

Published -



City of Westminster Licensing Sub-Committee

Meeting: *Licensing Sub-Committee*

Date: *03 December 2015*

Classification: *General Release*

Premises: *Scotch St James, 13 Mason's Yard, London, SW1Y 6BU*

Wards Affected: *St James*

Financial Summary: *None*

Report of: *Director of Public Protection and Licensing*

1. Executive Summary

- 1.1 The Council has received an application for the renewal of the Sexual Entertainment Venue ("SEV") premises licence from Great Club Limited, 37-38 Margaret Street, London, W1G 0JF Scotch St James, 13 Mason Yard, London, SW1Y 6BU. The report sets out the application details, objections, policy and legal context along with other considerations that the Licensing Sub-Committee ("The Committee") requires to determine this application under Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 ("The 1982 Act") as amended by Section 27 of the Policing and Crime Act 2009.

2. Options

- 2.1 That subject to the Committee hearing the oral and written evidence from the applicants, Responsible Authorities and objectors the -Committee has the powers granted to it under the 1982 Act (as amended) to:
- (a) Grant the application in full
 - (b) Grant with additional special conditions which the Committee deem appropriate; or
 - (b) Refuse the application.

3. Application

3.1 On 30 September 2015 the applicant applied to renew the SEV premises licence to provide pole dancing, table dancing and striptease including full nudity between the hours of 09:00 to 05:00 on each of the days Monday to Saturday and from 09:00 to 03:00 on Sundays. The applicant has not requested change to the regulated entertainment or to remove any standard conditions to the licence should the Committee be minded to grant the application. A copy of the application is attached as **Appendix A1**.

4. Objections

4.1 The application has received one objection (attached as **Appendix B1**).

4.2 On 19 October 2015, a local resident wrote to the Licensing Authority objecting on the grounds of public nuisance -commenting on there being a large amount of rowdy noise and that the front of the shop had been littered with cigarettes.

4.3 The applicant's agent has advised the Council that this particular SEV licence is not in use, but is maintained as a term of the lease due to the limit of current SEV licence numbers.

5. Licensing Act 2003 Premises Licence ("The 2003 Act")

5.1 The table below sets out the current activities and times permitted by the premises licence.

5.2 A copy of the current Premises Licence is attached to this report as **Appendix C1**.

5.3 A copy of the current SEV Licence is attached at **Appendix C2**.

<u>Existing Premises Licence (14/01174/LIPDPS) permitted Licensable Activities</u>	
Regulated Entertainment:	
Performance of Dance	Monday to Saturday: 09:00 to 05:00
Performance of Live Music	Monday to Saturday: 09:00 to 05:00 Sunday: 09:00 to 03:00
Playing of Recorded Music	Unrestricted
Anything of a similar description to Live Music, Recorded music or Performance of Dance	09:00 to 03:00
Late Night Refreshment:	Monday to Saturday: 23:00 to 05:00

	Sunday: 23:00 to 03:00
Sale of Alcohol: On and off the premises	Monday to Saturday: 11:00 to 04:45 Sunday: 12:00 to 22:30
Non Standard Timings/Seasonal Variations – only timing conditions listed	
<p>10. 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).</p> <p>14. Alcohol shall not be sold, supplied, consumed in or taken from the premises except during permitted hours. In this condition, permitted hours means:</p> <p>(a) On Sundays, other than Christmas Day or New Year's Eve, 12.00 noon to 22.30. (b) On Christmas Day, 12.00 to 15.00 and 19.00 to 22.30. (c) On New Year's Eve on a Sunday, 12.00 to 22.30. (d) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, 00.00 midnight on 31st December).</p> <p>NOTE - The above restrictions do not prohibit:</p> <p>(a) during the first twenty minutes after the above hours the consumption of the alcohol on the premises; (b) during the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel; (c) during the first thirty minutes after the above hours the consumption of the alcohol on the premises by persons taking table meals there if the alcohol was supplied for consumption as ancillary to the meals; (d) the sale or supply of alcohol to or the consumption of alcohol by any person residing in the licensed premises; (e) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered; (f) the sale of alcohol to a trader or registered club for the purposes of the trade or club; (g) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces; (h) the taking of alcohol from the premises by a person residing there; (i) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of (j) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.</p> <p>In this condition, any reference to a person residing in the premises shall be construed as including a person not residing there but carrying on or in charge of the business on the premises.</p>	

Capacity (excluding staff and performers):

Ground floor: 50

Basement: 100

In the whole of the premises between 03:00 and 05:00hrs – 50.

Opening hours:

Monday to Saturday: 10:00 to 06:00

Sunday: 10:00 to 00:30

6. Policy Considerations

6.1 Suitability of applicant – SU1

The applicant has stated that no relevant offences have been committed. No adverse comments have been made by the Metropolitan Police and the Westminster City Council Inspectors.

6.2 SEV carried on for the benefit of another person – SU2

The Police and the Council's Licensing Inspectorate carry out routine checks and no comments have been made.

6.3 Appropriate number of SEV in a locality – NO1

The appropriate number of sexual entertainment venues in the relevant localities is 25 in the Westminster core CAZ north. As the premises are currently licensed this application, if granted, will not exceed 25.

6.4 Character of the relevant locality – LO1

Masons Yard is in an area which combines a mixed of business which include but are not limited to, bars and art galleries.

6.5 Use of premises in the vicinity – LO2

The premises within the vicinity are predominantly retail use. A map showing the residential density within the vicinity is attached to this report as, 101 residential properties within 50m **Appendix D**.

7. Legal Implications

7.1 The Committee using its powers as aforesaid may determine to:

- (a) Grant the application in full
- (b) Grant with additional special conditions which the Licensing Sub-Committee deem appropriate; or
- (b) Refuse the application.

7.2 Before refusing to grant a licence to the applicant, the Licensing Authority shall give the applicant an opportunity to appear before and of being heard by the Committee under paragraph 10(19) to Schedule 3. .,

7.3 In considering this application, the Committee shall have regard to any observations submitted to them by the Chief Officer of Police and any objections

that have been received in writing within the 28 day consultation period under para 10(18) to Schedule 3.1982.

- 7.4 The Committee may refuse to grant or renew a licence for the following reasons:
- (a) that the applicant is unsuitable to hold a licence by reason of having been convicted of an offence or for any other reason;
 - (b) that if the licence were to be granted the business to which it relates would be managed by or carried on for the benefit of a person, other than the applicant, who would be refused the grant of such a licence if he made the application himself;
 - (c) that the number of sex establishments in the relevant locality at the time the application is made is equal to or exceeds the number which the authority consider is appropriate for that locality;
 - (d) that the grant or renewal of the licence would be inappropriate, having regard—
 - (i) to the character of the relevant locality; or
 - (ii) to the use to which any premises in the vicinity are put; or
 - (iii) to the layout, character or condition of the premises, vehicle, vessel or stall in respect of which the application is made.

7.5 If the Committee determine to grant a SEV licence, the licence will be subject to the Standard Conditions for such licences, unless the Committee determines that certain Standard Conditions should be expressly excluded or otherwise varied pursuant to paragraph 13(4) to Schedule 3..

7.6 Should the Committee determine to refuse the application for the grant of a licence under paragraph 12(3)(a) or (b) to Schedule 3 , the applicant may appeal to the Magistrates' Court within 21 days beginning with the date on which the applicant is notified of the refusal of his application under paragraph 27(1) to Schedule 3. .

8. Human Rights and Equality Implications

8.1 In making a decision consideration will need to be given to the applicants rights under the Human Rights Act 1998 (incorporating the European Convention on Human Rights). The right to peaceful enjoyment of possessions (Article 1 of the First Protocol) and freedom of expression (Article 10) may be relevant. The Home Office Guidance suggests that "local authorities would be well advised to consider whether any interference with the applicants rights under Article 10 or

Article 1, Protocol 1 of the European Convention on Human Rights is necessary and proportionate for the prevention of disorder or crime, for the protection of health or morals or for the protection of the rights and freedoms of other; or in the case of Article 1, Protocol 1, can be justified in the general interest”.

8.2 The Council in its capacity as Licensing Authority has a duty to ensure that all applications for SEV's are dealt with in accordance with its public sector duty under section 149 of the Equalities Act 2010 (“The 2010 Act”). In summary section 149 provides:-

- (1) “ A public Authority must, in the exercise of its functions, have **due regard** to the need to –
 - (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act
 - (b) advance of equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it
- (2) A person who is not a public authority but who exercises public functions must, in the exercise of those functions, have due regard to the matters mentioned in subsection (1).....”

8.3 Accordingly, section 149 (7) of the 2010 Act defines the relevant protected characteristics as age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

8.3 This duty places an obligation on the Committee to ensure that the need to promote equality is taken into consideration with regard to every aspect of its decision making, This will include the circumstances of each individual application, the findings of fact once the application has been considered, including the taking into account of any objection and response the applicant may choose to make.

Appendices

A – Application Form

B – Objection

C1 – Current Licensing Act 2003 Premises Licence

C2 – Current Sexual Entertainment Venue Licence and Committee report from 30th July 2015.

D – Map of the locality

If you have any queries about this Report or wish to inspect any of the Background Papers please contact: David Sycamore on 020 7641 8556 or at dsycamore@westminster.gov.uk

BACKGROUND PAPERS

Local Government (Miscellaneous Provisions) Act 1982

Policing and Crime Act 2009

Sexual Entertainment Venues Statement of Licensing Policy 2012

Sexual Entertainment Venues Guidance and Procedure effective 17 February 2012



City of Westminster

APPLICATION TO RENEW A SEXUAL ENTERTAINMENT VENUE LICENCE

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

I / WeGreat Club Limited.....
(Insert name(s) of applicant)

apply to renew the Sexual Entertainment Venue licence under the Local Government (Miscellaneous Provisions) Act 1982 for the following premises:

Premises name:Scotch St James.....

Premises address:13 Mason's Yard, London, SW1Y 6BU.....

Licence reference number:12/02584/LISEVN.....

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

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

PART 1 – Applicant Details

Please state whether you are renewing the Sexual Entertainment Venue licence as:

a) an individual or individuals complete section (A)

b) a person other than an individual:

i. as a body corporate complete section (B)

ii. as an unincorporated body complete section (B)

Section A – Individual Licensee Details

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

Additional Licensee Details (if necessary)

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

Section B – Body Corporate or Unincorporated Body Details

Business Name: (if your business is registered, use its registered name)	Great Club Limited
Is your business registered in the UK with Companies House?	Yes <input checked="" type="checkbox"/> Registered Number: 04425678
	No <input type="checkbox"/>
Is your business registered in another EEA state:	Yes <input type="checkbox"/> EEA State: Registered Number:
	No <input checked="" type="checkbox"/>
Legal Status: (e.g. Company Partnership, etc)	Private Limited Company
Home Country: (the country where the headquarters of your business is located)	England
Registered Address:	54 Poland Street London
Postcode:	W1F 7NJ
Directors, Partners, Owners and Managers	
You must provide details of all DIRECTORS (if the applicant is a company), all PARTNERS (if it is a partnership), and all MANAGERS of the business or organisation, including day-to-day MANAGERS OF THE PREMISES.	
Have there been any changes to the directors, partners or managers involved with the premises?	Yes <input type="checkbox"/> (please see below) No <input checked="" type="checkbox"/>
If yes, please provide details of the changes on a separate sheet, including the full name, private address and capacity of each director, partner and manager involved with the operation of the premises.	

Other Business Interests

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

Yes (please complete below) No

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

PART 2 – Premises Details

Premises name:	Scotch St James
Premises address:	13 Masons Yard London
Postcode:	SW1Y 6BU
Premises telephone number:	0207 339 7000
Email:	progression@jgrlaw.co.uk
Website address:	N/A
Where the licence is for a vehicle, vessel or stall, state where it is used as a sexual entertainment venue:	N/A
Have there been any changes to the nature of the relevant entertainment since the licence was last granted / renewed?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, please provide details below.

PART 3 – Convictions / Disqualifications

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

PART 4 - Checklist

Please tick as appropriate:

All relevant sections of the application form have been completed in full	<input checked="" type="checkbox"/>
Payment of the fee has been made in full (refer to Part 6 of this form)	<input checked="" type="checkbox"/>
Notice of this application has been published in a local newspaper / will be published in a local newspaper within the next 7 days, a full copy of the newspaper to be provided to the Licensing Authority as soon as possible	<input checked="" type="checkbox"/>
Notice of this application has been displayed at the premises	<input checked="" type="checkbox"/>
The application has been served on the Metropolitan Police Service	<input checked="" type="checkbox"/>

PART 5 - Declaration

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

I Jeffrey Green Russell Ltd declare that the information given above is true and complete in every respect.

Signed	Jeffrey Green Russell Limited
Date:	30/09/15.
Capacity:	Solicitors

For joint applications:

Signed	
Date:	
Capacity:	

Agent Details

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

Yes No

If yes, please provide the following:

Agent name:	Jeffrey Green Russell Limited
Agent Address:	Waverley House 7-12 Noel Street London
Postcode:	W1F 8GQ
Agent Telephone Number:	020 7339 7000
Agent Email:	progression@jgrlaw.co.uk

Correspondence Details

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

Name:	Jeffrey Green Russell Limited
Address:	Waverley House 7-12 Noel Street London
Postcode:	W1F 8GQ
Telephone Number:	020 7339 7000
Email:	progression@jgrlaw.co.uk

PART 6 – Payment

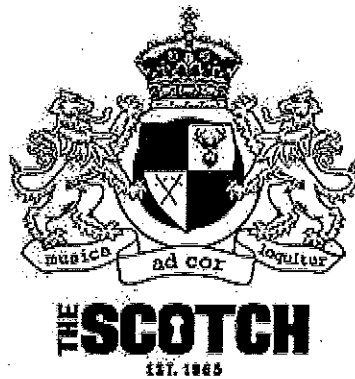
If applying by post you can pay by cheque, postal order or credit / debit card. Please make cheques and postal orders payable to 'City of Westminster'.

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

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

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

SCOTCH SEV RENEWAL APPLICATION



APPLICANT'S
SUPPLEMENTARY DOCUMENTS
TO
WESTMINSTER CITY COUNCIL

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SEX ESTABLISHMENT LICENCE

Sexual Entertainment Venue

Premises licence number:

14/11495/LISEVR

Original Reference:

12/02584/LISEVN

The CITY OF WESTMINSTER, under the provisions of the Local Government (Miscellaneous Provisions) Act 1982 as amended by the Policing and Crime Act 2009

hereby licences:
to use the premises:

GREAT CLUB LIMITED
SCOTCH ST JAMES
13 MASON'S YARD
LONDON
SW1Y 6BU

as a Sexual Entertainment Venue.

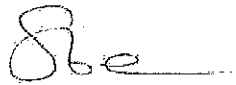
This licence commences from the 01 October 2014 and will expire on the 30 September 2015.

Relevant Entertainment (namely full and partial nudity striptease, pole dancing and table dancing) may be provided during the following times:

Monday to Saturday	09:00 to 05:00
Sunday	09:00 to 03:00

Relevant Entertainment may only be provided in the permitted areas outlined in red shown on the plans attached at Appendix 1.

This licence is granted subject to the conditions attached at Appendix 2.

