



City of Westminster

Licensing Sub-Committee Report

Item No:	
Date:	20 October 2016
Licensing Ref No:	16/08818/LIPV - Premises Licence Variation
Title of Report:	Christie's 8 King Street Covent Garden London
Report of:	Director of Public Protection and Licensing
Wards involved:	St James's
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Mr Nick Nelson Senior Licensing Officer
Contact details	Telephone: 020 7641 3431 Email: nnelson@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	Variation of a Premises Licence, Licensing Act 2003		
Application received date:	17 August 2016		
Applicant:	Christie Manson & Woods Limited		
Premises:	Christie's		
Premises address:	8 King Street Covent Garden London SW1Y 6QT	Ward:	St James's
		Cumulative Impact Area:	None
Premises description:	The premises is an auction house, made up of public galleries for the purpose of exhibiting, and holding auctions of, works of art and other property. The premises also have non-public office and storage areas.		
Variation description:	<p>In summary, the proposed variation would:</p> <ul style="list-style-type: none"> • permit the sale of alcohol for consumption both on and off the premises; • permit the showing of films; • extend the hours of opening by half an hour each day; and • extend the licensable area to include the first and second floors <p>Sale of alcohol: The existing premises licence already permits sale of alcohol for consumption off the premises. This covers the wine auction activities conducted from the premises. These licensed activities will continue.</p> <p>The proposed variation would additionally allow the sale of alcohol for consumption on the premises. This would cover any Christie's hosted event or any private hire of the premises where alcohol is sold (either by charging at the event or by way of a ticket price charged in advance). By way of example, such events might include Christie's late night openings, private cocktail receptions and/or charity auctions where a ticket price is charged in aid of charity, wine tasting evenings, dinners, staff Christmas or Summer parties.</p> <p>Films: Christie's would additionally like the ability to show brief films at the premises, in case this is a desired component of any future Christie's or private hire event. The applicant envisages that this licensed activity would take place on very rare occasions only.</p>		

	<p>The soundtrack of the film (whether spoken words or recorded music) would be audible through a speaker system linked to the screen in the room where the film is shown.</p>
<p>Premises licence history:</p>	<p>The premises has held a premises licence since at least conversion in 2005. The current licence holder has held the premises licence during that time. This is the first application to alter the premises licence since it was first granted.</p>
<p>Applicant submissions:</p>	<p>The applicant has stated the following in their operating schedule:</p> <p>Supervision of licensed activities by designated premises supervisor and other suitably trained individuals. The designated premises supervisor will continue to supervise the supply of alcohol for consumption off the premises (i.e. Christie's wine auctions) in his capacity as International Head of Christie's Wine Department. He will delegate the supervision of the supply of alcohol for consumption on the premises to suitably trained individuals being designated Christie's employees and/or the representatives of Christie's catering sub-contractor William Norris Ltd.</p> <p>Christie's has appropriate security systems and security personnel operating at the premises 24 hours a day, to protect both property and people. The security personnel are all SIA licensed.</p> <p>The security team conduct an event risk review for each event to determine if the activities at the event, the volume of guests, the value or type of property or other factors require enhanced security. As well as monitoring security within the premises, they also monitor security around the perimeter of the premises (for example when guests arrive at or leave an event) to ensure no crime or disorder.</p> <p>As the premises are private property Christie's has the right to refuse entry to those it considers a danger or a nuisance, or ask them to leave. These rights are expressly reserved in our auction conditions, and in our event hire terms and conditions.</p> <p>Most events where alcohol is served are by invitation only with a pre-determined guest list. There may occasionally be late night openings or public art fairs where the premises are open to the general public and alcohol is served, but these would be very limited in number.</p>

To minimise the risk of disorder, alcohol is only served inside the building. It will not be served to those who are under age or who appear to be intoxicated. Individuals in Christie's events team have attended training for and passed the Level 2 Award for Personal Licence Holders. Christie's catering sub-contractor, William Norris Ltd, has also conducted suitable training for those staff deployed at Christie's premises.

Christie's has security personnel on the premises 24 hours a day to ensure the safety and security of those on the premises.

