



City of Westminster Licensing Sub-Committee

Meeting:	<i>Licensing Sub-Committee</i>
Date:	<i>2nd March 2017</i>
Classification:	<i>General Release</i>
Premises:	<i>The Playhouse, 91 Jermyn Street, London, SW1Y 6JB</i> <i>16/12363/LISEVN</i>
Wards Affected:	<i>St James, Core CAZ North</i>
Financial Summary:	<i>None</i>
Report of:	<i>Operational Director for Premises Management</i>

1. Executive Summary

- 1.1 The council has received a new sexual entertainment venue application from PLH Bars Limited for The Playhouse, 91 Jermyn Street, London, SW1Y 6JB. The report sets out the application details, representations, policy and legal context along with other considerations that the Committee requires to determine this application.
- 1.2 The Licensing Sub-Committee refused a new sexual entertainment venue application for this premises in 2014. A copy of the minutes are attached as **Appendix E**.

2. Recommendations

- 2.1 That following consideration of the information given orally at the hearing and in writing by the applicants and objectors to:
 - 2.1.1 Grant the application in full
 - 2.1.2 Grant the application subject to the standard conditions and/or any modifications to any part of the application and imposition of any additional conditions proposed by a party to the hearing, or
 - 2.1.3 Refuse the application

3. Application

- 3.1 On 11th November 2016 the applicant applied for a new sexual entertainment venue premises licence to provide full nudity striptease, pole dancing and table dancing between the hours of:

Basement: Monday to Sunday 23:00 to 03:30

Sub-Basement: Monday to Sunday 17:00 to 03:30

- 3.2 The applicant has not requested to remove any standard conditions to the licence if the application is granted. A copy of the application is attached as [Appendix A1](#).
- 3.3 The applicant has provided premises plans ([Appendix A2](#)).
- 3.4 The applicant has submitted a Code of Conduct for Performers ([Appendix A3](#)).
- 3.5 The applicant has also submitted a pack with the design proposals of the premises ([Appendix A4](#)).
- 3.6 On the 22nd February 2017 the applicants submitted an email containing an email correspondence between the applicant and Richard Brown of the CAB requesting a meeting with objectors prior to the Licensing Sub Committee hearing ([Appendix A5](#)) and three letters of support from local businesses ([Appendix A6](#)). Clear copies of the letters have been requested and will be made available by the applicant at the hearing.

4. Objections

- 4.1 The application has received objections from the Licensing Authority ([Appendix B1](#)), the Environmental Health Service ([Appendix B2](#)), the Metropolitan Police Service ([Appendix B3](#)) and 20 other objections from numerous residents, residents associations and businesses ([Appendices B4 -23](#)).
- 4.2 The last date for objections for this application was the 8th December 2016. Three objections were received after the consultation deadline but have been provided to the applicant as part of the application process. Unlike the Licensing Act 2003 the Local Government Miscellaneous Provisions Act 1982 does not automatically exclude late objections. Therefore Members must decide after hearing from the applicant whether to accept these objections.
- 4.3 The Licensing Authority have stated that the circumstances around a new sexual entertainment application which was refused in 2014 have not changed and the same concerns exist. Further they state that the applicant's agent has not offered any information which they believe counters the decision issued in 2014 and as a new application they believe the same concerns are present.

- 4.4 The Environmental Health Service have stated the grant of the licence would be inappropriate having regard to the layout, character or condition of the premises. Conditions have been proposed by the applicant but a visit will need to be made to the premises to ensure compliance with Westminster licensing policy and additional conditions may be proposed.
- 4.5 The Metropolitan Police Service have stated on the grounds of Prevention of Crime and Disorder, Prevention of a Public Nuisance and Improvement in the Character & function of the City or areas of it. There are insufficient undertakings or conditions in the application to promote the Licensing Objectives.
- 4.6 The 20 other objections raise individual concerns relating to the application and some collective concerns highlighted below:
- Application departs from the Policy relating to Sexual Entertainment Venues
 - Not appropriate because of the character and locality
 - Premises are located in a family area
 - Detrimental effect on businesses in the area
 - The previous premises Abracadabra caused issues with anti-social behaviour and crime and disorder
 - Public nuisance will be caused by patrons/staff leaving the premises
 - There are a number of SEV's already in the area
 - The previous new SEV application was refused by LSC in 2014.

5. Licensing Act 2003 Premises Licence

- 5.1 The applicants have submitted a variation and transfer of the LA2003 premises licence in line with the variation proposed under this application. The table below sets out the current activities and times permitted by the premises licence.
- 5.2 A copy of the current Premises Licence is attached to this report as [Appendix C](#).

<u>Existing Premises Licence (15/09736/LIPT) permitted Licensable Activities</u>
<p>Regulated Entertainment: Indoors</p> <p>Performance of Dance Provision of facilities for Dancing</p> <p>Monday to Sunday 09:00 to 03:30</p> <p>Provision of facilities for entertainment of a similar description to making music or dancing Anything of a similar description to Live Music, Recorded music or Performance of Dance</p> <p>Monday to Sunday 09:00 to 03:30</p>

Provision of facilities for Making Music

Monday to Sunday 09:00 to 03:30

Performance of Live Music

Monday to Sunday 09:00 to 03:30

**Provision of facilities for entertainment of a similar description to making music
Anything of a similar description to Live Music or Recorded music**

Monday to Sunday 09:00 to 03:30

Playing of Recorded Music

Unrestricted

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

Unrestricted

Late Night Refreshment: Indoors

Monday to Sunday 23:00 to 03:30

Sale of Alcohol: On and off the premises

Monday to Saturday 10:00 to 03:00
Sunday 12:00 to 00:30

Non Standard Timings/Seasonal Variations

Alcohol may be sold or supplied from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).

The terminal hour for **late night refreshment** on New Year's Eve is extended to 05:00 on New Year's Day.

Capacity:

Ground Floor – 135
Basement – 100

Opening hours:

Monday to Sunday 09:00 to 03:30

6. Policy Considerations

6.1 Suitability of applicant – SU1

The applicant has stated that no relevant offences have been committed. The Licensing Inspectorate have also confirmed that they do not have any concerns in relation to this matter.

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

The Licensing Inspectorate have undertaken appropriate checks and have made no comments on this issue.

6.3 Appropriate number of SEV in a locality – NO1

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

6.4 Character of the relevant locality – LO1

Ormand Yard is predominantly residential cul-de-sac with pedestrian access into Masons Yard. The premises are located within the Core CAZ north. There are two other sexual entertainment venues within the immediate vicinity of the premises The Gaslight Club on Duke of York Street and Scotch St James in Masons Yard. A map showing the sexual entertainment venues within the vicinity is attached to this report as **Appendix D**.

6.5 Use of premises in the vicinity – LO2

The main use of the premises in the immediate area has a mixture of residential and licensed premises (Licensing Act 2003). There are 2 other SEV premises in the immediate vicinity of the premises with a further 3 SEV premises within a 500 metre radius of the premises. There is one school and 5 places of religious worship within this area (see **Appendix D**).

6.6 Layout, character or condition of the venue – LO3

The venue is split over the basement and sub-basement. The premises has been gutted for refurbishment but the applicants have supplied a copy of the proposed plan.

7. Legal Implications

7.1 The Licensing Sub-Committee may determine to:

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

- (b) Refuse the applications.
- 7.2 Before refusing to grant a licence to the applicant, the Licensing Authority shall give the applicant an opportunity to appear before and of being heard by the Licensing Sub-Committee (Para 10(19) Schedule 3 LG(MP)A1982).
- 7.3 In considering this application, the Licensing Sub-Committee shall have regard to any observations submitted to them by the Chief Officer of Police and any objections that have been received in writing within the 28 day consultation period (Para 10(18) Schedule 3 LG(MP)A1982).
- 7.4 The Licensing Sub-Committee may refuse to grant a licence for the following reasons:
- (a) that the applicant is unsuitable to hold a licence by reason of having been convicted of an offence or for any other reason;
 - (b) that if the licence were to be granted the business to which it relates would be managed by or carried on for the benefit of a person, other than the applicant, who would be refused the grant of such a licence if he made the application himself;
 - (c) that the grant of the licence would be inappropriate , having regard to
 - (i) to the character of the relevant locality; or
 - (ii) to the use to which any premises in the vicinity are put; or
 - (iii) to the layout, character or condition of the premises in respect of which the application is made.
- 7.5 If the Licensing Sub-Committee determine to grant a Sexual Entertainment Venue licence, the licence will be subject to the Standard Conditions for Sexual Entertainment Venue licences, unless the Sub-Committee determines that certain Standard Conditions should be expressly excluded or varied (Para 13(4) Schedule 3 LG(MP)A1982).
- 7.6 Should the Licensing Sub-Committee determine to refuse the application for the grant of a licence under Paragraph 12(3)(a) or (b) Schedule 3 LG(MP)A 1982, the applicant may appeal to the Magistrates' Court within 21 days beginning with the date on which the applicant is notified of the refusal of his application (Para 27(1) Schedule 3 LG(MP)A1982).

Appendices

A1 – Application Form

A2 – Plans

A3 – Performers Code of Conduct

A4 – Design Proposals

A5 – Emails between applicant and CAB

A6 – Three support letters from local businesses

B1 – Licensing Authority Objection

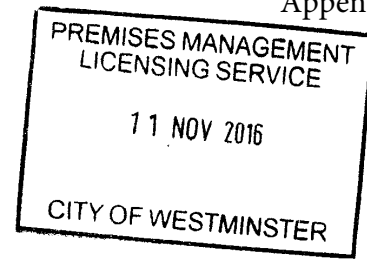
B2 – Environmental Health Objection

B3 – Metropolitan Police Service Objection
B4 – B23 – Other Objections
C – Premises Licence
D - Map of the locality
E – Minutes of 3rd July 2014

If you have any queries about this Report or wish to inspect any of the Background Papers please contact: Steve Rowe on 020 7641 7825 or at srowe@westminster.gov.uk

BACKGROUND PAPERS

Late Objection to 2013 – 2014 Renewal Application (if to be considered at the hearing)
Local Government (Miscellaneous Provisions) Act 1982
Policing and Crime Act 2009
Sexual Entertainment Venues Statement of Licensing Policy 2012
Sexual Entertainment Venues Guidance and Procedure effective 17 February 2012



City of Westminster

APPLICATION FOR A NEW SEXUAL ENTERTAINMENT VENUE LICENCE

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

We: PLH Bars Limited
(Insert name(s) of applicant)

Apply for a new Sexual Entertainment Venue licence under the Local Government (Miscellaneous Provisions) Act 1982

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

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

PART 1 – Applicant Details

Please state whether you are applying for a Sexual Entertainment Venue licence as:

- | | | |
|---------------------------------------|-------------------------------------|----------------------|
| a) an individual or individuals | <input type="checkbox"/> | complete section (A) |
| b) a person other than an individual: | | |
| i. as a body corporate | <input checked="" type="checkbox"/> | complete section (B) |
| ii. as an unincorporated body | <input type="checkbox"/> | complete section (B) |

Section A – Individual Licensee Details

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

Additional Licensee Details (if necessary)

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

Section B – Body Corporate or Unincorporated Body Details

Business Name: (if your business is registered, use its registered name)	PLH Bars Limited
Is your business registered in the UK with Companies House?	Yes <input checked="" type="checkbox"/> Registered Number: 09731088
	No <input type="checkbox"/>
Is your business registered in another EEA state:	Yes <input type="checkbox"/> EEA State: Registered Number:
	No <input checked="" type="checkbox"/>
Legal Status: (e.g. Company Partnership, etc)	Private Limited Company
Home Country: (the country where the headquarters of your business is located)	England
Registered Address:	91 Jermyn Street, London, SW1Y 6JB
Directors, Partners, Owners and Managers	
You must provide details of all DIRECTORS (if the applicant is a company), all PARTNERS (if it is a partnership), and all MANAGERS of the business or organisation, including day-to-day MANAGERS OF THE PREMISES.	
Are there any such people for whom you need to provide details?	Yes <input checked="" type="checkbox"/> (please complete below) No <input type="checkbox"/>
Full name:	David Malcolm Serlui
Private address:	48 Park View Gardens, London NW4 2PN
Capacity:	Director/Shareholder

Full name:	Richard Lorenzo Traviss
Private address:	21A Devonshire Street Flat Upper Parts London W1G 6PD
Capacity:	Director
Full name:	
Private address:	
Capacity:	
Full name:	
Private address:	
Capacity:	
Full name:	
Private address:	
Capacity:	
Please use a separate sheet if necessary- see attached	

Other Business Interests

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

Yes (please complete below) No

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

Richard Traviss is shareholder of Parkers, 109 Kingsway London WC2B 6PP, which operates as a restaurant to 9pm and SEV venue thereafter.

PART 2 – Premises Details

Premises name:	The Playhouse	
Premises address:	91 Jermyn Street, London,	
Postcode:	SW1Y 6JB	
Premises telephone number:		
Email:	c/ lana@lrlaw.co.uk	
Website address:	Not obtained yet	
Where the licence is for a vehicle, vessel or stall, state where it is to be used as a sexual entertainment venue:	N/A	
Describe the nature of the relevant entertainment (e.g. striptease, pole dancing, table dancing etc):	Striptease, pole dancing, table dancing	
Does the relevant entertainment involve:	Full nudity	<input checked="" type="checkbox"/>
	Partial nudity	<input type="checkbox"/>
	No nudity (including implied nudity)	<input type="checkbox"/>

Opening Hours

Please provide the proposed opening hours of the premises:

B= basement floor (hours specified relate to that nights trade)

SB= sub- basement floor (hours specified relate to that nights trade)

Day:	Start:	Finish:
Monday	B: 23.00	03.30
	SB: 17.00	03.30
Tuesday	B: 23.00	03.30
	SB: 17.00	03.30
Wednesday	B: 23.00	03.30
	SB: 17.00	03.30
Thursday	B: 23.00	03.30
	SB: 17.00	03.30
Friday	B: 23.00	03.30
	SB: 17.00	03.30

Saturday	B: 23.00	03.30
	SB: 17.00	03.30
Sunday	B: 23.00	03.30
	SB: 17.00	03.30

PART 3 – Policy & Conditions

Please refer to the Council's Statement of Licensing Policy for Sexual Entertainment Venues.

State how your application will promote the following licensing objectives:

Prevention of crime and disorder:

See the premises code of conduct (attached)
General legal obligations under other existing relevant legislation
Standard Conditions for Sexual Entertainment Venue Premises will apply

Additional Conditions

1. The maximum number of persons accommodated within the premises at any one time (excluding staff) shall not exceed:
Basement- 135
Sub Basement- 100
2. All seating shall consist of tables and chairs arrangements and there shall be no cinema style seating
3. SIA licensed security shall be posted in the parts of the premises where striptease/table/lap dancing is taking place
4. All emergency doors shall be maintained effectively self closing and not held open other than by an approved device.
5. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
6. Curtains and hangings shall be arranged so as not to obstruct emergency signs.
7. 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.
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 exit doors shall be available at all material times without the use of a key, code, card or similar means.
10. Any special effects or mechanical installations shall be arranged and stored so as to minimise any risk to the safety of those using the premises. The following special effects will only be used on 10 days prior notice being given to the Licensing Authority where consent has not previously been given.
 - i. pyrotechnics including fire works
 - ii. firearms
 - iii. lasers
 - iv. explosives and highly flammable substances.
 - v. real flame.
 - vi. strobe lighting.
11. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
12. At times when a temporary event notice under the Licensing Act 2003 is in force extending the permitted hours for the premises, the hours for the provision of relevant entertainment (as defined in the Local Government (Miscellaneous Provisions) Act 1982) will be similarly extended without the need for a separate application in respect of this licence.
13. No Relevant Entertainment shall take place at the premises until the premises has been inspected to the satisfaction of the Licensing Service and Environmental Health Department.

Public safety:
See above and attached
Prevention of public nuisance:
See above and attached
Protection of children from harm:
See above and attached
Improvement in the character and function of the city, or areas of it:
<p>The proposal will not alter the character and function of this part of London, which already accommodates a high number of restaurant and leisure operators.</p> <p>There are 2 SEV premises in close proximity to this premises, Scotch and the Gaslight Club. All of these premises are in the CAZ and have similar proximity to the church and school</p> <p>Having regard to the locality, in June 2012 the SEV new grant applications for both Scotch and the Gaslight Club were granted by the Licensing Sub Committee, along with subsequent renewals..</p> <p>The SEV for Scotch is not in use/operational.</p> <p>The facade of the premises is not imposing and is consistent with other shop frontages in the immediate area. No signage other than the name of the premises will feature.</p> <p>See above and attached</p>
Please use a separate sheet if necessary

If your application is in conflict with any of the policies listed in the Statement of Licensing Policy, state why you believe an exception should be made in your particular circumstances:

Policy:	Reason for exception:
	The applicant does not believe the application made is in conflict with any of the policies listed in the Statement of Licensing Policy
Please use a separate sheet if necessary	

Standard Conditions

Please refer to the Council's Standard Conditions for Sexual Entertainment Venues. Should the application be granted, your licence will be subject to all standard conditions unless specifically excluded from your licence.

State which (if any) standard conditions you wish to dis-apply from your licence and the reasons you feel they should be dis-applied, including any individual circumstances relating to your operation:

Condition:	Reason for removing the condition:
	The applicant does not wish any of the standard conditions to dis-apply from its licence
Please use a separate sheet if necessary	

State any other conditions you wish to be attached to your licence:

The maximum number of persons accommodated within the premises at any one time (excluding staff) shall not exceed:

Basement- 135

Sub Basement- 100

All seating shall consist of tables and chairs arrangements and there shall be no cinema style seating

SIA licensed security shall be posted in the parts of the premises where striptease/table/lap dancing is taking place

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

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

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

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.

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.

