. Similar reminders shall be made over the loud speakers and by door supervisors at the door.
23. The CCTV system shall be maintained and operated correctly to the satisfaction of the Metropolitan Police Crime Prevention Officer. The tapes from the system shall be retained for a period of 28 days.
24. The iron gate at the foot of the external entrance staircase shall be locked back in an open position while the premises are in use under this licence.
25. The final double leaf wooden doors on the alternative escape route shall be locked back in an open position while the premises are in use under this licence.
26. No unauthorised advertisements of any kind (including placard, poster, sticker, flyer, picture, letter, sign or other mark) is inscribed or affixed upon the surface of the highway, or upon any building, structure, works, street furniture, tree, or any other property, or is distributed on street to the public, that advertises or promotes the establishment, its premises, or any of its events, facilities, goods or services.

#### Conditions for sale of alcohol

27. Substantial food and non-intoxicating beverages (including drinking water) shall be available during the whole of the permitted hours in all parts of the premises where intoxicants are provided.
28. On any evening where the premises or part of the premises are open for the purpose of music, dance and entertainment, intoxicating liquor may not be sold or supplied to persons admitted to the premises after 11pm other than to:
  - (a) Persons who have paid a minimum admission fee of at least £5 Monday to Thursday and £7 Friday and Saturday for music, dance and entertainment. (Not to be credited against consumables).
  - (b) Any person attending a private function at the premises, details of the type of function, host and list of persons attending having been provided to police at least 24 hours previously.
  - (c) Artistes or persons employed on the premises.
  - (d) Bona fide guests of the proprietor, a list of whom shall be kept at reception for inspection by appropriate authorities.
  - (e) Persons taking a full table meal.
  - (f) Members of the proprietary club operating at these premises.
29. No striptease, no nudity and all persons to be decently attired at all times.

30. There shall be no gaming on the premises other than by machines authorised by Part III (Section 34) of the Gaming Act 1968
31. 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**

32. 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.
33. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to the public. This staff member shall be able to show Police recent data or footage with the absolute minimum of delay when requested.

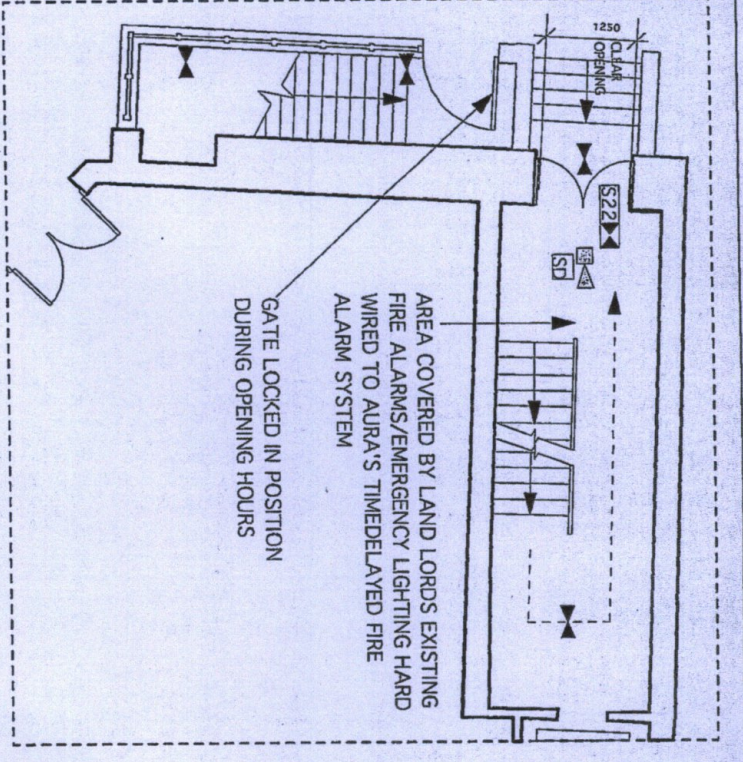
### **Annex 3 – Conditions attached after a hearing by the licensing authority**