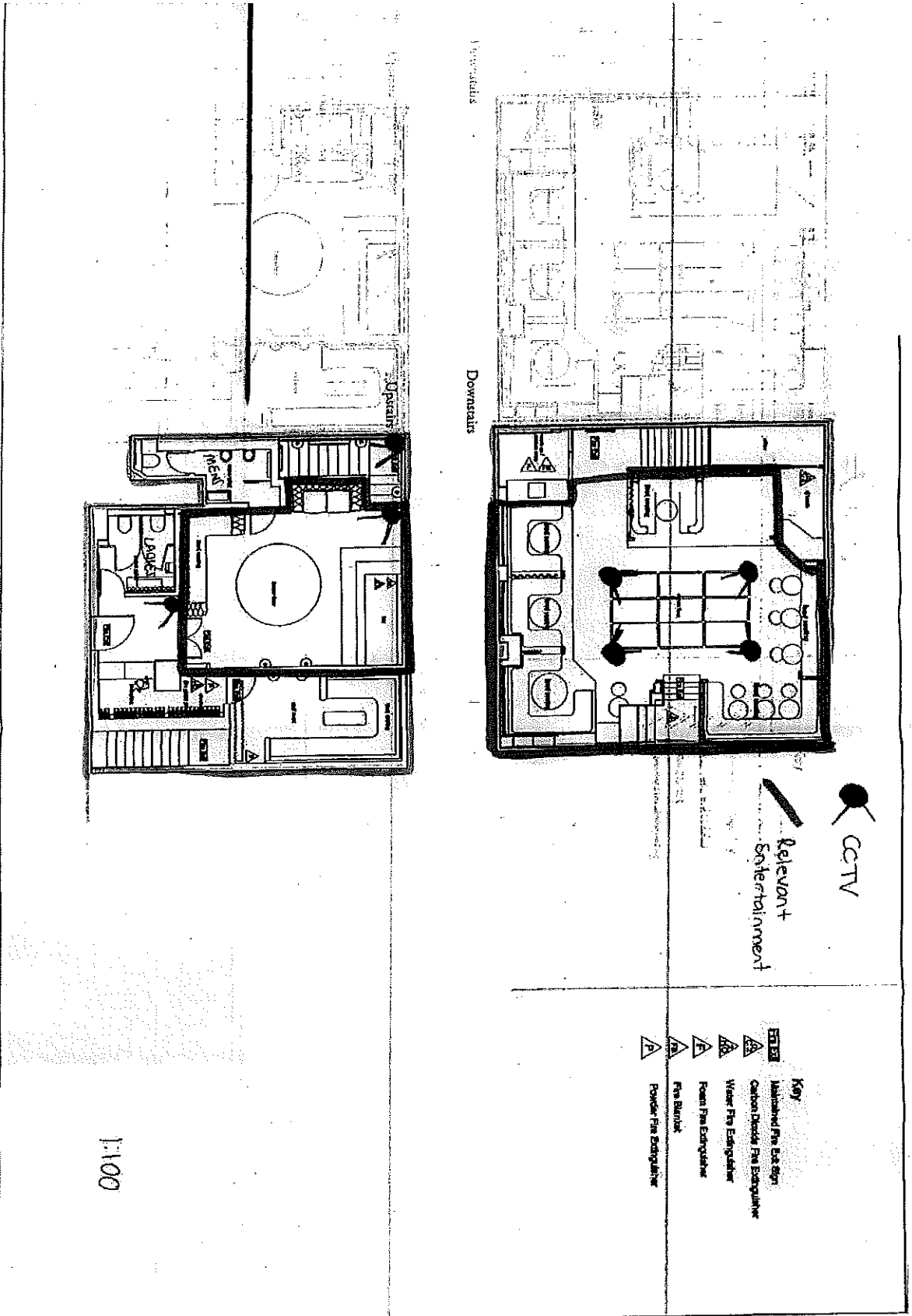


DATE: 30.07.15

SIGNED:

**On behalf of the Operational Director -
Premises Management**

Appendix 1 – Plans



LICENSING SUB-COMMITTEE No. 1

Thursday 30th July 2015

Membership: Councillor Tim Mitchell (Chairman), Councillor Louise Hyams and Councillor Rifa Begum

Legal Adviser: Barry Panto

Policy Adviser: Chris Wroe

Committee Officer: Jonathan Deacon

Objections: 2 objectors.

Present: Mr Gary Grant (Counsel, representing the Applicant) and Mr Tim Lalic (owner of premises).

Declarations: Councillors Tim Mitchell and Louise Hyams declared that the venue is located in the ward they both represent, St James's. Councillor Mitchell also declared that he had previously made a representation for a previous application relating to the premises on behalf of St James's Conservation Trust. Neither Member had a personal or prejudicial interest in respect of the application. Mr Grant stated at the hearing that he had no objection to the two Members considering the application.

Scotch St James, 13 Masons Yard, SW1 13/07456/LISEVR and 14/11495/LISEVR

- 1.1 The Council has received two renewal applications of the Sexual Entertainment Venue ('SEV') premises licence from Great Club Limited for Scotch St James, 13 Masons Yard, London, SW1Y 6BU. The report set out the application details, representations, policy and legal context along with other considerations that the Committee required to determine this application.
- 1.2 On 30th September 2013 the Applicant applied to renew the SEV premises licence to provide full nudity striptease, pole dancing and table dancing between the hours of 09:00 to 05:30 on each of the days Monday to Saturday and 09:00 to 03:30 on Sunday. The Applicant did not request to change the relevant entertainment or to remove any standard conditions to the licence if the application was granted. The original hearing to determine the 2013-2014 renewal was scheduled for the 17th December 2013 however this was adjourned at the request of the applicant. The case was not re-scheduled as the Licensing Authority did not get a response from the Applicant.
- 1.3 On the 19th January 2015 the Licensing Authority contacted the Applicant to advise that as the 12 month period that licences are issued for had passed without the application being determined by the Licensing Sub Committee and as no renewal application had been received, the premises were deemed unlicensed for relevant entertainment.
- 1.4 On the 23rd January 2015 the Applicant's solicitor responded stating that in

accordance with Section 20(10) of the 1982 Act it must be deemed to remain in force until such determination takes place or the application is withdrawn. Legal advice has confirmed that this should have been a reference to paragraph 11(1) of Schedule 3 to the 1982 Act but also confirms that the licence would remain in force until the renewal application is determined.

- 1.5 After seeking legal advice the Licensing Authority advised the Applicant to submit a further renewal application as a potential means by which renewal of the licence for 2014-2015 could be considered. On 8th May 2015 the Applicant applied to renew the sexual entertainment venue premises licence on exactly the same terms as those in the existing SEV licence and in the application for 2013-14.

Amendments to application advised at hearing:

None.

Decision (including reasons if different from those set out in report):

Granted, subject to the same conditions as attached to the previous licence in 2012.

The Sub-Committee in granting the applications accepted the point of the Applicant's Representative, Mr Grant, that there were not any grounds for the applications not to be renewed. The proposed hours and conditions were the same as those attached to the SEV licence in 2012. Complaints were not being received about how the venue was being run since the current operator had taken over (Objector 3 to the application had referred to noise disruption, bad behaviour and general issues relating to people leaving the premises). Previous management had been running Scotch St James when the review of the premises licence had taken place in November 2012. There were few representations in respect of the 2013-14 and 2014-15 applications in comparison to the SEV application granted in 2012. There was no evidence in terms of complaints received to suggest that Scotch St James was now having an adverse impact on the character of the relevant locality or that anything had changed within the locality since 2012 to make it unsuitable. It is located in Westminster core CAZ north. The appropriate number of SEVs in this area had been set by the Council at 25 and as the premises are currently licensed, the maximum of 25 would not be exceeded.

Mr Grant advised the Sub-Committee that his client was not currently using the SEV licence. Mr Lalic was applying because it was a valuable asset and it was a condition on his lease that it remained in force. The representation of Objector 1 had been withdrawn on the basis of the Applicant's assurances that it was not the intention to operate Scotch St James as a sexual entertainment venue. The Sub-Committee had taken note of the objections of Objector 2 and had requested legal advice from Mr Panto on the points that the objector had raised. Mr Panto stated that it had been unfortunate that a year had passed without the application being processed and that the Licensing Authority had incorrectly stated that as no renewal application had been received, the premises were deemed unlicensed for relevant

entertainment. Under the provisions of The Local Government Miscellaneous Provisions Act 1982, the previous licence did indeed remain in force. It was permitted for the Applicant to submit a further renewal application as had now taken place and for the Sub-Committee to consider the first and second applications submitted. The Licensing Service was satisfied that the notice (blue) of the application was displayed on the premises within the required time limit.

Conditions on the Licence

Standard Conditions

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

10. The premises will install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer that ensures all areas of the licensed premises are monitored including all entry and exit points will be covered enabling frontal identification of every person entering any light condition. All cameras shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period together with facilities for viewing.
11. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to the public and this staff member should be able to show Police recent data and footage with the absolute minimum of delay of the request.
12. An incident log shall be kept at the premises, and made available on request to the Licensing Authority or the Police, which will record the following:
 - (a) all crimes reported to the venue;
 - (b) all ejections of patrons;
 - (c) any complaints received;
 - (d) any incidents of disorder;
 - (e) seizures of drugs or offensive weapons;
 - (f) any faults in the CCTV system or searching equipment or scanning equipment;
 - (g) any refusal of the sale of alcohol;
 - (h) any visit by a relevant authority or emergency service;
 - (i) any breach of licence conditions reported by a Performer.
13. The licence holder shall produce a Code of Conduct setting out rules and obligations between the licence holder and performers whilst performing. All Performers shall sign the Code of Conduct in their proper name acknowledging that they have read, understood and are prepared to abide by the said Code of Conduct, and a copy so signed shall be retained by the licence holder and shall be readily available for inspection by the Police and/or authorised persons upon reasonable request.
14. Individual records shall be kept at the premises of the real names, stage names and addresses of all Performers working at the premises. The record will include either a copy of their birth certificate, current passport, EU driving licence or national identity card and shall be made immediately available for inspection by the Police and/or the Licensing Authority upon request.
15. Details of all work permits and/or immigration status relating to persons working at the premises shall be retained by the licence holder and be readily available for inspection by the Licensing Authority, a Police Officer or Immigration Officer.
16. Relevant Entertainment shall be given only by Performers and the audience shall not be permitted to participate in the relevant entertainment.
17. There shall be no physical contact between Performers whilst performing.
18. Performers will not request or give out any telephone number, address or any other contact information from or to any customer. Any such information given by a

customer shall be surrendered to the premises manager as soon as is practicable.

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

Additional Conditions

24. Payment for the dance shall only be made by either adding the amount to the customer's bill or by paying the dancer after she returns to the table fully clothed.
25. At all times whilst dancing takes place at least one registered door supervisor shall be employed in the part of the premises used for dancing.
26. The maximum number of persons accommodated at any one time (excluding staff) shall not exceed 100 persons, with no more than 50 persons (excluding staff) between 03.00 and 05.00 hours.
27. All emergency doors shall be maintained effectively self closing and not held open other than by an approved device.
28. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
29. Curtains and hangings shall be arranged so as not to obstruct emergency signs.
30. The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.
31. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.

32. All exit doors shall be available at all material times without the use of a key, code, card or similar means.
33. Any special effects or mechanical installations shall be arranged and stored so as to minimise any risk to the safety of those using the premises. The following special effects will only be used on 10 days prior notice being given to the Licensing Authority where consent has not previously been given.
 - i. pyrotechnics including fire works
 - ii. firearms
 - iii. lasers
 - iv. explosives and highly flammable substances.
 - v. real flame.
 - vi. strobe lighting
34. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
35. No relevant entertainment shall take place at the premises until the premises has been inspected to the satisfaction of the Licensing Service and Environmental Health Service.

Appendix 2 – Conditions

Standard Conditions:

1. Whilst Relevant Entertainment is taking place no person under the age of 18 shall be on the licensed premises and a clear notice to that effect shall be displayed at the entrance in a prominent position so that it can be easily read by persons entering the premises.
2. Whenever persons under the age of 18 are admitted to the premises there will be no promotional or other material on display within the premises which depicts nudity or partial nudity.
3. The licence or a clear copy shall be prominently displayed at all times so as to be readily and easily seen by all persons using the premises.
4. No provision of relevant entertainment, or material depicting nudity or relevant entertainment, shall be visible from outside the premises.
5. Menus and drinks price lists shall be clearly displayed at the front entrance of the club, reception area, tables and bar at such a position and size as to be easily read by customers. This price list shall show all consumable items and any minimum tariff including charges and fees applicable to Performers.
6. Except with the consent of the Licensing Authority, no advertisements of any kind (including placard, poster, sticker, flyer, picture, letter, sign or other mark) shall be inscribed or affixed at the premises, on the surface of the highway or on any building, structure, works, street furniture, tree or any other property or be distributed in the street to the public that advertises or promotes the relevant entertainment at the premises.
7. The licence holder or other person concerned in the conduct or management of the premises shall not seek to obtain custom by means of personal solicitation or touting, nor enter into any agreement with a third party to do so.
8. Adequate toilets, washing and changing facilities for use by the Performers shall be provided.
9. Either the licence holder or a named responsible person shall be present throughout the time the Relevant Entertainment takes place.
10. The premises will install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer that ensures all areas of the licensed premises are monitored including all entry and exit points will be covered enabling frontal identification of every person entering any light condition. All cameras shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period together with facilities for viewing.
11. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to the public and this staff member should be able to show Police recent data and footage with the absolute minimum of delay of the request.

12. An incident log shall be kept at the premises, and made available on request to the Licensing Authority or the Police, which will record the following:
 - (a) all crimes reported to the venue;
 - (b) all ejections of patrons;
 - (c) any complaints received;
 - (d) any incidents of disorder;
 - (e) seizures of drugs or offensive weapons;
 - (f) any faults in the CCTV system or searching equipment or scanning equipment;
 - (g) any refusal of the sale of alcohol;
 - (h) any visit by a relevant authority or emergency service;
 - (i) any breach of licence conditions reported by a Performer
13. The licence holder shall produce a Code of Conduct setting out rules and obligations between the licence holder and performers whilst performing. All Performers shall sign the Code of Conduct in their proper name acknowledging that they have read, understood and are prepared to abide by the said Code of Conduct, and a copy so signed shall be retained by the licence holder and shall be readily available for inspection by the Police and/or authorised persons upon reasonable request.
14. Individual records shall be kept at the premises of the real names, stage names and addresses of all Performers working at the premises. The record will include either a copy of their birth certificate, current passport, EU driving licence or national identity card and shall be made immediately available for inspection by the Police and/or the Licensing Authority upon request.
15. Details of all work permits and/or immigration status relating to persons working at the premises shall be retained by the licence holder and be readily available for inspection by the Licensing Authority, a Police Officer or Immigration Officer.
16. Relevant Entertainment shall be given only by Performers and the audience shall not be permitted to participate in the relevant entertainment.
17. There shall be no physical contact between Performers whilst performing.
18. Performers will not request or give out any telephone number, address or any other contact information from or to any customer. Any such information given by a customer shall be surrendered to the premises manager as soon as is practicable.
19. Relevant Entertainment shall take place only in the designated areas approved by the Licensing Authority as shown on the licence plan. Arrangements for access to the dressing room shall be maintained at all times whilst Relevant Entertainment is taking place and immediately thereafter.
20. Customers must remain fully clothed at all times. The Performer must not remove any of the customer's clothing at any time.
21. Where Relevant Entertainment is provided in booths, or other areas of the premises where private performances are provided, the booth or area shall not have a door or other similar closure, the area shall be constantly monitored by CCTV, and access to the booth or other area shall be adequately supervised.
22. Whenever Relevant Entertainment is being provided there shall be no physical contact between Performers and customers or between customers and Performers except for the exchanging of money or tokens at the beginning or conclusion of the performance and only for the purpose of that performance. Clearly legible notices to this effect shall clearly be displayed in each private booth and in any performance area.

