



City of Westminster

Licensing Sub-Committee Report

Item No:	
Date:	13 October 2016
Licensing Ref No:	16/08072/LIPV - Premises Licence Variation
Title of Report:	Drama 35 Hertford Street London W1J 7SD
Report of:	Director of Public Protection and Licensing
Wards involved:	West End
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Miss Yolanda Wade Senior Licensing Officer
Contact details	Telephone: 020 7641 1884 Email: ywade@westminster.gov.uk

1. Application

1-A Applicant and premises																
Application Type:	Variation of a Premises Licence, Licensing Act 2003															
Application received date:	29 July 2016															
Applicant:	Hilton Worldwide Limited															
Premises:	Drama															
Premises address:	35 Hertford Street London W1J 7SD	Ward:	West End													
		Cumulative Impact Area:	No													
Premises description:	The premises operate as a nightclub in the London Hilton on Park Lane.															
Variation description:	The proposed application for variation of the premises licence as follows:															
	<p>1. Increase the permitted hours in respect of all licensable activities and opening hours Monday to Sunday by a further hour following the current terminal hour, i.e.</p> <table border="1"> <tbody> <tr> <td>Exhibition of films</td> <td>10:00am – 04:00am</td> </tr> <tr> <td>Performance of live music</td> <td>10:00am – 04:00am</td> </tr> <tr> <td>Recorded Music</td> <td>10:00am – 04:15am</td> </tr> <tr> <td>Performance of dance</td> <td>10:00am – 04:00am</td> </tr> <tr> <td>Late night refreshment</td> <td>23:00am- 04:30am</td> </tr> <tr> <td>Supply of alcohol</td> <td>10:00am- 04:00am</td> </tr> <tr> <td>Opening hours</td> <td>10:00am- 04:30am</td> </tr> </tbody> </table> <p>2. To amend conditions 48, 49 and 50 on the Premises Licence in respect of terminal hours, closure of the premises to reflect the additional hour.</p>			Exhibition of films	10:00am – 04:00am	Performance of live music	10:00am – 04:00am	Recorded Music	10:00am – 04:15am	Performance of dance	10:00am – 04:00am	Late night refreshment	23:00am- 04:30am	Supply of alcohol	10:00am- 04:00am	Opening hours
Exhibition of films	10:00am – 04:00am															
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Performance of dance	10:00am – 04:00am															
Late night refreshment	23:00am- 04:30am															
Supply of alcohol	10:00am- 04:00am															
Opening hours	10:00am- 04:30am															
Premises licence history:	The premises are currently licensed (16/05966/LIPVM). A full licence history can be found at Appendix 4 of the report															
Applicant submissions:	No additional submissions have been received															

1-B Current and proposed licensable activities, areas and hours						
Regulated Entertainment						
Exhibition of films, Performance of Dance, Performance of Live Music						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	10:00	03:00	10:00	04:00	Ground Floor	Unchanged
Tuesday	10:00	03:00	10:00	04:00	Ground Floor	Unchanged
Wednesday	10:00	03:00	10:00	04:00	Ground Floor	Unchanged

Thursday	10:00	03:00	10:00	04:00	Ground Floor	Unchanged
Friday	10:00	03:00	10:00	04:00	Ground Floor	Unchanged
Saturday	10:00	03:00	10:00	04:00	Ground Floor	Unchanged
Sunday	10:00	03:00	10:00	04:00	Ground Floor	Unchanged
Seasonal variations/Non-standard timings:	From the end of licensable hours on New Year's Eve to the commencement of licensable hours on New Year's Day					

Playing of Recorded Music						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	10:00	03:15	10:00	04:15	Ground Floor	Unchanged
Tuesday	10:00	03:15	10:00	04:15	Ground Floor	Unchanged
Wednesday	10:00	03:15	10:00	04:15	Ground Floor	Unchanged
Thursday	10:00	03:15	10:00	04:15	Ground Floor	Unchanged
Friday	10:00	03:15	10:00	04:15	Ground Floor	Unchanged
Saturday	10:00	03:15	10:00	04:15	Ground Floor	Unchanged
Sunday	10:00	03:15	10:00	04:15	Ground Floor	Unchanged
Seasonal variations/ Non-standard timings:			Current: From the end of licensable hours on New Year's Eve to the commencement of licensable hours on New Year's Day.			

Late night refreshment						
Indoors, outdoors or both			Current :		Proposed:	
			Indoors		Indoors	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	23:00	03:30	23:00	04:30	Ground Floor	Unchanged
Tuesday	23:00	03:30	23:00	04:30	Ground Floor	Unchanged
Wednesday	23:00	03:30	23:00	04:30	Ground Floor	Unchanged
Thursday	23:00	03:30	23:00	04:30	Ground Floor	Unchanged
Friday	23:00	03:30	23:00	04:30	Ground Floor	Unchanged
Saturday	23:00	03:30	23:00	04:30	Ground Floor	Unchanged
Sunday	23:00	03:30	23:00	04:30	Ground Floor	Unchanged
Seasonal variations/ Non-standard timings:			Current: From the end of licensable hours on New Year's Eve to the commencement of licensable hours on New Year's Day			

Sale by Retail of Alcohol						
On or off sales			Current :		Proposed:	
			On		On	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	10:00	03:00	10:00	04:00	Ground Floor	Unchanged
Tuesday	10:00	03:00	10:00	04:00	Ground Floor	Unchanged
Wednesday	10:00	03:00	10:00	04:00	Ground Floor	Unchanged

Thursday	10:00	03:00	10:00	04:00	Ground Floor	Unchanged
Friday	10:00	03:00	10:00	04:00	Ground Floor	Unchanged
Saturday	10:00	03:00	10:00	04:00	Ground Floor	Unchanged
Sunday	10:00	03:00	10:00	04:00	Ground Floor	Unchanged
Seasonal variations/ Non-standard timings:			Current:			
			From the end of licensable hours on New Year's Eve to the commencement of licensable hours on New Year's Day			

Hours premises are open to the public						
	Current Hours		Proposed Hours		Premises Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	10:00	03:30	10:00	04:30	Ground Floor	Unchanged
Tuesday	10:00	03:30	10:00	04:30	Ground Floor	Unchanged
Wednesday	10:00	03:30	10:00	04:30	Ground Floor	Unchanged
Thursday	10:00	03:30	10:00	04:30	Ground Floor	Unchanged
Friday	10:00	03:30	10:00	04:30	Ground Floor	Unchanged
Saturday	10:00	03:30	10:00	04:30	Ground Floor	Unchanged
Sunday	10:00	03:30	10:00	04:30	Ground Floor	Unchanged
Seasonal variations/ Non-standard timings:			Current:			
			On New Year's Eve the premises may remain open to the commencement of opening hours on New Year's Day			

1-D Conditions being varied, added or removed	
Condition	Proposed variation
48 which reads: All licensable activities must end no later than 03:00 hrs save that the playing of recorded music and dancing must end no later than 03:15 hrs and the provision of late night refreshment must end no later than 03:30 hrs	Amended to read All licensable activities must end no later than 04:00 hrs save that the playing of recorded music and dancing must end no later than 04:15 hrs and the provision of late night refreshment must end no later than 04:30 hrs
49 which reads: The premises must close to the public no later than 03:30 hrs.	Amended to read The premises must close to the public no later than 03:30 hrs.
50 which reads: No customers may enter or re-enter the premises after 01:00 hrs (save for customers who have temporarily left the premises to smoke tobacco products) with the exception that customers who have pre-booked entry prior to midnight and whose names are on a list may enter between 01:00 - 02:00 hrs. This list must be kept at the premises and made available to police and local authority officers on demand	Amended to read No customers may enter or re-enter the premises after 02:00 hrs (save for customers who have temporarily left the premises to smoke tobacco products) with the exception that customers who have pre-booked entry prior to 01:00 and whose names are on a list may enter between 02:00 - 03:00 hrs. This list must be kept at the premises and made available to police and local authority officers on demand

2. Representations

2-A Responsible Authorities	
Responsible Authority:	The Environmental Health Service
Representative:	Ian Watson
Received:	25 th August 2016
<p>I wish to make the following representation</p> <ol style="list-style-type: none"> 1. The additional hours requested for the Supply of Alcohol will have the likely effect of causing an increase in Public Nuisance within the area. 2. The additional hours requested to permit the provision of late night refreshment will have the likely effect of causing an increase in Public Nuisance within the area. 3. The additional hours requested to permit the provision of regulated entertainment will have the likely effect of causing an increase in Public Nuisance within the area. 4. The applicant has not proposed new wording for the conditions and therefore it is difficult to assess the impact with regard to prevention of public nuisance. <p>The granting of the application as presented would have the likely effect of causing an increase in Public Nuisance within the area.</p> <p>The applicant has not provided any information addressing appendix 11 of licensing policy regarding noise for the later hours.</p> <p>The Environmental Health Service has provided additional information from visits undertaken by the City Inspectors made on the following dates namely, 4th September 2016, 17th September 2016, Sunday 25th September 2016 and Saturday 1st October (Appendix 3)</p>	
Responsible Authority:	The Metropolitan Police
Representative:	Michael Day
Received:	25 th August 2016
<p>With reference to the above application, I am writing to inform you that the Metropolitan Police, as a responsible authority, are making a representation. It is our belief that if granted the application would undermine the Licensing Objectives.</p> <p>The venue is not situated within any Cumulative Impact Area, but at this stage we believe that this variation would cause additional policing problems in the area.</p>	