34. The hours permitted for the sale of alcohol are:
  - (a) Monday 09:00 to 00:00
  - (b) Tuesday to Saturday 09:00 to 03:00
  - (c) Sunday 12:00 to 02:30
  - (d) Sunday before Bank Holiday 12:00 to 03:00
  - (e) In relation to the morning on which summer time begins, paragraph (b) of this condition shall have effect with the substitution of references to 04.00 for references to 03.00
  - (f) The permitted hours for the sale of alcohol on New Year's Eve are 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, 00.00 midnight on 31st December)
35. No payment shall be made by or on behalf of the licensee to any person for bringing customers onto the premises directly from the street.
36. When a customer chooses to pay by credit card, he/she will be presented with an itemised bill on final payment, showing details of all drinks and food purchased.
37. Where the sale of alcohol takes place after 00:30 on the day following Sundays (other than the Sundays before Bank Holidays) this will be only to persons attending private pre-booked functions at the premises or to members of the private club operating at the premises and their guests.
38. No external promoters will be used to organise the private functions on Sundays referred to in condition 37 above, such private functions to be organised by the premises licence holder/designated premises supervisor.
39. Where a private function takes place at the premises on Sundays (other than Sundays before Bank Holidays) where alcohol is to be sold after 00:30 the following day, a full guest list must be produced by the premises at least 24 hours prior to the function together with a booking sheet for each function regarding the following information as a minimum - name of the individual who has hired the premises together with contact details; date of hiring and purpose of event. The guest list and booking sheet will be made available to the police or an authorised officer of the Council upon request at the premises on the night of the function and for a period of 14 days thereafter.
40. Where alcohol is being sold on Sundays (other than Sundays before Bank Holidays) after 00:30 the day following to members of the private club operating at the premises, members shall be permitted to have no more than 4 guests accompanying them, and all members must have been accepted as members of the private club no later than 24 hours beforehand.
41. The number of persons accommodated at the premises shall not exceed 210 persons (exclusive of staff).
42. There shall be no admittance to the premises after 00:00.
43. Patrons permitted to temporarily leave and then re-enter the premises, eg to smoke, shall not be permitted to take drinks or glass containers with them.
44. Every member of staff will undergo documented responsible server training within a month of the decision and (for new staff) within 3 months of starting employment.
45. All staff will receive refresher responsible server training once per year.



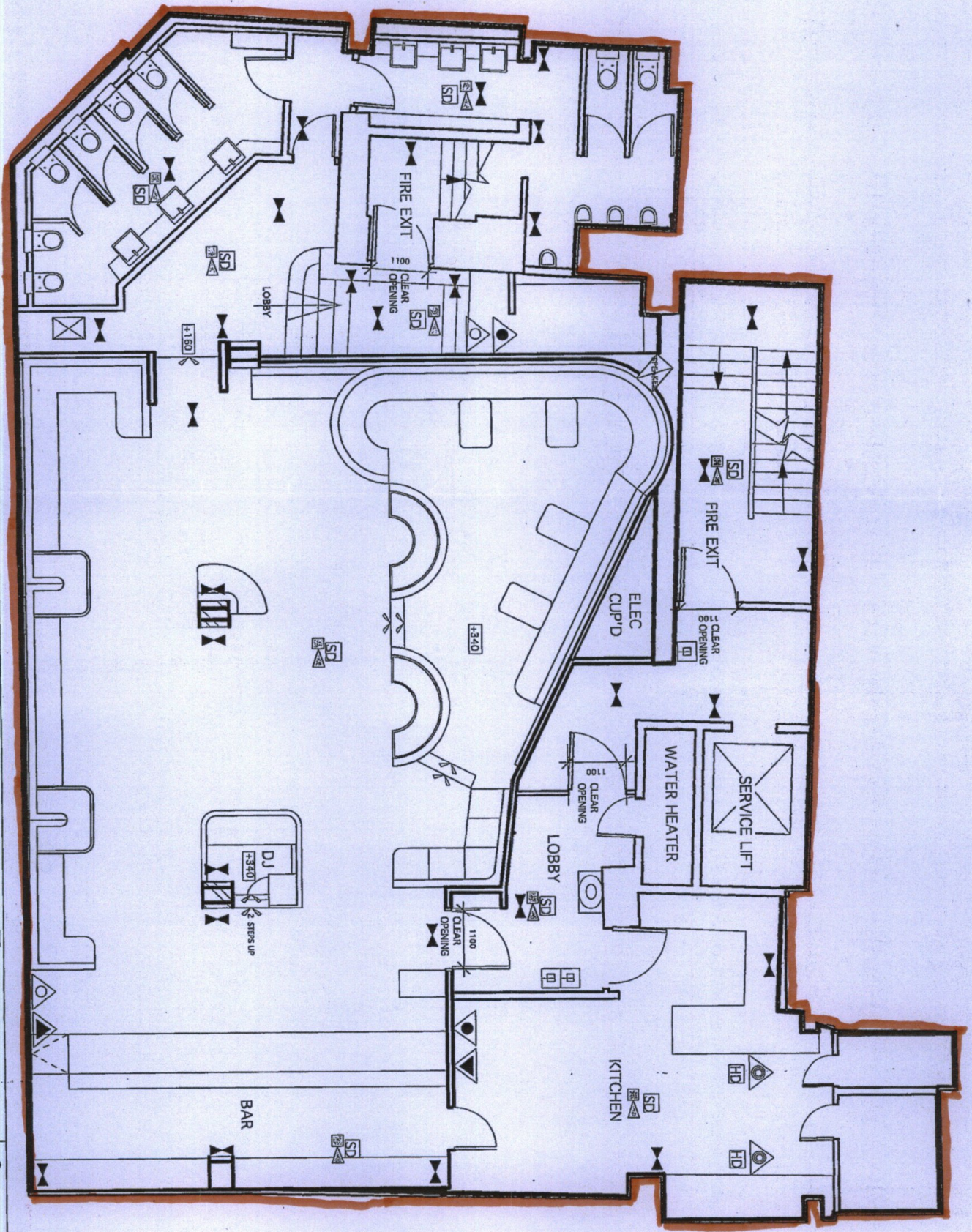
46. The licensee shall maintain further CCTV cameras outside the premises so as to both south and north in St James's Street.
47. All staff engaged outside the entrance to the premises, or supervising or controlling queues shall wear high visibility yellow jackets or vests.
48. There shall be a personal licence holder on duty on the premises at all times when the premises are authorised to sell alcohol.
49. The licence holder shall ensure that any queue to enter the premises which forms outside the premises is orderly and supervised by door staff so as to ensure that there is no public nuisance or obstruction to the public highway.
50. No drinks shall be served in glass containers at any time.
51. Exterior door staff shall be equipped with "body cams".
52. Should the CCTV system develop a significant fault, the premises licence holder will inform the Police of the fault and of the proposed time for rectification.
53. The premises licence holder shall install and use a clubscan or similar device at the entrance to the premises.
54. All door staff shall work for a contractor who is a member of the Security Industry Authority's Approved Contractor Scheme.
55. There shall be one door supervisor for every thirty customers, with a number of four door supervisors at all times.
56. All door staff shall wear distinctive clothing so that they can be readily identified at the premises.
57. A member of the door staff shall patrol on both sides of St James' Street between Piccadilly and Jermyn Street.
58. The Licensee will give local residents who want it a dedicated hotline telephone number which will always be manned during trading hours and for 30 minutes thereafter.
59. That a Management Plan requiring the Licensee to use their best endeavours to manage customers, external to the premises, including arrival, departure and dispersal of customers quickly, quietly and towards Piccadilly shall be submitted to Environmental Health for approval and the Licensee shall thereafter implement and maintain the said Plan.