23. Performers must redress fully immediately after each performance.

Additional Conditions:

24. Payment for the dance shall only be made by either adding the amount to the customer's bill or by paying the dancer after she returns to the table fully clothed.
25. At all times whilst dancing takes place at least one registered door supervisor shall be employed in the part of the premises used for dancing.
26. The maximum number of persons accommodated at any one time (excluding staff) shall not exceed 100 persons, with no more than 50 persons (excluding staff) between 03.00 and 05.00 hours.
27. All emergency doors shall be maintained effectively self closing and not held open other than by an approved device.
28. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
29. Curtains and hangings shall be arranged so as not to obstruct emergency signs.
30. The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.
31. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.
32. All exit doors shall be available at all material times without the use of a key, code, card or similar means.
33. Any special effects or mechanical installations shall be arranged and stored so as to minimise any risk to the safety of those using the premises. The following special effects will only be used on 10 days prior notice being given to the Licensing Authority where consent has not previously been given.
- i. pyrotechnics including fire works
 - ii. firearms
 - iii. lasers
 - iv. explosives and highly flammable substances.
 - v. real flame.
 - vi. strobe lighting.
34. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
35. No relevant entertainment shall take place at the premises until the premises has been inspected to the satisfaction of the Licensing Service and Environmental Health Service.

LICENSING SUB-COMMITTEE No. 1

Monday 11 June 2012

Membership: Councillor Audrey Lewis (Chairman), Councillor Michael Brahams and Councillor Nicholas Evans

Legal Adviser: Harjinder Bhela
Policy Adviser: Chris Wroe
Committee Officer: Jonathan Deacon

Relevant Representations: Environmental Health, Licensing Service, 8 local businesses, 2 residents associations and 7 local residents objecting to application.

Present: Ms Lana Tricker (representing the Applicant), Mr James Hoffelner (Applicant Company), Mr Nick Nelson (Licensing Service), Mr Ian Watson (Environmental Health), Mr Patrick Matthiesen, Mr Brian Woodham (St James's Conservation Trust), Mr Hamish Dewar, Mr David Mason OBE, Objector 7 and Objector 13.

**Scotch St James, 13 Mason's Yard, SW1
12/02584/LISEVN**

Application:

An application for a new sexual entertainment venue premises licence to provide full nudity striptease, pole dancing and table dancing between the hours of 09:00 to 05:30 Monday to Saturday and 09:00 to 03:30 on Sunday.

Amendments to application advised at hearing:

None.

Decision (including reasons if different from those set out in report):

Subject to the conditions listed below, the Sub-Committee granted the hours already permitted for regulated entertainment on the existing Licensing Act 2003 premises licence (Monday to Saturday 09:00 to 05:00 hours and Sunday 09:00 to 03:00 hours).

The Sub-Committee heard from Ms Tricker, representing the Applicant. Ms Tricker added that her client was content with the standard conditions, Environmental Health proposed conditions and the conditions that the Licensing Service sought to retain from the Licensing Act 2003 licence being attached to the licence. An additional 'works condition' had been agreed between the Applicant and Environmental Health.

The Sub-Committee read and heard the concerns of local residents and businesses

in respect of the application. Local residents and businesses raised specific issues relating to the existing nightclub at the premises and the potential effect of operating a Sexual Entertainment Venues licence at the premises. The Applicant was currently operating the premises as a nightclub but wanted to keep options open. Members took into account in granting the application that they were permitting the same hours and style of operation as was already the case on the existing premises licence. If interested parties or the Responsible Authorities took the view that it was necessary, they had the ability to apply for a review of the existing premises licence.

The Sub-Committee considered it appropriate in order to promote the policy aims and objectives to apply all the standard conditions to the licence, and for the purposes of clarity varied standard conditions 6, 16 and 21 as set out below. It is stated in Paragraph 3.1.9 of the Sexual Entertainment Venues Statement Of Licensing Policy 2012 that if the Council considers it appropriate to promote the policy aims and objectives the Council may attach conditions, in addition to the standard conditions, to a sexual entertainment venue licence in the individual circumstances of an application. The Sub-Committee decided that it was appropriate to add 2 conditions which the Licensing Service had requested be replicated from the existing premises licence and attached to the licence the 10 conditions proposed by Environmental Health, including the proposed works condition (as set out below).

Conditions attached to the Licence

Standard Conditions for Sexual Entertainment Venue Premises dated 17 February 2012 will apply with the following variations to conditions 6, 16 and 21

6. Except with the consent of the Licensing Authority, no advertisements of any kind (including placard, poster, sticker, flyer, picture, letter, sign or other mark) shall be inscribed or affixed at the premises, on the surface of the highway or on any building, structure, works, street furniture, tree or any other property or be distributed in the street to the public that advertises or promotes the relevant entertainment at the premises.
16. Relevant Entertainment shall be given only by Performers and the audience shall not be permitted to participate in the relevant entertainment.
21. Where Relevant Entertainment is provided in booths, or other areas of the premises where private performances are provided, the booth or area shall not have a door or other similar closure, the area shall be constantly monitored by CCTV, and access to the booth or other area shall be adequately supervised.

Additional Conditions – Existing conditions replicated from Licensing Act 2003 premises licence as requested by Licensing Service

1. Payment for the dance shall only be made by either adding the amount to the customer's bill or by paying the dancer after she returns to the table fully clothed. (condition 21 on existing premises licence)

2. At all times whilst dancing takes place at least one registered door supervisor shall be employed in the part of the premises used for dancing. (condition 23 on existing premises licence)

Additional Conditions – as requested by Environmental Health

1. The maximum number of persons accommodated at any one time (excluding staff) shall not exceed 100 persons, with no more than 50 persons (excluding staff) between 03.00 and 05.00 hours.
2. All emergency doors shall be maintained effectively self closing and not held open other than by an approved device.
3. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
4. Curtains and hangings shall be arranged so as not to obstruct emergency signs.
5. The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.
6. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.
7. All exit doors shall be available at all material times without the use of a key, code, card or similar means.
8. Any special effects or mechanical installations shall be arranged and stored so as to minimise any risk to the safety of those using the premises. The following special effects will only be used on 10 days prior notice being given to the Licensing Authority where consent has not previously been given.
 - i. pyrotechnics including fire works
 - ii. firearms
 - iii. lasers
 - iv. explosives and highly flammable substances.
 - v. real flame.
 - vi. strobe lighting.
9. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
10. No relevant entertainment shall take place at the premises until the premises has been inspected to the satisfaction of the Licensing Service and Environmental Health Service.

LICENSING SUB-COMMITTEE No. 3

Thursday 26th March 2015

Membership: Councillor Melvyn Caplan (Chairman), Councillor Nick Evans and Councillor Peter Freeman

Legal Adviser: Barry Panto
Committee Officer: Jonathan Deacon

Relevant Representations: In support – the owner of the premises
Objecting - Environmental Health,
Metropolitan Police, 1 amenity association, 2
local residents and 2 local businesses.

Present: Mr Gary Grant (Barrister, representing the Applicant), Mr Tim Lalic and Mr Rob Harrod (Applicant Company), Mr Andrew Wong (Director, JGR, on behalf of the Applicant), Mr Richard Vivian (Big Sky Acoustics), Mr Anil Drayan (Environmental Health), PC Sandy Russell (Metropolitan Police) and Mr John Woods (local resident).

The Scotch of St James, Basement and Ground Floor, 13 Mason's Yard, SW1 14/11389/LIPN

1.	Regulated Entertainment
	Performance of Dance Monday to Saturday: 09:00 to 05:00
	Performance of Live Music Monday to Saturday: 09:00 to 05:00 Sunday: 09:00 to 03:00
	Private Entertainment consisting of dancing, music or other entertainment of a like for consideration and with a view to profit. Unrestricted.
	Playing of Recorded Music Monday to Sunday: 00:00 to 00:00
	Anything of a similar description to live music, recorded music or performance of dance Monday to Saturday: 09:00 to 03:00
	Amendments to application advised at hearing: None.

Decision (including reasons if different from those set out in report):

A new premises licence application had been submitted so as to increase the capacity at the premises. No increase in hours for licensable activities had been sought. It was proposed that the maximum capacity would be 150 throughout the hours of operation. The previous capacity under the existing licence was 100 patrons until 03:00 and 50 patrons between 03:00 and 05:00.

Mr Grant, representing the Applicant, provided some background to the application and the reasoning for it. The capacity condition had been attached to the licence during the transition period in 2005 and had not been an issue when the premises had been a hostess club and had lower numbers of patrons. However, since that time the clientele had increased. The need for the capacity condition to be increased was the potential for the licensing objectives to be adversely impacted by queuing outside. With a 'one in, one out' door policy, queues built up which leads to noise and residents being disturbed. The inside of the premises was noise insulated and residents would not be susceptible to public nuisance if patrons were able to gain immediate access. A further issue with the capacity condition was that at 03:00 hours, management were required to select 50% of the current 100 capacity to stay and the rest to leave. This was not good for business as it created a rushed environment. Patrons would either leave and potentially enter the stress area or wait outside the premises and queue in the hope that one of the patrons who was permitted to remain there decided to leave.

Mr Grant stated that new WCs would be installed. It was perfectly safe to have a capacity of 150 with the fire safety estimate of the capacity being 164. Temporary event notices had been operated without the restricted capacity and no issues had been raised. There had been some teething problems which had led to a review of the premises licence but these had been resolved under new management. There had been two minor incidents over the previous twelve months. Measures that had been taken included a third SIA security person being employed and wooden barriers being used to contain smokers. Mr Grant made the point that it was better for patrons to be leaving the premises at 05:00 than 03:00 as it was a commercial area and activity such as deliveries was taking place then. He also referred to Mr Vivian's acoustic report which supported the concept of limiting the potential for queuing to prevent the licensing objectives being undermined and that patrons be diverted away from Ormond Yard. The Applicants were proposing a condition that a SIA Registered Door Supervisor would act as a Noise Control Officer in the immediate vicinity of Mason's Yard after 23:00 hours when there are patrons present in the premises and would endeavour to ensure persons depart from the premises quietly and away from Ormond Yard. This was in keeping with a request on behalf of the Gaslight Club for patrons of The Scotch of St James to avoid, and not cause public nuisance in, Ormond Yard.

The Sub-Committee next heard from PC Russell. She advised the Sub-Committee that she had searched through Police records over a two year period and The Scotch of St James was not a problem premises. The Police were

content with the Applicant's proposed last entry time of 3am providing that members in attendance were limited to a maximum of four bona fide guests. All other conditions were agreed with the Applicant if the Sub-Committee was minded to grant the application.

Mr Drayan for Environmental Health informed Members that the capacity had originally been reduced by the Sub-Committee to 50 people after 3am largely to control public nuisance. Since that time there had been public nuisance issues which had led to the review of the premises licence in 2012 and which had also taken place in early 2013. These had now been resolved with no record of noise complaints over the last eighteen months. The cul-de-sac had the potential to be used by rough sleepers and the premises operating the hours that it did and as a result of its security arrangements limited the likelihood of this. Mr Drayan stated he was relatively neutral on the application. He maintained his representation as there had been a restriction originally imposed on the previous capacity. The means of escape were acceptable for a capacity of 150 and there was a commitment on the part of the Applicant to install additional WCs. He was requesting that the last entry was 02:00 except for members and their bona fide guests in order to properly manage any potential public nuisance issues.

Mr Woods, a local resident, commented that the situation had improved enormously since new management had taken over The Scotch of St James. Duke Street, where he lived, was the main entrance to Mason's Yard. He requested that steps were taken to ensure that residents of Duke Street were not adversely affected by the application including briefing the taxi firm and the noise control officer to prevent those arriving at and leaving the premises from causing noise nuisance and management being available at all times to respond to any concerns residents had. Mr Grant responded that his client would implement the suggestions of Mr Woods.

Mr Grant referred to the last entry time in his final comments. The club was open until 05:00. There was no evidence that there would be particular problems at 02:00 which would justify last entry being in force then rather than 03:00. There was less potential for the clientele to leave and enter the stress area if last entry was 03:00.

The Sub-Committee granted the application. Members considered that the conditions attached to the licence, which were agreed between the Applicant and the Responsible Authorities, would promote the licensing objectives. These included employing a SIA registered door supervisor to act as a noise control officer in the immediate vicinity of Mason's Yard after 23:00 and that patrons depart from the premises quietly and away from Ormond Yard. The key concerns of the Responsible Authorities had been addressed. There was every indication that the increased capacity would be managed, including a last entry time of 03:00. There had been a review of the premises in the past but steps had been taken to address the public nuisance issues and the premises had been well managed for the last eighteen months. The management was aware that if significant public issues did begin to reoccur then there was the potential for a review. As requested by the Police, members entering after 03:00 would be limited to four bona fide guests. It was noted that no increase in the

	proposed hours for licensable activities was sought from the existing licence.
2.	Late Night Refreshment
	Monday to Saturday: 23:00 to 05:00 Sunday: 23:00 to 03:00.
	Amendments to application advised at hearing: None.
	Decision (including reasons if different from those set out in report): Granted, subject to conditions as set out below (see reasons for decision in Section 1). No increase in the proposed hours for licensable activities was sought from the existing licence.
3.	Sale by Retail of Alcohol
	Monday to Saturday: 11:00 to 04:45 Sunday: 12:00 to 22:30.
	Amendments to application advised at hearing: None.
	Decision (including reasons if different from those set out in report): Granted, subject to conditions as set out below (see reasons for decision in Section 1). No increase in the proposed hours for licensable activities was sought from the existing licence.
4.	Opening Hours:
	Monday to Saturday: 09:00 to 05:30 Sunday: 09:00 to 03:30.
	Amendments to application advised at hearing: None.
	Decision (including reasons if different from those set out in report):

	Granted, subject to conditions as set out below (see reasons for decision in Section 1). No increase in the proposed hours for licensable activities was sought from the existing licence.
5.	Non-standard Timings:
	<p>(i) New Year's Eve – To extend opening times and licensable hours from the end of permitted hours until the start of permitted hours New Year's Day.</p> <p>(ii) To extend the terminal hour for sale of alcohol by one hour on the morning in which British Summertime begins.</p>
	<p>Amendments to application advised at hearing:</p> <p>None.</p>
	<p>Decision (including reasons if different from those set out in report):</p> <p>Granted, subject to conditions as set out below (see reasons for decision in Section 1). No increase in the proposed hours for licensable activities was sought from the existing licence.</p>

Conditions attached to the Licence	
<u>Mandatory Conditions</u>	
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.	<p>(1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.</p> <p>(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</p>

on the premises

- (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
5. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
6. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either -
- (a) a holographic mark, or
 - (b) an ultraviolet feature.