2-B Other Persons	
Name:	Miss Ginette Haiat

Address and/or Residents Association:	10 Down Street, London		
Status:	Local resident	In support or opposed:	Opposed
Received:	19 th August 2016		
<p>We are managing a block of residential block of apartments - corner of hertford street /down street. The residents are already disturbed by the noise and disruption by the noise. long queues outside walking towards our block drunk , etc we hereby object to a further extension of the license .. this is mayfair and we should not have to put up with all the disruption of the people then moving towards our block - it is highly unsightly for this high class area - with the type of people it attracts and does cause a lot of complaints and disruptions to all. We are not happy now as it is never mind ... a further extension ... we have had our ashtray set on fire, non stop people on our door step - and constant disruption.. we object to this extension and suggest that they have the decency to pay attention to their neighbours as it is a highly expensive and high class area being ruined by this mob of people making noise , and around the block queues etc not always of the best quality of people .</p>			

3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
Policy MD1 applies:	Applications will only be granted if it can be demonstrated that the proposal meets the relevant criteria in Policies CD1, PS1, PN1 and CH1.
Policy HRS1 applies:	<p>(i) Applications for hours within the core hours set out below in this policy will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy.</p> <p>(ii) Applications for hours outside the core hours set out below in this policy will be considered on their merits, subject to other relevant policies.</p>

4. Appendices

Appendix 1	Premises plans
Appendix 2	Applicant supporting documents
Appendix 3	Environmental Health Service Submission
Appendix 4	Premises licence history
Appendix 5	Proposed conditions
Appendix 6	Residential map and list of premises in the vicinity

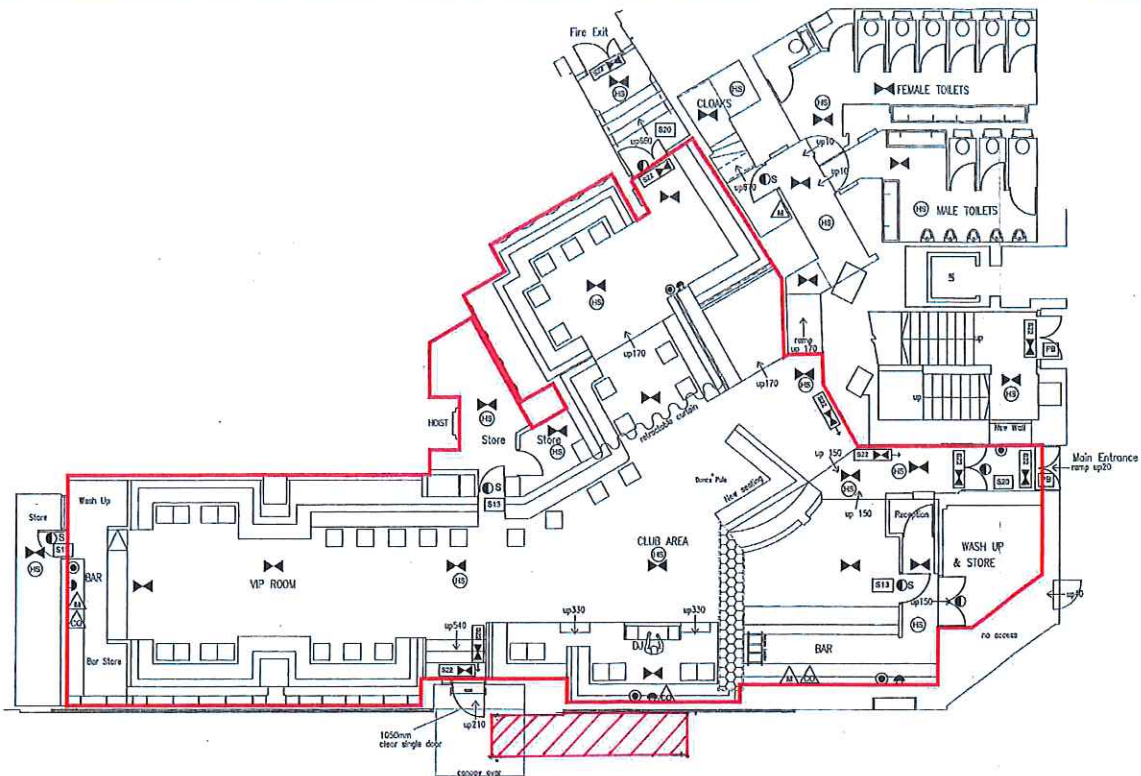
Report author:	Miss Yolanda Wade Senior Licensing Officer
Contact:	Telephone: 020 7641 1884 Email: ywade@westminster.gov.uk

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

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

1	Licensing Act 2003	N/A
2	City of Westminster Statement of Licensing Policy	7 th January 2016
3	Amended Guidance issued under section 182 of the Licensing Act 2003	March 2015
4	Application Form	29 th July 2016
5	Environmental Health Representation	25 th August 2016
6	Police Representation	25 th August 2016
7	Miss Ginette Haiat Representation	19 th August 2016

APPENDIX 1



AREA WHERE LICENSABLE ACTIVITIES WILL TAKE PLACE PROPOSED PLAN
 Scale: 1:50 @ A1

NOTE
 CONSTRUCTION OF ALCOHOL AND LICENSABLE ACTIVITIES TAKE PLACE ANYWHERE WITHIN THE PREMISES.
 THE POSITION OF ANY LOOSE FURNITURE IS SHOWN FOR DIAGNOSTIC PURPOSES ONLY.
 THE LOCATION OF FIRE EQUIPMENT IS SHOWN ON THE DATE HEREOF BUT MAY BE MOVED WITH THE CONSENT OF THE FIRE OFFICER.

Smoking Area

LEGEND
FIRE SIGNAGE
 (EXACT LOCATION TO BE AGREED ON SITE)
 S22 ILLUMINATED FIRE EXIT SIGN
 S22 ILLUMINATED FIRE EXIT SIGN (DIRECTIONAL)
 S14 FIRE DOOR KEEP LOCKED
 S13 FIRE DOOR KEEP CLOSED
 S14FSD FIRE DOOR KEEP LOCKED FAIL SAFE OPEN/DIGITAL CONTROL
 S20 FIRE ESCAPE KEEP CLEAR

DOOR TYPE KEY
 S FD30S
 S FD60S
 S FD30
 S FD60
 STANDARD HIGH-RATED DOOR
 DOWN WHICH ARE PROVIDED WITH PANIC BOLTS. THERE MUST BE A NOTICE ADJACENT TO FASTENING INDICATING METHOD OF OPENING (MIN. 50MM HIGH LETTERING)

AREA COVERED WITH A SYSTEM OF ESCAPE LIGHTING THAT WILL ILLUMINATE THE AREA UPON FAILURE OF THE NORMAL LIGHTING POWER SUPPLY TO A SUFFICIENT STANDARD TO ENABLE PERSONS TO LEAVE THE AREA SAFELY. THE ESCAPE LIGHTING SYSTEM SHOULD CONFORM TO THE BRITISH STANDARD CURRENT AT THE TIME OF ITS INSTALLATION AND A CERTIFICATE TO THIS EFFECT KEPT WITH THE FIRE CERTIFICATE.

FIRE SAFETY EQUIPMENT
 (EXACT LOCATION TO BE AGREED ON SITE)
 EXA FIRE EXTINGUISHER - DRY POWDER
 EXC FIRE EXTINGUISHER - CARBON DIOXIDE
 EXW FIRE EXTINGUISHER - WATER
 EXM FIRE EXTINGUISHER - MULTI PURPOSE
 FB FIRE BLANKET

DS AUTOMATIC SMOKE DETECTOR
 DH AUTOMATIC HEAT DETECTOR
 HS COMBINED AUTOMATIC HEAT/SMOKE DETECTOR
 CA FIRE ALARM CALL POINT
 AW AUDIBLE WARNING DEVICE