PROPOSED GROUND FLOOR PART PLAN  
SCALE 1:100

*Ambit  
of licensed premises*



PROPOSED LOWER GROUND FLOOR PLAN  
SCALE 1:100

CONSUMPTION OF ALCOHOL AND LICENSABLE ACTIVITIES TAKE PLACE ANYWHERE WITHIN THE RED LINE. THE POSITION OF ANY FURNITURE IS FOR DIAGRAMMATIC PURPOSES ONLY.

LEGEND	
[Symbol]	EMERGENCY LIGHTING
[Symbol]	SMOKE DETECTOR
[Symbol]	SMOKE DETECTOR
[Symbol]	FIRE EXIT KEEP CLEAR SIGN
[Symbol]	DIRECTIONAL FIRE EXIT SIGN MAINTAINED
[Symbol]	ILLUMINATED FIRE EXIT SIGN MAINTAINED
[Symbol]	NO SMOKING SIGN
[Symbol]	FIRE DOOR KEEP LOCKED
[Symbol]	FIRE DOOR KEEP SHUT
[Symbol]	PUSH BAR
[Symbol]	FIRE ALARM CALL POINT
[Symbol]	FIRE ALARM SOUNDER
[Symbol]	FIRE ALARM CONTROL PANEL
[Symbol]	VISION PANEL
[Symbol]	H2O FIRE EXTINGUISHER
[Symbol]	CO2 FIRE EXTINGUISHER
[Symbol]	FIRE BLANKET
[Symbol]	DRY POWDER
[Symbol]	FOAM EXTINGUISHER
[Symbol]	CCTV CAMERA
[Symbol]	CONTACT
[Symbol]	PR
[Symbol]	KEYPAD
[Symbol]	EXTERNAL BELL BOX
[Symbol]	INTERNAL SOUNDER
[Symbol]	EXTERNAL DUMMY BELL BOX
[Symbol]	PANIC BUTTON
[Symbol]	CONTROL PANEL

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Rev	Description	Date of Issue
A	DOOR OPENING WIDTHS ADDED	20.08.09

**GP** GRAPESDSIGN

Client	AURA NIGHTCLUB, 48-49 ST. JAMES ST. MANCHESTER, SW1
Drawings	PROPOSED PLAN
Scale	1:100 @ A3 (approx) 29.07.09
Drawing No	940/08
Author	A
File ref	Consult
DESIGN CONSULTANTS 51 ROXTON SQ. LONDON, N1 6BB T: 0207 613298	



**From:** [Anand-Patel\\_Sumeet](mailto:Anand-Patel_Sumeet)  
**To:** [d.dennis-betts@pplaw.co.uk](mailto:d.dennis-betts@pplaw.co.uk)  
**Cc:** [Nelson\\_Nicholas](mailto:Nelson_Nicholas)  
**Subject:** 14/07530/LIPT - Aura, 48-49 St James's Street, London SW1A 1JT  
**Date:** 10 June 2015 14:38:01  
**Attachments:** [Aura\\_Licence.pdf](#)  
[Aura\\_Plans.pdf](#)

---

Dear Ms Dennis-Betts,

The Council has agreed to grant the application to transfer the Premises Licence in respect of the above premises. The Premises Licence is enclosed.