7. The responsible person must ensure that -

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

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

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

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

Where -

- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

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

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

Additional Conditions

- 10. 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).
- 11. An attendant shall be stationed in the vicinity of the cloakroom during the whole time it is in use.
- 12. Intoxicating liquor shall not be sold or supplied on the premises otherwise than to:

- (a) Persons taking table meals there and for consumption by any such person as an ancillary to his meal.
 - (b) Persons attending and paying a minimum attendance fee of £3 for admission to the premises for the purposes of music and dancing.
13. Suitable beverages, other than intoxicating liquor including drinking water, shall be equally available for consumption with or otherwise as an ancillary to food supplied in the premises.
14. No person under fourteen shall be in the bar of the licensed premises during the permitted hours unless one of the following applies:
- (a) He is the child of the holder of the premises licence.
 - (b) He resides in the premises, but is not employed there.
 - (c) He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress.
 - (d) The bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary.

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

15. If any entertainment is provided for children or if an entertainment is provided at which the majority of persons attending are children, then, if the number of children attending the entertainment exceeds 100, it shall be the duty of the holder of this premises licence / club premises certificate:
- (a) to station and keep stationed wherever necessary a sufficient number of adult attendants, properly instructed as to their duties, to prevent more children or other persons being admitted to the building, or to any part thereof, than the building or part can properly accommodate,
 - (b) to control the movement of the children and other persons admitted while entering and leaving the building or any part thereof, and
 - (c) to take all other reasonable precautions for the safety of the children.
16. The terminal hour for late night refreshment on New Year's Eve is extended to 05.00 on New Year's Day
17. No advertisements of any kind (including placard, poster, sticker, flyer, picture, letter, sign or other mark) that advertises or promotes the establishment, its premises, or any of its events, facilities, goods or services shall be inscribed or affixed upon the surface of the highway, or upon any building, structure, works, street furniture, tree, or any other property, or be distributed to the public.
18. There shall be no payment made by or on behalf of the licence holder to any

person for bringing customers to the premises.

19. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
20. All windows and external doors shall be kept closed at any time when regulated entertainment takes place, except for the immediate access and egress of persons.
21. The pavement from the building line to the kerb edge immediately outside the premises, including gutter/channel at its junction with the kerb edge, shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements.
22. There shall be no striptease or nudity, and all persons shall be decently attired at all times unless a sexual entertainment venue licence is in operation.
23. No person shall give at the premises any exhibition, demonstration or performance of hypnotism, mesmerism or any similar act or process which produces or is intended to produce in any other person any form of induced sleep or trance in which susceptibility of the mind of that person to suggestion or direction is increased or intended to be increased. NOTE: (1) This rule does not apply to exhibitions given under the provisions of Section 2(1A) and 5 of the Hypnotism Act 1952.
24. Any special effects or mechanical installations shall be arranged and stored so as to minimise any risk to the safety of those using the premises. The following special effects will only be used on 10 days prior notice being given to the Licensing Authority where consent has not previously been given.
 - dry ice and cryogenic fog
 - smoke machines and fog generators
 - pyrotechnics including fire works
 - firearms
 - lasers
 - explosives and highly flammable substances.
 - real flame.
 - strobe lighting.
25. The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.
26. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.
27. All exit doors shall be available at all material times without the use of a key, code, card or similar means.

28. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
29. All emergency doors shall be maintained effectively self closing and not held open other than by an approved device.
30. All fabrics, curtains, drapes and similar features including materials used in finishing and furnishing should be either non-combustible or be durably or inherently flame-retarded fabric. Any fabrics used in escape routes, other than foyers, entertainment areas or function rooms, should be non-combustible.
31. Curtains and hangings shall be arranged so as not to obstruct emergency signs or means of escape.
32. All electrical sockets used to supply power for hand held electrical equipment shall be protected by a residual current device of 30 milliamps sensitivity complying with British Standard Specification 4293: 1993.
33. The certificates listed below shall be submitted to the Licensing Authority upon written request.
 - Any emergency lighting battery or system
 - Any electrical installation
 - Any emergency warning system
34. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
35. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
36. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
37. The maximum number of persons accommodated in the whole of the premises at any one time (excluding staff) shall not exceed 150 persons with the following further restrictions also applying:
 - i) Basement – 100
 - ii) Ground Floor- 50

38. Alcohol shall not be sold, supplied, consumed in or taken from the premises except during permitted hours. In this condition permitted hours means:
- (a) The permitted hours on Monday to Saturday shall commence at 11:00 and extend until 04:45 on the following morning, except that:
 - i) The permitted hours shall end at 00:00 midnight on any day on which music and dancing is not provided after midnight; and
 - ii) On any day that music and dancing end between 00:00 midnight and 05:00, the permitted hours shall end half hour before the music and dancing end;
 - (b) In relation to the morning on which summer time begins, paragraph (a) of this condition shall have effect:
 - i) With the substitution of reference to 06:00 for references to 05:00 and 05:45 for references to 04:45;
 - (c) The sale of alcohol must be ancillary to the use of the premises for music and dancing and substantial refreshment
 - (d) The permitted hours on New Year's Eve will extend to the start of permitted hours on the following day;

NOTE: The above restrictions do not prohibit:

- (a) during the first 45 minutes after the above hours the consumption of alcohol on the premises;
- (b) during the first thirty minutes after the above hours off sales which must be in sealed containers only;
- (c) the sale or supply of alcohol to or the consumption of alcohol by any person residing in the licensed premises;
- (d) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- (e) the sale of alcohol to a trader or registered club for the purposes of the trade or club;
- (f) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of her Majesty's naval, military or air forces;
- (g) the taking of alcohol from the premises by a person residing there;

- (h) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied;
- (i) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

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

- 39. Flashing or particularly bright lights from the premises shall not cause a nuisance to nearby properties.
- 40. After 23:00 patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall be limited to 10 persons at any one time.
- 41. 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.
- 42. After 23:00 patrons permitted to smoke shall be restricted to the external area between 9 and 13 Mason's Yard which shall be supervised by staff from the premises together with notices prominently displayed there requesting patrons to respect the needs of local residents and use the area quietly.
- 43. After 23:00 the designated smoking area shall be enclosed within appropriate barriers to ensure that the footway is kept clear.
- 44. 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 of the public highway.
- 45. All staff engaged outside the entrance to the premises, or supervising or controlling queues and external areas, shall wear high visibility armbands.
- 46. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.
- 47. The licence holder shall enter into an agreement with a hackney carriage and/or private carriage firm to provide transport for customers, with contact numbers made readily available to customers who will be encouraged to use such services.
- 48. Patrons waiting for taxis shall be encouraged to wait inside the premises until the taxi arrives.

49. After 23:00 hours a minimum of two door supervisors shall be on duty at the entrance of the premises at all times whilst it is open for business.
50. A sound limiting device located in a separate and remote lockable cabinet from the volume control shall be fitted to any musical amplification system and set at a level determined by and to the satisfaction of an authorised officer of the Environmental Health Service to ensure that no noise nuisance is caused to local residents. The operational panel of the noise limiter shall then be secured to the satisfaction of officer from the Environmental Health Service. The keys securing the noise limiter cabinet shall be held by the licence holder or authorised manager only, and shall not be accessed by any other person. The limiter shall not be altered without prior agreement with the Environmental Health Service.
51. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
52. No waste or recyclable materials, including bottles, shall be moved, removed or placed in outside areas between 23:00 hours and 08:00hours.
53. No deliveries to the premises shall be arranged to occur between 23.00 and 08.00.
54. The premises will employ a SIA Registered Door Supervisor who will act as a Noise Control Officer in the immediate vicinity of Mason's Yard after 23:00 hours when there are patrons present in the premises. He will endeavour to ensure persons depart from the premises quietly and away from Ormond Yard.
55. After 1am, the licensee shall take counts of customers on the premises at 30 minute intervals until the premises closes and shall have records of such counts available for inspection by an authorised officer of the Council or Police.
56. Door staff shall be trained to monitor patron noise and actively discourage any noisy and otherwise unacceptable behaviour, encouraging customers to consider local residents when making their way home. Records of such training are to be maintained and held on site for inspection by any Authorised Officer.
57. Upon the premises reaching its capacity figure detailed in condition 37, Management of the Club shall take all reasonable steps to disperse any queue that has formed at the premises and actively encourage any persons so dispersed leave the Mason's Yard area in a quiet and orderly manner.
58. Once the premises has reached its capacity figure detailed in Condition 37 , Management of the Club shall take all reasonable steps to prevent a queue forming outside the premises
59. The licence will have no effect until the premises have been assessed as satisfactory by the Environmental Health Consultation Team and this condition has been removed from the licence.

60. Before the premises open to the public, the plans as deposited will be checked by the Environmental Health Consultation Team to ensure they are an accurate reflection of the premises constructed. Where the premises layout has changed during the course of construction new plans shall be provided to the Environmental Health Consultation Team and the Licensing Authority.
61. All SIA registered door supervisors engaged outside the entrance to the premises, or supervising or controlling queues, shall wear high visibility yellow jackets or vests.
62. There shall be no payment made by or on behalf of the licence holder to any person for bringing customers to the premises.
63. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received concerning crime and disorder
 - (d) any incidents of disorder
 - (e) all seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system or searching equipment or scanning equipment
 - (g) any refusal of the sale of alcohol
 - (h) any visit by a relevant authority or emergency service.
64. There shall be no entry to the premises after 03:00 except to the following persons:
 - (a) Scotch of St James members and their bona fide guests (not exceeding four guests per member). A list of all members to be held at reception for inspection by the relevant authorities. No person shall be admitted to the membership of the premises without an interval of at least 48 hours between application and acceptance to membership;
 - (b) Persons admitted to the premises by prior invitation to a bona fide private function held at the premises;
 - (c) Guests of the proprietor listed by name at the reception prior to admission;
 - (d) Performers and staff employed by the premises;
 - (e) Persons who have temporarily left the premises to smoke.
65. A Challenge 21 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as driving licence, passport or proof of age card with the PASS hologram.

66. The licence will have no effect until the Licencing Authority are satisfied that the premises is constructed or altered in accordance with the appropriate provisions of the District Surveyor's Association – Technical Standards for Places of Entertainment and the reasonable requirements of Westminster Environmental Health Consultation Team, at which time this condition will be removed from the license. Where the premises layout has changed during the course of construction, new plans shall be provided to the Environmental Health Consultation Team and the Licensing Authority.
67. This licence shall not take effect until notice of surrender of licence number 15/01174/LIPDPS (and any other licence as may be in force at the premises), accompanied by the premises licence, has been given by the premises licence holder to the Licensing Authority under section 28 of the Licensing Act 2003.



Schedule 12
Part A

WARD: St James's
UPRN: 010033538222

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

Premises licence

Régulation 33, 34

Premises licence number:

14/11389/LIPN

Original Reference:

14/11389/LIPN

Part 1 – Premises details

Postal address of premises:

The Scotch Of St James
Basement And Ground Floor
13 Mason's Yard
London
SW1Y 6BU

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable.

Licensable activities authorised by the licence:

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

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

Performance of Dance
Monday to Saturday:

09:00 to 05:00

Performance of Live Music

Monday to Saturday:

09:00 to 05:00

Sunday:

09:00 to 03:00

Playing of Recorded Music

Monday to Sunday:

00:00 to 00:00

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

Monday to Saturday:

09:00 to 03:00

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

Late Night Refreshment

Monday to Saturday:

23:00 to 05:00

Sunday:

23:00 to 03:00

Sale by Retail of Alcohol

Monday to Saturday: 11:00 to 04:45
Sunday: 12:00 to 22:30

For times authorised for New Year see conditions at Annex 3

The opening hours of the premises:

Monday to Saturday: 09:00 to 05:30
Sunday: 09:00 to 03:30

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

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

Part 2

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

Alula Leisure Limited
54 Poland Street
London
W1F 7NJ
Electronic Mail : aww@jgrlaw.co.uk

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

07703389

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

Name: Tihomir Lalic

Please note: It is the policy of the Licensing Authority not to display the address details of a designated premises supervisor.

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol:

Licence Number: 07/00513/PER
Licensing Authority: Oxford City Council

Date: 12 May 2015

This licence has been authorised by Mr Ola Owojori on behalf of the Director - Public Protection and Licensing.

Annex 1 – Mandatory conditions

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

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

7. The responsible person must ensure that -

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

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

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

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

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

Annex 2 – Conditions consistent with the operating Schedule

None

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

10. 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).
11. An attendant shall be stationed in the vicinity of the cloakroom during the whole time it is in use.
12. Intoxicating liquor shall not be sold or supplied on the premises otherwise than to:
 - (a) Persons taking table meals there and for consumption by any such person as an ancillary to his meal.
 - (b) Persons attending and paying a minimum attendance fee of £3 for admission to the premises for the purposes of music and dancing.
13. Suitable beverages, other than intoxicating liquor including drinking water, shall be equally available for consumption with or otherwise as an ancillary to food supplied in the premises.
14. No person under fourteen shall be in the bar of the licensed premises during the permitted hours unless one of the following applies:
 - (a) He is the child of the holder of the premises licence.
 - (b) He resides in the premises, but is not employed there.
 - (c) He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress.
 - (d) The bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary.

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

15. If any entertainment is provided for children or if an entertainment is provided at which the majority of persons attending are children, then, if the number of children attending the entertainment exceeds 100, it shall be the duty of the holder of this premises licence / club premises certificate:
 - (a) to station and keep stationed wherever necessary a sufficient number of adult attendants, properly instructed as to their duties, to prevent more children or other persons being admitted to the building, or to any part thereof, than the building or part can properly accommodate,
 - (b) to control the movement of the children and other persons admitted while entering and leaving the building or any part thereof, and
 - (c) to take all other reasonable precautions for the safety of the children.
16. The terminal hour for late night refreshment on New Year's Eve is extended to 05.00 on New Year's Day
17. No advertisements of any kind (including placard, poster, sticker, flyer, picture, letter, sign or other mark) that advertises or promotes the establishment, its premises, or any of its events, facilities, goods or services shall be inscribed or affixed upon the

surface of the highway, or upon any building, structure, works, street furniture, tree, or any other property, or be distributed to the public.

18. There shall be no payment made by or on behalf of the licence holder to any person for bringing customers to the premises.
19. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
20. All windows and external doors shall be kept closed at any time when regulated entertainment takes place, except for the immediate access and egress of persons.
21. The pavement from the building line to the kerb edge immediately outside the premises, including gutter/channel at its junction with the kerb edge, shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements.
22. There shall be no striptease or nudity, and all persons shall be decently attired at all times unless a sexual entertainment venue licence is in operation.
23. No person shall give at the premises any exhibition, demonstration or performance of hypnotism, mesmerism or any similar act or process which produces or is intended to produce in any other person any form of induced sleep or trance in which susceptibility of the mind of that person to suggestion or direction is increased or intended to be increased. NOTE: (1) This rule does not apply to exhibitions given under the provisions of Section 2(1A) and 5 of the Hypnotism Act 1952.
24. Any special effects or mechanical installations shall be arranged and stored so as to minimise any risk to the safety of those using the premises. The following special effects will only be used on 10 days prior notice being given to the Licensing Authority where consent has not previously been given.
 - dry ice and cryogenic fog
 - smoke machines and fog generators
 - pyrotechnics including fire works
 - firearms
 - lasers
 - explosives and highly flammable substances.
 - real flame.
 - strobe lighting.
25. The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.
26. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.
27. All exit doors shall be available at all material times without the use of a key, code, card or similar means.
28. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
29. All emergency doors shall be maintained effectively self closing and not held open other than by an approved device.
30. All fabrics, curtains, drapes and similar features including materials used in finishing and furnishing should be either non-combustible or be durably or inherently flame-

retarded fabric. Any fabrics used in escape routes, other than foyers, entertainment areas or function rooms, should be non-combustible.