TIBBATS+ABEL
 Fire Safety Engineers
 100, 102, 104, 106, 108, 110, 112, 114, 116, 118, 120, 122, 124, 126, 128, 130, 132, 134, 136, 138, 140, 142, 144, 146, 148, 150, 152, 154, 156, 158, 160, 162, 164, 166, 168, 170, 172, 174, 176, 178, 180, 182, 184, 186, 188, 190, 192, 194, 196, 198, 200, 202, 204, 206, 208, 210, 212, 214, 216, 218, 220, 222, 224, 226, 228, 230, 232, 234, 236, 238, 240, 242, 244, 246, 248, 250, 252, 254, 256, 258, 260, 262, 264, 266, 268, 270, 272, 274, 276, 278, 280, 282, 284, 286, 288, 290, 292, 294, 296, 298, 300, 302, 304, 306, 308, 310, 312, 314, 316, 318, 320, 322, 324, 326, 328, 330, 332, 334, 336, 338, 340, 342, 344, 346, 348, 350, 352, 354, 356, 358, 360, 362, 364, 366, 368, 370, 372, 374, 376, 378, 380, 382, 384, 386, 388, 390, 392, 394, 396, 398, 400, 402, 404, 406, 408, 410, 412, 414, 416, 418, 420, 422, 424, 426, 428, 430, 432, 434, 436, 438, 440, 442, 444, 446, 448, 450, 452, 454, 456, 458, 460, 462, 464, 466, 468, 470, 472, 474, 476, 478, 480, 482, 484, 486, 488, 490, 492, 494, 496, 498, 500, 502, 504, 506, 508, 510, 512, 514, 516, 518, 520, 522, 524, 526, 528, 530, 532, 534, 536, 538, 540, 542, 544, 546, 548, 550, 552, 554, 556, 558, 560, 562, 564, 566, 568, 570, 572, 574, 576, 578, 580, 582, 584, 586, 588, 590, 592, 594, 596, 598, 600, 602, 604, 606, 608, 610, 612, 614, 616, 618, 620, 622, 624, 626, 628, 630, 632, 634, 636, 638, 640, 642, 644, 646, 648, 650, 652, 654, 656, 658, 660, 662, 664, 666, 668, 670, 672, 674, 676, 678, 680, 682, 684, 686, 688, 690, 692, 694, 696, 698, 700, 702, 704, 706, 708, 710, 712, 714, 716, 718, 720, 722, 724, 726, 728, 730, 732, 734, 736, 738, 740, 742, 744, 746, 748, 750, 752, 754, 756, 758, 760, 762, 764, 766, 768, 770, 772, 774, 776, 778, 780, 782, 784, 786, 788, 790, 792, 794, 796, 798, 800, 802, 804, 806, 808, 810, 812, 814, 816, 818, 820, 822, 824, 826, 828, 830, 832, 834, 836, 838, 840, 842, 844, 846, 848, 850, 852, 854, 856, 858, 860, 862, 864, 866, 868, 870, 872, 874, 876, 878, 880, 882, 884, 886, 888, 890, 892, 894, 896, 898, 900, 902, 904, 906, 908, 910, 912, 914, 916, 918, 920, 922, 924, 926, 928, 930, 932, 934, 936, 938, 940, 942, 944, 946, 948, 950, 952, 954, 956, 958, 960, 962, 964, 966, 968, 970, 972, 974, 976, 978, 980, 982, 984, 986, 988, 990, 992, 994, 996, 998, 1000

Whisky Mist
 Whisky Mist
 1000 Park Lane
 London
 W1A 1AA

Proposed Licencing Plan

1631-L01

Applicant Supporting Documents

No additional supporting documents have been received

CITY OF WESTMINSTER

MEMORANDUM

TO Licensing Officer

REFERENCE 16/08072/LIPV

FROM EH Consultation Team

REFERENCE

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

TELEPHONE 020 7641 3183

DATE 3rd October 2016

The Licensing Act 2003

Drama, 35 Hertford Street, W1

I refer to the application for variation of the Premises Licence to extend their licensable activities Monday to Sunday from 03.00 hours to 04.00 hours (LNR 04.30 hours) with additional hour added to conditions 48, 49 and 50 (PL 16/05966/LIPVM).

Following this application the premises have been visited by licensing inspectors on the following occasions.

Sunday 4th September 2016 @ 00.35 hours. Visited by Toby Webber and Brian Eaton. Walkthrough conducted, no issues.

Saturday 17th September 2016 @ 01.00 hours. Visited by Daniel Ferrer and Lee Cavill.

My colleague, Lee Cavill, and I arrived outside Drama, 35 Hertford Street at 01:00 hours on Saturday 17th September 2016. We saw a large number of customers outside the premises and along Hertford Street. There were about 40 customers outside and only a handful of smokers in the roped off smoking area which was located on Hertford Street. I saw one or two smokers outside on the pavement on Hertford Street who were not in the smoking area. I noted that there was 1 SIA door staff in high vis positioned close to the smoking area. A number of SIA door staff were also outside close to the entrance but they did not take much action in moving smokers into the smoking area nor did they attempt to move customers who were blocking the pavement. I also noticed a large amount of cigarette butts along Hertford Street pavement from the entrance to the smoking area. I took photographs of the exterior of the premises. (Please see the first 2 attachments). It was only then that the SIA door staff started to take action.

We then started to observe customers entering the premises. I saw that a black cab stopped on Hertford Street and 3 females walked up to the queue at the entrance. I also saw a white Mercedes pull up outside the entrance and a male and female came out of their vehicle and entered the premises. I then made myself known to one of the door staff and asked for the Duty Manager. I continued to watch the entrance and noted that the 3 females who came out of the black cab were refused entry. After a few minutes a gentleman I now know as Mr. Mauro PISANO came out and greeted us. I explained the purpose of our visit and pointed out the large group of customers and some smokers not

in the smoking area. He stated that the celebrity, Will.I.A.M. was in the premises and so a lot of people were trying to get in but were "bounced".

I asked to look at the ID scan system (condition 12) and I could see it was in operation. He looked up records on the system and stated that 378 people had been ID Scanned throughout the night which included those who had been refused entry. Mr PISANO then showed me a record of a list of 13 names who did not have to ID Scanned and admitted at the managers discretion.

I then asked to look at the list of customers who had pre booked and who could enter the premises after 01:00 (condition 50). A female at the front entrance then showed me a list on her clip board with 39 names, typed and hand written. She stated that 17 of these 39 had already arrived.

Mr. PISANO, Mr. Cavill and I then entered the premises and carried out a walkthrough of the premises. There was a large number of customers inside the premises, dancing to recorded music and consuming what appeared to be alcohol. The bars were open and serving customers. I checked some of the drinking vessels and confirmed that they were polycarbonates. I checked one of the escape routes which led from the ground floor dance floor to Hertford Street and found it partially obstructed by a metal pole from the smoking area and some customers who were smoking.

We then went into the office to check the paperwork. Mr. PISANO produced a certified copy of the premises licence and his personal licence. Mr. PISANO confirmed that he was the DPS and that the premises was open to the public and not a private corporate event. He stated that he had a total of 11 SIA staff at the premises and 6 of these were positioned outside. A capacity check was done at 01:39 hours and Mr. PISANO stated that there were 240 customers inside the premises.

We then checked the CCTV system where we had to leave the office and go to a viewing room which was located in part of the Hilton. Mr. PISANO was familiar with working the system and I asked him to go to the camera which showed where searching took place. He directed me to Channel 10 where I could see a male member of the door staff positioned inside the entrance corridor. I watched this for a while and could not see the SIA door staff searching. Therefore, I asked him to play footage from 01:00 hours when the premises was busy. However, I could still not see any clear evidence of customers being searched. So we looked at footage from 00:45 onwards up to 01:00 hours. The images showed the entrance being very busy with people entering and re-entering, however again I could not see clear images of customers being searched. The DPS kept stating that we were looking at customers who were re-entering from smoking. I advised that it was my opinion that customers were not being properly searched on entry as I could not see any "patdowns" being carried out, a minimum requirement of condition 16.

We then came back outside the premises and I had a short conversation with the member of staff responsible for carrying out searches. He was SIA registered and stated that he carried out searches all the time. I said that it was not apparent from the CCTV footage I had watched. We had another look at the smoking area which was very busy at this time. I counted 18 customers inside but some of them were standing in front of the escape route door. This was quickly rectified when the door staff saw us inspecting it. I also noticed that I could hear the bass from the recorded music being played within the premises, however, I could not confirm whether this could be heard in an "occupied premises in the vicinity" as required by condition 44. We then left the premises at 02:15 hours.

So, to summarise, in relation to the specific conditions that you initially pointed out:

12. (ID Scan) The ID scan system was in use and a list for those who did not have to be ID Scanned was produced.

14. (Nominated member of staff to monitor the outside area) There were 6 outside but could have been more pro-active especially when we first arrived.

15. (Door supervisors to be in high vis) Door staff inside and out were all seen wearing high vis.

16. (All customers to be searched) From viewing Channel 10 CCTV footage for about 10-15 minutes I could not see any evidence of patdowns. I queried the location of the apparent searching and asked why it was not at the front of the premises outside where there was more space and it was before customers paid. Mr. PISANO stated that "it was all approved".

21. (Door on Hertford Street to be closed). This was complied with.

22. (Smoking area). Lee took a couple of photos so please have a look at these to see if that this was the location that was approved. (Last two attachments). However, my concerns was that the edge of it partially obstructed the escape route and also when we arrived some smokers were not being directed to use this area.

29. (No consumption or removal of vessels outside) This was complied with.