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

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

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

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

At times when a temporary event notice under the Licensing Act 2003 is in force extending the permitted hours for the premises, the hours for the provision of relevant entertainment (as defined in the Local Government (Miscellaneous Provisions) Act 1982) will be similarly extended without the need for a separate application in respect of this licence."

No Relevant Entertainment shall take place at the premises until the premises has been inspected to the satisfaction of the Licensing Service and Environmental Health Department.

PART 4 – Previous Convictions/Disqualifications

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

PART 5 - Checklist

Please tick as appropriate:


All relevant sections of the application form have been completed in full	X
Payment of the fee has been made in full (refer to Part 7 of this form)	X
A plan of the premises in accordance with the Rules of Procedure for Sexual Entertainment Venues has been included	X
A drawing showing the front elevation of the premises as proposed has been included	X
The code of conduct for performers has been included	X
Notice of this application has been published in a local newspaper / will be published in a local newspaper within the next 7 days, a full copy of the newspaper to be provided to the Licensing Authority as soon as possible	X
Notice of this application has been displayed at the premises	X

The application has been served on the Metropolitan Police Service	X
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PART 6 - Declaration

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

I Lana Tricker declare that the information given above is true and complete in every respect.

Signed	
Date:	11 November 2016
Capacity:	Lana Tricker, Solicitor for Applicant

For joint applications:

Signed	
Date:	
Capacity:	

Agent Details

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

Yes No

If yes, please provide the following:

Agent name:	Lana Tricker
Agent Address:	LT Law 18 Soho Square London
Postcode:	W1D 3QL
Agent Telephone Number:	020 3755 5138
Agent Email:	lana@ltlaw.co.uk

Correspondence Details

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

Name:	Lana Tricker
Address:	LT Law 18 Soho Square London
Postcode:	W1D 3QL
Telephone Number:	020 3755 5138
Email:	lana@ltlaw.co.uk

PART 7 – Payment

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

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

Type of credit / debit card:	<input type="checkbox"/> Visa <input type="checkbox"/> MasterCard			
	<input type="checkbox"/> Solo <input type="checkbox"/> Maestro <input type="checkbox"/> Delta			
Card number:	<table border="1" style="width:100%; height:15px;"> <tr> <td style="width:33%;"></td> <td style="width:33%;"></td> <td style="width:33%;"></td> </tr> </table>			
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	/			
Issue number:	(for Maestro / Solo)			
Name on card:				
Amount (£):				

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

THE PLAYHOUSE

CODE OF CONDUCT

There shall be no physical contact between the dancer and customer during a private dance other than the exchange of money or chip tokens.

Customers must remain seated during a performance and must refrain from participating in the performance.

Customers must remain fully clothed at all times. Performances must cease immediately should this not be the case.

No physical contact is allowed between dancers during the performance of a dance.

Dancers must redress after each performance has concluded.

Dancers can only perform in the areas of the club designated by management.

Dancers must not give out any personal contact information.

Dancers shall not solicit for gratuities or payment for sexual favours.

Dancers shall not engage in any act of prostitution i.e. the receiving of gratuities or payment for sexual favours.

Dancers shall not perform if under the influence of alcohol or drugs.

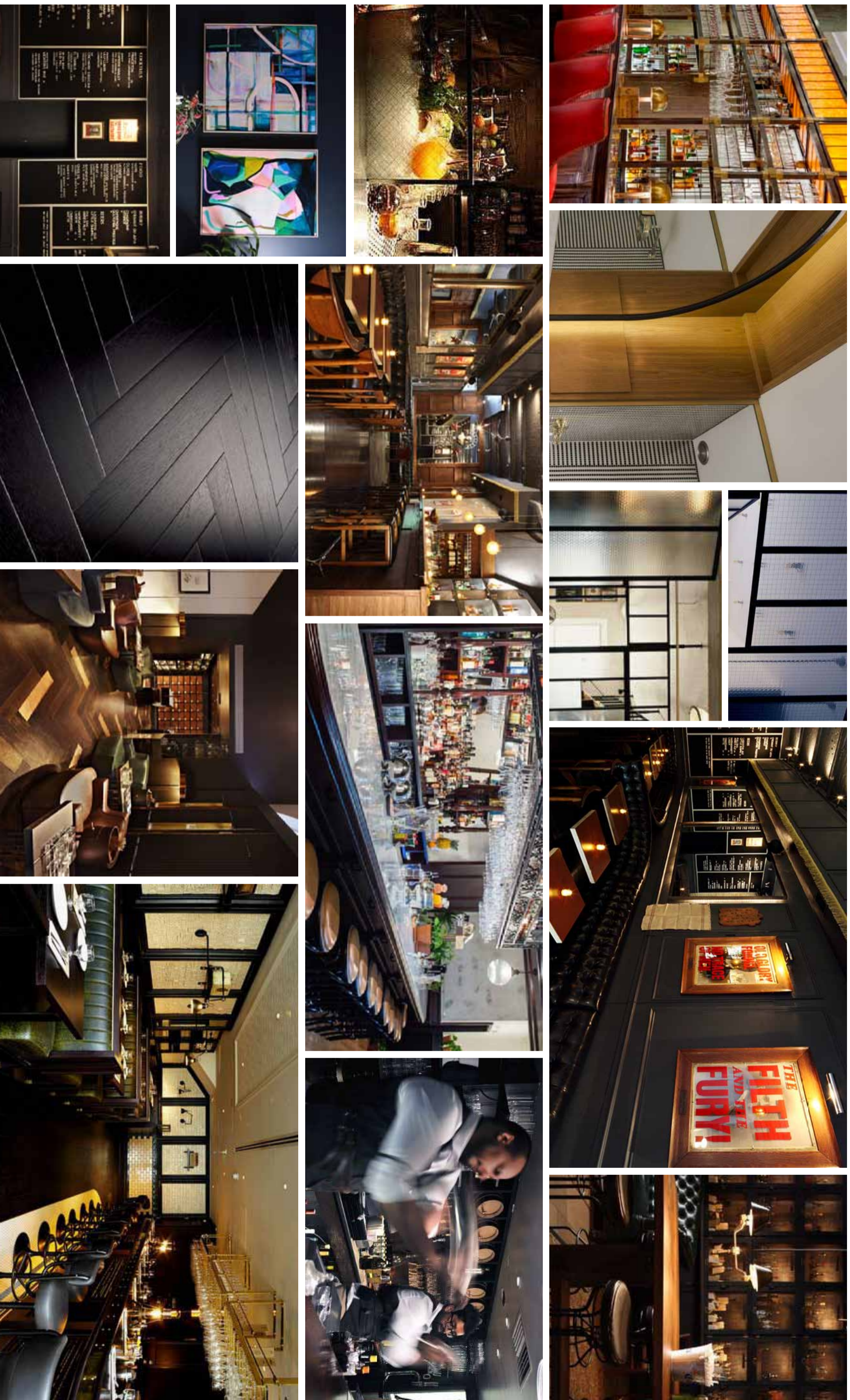
ALL DANCERS SHALL COMPLY WITH THIS CODE OF CONDUCT. ANY FAILURE TO ADHERE TO THE CODE OF CONDUCT SHALL RENDER THE DANCER SUBJECT TO THE PREMISES DISCIPLINARY PROCEDURE

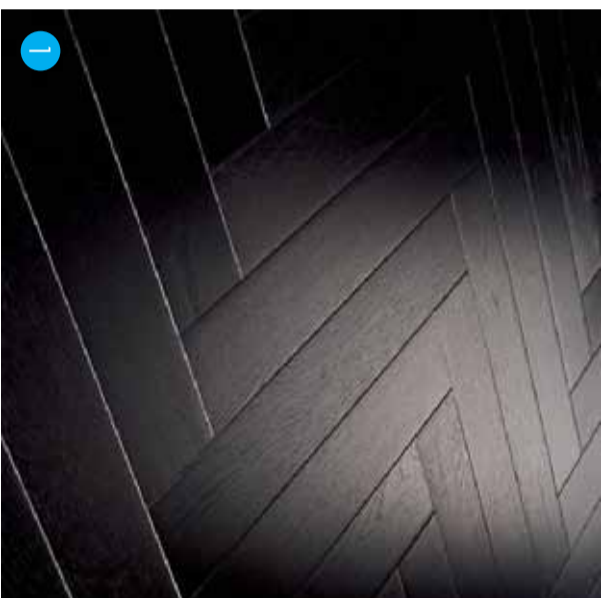
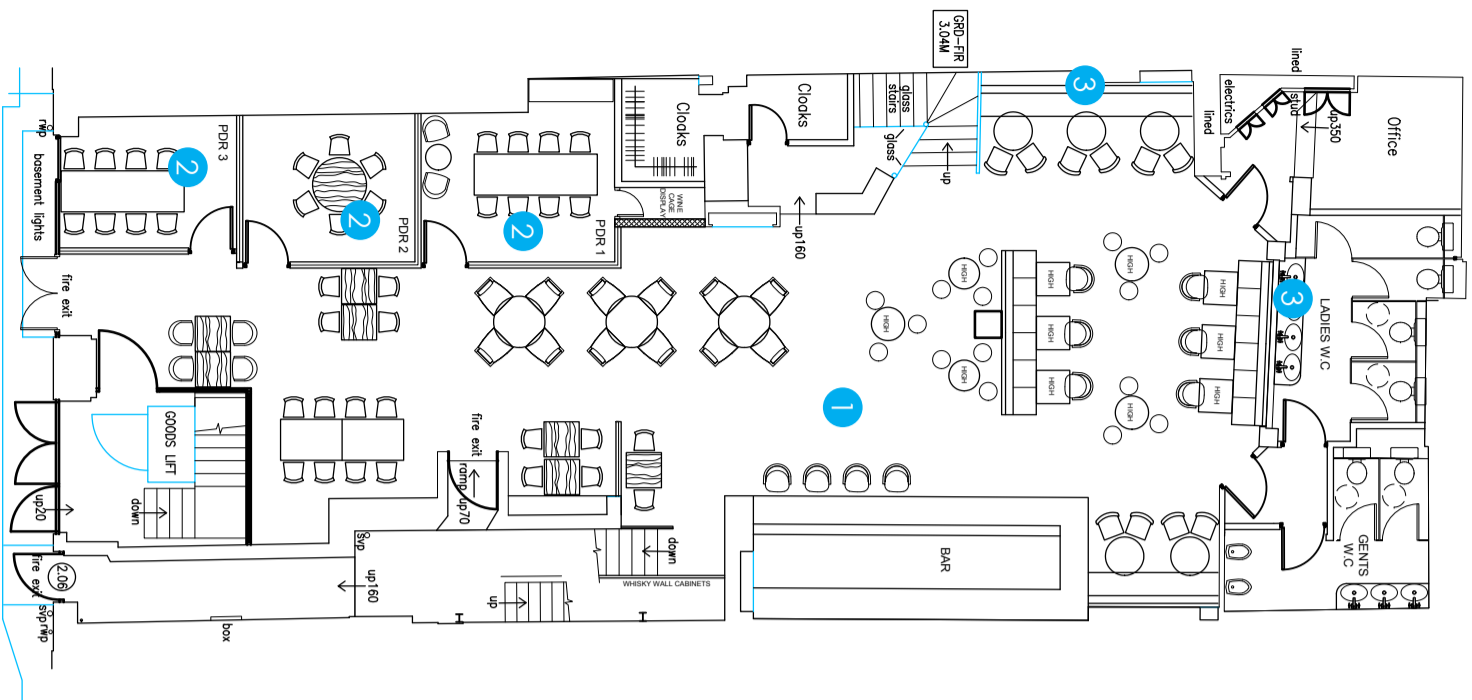
CUSTOMER CODE OF CONDUCT

1. THE ENTERTAINMENT PROVIDED WILL INCLUDE SOME FEMALE NUDITY, IF YOU ARE LIKELY TO BE OFFENDED BY THIS PLEASE LEAVE NOW.
2. IT IS FORBIDDEN FOR A CUSTOMER TO TOUCH OR ATTEMPT TO TOUCH A DANCER IN THE COURSE OF HER PERFORMANCE. LIKEWISE IT IS FORBIDDEN FOR A CUSTOMER TO TOUCH OR ATTEMPT TO TOUCH A DANCER IN A SEXUAL MANNER AT ANYTIME.
3. IN THE COURSE OF THEIR PERFORMANCE DANCERS ARE FORBIDDEN TO TOUCH CUSTOMERS.
4. PERFORMERS ARE FORBIDDEN FROM PROVIDING PERSONAL CONTACT DETAILS TO A CUSTOMER OR AGREE TO MEET THEM AWAY FROM THE PREMISES. IF YOU ASK FOR SUCH DETAILS OR ASK A DANCER TO MEET YOU AWAY FROM THE PREMISES, YOU WILL BE ASKED TO LEAVE THE PREMISES. PLEASE DO NOT TRY TO GIVE A DANCER YOUR CONTACT DETAILS; SHE WILL REFUSE TO ACCEPT THEM.
5. PHOTOGRAPHY IS FORBIDDEN WITHIN THE PREMISES.
6. WE HAVE A ZERO TOLERANCE POLICY IN RESPECT OF ILLEGAL DRUG USE, IF ANYONE IS FOUND IN POSSESSION OF ILLEGAL DRUGS THEY WILL BE EXCLUDED FROM THE PREMISES AND THE POLICE INFORMED.
7. CUSTOMERS MAY NOT MAKE LEWD OR OFFENSIVE REMARKS TO DANCERS
8. CUSTOMERS MAY NOT HARASS OR INTIMIDATE DANCERS
9. CUSTOMERS MAY NOT PERFORM ACTS OF MASTURBATION OR INDULGE IN OTHER SEXUAL BEHAVIOUR
10. CUSTOMERS MAY NOT ASK DANCERS TO PERFORM ANY SEXUAL FAVOUR
11. BREACH OF ANY OF THE ABOVE RULES SHALL LEAD TO A CUSTOMER BEING EJECTED AND EXCLUDED FROM THE PREMISES.

JERMYN ST.
-SCHEME PROPOSALS-

BASEMENT MOOD BOARD



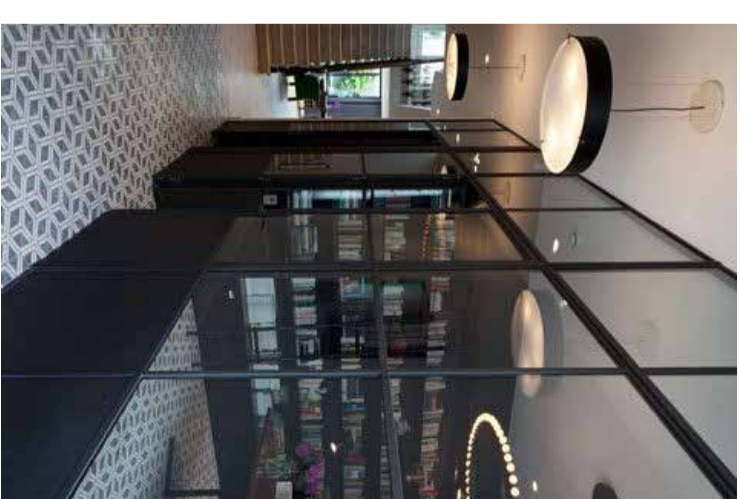


Ebony stained and lacquered herringbone floor



Chevron warm timber tone flooring with pops of metallic gold

Ebony stained timber wall panelling with reflective glossy tile inserts.



Private dining room - crittal style glass with option of electronic opaque option to provide privacy. Smoked glass another option to add colour and intrigue.

BASEMENT BAR



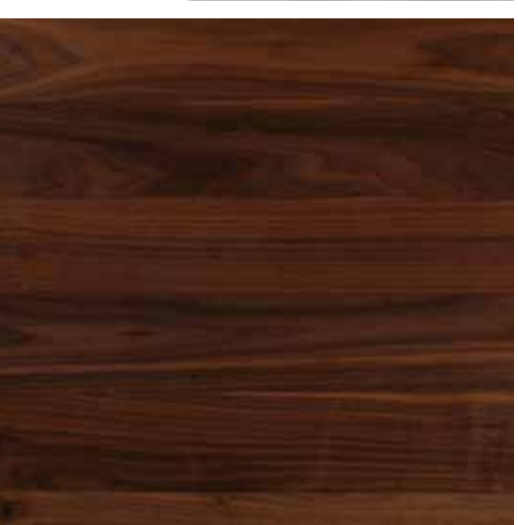
SILESTONE MARBLE FINISH BAR TOP



SMOKE GLASS PENDANTS WITH PLUMEN BULBS



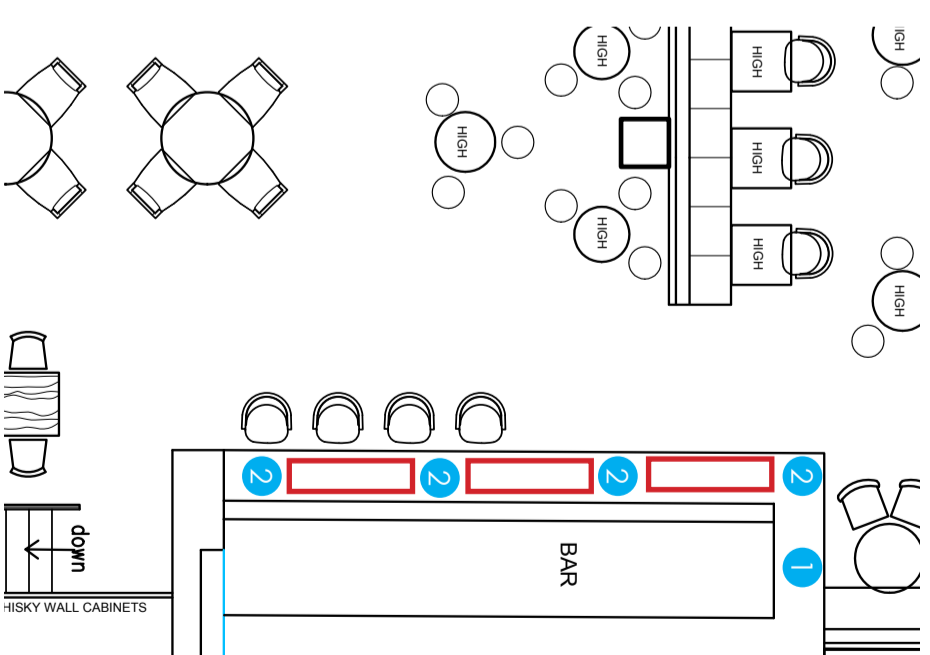
Brass gold tone overbar canopy for glass ware and bottles.

