

Licensing Sub-Committee Report

Item No:	
Date:	30 October 2017
Licensing Ref No:	17/09853/LIPN - New Premises Licence
Title of Report:	9 Halkin Street London SW1X 7DR
Report of:	Director of Public Protection and Licensing
Wards involved:	Knightsbridge And Belgravia
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Miss Yolanda Wade Senior Licensing Officer
Contact details	Telephone: 020 7641 1884 Email: ywade@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	7 September 2017		
Applicant:	The Caledonian Club Trust Limited		
Premises:			
Premises address:	9 Halkin Street London SW1X 7DR	Ward:	Knightsbridge And Belgravia
		Cumulative Impact Area:	No
Premises description:	The premises currently operate as a private member's club under an existing club premises certificate.		
Premises licence history:	The premises currently benefits from a club premises certificate which can be found at Appendix 4 of the report.		
Applicant submissions:	<p>The Caledonian Club is a private members' club founded in 1891. The proposal is to continue to operate as a members' club, with the same hours and activities and as currently permitted, but under a premises licence so as to permit private functions for non-members to take place at the premises.</p> <p>The applicant has had the benefit of pre-application advice from Westminster City Council's Environmental Health Consultation Team (ref: 17/02450/PREAPM).</p>		
Plans	Plans are available upon request to the Licensing Authority and will be available at the Licensing Sub-Committee.		

1-B Current and proposed licensable activities, areas and hours			
Regulated Entertainment			
Exhibition of films, Performance of live music, Performance of a Play, Indoor sporting activities, Performance of Dance, Playing of Recorded Music (Indoors)			
	Current Hours		Proposed Hours
	Start:	End:	
Monday	07:00	01:00	No change
Tuesday	07:00	01:00	
Wednesday	07:00	01:00	
Thursday	07:00	01:00	
Friday	07:00	01:00	
Saturday	07:00	01:00	
Sunday	07:00	01:00	
Seasonal variations:	Proposed: All licensable activities to be permitted 24 hours a day for residents and their bona fide guests.		

Late Night Refreshment:				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	23:00	23:00	23:00	23:00	23:00	23:00	23:00
End:	01:00	01:00	01:00	01:00	01:00	01:00	01:00
Seasonal variations/ Non-standard timings:	All licensable activities to be permitted 24 hours a day for residents and their bona fide guests.						

Supply of Alcohol			
On or off sales (both)			
	Current Hours		Proposed
	Start:	End:	
Monday	07:00	01:00	Not Applied For
Tuesday	07:00	01:00	
Wednesday	07:00	01:00	
Thursday	07:00	01:00	
Friday	07:00	01:00	
Saturday	07:00	01:00	
Sunday	07:00	01:00	
Non-standard timings:	Current: (a) Monday to Sunday 00:00 to 00:00 for residents and their bona fide guests.		
Seasonal variations	(b) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).		

Sale by Retail of Alcohol				
On or off sales			Current :	Proposed:
			Both	Both
	Current Hours		Proposed Hours	
	Start:	End:	No change	
Monday	07:00	01:00		
Tuesday	07:00	01:00		
Wednesday	07:00	01:00		
Thursday	07:00	01:00		
Friday	07:00	01:00		
Saturday	07:00	01:00		
Sunday	07:00	01:00		
Seasonal variations/ Non-standard timings:	Current:		Proposed:	
	(c) (Monday to Sunday 07:00 to 01:00 (d) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).		All licensable activities to be permitted 24 hours a day for residents and their bona fide guests.	

Opening Hours				
	Current Hours		Proposed Hours	
	Start:	End:	Start:	End:
Monday	00:00	00:00	07:00	01:00
Tuesday	00:00	00:00	07:00	01:00
Wednesday	00:00	00:00	07:00	01:00
Thursday	00:00	00:00	07:00	01:00
Friday	00:00	00:00	07:00	01:00
Saturday	00:00	00:00	07:00	01:00
Sunday	00:00	00:00	07:00	01:00

Licensable Area	
Current:	Proposed:
Basement, Ground Floor, First Floor, Second Floor, Third Floor	No Change

2. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
Policy HRS1 applies:	<p>(i) Applications for hours within the core hours set out below in this policy will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy.</p> <p>(ii) Applications for hours outside the core hours set out below in this policy will be considered on their merits, subject to other relevant policies.</p>
Policy PB1 applies:	Applications will only be granted if it can be demonstrated that the proposal meets the relevant criteria in Policies CD1, PS1, PN1 and CH1.