44. (No noise audible in occupied premises in the vicinity). As I have said earlier on, the bass could be heard from the smoking area but I did not go into another premises to check noise levels.

49. (The premises to close at 03:30). This was not checked as we had made ourselves known and left at 02:15 hours

50. (Re-entry conditions) The male and female at the start of my observations entered the premises after 01:00 but a pre booking list was produced and so this was the reason given as to why they were allowed entry.

65. (Polycarbonates). I checked a number of drinking vessels and confirmed that none were made of glass including the bottle of 'Becks' beer.

Sunday 25th September 2016 @ 01.00 hours. Visited by David Wood and Leroy Adedeji.

At the request EH Consultation and Licensing, officers visited Drama, 35 Hertford Street W1 at 01.00 hrs. We noted 7 SIA doormen outside and about 20 smokers in the smoking area. There was a guest list in place at the entrance of the nightclub. The SIA doormen handle the Club patrons in an orderly manner. Two of the doormen were stationed at the smoking area to control and disperse the patrons accordingly. At 10 minutes interval, we noted 15 smokers in the area allocated for smoking. At 01.40hrs, the capacity of the club according to the Head doorman and the in/out count was 203. Between the hours of 01.50hrs and 02.40hrs, a gentleman on a wheelchair stormed out of the club and screaming at the doormen. He alleged that another guest in the club touched his girlfriend and demands that management to deal with the patron. While the management

tried to get the gentleman to stay calm, he continued and asked the doormen to get his party guest to leave the Club. At 02.10hrs, a total of 10 people believed to belong to his party group emerged from the club and spoke to him. All efforts to calm him down proved difficult. He became more agitated, the management team managed to get him a specialized cab to take him. His Party group dispersed within 15 minutes after he left the scene.

We undertook a walkthrough of the club 02.55hrs and noted 6 SIA security personnel walking around and making sure patrons were well behaved. We went to the CCTV room with the operations manager – Mauro PISANO to view randomly the smoking area and the events that had taken place during the night. At 03.05hrs, guest started departing the club and by 03.30hrs, the club was empty. All Security Personnel made sure Guest queued outside the Hilton Hotel and registered Taxis took them to their various locations. We left the vicinity at 03.50hrs.

Saturday 1st October 2016 @ 02.40 hours. Visited by James Hayes, Glyn Franks and Mary Pring.

A request has been received from Environmental Health to monitor activity on the street at closing time for this venue. On arrival at 02:40 hours a crowd of approximately 45 people were standing at the main entrance of the venue on Hertford Street and there was a heavy flow of vehicular traffic passing through Hertford Street in both directions- mainly black cabs and Uber taxis. People started to leave the area in these vehicles and a few people walked away along Hertford Street in the direction of Shepherd Market. One SIA doorman, wearing HiVis, was seen controlling the area.

At 02:50 the crowd had dispersed and only a few people were left on the footway outside the premises. One of these persons was a highly intoxicated female who was assisted by hotel security personnel into a cab. An email will be sent to WCC outlining the company's policy on Duty of Care.

At 03:00 there were approximately 15 people outside the venue and again there was an increase in the number of vehicles along the road for a few minutes. A second SIA doorman came out of the premises to assist with crowd dispersal and by 03:10 the area was clear and quiet.

The premises is licensed for a capacity of persons on the premises (excluding staff) is 300 and the maximum number persons admitted to the premises tonight was 247.

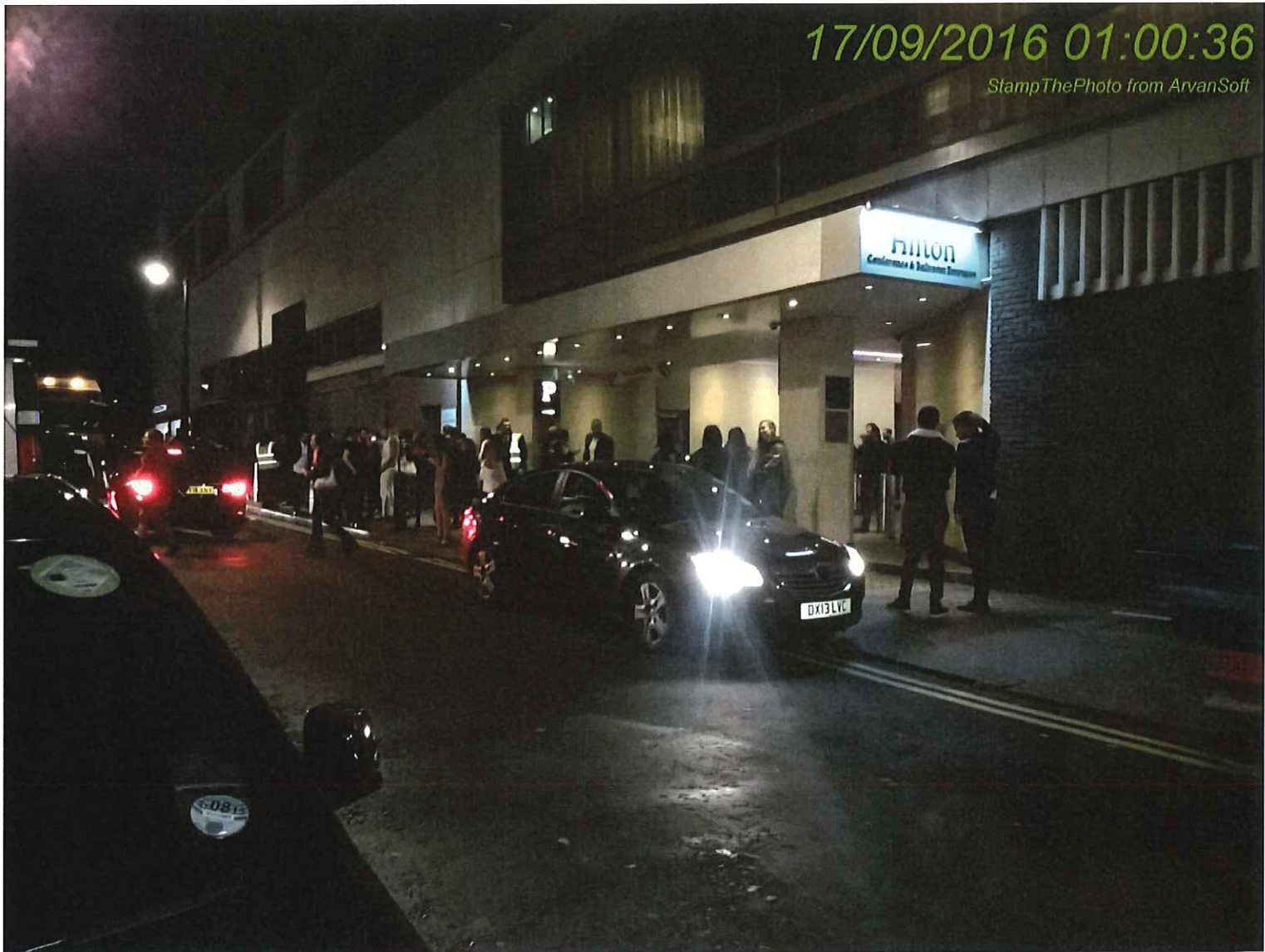
There are no complaints relating to noise nuisance on file for the last two years.

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

Ian Watson
Senior Practitioner Environmental Health (Licensing)

