

Licensing Sub-Committee Report

Item No:	
Date:	26 January 2017
Licensing Ref No:	16/11417/LIPN - New Premises Licence
Title of Report:	38 St John's Wood Terrace London NW8 6LS
Report of:	Director of Public Protection and Licensing
Wards involved:	Abbey Road
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Miss Heidi Lawrance Senior Licensing Officer
Contact details	Telephone: 020 7641 2751 Email: hlawrance@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	19 October 2016		
Applicant:	DrunchSW3 Limited		
Premises:			
Premises address:	38 St John's Wood Terrace London NW8 6LS	Ward:	Abbey Road
		Cumulative Impact Area:	None
Premises description:	The premises will be operating as a Public House.		
Premises licence history:	This premises did have a premises licence (06/11460/WCCMAP) which was surrendered on 24 th April 2015		
Applicant submissions:	Following discussions with the Metropolitan Police Service the applicant has reduced the opening hours on a Sunday from 23:00 until 22:30.		

1-B Proposed licensable activities and hours							
Sale by retail of alcohol				On or off sales or both:			Both
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	10:00	10:00	10:00	10:00	10:00	10:00	10:00
End:	23:00	23:00	23:00	23:00	23:00	23:00	22:30
Seasonal variations/ Non-standard timings:		From the end of trade on New Years Eve until the start of trade on New Years Day.					

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	10:00	10:00	10:00	10:00	10:00	10:00	10:00
End:	23:30	23:30	23:30	23:30	23:30	23:30	22:30
Seasonal variations/ Non-standard timings:		From the end of trade on New Years Eve until the start of trade on New Years Day.					
Adult Entertainment:		Not applicable.					

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Environmental Health Consultation Team
Representative:	Anil Drayan
Received:	10 th November 2016

The applicant has submitted plans of the premises, ref LP01 – 100, dated Oct 16, showing the licensed areas.

The applicant is seeking the following licensable activities:

1. Supply of Alcohol for 'On' and 'Off' the premises, Monday to Sunday from 10:00 to 23:00 and from end of trade on New Year's Eve to start of trade on New Year's Day.

I wish to make the following representations based on the plans and operating schedule submitted:

1. The Supply of Alcohol 'On' the premises and for the hours requested may have the effect of increasing Public Nuisance in the area.

Environmental Health also makes the following comments:

I understand the premises were previously licensed and that that operation ceased on 20th March 2015. Whilst operating under that previous licence a premises history check of Environmental Health records show numerous noise complaints made against the premises

It is not clear if the premises have undergone refurbishment for the proposed use and will in any case need to be inspected for Public Safety prior to public use.

The provision and standards of sanitary accommodation for any proposed capacity is recommended to be at least in line with British Standard 6465, as amended.

Some conditions have been offered in the operating schedule but they do not address all Environmental Health concerns, particularly for the use of any external areas

The applicant is requested to contact the undersigned to arrange a site visit to discuss all these issues and Environmental Health may then suggest additional conditions to allay its concerns.