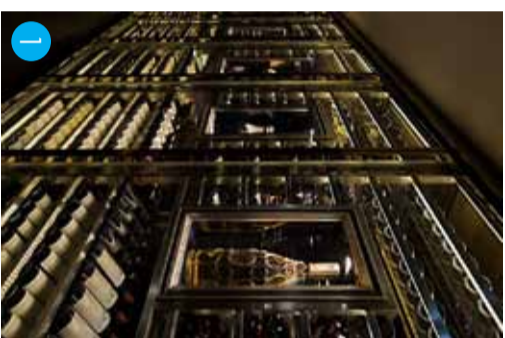
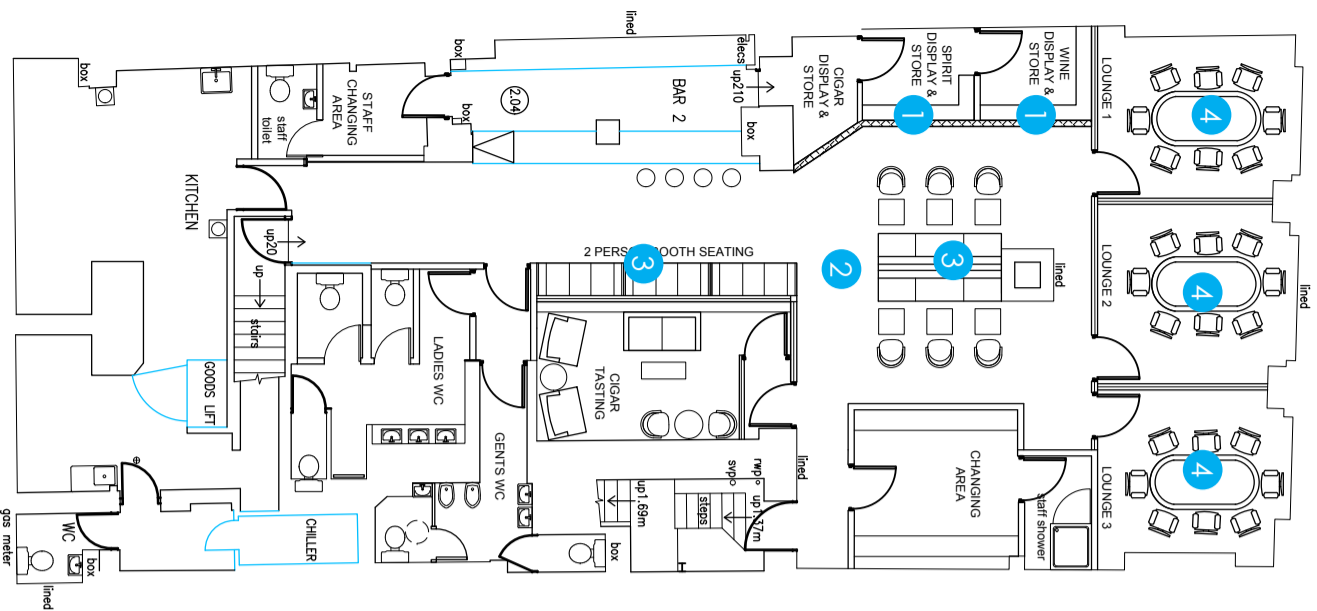


RICH TIMBER TONE BAR FRONT



BRASS FOOTRAIL

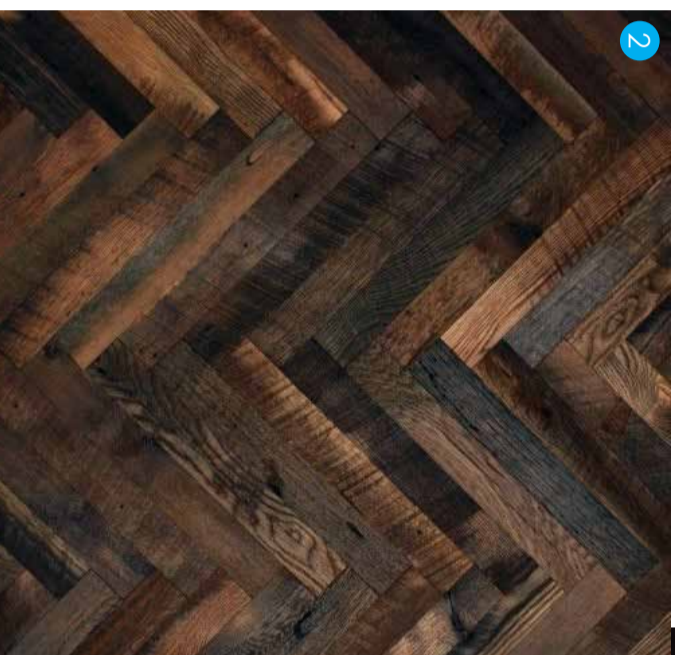




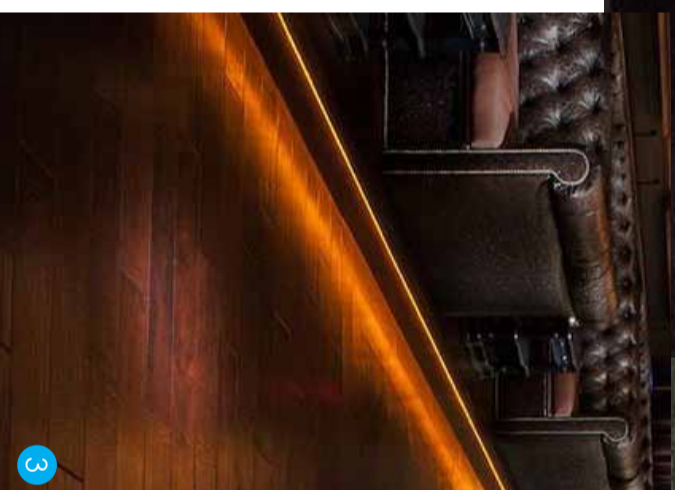
Whisky and wine cage displays with storage behind in the respective rooms - mirrored to reflect light and bottles.



Character multi-tone timber herringbone floor



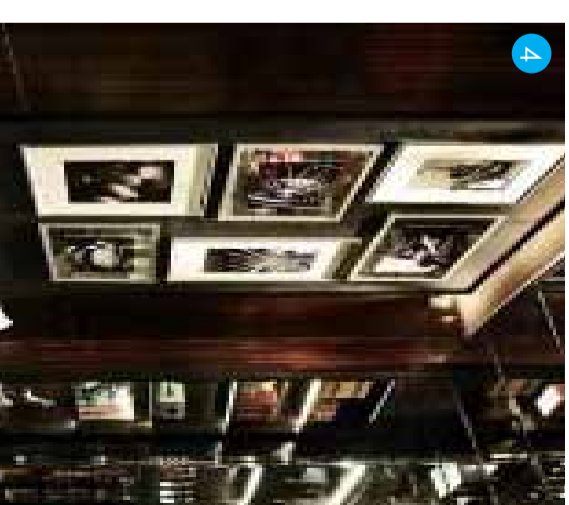
Reflective and luxurious leather for fixed seating



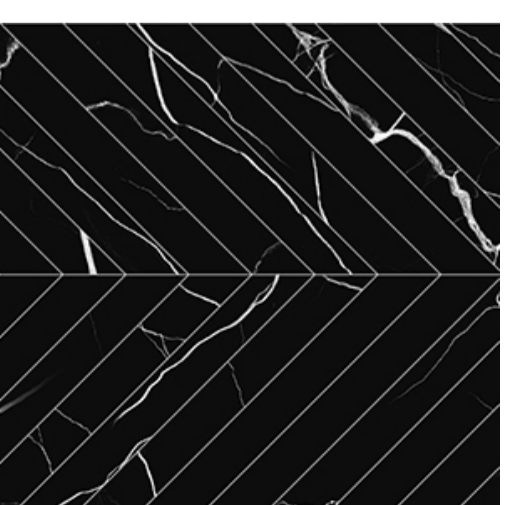
Warm amber glow LED to underside of all fixed seating. Creating an alluring and attractive ambiance.



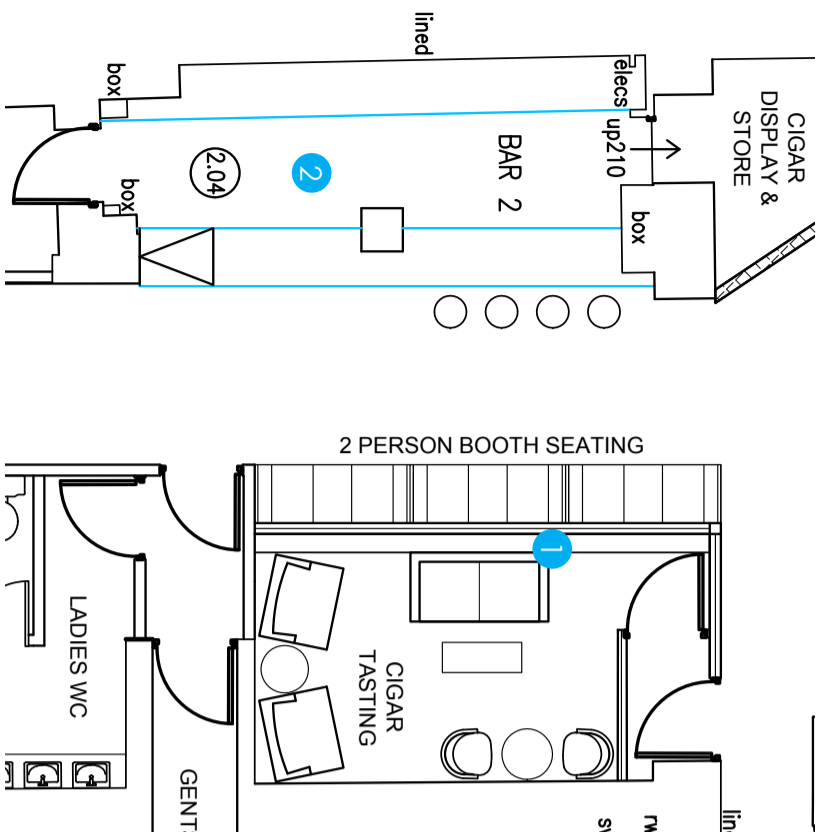
Private rooms to have dynamic LED ceiling



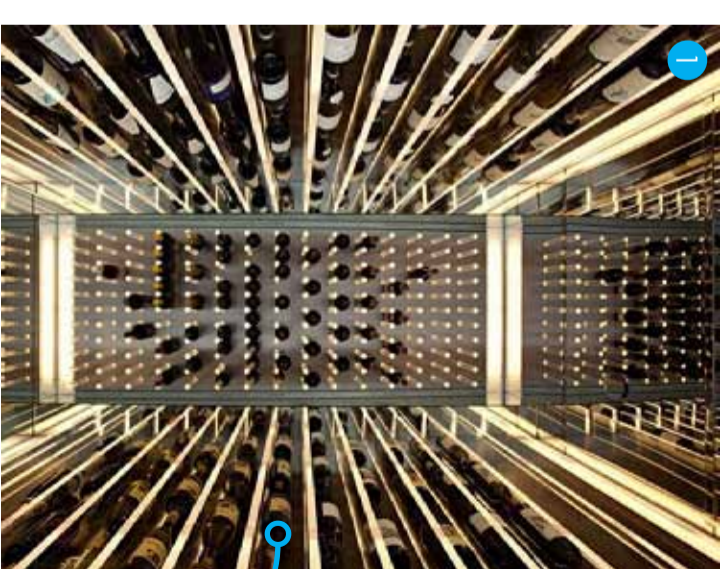
Full height timber panelling and B&W art



Monochrome dynamic marbled effect floor



Warm rich colours to compliment the space and add depth and opulence. Featured cigar artwork,



Cigar display encased in glass wall with mirrored wall opposite to reflect the display. Reflective floor and ceiling to maximise the incredible impact of the tasting room. Comfortable and lounge style furniture.



Illumination is key for the back bar - a warm glow to enhance the offering. Contrasted with dark panelling and timber

illuminated stone bar front

Lana Tricker

From: Lana Tricker
Sent: Tuesday, February 21, 2017 2:02 PM
To: 'Virginia Chichester'
Subject: RE: The Playhouse

Thanks for your email Virginia- that's a shame as we were looking forward to discussing the concept and proposal with you prior to the hearing.

As you know, the premises currently has an existing licence which it can operate under however these applications propose tighter controls operationally to make the premises a private members venue, rather than a public nightclub which it can operate as under its existing licence, and the SEV activities/licence would be ancillary to this operation (the venue is not being run as a dedicated striptease venue).

I am preparing some further submissions to the council which you will receive prior to the hearing, either in the LSC Report or separately, and if you have any queries on those pls let me know and we would be happy to clarify any matters.

Many thanks for your time.

Kind regards

Lana

Lana Tricker
Principal, LT Law

M: 075257 11530
T: 020 3755 5138

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From: Virginia Chichester [mailto:thechichesterfamily@gmail.com]
Sent: Tuesday, February 21, 2017 9:45 AM
To: Lana Tricker <lane@ltlaw.co.uk>
Subject: Re: The Playhouse

Dear Lana

Having given more thought to meeting with you and your clients, Nicholas Turner and I have decided that it would probably best not to do so as the Trust is opposing the Playhouse application and both of us hope to be at the hearing on March 2nd. I am sorry to have caused you inconvenience.

With best wishes
Virginia

On 20/02/2017 17:01, "Lana Tricker" <lane@ltlaw.co.uk> wrote:

Thanks Virginia

I will attend with my clients Val Kmetz and Richard Triviss. Richard will be able to answer questions on the lease and Val will be able to answer any operational queries.

Thanks- see you then

Kind regards

Lana

Lana Tricker
Principal, LT Law

M: 075257 11530

T: 020 3755 5138

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From: Virginia Chichester [<mailto:thechichesterfamily@gmail.com>]

Sent: 17 February 2017 12:32

To: Lana Tricker <lane@ltlaw.co.uk>

Cc: Nick Turner <njt@ropsley.net>

Subject: Re: The Playhouse

Have just heard from Nick and he can do that time and date.

I think we would prefer to come to the club as it is more convenient so we will meet you there on Feb 22nd at 11am. Can you let us know who else will be with you?

On 17/02/2017 11:46, "Lana Tricker" <lane@ltlaw.co.uk> wrote:

Dear Virginia

Thank you very much for your email, which is much appreciated by my client.

Yes, we would welcome a meeting and we could do the morning of the 22nd- could you do 11am- or is that too late for you?

You would be welcome at the premises if you would like to look around, although I note it is not in a very good state at present- and so it may be better to come to your office if that is convenient to you? Pls let me know your preference and we will be able to accommodate that request. We will bring some visuals along in any event so you can understand the proposal.

Thank you

Kind regards

Lana

Lana Tricker
Principal, LT Law

M: 075257 11530

T: 020 3755 5138

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Authorised and regulated by the Solicitors Regulation Authority.

From: Virginia Chichester [<mailto:thechichesterfamily@gmail.com>]

Sent: Friday, February 17, 2017 11:00 AM

To: Lana Tricker <iana@ltlaw.co.uk>

Cc: Nick Turner <njt@ropsley.net>

Subject: The Playhouse

Dear Ms Tricker

I am contacting you as one of the Trustees of the St James's Conservation Trust. You will be aware that the Trust is concerned about the applications shortly to be heard by the WCC Licensing Committee. Another Trustee Nicholas Turner and I have met with PC Paul Hoppe and Sgt Sarah Marrison to discuss our concerns and Paul Hoppe has suggested that a meeting with you could be constructive.

As the application is due to be heard on March 2nd we are a bit short of time but can I suggest the afternoon of Tuesday February 21st or the morning of the 22nd. Otherwise we might be looking at Tuesday 28th in the afternoon.

I hope that we will be able to meet.

With best wishes
Virginia Chichester

Lana Tricker

From: licensing licensing <licensing@westminstercab.org.uk>
Sent: Tuesday, February 21, 2017 4:22 PM
To: Lana Tricker
Subject: RE: Playhouse

Hi Lana,

I am instructed that my client does not feel that a meeting prior to the hearing will assist.

Kind regards,

Richard

From: Lana Tricker [mailto:lane@ltlaw.co.uk]
Sent: 21 February 2017 09:49
To: licensing licensing
Subject: RE: Playhouse

Hi Richard- hope you are well. Just checking if you or your client would like to meet with my client prior to the hearing?

Kind regards
Lana

Lana Tricker
Principal, LT Law

M: 075257 11530
T: 020 3755 5138

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From: licensing licensing [mailto:licensing@westminstercab.org.uk]
Sent: Thursday, February 2, 2017 2:26 PM
To: Lana Tricker <lane@ltlaw.co.uk>
Subject: RE: Playhouse

Hi Lana,

I have not yet heard back from my client - I will update you when I am able.