17/09/2016 01:00:36

StampThePhoto from ArvanSoft



17/09/2016 01:07:36

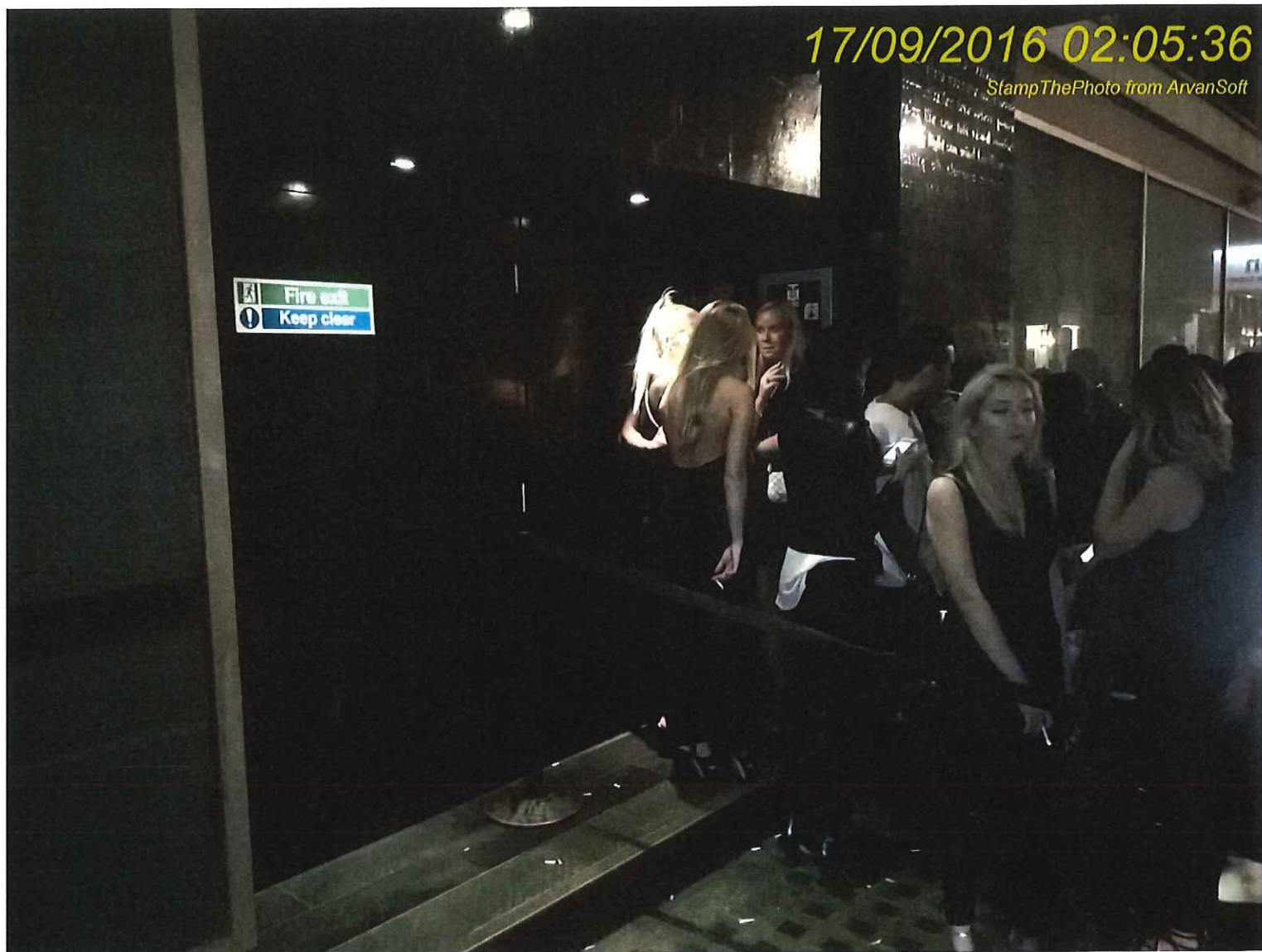
Stamp The Photo from ArvanSoft



17/09/2016 02:05:36

StampThePhoto from ArvanSoft

Fire exit
Keep clear



17/09/2016 02:06:04

StampThePhoto from ArvanSoft



APPENDIX 4

Licence & Appeal History

Application	Details of Application	Date Determined	Decision
05/02649/LIPC	Conversion of the Justices' On licence, supper hours certificate, extended hours order, special hours certificate and music and dancing licence	05.06.2005	Granted under delegated authority
06/04552/LIPN	Application for new premises licence for (formerly Whisky Mist @Zeta) as part of the Hilton Hotel	06.07.2006	Granted by Licensing Sub Committee
08/03856/LIPV	Variation to vary the internal layout of the Zeta nightclub on the ground floor (formerly Whisky Mist @Zeta) as part of the Hilton Hotel	10.06.2008	Granted by Licensing Sub Committee
08/10877/LIREVP	Review of the Whisky Mist @Zeta licence 08/03856/LIPV as part of the Hilton Hotel by the Metropolitan Police The review was brought by the Metropolitan Police on the grounds of Crime and Disorder	The review hearing was adjourned as the premises licence 08/03856 was surrendered.	
08/11179/LIPN	Application for a new premises licence	12.02.2009	Granted by Licensing Sub Committee
09/06103/LIPV	-To vary condition 21 so that it reads "Subject to the use of the entrance door and lobby door on Hertford Street in accordance with condition 27, the emergency exit doors shall be maintained closed at all times and the emergency exit doors shall not be used for general	26.10.2009	Granted under delegated authority

	<p>access or egress at any time except in cases of emergency.</p> <ul style="list-style-type: none"> - That the doors leading back into the foyer of the Hotel cease to be designed emergency exit doors and that the route leading to those doors ceases to be an escape route subject to the works to the two remaining fire exists as on drawing 02_0022 Revision D being completed. -To remove condition 22 which relates to the placing of tables and loose seating on the emergency exit route leading to the hotel foyer. -To remove condition 59 as the requirements referred to in that condition have been fulfilled. 		
10/09040/LIPDPS	Variation of the DPS	03.02.2011	Granted under delegated authority
11/06575/LIPDPS	Variation of the DPS	08.07.2011	Granted under delegated authority
11/06575/LIPDPS	Variation of the DPS	04.08.2011	Granted under delegated authority
12/00098/LIPDPS	Variation of the DPS	08.03.2012	Granted under delegated authority
12/01150/LIPVM	Minor variation to vary Condition 22 so that capacity of Main Room is 200 (the capacity of the premises remaining at 240).	07.03.2012	Granted under delegated authority
13/05077/LIPV	Variation application 1) To vary condition 22 so that the capacity	28.08.2013	Granted under delegated authority

	<p>in the main room is increased to 220. The capacity of the Luxe Room is to remain as 80.</p> <p>2) Alterations of the premises to include a reconfiguration of lavatories.</p>		
13/06668/LIPV	<p>Variation application:</p> <ul style="list-style-type: none"> -To change the layout of the premises to include a revised layout of the Luxe Room which includes re-located bar servery and DJ desk, and the installation of a DJ podium pulpit in the Main Room; -To amend condition 11(a) in relation to the use of polycarbonate drinking vessels so as to include the use of ceramic drinking vessels; -To vary condition 12 deleting the words "save for a maximum of 25 guests per night who may be admitted at the managers discretion" and replace with the words "save for those admitted at the managers discretion"; -To vary condition 14 deleting the words "with no more than 240 persons at any one time" so that it reads "with no more than 300 persons at any one time" in line with the current combined approved capacities for the Main Room and the Luxe Room; -To remove condition 40 and to vary 	24.10.2013	Granted under delegated authority

	condition 30 so that it reads as follows "subject to the use of the entrance door and lobby on Hertford Street, the emergency exit doors shall be maintained and closed at all times and the emergency exit doors shall only be used for access to and from the designated smoking area, and in the case of emergency. The access to and from smoking area, and the smoking area itself will be under constant supervision by a member of staff wearing a high visibility coat		
13/07782/LIPDPS	Variation of the DPS	28.10.2013	Granted under delegated
13/07827/LIPVM	Minor Variation Application -To vary the existing premises licence so as to incorporate amendments to conditions numbered 11a, 12, 38, 48 and 58. -To add an additional condition to the licence .	28.10.2013	Granted under delegated
13/09263/LIPDPS	Variation of the DPS	09.12.2013	Granted under delegated
14/00213/LIPV	Variation Application 1.To vary condition 14 2.To vary condition 5	17.03.2014	Granted under delegated
14/00251/LIPVM	Minor Variation to vary Condition 12	29.01.2014	Granted under delegated
14/01088/LIPVM	Minor Variation to vary the layout and plans to show a reconfiguration of male toilets.	21.02.2014	Granted under delegated
14/11470/LIPDPS	Variation of the DPS	21.01.2015	Granted under delegated
15/03812/LIPVM	Minor Variation to: -configure the internal configuration of the	11.06.2015	Granted under delegated

	<p>premises.</p> <ul style="list-style-type: none"> -A works condition will be added to licence - to amend Condition 14 of the premises -To amend Condition 20 of the premises. - To amend Condition 37 of the premises. - To add a new condition 45 -The emergency exit doors on Hertford Street shall be soundproofed so that no music is reasonably audible at one metre from the facade of the premises. 		
15/04211/LIPT	<p>Application to transfer the premises licence from Hilton UK Corporate Director Limited (formerly Metropole Hotels Limited) to Hilton Worldwide Limited</p>	03.07.2015	Granted under delegated
15/06225/LIPVM	<p>Minor Variation to change layout so as to block off direct access from NCP Car Park to the premises.</p>	14.08.2015	Granted under delegated
16/05966/LIPVM	<p>Minor Variation</p> <ul style="list-style-type: none"> -to approve alterations to the premises to install retractable curtains to reduce the operational area of the premises on occasions, -amendments to condition 19 and 30 to the premises licence and inclusion of an additional condition in respect of the provision of door supervision when the curtains are in use. 	30.06.2016	Granted under delegated

There is no appeal history

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

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

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

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

Conditions: On Current Licence -

Mandatory:

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
4.
 - (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);

- (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
5. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
6. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
- (a) a holographic mark, or
 - (b) an ultraviolet feature.
7. The responsible person must ensure that—
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

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

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

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

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

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

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

Where -

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

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

- (i) the holder of the premises licence,
- (ii) the designated premises supervisor (if any) in respect of such a licence, or
- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

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

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

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

- 8(iv).
 - (1) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
 - (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.
9. Admission of children to the premises must be restricted in accordance with the film classification recommended by the British Board of Film Classification or recommended by this licensing authority as appropriate.
10. All persons guarding premises against unauthorised access or occupation or against outbreaks of disorder or against damage (door supervisors) must be licensed by the Security Industry Authority.