2-B Other Persons	
Name:	Mr Billy Suid
Address and/or Residents Association:	36 St john's Wood Terrace London NW8 6JL
Received:	29 th October 2016
<p>We have looked at the application and can only object to it at this stage given that:</p> <ul style="list-style-type: none"> - The information about opening hours is currently not accessible on the application. While the application document indicates sales of alcohol between 10.00 and 23.00, a separate document titled "Email from applicant amending hours for sales of alcohol" was subsequently submitted. Its title clearly indicates that it intends to amend the hours for sale of alcohol and that document cannot be downloaded/viewed from the council website due to its unusual type (.msg). Given the importance of alcohol sale hour, without this information we can only object the application - There is no reference to prior experience of the proposed licence holder in the application document and a quick online search has not highlighted any. Running a public house of that size requires a high level of experience and we cannot support an application to someone with no experience - The application indicates that no recorded music would be played. Has this section been overlooked ? Public houses do tend to play some recorded music. <p>While we would support the return of the premise to fruitful use, this application lacks important information to know if it would be a benefit to the community.</p> <p>Given the location of the premise (opposite a school, with many families with children within earshot), it's vital that the right kind of establishments is supported.</p>	
Name:	Ms Mary Nolan
Address and/or Residents Association:	C/o Stephen Lindsey 37 Cameron House St Johns Wood Terrace NW8 6LR
Received:	4 th November 2016
<p>I am mortified to hear another pub is opening where the Star Pub was in St Johns Wood Terrace NW8 6LR.</p> <p>How can you expect families with young children to put up with the horrendous behaviour that went on there every single night? People out in the middle of the road screaming and shouting and smoking until all hours. I have a young grandson who lives there and every night he was crying with exhaustion through lack of sleep. He couldnt even do his homework for the noise of vulgar people swearing and shouting. This carried on into the small hours with the police being called every night several times and men running up the road with knives.</p> <p>How can you possibly agree planning permission to open yet another pub in a</p>	

residential area? It is not a 'family or community' place to go. It is rowdy and a nightmare to residents who have to try to go to work each day. It was running at a severe loss. The woman who ran it was given a substantial sum to leave. I has been absolute heaven since it closed. It is nothing short of child abuse to allow little children to hear behaviour like that every night. I know you are thinking of profit but do not put money above children's welfare.

I have stayed overnight at my grandsons and didnt sleep a wink until the early hours. It is cruelty beyond belief! There is a club on the opposite corner but that does not disturb people because they are not drinking and smoking outside all evening getting louder by the amount they drink. When there are cricket matches the supporters are standing in the middle of the road because there are so many of them. You would think they were in the room with you. We cant hear each other talk. In any other situation there would be a noise abatement order slapped on them. The police are sick and tired of being called out to them. Do please check!

This planning application has to be declined. Nowhere in London or anywhere would this application be approved. The expense alone for police being called out is horrendous. Far out weighing the rates the council would get for it.

I will have to take this to Downing Street if you allow it. It is sickening to see my grandchild crying because he cannot get to sleep and falling asleep in class because of these selfish drinkers and smokers. There has been young underage people going in there as well as many people selling stolen goods in there and this will continue I am certain.

So make a stand and do the correct think and reject this application with immediate effect. It is a no brainer.

My son lives at St Johns Wood Terrace. He has been through so much. He lost his wife because the ambulance didnt show up for over three hours and his wife died in the ambulance after screaming with internal bleeding all that time. Now my grandson, who saw the whole thing going on as well, cant even get a nights sleep which is every child's right.

It is because they are allowed to drink and smoke in the street. The smoke is coming into my son's apartment which is illegal. The noise is unbearable.

This application must not go ahead.

3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
Policy PB1 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:	(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. (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.

4. Appendices

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

Report author:	Miss Heidi Lawrance Senior Licensing Officer
Contact:	Telephone: 020 7641 2751 Email: hlawrance@westminster.gov.uk