Christie's has conducted a general risk assessment to identify and mitigate health & safety related risks relating to the premises. The Events team has also conducted a risk assessment in relation to conducting event activities at the premises. The Security team conducts an event by event risk assessment and monitors the number of attendees during the event to ensure that safe levels are not exceeded.

All relevant Christie's personnel have completed Health and Safety training, and an appropriate proportion of individuals have first aid and defibrillator training.

Christie's catering contractor, William Norris Ltd, which serves the alcohol for on premises consumption and provides other catering services, has also carried out a risk assessment in relation to its activities at the premises and appropriately trained its personnel on both health and safety issues and alcohol licensing. In the event of an accident, Christie's has public liability insurance up to a level of £10million.

Alcohol will only be served inside the premises. Those supervising an event and those serving alcohol have been trained to not serve alcohol to individuals who already appear to be intoxicated.

Films and music will only be played inside the premises and the volume will be kept at a level so that it is not audible outside the premises.

Children are not generally present at events where alcohol is served or other licensable activities take place. Most events where alcohol is served are by invitation only with a pre-determined adult guest list.

There may occasionally be Late Night Openings or Public Art Fairs where the premises are open to the general

	<p>public and alcohol is served. These events are limited in number and to the extent that members of the public bring their children, William Norris' employees have been trained to adopt a 'challenge 25' system (their staff are advised to request ID from anyone they feel does not fit this criteria, and there is a 'challenge 25' poster on display throughout the events).</p> <p>Following discussions with Environmental Health and the Police, the applicant has proposed an additional 15 conditions to be added to the licence should the application be successful (see Appendix 4). On this basis, Environmental Health withdrew their representation.</p>
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1-B Current and proposed licensable activities, areas and hours						
Regulated Entertainment						
Exhibition of films						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	N/A	N/A	08:00	23:00	N/A	Ground, first & second floors
Tuesday	N/A	N/A	08:00	23:00	N/A	Ground, first & second floors
Wednesday	N/A	N/A	08:00	23:00	N/A	Ground, first & second floors
Thursday	N/A	N/A	08:00	23:00	N/A	Ground, first & second floors
Friday	N/A	N/A	08:00	23:00	N/A	Ground, first & second floors
Saturday	N/A	N/A	08:00	23:00	N/A	Ground, first & second floors
Sunday	N/A	N/A	10:00	22:00	N/A	Ground, first & second floors
Seasonal variations:	Current:				Proposed:	
	N/A				None	
Non-standard timings:	Current:				Proposed:	
	N/A				None	

Playing of Recorded Music						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	Unrestricted		No change		Ground floor	Ground, first & second floors
Tuesday	Unrestricted		No change		Ground floor	Ground, first & second floors
Wednesday	Unrestricted		No change		Ground floor	Ground, first & second floors
Thursday	Unrestricted		No change		Ground floor	Ground, first & second floors
Friday	Unrestricted		No change		Ground floor	Ground, first & second floors

Saturday	Unrestricted	No change	Ground floor	Ground, first & second floors
Sunday	Unrestricted	No change	Ground floor	Ground, first & second floors
Seasonal variations/ Non-standard timings:	Current:		Proposed:	
	N/A		No change	
	N/A		No change	

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

	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	Unrestricted		No change		Ground floor	Ground, first & second floors
Tuesday	Unrestricted		No change		Ground floor	Ground, first & second floors
Wednesday	Unrestricted		No change		Ground floor	Ground, first & second floors
Thursday	Unrestricted		No change		Ground floor	Ground, first & second floors
Friday	Unrestricted		No change		Ground floor	Ground, first & second floors
Saturday	Unrestricted		No change		Ground floor	Ground, first & second floors
Sunday	Unrestricted		No change		Ground floor	Ground, first & second floors
Seasonal variations/ Non-standard timings:	Current:		Proposed:			
	N/A		No change		No change	
	N/A		No change		No change	