Annex 2 – Conditions consistent with the operating Schedule

11. (a) All drinking vessels used in the venue shall be polycarbonate. All drinks in glass bottles are to be decanted into polycarbonate containers or polycarbonate carafes prior to being served, with the exception of champagne or bottles of spirits with a minimum size of 70cl supplied by waiter/waitress service to tables, or mixers served in cans. Staff shall clear all empty champagne and spirit bottles, and empty cans from the tables. Customers shall not be permitted to leave their table carrying any such glass bottles or drink directly from the bottle.
- (b). Notwithstanding condition a) above, with the written agreement of the Westminster Licensing Police, a copy of which will be held at the premises reception, glass drinking vessels may be used for private or pre-booked events within the lounge/club area.
12. Save for private corporate events are taking place (when a full detailed list of attendees will be kept on the premises for 31 days after the event), when the premises are open, and save for when a Biometric Scanning System is in place (when fingerprint scanning will be required for all customers who have previously shown identification at the premises) all customers entering the premises will have their ID scanned on entry save for a maximum number of 40 guests per night who may be admitted at the managers discretion without ID being scanned and recorded, and that a legible record of these people's names shall be retained on the premises for inspection by the licensing authority and police for a period of 31 days. The name of the manager authorising the entrance without scanning will also be recorded.
13. On entry staff will actively promote to patrons the facility for the storage of handbags, free of charge, in the cloakroom.
14. Save for private corporate events, when the premises are opened a nominated member of staff shall be present outside the premises at all times that the premises are in use under this licence to monitor the area outside the premises to ensure that there is proper supervision of door staff, valet staff and mini-cab staff and that any potential disturbance is addressed.
15. All door supervisors employed at the entrance or outside the venue shall wear yellow high visibility jackets or vests
16. Save for private corporate events when the premises are open, all customers entering the premises must be searched (pat-down of outer garments as a minimum). All bags being carried by customers upon entry to the premises must be hand searched at all times.
17. The premises will operate a Management Committee to ensure licensing compliance.
18. The Committee will meet on a weekly basis, a record of which will be available on request to the Police or Local Authority and retained for a period of 12 months.
19. The number of persons accommodated at any one time (excluding staff) shall not exceed 300 and when the retractable curtains are in use to reduce the operational area the number of persons accommodated at any one time (excluding staff) shall not exceed 240.

20. The entrance doors and inner lobby doors shall be kept closed at all times except for the immediate access and egress of patrons.
21. The door on Hertford Street shall be maintained closed at all times except in the case of emergency.
22. A designated area reserved for smokers shall be agreed with the Licensing Authorities Environmental Health Consultation team. No more than 20 persons shall be in the designated smoking area at any one time.
 - (a). Whenever in use, the designated smoking area shall be clearly defined by ropes and stanchions or similar and under the constant supervision of a licensed door supervisor wearing a high visibility coat.
23. The emergency exit doors on Hertford Street shall be soundproofed so that no music is reasonably audible at one metre from the facade of the premises.
24. At least 6 door supervisors are to be employed at the premises whilst it is open to the public, except Fridays and Saturdays when a minimum of 8 door supervisors (including 1 female) shall be employed at the premises and Sundays when a minimum of 8 shall be employed at the premises. From 22:00 hrs a minimum of 2 door supervisors shall be permanently positioned at the entrance to the premises.
25. A door supervisor will be positioned in front of the retractable curtains when they are in use and fully drawn to reduce the operational area of the premises to prevent unauthorised access to the part of the premises not open to the public at that time.

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

26. This Licence is subject to all the former Rules of Management for Places of Public Entertainment licensed by Westminster City Council, in force from 4 September 1998 and incorporating amendments agreed by the Council on 25 October 1999, 30 June 2000, 16 January 2001 and 1 October 2001.
27. Substantial food and suitable non-intoxicating beverages, including drinking water, shall be available throughout the permitted hours in all parts of the premises where intoxicating liquor is sold or supplied.
28. After 22.00 hours the sale of alcohol must be ancillary to the use of the premises for music and dancing and substantial refreshment.
29. No drinks shall be consumed outside the premises nor glasses/bottles removed from the premises by patrons when leaving.
30. The provision of films shall be incidental to other licensable activities and there shall be no cinema style showing of films.
31. Curtains and hangings shall be arranged so as not to obstruct any emergency signs or exits, save the fire exit from the premises leading into the neighbouring hotel shall not be regarded as a fire exit when the retractable curtains shown on the Premises Licence plans are in use and dully drawn to reduce the operational area of the premises and the capacity of persons on the premises at any one time (excluding staff) does not exceed 240.
32. All fabrics, curtains, drapes and similar features shall be either non-combustible or be durably or inherently flame-retarded fabric.
33. Flashing or particularly bright lights on or outside the premises shall not cause a nuisance to nearby properties (save insofar as they are necessary for the prevention of crime).
34. Any entertainment, performance, service, or exhibition involving nudity or sexual stimulation which would come within the definition of a sex establishment in Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 as amended by the Greater London Council (General Powers) Act 1986 (whether or not locally adopted), shall not be provided.
35. No striptease, no nudity and all persons on the premises to be decently attired.
36. The premises shall install and maintain a comprehensive digital CCTV system as per the minimum requirement of the Metropolitan Police Crime Prevention Officer. All entry and exit points will be covered and the street environment where queues and smokers may gather. The CCTV system must enable frontal identification of every person entering in any light condition. All cameras shall continually record whilst the premises are open for licensable activities and the recordings shall be kept available for a minimum of 31 days with time and date stamping. Digital recordings shall be made immediately available to an authorised officer of the City Council or a police officer together with facilities for viewing throughout the following 31 day period.

37. A diary log shall be maintained to ensure that the capacity limit set for the premises is recorded hourly from when the premises open to closing time. This log must show the number of persons having entered the premises and left the premises within the hour and the running total. Both the head door supervisor and manager shall sign the records hourly to verify the running totals. Information regarding the capacity shall be given to an authorised officer or Police Officer on request.
38. An attendant shall be stationed in the cloakroom during the whole time it is in use.
39. 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 when 10 days prior notice is given to the Licensing Authority and written consent is provided from the EH Consultation Team (where consent has not previously been given);
 - o dry ice and cryogenic fog
 - o smoke machines and fog generators
 - o pyrotechnics including fire works
 - o firearms
 - o lasers
 - o explosives and highly flammable substances
 - o real flame
 - o strobe lighting
40. A noise limiter located in a separate and remote lockable cabinet from the volume control must be fitted to all musical amplification systems. Music volumes must be set at a level determined by and to the satisfaction of an authorised officer of the Environmental Health Service's Community Protection Department so as to ensure that no noise nuisance is caused to local residents or businesses. The operational panel of the noise limiter shall then be secured to the satisfaction of officers from the Environmental Health Service. The keys securing the noise limiter cabinet shall be held by the applicant only, and shall not be accessed by any other person. The limiter shall not be altered without prior agreement with the Environmental Health Service.
41. No alteration or modification to any existing sound system(s) should be effected without the prior knowledge of an authorised Officer of the Environmental Health Service.
42. No additional sound generating equipment shall be used without being routed through the sound limiter device.
43. No loudspeakers shall be located in or near the entrance lobby.
44. Noise from acoustic or amplified music shall not be audible at or in occupied premises in the vicinity at any time.
45. Notices shall be prominently displayed at the exit requesting patrons to respect the needs of local residents and to leave the premises and the area quietly.
46. A member of the management team shall ensure that queuing by patrons outside the premises is conducted in a quiet and orderly manner so as not to cause nuisance.

47. The Premises Licence Holder shall employ the services of a competent acoustic consultant to carry out a survey of Whisky Mist at Zeta to determine:
- o Transmission of structure borne noise
 - o Noise breakout

A noise report of the findings of the survey shall be produced identifying sound insulation and sound reduction measures, conclusions, recommendations and time scales.

A copy of the noise report shall be submitted to the Environmental Health Service Consultation team for comment after which time all recommended works shall be carried out.

48. All licensable activities must end no later than 03:00 hrs save that the playing of recorded music and dancing must end no later than 03:15 hrs and the provision of late night refreshment must end no later than 03:30 hrs.
(Proposed amendment to read):

All licensable activities must end no later than 04:00 hrs save that the playing of recorded music and dancing must end no later than 04:15 hrs and the provision of late night refreshment must end no later than 04:30 hrs.

49. The premises must close to the public no later than 03:30 hrs.
(Proposed amendment to read):

The premises must close to the public no later than 04:30 hrs.