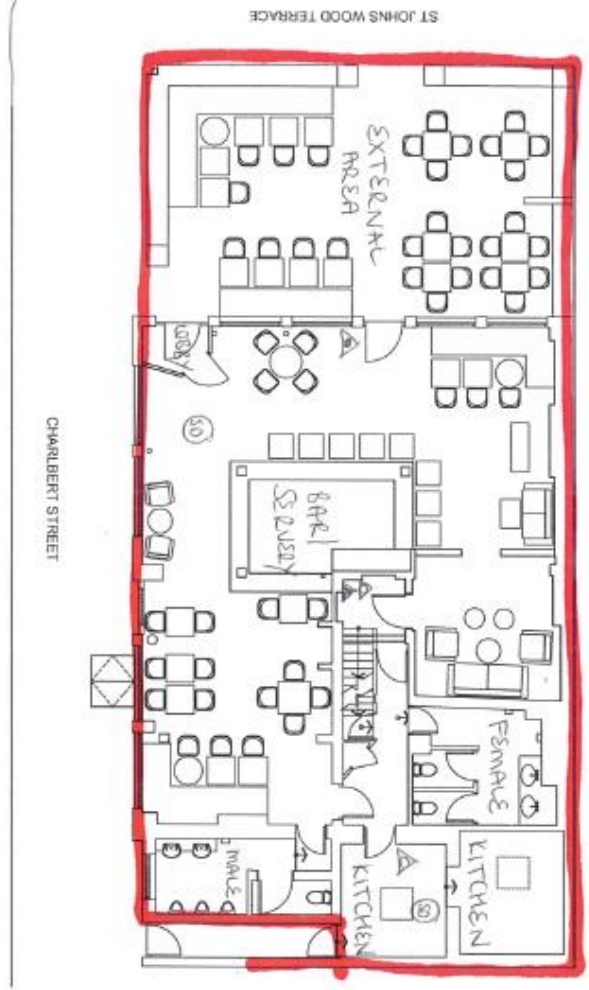
If you have any queries about this report or wish to inspect one of the background papers please contact the report author.

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	19 th October 2016
5	Representation – Environmental Health	10 th November 2016
6	Representation – Mr Billy Suid	29 th October 2016
7	Representation – Mary Nolan	4 th November 2016

Premises Plans

- LEGEND**
- ☐ Sand Bucket
 - ☐ Dry Powder Extinguisher
 - ☐ Aqueous Foam Fire Extinguisher
 - ☐ Fire blanket in container
 - ☐ Water Fire Extinguisher
 - ☐ Foam Fire Extinguisher
 - ☐ Carbon Dioxide Fire Extinguisher
 - ☐ Escape lighting that will illuminate upon failure of the normal lighting power supply
 - ☐ Fixed Sealing
 - ☐ Flood Lighting
 - SD Smoke Detector
 - HD Heat Detector
 - ☐ Fire Alarm Call Point With Fire Action Sign Adjacent
 - ☐ Fire Alarm Sounder
 - ☐ Fire Exit Sign
 - ☐ Door Which Are Provided With A Panic Bolt
 - ☐ "Fire Door Keep Locked" Sign
 - ☐ Vision panel - constructed of 5mm Polycarbonate or approved F.R. clear glazing in 25x25mm H.W timber framing and bedded in intumescent compound



*All licensable activities occur within the red line
Loose furniture is indicative only*

LICENSING PLAN
 GROUND FLOOR
 THE STAR
 38 ST. JOHNS WOOD TERRACE
 ST JOHNS WOOD
 LONDON
 NW9 6LS
 JANUARY 17
 SCALE 1 : 100 @ A3



Applicant Supporting Documents



Report by St John Wood's Society's on Assets of Community Value

Part 5 Chapter 3 of the Localism Act 2011 provides for a scheme called Assets of Community Value.

Under this scheme community organisations, not individuals, can nominate local assets to be included in their local authority's list of Community Assets. The Society is currently the only "local voluntary and community body" in St John's Wood that meets the criteria necessary to submit nominations for assets of community value (ACVs) to Westminster City Council. This role will fall upon the SJW Neighbourhood Forum in due course.

What qualifies as an ACV?

In order to be listed the building must further the social wellbeing or social interests of the local community, or have been used to do so in the recent past.

The process

Once the local authority receives a nomination from an approved local body it has eight weeks to make a judgement on whether the land should be listed on the council's community asset register.

Under section 87 (3) of the Act, properties remain on the register for five years.

Once listed, the local authority must inform owners and other interested parties that it has been listed and enter this fact on the local land charges register.

Provisions exist for appeals against the local authority's decision and for compensation to be paid where the authority believes the listing has had a detrimental effect on the value of the property. The owner will have the right to an internal review by the council and a right of appeal to an independent tribunal against the result of the internal review.

When an ACV comes up for sale, the local community will be given the opportunity to make a bid to buy the asset. This is known as the **Community right to bid**.