3. Representations

2-A Responsible Authorities	
Responsible Authority:	The Environmental Health Service
Representative:	Mr Dave Nevitt
Received:	4 th October 2017
I wish to make Representations on the following grounds: Representation is made in relation to the application, as the proposals are likely to increase Public Nuisance and may impact upon Public Safety.	
Responsible Authority:	The Metropolitan Police Service
Representative:	PC Reaz Guerra
Received:	4 th October 2017
<p>With reference to the above application, I am writing to inform you that the Metropolitan Police, as a Responsible Authority, will be objecting to this application as it is our belief that if granted the application would undermine the Licensing Objectives.</p> <p>The hours sought exceed those stated within Westminster Core Hours Policy. It is for these reasons that we are objecting to the application.</p>	

4. Appendices

Appendix 1	Applicant supporting documents
Appendix 2	Premises history
Appendix 3	Proposed conditions
Appendix 4	Copy of Club Premises Certificate
Appendix 5	Copy of Pre-Application Report
Appendix 6	Residential map and list of premises in the vicinity

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

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

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

1	Licensing Act 2003	N/A
2	City of Westminster Statement of Licensing Policy	7 th January 2016
3	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2017
4	Application Form	7 th September 2017
5	The Metropolitan Police Service Representation	4 th October 2017
6	The Environmental Health Service Representation	4 th October 2017

**THE CALEDONIAN CLUB, 9 – 9A HALKIN STREET, LONDON SW1X 7DR
APPLICATION FOR A NEW PREMISES LICENCE**

PROPOSED CONDITIONS

1. Licensable activities shall only be available to members of the Caledonian Club, their bona fide guests or those attending a pre-booked private function.
2. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.
3. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
4. Loudspeakers shall not be located in the entrance lobby or outside the premises building.
5. All windows and external doors shall be kept closed after or at any time when regulated entertainment takes place, except for the immediate access and egress of persons.
6. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.
7. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
8. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.
9. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 23.00 hours and 08.00 hours on the following day.
10. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
11. A Challenge 21 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
12. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:
 - (a) all crimes reported to the venue

- (b) all ejections of patrons
 - (c) any complaints received concerning crime and disorder
 - (d) any incidents of disorder

 - (e) all seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system, searching equipment or scanning equipment
 - (g) any refusal of the sale of alcohol
 - (h) any visit by a relevant authority or emergency service.
13. 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.
14. No licensable activities shall take place at the premises until the club premises certificate licence has been surrendered and is incapable of resurrection.

Premise Licence History

Application	Details of Application	Date Determined	Decision
05/06994/LICCV	Conversion and variation of club premises certificate under the Licensing Act 2003	30.09.2005	Granted by Licensing Sub Committee
07/01453/WCCMAC	Master copy of the Club premises licence	11.01.2007	Granted by Licensing Sub Committee

There is no appeal history

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

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

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

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

Mandatory Conditions

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
4.
 - (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or

less in a manner which carries a significant risk of undermining a licensing objective;

- (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
5. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
6. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
- (a) a holographic mark, or
 - (b) an ultraviolet feature.
7. The responsible person must ensure that—
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

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

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

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

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

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

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

Where -

(i) P is the permitted price,

(ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

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

(i) the holder of the premises licence,

(ii) the designated premises supervisor (if any) in respect of such a licence, or

(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

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

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

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

8(iv). (1) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Proposed Conditions by the applicant consistent with the operating schedule

9. Licensable activities shall only be available to members of the Caledonian Club, their bona fide guests or those attending a pre-booked private function.
10. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.
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. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
12. Loudspeakers shall not be located in the entrance lobby or outside the premises building.
13. All windows and external doors shall be kept closed after or at any time when regulated entertainment takes place, except for the immediate access and egress of persons.
14. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.
15. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
16. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.
17. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 23.00 hours and 08.00 hours on the following day.
18. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
19. A Challenge 21 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
20. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received concerning crime and disorder
 - (d) any incidents of disorder
 - (e) all seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system, searching equipment or scanning equipment
 - (g) any refusal of the sale of alcohol

(h) any visit by a relevant authority or emergency service.