Sale by Retail of Alcohol

On or off sales	Current :				Proposed:	
	Off				Both on and off	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	08:00	23:00	No change		Ground floor	Ground, first & second floors
Tuesday	08:00	23:00	No change		Ground floor	Ground, first & second floors
Wednesday	08:00	23:00	No change		Ground floor	Ground, first & second floors
Thursday	08:00	23:00	No change		Ground floor	Ground, first & second floors
Friday	08:00	23:00	No change		Ground floor	Ground, first & second floors

Saturday	08:00	23:00	No change	Ground floor	Ground, first & second floors
Sunday	10:00	22:30	No change	Ground floor	Ground, first & second floors
Seasonal variations/ Non-standard timings:	Current:			Proposed:	
	N/A			No change	
	N/A			No change	

Hours premises are open to the public						
	Current Hours		Proposed Hours		Premises Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	08:00	23:00	08:00	23:30	Ground floor	Ground, first & second floors
Tuesday	08:00	23:00	08:00	23:30	Ground floor	Ground, first & second floors
Wednesday	08:00	23:00	08:00	23:30	Ground floor	Ground, first & second floors
Thursday	08:00	23:00	08:00	23:30	Ground floor	Ground, first & second floors
Friday	08:00	23:00	08:00	23:30	Ground floor	Ground, first & second floors
Saturday	08:00	23:00	08:00	23:30	Ground floor	Ground, first & second floors
Sunday	10:00	22:30	10:00	23:00	Ground floor	Ground, first & second floors
Seasonal variations/ Non-standard timings:	Current:			Proposed:		
	N/A			No change		
	N/A			No change		

1-C Layout alteration
Previously licensable activities were restricted to the ground floor only. The application requests licensable activities take place over the ground, first and second floors (see Appendix 1).

1-D Conditions being varied, added or removed
<ul style="list-style-type: none"> • Mandatory conditions relating to the on-sales of alcohol and the exhibition of films will be added to the premises licence. • The following conditions will be added to the premises licence: <ol style="list-style-type: none"> 1. There shall be no fixed bar at the premises. 2. The licensable activities authorised by this licence and provided at the premises are authorised only for as long as the licence holder's primary day to day business is that of an auction house. For the avoidance of doubt this

condition does not require an actual auction to be happening contemporaneously every time a licensable activity takes place.

3. Food and non-intoxicating beverages shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the Premises.
4. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
5. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
6. After 23:00 hours or at any time when regulated entertainment takes place, all windows in the immediate vicinity of any regulated entertainment shall be kept closed, and external doors shall also be kept closed except for the immediate access and egress of persons and property.
7. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.
8. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.
9. All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device.
10. All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.
11. 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.
12. A Challenge 21 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
13. 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 of

licensable activities 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.

14. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.

15. 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) any faults in the CCTV system
- (f) any refusal of the sale of alcohol
- (g) any visit by a relevant authority or emergency service

Adult entertainment:	Current position:	Proposed position:
	N/A	No change

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Metropolitan Police Service
Representative:	PC Bryan Lewis
Received:	13 September 2016
<p>With reference to the above application I am writing to inform you that the Police, as a Responsible Authority, object to your application for the variation of the Premises Licence as it is our belief that if granted the application may undermine the Licensing Objectives contained in the 2003 Licensing Act.</p> <p>Our objections relate to the following:</p> <ul style="list-style-type: none"> • Police will propose conditions to ensure this application promotes the licensing objectives • Further information is required to properly assess this application 	

3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
Policy HRS1 applies	(i) Applications for hours within the core hours will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy. (ii) Applications for hours outside the core hours will be considered on their merits, subject to other relevant policies and with particular regard to the criteria specified.
Policy PVC1 applies	Applications will generally be granted and reviews determined, subject to the relevant criteria in Policies CD1, PS1, PN1 and CH1.