Your attention is drawn to the conditions **(including new mandatory conditions in effect from 28th May 2014 and amendment coming into force 1st October 2014)** attached in the Annexes of the licence. You are advised that, under the Licensing Act 2003, carrying on or knowingly allowing a licensable activity to be carried on otherwise than under and in accordance with an authorisation is an offence and may result in prosecution or review of the licence.

The Licensing Act 2003 (Fees) Regulations 2005 require the holder of a Premises Licence to pay an annual fee to the licensing authority. Payment of the annual fee will fall due every twelve months from the date of grant of the original licence.

It is the Council's intention to send reminder letters, however you are advised that it is the licence holder's responsibility to ensure that annual fees are paid on time.

**Please note, the annual fee due on 20<sup>th</sup> September 2014 still remains outstanding and therefore the licence is currently suspended. You are not permitted to trade until the fee has been paid and the suspension lifted.**

Whenever a licensed premises is being used for one or more of the licensable activities authorised by that licence, the following will apply.

It is the responsibility of the holder of the Premises Licence to ensure that the following requirements are complied with;

- (1) The Premises Licence is kept at the premises in the custody or under the control of either the licence holder or a person who works at the premises and whom the holder of the licence has nominated in writing to have custody/control of the licence.
- (2) The licence summary or certified copy of the summary (Part B) and a notice specifying the name and position of the person having custody of the full Premises Licence are to be prominently displayed at the premises.

The holder of the licence commits an offence if he/she fails, without reasonable excuse, to comply with (1) and/or (2) above.

A constable or an authorised person, may require the nominated person, having custody or control of the full licence, to produce the licence for examination and that person commits an offence if, without reasonable excuse, the licence (or certified copy) is not produced for examination.

If you have any questions relating to this matter, please do not hesitate to contact the Licensing Service on 020 7641 8549 or alternatively e-mail [premiseslicensing@westminster.gov.uk](mailto:premiseslicensing@westminster.gov.uk)

Kind Regards,

**Mrs Sumeet K Anand-Patel**

Senior Licensing Officer

**Licensing Team**

Public Protection and Licensing Department

---

**TO  
REFERENCE****Nick Nelson, Licensing Officer  
15/03326/LIPN**

---

**FROM****Environmental Health Consultation Team  
4<sup>th</sup> Floor West, City Hall****TELEPHONE****0207 641 3187****BEING DEALT WITH BY  
DATE****Nicola Curtis (ncurtis@westminster.gov.uk)  
14<sup>th</sup> May 2015**

---

**Licensing Act 2003****Aura, 48-49 St James's Street, London, SW1A 1JT**

I refer to the application for a new Premises Licence for the above premises.

The applicant has submitted the following plans for the premises:

- ◆ Proposed Plan: drawing number 940/06, Rev A, Dated 29.07.09

This representation is based on the plans and Operating Schedule submitted.

The applicant is seeking the following licensable activities:

1. Regulated Entertainment 'indoors' Monday to Sunday 0900 to 0300 hours comprising:
  - a. The Exhibition of Films
  - b. The Performance of Live Music
  - c. The Playing of Recorded Music
  - d. The Performance of Dance
  - e. Anything Similar to the Performance of Live Music, the Playing of Recorded Music and the Performance of Dance
2. The Provision of Late Night Refreshment 'indoors' Monday to Saturday 2300 to 0330 hours and Sunday 2300 to 0300 hours
3. The Supply of Alcohol both 'on' and 'off' the premises Monday to Saturday 0900 to 0300 hours and Sunday 1200 to 0230 hours
4. The following seasonal timings are applied for:
  - a. For Provision of Late Night Refreshment On New Year's Eve from 2300 until 0500 on New Year's Day
  - b. For the Supply of Alcohol from the start time on New Year's Eve to the finish time on New Year's Day
5. For the Provision of Late Night Refreshment and the Supply of Alcohol the following non-standard timing is applied for:
  - a. Sundays before Bank Holidays 1200 to 0300 hours

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

1. The Regulated Entertainment applied for and the hours requested for these activities will have the likely effect of causing an increase in Public Nuisance in the area and may impact upon Public Safety.
2. The provision of Late Night Refreshment 'indoors' and the hours requested for this activity will have the likely effect of causing an increase in Public Nuisance in the area.
3. The Supply of Alcohol 'on' the premises and the hours requested for this activity will have the likely effect of causing an increase in Public Nuisance in the area and may impact upon Public Safety.
4. The seasonal timings applied for will have the likely effect of causing an increase in Public Nuisance in the area.
5. The non-standard timing applied for will have the likely effect of causing an increase in Public Nuisance in the area.