31. Curtains and hangings shall be arranged so as not to obstruct emergency signs or means of escape.
32. All electrical sockets used to supply power for hand held electrical equipment shall be protected by a residual current device of 30 milliamps sensitivity complying with British Standard Specification 4293: 1993.
33. The certificates listed below shall be submitted to the Licensing Authority upon written request.
 - Any emergency lighting battery or system
 - Any electrical installation
 - Any emergency warning system
34. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
35. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
36. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
37. The maximum number of persons accommodated in the whole of the premises at any one time (excluding staff) shall not exceed 150 persons with the following further restrictions also applying:
 - i) Basement – 100
 - ii) Ground Floor- 50
38. Alcohol shall not be sold, supplied, consumed in or taken from the premises except during permitted hours. In this condition permitted hours means:
 - (a) The permitted hours on Monday to Saturday shall commence at 11:00 and extend until 04:45 on the following morning, except that:
 - i) The permitted hours shall end at 00:00 midnight on any day on which music and dancing is not provided after midnight; and
 - ii) On any day that music and dancing end between 00:00 midnight and 05:00, the permitted hours shall end half hour before the music and dancing end;
 - (b) In relation to the morning on which summer time begins, paragraph (a) of this condition shall have effect:
 - i) With the substitution of reference to 06:00 for references to 05:00 and 05:45 for references to 04:45;

- (c) The sale of alcohol must be ancillary to the use of the premises for music and dancing and substantial refreshment
- (d) The permitted hours on New Year's Eve will extend to the start of permitted hours on the following day;

NOTE: The above restrictions do not prohibit:

- (a) during the first 45 minutes after the above hours the consumption of alcohol on the premises;
- (b) during the first thirty minutes after the above hours off sales which must be in sealed containers only;
- (c) the sale or supply of alcohol to or the consumption of alcohol by any person residing in the licensed premises;
- (d) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- (e) the sale of alcohol to a trader or registered club for the purposes of the trade or club;
- (f) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of her Majesty's naval, military or air forces;
- (g) the taking of alcohol from the premises by a person residing there;
- (h) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied;
- (i) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

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

- 39. Flashing or particularly bright lights from the premises shall not cause a nuisance to nearby properties.
- 40. After 23:00 patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall be limited to 10 persons at any one time.
- 41. 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.
- 42. After 23:00 patrons permitted to smoke shall be restricted to the external area between 9 and 13 Mason's Yard which shall be supervised by staff from the premises together with notices prominently displayed there requesting patrons to respect the needs of local residents and use the area quietly.
- 43. After 23:00 the designated smoking area shall be enclosed within appropriate barriers to ensure that the footway is kept clear.

44. 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 of the public highway.
45. All staff engaged outside the entrance to the premises, or supervising or controlling queues and external areas, shall wear high visibility armbands.
46. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.
47. The licence holder shall enter into an agreement with a hackney carriage and/or private carriage firm to provide transport for customers, with contact numbers made readily available to customers who will be encouraged to use such services.
48. Patrons waiting for taxis shall be encouraged to wait inside the premises until the taxi arrives.
49. After 23:00 hours a minimum of two door supervisors shall be on duty at the entrance of the premises at all times whilst it is open for business.
50. A sound limiting device located in a separate and remote lockable cabinet from the volume control shall be fitted to any musical amplification system and set at a level determined by and to the satisfaction of an authorised officer of the Environmental Health Service to ensure that no noise nuisance is caused to local residents. The operational panel of the noise limiter shall then be secured to the satisfaction of officer from the Environmental Health Service. The keys securing the noise limiter cabinet shall be held by the licence holder or authorised manager only, and shall not be accessed by any other person. The limiter shall not be altered without prior agreement with the Environmental Health Service.
51. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
52. No waste or recyclable materials, including bottles, shall be moved, removed or placed in outside areas between 23:00 hours and 08:00 hours.
53. No deliveries to the premises shall be arranged to occur between 23.00 and 08.00.
54. The premises will employ a SIA Registered Door Supervisor who will act as a Noise Control Officer in the immediate vicinity of Mason's Yard after 23:00 hours when there are patrons present in the premises. He will endeavour to ensure persons depart from the premises quietly and away from Ormond Yard.
55. After 1am, the licensee shall take counts of customers on the premises at 30 minute intervals until the premises closes and shall have records of such counts available for inspection by an authorised officer of the Council or Police.
56. Door staff shall be trained to monitor patron noise and actively discourage any noisy and otherwise unacceptable behaviour, encouraging customers to consider local residents when making their way home. Records of such training are to be maintained and held on site for inspection by any Authorised Officer.
57. Upon the premises reaching its capacity figure detailed in condition 37, Management of the Club shall take all reasonable steps to disperse any queue that has formed at the premises and actively encourage any persons so dispersed leave the Mason's Yard area in a quiet and orderly manner.

58. Once the premises has reached its capacity figure detailed in Condition 37 , Management of the Club shall take all reasonable steps to prevent a queue forming outside the premises
59. The licence will have no effect until the premises have been assessed as satisfactory by the Environmental Health Consultation Team and this condition has been removed from the licence.
60. Before the premises open to the public, the plans as deposited will be checked by the Environmental Health Consultation Team to ensure they are an accurate reflection of the premises constructed. Where the premises layout has changed during the course of construction new plans shall be provided to the Environmental Health Consultation Team and the Licensing Authority.
61. All SIA registered door supervisors engaged outside the entrance to the premises, or supervising or controlling queues, shall wear high visibility yellow jackets or vests.
62. There shall be no payment made by or on behalf of the licence holder to any person for bringing customers to the premises.
63. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received concerning crime and disorder
 - (d) any incidents of disorder
 - (e) all seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system or searching equipment or scanning equipment
 - (g) any refusal of the sale of alcohol
 - (h) any visit by a relevant authority or emergency service.
64. There shall be no entry to the premises after 03:00 except to the following persons:
 - (a) Scotch of St James members and their bona fide guests (not exceeding four guests per member). A list of all members to be held at reception for inspection by the relevant authorities. No person shall be admitted to the membership of the premises without an interval of at least 48 hours between application and acceptance to membership;
 - (b) Persons admitted to the premises by prior invitation to a bona fide private function held at the premises;
 - (c) Guests of the proprietor listed by name at the reception prior to admission;
 - (d) Performers and staff employed by the premises;
 - (e) Persons who have temporarily left the premises to smoke.
65. A Challenge 21 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as driving licence, passport or proof of age card with the PASS hologram.
66. The licence will have no effect until the Licensing Authority are satisfied that the premises is constructed or altered in accordance with the appropriate provisions of the District Surveyor's Association – Technical Standards for Places of Entertainment and the reasonable requirements of Westminster Environmental Health Consultation Team, at which time this condition will be removed from the license. Where the premises layout has changed during the course of construction, new plans shall be provided to the Environmental Health Consultation Team and the Licensing Authority.

67 This licence shall not take effect until notice of surrender of licence number 15/01174/LIPDPS (and any other licence as may be in force at the premises), accompanied by the premises licence, has been given by the premises licence holder to the Licensing Authority under section 28 of the Licensing Act 2003.

Annex 4 – Plans

Attached



Schedule 12
Part B

WARD: St James's
UPRN: 010033538222

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

Premises licence
summary

Regulation 33, 34

Premises licence number:

14/11389/LIPN

Part 1 – Premises details

Postal address of premises:

The Scotch Of St James
Basement And Ground Floor
13 Mason's Yard
London
SW1Y 6BU

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

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

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

Performance of Dance

Monday to Saturday: 09:00 to 05:00

Performance of Live Music

Monday to Saturday: 09:00 to 05:00

Sunday: 09:00 to 03:00

Playing of Recorded Music

Monday to Sunday: 00:00 to 00:00

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

Monday to Saturday: 09:00 to 03:00

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

Late Night Refreshment	
Monday to Saturday:	23:00 to 05:00
Sunday:	23:00 to 03:00
Sale by Retail of Alcohol	
Monday to Saturday:	11:00 to 04:45
Sunday:	12:00 to 22:30
<i>For times authorised for New Year see conditions at Annex 3</i>	

The opening hours of the premises:	
Monday to Saturday:	09:00 to 05:30
Sunday:	09:00 to 03:30

Where the licence authorises supplies of alcohol, whether these are on and/or off supplies:
Alcohol is supplied for consumption both on and off the Premises.

Name and (registered) address of holder of premises licence:
Alula Leisure Limited 54 Poland Street London W1F 7NJ

Registered number of holder, for example company number, charity number (where applicable)
07703389

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

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

Date: 12 May 2015

This licence has been authorised by Mr Ola Owojori on behalf of the Director - Public Protection and Licensing.

K Charles

Wine Asset Managers

Jermyn

Hostel 4 Star @ Piccadilly
Guest House London

Links of London
Jermyn Street

Jermyn St

Lobb John

Verfides

Thomas Pink

Foster & Sons

Hawes & Curtis

Duke of York St

Van Haften Johnny

Gaslight Club

The Cavendish London

Guy Peppiatt Fine Art

Mascons Yard

Scotch of St James

The Queens Tavern

Jack Bell Gallery

Brian Haughton Gallery

White Cube

Duke Street St James's

Chatham House

Dubai International
Finance Centre

St James's Square

Cyprus High Commission

The London Library

Illustration Art Gallery

Duke's Caffè

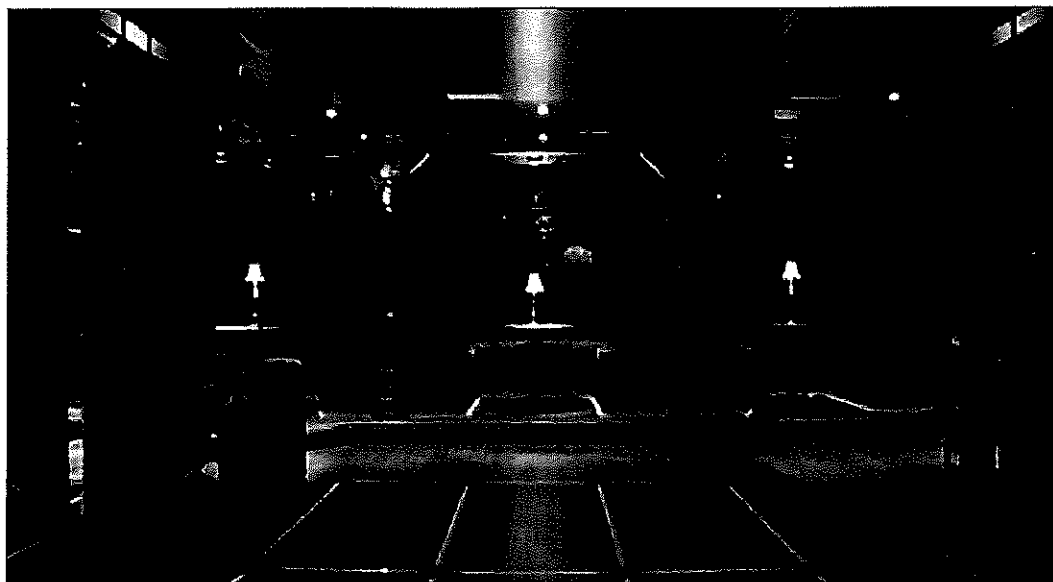
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Map data ©2015 Google

Lite Mode

Terms

PHOTOS OF SCOTCH



**MILESTONE INVESTMENTS
LIMITED**

13 MASONS YARD
ST. JAMES'S
LONDON SW1Y 6BU
Tel: 020-7930 4981
Fax: 020-7321 0426

Our ref: MJB/EAB/MI

29 July 2015

Westminster City Council
Licensing Department
4th Floor
Westminster City Hall
64 Victoria Street
LONDON SW1E 6QP

For the attention of: Steve Rowe

TO WHOM IT MAY CONCERN

Milestone Investments Limited owns the freehold interest in 13 Masons Yard London SW1Y 6BU where the ground floor and basement are currently the subject of an application to renew the licensing.

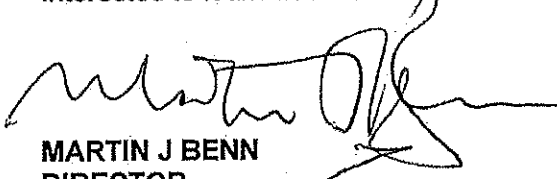
The occupier has a specific leasehold obligation to renew and keep in order any licensing attached to the premises and to appeal any refusal to do that on the part of the Council.

Towards this end the conduct of the tenant is closely monitored. In particular local occupants of Masons Yard are frequently canvassed to find out if they have any valid objections and these are normally withdrawn on the basis that the Club operator pursues their best endeavours and is sympathetic to all complaints which they may come across.

Consistent with this the Club operator spares no expense to make the Club an attractive venue for foreign and local visitors alike.