Kind regards,

Richard

Richard Brown
Licensing Advice Project
Citizens Advice Westminster
21a Conduit Place, London W2 1HS
Advice Line: 08444 771 611
Direct Line: 020 7706 6029
Fax: 020 7706 6039

Email: licensing@westminstercab.org.uk

This e-mail originates from Westminster Citizens Advice Bureau Service, Charity Registration Number: 1059419; Company limited by guarantee, Registration Number: 03039752. Authorised and regulated by the Financial Conduct Authority: FRN 617795. Citizens Advice Westminster has a complaints handling procedure. Please request a copy of the leaflet to be posted or emailed to you.

P Please consider the environment before printing this email

From: Lana Tricker <lane@lrlaw.co.uk>

Sent: 02 February 2017 13:24:58

To: licensing licensing

Subject: RE: Playhouse

Hi Richard- just checking if you would like to arrange a meeting to discuss this application with our respective clients?

Thanks

Kind regards

Lana

Lana Tricker
Principal, LT Law

M: 075257 11530

T: 020 3755 5138

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From: Lana Tricker

Sent: Friday, January 27, 2017 10:28 AM

To: licensing licensing <licensing@westminstercab.org.uk>

Subject: Playhouse

Hi Richard

As briefly discussed yesterday, I understand you are acting for a number of residents on this application. I know you are looking at the papers next week but I just wanted to confirm that my client's offer to meet the residents (and you) is open so that we can explain the application in full. Once you have had a chance to look over the papers for the sev and PL variation pls let me know if you think this is possible. Also, we don't mind an evening meeting if the residents are working in the daytime and that is more convenient to them.

Thanks

Kind regards

Lana

Lana Tricker
Principal, LT Law

M: 075257 11530
T: 020 3755 5138

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JOHN LOBB

15th December 2015

Dear Mr Serlui,

Further to our recent meeting, having heard the outline of your plans for a proposed new SEV application, I would like to confirm that I do not object to the application for a Gentlemen's Club at 91 Jermyn Street.

I understand that the application to be made will mirror the existing hours on the premises license currently held for 91 Jermyn Street, which has a terminal hour of 3.30am for entertainment, and the capacity will not be more than what is currently permitted on the existing premises licence.

I further understand the license, if granted, would be subject to Westminster City Council's standard rules for SEV venues and this includes a condition that there will be very discreet signage outside the venue.

I do not feel that the application will have any detrimental impact to the local neighbourhood/area and believe the operation will have even less impact on the local area than when operating as a nightclub, as it is currently permitted to do.

Yours sincerely,



Daniel Kovacs
Store Manager

FLORIS ESTATES

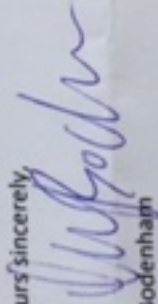
Mr D Serlui
90 Jermyn Street
London
SW1Y 6JB

17 December 2015

Dear Mr Serlui,

Further to our recent meeting, having heard the outline of your plans for a proposed new SEV application, I would like to confirm that I do not object to the application for a Gentlemen's Club at 91 Jermyn Street. I understand that the application to be made will mirror the existing hours on the premises licence currently held for 91 Jermyn Street, which has a terminal hour of 3.30am for entertainment, and the capacity will not be more than what is currently permitted on the existing premises licence. I further understand the license if granted, would be subject to Westminster City Council's standard rules for SEV venues and this includes a condition that there will be very discreet signage outside the venue. Subject to seeing detailed plans, looking at the outline proposal, I do not feel that application will have any detrimental impact to the local neighbourhood/area and believe the operation will have even less impact on the local area than when operating as a nightclub, as it is currently permitted to do.

Yours sincerely,



E. Bodenham

Director



SHIRTMAKERS & TIE SPECIALISTS

97 JERMYN STREET, ST JAMES' S
LONDON, SW1Y 6JE
TEL: 0207 839 3578
FAX: 0207 839 7020

17th December 2015

Dear Mr Serluis,

Further to our recent meeting, having heard the outline of your plans for a proposed new SEV application, I would like to confirm that I do not object to the application for a Gentlemen's Club at 91 Jermyn Street. I understand that the application to be made will mirror the existing hours on the premises license currently held for 91 Jermyn Street, which has a terminal hour of 3.30am for entertainment, and the capacity will not be more than what is currently permitted on the existing premises licence. I further understand the license if granted, would be subject to Westminster City Council's standard rules for SEV venues and this includes a condition that there will be very discreet signage outside the venue. I do not feel that application will have any detrimental impact to the local neighbourhood/area and believe the operation will have even less impact on the local area than when operating as a nightclub, as it is currently permitted to do.

Yours sincerely,

Matthew Beadle
General Manager

WEBSITE: www.harvieandhudson.com

EMAIL: info@harvieandhudson.com

REGISTERED OFFICE: 77 JERMYN STREET, LONDON SW1 REGISTERED IN LONDON NO. 551660

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From: "Sycamore, David: WCC" </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=E5256A1EF17B4CBEBBD523B4EA4D2252-SYCAMORE, D>
To: "Licensing: WCC" </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=3FE10883EBF64BBD9A2CF601DE3804A8-LICENSING H>
Subject: 16/12363/LISEVN - 91 Jermyn Street - Licensing Authority Representation
Body:

Licensing Team

Public Protection & Licensing

Tel: 020 7641 8556

dsycamore@westminster.gov.uk

Date: 7 December 2016

Application Ref: 16/12363/LISEVN

Dear Mr Rowe

In reference to the application for a new sexual entertainment at 91 Jermyn Street (16/12363/LISEVN) I as authorised officer object on behalf the licensing authority. The circumstances around a new sexual entertainment application which was refused in 2014 have not changed and the same concerns exist. There are still two sexual entertainment venues in close proximity. Policy LO1 of Westminster City Council Sexual Entertainment Policy is clear in that the Council must consider the character of the relevant locality. The applicant's agent has not offered any information which I believe counters the decision issued in 2014 and as a new application I believe the same concerns are present.

Please accept this formal objection to the application and I wish to visit the premises to discuss my concerns with the applicant.

Kind regards

David Sycamore

Senior Licensing Officer

T – 020 7641 8556

E – dsycamore@westminster.gov.uk

CITY OF WESTMINSTER

MEMORANDUM

TO Licensing Officer

REFERENCE 16/12363/LISEVN

FROM EH Consultation Team

REFERENCE

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

TELEPHONE 020 7641 3183

DATE 7th December 2016

Local Government (Miscellaneous Provisions) Act 1982
Policing and Crime Act 2009

The Playhouse, 91 Jermyn Street, SW1

I refer to the application for a Sexual Entertainment Venue Licence.

The premises are located within the Westminster Core Commercial Activity Zone.

The applicant has submitted Ground and Basement floor plans of the premises which are not referenced or dated.

This representation is based on the plans and operating schedule submitted.

The applicant is seeking the following

1. The application is to provide striptease, pole dancing and table dancing with full nudity during the opening hours of 17.00 – 03.30 Monday to Sunday.

I wish to make the following representation

1. The grant of the licence would be inappropriate having regard to the layout, character or condition of the premises.

Conditions have been proposed by the applicant but a visit will need to be made to the premises to ensure compliance with Westminster licensing policy and additional conditions may be proposed.

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

Ian Watson
Senior Practitioner Environmental Health (Licensing)

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From: "Paul.Hoppe@met.pnn.police.uk" <Paul.Hoppe@met.pnn.police.uk>
To: "Licensing: WCC" </O=EXCHANGELABS/OU=EXCHANGE
ADMINISTRATIVE GROUP
(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=3FE10883EBF64BBD9A2CF601D
E3804A8-LICENSING H>
Subject: Objection to Application 91 Jermyn Street (SEVL)
Body:

From: Hoppe Paul - Westminster
Sent: 06 December 2016 11:55
To: 'licensing@westminster.gov.uk'
Subject: FW: Objection to Application 91 Jermyn Street (SEVL)

Dear All,

Please see below - I am not sure whether Steve has received this objection. Please confirm receipt.

Regards

Paul

From: Hoppe Paul - Westminster
Sent: 05 December 2016 14:37
To: 'srowe@westminster.gov.uk'
Cc: Marrison Sarah J - Westminster
Subject: Objection to Application 91 Jermyn Street (SEVL)

Dear Steve,

Regarding the above application, The Police as a responsible authority wish to object to the above SEVL application on the grounds of Prevention of Crime and Disorder, Prevention of a Public Nuisance and Improvement in the Character & function of the City or areas of it.

There are insufficient undertakings or conditions in the application to promote the Licensing Objectives.

I shall produce a more specific objection in the near future.

Regards

METROPOLITAN POLICE SERVICE

Westminster Police Licensing Team

Westminster City Hall

4th Floor, 64 Victoria Street

London, SW1E 6QP

Telephone: 020 7641 6016

29th November 2016



Dear PLH Bars Ltd.

Reference: 16/12363/LISEVN - Sexual Entertainment Venue License (New) at 91 Jermyn Street London SW1Y 6JB.

I refer to the above application for new Sexual Entertainments Venue License at 91 Jermyn Street London SW1Y 6JB. I wish to inform you that Police as a responsible authority are objecting to this application on the Grounds of Prevention of Crime and Disorder and that the hours requested are outside those prescribed by the City of Westminster Licensing Policy.

Although the venue is not in a Cumulative Impact Area as defined in the City of Westminster Licensing Policy 2016, the venue is located only one street away from the West End Cumulative Impact Area; an area which contains a high density of licensed premises which adversely impacts on the promotion of the Licensing Objectives.

History:

I am aware of the history of this venue and the very unfortunate circumstances which forced the previous closure of the venue. I have visited the venue and explored the immediate vicinity, mindful of this application. I have twice met with a representative of this applicant and their licensing solicitor and listened to two very good presentations made on the applicants future plans for the venue. I understand that this application is only part of a much larger confidential plan for the venue and as such I have regard for this when making this representation.

Future of the Venue:

As noted above, I am aware that this application is only a part of an overall plan for the venue. I understand that the applicant does not necessarily wish to operate the venue as a full-time sexual entertainment venue. I feel the application does not fully explain this desire and that it is for the applicant to explain to the Licensing sub-Committee their plans in more detail.

I would also encourage the applicant to canvass the local community over this application.

Objection:

I have noted the applicant does not wish to dis-apply any of the standard conditions, but also that the applicant has stated that the application does not conflict with any of the policies listed in the Statement of Licensing Policy. I have to disagree, it does; the applicant is seeking a license until 0330 hours every day of the week. The licensing policy on hours is 2330 hours Monday to Thursday, 2230 hours Sunday and midnight Friday and Saturday.

Many of the conditions offered by the applicant under the Prevention of Crime and Disorder, are in fact *not relevant* in this section and therefore not proportionate or appropriate to promote this licensing objective. I would encourage the applicant to re-consider and submit conditions which would fully promote this licensing objective.

In making this decision, I have considered the meetings and presentation the applicant has made. However I do not feel that the application references the information the applicant shared in these face to face meetings. I am sure that with some minor alterations, I would be able to view this application more favourably.

It is for the reasons above Police are objecting to the application for a Sexual Entertainment License at the above venue.

Regards

Paul Hoppe
PS 180CW
Westminster Police Licensing Team

Comments for Licensing Application 16/12363/LISEVN

Application Summary

Application Number: 16/12363/LISEVN
Address: 91 Jermyn Street London SW1Y 6JB
Proposal: Sexual Entertainment Venue - New
Case Officer: Mr Steve Rowe

Customer Details

[REDACTED]
[REDACTED]

Comment Details

[REDACTED]

Stance: Customer objects to the Licensing Application

Comment Reasons:

Comment: 10:22 AM on 23 Nov 2016 I have been instructed to object (this is notification - NOT a full statement of objection - which will be submitted within 4 weeks of the 11/11/16 notice - due to lack of full information at this stage) [REDACTED]

[REDACTED], to this very poor license application - which in itself demonstrates why such operators and use are highly inappropriate in the [REDACTED] Special Policy Area on historic Jermyn Street. In addition, the applicants form on line from the City Council's Licensing Website - refers to attachments (under PART 5 - Checklist) - which are not available notably :

- "The code of conduct for performers."

- (Readable drawings and text notes) - to show relevant details to appraise the issues of stated capacity and operation (related to Codes - "as NOT attached").

Your Ref: 16/12363/LISEVN
91 Jermyn Street
SW1Y 6JB:

Licensing Team

Public Protection & Licensing
Westminster City Council
4th Floor East
64 Victoria Street
London SW1E 6QP

6 December 2016

Dear Westminster Licensing/Sir/Case Officer Mr Rowe,

**Ref : Objection to application for a new Sexual Entertainment License as above
reference/address**

I am writing to object to the above Sexual Entertainment Venue application for 91 Jermyn Street, St. James's, as above reference, [REDACTED]

[REDACTED] resident [REDACTED]
[REDACTED]

[REDACTED] who worked in Jermyn Street for many years, [REDACTED] and has been directly involved in the [REDACTED] consistent, past opposition to inappropriate planning and licensing activities and applications at this site). As such the [REDACTED] wishes to have this statement of objection to the above proposed License application, apparently incomplete online (with no attachment viewable for the required "code of conduct for performers"), but nonetheless registered, for the purpose of objections by the deadline stated for objections as :

8 December 2016).

I understand that this is the second application in recent years in near identical terms (the first Your Ref : 14/02824/LISEVN) having been rightly rejected as Licensing Sub-Committee No. 4, Thursday 3 July 2014)), and is considered wholly inappropriate for this historic street in this most important historic area of St. James's, essentially on the same grounds as the then subcommittee accepted previously, in making their refusal decision. These were as :

"...In reaching this [3/7/2014] decision, the Sub-Committee particularly took into account Policy LO1 of the Council's Sexual Entertainment Venues Statement of Licensing Policy 2012, which refers to the character of the relevant locality. The Sub-Committee considered that it would be inappropriate, because of the effect that such an association would have on visitors and on the image of London and Westminster in particular, to locate a SEV in Jermyn Street which, as the [then and current, St. James's Conservation Trust and other] objectors had stated, is a nationally and internationally renowned area with high profile retail shops. It was also the case that a church of historical significances and great value to the community, St James's Church, Piccadilly was almost directly opposite from the entrance to 91 Jermyn Street which it was proposed would be used for the SEV....Policy LO2 of the Council's SEV Statement of licensing Policy is also relevant as it stated in paragraph 2.4.17 that : "The Council considers that sexual entertainment venues, providing a particular type of entertainment for a particular adult clientele, may be inappropriate in the vicinity of other premises depending on their use. This may include premises in the vicinity used for religious worship...[and]...may also include sex establishments and other premises providing sexual entertainment where the council considers it inappropriate to create a cluster of such premises..."

Clearly, the established, proposed site's proximity to St. James's Church on this criteria alone, must again mean a Committee refusal of grant of SEV license as no new mitigation arguments are possible. The applicant cites (again as in 2014) the 2 existing SEV premises and their proximity, however only one (the Gaslight Club) is operational and has a 78 year track record of good management. The suitability of applicants' who put in this SEV application, with disregard for the past rejection and background but with no new arguments or detail in support is in itself, a worrying sign of possible inexperience of management of such a controversial site and use proposal in terms of public safety, prevention of public nuisance and protection of children from harm and lack of recognition that the application is in conflict with any of the policies listed in the Statement of Licensing Policy.

The **character** of the locality of St. James's and in the vicinity of Jermyn Street and this site in particular, is of nationally important historic high quality shops and facilities, including at its heart, the important Listed Church. Nearby are other important family destinations for shopping and cultural activities, such as Fortnum & Mason and The Royal Academy of Arts, amongst also many dignified residential and commercial buildings and occupiers.

This intended, use, irrespective of hours sought, also most unreasonably all week until 3.30am finish time – is wholly out of keeping with Council policies for protection and enhancement of this area of very special character, recognised by the City Council's designation and definition of the district as the "**St. James's Special Policy Area (SPA)**".

The [WCC] "Licensing Policy vision statement" (with **bold underlined text** relevant to the [redacted] reasons for objection and request to the city Council to refuse the application) :

"We [WCC] want to make sure that Westminster continues to offer a wide choice of high quality and **well managed** entertainment and cultural venues within **a safe, orderly and attractive environment**; **valued by those who live here, work here and come to visit.**"

Policy NO1 : Policies relating to the number of sexual entertainment venues that the council considers appropriate in any particular locality within the city [25] :

"Reason for Policy NO1 : para 2.3.12 : states :

"The council has consulted Visit London, the official visitor organisation for London, on their views on expansion in the number of premises offering sex related entertainment. It has advised that if the balance and mix of uses in areas such as Soho, **St James['s]**, Mayfair and Covent Garden, **were to change and become more dominated by sex related entertainment this could deter visitors and have a negative impact overall**".

Policy LO1 – Character of the relevant locality (which means, paras, 2.4.1 "Introductions/definitions : The council considers that the character of the relevant locality ", 2.4.2, 2.4.3 : "**...in relation to premises, the locality where they are situated...**" the following wording **underlined and in capitals** – is a powerful basis of this objection by The Trust and residents/businesses and all those concerned, existing or future visitors) :

"To promote the policy aims and objectives, the council will consider whether the grant or renewal of a license would be inappropriate, having regard to the CHARACTER OF THE RELEVANT LOCALITY." :

Reasons for Policy LO1 :

Para 2.4.4 "...The council considers that localities which **are characterised by particular uses, whether by residents, visitors or workers, should not include sexual entertainment venues.**"

Paras 2.4.5 – 2.4.15 : Almost all these paragraphs of City Council : "Reasons", make use of the wordings : "**localities that characterise**" and/or "**...inappropriate to introduce in localities of the character...**" (eg : "**...identified in paragraph 2.4.6 above...**") – a wording that directly correlates with the use of **defined "character" as also** in City Council Statutory Planning Policy for St. James's area under the past and revised adopted :

St. James's designated : Special Policy Area (and also past, existing Conservation Area) status.