The applicant has provided additional information and conditions with the operating schedule which is being considered but does not fully address the concerns of Environmental Health.

The application mentions a shadow licence to licence number 14/07530/LIPT, however this licence has never been issued. Additionally, the submitted plans are 6 years old; for these reasons the applicant is advised to contact the undersigned to arrange a suitable time for inspection of the premises and to discuss the application.

**The granting of the new Premises Licence as presented would have the likely effect of causing an increase in Public Nuisance in the area and may impact on Public Safety.**

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

Nicola Curtis  
Environmental Health Enforcement Officer

**From:** [Curtis, Nicola](#)  
**To:** [Nelson, Nicholas](#)  
**Cc:** [Craig Baylis](#)  
**Subject:** RE: Notice of hearing for Aura, 48-49 St James's Street (15/03326/LIPN)  
**Date:** 11 June 2015 16:02:31  
**Attachments:** [image009.png](#)

---

Dear Nick,

Based on the fact that this is the landlord applying for a shadow licence of 14/07530/LIPT then I am happy to withdraw my Representation.

Regards

**Nicola Curtis GradCIEH**

Environmental Health Enforcement Officer  
Environmental Health Consultation Team  
Working days - Tuesday, Wednesday, Thursday  
Westminster City Council  
4th Floor (South)  
City Hall  
64 Victoria Street  
London SW1E 6QP  
Tel: 020 7641 3187  
[ncurtis@westminster.gov.uk](mailto:ncurtis@westminster.gov.uk)  
[westminster.gov.uk](http://westminster.gov.uk)



ASPIRATION

CHOICE

HERITAGE



---

**From:** Nelson, Nicholas  
**Sent:** 10 June 2015 11:29  
**To:** Curtis, Nicola  
**Subject:** Notice of hearing for Aura, 48-49 St James's Street (15/03326/LIPN)

Dear Nicola,

Please find attached the notice of hearing for the above application.

Kind regards,

Nick

**From:** [Sollars, Jim](#)  
**To:** [Craig Baylis](#)  
**Cc:** [Nelson, Nicholas](#); [Premises Licensing](#)  
**Subject:** RE: 15/03326/LIPN AURA  
**Date:** 22 May 2015 16:21:42

---

Craig,

Thanks

Police have no representation against the above application

**Jim Sollars PC 2142CW**

**Westminster Police Licensing Team  
4th Floor Westminster City Hall,  
64, Victoria Street,  
LONDON  
SW1E 6QP**

**Tel: 0207 641 3179**

---

**From:** Craig Baylis [mailto:Craig.Baylis@bplaw.com]  
**Sent:** 22 May 2015 16:19  
**To:** Sollars, Jim  
**Cc:** Nelson, Nicholas; Premises Licensing  
**Subject:** Re: 15/03326/LIPN

Confirmed. I copied them across from the original licence

Sent from my iPhone

On 22 May 2015, at 16:18, Sollars, Jim <[jsollars@westminster.gov.uk](mailto:jsollars@westminster.gov.uk)> wrote:

**Craig,**

**Please can you confirm that your 'shadow' licence contains all of the conditions currently imposed on 14/07530/LIPT.**

**So long as there are no other proposed conditions and the conditions on the 14/ 07530/LIPT are replicated, Police will have no rep against the application.**

**Jim**

**From:** [Heath, Peter J](#)  
**To:** [Premises Licensing](#)  
**Subject:** FW: St. James's Conservation Trust - Draft Objection to Aura New Premises License Application Ref : 15/03326/LIPN  
**Date:** 27 May 2015 08:33:54

---

Dear Premises Licensing,

**Ref : Aura : 48 – 49 St. James's Street, SW1 1JT: New Premises License Application Ref : 15/03326/LIPN**

I am objecting to the above application on behalf of the St. James's Conservation Trust, Chairman and Trustees, on two principal, new grounds, for this new premises (and applicant) license but, consistently with a long history of continuing concerns that :

- The existing site and outdoor space has in the past proved to be, and remains, functionally and socially, inadequate for a well-managed night-club in this increasingly sensitive location in terms of :

Constrained pedestrian (queuing/gathering/road crossing and as in City Council Inspectors' Report, 17/04/2012 : "...monitoring of smokers/mobile phone users, especially with...busy [future] months...") and vehicle access (set, down and pick up and service and delivery and as in City Council Premises Licensing Inspector Team manager letter dated 17 April 2012 : "...I was unimpressed to find 2 minicabs waiting for customers which were parked illegally i.e. on double yellow lines and substantially on the pavement...") management, safety and antisocial behaviour risks, based on previous experience and is not appropriate for the now designated, multiple protected status of a St. James's Special Policy Area, Conservation Area and Neighbourhood Planning Forum Area, in addition to the important heritage character of the street and its many Listed Buildings and structures of international, national and local importance, as well as substantial and growing residential character, within a 75 m catchment of the site.