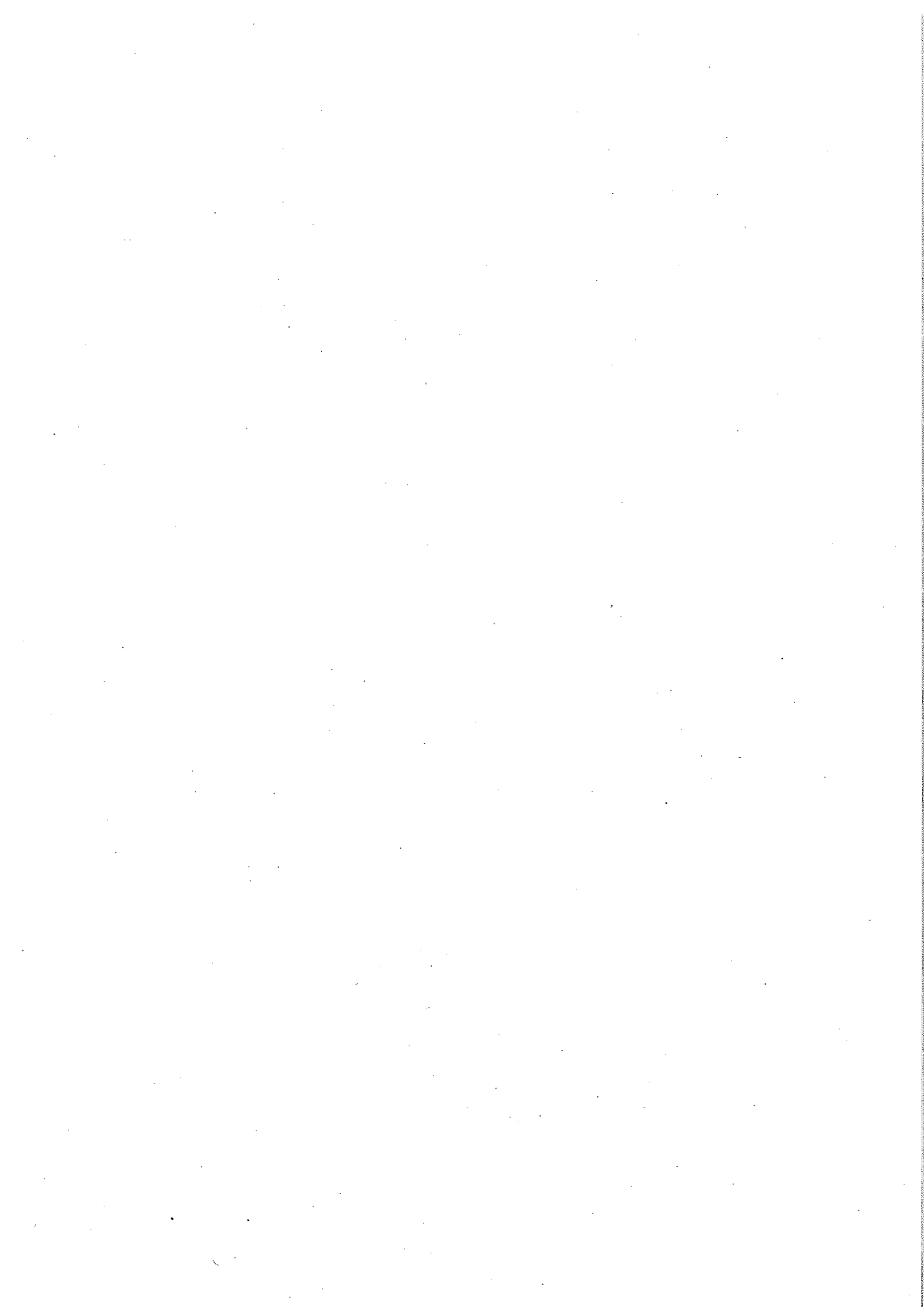
I do not believe that there are any reasonable demands made by the Council which have been flouted or ignored by the occupier and therefore their continued occupation should be encouraged and the licensing renewed.

If you have information or observations to the contrary, as freeholders we should be extremely interested to learn about this either formally or informally.



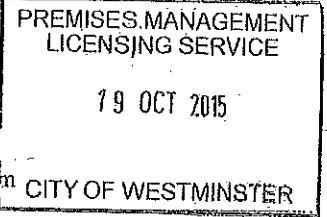
**MARTIN J BENN
DIRECTOR
MILESTONE INVESTMENTS LIMITED**

cc: generallicensing@westminster.gov.uk – by e-mail and post
srowe@westminster.gov.uk – by e-mail and post
t.lalic@alulaleisure.com

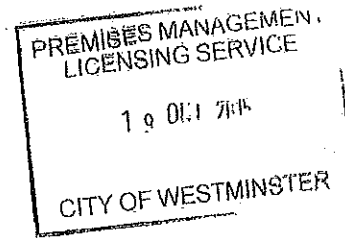


Appendix B

Name + address
redacted



City of Westminster Licencing Services
Westminster City Hall
68 Victoria Street
SW1E 6QP London



16.10.15

Reference: 15/08445/LISEVR Scotch St James 13 Masons Yard SW1Y 6BU

Dear Sirs,

We noted with some surprise yet another notification of a renewal for this licence which was understood has already been renewed in the summer. We would make the following observation regarding undertakings to control noise and disturbance which were given during previous hearings. The applicant had undertaken to insure that there would be no local disturbance but recently there has been a great deal of rowdy noise outside their premises continuing until 6am in the morning making it impossible to sleep. Your council has laid down strict parameters but these are being ignored. We also found our frontage littered with cigarettes stubs coming from the club revellers who are compelled to smoke outside.

Yours sincerely,

Appendix C1



Schedule 12
Part A

WARD: St James's
UPRN: 010033538222

City of Westminster

64 Victoria Street, London, SW1E 6QP

Premises licence

Regulation 33, 34

Premises licence number:

15/01174/LIPDPS

Original Reference:

05/06843/LIPCV

Part 1 – Premises details

Postal address of premises:

Scotch St James
Ground Floor
13 Mason's Yard
London
SW1Y 6BU

Telephone Number: 020 7307 0202

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Performance of Dance
Performance of Live Music
Playing of Recorded Music
Anything of a similar description to Live Music or 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 Saturday: 09:00 to 05:00

Performance of Live Music

Monday to Saturday: 09:00 to 05:00

Sunday: 09:00 to 03:00

Playing of Recorded Music

Unrestricted

Anything of a similar description to Live Music or Recorded Music

Sunday: 09:00 to 03:00

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

Monday to Saturday: 09:00 to 03:00

Late Night Refreshment

Monday to Saturday: 23:00 to 05:00
Sunday: 23:00 to 03:00

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

Monday to Saturday: 11:00 to 04:45
Sunday: 12:00 to 22:30

For times authorised for Christmas and New Year see conditions at Annex 3

The opening hours of the premises:

Monday to Saturday: 09:00 to 05:30
Sunday: 09:00 to 03:30

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

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

Part 2**Name, (registered) address, telephone number and email (where relevant) of holder of premises licence:**

Alula Leisure Limited
54 Poland Street
London
W1F 7NJ

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

07703389

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

Name: Mr Christopher Burrows

Please note: It is the policy of the Licensing Authority not to display the address details of a designated premises supervisor.

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol:

Licence Number: 223211549
Licensing Authority: London Borough of Brent

Date: 05 October 2015

**This licence has been authorised by Mr Yiannis Chrysanthou on behalf of the Director -
Public Protection and Licensing.**

Annex 1 – Mandatory conditions

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

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

7. The responsible person must ensure that—

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

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

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

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

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

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

Where -

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

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

Annex 2 – Conditions consistent with the operating Schedule

None

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

10. 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).
11. An attendant shall be stationed in the vicinity of the cloakroom during the whole time it is in use.
12. Intoxicating liquor shall not be sold or supplied on the premises otherwise than to:
 - (a) Persons taking table meals there and for consumption by any such person as an ancillary to his meal.
 - (b) Persons attending and paying a minimum attendance fee of £3 for admission to the premises for the purposes of music and dancing.
13. Suitable beverages, other than intoxicating liquor including drinking water, shall be equally available for consumption with or otherwise as an ancillary to food supplied in the premises.
14. Alcohol shall not be sold, supplied, consumed in or taken from the premises except during permitted hours.

In this condition, permitted hours means:

- (a) On Sundays, other than Christmas Day or New Year's Eve, 12.00 noon to 22.30.
- (b) On Christmas Day, 12.00 to 15.00 and 19.00 to 22.30.
- (c) On New Year's Eve on a Sunday, 12.00 to 22.30.
- (d) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, 00.00 midnight on 31st December).

NOTE - The above restrictions do not prohibit:

- (a) during the first twenty minutes after the above hours the consumption of the alcohol on the premises;
- (b) during the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;
- (c) during the first thirty minutes after the above hours the consumption of the alcohol on the premises by persons taking table meals there if the alcohol was supplied for consumption as ancillary to the meals;
- (d) the sale or supply of alcohol to or the consumption of alcohol by any person residing in the licensed premises;
- (e) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- (f) the sale of alcohol to a trader or registered club for the purposes of the trade or club;

- (g) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;
- (h) the taking of alcohol from the premises by a person residing there;
- (i) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of
- (j) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

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

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

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

- 16. If any entertainment is provided for children or if an entertainment is provided at which the majority of persons attending are children, then, if the number of children attending the entertainment exceeds 100, it shall be the duty of the holder of this premises licence / club premises certificate:
 - (a) to station and keep stationed wherever necessary a sufficient number of adult attendants, properly instructed as to their duties, to prevent more children or other persons being admitted to the building, or to any part thereof, than the building or part can properly accommodate,
 - (b) to control the movement of the children and other persons admitted while entering and leaving the building or any part thereof, and
 - (c) to take all other reasonable precautions for the safety of the children.
- 17. The terminal hour for late night refreshment on New Year's Eve is extended to 05.00 on New Year's Day
- 18. No advertisements of any kind (including placard, poster, sticker, flyer, picture, letter, sign or other mark) that advertises or promotes the establishment, its premises, or any of its events, facilities, goods or services shall be inscribed or affixed upon the surface of the highway, or upon any building, structure, works, street furniture, tree, or any other property, or be distributed to the public.
- 19. There shall be no payment made by or on behalf of the licence holder to any person for bringing customers to the premises.

20. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
21. All windows and external doors shall be kept closed at any time when regulated entertainment takes place, except for the immediate access and egress of persons.
22. The pavement from the building line to the kerb edge immediately outside the premises, including gutter/channel at its junction with the kerb edge, shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements.
23. There shall be no striptease or nudity, and all persons shall be decently attired at all times unless a sexual entertainment venue licence is in operation.
24. No person shall give at the premises any exhibition, demonstration or performance of hypnotism, mesmerism or any similar act or process which produces or is intended to produce in any other person any form of induced sleep or trance in which susceptibility of the mind of that person to suggestion or direction is increased or intended to be increased. NOTE: (1) This rule does not apply to exhibitions given under the provisions of Section 2(1A) and 5 of the Hypnotism Act 1952.
25. Any special effects or mechanical installations shall be arranged and stored so as to minimise any risk to the safety of those using the premises. The following special effects will only be used on 10 days prior notice being given to the Licensing Authority where consent has not previously been given.
 - dry ice and cryogenic fog
 - smoke machines and fog generators
 - pyrotechnics including fire works
 - firearms
 - lasers
 - explosives and highly flammable substances.
 - real flame.
 - strobe lighting.
26. The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.
27. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.
28. All exit doors shall be available at all material times without the use of a key, code, card or similar means.
29. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
30. All emergency doors shall be maintained effectively self closing and not held open other than by an approved device.
31. All fabrics, curtains, drapes and similar features including materials used in finishing and furnishing should be either non-combustible or be durably or inherently flame-retarded fabric. Any fabrics used in escape routes, other than foyers, entertainment areas or function rooms, should be non-combustible.

32. Curtains and hangings shall be arranged so as not to obstruct emergency signs or means of escape.
33. All electrical sockets used to supply power for hand held electrical equipment shall be protected by a residual current device of 30 milliamps sensitivity complying with British Standard Specification 4293: 1993.
34. The certificates listed below shall be submitted to the Licensing Authority upon written request.
- Any emergency lighting battery or system
 - Any electrical installation
 - Any emergency warning system
35. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
36. 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.
37. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public. This staff member must be able to show a Police or authorised council officer recent data or footage with the absolute minimum of delay when requested.
38. The maximum number of persons accommodated in the whole of the premises at any one time (excluding staff) shall not exceed 100 persons with the following further restrictions also applying:
- i) Basement - 100
 - ii) Ground Floor- 50
 - iii) in the whole of the premises between 03:00 and 05:00 hours - 50
39. Alcohol shall not be sold, supplied, consumed in or taken from the premises except during permitted hours. In this condition permitted hours means:
- (a) The permitted hours on Monday to Saturday shall commence at 11:00 and extend until 04:45 on the following morning, except that:
 - i) The permitted hours shall end at 00:00 midnight on any day on which music and dancing is not provided after midnight; and
 - ii) On any day that music and dancing end between 00:00 midnight and 05:00, the permitted hours shall end half hour before the music and dancing end;
 - (b) In relation to the morning on which summer time begins, paragraph (a) of this condition shall have effect:
 - i) With the substitution of reference to 06:00 for references to 05:00 and 05:45 for references to 04:45;
 - (c) The sale of alcohol must be ancillary to the use of the premises for music and dancing and substantial refreshment

- (d) The permitted hours on New Year's Eve will extend to the start of permitted hours on the following day;

NOTE: The above restrictions do not prohibit:

- (a) during the first 45 minutes after the above hours the consumption of alcohol on the premises;
- (b) during the first thirty minutes after the above hours off sales which must be in sealed containers only;
- (c) the sale or supply of alcohol to or the consumption of alcohol by any person residing in the licensed premises;
- (d) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- (e) the sale of alcohol to a trader or registered club for the purposes of the trade or club;
- (f) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of her Majesty's naval, military or air forces;
- (g) the taking of alcohol from the premises by a person residing there;
- (h) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied;
- (i) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

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

- 40. Flashing or particularly bright lights from the premises shall not cause a nuisance to nearby properties.
- 41. After 23:00 patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall be limited to 10 persons at any one time.
- 42. 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.
- 43. After 23:00 patrons permitted to smoke shall be restricted to the external area between 9 and 13 Mason's Yard which shall be supervised by staff from the premises together with notices prominently displayed there requesting patrons to respect the needs of local residents and use the area quietly.
- 44. After 23:00 the designated smoking area shall be enclosed within appropriate barriers to ensure that the footway is kept clear.
- 45. 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 of the public highway.

46. All staff engaged outside the entrance to the premises, or supervising or controlling queues and external areas, shall wear high visibility armbands.
47. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.
48. The licence holder shall enter into an agreement with a hackney carriage and/or private carriage firm to provide transport for customers, with contact numbers made readily available to customers who will be encouraged to use such services.
49. Patrons waiting for taxis shall be encouraged to wait inside the premises until the taxi arrives.
50. After 23:00 hours a minimum of two door supervisors shall be on duty at the entrance of the premises at all times whilst it is open for business.
51. A sound limiting device located in a separate and remote lockable cabinet from the volume control shall be fitted to any musical amplification system and set at a level determined by and to the satisfaction of an authorised officer of the Environmental Health Service to ensure that no noise nuisance is caused to local residents. The operational panel of the noise limiter shall then be secured to the satisfaction of officer from the Environmental Health Service. The keys securing the noise limiter cabinet shall be held by the licence holder or authorised manager only, and shall not be accessed by any other person. The limiter shall not be altered without prior agreement with the Environmental Health Service.
52. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
53. No waste or recyclable materials, including bottles, shall be moved, removed or placed in outside areas between 23:00 hours and 08:00hours.
54. No deliveries to the premises shall be arranged to occur between (23.00) and (08.00).
55. The premises will employ a SIA Registered Door Supervisor who will act as a Noise Control Officer in the immediate vicinity of Mason's Yard after 23:00 hours when there are patrons present in the premises. He will endeavour to ensure persons depart from the premises quietly.
56. The licensee shall take counts of customers on the premises at 02.00, 02.30 and 03.00 and shall have records of such counts available for inspection by an authorised officer of the Council or Police.