A **moratorium** will be applied when an ACV is put up for sale. Community groups are given six weeks to express an interest in bidding and six months to put a bid together. There is no community right to buy, just to bid, and at the end of the moratorium the owner can sell to whomever he chooses and at whatever price.

The scheme differs from the Scottish community right to buy where the community has first refusal on the asset.

What the provisions do not do

The provisions do not restrict in any way who the owner of a listed asset can sell his property to or at what price.

The provisions do not place any restrictions on what an owner can do with his property once listed whilst it remains in his ownership.

The owner is not under any additional obligation to properly maintain an asset of community value.

What the provisions do

In real terms, not a great deal.

The community has the option to buy a building that they believe to be of importance to their community's social wellbeing when it comes up for sale.

The fact that the site is listed as an ACV will add an extra layer of material consideration if an application for a change of use is submitted to the council but it should be noted that planning policy will continue to determine the permitted use for the property. This also applies to any other planning matter.

The Star and the Clifton

Councillor Lindsey Hall and local residents requested that the Society submit ACV nominations for both the Star and the Clifton. We did not do this lightly and Peter Leaver and I, together with Lindsey Hall, attended a meeting with Peter Large, Head of the Council's Legal Services to ensure that we understood the full meaning and implications of an ACV listing on the Society. This visit was very worthwhile if only to establish that the benefits in reality are few and far between. We also discovered that nominating the Clifton public house using its correct but misleading name of "the Clifton Hotel" would have resulted in failure because only pubs and not hotels can be listed as ACVs under the provisions.

The ACV nominations were submitted to Westminster City Council on 7th February 2014 after being approved by the Society's Executive Committee.

Petitions opposing the closure of the pubs were raised by some formidable and dedicated St John's Wood residents who we are pleased to say are now new Society members. Simone Fletcher and Grazyna Green for the Clifton, Rose Maguire, Patrick Campbell and Richard Humphries for the Star could not have done more to supply us with all the information necessary to make the ACV nominations submitted by the Society as watertight as possible.



As well as supporting local residents in their campaign Cllr Lindsey Hall has been invaluable in this process, ensuring that the Society had all the correct documents and arranging meetings with everyone we needed to see at Westminster City Council.

Reasons for the nomination of the Star as an ACV

We consider the use of the Star as a public house as historically significant as it was built for that purpose by Fry & Watkins in 1826, although it opened in 1830. The pub has changed very little over the intervening years and remains a rare, typically old fashioned pub with an emphasis on real ale and conviviality rather than the provision of high end restaurant food. The use of the building as a public house is intrinsically linked with the historical development of the general area and contributes to the character, identity and distinctiveness of the St John's Wood Conservation Area. The Star is categorised as an unlisted building of merit in the St John's Wood Conservation Area Audit 2007. Most importantly it is a thriving local business and hub of social activity and its loss would impact upon the vitality of the local area. Independent pubs such as the Star are under threat and are worthy of our appreciation, protection and preservation. The Star's patrons come from all sections of the local community and include, local council estate residents, local builders working within the area, head porters from local mansion blocks, local Estate agents, school teachers from Robinsfield, Barrow Hill, Arnold House and ASL schools, recording studio staff and visiting musicians from RAK and Abbey Road recording studios, health workers from the Wellington and St. John and Elizabeth Hospitals, Lords Cricket Ground staff and security, MCC members and supporters on match days and staff from local shops and restaurants.

Over 1000 patrons signed the petition to object to the closure of the Star and the council received 851 objections through their planning portal to a planning application for the change of use to a single dwelling (at present the application has been withdrawn). The Star application represents one of the few planning applications to have generated that kind of response at Westminster City Council.