Policy LO1 : para 2.4.6 [In full] :

"In considering whether granting a license would be inappropriate the council will specifically consider whether the character of the locality is predominantly residential, high profile retail, of historic importance or iconic in nature, or one of family entertainment or leisure."

Clearly [REDACTED] the City Council's view the fact of Designation of the St. James's Special Policy Area, although under the Planning Legislation basis, is firm evidence alone, that grant of a new SEV in "this locality", that is Jermyn Street, IS inappropriate.

Policy CM2.4 : St James's SPA (comments by "...an Inspector appointed by the Secretary of State for Communities and Local Government" Date : 31 August 2016 : "Report on the Examination of the Special Policy Areas and Policy Map Revision to Westminster's City Plan" by the Planning Inspector on adoption confirmation) :

"...Para 31 : This policy [Policy CM2.4 : St James's SPA] seeks to protect the unique historic character and function of St. James's SPA as a centre of aristocracy and prestige, including...art galleries and niche luxury and specialist retail uses..."

[REDACTED] and the Jermyn Street immediate site and origin derived from proximity in the locality to St. James's Palace is of local, national and international importance, including also the family and community, leisure and cultural uses of the St. James's Church) has therefore by independent, expert, advice from Government, confirmed that it's character comprises :

- **high profile retail**
- **of historic importance**
- **iconic in nature**
- **and within 75 m of the site open space (the St. James's Churchyard) and also :**
- **over approximately 25 residential units.**

In summary (considering all the historic, iconic shops of Jermyn Street, including Fortnum and Mason department store at Christmas, within 75m : Burlington House, with its cultural institutions and The Royal Academy of Arts as well as a similar wide mix of uses across the whole street network to and from the proposed site of an SEV as well as the whole St. James's historic area and district's defined character) :

Para 2.4.12 : "Localities characterised as areas of historic importance, or iconic in nature, will be particularly attractive to, and used by, visitors, both adults and children.

On behalf of [REDACTED] I urge the Council Licensing Committee to refuse this application.

Yours sincerely,

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]

Comments for Licensing Application 16/12363/LISEVN

Application Summary

Application Number: 16/12363/LISEVN

Address: 91 Jermyn Street London SW1Y 6JB

Proposal: Sexual Entertainment Venue - New

Case Officer: Mr Steve Rowe

Customer Details

[REDACTED]

[REDACTED]

Comment Details

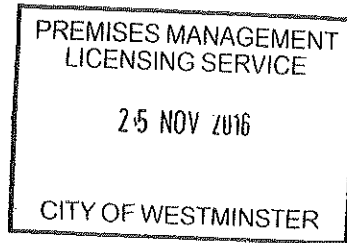
[REDACTED]

Stance: Customer objects to the Licensing Application

Comment Reasons:

Comment: 11:42 AM on 07 Dec 2016 I am the [REDACTED]



[REDACTED] and have today, emailed an objection letter (attachment) to the application for a new SEV at 91 Jermyn Street, on behalf of the [REDACTED] whose [REDACTED] purposes include the protection and enhancement of the historic area of St. James's. The [REDACTED] has previously objected to an SEV application for this same property in Jermyn Street, and sustains and expands upon its past reasons for objection, related to that hearing date decision, which in July 2014 assessed and rejected the then SEV application. The relevant Westminster Licensing (SEV) Policies (and Licensing Aims) would again be breached by this application, in the [REDACTED] view, as set out in the past Committee hearing's : reasons for not granting the SEV License.




23rd November 2016

Dear Sirs,

RE: PLH Bars Limited, The Playhouse, 91 Jermyn Street, London SW1Y 6JB

 I am writing to register  objection to the application for a Sexual Establishment Licence by PLH Bars Limited for The Playhouse, 91 Jermyn Street, London SW1Y 6JB.

 is a proactive business organisation that has represented a large proportion of the retailers, restaurants, hotels and businesses based on Jermyn Street and the surrounding St James's area for over 50 years.

The basis for this opposition is that we believe this Licence would be entirely out of keeping with the distinctive character and rich heritage that has been synonymous with Jermyn Street for the past 300 years.

Jermyn Street and St James's has built a world-wide reputation for its British craftsmanship and high-quality establishments; it is also home to one of the highest concentrations of Royal Warrant Holders of any street in the country. This highly valued reputation is key to the continued success of the street, and the many family run businesses that have made it their home.

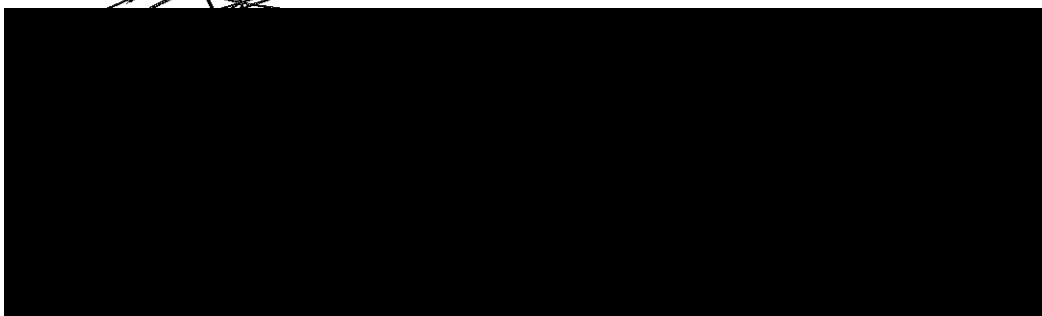
Jermyn Street attracts a high number of UK, and overseas visitors who come to experience the unique nature of this highly distinguished and historic destination, the addition of a Sex Establishment would severely damage this image and the perception of the street.

Many of these visitors to Jermyn Street are families who shop and dine until late into the evening; we do not believe they would continue to visit the street if they had to pass this type of establishment.

Jermyn Street lies within the Heart of London Business Improvement Area, and HoL have been working tirelessly to keep Jermyn Street clean and clear of rubbish. We believe granting permission for a Sexual Establishment would only provide a further opportunity for antisocial behaviour, littering, public nuisance, crime, disorder, and noise within the area.

Given the above, I would urge the Licensing Authority to refuse the application.

Yours faithfully,



From:
To: "General Licensing Mailboxes: WCC"
</O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP
(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D6B5041E553E4CF8A2FA7AE426
0DD0AF-GENERAL LIC>
Subject: 16/12363/LISEVN
Body: Dear Sir/Madam,

I have received a letter from Westminster Council regarding the above mentioned application made for Sexual Entertainment Venue at 91 Jermyn Street, London, SW1Y 6JB on 22/11/2016 by post.

I would like to make an objection against the above mentioned application. The reason for the objection is where we work is very reputed and very safe place. I believe if issue a licence for the Sexual Entertainment in this area, it will not make only unsafe the area but also bring disrepute the area. I strongly believe that the venue will damage the businesses across the street which are there for many many years. I will feel ashamed to call my clients to my office. My majority of client will think that I have got the office next to Sexual Entertainment Venue because it is going to be cheaper. I would have to think before arranging meeting at our office at late in the evening because it will be unsafe to walk pass the venue to get to public transport venue.

Kind regards,

Comments for Licensing Application 16/12363/LISEVN

Application Summary

Application Number: 16/12363/LISEVN

Address: 91 Jermyn Street London SW1Y 6JB

Proposal: Sexual Entertainment Venue - New

Case Officer: Mr Steve Rowe

Customer Details

[REDACTED]

[REDACTED]

Comment Details

Commenter Type: Other

Stance: Customer objects to the Licensing Application

Comment Reasons:

Comment: 10:48 AM on 29 Nov 2016 [REDACTED]

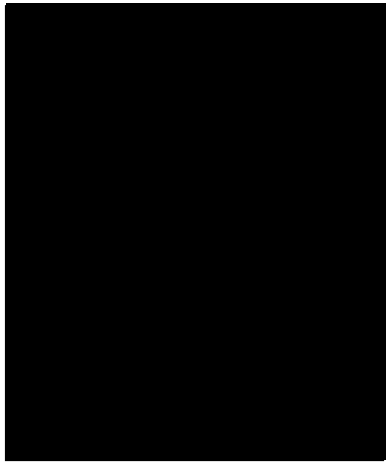
[REDACTED]. This is a residential building [REDACTED]

[REDACTED] Jermyn Street.

Ormond Yard is a residential mews. Access and parking are very difficult (double yellow lines). It has already suffered disruption from noise and bad behaviour (requiring police intervention) in the past due to establishments such as the Abracadabra, which was previously at 91 Jermyn St. and which often attracted a noisy, disruptive clientele. The Abracadabra closed down and anti-social behaviour has been reduced. We believe that to approve this licence would be a backward step as the area is much improved.

The application mentions full nudity, striptease, pole dancing and table dancing. The hours requested are 5pm - 3.30am for the sub-basement and 11pm - 3.30 am for the basement floor. The basement takes 135 people, the sub-basement takes 100 people. It is possible that all these people would leave via Ormond Yard (back door) or via Jermyn St. at 3.30am. We don't feel this is sensible or appropriate. We note from the press that there have been problems with violence at Mr. Serlui's previous clubs (assuming this is the same person), Ghost Bar in Islington, 2010- An "out of control" bar has been stripped of its 24-hour licence after a man was shot inside the club." [Islington Tribune, 2010], and Ghost "Ghost closed its doors only 11 months (2009) later due to a series of incidents and community conflicts" Windsor Smith 13th June 2014.

[REDACTED] we are making the strongest possible objection to PLH Bars' application for a new Sexual Entertainment Venue licence. It is wholly unsuitable to have this type of club in a prestigious, residential area. Neighbouring shops include Floris, Paxton & Whitfield & Fortnum & Mason. A business of this sort is completely out of place.



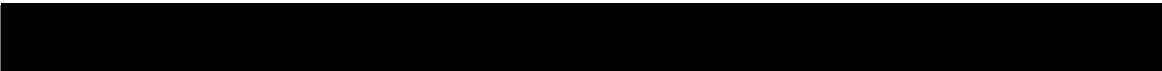
Westminster City Council
Licensing Service
Westminster City Hall - 4th Floor
64 Victoria Street
London
SW1E 6QP

24th November 2016

Your ref: 16/12363/LISEVN


Dear Sirs,

Re: PLH Bars Ltd application for a new Sexual Entertainment Venue – The Playhouse, 91 Jermyn St

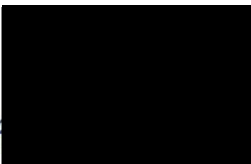
 a residential building
Jermyn Street. The
yard has double yellow lines and access is already difficult as it is a dead end.

Ormond Yard is a quiet mews during the day and is almost completely residential. It has already suffered disruption from noise and bad behaviour (requiring police intervention) in the past due to establishments such as the Abracadabra, which was previously at 91 Jermyn St. and which often attracted a noisy and disruptive clientele. The Abracadabra closed down and anti-social behaviour has been reduced. We believe that to approve this licence would be a backward step as the area is much improved.

We note that the application mentions full nudity, striptease, pole dancing and table dancing. The hours requested are 5pm – 3.30am for the sub-basement and 11pm – 3.30 pm for the basement floor. The basement takes 135 people sub-basement takes 100 people. It is possible that all these people would leave via Ormond Yard (back door) or via Jermyn St. at 3.30am. We don't feel this is sensible or appropriate. We note from the press that there have been problems with violence at Mr. Serlui's previous clubs (assuming this is the same person), Ghost Bar in Islington, 2010- An "out of control" bar has been stripped of its 24-hour licence after a man was shot inside the club just before Christmas" [Islington Tribune, 2010], and Ghost "Ghost closed its doors only 11 months (in 2009) later due to a series of incidents and community conflicts" [Windsor Smith 13th June 2014].

 we are making the strongest possible objection to PLH Bars' application for a new Sexual Entertainment Venue licence. It is wholly unsuitable to have this type of club in a prestigious, residential area of London. The shops adjacent to the front entrance of 91 Jermyn St. include Roderick Charles, Floris, Crockett & Jones and Paxton & Whitfield. A business of this sort would be completely out of place here.

Yours faithfully,



P. f.

Comments for Licensing Application 16/12363/LISEVN

Application Summary

Application Number: 16/12363/LISEVN
Address: 91 Jermyn Street London SW1Y 6JB
Proposal: Sexual Entertainment Venue - New
Case Officer: Mr Steve Rowe

Customer Details

[REDACTED]
[REDACTED]

Comment Details

Commenter Type: Neighbour
Stance: Customer objects to the Licensing Application
Comment Reasons:
Comment: 9:36 AM on 30 Nov 2016 Dear Sirs

I strongly object to this application on 3 counts:

1 Noise and vibration. Whilst the application attempts to cover this in point 11 of their application, our experience over a number of years is that this is not possible. The buildings on Jermyn St and Ormond Yard have been conjoined over many years and overlap in all sorts of funny ways. They are made of old building materials and there has always been significant noise and vibration travel between the sites. I do not believe that it is possible for them to deliver point 11 of their plan. Our experience from previous establishments is that it is not.

2 Even if they contain the noise and vibration in the site the back entrance onto Ormond Yard is overlooked by residential accommodation, including a flat at 6 Ormond Yard which we lease out. The noise as staff leave or even just congregate during breaks will make it impossible for residents to sleep. If customers, who are alcohol fueled can also use this exit this will exacerbate the situation.

3 [REDACTED] Jermyn Street I feel this is entirely out of keeping and inappropriate for Jermyn Street. [REDACTED] I believe many of our customers will be offended to have to pass this type of establishment. I am also very concerned about issues of rubbish and cleanliness that accompany this style of venue.

Yours faithfully

[REDACTED]
[REDACTED]
[REDACTED]

From:
To: "Licensing: WCC" </O=EXCHANGELABS/OU=EXCHANGE
ADMINISTRATIVE GROUP
(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=3FE10883EBF64BBD9A2CF601D
E3804A8-LICENSING H>
Subject: objection to license
Body: To whom it may concern

Re: Sexual Entertainment Venue @ 91 Jermyn street, London SW1Y 6JB

We write to youregarding a Licensing
Application which has been submitted to you.

We have been notified that an application for a
License for a Sexual Entertainment Venue in 91 Jermyn street had been
submitted.

Aswe have not received any letters about this
application. We would like to object to such establishment in the street
therefore we are asking you to send us a copy of the letter containing
information about the application or let us know where we can view it
online.

Thank you.

Kind Regards,

5 December, 2016

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

Dear Sirs / Madam,

OBJECTION TO:

- **APPLICATION FOR SEX ESTABLISHMENT LICENCE (16/12363/LISEVN)**
- **APPLICATION FOR PREMISES LICENCE TRANSFER (16/13174/LIPT)**

PROPERTY: THE PLAYHOUSE, 91 JERMYN STREET, LONDON SW1Y 6JB ("SEV")

APPLICANT: PLH BARS LIMITED

I refer to the above applications.

I advise I am the resident [REDACTED] London and a member of the [REDACTED]

I wish to formally object to the above applications on the basis that the applications are contrary to the objectives of the Sexual Entertainment Venues Statement of Licensing Policy 2012 ("SEV Licensing") pursuant to the Local Government (Miscellaneous Provisions) Act 1982 and the Statement of Licensing Policy pursuant to the Licensing Act 2003.

In this regard, I comment that:

- a. Improvement in the character and function of the city, or areas of it – Jermyn Street dates back to 1664 and its retail tenants are high end leather goods' suppliers, wine merchants, restaurants, hotels and art galleries. The retail tenants service a clientele that appreciate the highest quality British artistry and craftsmanship that it has become known for over the past 300 years. Jermyn Street's long illustrious history should be cherished and protected and the SEV is not in keeping with it nor appropriate for the area;
- b. Prevention of Public Nuisance & Public Safety –
 - i. The back entrance of the SEV opens on to Ormond Yard, [REDACTED]
[REDACTED]

- ii. The Applicant has been undertaking building works to the SEV for the past few months. The works have been loud and constant and are often conducted outside of the permitted hours. [REDACTED] the noise is unbearable. I can hear every nail, hammer, drill and yell of the contractors.
 - iii. The construction trucks and vans have also been illegally parking and blocking the alleyway and the local businesses;
 - iv. I have made numerous complaints to the Westminster Council about both the noise and the traffic and intend to continue to do so whilst both issues persists;
 - v. Once the SEV opens, I will expect the noise to be even worse;
 - vi. Attached are photos which show that the Applicant has installed large, bi-fold doors which can be opened up across the entire face of the back of the SEV;
 - vii. The Applicant has applied to open until 3:30am, seven nights a week. [REDACTED] other residents will hear music until 3:30am, seven nights a week;
 - viii. [REDACTED] drunk people outside [REDACTED] until 3:30am, seven nights a week;
 - ix. Smoking is banned in all enclosed premises in the United Kingdom so the patrons will naturally drift outside to smoke and chat;
 - x. Any noise from the SEV will vibrate and bounce around the narrow Ormond Yard alleyway and will disturb all of its residents;
 - xi. There will also be traffic and safety issues. Once the SEV opens, there will no doubt be taxis and cars trying to drive down the Ormond Yard alleyway to pick up and drop off patrons. It is narrow so the cars will have to try and turn around, while trying to avoid hitting drunk patrons (noting that there is limited light in the alleyway at night) whilst also trying to navigate other cars that have backed up behind it.
- c. Prevention of Crime and Disorder – SEV's and similar types of businesses have a history of violence and gang related activity. Likewise, selling alcohol to 3:30am in the morning, seven nights a week, will lead to disorderly behaviour from its patrons.

I ask that you take into consideration the above points and deny the applications for the Property.

Yours faithfully,

[REDACTED]









PREMISES MARKING
LICENSING SERVICE
06 DEC 2016
CITY OF WESTMINSTER



The Licensing Service
Westminster City Hall
4th floor
63 Victoria Street
SW1E 6QP

5th December 2016

Dear Sir

Re. 91/92 Jermyn Street SW1

We are writing to you on [REDACTED]

[REDACTED] building and it has come to our attention [REDACTED] PLH Bars Ltd, has submitted an application seeking consent for a Sexual Entertainment Venue licence in respect of the basement and sub basement.