The site and local area has changed since the last licenses were granted. The improvement strategies of the City Council and local Trust have since 2001 - 12, now been successfully increasing the local residential community and the quality of streetscape and street operations (with restored 2-way traffic operation on St. James's Street in 2012 and further improvements programmed for Arlington/Bennet Street as well as Jermyn Street, aimed at accommodating high levels of pedestrian movement and road crossing and reducing unnecessary vehicle congestion (especially at or on approach, northbound, to the St. James's Street/Piccadilly junction), and in addition major restoration and improvement of adjacent Listed Buildings, including the neighbouring 50 St. James's Street as a high quality, traditional St. James's membership club, complementing the adjacent historic clubs : Brookes', Whites and Boodles.

- The existing site and operational history of managers and management/owners does not give confidence that the local Mayfair and West End night club uses in combination, if restored to the past situation of the Aura site, reinstated as a rowdy nightclub, whereby customers move from premises to premises, (which in the past has given rise to police and public safety, as well as local residential concerns of local residents and



neighbouring commercial users), would return to the area.

It seems clear from local and professional, expert opinion, that any operators/managers would be unable and/or unwilling to comply consistently, with a license and licensed premises conditions aimed at adequate management of any late night disturbance and risk, in the current nightclub cluster of Mayfair and West End night-time entertainment uses and evidence of poor and declining, customer behaviours.

The Trust (and also, independently, via the past Chairman, Mr Beveridge Q.C., since 2001) and current Trustee, Mr Nicholas Turner (resident of 42 years at 73, St. James's Street), since 2005, in addition, via Mr Brian Woodham (former Trust Administrator) and with past Chairman and Trustees' support, has been a third party objector and most recently a supporter of City Council and Police objections, of cases and actions taken against bad practices of previous Aura Club licensed operators, since 18 August 2005 - 2007, including, St James's Prospects Limited, and most clearly, echoing the local concerns, in formal file records of :

"The premises license for Aura, 48 – 49 St. James's Street" of the past :  
2011/12 witness evidence of "Aura Response to allegations, Draft 1 9 July 2012" as :  
38 No. listed allegations and dates against the operators/managers/customers etc. (and variously unsatisfactory responses to crimes, antisocial behaviours etc.).

**For the above reasons the Trust objects to the new premises licence and urges the City Council to take action to prevent the re-commencement of a place of known damage to the nature of St. James's Street and the whole St. James's Neighbourhood and adjacent areas.**

Yours faithfully, **on behalf of the Chairman and Trustees of the St. James's Conservation Trust,**

**Peter Heath RIBA MRTPI – Architect and Town Planner Advisor and Administrative Services to :**  
**The St. James's Conservation Trust**

Design Director, Atkins Public Realm

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# Comments for Licensing Application 15/03326/LIPN

## Application Summary

Application Number: 15/03326/LIPN

Address: 48-49 St James's Street London SW1A 1JT

Proposal: Premises Licence - New

Case Officer: Mr Nick Nelson

## Customer Details

Name: Mrs Virginia Chichester

Address: 9 St. James's Place London

## Comment Details

Commenter Type: Interested Party

Stance: Customer objects to the Licensing Application

Comment Reasons:

Comment:9:47 AM on 27 May 2015 I am objecting to this application both as a resident, as a Trustee of the St James's Conservation Trust and as the Chairman of the Mayfair and St James's Safer Neighbourhood Panel.

This club had an extremely bad reputation under its previous owners and badly disrupted the area with anti-social behaviour which quite frequently resulted in violence. Eventually the club was closed down by the Council and fined a substantial amount.

The club is situated in a bad location being a basement and on the corner of St James's Street and Piccadilly where the traffic lights create queues. In the past this was exacerbated by taxis and minicabs parking on the double yellow lines to pick up custom. In addition, guests would queue on the pavement late at night to be admitted thereby causing other pedestrians to have to step into the road. According to my children these people could be intimidating and fights were not unknown.

My particular objections are, not only that the position of the club is unsuitable but the licensing hours requested do not conform with this special area. The Trust has consistently objected to the attempted creep of the West End club culture into this area as it is not in keeping with the historical ambience. Apart from which there are many more residents living here than are thought to be.