Reasons for Nomination for the Clifton as an ACV

The Clifton is of historic importance to St John's Wood. It was built in 1846 on a ninety nine year lease granted to Mr Thomas Barnett. (Marielle Galinou: *Cottages and Villas* pg 438/9 from the archives of the Eyre Estate). The Clifton was initially a hunting lodge until the merchant owner obtained an ale license and it became a pub. Edward VII conducted his affair with actress Lillie Langtree at the Clifton after they met at a Mayfair dinner party in 1877. As royalty was not permitted to frequent pubs, the King had the pub's name changed to The Clifton Hotel and it has remained so ever. (Reference *Bertie: A Life of Edward VII* by Professor Jane Ridley.



Besides its historic importance to St John's Wood, the pub is described by local residents as being the "heart and soul" of the community living in and around Clifton Hill. Life-long friendships have been forged in the pub which acts as a central hub for the young and the old of the community from all walks of life.

Pub quizzes, New Year's Eve and Christmas parties, Christenings, birthday parties, NCT mothers' meetings, wakes and countless other commemorations of important occasions for local residents have been held in the Clifton. The Clifton makes a significant contribution to the quality of local life as it provides a comfortable and inviting place for neighbours to meet so that they feel a sense of belonging and community. If any child is locked out of home by mistake he/she takes refuge in the Clifton and it also provides a safe haven for local residents returning home late at night in otherwise deserted residential streets. There is also a strong association with cricket fans from Lords and recording artists from the famous Abbey Road Studios. Patrons living overseas regularly return to the Clifton and the names of a number of them are included in the 2132 patrons who have signed the petition to keep the Clifton open as at 02/02/2019. Although the Clifton is currently boarded up, the new owners appear to be committed to reopening it as a restaurant/pub.

Christine Cowdray
Planning Chairman



Petition to: Reject any application for the change of use of the Star Pub in St John's Wood Terrace into a residential property

This petition is now closed, as its deadline has passed.

We the undersigned petition Westminster City Council to Reject any application for the change of use of the Star Pub in St John's Wood Terrace into a residential property. [More details](#)

Submitted by Patrick Campbell – **Deadline to sign up by:** 22 January 2014 –
Signatures: 101

Current signatories

Patrick Campbell, the petition creator, joined by:

100 offline signatures

More details from petition creator

As an 'Asset of Community Value' and much loved focus of the local community we call upon the local authority to do all in its powers under planning and localism legislation to prevent the loss of this historic landmark in the conservation area

Westminster City Council List of Assets of Community Value

Nomination Details		Date Added to List.		Moratorium on disposing of listed land					Listing expiry (5 years after listing) after which the entry must be removed
Description of the land nominated as an asset of community value.	Address of land nominated.	Details of the nominating council or body.	Date Added to List.	Date that notification was received from the owner of its wish to enter into a relevant disposal of the land.	End date of six week interim moratorium period.	Name of Community Interest Group with a local connection that has made a request to be treated as a potential bidder in relation to the land and the date when request has been received.	End date of full 6 month moratorium period	End date of full 18 month protected period	Listing expiry (5 years after listing) after which the entry must be removed
The Clifton Hotel	96 Clifton Hotel, London, NW8 0JT	St John's Wood Society	11/02/2015						11/02/2020
The Star Public House	38 St John's Wood Terrace, NW8 6LS	St John's Wood Society	13/02/2015						13/02/2020
The Swan and Edgar	Linhope Street,	Save the Linhope	06/05/2015						06/05/2020

Public House	London, NW1 6LH	Street Local Group																	
The Truscott Arms	55 Shirland Road, London, W9 2JD	Truscott Arms Supporters Group	27/11/2015	01/11/2016	12/12/2016	30/04/2017	30/04/2018	27/11/2020											
Queen's Park Hall/All Stars Boxing Gym	576 Harrow Road, London, W10 4NJ	Queen's Park Community Council	08/01/2016					08/01/2021											
The Carlton Tavern	The Carlton Vale, London, NW6 5EU	The Carlton Vale Phoenix Association Community Organisation	02/02/2016					02/02/2021											
St George's Square Gardens	SW1	Pimlico Toy Library	16/05/2016					16/05/2021											
Pimlico Gardens	SW1	Pimlico Toy Library	16/05/2016					16/05/2021											
Essendine Wild Garden	24 Essendine Mansions, Essendine Road, London W9	Essendine Residents Association	01/12/2016					01/12/2021											

Updated 1 December 2016

Premises History - 06/11460/WCCMAP

Application	Details of Application	Date Determined	Decision
05/08420/LIPC & 06/11460/WCCMAP	Conversion application (new legislation)	30/09/2005	Granted under Delegated Authority
Licence surrendered on 24 th April 2015			

There is no appeal history for the premises.