This use sits outside the terms of the lease which does allow use ' as a licensed club restaurant with dancing and cabaret and bar facilities and subject to the tenant obtaining a casino licence, a casino.'

It has always been made clear that [REDACTED] would not agree to the property being used for striptease, full nudity, pole or lap dancing.

The building is currently undergoing an extensive programme of both internal and external refurbishment. Any SUV licence would tarnish the property, St James's Church, the neighbouring occupiers and the general street scene. The building has never had a SEV Licence and in our opinion, should not have one now.

We very much hope that you will refuse this application and any others for a similar purpose.

Should you wish to speak to us regarding this matter I would be grateful if you could [REDACTED]

[REDACTED]

[REDACTED]

(Handwritten scribbles)

[REDACTED]

[REDACTED]

To: "General Licensing Mailboxes: WCC" </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D6B5041E553E4CF8A2FA7AE4260DD0AF-GENERAL LIC>
Subject: Ref: 16/12363/LISEVN - The Playhouse, 91 Jermyn Street, London, SW1Y 6JB
Body: The Manager

Licensing Service

Westminster City Hall

Your Ref: 16/12363/LISEVN

OBJECTION TO LICENCE APPLICATION

The Playhouse, 91 Jermyn Street, London, SW1Y 6JB

.....91 Jermyn Street for the purposes of this licence application, the applicant's premises has entrance/exit doors onto Ormond Yard.

We object to the application to allow 91 Jermyn Street to operate as a Sexual Entertainment Venue.

The basis of our objection is set out below.

.....family residence.

We are keen to see the residential amenity of the area continue to be improved. The operation of a Sexual Entertainment Venue (SEV) in the near vicinity is not conducive to the promotion of Ormond Yard, and its near surrounds, as a high end residential precinct.

Current licence conditions do not appear to be adequate to prevent some patrons and staff leaving The Playhouse via the Ormond Yard exit – thus disturbing the residents of Ormond Yard late at night. Consequently, we are dubious that licence conditions on the use of the Ormond Yard doors will be adequate to protect the residential amenity of residents.

Ormond Yard is a relatively narrow and confined area. We do not believe it acceptable that residents of Ormond Yard returning home (especially young females) could be forced to confront patrons leaving a SEV late at night.

Yours faithfully

Your Ref: 16/12363/LISEVN
91 Jermyn Street
SW1Y 6JB:

Licensing Team

Public Protection & Licensing
Westminster City Council
4th Floor East
64 Victoria Street
London SW1E 6QP

6 December 2016

Dear Westminster Licensing/Sir/Case Officer Mr Rowe,

Ref : Objection to application for a new Sexual Entertainment License as above reference/address

I am writing to object to the above Sexual Entertainment Venue application for 91 Jermyn Street, St. James's, as above reference. I am a [REDACTED]
[REDACTED] I am of the opinion that St James's is not a suitable area to house a club with a SEV license attached and that the area is wholly unsuitable for such a venue. [REDACTED]
[REDACTED]

I understand that this is the second application in recent years in near identical terms (the first Your Ref : 14/02824/LISEVN) having been rightly rejected as Licensing Sub-Committee No. 4, Thursday 3 July 2014), and is considered wholly inappropriate for this historic street in this most important historic area of St. James's, essentially on the same grounds as the then subcommittee accepted previously, in making their refusal decision. These were as :

"...In reaching this [3/7/2104] decision, the Sub-Committee particularly took into account Policy LO1 of the Council's Sexual Entertainment Venues Statement of Licensing Policy 2012, which refers to the character of the relevant locality. The Sub-Committee considered that it would be inappropriate, because of the effect that such an association would have on visitors and on the image of London and Westminster in particular, to locate a SEV in Jermyn Street which., as the objectors had stated, is a nationally and internationally renowned area with high profile retail shops. It was also the case that a church of historical significances and great value to the community, St James's Church, Piccadilly was almost directly opposite from the entrance to 91 Jermyn Street which it was proposed would be used for the SEV....Policy LO2 of the Council's SEV Statement of licensing Policy is also relevant as it stated in paragraph 2.4.17 that : "The Council considers that sexual entertainment venues, providing a particular type of entertainment for a particular adult clientele, may be inappropriate in the vicinity of other premises depending on their use. This may include premises in the vicinity used for religious worship...[and]...may also include sex establishments and other premises providing sexual entertainment where the council considers it inappropriate to create a cluster of such premises..."

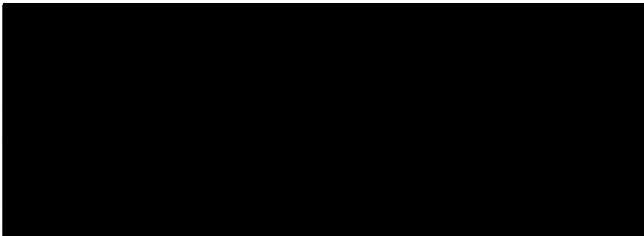
The established, proposed site's proximity to St. James's Church on this criteria alone, must again mean a Committee refusal of grant of SEV license as no new mitigation arguments are possible..

The **character** of the locality of St. James's and in the vicinity of Jermyn Street and this site in particular, is of nationally important historic high quality shops and facilities, including at its heart, the important Listed Church. Nearby are other important family destinations for shopping and cultural activities, such as Fortnum & Mason and The Royal Academy of Arts, amongst also many dignified residential and commercial buildings and occupiers.

This intended, use, irrespective of hours sought, also most unreasonably all week until 3.30am finish time – is wholly out of keeping with Council policies for protection and enhancement of this area of very special character, recognised by the City Council's designation and definition of the district as the “**St. James's Special Policy Area(SPA)**”

In summary (considering all the historic, iconic shops of Jermyn Street, including Fortnum and Mason department store at Christmas, within 75m : Burlington House, with its cultural institutions and The Royal Academy of Arts as well as a similar wide mix of uses across the whole street network to and from the proposed site of an SEV as well as the whole St. James's historic area and district's defined character) :

Para 2.4.12 : “Localities characterised as areas of historic importance, or iconic in nature, will be particularly attractive to, and used by, visitors, both adults and children.



[REDACTED]

Licensing Service,
4th Floor, Westminster City Hall,
64 Victoria Street, London, SW1E 6QP
Fax = 0207 641 7815, Tel = 020 7641 8549
Email: generallicensing@westminster.gov.uk

Subject: Objection to Application for a new Sexual Entertainments Venue license for The Playhouse, 91 Jermyn Street, London SW1Y 6JB

Reference number: 16/12363/LISEVN

Date 6 December 2016

Dear Sir/Madam

I wish to lodge my objections to the above application for a new Sexual Entertainments Venue license for The Playhouse, 91 Jermyn Street, London SW1Y 6JB for the following reasons:

1. [REDACTED] flats inhabited by students, professionals, business people, and retired residents.
2. The proposed application for a new Sexual Entertainments Venue license is not compatible with the residential nature of [REDACTED] and associated needs for peace and quiet for the [REDACTED] owners and residents.
3. The proposed application for a new Sexual Entertainments Venue license will increase the risk of noise throughout the day and night, increase congestion, reduce the availability of parking spaces, and will lead to collateral problems associated this type of establishment – increased rowdiness, drug use, violence, and health & safety risks to residents of the area, staff & customers.
4. Opportunities for potential customers to visit well established Sexual Entertainments venues exist within other parts of Westminster, i.e. Soho, where it can be controlled more effectively in a focussed area by the local authorities, medical, health & safety personnel and police.


Therefore, I am requesting that the application for a new Sexual Entertainments Venue be rejected.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



Licensing Service
Westminster City Hall
64 Victoria Street
London
SW1E 6QP

6th December 2016

Reference: 16/12363/LISEVN

Dear Sirs

OBJECTION TO A NEW PREMISES LICENCE APPLICATION

I object to the application for a new Sexual Entertainments Venue licence for premises at **The Playhouse, 91 Jermyn Street, London, SW1Y 6JB** on the following grounds:

The premises are in a residential area. The rear of the premises is on Ormond Yard, which is overwhelmingly residential. The rear of the premises has 3 doors opening onto Ormond Yard and is, essentially, a glazed shopfront with a much more substantial presence than the front entrance door on Jermyn Street.

There are already sex establishments in the vicinity: 'The Gaslight' on Duke of York Street (the back door of which opens onto Ormond Yard) and 'The Scotch' in Masons Yard, with a pedestrian cut-through along Ormond Yard. A third sex establishment in the area will produce a cluster of sex establishments, the cumulative effect of which will serve to change the nature and character of the area for the worse. Historic Jermyn Street itself is characterised by high-end and traditional retail businesses, and increasingly now by residential accommodation.

proximate to a number of other residential houses and flats) or places of worship (St James's church). The Licencing Authority "seeks to limit the number and location of premises offering sex related entertainment" (Statement of Licensing Policy 2016, 2.5.67). The existence of SEV licences for 'The Gaslight' and 'The Scotch' does not mean that Policy NS1 regarding proximity to residential accommodation and a place of worship should be disapplied in relation to 'The Playhouse'. Indeed, the Licencing Authority should have regard to the cumulative effect of the number of SEV premises, in proximity to each other and in the vicinity, and refuse the application.

Yours faithfully

████████████████████

Your Ref: 16/12363/LISEVN
91 Jermyn Street
SW1Y 6JB

Licensing Team
Public Protection & Licensing
Westminster City Council
4th Floor East
64 Victoria Street
London SW1E 6QP

Dear Westminster Licensing/Sir/Case Officer Mr Rowe,

**Ref: Objection to application for a new Sexual Entertainment License as above
reference/address**

I am [REDACTED] and have worked in St James's for over 30 years. I'm also a [REDACTED]
[REDACTED] and I wish to have my objection to the above proposed License application
registered, by the deadline for objections as stated as **8 December 2016**.

I understand that this is the second application in recent years and I consider it wholly inappropriate for this
historic street in this historic area of St. James's.

St James's and Jermyn Street in particular are both historically important and unique in character. We are
just one of many high quality businesses that are of national and historic importance and our neighbour is
the sublime listed Church St James's Piccadilly. Nearby are other family destinations for shopping and
cultural activities, such as The Royal Academy of Arts, as well as many residential and commercial buildings.

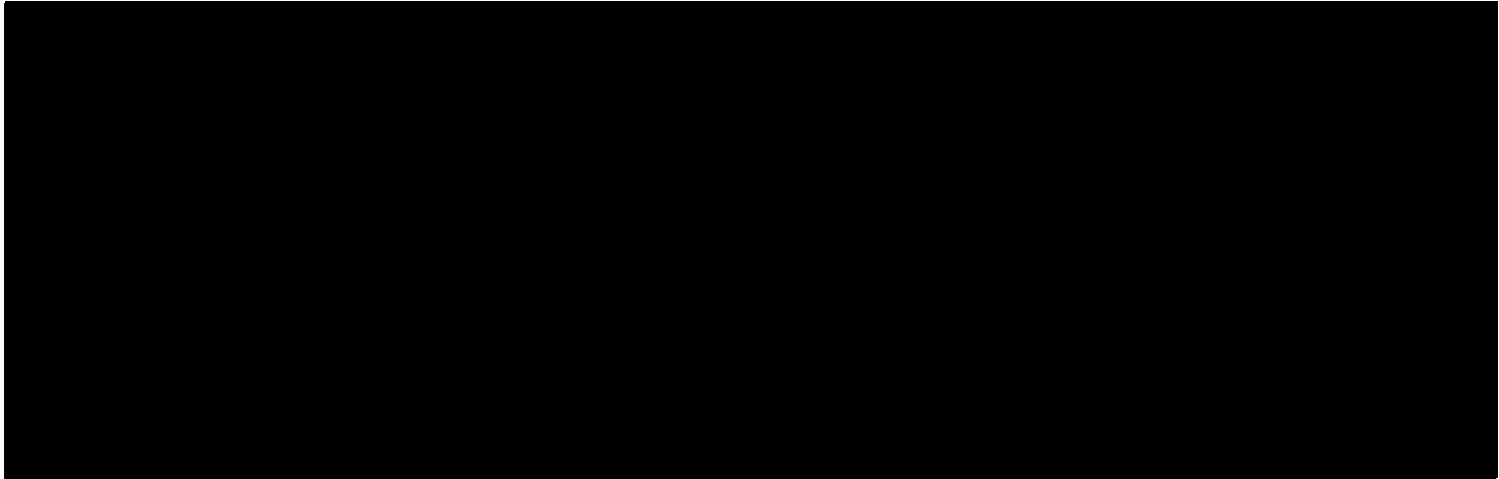
The intended use, irrespective of hours sought, is wholly out of keeping with Council policies for
protection and enhancement of this area of very special character.

I urge the Council Committee to refuse the application.

Yours sincerely,

[REDACTED]

[REDACTED]

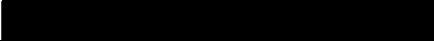

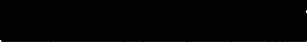


Your Ref: 16/12363/LISEVN
91 Jermyn Street
SW1Y 6JB

Licensing Team
Public Protection & Licensing
Westminster City Council
4th Floor East
64 Victoria Street
London SW1E 6QP

Dear Westminster Licensing/Sir/Case Officer Mr Rowe,

**Ref: Objection to application for a new Sexual Entertainment License as above
reference/address**

 have worked in St James's for over 30 years. 
 trust and I wish to have my objection to the above proposed License application
registered, by the deadline for objections as stated as **8 December 2016**.

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The intended use, irrespective of hours sought, is wholly out of keeping with Council policies for protection and enhancement of this area of very special character.

I urge the Council Committee to refuse the application.



From:
To: "General Licensing Mailboxes: WCC"
</O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP
(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D6B5041E553E4CF8A2FA7AE426
0DD0AF-GENERAL LIC>
Subject: Fw: LICENSE APPLICATION: 16/12362LISEVN
Body:

To Whom it may concern:

I am writing regarding the Sexual Entertainment Venue license request for the Playhouse at 91 Jermyn ST.

The Gaslight Club, around the corner on Duke of York ST, already has a Sexual Entertainment Venue license. In addition, The Playhouse has two entrances and exits, one of which is in Ormonde Yard which is a one minute walk from The Gaslight Club and the residents of Bray House and Ames House. I am concerned about noise levels from the club especially at closing time. Many patrons who use the back exit will inevitably end up on Duke of York ST while going to the tube, their cars, or to find a cab. This will only add to the noise which sometimes emanates from The Gaslight itself or its patrons when they exit or stand in front, speaking loudly, while having a smoke. In addition, the Jermyn St entrance to The Playhouse is almost cross the street from Tramp, another after hours club. There is currently a problem with cars idling or parking halfway up the sidewalk to drop off or waiting to pick up passengers. Having two clubs almost across the street from each other will only compound the problem.

The new club would replace the old ABRACADABRA. Before it was closed there was a problem with drug use in the "elbow" connection between Ormonde Yard and Mason's Yard where any sort of activity could take place virtually undetected. Used needles were sometimes found as well as small gas canisters. These problems might recur with the new club. I have also noticed that the old Directors' Lodge in Mason's Yard, now called The Scotch, is operating again which can only compound the problems.

Yours sincerely,

Comments for Licensing Application 16/12363/LISEVN

Application Summary

Application Number: 16/12363/LISEVN

Address: 91 Jermyn Street London SW1Y 6JB

Proposal: Sexual Entertainment Venue - New

Case Officer: Mr Steve Rowe

Customer Details

[REDACTED]

[REDACTED]

Comment Details

[REDACTED]

Stance: Customer objects to the Licensing Application

Comment Reasons:

Comment: 7:21 PM on 07 Dec 2016 [REDACTED]

[REDACTED] property wish to object in the strongest possible terms to this application. The proposed use would be entirely out of keeping with the retail, office and restaurants uses which dominate the street. The street is also a popular tourist destination and this is not the sort of use they would expect to find in JERMYN Street. It would be detrimental to trade and inevitably attract the sort of trouble frequently associated with late night drinking and venues such as the type proposed. We also have concerns about the safety [REDACTED] [REDACTED] given the characters attracted to such operations.

Comments for Licensing Application 16/12363/LISEVN

Application Summary

Application Number: 16/12363/LISEVN

Address: 91 Jermyn Street London SW1Y 6JB

Proposal: Sexual Entertainment Venue - New

Case Officer: Mr Steve Rowe

Customer Details

[REDACTED]

[REDACTED]

Comment Details

[REDACTED]

Stance: Customer objects to the Licensing Application

Comment Reasons:

Comment:5:51 PM on 07 Dec 2016 I request that the Council reject this Application.

The huge investments made in Jermyn Street by The Crown Estate and other landlords will by 2018 make this area the top destination internationally for men's style and fashion. The expansion of a sexual entertainment venue in the midst of this will not be congruent with the Council's broader long term aspirations for this street.

Comments for Licensing Application 16/12363/LISEVN

Application Summary

Application Number: 16/12363/LISEVN
Address: 91 Jermyn Street London SW1Y 6JB
Proposal: Sexual Entertainment Venue - New
Case Officer: Mr Steve Rowe

Customer Details

[REDACTED]
[REDACTED]

Comment Details

[REDACTED]

Stance: Customer objects to the Licensing Application

Comment Reasons:

Comment: 5:16 PM on 07 Dec 2016 Dear Mr Rowe,

[REDACTED]

wish to object to the above proposed License application.

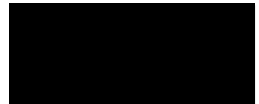
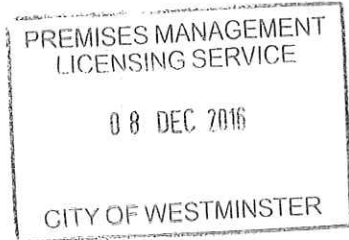
I understand that this is the second application in recent years (the first having been rightly rejected), and is considered wholly inappropriate for this historic street in this most important historic area of St. James's.