As Chairman of the Safer Neighbourhood Panel I am concerned about the potential burden on the stretched resources of the police. And as a resident I am concerned about the impact of the club on the area.

**From:** [Taimur Khan](#)  
**To:** [Premises Licensing](#)  
**Subject:** Ref 15/03326/LIPN  
**Date:** 19 May 2015 18:57:28

---

Hi,

I'm trying to leave some comments regarding the above license for Aura at 48-49 St James's Street SW1A 1JT but I keep getting an error message using your website. I've also tried registering and submitting the comments but still get the same error message:

### **Error while submitting your comments**

- Your comments could not be submitted due to an error in the system.

Would it be possible for you to do this for me if I paste the comments below?  
Here they are:

I have some concerns about the noise levels going up if Aura re-opens and operates as before. Since they have been closed the noise levels at night have significantly decreased despite the presence of other clubs in the area.

I was in contact with them regularly by email and phone and although they were quick and polite in dealing with my issues they did not seem able to stop them recurring.

So my concerns are that the same issues will reoccur if and when they reopen. These are as follows:

(1) People attending the club would frequently park their cars in or near Jermyn Street or St James's Street and be noisy in either arriving or leaving the club. They would frequently either play music loudly in their cars, sometimes leaving the windows or doors open. Or have very loud conversations or shout loudly. On a number of occasions I had to ring them up early in the morning to complain about this. Although they dealt with the complaint quickly and effectively this happened a number of times despite them supposedly patrolling the area to stop it happening in the first place.

(2) People leaving the club - mainly on weekends - would blow their car horns loudly for a very long time and this would go on for sometimes up to an hour after the club had closed at 3am. I mentioned this to them frequently but they seemed unwilling or unable to stop this happening.

(3) On Sundays there seemed to be a more rowdy crowd attending the club resulting in more noise disturbances. I had asked them to treat this as a priority since like many people I struggle to sleep well on a Sunday and noise makes this harder. Again there wasn't much progress in tackling this. I would prefer the club to either close earlier on a Sunday or not open at all if they cannot keep the noise down.

So I hope all these issues I've raised get addressed by the licensing committee and the club before the club opens and they make a concerted effort to ensure that noise levels do not go up afterwards.

Thanks,

Mr Taimur Khan  
Flat 7,  
59-60 Jermyn Street  
London SW1Y 6LX

**From:** [Craig Baylis](#)  
**To:** [Nelson, Nicholas](#)  
**Subject:** Fwd: New premises licence - Aura, St James"s Street  
**Date:** 11 June 2015 09:05:02

---

Hi Nicola  
Another response

Sent from my iPad

Begin forwarded message:

**From:** Taimur Khan <[khanth@sky.com](mailto:khanth@sky.com)>  
**Date:** 10 June 2015 21:04:01 BST  
**To:** Craig Baylis <[Craig.Baylis@blplaw.com](mailto:Craig.Baylis@blplaw.com)>  
**Subject:** Re: New premises licence - Aura, St James's Street

Hi Craig,

Thanks for clarifying the nature of the license. I didn't actually object against the license merely wanted to raise the noise issues I had with the previous management which did not get resolved. If the club is not going to open again in the foreseeable future then I don't have any objection to a new shadow license being granted.

Regards

Taimur Khan

On 10/06/15 16:38, Craig Baylis wrote:

Dear Mr Khan  
I am the solicitor who has lodged the application and I have been passed your contact details by Westminster City Council regarding your objections to the application.  
I would be happy to help you with any information to clarify what the application is about and why it is being made.  
It is not replacing the existing licence which remains in force.  
It is an application by the freehold landlord for a "shadow" licence, which will never come into force all the time the current licence is still in place, which it currently is.  
The landlord is simply seeking to preserve a licence on the building from an investment perspective.

Shadow licences are often applied for by landlords in these circumstances and they place no additional risk on the property or to the residents because the current licence remains in place. This is the reason that the Police do not object to these types of applications.  
Please don't hesitate to contact me for further clarification.

**Craig Baylis** | Berwin Leighton Paisner LLP  
Partner

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**Main:** +44 (0)20 3400 1000  
**Mobile:** +44 (0)7738-037319  
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Web: [www.blplaw.com](http://www.blplaw.com)

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**From:** [Nick Turner](#)  
**To:** [Premises Licensing](#)  
**Subject:** FW: Aura New Premises License Application Ref 15/03326/LIPN  
**Date:** 26 May 2015 19:13:12

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FAO  
Nick Nelson Esq  
Premises Licensing

Sir

I am writing to object to the application to reopen the old Aura nightclub site on the corner of St James's Street and Piccadilly. This site has proved in the past not to be suitable for a late closing night club and is no more suited now than it was when it lost the case in the appeal procedure against Westminster 3 years ago.