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

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

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

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

Mandatory Conditions

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
4.
 - (1) The responsible person 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.

Conditions consistent with the operating schedule and agreed with Environmental Health

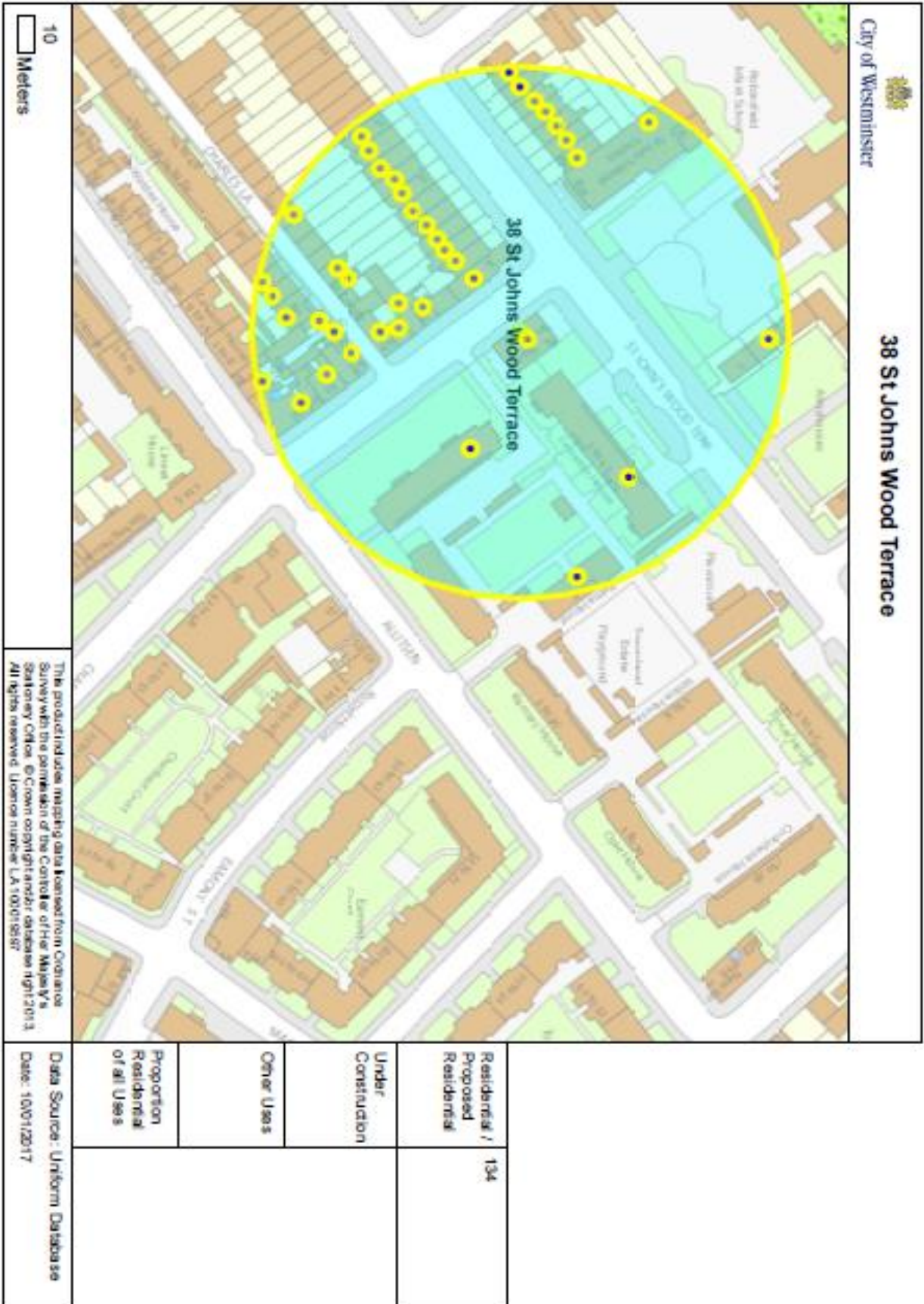
9. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually 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 entire 31 day period.
10. 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.
11. 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.
12. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
13. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
14. 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.
15. The number of persons permitted in the premises at any one time (excluding staff) shall not exceed (100) persons, with a maximum of 35 in the enclosed external area shown on the plans (within the red line)
16. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
17. No deliveries to the premises shall take place between **(23.00)** and **(08.00)** on the following day.
18. There shall be no striptease or nudity, and all persons shall be decently attired at all times, except when the premises are operating under the authority of a Sexual Entertainment Venue licence.
19. A Challenge 21 or Challenge 25 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
20. 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. It must be completed within 24 hours of the incident and 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, searching equipment or scanning equipment (g) any refusal of the sale of alcohol (h) any visit by a relevant authority or emergency service.