21. 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.
22. No licensable activities shall take place at the premises until the club premises certificate licence has been surrendered and is incapable of resurrection.



City of Westminster

64 Victoria Street, London, SW1E 6QP

Schedule 13
Part A

Club premises certificate

WARD: Knightsbridge
And Belgravia
UPRN: 100023347588

Regulation 35, 36

Club premises certificate number:

07/01453/WCCMAC

Original Reference:

06/11782/LICN

Club details

Name of club in whose name this certificate is granted and relevant postal address of club:

The Caledonian Club
9 - 9A Halkin Street
London
SW1X 7DR

Telephone Number: Not supplied

If different from above, the postal address of club premises to which this certificate relates, if any, or if none, ordnance survey map reference or description:

The Caledonian Club
9 – 9A Halkin Street
London
SW1X 7DR

Telephone Number: Not supplied

Where the club premises certificate is time limited the dates:

Not applicable

Qualifying club activities authorised by the licence:

Performance of Dance
Provision of facilities for Dancing
Exhibition of a Film
Provision of facilities for making Music
Indoor Sporting Event
Performance of Live Music
Playing of Recorded Music
Performance of a Play
Sale by Retail of Alcohol
Supply of Alcohol

The times the certificate authorises the carrying out of qualifying club activities:

Performance of Dance

Monday to Sunday: 07:00 to 01:00

Provision of facilities for Dancing

Monday to Sunday: 07:00 to 01:00

Exhibition of a Film

Monday to Sunday: 07:00 to 01:00

Provision of facilities for making Music

Monday to Sunday: 07:00 to 01:00

Indoor Sporting Event

Monday to Sunday: 07:00 to 01:00

Performance of Live Music

Monday to Sunday: 07:00 to 01:00

Playing of Recorded Music

Monday to Sunday: 07:00 to 01:00

Performance of a Play

Monday to Sunday: 07:00 to 01:00

Sale by Retail of Alcohol

Monday to Sunday: 07:00 to 01:00

Supply of Alcohol

Monday to Sunday: 00:00 to 00:00 (Residents and their bona fide guests)

Monday to Sunday: 07:00 to 01:00

*For times authorised for New Year see condition at Annex 3***The opening hours of the club:**

Monday to Sunday: 00:00 to 00:00

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.

Date: 13 October 2010**Signed:** pp**Operational Director - Premises Management**

Annex 1 – Mandatory conditions

1. The supply of alcohol for consumption off the premises must be made at a time when the premises are open for the purposes of supplying alcohol to members of the club for consumption on the premises.
2. Any alcohol supplied for consumption off the premises must be in a sealed container.
3. Any alcohol supplied for consumption off the premises must be made to a member of the club in person.
4. (1) The responsible person shall take all reasonable steps to 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 in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children :
 - (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 (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
 - (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;
 - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on:
 - (i) the outcome of a race, competition or other event or process, or
 - (ii) the likelihood of anything occurring or not occurring;
 - (e) 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.
5. The responsible person shall ensure that no alcohol is dispensed 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).
6. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.

7.
 - (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
 - (2) 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 a holographic mark.
8. The responsible person shall 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: 25ml or 35ml; and
 - (iii) still wine in a glass: 125ml; and
 - (b) customers are made aware of the availability of these measures.

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

9. Admission of children to the premises must be restricted in accordance with the film classification recommended by the British Board of Film Classification or recommended by this licensing authority as appropriate.

Annex 2 – Conditions consistent with the Club operating Schedule

None

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

10. Alcohol shall not be sold or supplied except during permitted hours.

In this condition, permitted hours means:

- (a) Monday to Sunday 07:00 to 01:00
- (b) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).

NOTE - The above restrictions do not prohibit:

- (a) the supply of alcohol to or the consumption of alcohol by any person residing in the licensed premises;
- (b) the ordering of alcohol to be consumed off the premises or the despatch by the vendor of the alcohol so ordered (a member of a registered club in person);
- (c) the sale of alcohol to a trader or registered club for the purposes of the trade or club;
- (d) the sale or supply of alcohol to any canteen or mess, being a canteen in which the 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;
- (e) the taking of alcohol from the premises by a person residing there;
- (f) 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;
- (g) 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.