50. No customers may enter or re-enter the premises after 01:00 hrs (save for customers who have temporarily left the premises to smoke tobacco products) with the exception that customers who have pre-booked entry prior to midnight and whose names are on a list may enter between 01:00 - 02:00 hrs. This list must be kept at the premises and made available to police and local authority officers on demand. **(Proposed amendment to read):**

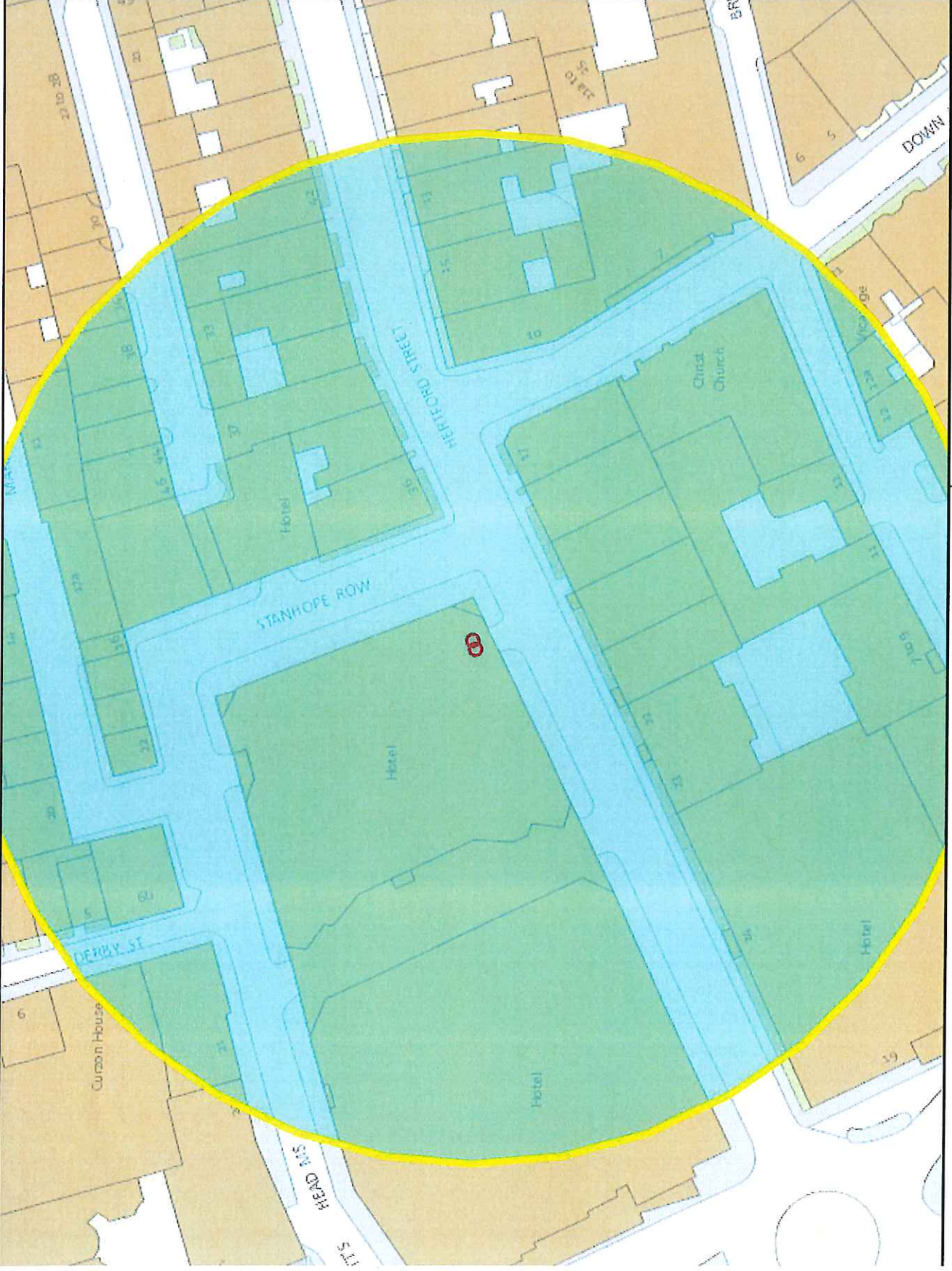
No customers may enter or re-enter the premises after 02:00 hrs (save for customers who have temporarily left the premises to smoke tobacco products) with the exception that customers who have pre-booked entry prior to midnight and whose names are on a list may enter between 02:00 - 03:00 hrs. This list must be kept at the premises and made available to police and local authority officers on demand

51. Mr Michael Charles Shepherd is not to have any control or involvement in the operational management of the premises.
52. There shall be a personal licence holder on duty at the premises at all times when the premises are open to the public.
53. Security at the premises must be supplied by an independent company to that of the Hilton Hotel's in-house security. All incident management and recording shall be the responsibility of the Duty Management at Whisky Mist @Zeta. The Hilton Hotel's security shall have no involvement in the management or reporting of incidents at the premises.

54. A drinks policy as set out in the attached 'Whisky Mist @ Zeta Action Plan' will be operated. All staff shall be trained on this policy and new members of staff shall have training on induction. A signed record shall be kept of all persons so trained and stored for a minimum of 12 months.
55. There shall be no promotional sales of alcohol at the premises where alcohol is sold at a price lower than that at which the same or similar alcoholic drinks are sold, or usually sold, on the premises.
56. There shall be no complimentary alcoholic drinks for customers, save for bona fide guests of the Duty Manager. A list of all those receiving complimentary drinks shall be maintained at the premises. The list shall be signed by the manager and made readily available for inspection by a Police Officer upon request.
57. A staff member who is conversant with the operation of the CCTV system shall be available to be in the premises without delay at all times when the premises is open to the public. The staff member shall be able to show Police recent data or footage with the absolute minimum of delay when requested.
58. The premises must be operated in strict accordance with the contents of the Whisky Mist @ Zeta Action Plan as attached or any subsequent agreed amended document between the licence holder and the Metropolitan Police Services.
59. A dedicated member of staff shall monitor the customers behaviour and report any customers who behave in a suspicious manner or show signs of drunkenness to the Duty Manager and the Duty Manager shall take the necessary action to prevent any incident occurring. A record will be maintained in the daily incident log of the premises, detailing the above information.
60. All front of house staff shall receive refresher training regarding the Licensing Act 2003 at least twice yearly.
61. A daily incident log shall be correctly maintained at the premises and signed at the end of each day by the Duty Manager. The log shall be made available upon request to an authorised Officer of the Council or the Police, which will record the following:-
 - a) All crimes reported to the venue
 - b) All ejections of patrons
 - c) Any complaints
 - d) Any incidents of disorder
 - e) Seizure of drugs or 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
62. A daily Door Supervisor log shall be correctly maintained at the premises and signed at the end of each day by the Duty Manager. This will include: The printed name of the Door Supervisor/ Badge number/Expiry date of SIA Licence and a signature of the Door Supervisor.
63. If any event at the premises includes the services of an external promoter or external DJ, performer or other similar artist, then at least 14 days before that event the

premises must complete and submit to the Clubs and Vice Unit of the Metropolitan Police a Metropolitan Police Risk Assessment Form (Form 696).

64. Promoters used by the premises (whether internal or external) must follow the Code of Conduct for Promoters (as attached).
65. All bottled beers are to be decanted into polycarbonate vessels. No glass bottles of beer may be provided to customers.
66. To monitor the behaviour of patrons leaving the premises and if behaviour is not appropriate to ban such persons from using the premises.
67. To continue liaison with the relevant authorities in order to reduce/remove the problems of illegal parking and illegal taxi operations in Hertford Street.
68. No persons under 18 years of age will be admitted at any time.
69. Proof of age will be required by the production of a passport or photo driving licence or a PASS approved identification from any person who appears to be under 21 years of age.
70. The reception area shall be kept clear of all equipment other than a small reception desk and a computer/till for payment.



Residential / Proposed Residential	Under Construction	Other Uses	Proportion Residential of all Uses
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Data Source: Uniform Database
Date: 30/09/2016