The behaviour of the staff and more importantly the guests was appalling and CCTV coverage was extensive. This coverage showed the court at the time how impractical it was to have potential guests queuing to enter the premises on a busy and narrow footpath. The tapes showed fights, the occasional riot on St James's Street and much involvement by the police. Westminster has the court reports and they do not make attractive reading.

I represent the residents of 73 St James's Street of which there are 30 residents who do not wish this licence to be granted.

I also find it most unattractive that a British Virgin Islands company (Vevil International Ltd) should be granted a licence for this site. Such a company is beyond the reach of the law in the United Kingdom and will flaunt the law as on previous occasions.

It is a violation of the integrity of St James's and as such the application should be refused.

I understand that Mr Peter Heath acting on behalf of the St James Conservation Trust has written giving technical reasons why the application should NOT be granted in the St James's Special Policy Area, Conservation Area and the Neighbourhood Planning Forum Area

I only hope you can refuse this application for the sake of the residents, club members, tourists and non-resident office workers in St James's.

With Best Wishes  
*NICHOLAS TURNER*  
+44 (0) 7770 586236  
+44 (0) 1476 585 244

***Proud to support St James's Conservation Trust:***  
[www.stjamestrust.london](http://www.stjamestrust.london)

# Comments for Licensing Application 15/03326/LIPN

## Application Summary

Application Number: 15/03326/LIPN

Address: 48-49 St James's Street London SW1A 1JT

Proposal: Premises Licence - New

Case Officer: Mr Nick Nelson

## Customer Details

Name: Ms Carole Whittall

Address: Flat 12A, 14 Pall Mall London

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Licensing Application

Comment Reasons:

Comment:5:41 PM on 29 May 2015 Dear Sir/ Madam,

Ref : Aura New Premises License Application Ref : 15/03326/LIPN

As residents of St James's, we are objecting to the above application for the following reasons.

We have serious concerns regarding the very adverse impact that a nightclub operation at this venue, licensed to host music / dance performances and serve alcohol, will have on the welfare and amenity of residents.

There is a history of extensive antisocial and criminal behaviour associated with this venue when it was previously operated as a night club. The venue is ill suited to running a night club in a responsible manner. The narrow footway used for queue management at the site entrance basement steps is incapable of safe and orderly management. The lack of space means that patrons of this venue and those moving from surrounding establishments will gather on the footway resulting in antisocial behaviour, noise and disturbance.



We are also concerned about the very adverse impact that the proposed operations will have on the character of this important location within the St James's Conservation Area.

In view of the above, we respectfully request that the Council refuses the application.

Yours sincerely,

Carole and James Whittall

**From:** [d.nadar](#)  
**To:** [Premises Licensing](#)  
**Subject:** Objects to Aura new premises licence application  
**Date:** 28 May 2015 23:39:06

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To Whom It May Concern,

As a long time resident of St. James's I am writing to object to the Aura license application. the last premise was a menace and a danger to the neighbourhood. I have 3 children living with me and Many a late night when we would be walking home there would be patrons of the premise overflowing on the sidewalk and street. It was impossible to pass and you had to either push your way through drunkards or risk walking on the street. It was very badly managed and the overspill of young people all around st. James's street and Piccadilly was not just a nuisance but a serious hazard to them and to anyone walking or driving. On these grounds and the violence that would at times erupt make it a danger to the residents.

Regards,

Dounia Nadar

**From:** [David Anderson](#)  
**To:** [Premises Licensing](#)  
**Subject:** FW: Aura New Premises Licence Application Ref 15/03326/LIPN  
**Date:** 29 May 2015 15:00:33

---

**FAO:** Nick Nelson Esq., Premises Licensing  
**Subject:** Aura New Premises Licence Application Ref 15/03326/LIPN

We wish to object to the licensing application relating to the reopening of the nightclub in the basement site of 48-49 St James's Street on the corner of Piccadilly. We are situated opposite this building and during the time that this site was previously occupied by Aura nightclub, we suffered the following on a regular basis:

- 1 In the early hours of the morning their customers, both men and women, regularly used our front doorstep and basement area as a lavatory so we had to clear away faeces and urine before we opened up in the morning.
- 2 We were often disturbed by rowdy, drunken groups leaving the nightclub and congregating outside our building.
- 3 Fights in the long queues which snaked down St James's Street were quite common. These fights regularly spilled out into the road itself.
- 4 At one time we had planters outside the entrance to the building but had to remove these as the plants were regularly uprooted or damaged.

I sincerely hope you will refuse this application.

David Anderson  
Secretary  
White's  
37 St James's Street  
London  
SW1A 1JG

Telephone: 020 7493 6671

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49

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MESS  
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30

49

CAVIAR HOUSE  
RESTAURANT & SHOP

CAVIAR  
HOUSE  
&  
PRUNIER

FOR RIGHT →

10/05/2015 11:23:17

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