21. Any special effects or mechanical installations shall be arranged, operated 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 fireworks • firearms • lasers • explosives and highly flammable substances. • real flame. • strobe lighting.
22. 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.
23. The premises licence holder shall ensure that any patrons drinking and/or smoking outside the premises do so in an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.
24. 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.
25. 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.
26. All emergency doors shall be maintained effectively self closing and not held open other than by an approved device.
27. Curtains and hangings shall be arranged so as not to obstruct emergency safety signs or emergency equipment.
28. All fabrics, curtains, drapes and similar features including materials used in finishing and furnishing shall 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, shall be non-combustible
29. The premises may remain open for the sale of alcohol, regulated entertainment and the provision of late night refreshment from the terminal hour for those activities on New Year's Eve through to the commencement time for those activities on New Year's Day.
30. All outside tables and chairs shall be rendered unusable by 23:00 hours Mon-Sat and by 22.30 Sun
31. All windows and external doors shall be kept closed after 21:00 hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons
32. Alcohol shall only be consumed outside the premises building in the enclosed external area shown on the plans (within the red line) and shall only be consumed by patrons seated at tables
33. From 18.00 until 23.00 Mon Sat and until 22.30 Sun alcohol consumed outside the premises building (in the enclosed external area shown on the plans (within the red line) shall only be consumed by patrons as an ancillary to taking a table meal.

34. After 21:00 hours 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. For the avoidance of doubt this number does not include the patrons seated outside in accordance with conditions [XXXXXX]
35. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.
36. Loudspeakers shall not be located outside the premises building
37. No fumes, steam or odours from cooking shall be emitted from the licensed premises so as to cause a nuisance to any persons living or carrying on business in the area where the premises are situated
38. No licensable activities shall take place at the premises until the premises has been assessed as satisfactory by the Environmental Health Consultation Team at which time this condition shall be removed from the Licence by the licensing authority.
39. Prior to the Licence taking effect, 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 LFEPA, Environmental Health Consultation Team, the Police and the Licensing Authority

Residential Map and List of Premises in the Vicinity



Additional Information from Environmental Health

Re: Application 16/11417/LIPN

Interventions by Noise Team, Licensing and City Inspectors in respect of the The Star, 38, St John's Wood Terrace (Between July 2014 and May 2012)