Annex 4 – Plans

Attached



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

Schedule 12
Part B

WARD: St James's
UPRN: 010033538222

Premises licence
summary

Regulation 33, 34

Premises licence number:

15/01174/LIPDPS

Part 1 – Premises details

Postal address of premises:

Scotch St James
Ground Floor
13 Mason's Yard
London
SW1Y 6BU

Telephone Number: 020 7307 0202

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Performance of Dance
Performance of Live Music
Playing of Recorded Music
Anything of a similar description to Live Music or 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 Saturday: 09:00 to 05:00

Performance of Live Music

Monday to Saturday: 09:00 to 05:00

Sunday: 09:00 to 03:00

Playing of Recorded Music

Unrestricted

Anything of a similar description to Live Music or Recorded Music

Sunday: 09:00 to 03:00

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

Monday to Saturday:	09:00 to 03:00
Late Night Refreshment	
Monday to Saturday:	23:00 to 05:00
Sunday:	23:00 to 03:00
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	
Monday to Saturday:	11:00 to 04:45
Sunday:	12:00 to 22:30
<i>For times authorised for Christmas and New Year see conditions at Annex 3</i>	

The opening hours of the premises:

Monday to Saturday:	09:00 to 05:30
Sunday:	09:00 to 03:30

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

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

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

Alula Leisure Limited
54 Poland Street
London
W1F 7NJ

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

07703389

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

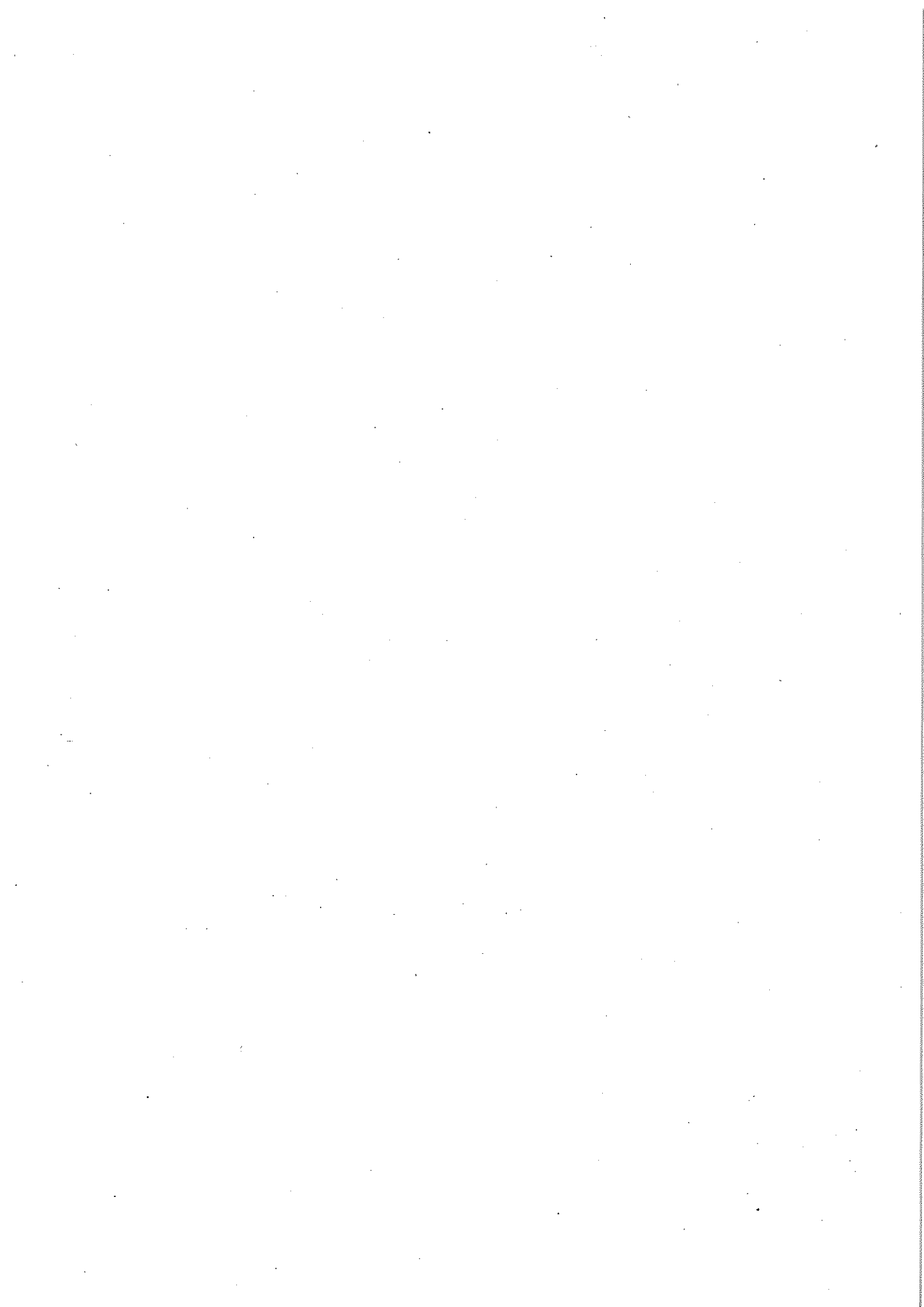
Name: Mr Christopher Burrows

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

Restricted

Date: 05 October 2015

**This licence has been authorised by Mr Yiannis Chrysanthou on behalf of the Director -
Public Protection and Licensing.**



SEX ESTABLISHMENT LICENCE Sexual Entertainment Venue

Prémises licence number:	14/11495/LISEVR
Original Reference:	12/02584/LISEVN

The CITY OF WESTMINSTER, under the provisions of the Local Government (Miscellaneous Provisions) Act 1982 as amended by the Policing and Crime Act 2009

hereby licences:
to use the premises:

**GREAT CLUB LIMITED
SCOTCH ST JAMES
13 MASON'S YARD
LONDON
SW1Y 6BU**

as a Sexual Entertainment Venue.

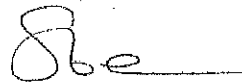
This licence commences from the **01 October 2014** and will expire on the **30 September 2015**.

Relevant Entertainment (namely full and partial nudity striptease, pole dancing and table dancing) may be provided during the following times:

Monday to Saturday	09:00 to 05:00
Sunday	09:00 to 03:00

Relevant Entertainment may only be provided in the permitted areas outlined in red shown on the plans attached at Appendix 1.

This licence is granted subject to the conditions attached at Appendix 2.

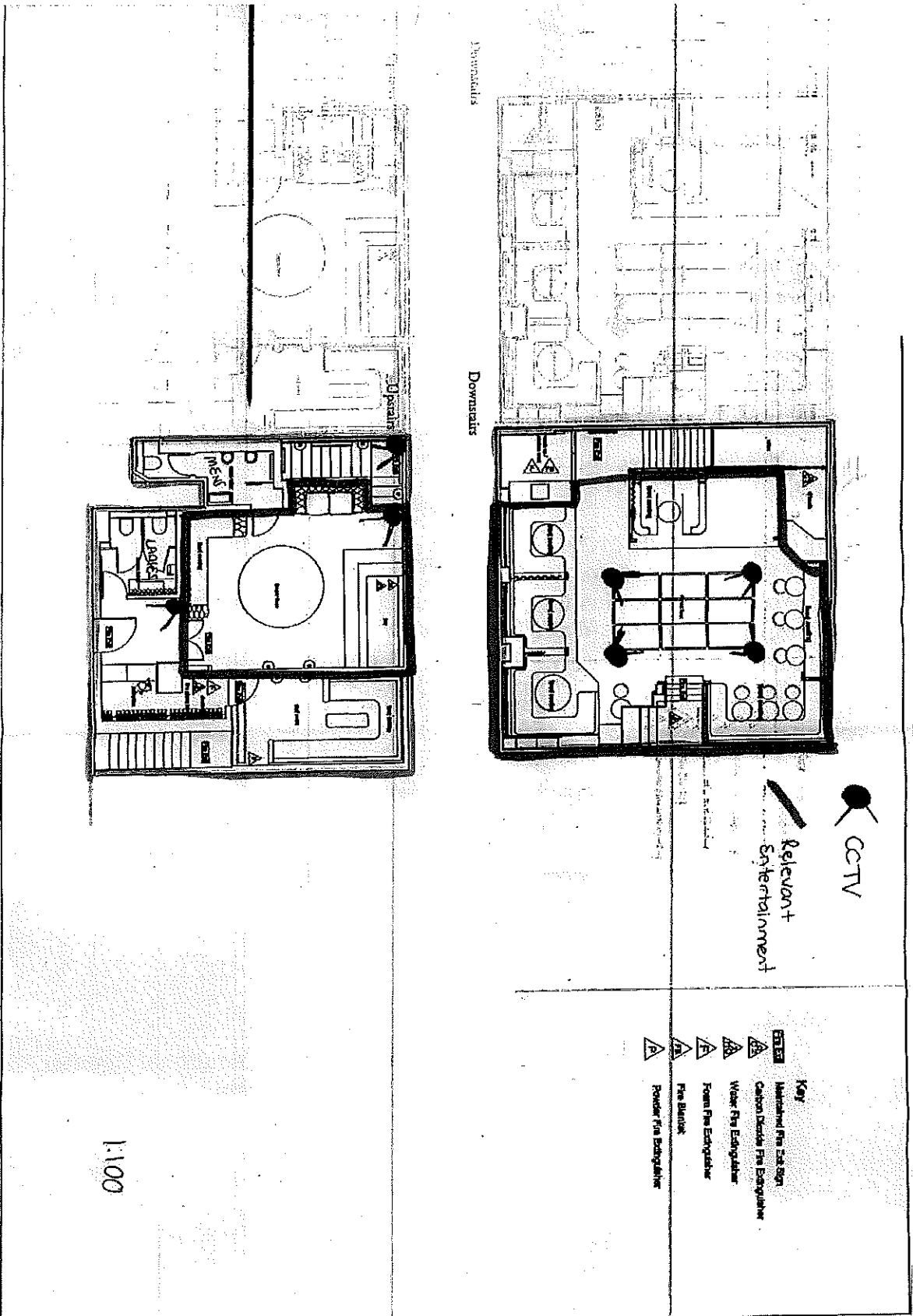


DATE: 30.07.15

SIGNED:

**On behalf of the Operational Director -
Premises Management**

Appendix 1 – Plans



Appendix 2 – Conditions

Standard Conditions:

1. Whilst Relevant Entertainment is taking place no person under the age of 18 shall be on the licensed premises and a clear notice to that effect shall be displayed at the entrance in a prominent position so that it can be easily read by persons entering the premises.
2. Whenever persons under the age of 18 are admitted to the premises there will be no promotional or other material on display within the premises which depicts nudity or partial nudity.
3. The licence or a clear copy shall be prominently displayed at all times so as to be readily and easily seen by all persons using the premises.
4. No provision of relevant entertainment, or material depicting nudity or relevant entertainment, shall be visible from outside the premises.
5. Menus and drinks price lists shall be clearly displayed at the front entrance of the club, reception area, tables and bar at such a position and size as to be easily read by customers. This price list shall show all consumable items and any minimum tariff including charges and fees applicable to Performers.
6. Except with the consent of the Licensing Authority, no advertisements of any kind (including placard, poster, sticker, flyer, picture, letter, sign or other mark) shall be inscribed or affixed at the premises, on the surface of the highway or on any building, structure, works, street furniture, tree or any other property or be distributed in the street to the public that advertises or promotes the relevant entertainment at the premises.
7. The licence holder or other person concerned in the conduct or management of the premises shall not seek to obtain custom by means of personal solicitation or touting, nor enter into any agreement with a third party to do so.
8. Adequate toilets, washing and changing facilities for use by the Performers shall be provided.
9. Either the licence holder or a named responsible person shall be present throughout the time the Relevant Entertainment takes place.
10. The premises will install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer that ensures all areas of the licensed premises are monitored including all entry and exit points will be covered enabling frontal identification of every person entering any light condition. All cameras shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period together with facilities for viewing.
11. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to the public and this staff member should be able to show Police recent data and footage with the absolute minimum of delay of the request.

12. An incident log shall be kept at the premises, and made available on request to the Licensing Authority or the Police, which will record the following:
 - (a) all crimes reported to the venue;
 - (b) all ejections of patrons;
 - (c) any complaints received;
 - (d) any incidents of disorder;
 - (e) seizures of drugs or offensive weapons;
 - (f) any faults in the CCTV system or searching equipment or scanning equipment;
 - (g) any refusal of the sale of alcohol;
 - (h) any visit by a relevant authority or emergency service;
 - (i) any breach of licence conditions reported by a Performer
13. The licence holder shall produce a Code of Conduct setting out rules and obligations between the licence holder and performers whilst performing. All Performers shall sign the Code of Conduct in their proper name acknowledging that they have read, understood and are prepared to abide by the said Code of Conduct, and a copy so signed shall be retained by the licence holder and shall be readily available for inspection by the Police and/or authorised persons upon reasonable request.
14. Individual records shall be kept at the premises of the real names, stage names and addresses of all Performers working at the premises. The record will include either a copy of their birth certificate, current passport, EU driving licence or national identity card and shall be made immediately available for inspection by the Police and/or the Licensing Authority upon request.
15. Details of all work permits and/or immigration status relating to persons working at the premises shall be retained by the licence holder and be readily available for inspection by the Licensing Authority, a Police Officer or Immigration Officer.
16. Relevant Entertainment shall be given only by Performers and the audience shall not be permitted to participate in the relevant entertainment.
17. There shall be no physical contact between Performers whilst performing.
18. Performers will not request or give out any telephone number, address or any other contact information from or to any customer. Any such information given by a customer shall be surrendered to the premises manager as soon as is practicable.
19. Relevant Entertainment shall take place only in the designated areas approved by the Licensing Authority as shown on the licence plan. Arrangements for access to the dressing room shall be maintained at all times whilst Relevant Entertainment is taking place and immediately thereafter.
20. Customers must remain fully clothed at all times. The Performer must not remove any of the customer's clothing at any time.
21. Where Relevant Entertainment is provided in booths, or other areas of the premises where private performances are provided, the booth or area shall not have a door or other similar closure, the area shall be constantly monitored by CCTV, and access to the booth or other area shall be adequately supervised.
22. Whenever Relevant Entertainment is being provided there shall be no physical contact between Performers and customers or between customers and Performers except for the exchanging of money or tokens at the beginning or conclusion of the performance and only for the purpose of that performance. Clearly legible notices to this effect shall clearly be displayed in each private booth and in any performance area.

23. Performers must redress fully immediately after each performance.

Additional Conditions:

24. Payment for the dance shall only be made by either adding the amount to the customer's bill or by paying the dancer after she returns to the table fully clothed.

25. At all times whilst dancing takes place at least one registered door supervisor shall be employed in the part of the premises used for dancing.

26. The maximum number of persons accommodated at any one time (excluding staff) shall not exceed 100 persons, with no more than 50 persons (excluding staff) between 03.00 and 05.00 hours.