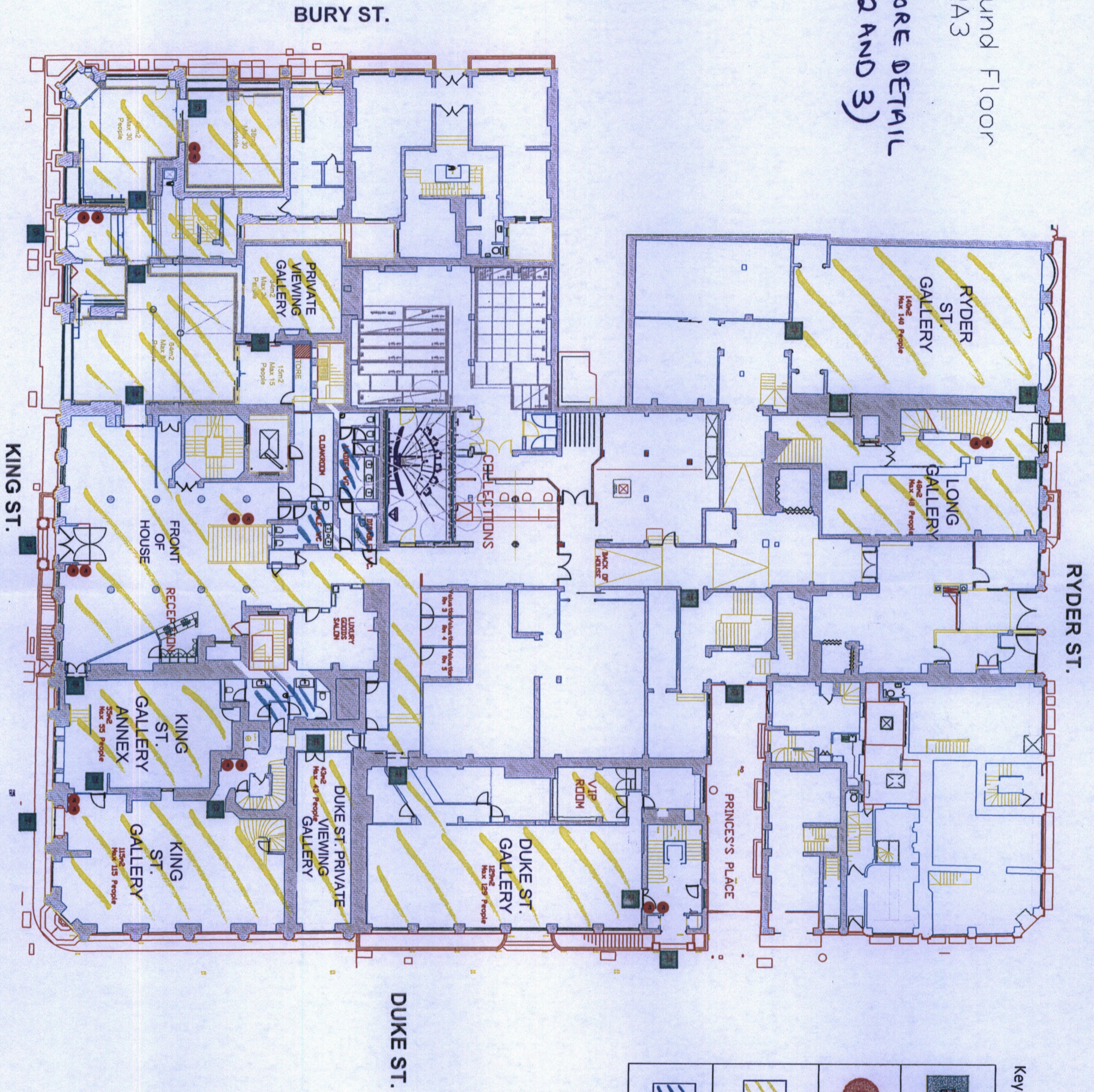
4. Appendices

Appendix 1	Premises plans
Appendix 2	Applicant supporting documents - none
Appendix 3	Premises history
Appendix 4	Proposed conditions
Appendix 5	Residential map and list of premises in the vicinity

Report author:	Mr Nick Nelson Senior Licensing Officer
Contact:	Telephone: 020 7641 3431 Email: nnelson@westminster.gov.uk