Date, day and time of complaint	Customer affected	Nature of complaint	Actions by Noise Team and Licensing Inspectors
11.07.2014, Friday 19:38	Customer A Cameron House	Loud and rowdy patrons in pub outside property of Star Pub	11.07.2014, 21:17 The Star. Irish voices very audible across road. good natured. seems to be one table of men causing the noise, laughing/shouting but the words 'fucking' and 'wanker' used quite frequently and clearly audible across road on opposite pavement. people sitting under canvas umbrellas in front area. spoke with manageress, she said she would throw the men out which i said i was not asking for but she did immediately go to speak with the table of men to calm them down.
04.10.2013 Friday 21:58	Customer A Cameron House	Noise ongoing. Caller does not want a call back however but wants to report the noise is still going on.	04.10.2013 23:50 Visited. Pub closed
04.10.2013 Friday 20:31	Customer A Cameron House	Screaming coming from the Star Pub on St Johns Wood Terrace. Customer's son is unable to sleep due to the noise, child is 8 years old.	04.10.2013, 21:55 Visit 9 people outside at the time of visit no excessive noise at the time of visit. have a point of contact during opening hours.
28.09.2013 Saturday 21:10	LICENSING INSPECTOR – self generated visit to follow up complaints	Recent complaints - visit to check outside area & to speak to the DPS	Spoke to Mrs Maguire, the DPS. Explained that there had been noise complaints regarding the outside area. She was very disappointed because she had not received noise complaints in the past. I explained the licensing objectives that a resident could call for a Review if they felt that they'd experienced

			<p>nuisance. She fully understood this but felt that the complainant had been making trouble for her. I explained that I couldn't comment - all I could tell her were the times dates of the complaints. She was interested to know who the complainant was but I said I couldn't say.</p> <p>I said that I thought that she must monitor the outside area strictly and, if I were here, I would consider a terminal hour for the outside area - maybe 10pm. She considered this but said that sometimes people wanted to go out for a cigarette - I explained that if drinks are not permitted outside people tend to go outside for less time and they're more likely to go out on their own, rather than as a group. This is for her to consider. I said whatever she decided to do she must make every effort to ensure there was no reason to complain.</p> <p>At the time of visit there were only two people outside, despite it being a nice evening. There's quite a large private area, so it's likely to be quite busy at times. However, the neighbours are not immediately close - there is a block of flats set slightly back. However, if there was a large crowd there is potential that some nuisance could be experienced.</p> <p>In the meantime DPS will ensure staff are aware of the need to keep noise to a minimum and I said that I would let her know immediately if any complaints received and will give as much detail as possible.</p>
25.09.2013 Wednesday 21:55	Customer A Cameron House	Loud patrons screaming shouting	25.09.2013, 23:53 Busy and late getting there. No noise
21.09.2013 Saturday 21:55	Customer A Cameron House	Excessive noise coming from the Star pub, drunken shouting. This has been a persistent problem. Customer	22.09.2013, 00:30 Pub closed, no people outside, all tidy, lights off. Main road still closed - no traffic noise either.

		would not like a call back as he has had a long day. He would just like someone to investigate. This is a repeat complaint	
20.09.2013 Friday 21:50	Customer A Cameron House	Excessive noise coming from the Star pub, drunken shouting. This has been a persistent problem. Customer would not like a call back as he has had a long day. He would just like someone to investigate. Has said he is in contact with licensing regarding this pub.	20.09.2013, 23:20 Some voices audible in street. No one outside. All tidy and clean. Main road blocked diversion via Alitsen Road - ie no traffic noise.
23.08.2013 Friday 23:11	Customer A Cameron House	group of youths outside the star pub drunk and screaming shouting etc	24.08.2013, 00:41 too late to visit and had other priority jobs
16.10.2012 Tuesday 00:42	Customer B Charlbert Street	Lot of shouting from pub and from outside of the pub.	16.10.2012, 01:19 NO NOISE VISIT DUE TO NIGHT LONE WORKING (H&S REASONS)
19.05.2012 Tuesday 19:31	Customer C Charlbert Street	Loud general pub noise also on streets outside pub	No visit made