The character of St. James's in the vicinity of Jermyn Street and of this site in particular, is of nationally important, historic and high quality shops and facilities, including at its heart the important Listed Church. Nearby are other important family destinations for shopping and cultural activities, such as Fortnum & Mason and The Royal Academy of Arts, amongst also many dignified residential and commercial buildings and occupiers.

This intended use, irrespective of hours sought (also most unreasonably all week until 3.30am finish time) is wholly out of keeping with Council policies for protection and enhancement of this area of very special character.

I respectfully request the Council Committee to refuse the application.

Yours sincerely,



Monday 5th December 2016

To Who it may concern,

I am writing to you [redacted] in regards to the application for a Sex Establishment Licence on Jermyn Street.

I would like to state that we strongly oppose for this licence.

For many years Jermyn Street has been renowned as one of the most established luxury retailing streets in London.

To add something as devaluing as a Sex Establishment will take away everything that Jermyn Street stands for.

Jermyn Street is about luxury, heritage and style, all of these things which run in opposition to what you are proposing on this most prestigious street.

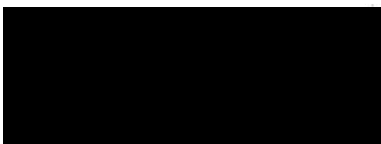
Also, what with having [redacted] this proposed establishment and [redacted] we are very worried as to the sort of people this may attract and the potential effect this may have [redacted]

Furthermore we [redacted] after opening hours where we have a number of [redacted] To have this establishment open [redacted] would jeopardise [redacted]

To conclude we strongly object to this licence being approved as we believe this will have a huge impact on the street itself and also retailing business.

If you need any further information please feel free to contact me at [redacted]

Regards,



From:
To: "Licensing: WCC" </O=EXCHANGELABS/OU=EXCHANGE
ADMINISTRATIVE GROUP
(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=3FE10883EBF64BBD9A2CF601D
E3804A8-LICENSING H>
Subject: OBJECTION for application for sexual entertainment venue
Body: Ref: Application for a new Sexual Entertainment Venue (SEV) License for
Premises Name/details:
[The Playhouse] 91 Jermyn Street London SW1Y 6JB
16/12363/LISEVN
Sexual Entertainment Venue - New

Dear Westminster Licensing,

I am very committed and dedicated to the area.

I am

Most importantly I have 3 children that I am raising in this area and
alarmed by the possibility of this license being granted.

I wish to vehemently register my objection to the above proposed License
application registered, by the deadline for objections 8 December 2016.

I understand that this is the second application in recent years (the
first having been rightly rejected), and is considered wholly
inappropriate for this historic street in this most important historic
area of St. James's.

The character of the locality of St. James's and in the vicinity of
Jermyn Street and this site in particular, is of nationally important
historic high quality shops and facilities, including at its heart the
important Listed Church. Nearby are other important family destinations
for shopping and cultural activities, such as Fortnum & Mason and The
Royal Academy of Arts, amongst also many dignified residential and
commercial buildings and occupiers.

This intended, use, irrespective of hours sought, also most unreasonably
all week until 3.30am finish time – is wholly out of keeping with
Council policies for protection and enhancement of this area of very
special character.

I urge the Council Committee to refuse the application.

Yours sincerely,

Comments for Licensing Application 16/12363/LISEVN

Application Summary

Application Number: 16/12363/LISEVN

Address: 91 Jermyn Street London SW1Y 6JB

Proposal: Sexual Entertainment Venue - New

Case Officer: Mr Steve Rowe

Customer Details

[REDACTED]

[REDACTED]

Comment Details

[REDACTED]

Stance: Customer objects to the Licensing Application

Comment Reasons:

Comment: 5:13 PM on 08 Dec 2016 As a [REDACTED] many years who is very much involved locally [REDACTED]

[REDACTED] object to this application for an SEV. It is wholly inappropriate for the area being on a street that is both retail and residential. The club is also in close proximity to St James's Church - one of the few Wren churches in this area.

It does not correspond with anything similar in St James's which is renowned for its historic importance and ambience. Those living here are never against progress but only where it fits in with the area. This application does not and as there is an entrance in Ormond Yard this could well impinge on the residents living there with anti social behaviour brought on by the extended hours requested. Altogether I feel that this license should not be granted due to the negative impact it will have on this part of St James's.



Schedule 12
Part A

WARD: St James's
UPRN: 100023349935

City of Westminster

64 Victoria Street, London, SW1E 6QP

Premises licence

Regulation 33, 34

Premises licence number:

15/09736/LIPT

Original Reference:

05/10267/LIPC

Part 1 – Premises details

Postal address of premises:

Hide
6 - 7 Ormond Yard
London
SW1Y 6JT

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Performance of Dance
Performance of Live Music
Playing of Recorded Music
Anything of a similar description to Live Music, Recorded Music or Performance of Dance
Late Night Refreshment
Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit
Sale by Retail of Alcohol

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

Performance of Dance

Monday to Sunday: 09:00 to 03:30

Performance of Live Music

Monday to Sunday: 09:00 to 03:30

Playing of Recorded Music

Unrestricted

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

Monday to Sunday: 09:00 to 03:30

Late Night Refreshment

Monday to Sunday: 23:00 to 03:30

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

Sale by Retail of Alcohol

Monday to Saturday: 10:00 to 03:00
Sunday: 12:00 to 00:30

For times authorised for Christmas, New Year and Good Friday see conditions at Annex 1

The opening hours of the premises:

Monday to Sunday: 09:00 to 03:30

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

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

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

Caley Holdings Ltd
Morgan Reach Accountancy
Ciba Building
146 Hagley Road
Birmingham
B16 9NX
Electronic Mail : c/o lana @lflaw.co.uk

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

09829718

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

Name: Mr David Serlui

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

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

Licence Number: 148565
Licensing Authority: London Borough Of Brent

Date: 15 December 2015

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

Annex 1 – Mandatory conditions

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

- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
- (a) a holographic mark, or
 - (b) an ultraviolet feature.
7. The responsible person must ensure that—
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

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

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

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

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

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

Where -

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

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

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

Conditions relating to regulated entertainment

- 10. 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.
- 11. On New Year's Eve the premises can remain open for the purpose of providing regulated entertainment from the time when the provision of regulated entertainment must otherwise cease on New Year's Eve to the time when regulated entertainment can commence on New Year's Day (or until midnight on New Year's Eve where no regulated entertainment takes place on New Year's Day).
- 12. Notwithstanding the provisions of Rule of Management number 6, the premises may be kept open for the purposes of this licence from 11pm on each of the days Sunday to Saturday to 3.30am on the day following.
- 13. All entrance and exit doors shall be kept closed except when in use for immediate entrance and exit.
- 14. An attendant shall be on duty in the vicinity of the cloakroom during the whole time that it is in use.
- 15. That the applicant will use best endeavours to ensure that patrons leave the premises via the Jermyn Street exit.

16. When both parts of the premises are in use for the same private function, only the Jermyn Street exit will be used, except in an emergency when both exit routes will be available to the patrons.
17. When the premises are open solely to the public, only the Jermyn Street exit will be used, except in an emergency when both exit routes will be available to patrons.
18. That the applicant will use best endeavours to ensure that the taxi and minicab companies collect and deliver patrons from the club from the Jermyn Street exit of the premises.
19. That the applicants shall use reasonable endeavours to ensure that customers do not cause any nuisance in Ormond Yard.
20. That the sound limiting device installed at the premises shall be set and maintained at a level to be decided upon by the Environmental Health Officer.
21. A noise limiting device located in a separate and remote lockable cabinet from the volume control must be fitted to the musical amplification system 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. 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.
22. No alteration or modification to any existing sound system(s) should be effected without prior knowledge of an authorised Officer of the Environmental Health Service.
23. Any additional sound generating equipment shall not be used on the premises without being routed through the sound limiter device.
24. No speakers shall be located in the entrance lobby or staircase area.
25. Upon a request being made by local residents, the licensee shall provide such residents with telephone numbers to enable them to contact the premises, the management and the licensee.
26. The provision of music and dancing on the ground floor must remain ancillary to A3 restaurant use.
27. The licensee will use a designated cab/taxi company to collect patrons from Jermyn Street and encourage patrons not to use illegal cabs by displaying such notices.
28. The licensee to use his best endeavours to encourage patrons and/or motor vehicles not to congregate or cause a nuisance on the public highway outside the premises or in the vicinity.
29. The licensee to use his best endeavours to ensure that no queuing or gathering of patrons or patrons' motor vehicles will be permitted in Ormond Yard.
30. Details of an adequate and dedicated refuse storage area are sent to Westminster City Council for approval within 28 days of the grant of any licence.
31. The licensee to use the Jermyn Street address on all literature that advertises the public entertainment which will take place at the premises.
32. The number of persons accommodated at any one time (excluding staff) shall not exceed the following:- Basement - 100, Ground Floor – 135.

Conditions relating to the Sale of Alcohol:

33. Intoxicating liquor may only be sold or supplied to persons who have paid a minimum admission fee of £5.00 or persons who are dining at the premises at not less than £10.00 per head. Such fees not to be credited against consumables.
34. Substantial food and suitable beverages other than intoxicating liquor (including drinking water) shall be available during the whole of the permitted hours in all parts of the premises where intoxicating liquor is sold or supplied.

Conditions which reproduce the effect of any restriction imposed on the use of the premises by specified enactments:

35. Alcohol shall not be sold or supplied except during permitted hours.
- (a) Subject to the following paragraphs, the permitted hours on weekdays (Monday to Saturday) shall commence at 10.00 (12.00 on Christmas Day and Good Friday) and extend until 03.00 on the morning following, except that -
- (i) the permitted hours shall end at 00.00 midnight on any day on which music and dancing is not provided after midnight; and
- (ii) on any day that music and dancing end between 00.00 midnight and 03.00, the permitted hours shall end when the music and dancing end.
- (b) In relation to the morning on which summer time begins, paragraph (a) of this condition shall have effect-
- (i) with the substitution of references to 04.00 for references to 03.00.
- (c) Except on Sundays immediately before bank holidays (apart from Easter Sunday), the permitted hours on Sundays shall commence at 12.00 and extend until 00.30 on the morning, except that-
- (i) the permitted hours shall end at 00.00 midnight on any Sunday on which music and dancing is not provided after midnight;
- (ii) where music and dancing end between 00.00 midnight on any Sunday and 00.30, the permitted hours on that Sunday shall end when the music and dancing end.
- (d) On Sundays immediately before bank holidays (other than Easter Sunday), the permitted hours shall commence at 12.00 and extend until 03.00 on the morning, except that-
- (i) the permitted hours shall end at 00.00 midnight on any Sunday on which music and dancing is not provided after 00.00 midnight;
- (ii) where music and dancing end between 00.00 midnight on any Sunday and 03.00, the permitted hours on that Sunday shall end when the music and dancing end.
- (e) The sale of alcohol must be ancillary to the use of the premises for music and dancing and substantial refreshment.
- (f) The permitted hours on New Year's Eve will extend to the start of permitted hours on the following day, or if there are no permitted hours on 1 January, to 00.00 on New Year's Eve.

NOTE - The above restrictions do not prohibit:

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

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

36. No person under fourteen shall be in the bar of the licensed premises during the permitted hours unless one of the following applies:

- (a) He is the child of the holder of the premises licence.
- (b) He resides in the premises, but is not employed there.
- (c) He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress.
- (d) The bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary.

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

37. If any entertainment is provided for children or if an entertainment is provided at which the majority of persons attending are children, then, if the number of children attending the entertainment exceeds 100, it shall be the duty of the holder of the premises licence (or the holder of the club premises certificate):

- (a) to station and keep stationed wherever necessary a sufficient number of adult attendants, properly instructed as to their duties, to prevent more children or other persons being admitted to the building, or to any part thereof, than the building or part can properly accommodate,
- (b) to control the movement of the children and other persons admitted while entering and leaving the building or any part thereof, and
- (c) to take all other reasonable precautions for the safety of the children.

38. The terminal hour for late night refreshment on New Year's Eve is extended to 05:00 on New Year's Day.

Annex 2 – Conditions consistent with the operating Schedule

39. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
40. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to the public. This staff member must be able to show a Police or authorised council officer recent data or footage with the absolute minimum of delay when requested.
41. There shall be a personal licence holder on duty on the premises every Friday and Saturday night from 22:00 until closed, when the sub-basement 'club area' is open.
42. All staff engaged outside the entrance to the premises, or supervising or controlling queues, shall wear high visibility armbands and will display the SIA badges prominently.
43. All persons entering the premises after 23:00 for the purpose of attending the sub-basement 'club area' shall be searched by an SIA trained member of staff using a 'wand' and monitored by the premises CCTV system.
44. 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
 - (d) any incidents of disorder
 - (e) all seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system or searching equipment or scanning equipment
 - (g) any refusal of the sale of alcohol
 - (h) any visit by a relevant authority or emergency service.
45. All drinking containers used within the basement area of the venue shall be polycarbonate. All glass bottles to be decanted into polycarbonate glassware carafes, with the exception of champagne or bottles of spirits with a minimum size of 70cl by waiter/waitress service to tables. Staff will clear empty champagne and spirit bottles promptly.

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

None

Annex 4 – Plans

Attached



Schedule 12
Part B

WARD: St James's
UPRN: 100023349935

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

**Premises licence
summary**

Regulation 33, 34

Premises licence number:

15/09736/LIPT

Part 1 – Premises details

Postal address of premises:

Hide
6 - 7 Ormond Yard
London
SW1Y 6JT

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Performance of Dance
Performance of Live Music
Playing of Recorded Music
Anything of a similar description to Live Music, Recorded Music or Performance of Dance
Late Night Refreshment
Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit
Sale by Retail of Alcohol

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

Performance of Dance

Monday to Sunday: 09:00 to 03:30

Performance of Live Music

Monday to Sunday: 09:00 to 03:30

Playing of Recorded Music

Unrestricted

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

Monday to Sunday: 09:00 to 03:30

Late Night Refreshment

Monday to Sunday: 23:00 to 03:30

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

Sale by Retail of Alcohol

Monday to Saturday: 10:00 to 03:00
Sunday: 12:00 to 00:30

For times authorised for Christmas, New Year and Good Friday see conditions at Annex 1

The opening hours of the premises:

Monday to Sunday: 09:00 to 03:30

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

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

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

Caley Holdings Ltd
Morgan Reach Accountancy
Ciba Building
146 Hagley Road
Birmingham
B16 9NX

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

09829718

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

Name: Mr David Serlui

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

Restricted

Date: 15 December 2015

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

APPENDIX C2

Standard Conditions:

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

licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period together with facilities for viewing.

11. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to the public and this staff member should be able to show Police recent data and footage with the absolute minimum of delay of the request.
12. An incident log shall be kept at the premises, and made available on request to the Licensing Authority or the Police, which will record the following:
 - (a) all crimes reported to the venue;
 - (b) all ejections of patrons;
 - (c) any complaints received;
 - (d) any incidents of disorder;
 - (e) seizures of drugs or offensive weapons;
 - (f) any faults in the CCTV system or searching equipment or scanning equipment;
 - (g) any refusal of the sale of alcohol;
 - (h) any visit by a relevant authority or emergency service;
 - (i) any breach of licence conditions reported by a Performer
13. The licence holder shall produce a Code of Conduct setting out rules and obligations between the licence holder and performers whilst performing. All Performers shall sign the Code of Conduct in their proper name acknowledging that they have read, understood and are prepared to abide by the said Code of Conduct, and a copy so signed shall be retained by the licence holder and shall be readily available for inspection by the Police and/or authorised persons upon reasonable request.
14. Individual records shall be kept at the premises of the real names, stage names and addresses of all Performers working at the premises. The record will include either a copy of their birth certificate, current passport, EU driving licence or national identity card and shall be made immediately available for inspection by the Police and/or the Licensing Authority upon request.
15. Details of all work permits and/or immigration status relating to persons working at the premises shall be retained by the licence holder and be readily available for inspection by the Licensing Authority, a Police Officer or Immigration Officer.

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

Applicants proposed conditions

1. The maximum number of persons accommodated within the premises at any one time (excluding staff) shall not exceed:
Basement- 135
Sub Basement- 100
2. All seating shall consist of tables and chairs arrangements and there shall be no cinema style seating
3. SIA licensed security shall be posted in the parts of the premises where striptease/table/lap dancing is taking place

4. All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device.
5. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
6. Curtains and hangings shall be arranged so as not to obstruct emergency signs.
7. 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.
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 exit doors shall be available at all material times without the use of a key, code, card or similar means.
10. Any special effects or mechanical installations shall be arranged and stored so as to minimise any risk to the safety of those using the premises. The following special effects will only be used on 10 days prior notice being given to the Licensing Authority where consent has not previously been given.
 - i. pyrotechnics including fire works
 - ii. firearms
 - iii. lasers
 - iv. explosives and highly flammable substances.
 - v. real flame.
 - vi. strobe lighting.
11. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
12. At times when a temporary event notice under the Licensing Act 2003 is in force extending the permitted hours for the premises, the hours for the provision of relevant entertainment (as defined in the Local Government (Miscellaneous Provisions) Act 1982) will be similarly extended without the need for a separate application in respect of this licence.”
13. All doors and windows into Ormond Yard from the basement restaurant and associated escape routes will be maintained closed when relevant entertainment is being provided.
14. All doors and windows fronting onto Ormond Yard shall be rendered opaque when relevant entertainment takes place.