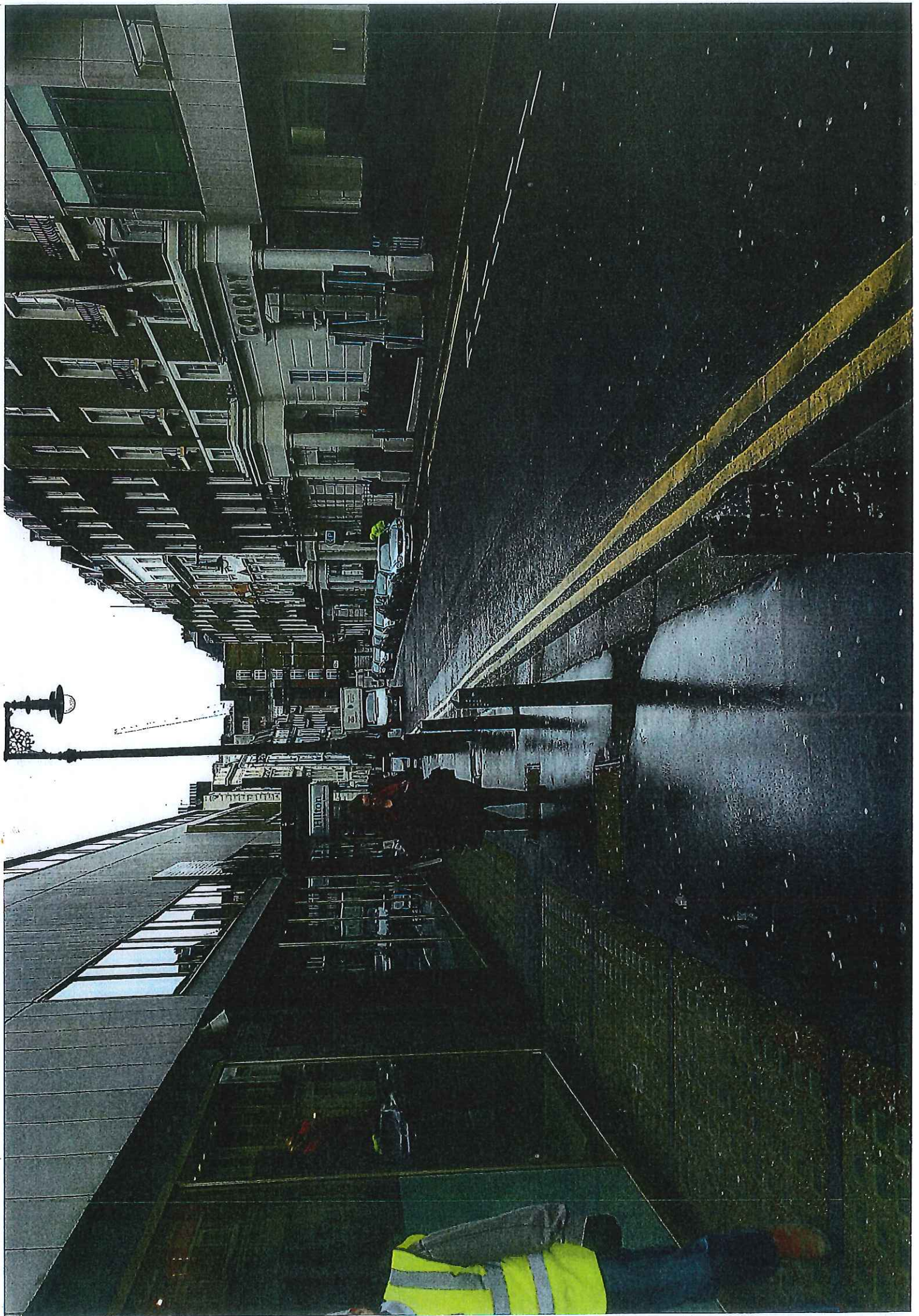
Premises within 75 metres of: Drama 35 Hertford Street London

p / n	Name of Premises	Premises Address	Licensed Hours
15263	Park Lane Club London	Park Lane Casino 22 Park Lane London W1K 1BE	Monday to Sunday 00:00 - 00:00
-11034	Park Lane Mews Hotel	Park Lane Mews Hotel, 2 - 6 Stanhope Row London W1J 7BS	Monday to Sunday 00:00 - 00:00 Monday to Saturday 09:00 - 00:30 Sunday 09:00 - 23:30 Monday to Saturday 10:00 - 02:00 Sunday 12:00 - 00:00
2718	The Colony Club	24 Hertford Street London W1J 7SA	Monday to Sunday 00:00 - 23:59
21201	Prezzo	Basement And Ground Floor 17 Hertford Street London W1J 7RS	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
-18812	Drama	35 Hertford Street London W1J 7SD	Monday to Sunday 10:00 - 03:30
25061	London Hilton	London Hilton 22 Park Lane London W1K 1BE	Monday to Sunday 00:00 - 23:59



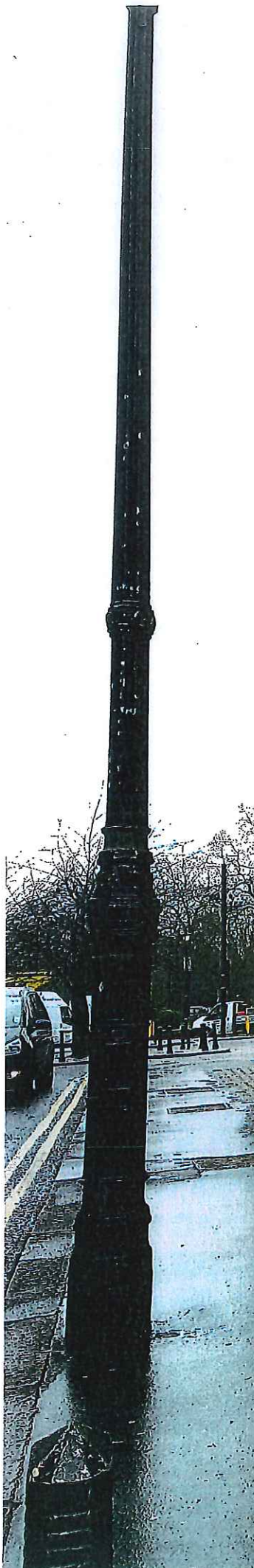
WHISKY MIST
AT ZETA

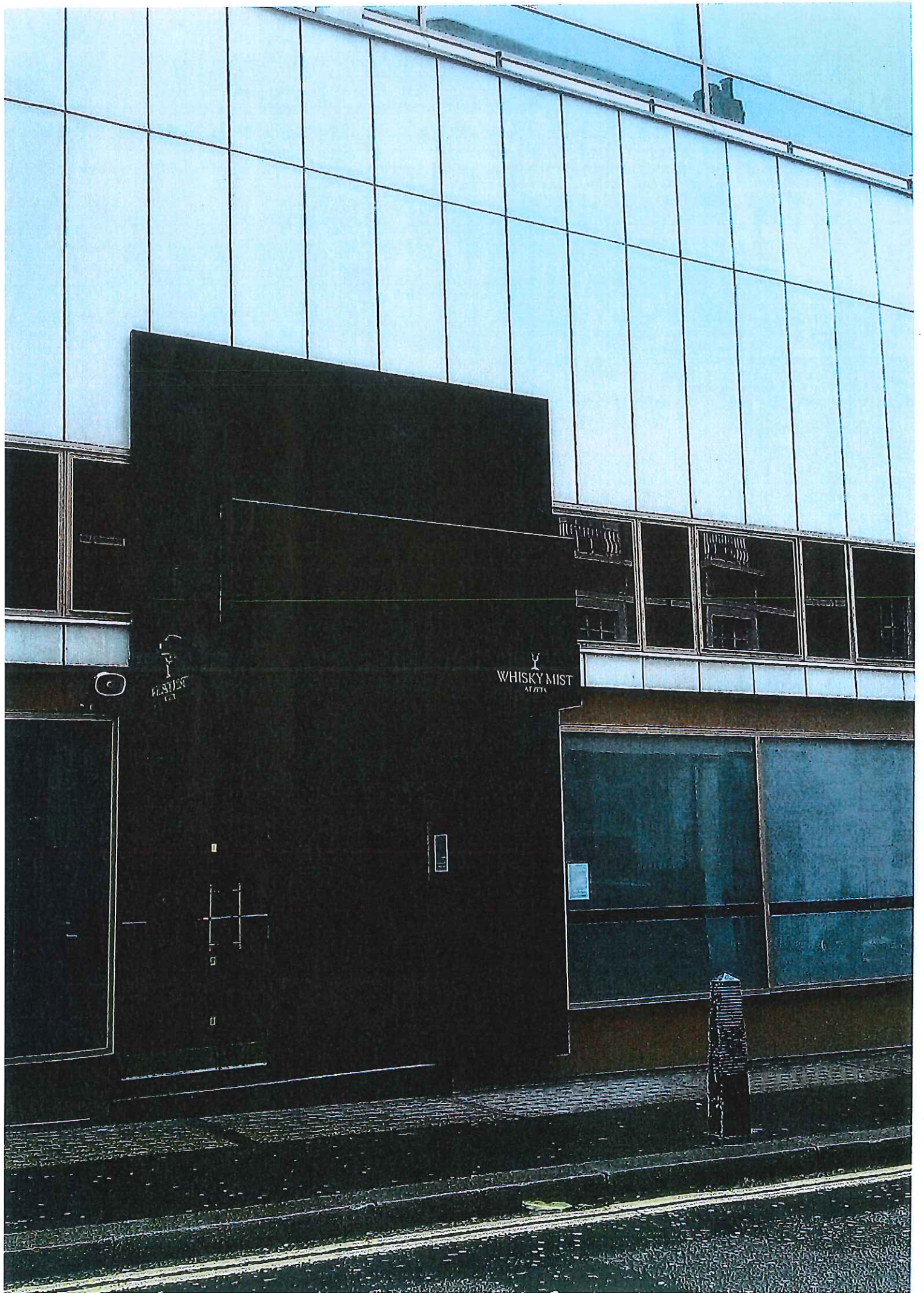






WHISKY MIST
AT ZETA





WHISKY MIST

WHISKY MIST
AT 77A