Appendix 1

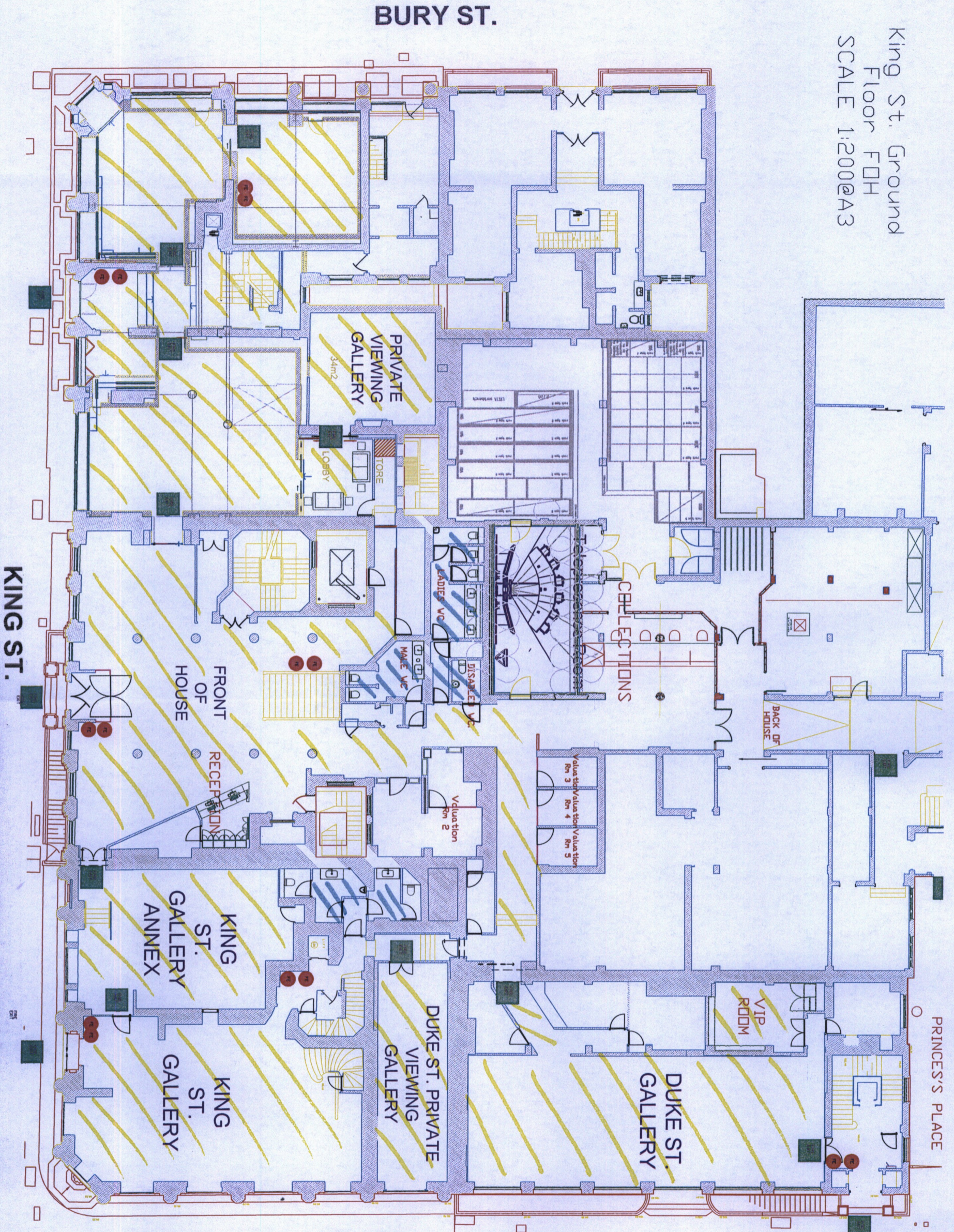
King St Ground Floor
 SCALE 1:300@A3
 (Shown in more detail
 ON PLANS 2 AND 3)



Key:

	Fire Exit
	Fire Extinguisher
	Area where licensable activities may take place
	Public conveniences

King St. Ground
 Floor FDH
 SCALE 1:200@A3



Key:

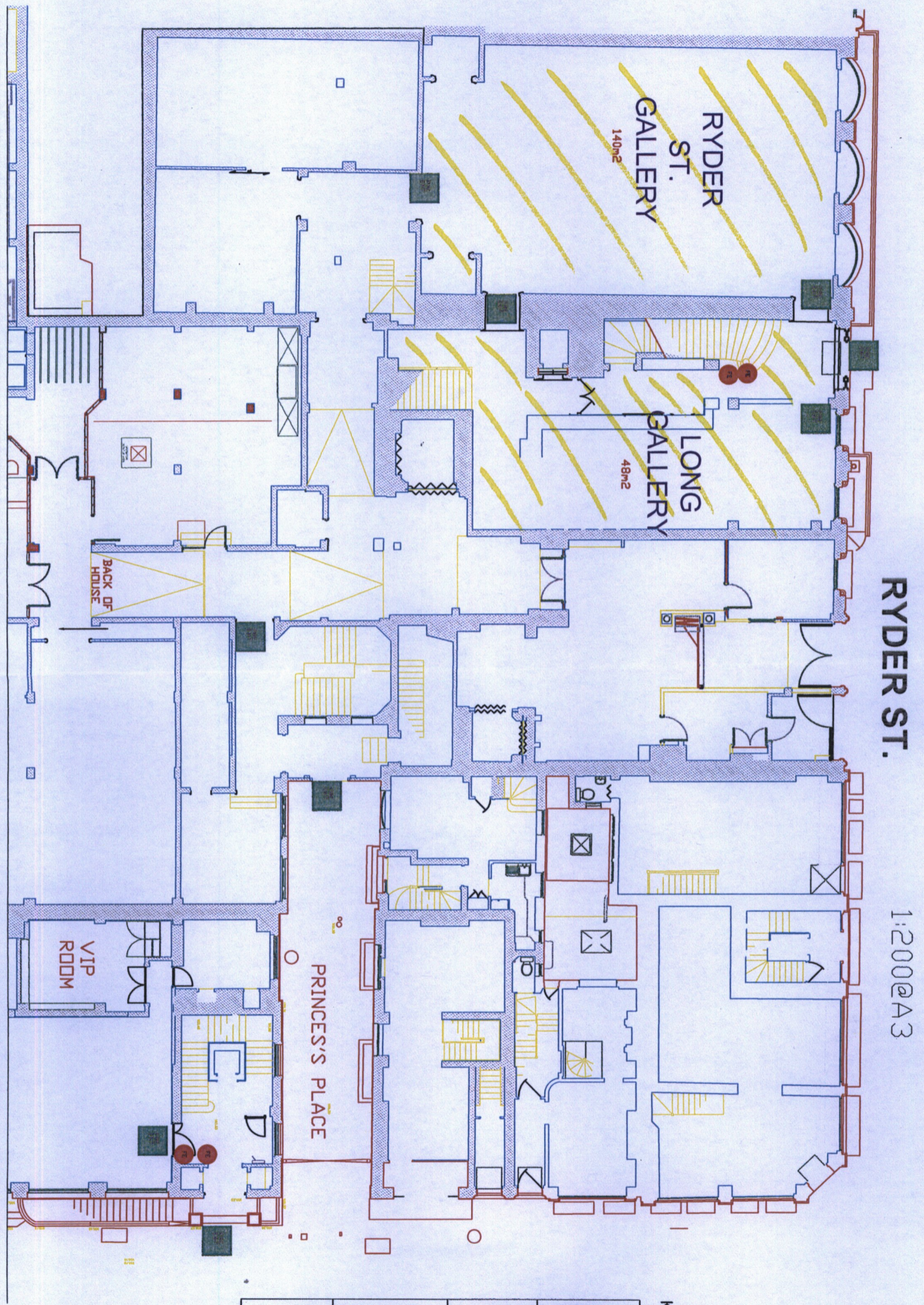
	Fire Exit
	Fire Extinguisher
	Area where licensable activities may take place
	Public conveniences

BURY ST.

KING ST.

DUKE ST.





PRINCESS'S PLACE



RYDER ST.

1:200@A3

Key:

	Fire Exit
	Fire Extinguisher
	Area where licensable activities may take place
	Public conveniences