15. The designated smoking area for patrons, staff and performers shall be adjacent to the entrance in Jermyn Street at all times.
16. Relevant entertainment provided shall be ancillary to the main use of the premises as a private members club.
17. On the morning that Greenwich Mean Time changes to British Summer Time one hour will be added to the terminal hour of any activities and to the closing time for the premises where the existing terminal hour for the activities and/or closing hour for the premises ends after 01.00.
18. The premises may remain open for relevant entertainment, the sale of alcohol 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
19. An attendant shall be on duty in the vicinity of the cloakroom during the whole time that the premises is open and trading.
20. Admission to the premises by patrons shall be through the Jermyn Street entrance lobby area only
21. The licence holder shall use reasonable endeavours to ensure that customers do not cause any nuisance in Ormond Yard. Any customers that use Ormond Yard to gain access, smoke or leave the premises (whether by vehicle or on foot) shall be refused entry or subsequent re-entry to the premises. It shall be a condition of any membership at the premises that Members and/or any guests shall not cause any nuisance in Ormond Yard.
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. It will be a condition of any agreement that patrons will not be collected from Ormond Yard
23. Relevant entertainment shall only be provided to (a) members of a private club and their bona fide guests (not exceeding 4 guests per member) and/or (b) by persons attending a private or pre-booked event organised by a member with a guest list provided in advance which will be retained for 31 days following the event and be available for inspection by the responsible authorities.
24. No person shall be admitted to membership of the private club or be entitled to take advantage of any of the privileges of membership without an interval of at least 48 hours between their nomination or application for membership and their admission.

25. A list of the names and addresses of members of the club shall be kept on the premises at all times together with a record showing the names and dates of attendance of any guests introduced by members. Both the list and the record shall be produced on demand for inspection by the police or an authorised officer of the Council
26. There shall be waiter or waitress service available throughout the premises
27. No Relevant Entertainment shall take place at the premises until the premises has been inspected to the satisfaction of the Licensing Service and Environmental Health Department.



City of Westminster


Corporate GIS Team


**The Playhouse,
91 Jermyn Street
London, SW1Y 6JT**

 500m Buffer

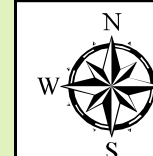
 The Playhouse

 SEVs (Licensed Issued)

 Faith Groups

 Schools

 Hostels - Special Needs Schemes



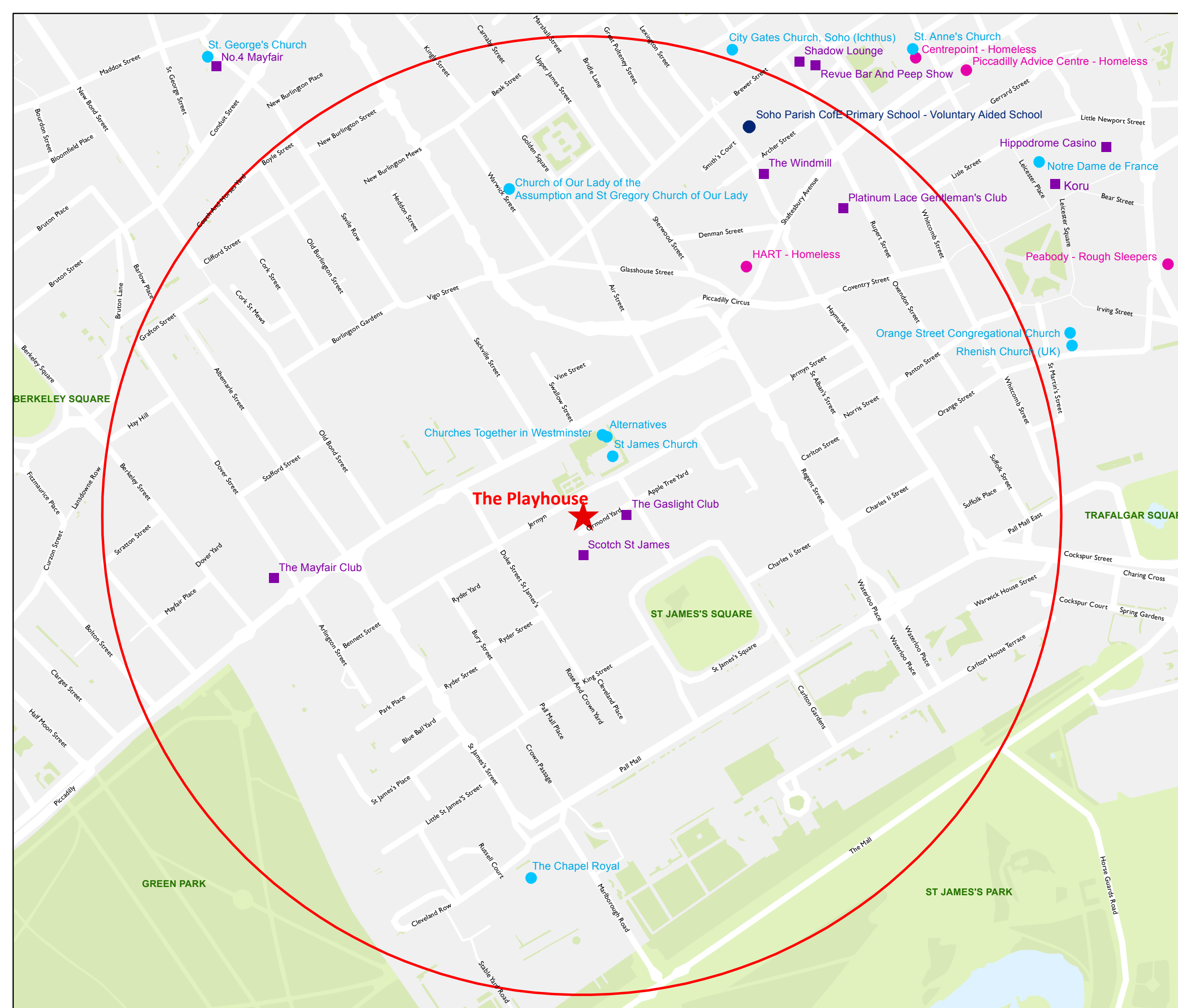
Scale: 1:3,600

0 50 100 Metres

Map produced by Corporate GIS Team

Date: June 2014 Ref: 806

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LICENSING SUB-COMMITTEE No. 4

Thursday 3 July 2014

Membership: Councillor Jean-Paul Floru (Chairman), Councillor Jan Prendergast and Councillor Rita Begum

Legal Adviser: Kirsten Chohan
Policy Adviser: Chris Wroe
Committee Officer: Jonathan Deacon

Relevant Representations: Environmental Health, Licensing Authority and 17 residents.

Present: Mr Michael Bromley-Martin QC (Representing the Applicant), Ms Lana Tricker (Solicitor, on behalf of the Applicant), Mr David Serlui (Applicant Company), Mr Richard Traviss (Consultant), Ms Olga Kaziukoniene (House Mother), Mr Matthew Willey (local resident, acting as witness for Applicant), Mr Ian Watson (Environmental Health), Mr Steve Rowe (Licensing Authority), Mr Martin McVitie (Licensing Inspector), Objector 8 (represented by Ms Susanna FitzGerald QC), Objector 13 and Objector 16.

**91 Club With Abracadabra Restaurant, 6-7 Ormond Yard, SW1
14/02824/LISEVN**

Application:

An application for a new sexual entertainment venue premises licence to provide full nudity by way of striptease, pole dancing and table dancing between the opening hours of 12:00 noon and 03:30 on each of the days Monday to Sunday.

Amendments to application advised at hearing:

None.

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

The Sub-Committee initially heard from Mr Bromley-Martin QC. He advised the Sub-Committee that currently Abracadabra is the restaurant on the ground floor and Hide is the nightclub in the basement. The basement would be the area for sexual entertainment if the application was granted and would be known as Club 91 due to it being located in 91 Jermyn Street. The existing premises licence under the Licensing Act 2003 permits entertainment until 03:30 Monday to Sunday and the sale of alcohol until 03:00 Monday to Saturday. The hours proposed for sexual entertainment were designed to match the hours on the existing premises licence. Mr Bromley-Martin stated that it was proposed that the overall capacity would be reduced from 235 to 200 people. The Ground Floor capacity was being reduced from 135 to 100 whilst the basement capacity remained at 100.

Mr Bromley-Martin made the point that a Sexual Entertainment Venue ('SEV') licence had less impact on the locality than a nightclub operation, including the nightclub that was currently in existence at the premises. In addition to there being a reduction in numbers, there would be a different clientele for a SEV establishment. Conditions had been agreed with the Licensing Authority, Environmental Health and the Police. Objections were in the main from residents in Ormond Yard. Mr Bromley-Martin explained that there was a misconception about the address of the premises. All customers, staff and performers would access the premises via 91 Jermyn Street. He asserted that there would be no impact on the residents in Ormond Yard. It was also the case that the premises to date had not impacted on those living in Ormond Yard. The Sub-Committee asked Mr Bromley-Martin about the location of the four star hostel. He replied that it was located on the first and third floors. It was clarified that the hostel had more in keeping with a hotel and was not for vulnerable people. Ms Tricker added that if the application was granted, the hostel's reception would be moving upstairs.

Mr Watson for Environmental Health informed the Sub-Committee that the entrance to the premises had historically been in Ormond Yard but since the nightclub operation access and egress had been via Jermyn Street. Mr Watson had no specific concerns regarding the public safety or prevention of public nuisance licensing objectives being undermined. He had proposed a works condition that the doors leading onto Ormond Yard were only used for emergency purposes after 19:00 hours. Noise attenuation works were sought by Environmental Health to doors to the private dining area in the basement (this area would become performers' facilities). Mr Watson confirmed that no noise complaints had been received in respect of the premises by the Council's Noise Team during the previous two years.

Mr Rowe addressed the Sub-Committee on behalf of the Licensing Authority. The conditions that the Applicant had agreed with the Responsible Authorities had gone some way to addressing his concerns. The Applicant had not applied to amend or disapply any of the standard conditions. Mr Rowe would be able to review whether the Applicant was able to comply with the standard conditions agreed to. He had maintained his representation in the event that the Sub-Committee wished to ask him any questions.

The Sub-Committee heard from Ms FitzGerald QC on behalf of Objector 8, a business in the area. She referred to photographs that had been taken of the premises and stated that the entry and exit would be the same for the hostel/guesthouse (catering for young people) as the SEV should the application be granted. Many of those using the hostel would be young women including late at night. Ms FitzGerald had submitted the case of Alistair Thompson vs Oxford City Council on behalf of her client as an example that SEVs can cause problems, particularly to women in the area. There were issues such as harassment which did not necessarily involve crimes having been committed. The premises had not opened yet so it was uncertain what the effect of a SEV would be at this location. As an operator of a similar business, her client fully appreciated how such a venue needed to be run. The implication from the application was that the operators did not have previous experience of running a SEV. She asserted that the Applicant's Code of Conduct was deficient. There was no dress code, including no stipulation that the

performers would need to get dressed immediately after the performance. She did not believe that there was any reference in the Code to a number of scenarios. These included what would happen if a customer touched a performer, how explicit in terms of the style of the dancing were the performers permitted to be, what would happen if a customer started to undress and how would the performers or customers be supervised?

Ms FitzGerald stated that the area was inappropriate for a SEV. High end retail establishments were situated in Jermyn Street. This was a street with a high profile nationally and internationally. The fact that there were 2 other venues with SEV licences in the vicinity of the premises was not particularly relevant as the entrance to the venues of the other sex entertainment establishments were not in Jermyn Street. The entrance to 91 Club would be almost directly opposite a very important and major London church, that of St James's Church, Piccadilly. Ms FitzGerald added that the Council's SEV policy referred to the wish not to see a concentration of SEVs in a locality. This was not a suitable area to create a Soho creep of late night premises or a concentration of SEVs.

Objector 13 shared many of the concerns expressed by Ms FitzGerald. The primary concern was the location of a SEV in Jermyn Street, a conservation area and that there was an additional one being situated in St James's, a special policy area and a unique area. Objector 13 made the point that Jermyn Street contains some of the most important historical shop fronts in London and also St James's Church, Piccadilly which is the only church designed and built by Sir Christopher Wren outside the City of London. It was a focal point for community events.

Objector 16 agreed with the sentiment of Objector 13 regarding the importance of St James's Church, Piccadilly and the community atmosphere it evoked. The SEV was proposed to be across the road from the Church. He also wished to emphasise that Ormond Yard was overwhelmingly a residential street with flats and family houses. There was a concern amongst residents about undesirable traffic through Ormond Yard. It was a concern that the application was for 6-7 Ormond Yard. Whilst it was being stated that Ormond Yard was not being used as the main entrance, this did not correlate with the history of the premises. He believed the restaurant was being advertised in Ormond Yard and queried whether this would be replaced by an advertisement for a SEV. He was of the view that the 2 SEVs already in the locality were in more commercial areas.

Mr Bromley-Martin responded to points that had been raised by the objectors. In response to Ms FitzGerald's comments he remarked that they were a clear commercial objection on behalf of her client. The four star hostel/hotel had provided a representation in support and there was no evidence of any vulnerable adults residing there. In terms of conditions relating to performers, there were a set of house rules, a set of standard conditions to be applied if the application was granted and additional conditions had been agreed with the Responsible Authorities. The business client of Ms FitzGerald was located nearer to a church than his client was. Any reference to a concentration of SEVs was unfounded, particularly as Scotch St James operated as a nightclub rather than a SEV (Mr Watson confirmed that Scotch St James had never operated as a SEV and Ms Tricker informed those present that the premises could not be operated as a SEV until a works condition on the licence

was cleared by Environmental Health). Mr Bromley-Martin stated there was a similar concentration of SEVs to the north east and 91 Club was located in the North CAZ zone of Westminster. The Council had set a maximum of 25 SEVs and there were at present 21. Mr Bromley-Martin acknowledged that the premises were in a conservation area. The business had operated for many years in Jermyn Street without complaint. There had been no representation from St James's Church, Piccadilly to the current application. Conditions ensured that there would be no use of Ormond Yard, except for emergency purposes.

Mr Willey, a resident of Ormond Yard was called as a witness by the Applicant. He stated that Ormond Yard was generally very quiet. He had not known there was a nightclub at the premises until after he had moved in. The doors to the nightclub were always closed and there was no impact on Ormond Yard.

Having regard to both written and oral representations in relation to the impact on residential properties in and around Ormond Yard the Sub-Committee considered the application would not have an adverse impact on those properties, particularly as the entrance/ exit would be situated on Jermyn Street and Environmental Health had not received any noise complaints in respect of the premises and its current use during the previous two years.

Although the same entrance at 91 Jermyn Street would be used by the Applicant's staff, performers and clientele and hostel guests, there was no evidence given to substantiate that the hostel would be used by vulnerable people. The hostel also confirmed, via a late representation, that it was in support of the application.

Despite concerns being raised, the Sub-Committee had no concerns about the current operation of the premises as a nightclub and restaurant and had no reason to believe the Applicant would not be capable of running a SEV in accordance with Council policy and conditions, particularly as the hours proposed were to match the existing premises licence.

However, having taken into account all the evidence from written representations and from those present at the hearing, the Sub-Committee decided to refuse the application.

In reaching this decision, the Sub-Committee particularly took into account Policy LO1 of the Council's Sexual Entertainment Venues Statement of Licensing Policy 2012, which refers to the character of the relevant locality. The Sub-Committee considered that it would be inappropriate, because of the effect that such an association would have on visitors and on the image of London and Westminster in particular, to locate a SEV in Jermyn Street which, as the objectors had stated, is a nationally and internationally renowned area with high profile retail shops. It was also the case that a church of historical significance and of great value to the community, St James's Church, Piccadilly was almost directly opposite from the entrance to 91 Jermyn Street which it was proposed would be used for the SEV.

Policy LO2 of the Council's SEV Statement of Licensing Policy is also relevant as it is stated in paragraph 2.4.17 that 'the Council considers that sexual entertainment venues, providing a particular type of entertainment for a particular adult clientele,

may be inappropriate in the vicinity of other premises depending on their use. This may include premises in the vicinity used for religious worship ... [and]... may also include sex establishments and other premises providing sexual entertainment where the council considers it inappropriate to create a cluster of such premises'. Members of the Sub-Committee had given careful consideration to the points made by the Applicant. Whilst the Applicant's case that there were two SEVs in the nearby vicinity already (Scotch St James and The Gaslight of St James's) and the core CAZ North was a designated area for SEVs was accepted, the unique nature of Jermyn Street with a historic church of significance to the community meant that it was not appropriate for a SEV establishment. The Sub-Committee wished to avoid the potential for a concentration or clustering of SEVs forming in the immediate vicinity of Jermyn Street. The Chairman made the point at the hearing that Scotch St James and The Gaslight of St James's were different to 91 Club in that they are, more appropriately, located on side streets. They were nevertheless close to the applicant's premises and therefore had to be taken into account in deciding whether there was a clustering of premises in the immediate locality.

Policy NO1 of the Council's SEV Statement of Licensing Policy was also taken into consideration and the Sub-Committee had particular regard to paragraph 2.3.15 which provides as follows:

" Within the confines of policy NO1 and notwithstanding the maximum numbers the council considers appropriate for Westminster core CAZ north, the council will also consider, when determining any individual application for a licence to permit sexual entertainment, whether the number of sexual entertainment venues in the more immediate locality of the proposed venue is equal to or exceeds the number which the council considers appropriate for that more immediate locality".

The Applicant correctly stated the Council had set a maximum of 25 SEVs in the core CAZ north and there were at present 21 SEVs in that area. However, the Sub-Committee did not think that it was appropriate to have a third SEV in the immediate locality, especially when the entrance to that SEV was going to be situated on Jermyn Street. It was noted that Scotch St James was not currently used as an SEV but it was licensed for such use which could not be ignored. It was also stated that there were concentrations of three or more SEVs elsewhere in the core CAZ north area, but they were in areas that were significantly different to the immediate area of the applicant's premises in Jermyn Street.