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

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

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

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

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

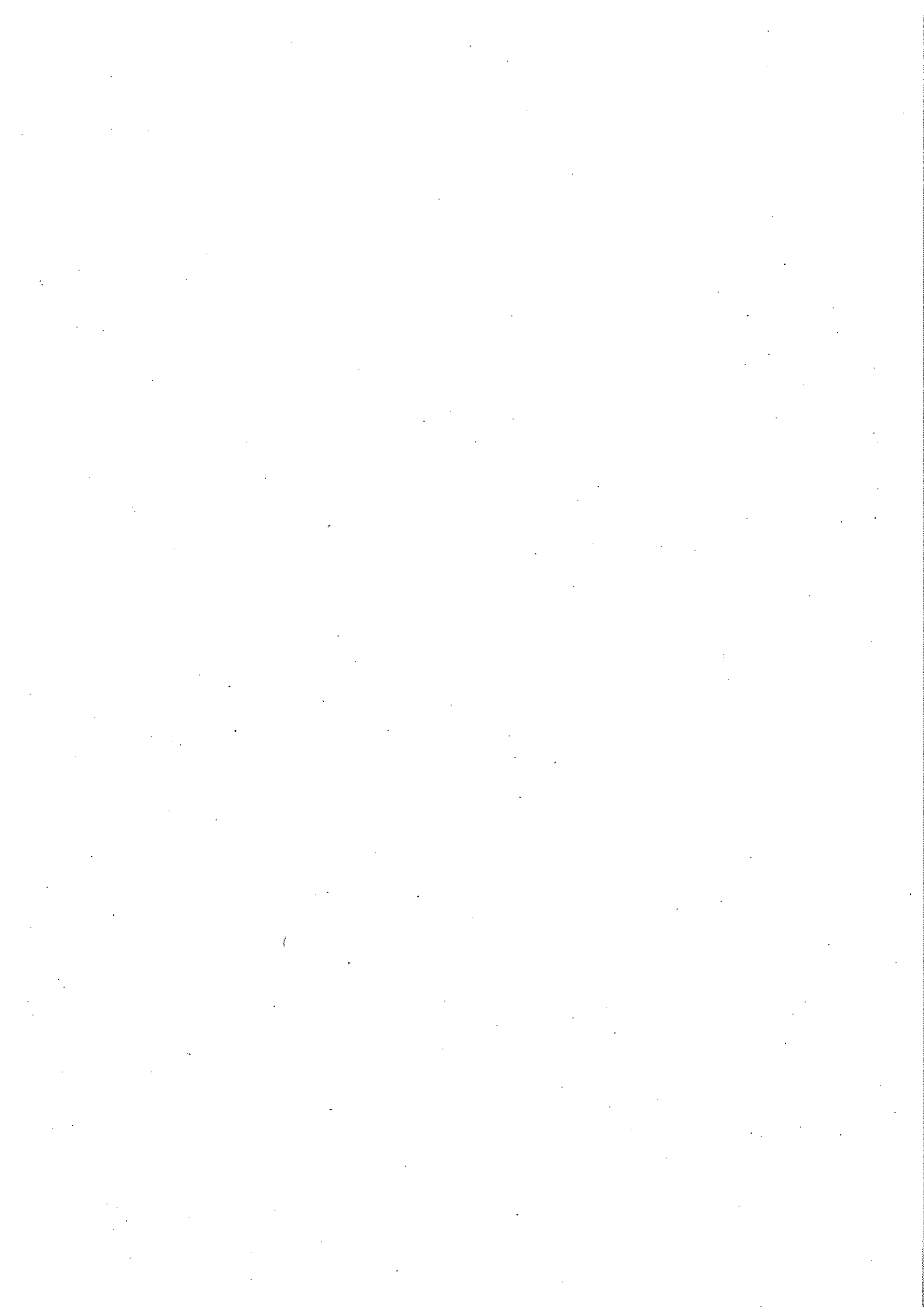
32. All exit doors shall be available at all material times without the use of a key, code, card or similar means.

33. Any special effects or mechanical installations shall be arranged and stored so as to minimise any risk to the safety of those using the premises. The following special effects will only be used on 10 days prior notice being given to the Licensing Authority where consent has not previously been given.

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

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

35. No relevant entertainment shall take place at the premises until the premises has been inspected to the satisfaction of the Licensing Service and Environmental Health Service.



LICENSING SUB-COMMITTEE No. 1

Thursday 30th July 2015

Membership: Councillor Tim Mitchell (Chairman), Councillor Louise Hyams and Councillor Rita Begum

Legal Adviser: Barry Panto
Policy Adviser: Chris Wroe
Committee Officer: Jonathan Deacon

Objections: 2 objectors.

Present: Mr Gary Grant (Counsel, representing the Applicant) and Mr Tim Lalic (owner of premises).

Declarations: Councillors Tim Mitchell and Louise Hyams declared that the venue is located in the ward they both represent, St James's. Councillor Mitchell also declared that he had previously made a representation for a previous application relating to the premises on behalf of St James's Conservation Trust. Neither Member had a personal or prejudicial interest in respect of the application. Mr Grant stated at the hearing that he had no objection to the two Members considering the application.

**Scotch St James, 13 Masons Yard, SW1
13/07456/LISEVR and 14/11495/LISEVR**

- 1.1 The Council has received two renewal applications of the Sexual Entertainment Venue ('SEV') premises licence from Great Club Limited for Scotch St James, 13 Masons Yard, London, SW1Y 6BU. The report set out the application details, representations, policy and legal context along with other considerations that the Committee required to determine this application.
- 1.2 On 30th September 2013 the Applicant applied to renew the SEV premises licence to provide full nudity striptease, pole dancing and table dancing between the hours of 09:00 to 05:30 on each of the days Monday to Saturday and 09:00 to 03:30 on Sunday. The Applicant did not request to change the relevant entertainment or to remove any standard conditions to the licence if the application was granted. The original hearing to determine the 2013-2014 renewal was scheduled for the 17th December 2013 however this was adjourned at the request of the applicant. The case was not re-scheduled as the Licensing Authority did not get a response from the Applicant.
- 1.3 On the 19th January 2015 the Licensing Authority contacted the Applicant to advise that as the 12 month period that licences are issued for had passed without the application being determined by the Licensing Sub Committee and as no renewal application had been received, the premises were deemed unlicensed for relevant entertainment.
- 1.4 On the 23rd January 2015 the Applicant's solicitor responded stating that in

accordance with Section 20(10) of the 1982 Act it must be deemed to remain in force until such determination takes place or the application is withdrawn. Legal advice has confirmed that this should have been a reference to paragraph 11(1) of Schedule 3 to the 1982 Act but also confirms that the licence would remain in force until the renewal application is determined.

- 1.5 After seeking legal advice the Licensing Authority advised the Applicant to submit a further renewal application as a potential means by which renewal of the licence for 2014-2015 could be considered. On 8th May 2015 the Applicant applied to renew the sexual entertainment venue premises licence on exactly the same terms as those in the existing SEV licence and in the application for 2013-14.

Amendments to application advised at hearing:

None.

Decision (including reasons if different from those set out in report):

Granted, subject to the same conditions as attached to the previous licence in 2012.

The Sub-Committee in granting the applications accepted the point of the Applicant's Representative, Mr Grant, that there were not any grounds for the applications not to be renewed. The proposed hours and conditions were the same as those attached to the SEV licence in 2012. Complaints were not being received about how the venue was being run since the current operator had taken over (Objector 3 to the application had referred to noise disruption, bad behaviour and general issues relating to people leaving the premises). Previous management had been running Scotch St James when the review of the premises licence had taken place in November 2012. There were few representations in respect of the 2013-14 and 2014-15 applications in comparison to the SEV application granted in 2012. There was no evidence in terms of complaints received to suggest that Scotch St James was now having an adverse impact on the character of the relevant locality or that anything had changed within the locality since 2012 to make it unsuitable. It is located in Westminster core CAZ north. The appropriate number of SEVs in this area had been set by the Council at 25 and as the premises are currently licensed, the maximum of 25 would not be exceeded.

Mr Grant advised the Sub-Committee that his client was not currently using the SEV licence. Mr Lalic was applying because it was a valuable asset and it was a condition on his lease that it remained in force. The representation of Objector 1 had been withdrawn on the basis of the Applicant's assurances that it was not the intention to operate Scotch St James as a sexual entertainment venue. The Sub-Committee had taken note of the objections of Objector 2 and had requested legal advice from Mr Panto on the points that the objector had raised. Mr Panto stated that it had been unfortunate that a year had passed without the application being processed and that the Licensing Authority had incorrectly stated that as no renewal application had been received, the premises were deemed unlicensed for relevant

entertainment. Under the provisions of The Local Government Miscellaneous Provisions Act 1982, the previous licence did indeed remain in force. It was permitted for the Applicant to submit a further renewal application as had now taken place and for the Sub-Committee to consider the first and second applications submitted. The Licensing Service was satisfied that the notice (blue) of the application was displayed on the premises within the required time limit.

Conditions on the Licence

Standard Conditions

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

10. The premises will install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer that ensures all areas of the licensed premises are monitored including all entry and exit points will be covered enabling frontal identification of every person entering any light condition. All cameras shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period together with facilities for viewing.
11. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to the public and this staff member should be able to show Police recent data and footage with the absolute minimum of delay of the request.
12. An incident log shall be kept at the premises, and made available on request to the Licensing Authority or the Police, which will record the following:
 - (a) all crimes reported to the venue;
 - (b) all ejections of patrons;
 - (c) any complaints received;
 - (d) any incidents of disorder;
 - (e) seizures of drugs or offensive weapons;
 - (f) any faults in the CCTV system or searching equipment or scanning equipment;
 - (g) any refusal of the sale of alcohol;
 - (h) any visit by a relevant authority or emergency service;
 - (i) any breach of licence conditions reported by a Performer.
13. The licence holder shall produce a Code of Conduct setting out rules and obligations between the licence holder and performers whilst performing. All Performers shall sign the Code of Conduct in their proper name acknowledging that they have read, understood and are prepared to abide by the said Code of Conduct, and a copy so signed shall be retained by the licence holder and shall be readily available for inspection by the Police and/or authorised persons upon reasonable request.
14. Individual records shall be kept at the premises of the real names, stage names and addresses of all Performers working at the premises. The record will include either a copy of their birth certificate, current passport, EU driving licence or national identity card and shall be made immediately available for inspection by the Police and/or the Licensing Authority upon request.
15. Details of all work permits and/or immigration status relating to persons working at the premises shall be retained by the licence holder and be readily available for inspection by the Licensing Authority, a Police Officer or Immigration Officer.
16. Relevant Entertainment shall be given only by Performers and the audience shall not be permitted to participate in the relevant entertainment.
17. There shall be no physical contact between Performers whilst performing.
18. Performers will not request or give out any telephone number, address or any other contact information from or to any customer. Any such information given by a

customer shall be surrendered to the premises manager as soon as is practicable.

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

Additional Conditions

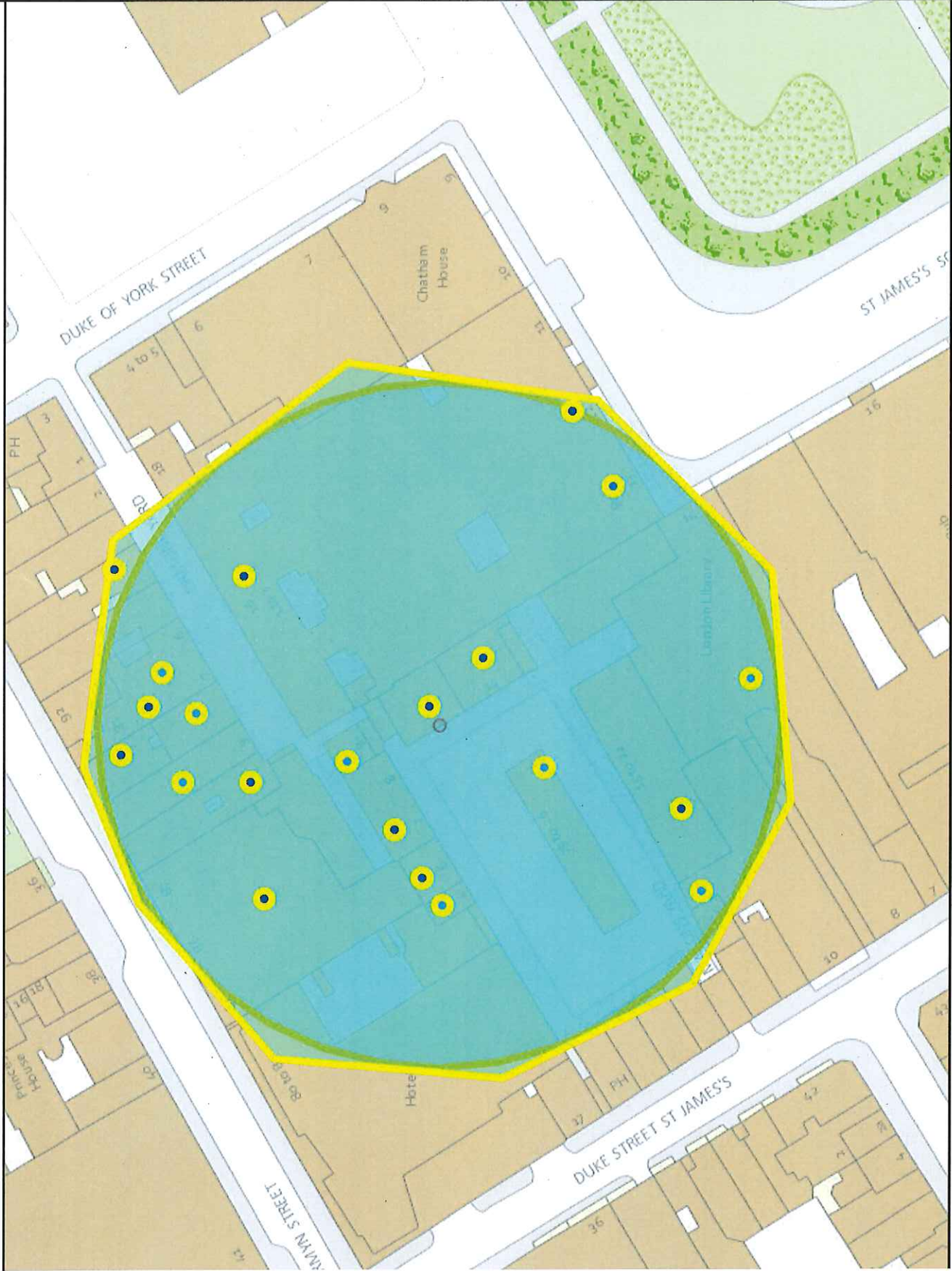
24. Payment for the dance shall only be made by either adding the amount to the customer's bill or by paying the dancer after she returns to the table fully clothed.
25. At all times whilst dancing takes place at least one registered door supervisor shall be employed in the part of the premises used for dancing.
26. The maximum number of persons accommodated at any one time (excluding staff) shall not exceed 100 persons; with no more than 50 persons (excluding staff) between 03.00 and 05.00 hours.
27. All emergency doors shall be maintained effectively self closing and not held open other than by an approved device.
28. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
29. Curtains and hangings shall be arranged so as not to obstruct emergency signs.
30. The approved arrangements at the premises; including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.
31. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.

32. All exit doors shall be available at all material times without the use of a key, code, card or similar means.
33. Any special effects or mechanical installations shall be arranged and stored so as to minimise any risk to the safety of those using the premises. The following special effects will only be used on 10 days prior notice being given to the Licensing Authority where consent has not previously been given.
 - i. pyrotechnics including fire works
 - ii. firearms
 - iii. lasers
 - iv. explosives and highly flammable substances.
 - v. real flame.
 - vi. strobe lighting
34. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
35. No relevant entertainment shall take place at the premises until the premises has been inspected to the satisfaction of the Licensing Service and Environmental Health Service.



Residential properties 13 Mason's Yard

City of Westminster



9

Meters

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Residential / Proposed Residential	101 current	Appendix D		
	Under Construction			
Other Uses				
Proportion Residential of all Uses				

Data Source: Uniform D
Date: 19/11/2015