- 11. The provision of alcohol to be ancillary to food between 07:00 and 10:00
- 12. Unless otherwise specified on this certificate, no regulated entertainment shall take place at the premises with the exception of pre-booked private events limited to the provision of music, dancing and entertainment of a like kind pre-invited guests
- 13. The plant room on the basement level and tank/plant room on the 4th floor are excluded from the permitted areas for licensable activities

Annex 4 – Plans

Attached



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

Part B

WARD: Knightsbridge
And Belgravia
UPRN: 100023347588

Club premises certificate
summary

Regulation 35, 36

Club premises certificate number:

07/01453/WCCMAC

Original Reference:

06/11782/LICN

Club details

Name of club in whose name this certificate is granted and relevant postal address of club:

The Caledonian Club
9 – 9A Halkin Street
London
SW1X 7DR

Telephone Number: Not supplied

If different from above, the postal address of club premises to which this certificate relates, if any, or if none, ordnance survey map reference or description:

The Caledonian Club
9 – 9A Halkin Street
London
SW1X 7DR

Telephone Number: Not supplied

Where the club premises certificate is time limited the dates:

Not applicable

Qualifying club activities authorised by the licence:

Performance of Dance
Provision of facilities for Dancing
Exhibition of a Film
Provision of facilities for making Music
Indoor Sporting Event
Performance of Live Music
Playing of Recorded Music
Performance of a Play
Sale by Retail of Alcohol
Supply of Alcohol

The times the certificate authorises the carrying out of qualifying club activities:

Performance of Dance

Monday to Sunday:	07:00 to 01:00
Provision of facilities for Dancing	
Monday to Sunday:	07:00 to 01:00
Exhibition of a Film	
Monday to Sunday:	07:00 to 01:00
Provision of facilities for making Music	
Monday to Sunday:	07:00 to 01:00
Indoor Sporting Event	
Monday to Sunday:	07:00 to 01:00
Performance of Live Music	
Monday to Sunday:	07:00 to 01:00
Playing of Recorded Music	
Monday to Sunday:	07:00 to 01:00
Performance of a Play	
Monday to Sunday:	07:00 to 01:00
Sale by Retail of Alcohol	
Monday to Sunday:	07:00 to 01:00
Supply of Alcohol	
Monday to Sunday:	00:00 to 00:00 (Residents and their bona fide guests)
Monday to Sunday:	07:00 to 01:00
<i>For times authorised for New Year see condition at Annex 3</i>	

The opening hours of the club:	
Monday to Sunday:	00:00 to 00:00

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.

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

Date: 13 October 2010
Signed: pp **Operational Director - Premises Management**



City of Westminster

Officer Name: Dave Nevitt Designation: EHO Date: 26.4.2017 Contact number: 020 7641 3188 Email: dnevitt@westminster.gov.uk

Uniform Reference:

Trading name of business and Address: The Caledonian Club, 9 Halkin Street		
Reference Number if Applicable: 17/02450/PREAPM		
Licence: 07/01453/WCCMAC	Applicant: Thomas O'Maoileoin [mailto:TOMaoileoin@tandtp.com]	Cumulative Impact Area: no
Type of Business: PRIVATE MEMBERS CLUB		

PROPOSED:

The Caledonian Club currently operates as a members' club under a club premises certificate: **07/01453/WCCMAC**. The proposal is to continue to operate as a members' club, but under a premises licence. Advice is sought on the policy implications and conditions to promote the licensing objectives.

EH COMMENTS:

What is sought is similar to a number of the other traditional Private Members Clubs who have been granted Premises Licences in recent years. The premises has operated for many years without cause for complaint or concern. However, it was noted that the operators would need to take care in the way pre-booked events were managed so as to ensure that the risk of Public Nuisance was kept to a minimum. EH advice is that opening the doors to clientele who are non-members, albeit via a system of Pre-Booking, means that such patrons are not subject to the Rules of the Club in the same way that Members are and that a change in the way the premises is used will inevitably bring additional risks that will need to be managed by the operators.

The applicant would seek similar hours to the current Club Premises Certificate.

Licensable activities would be available to:

- Members/Guests
- Persons attending a pre-booked event or function

EH would seek Conditions to be applied to the Licence in order to regulate and define the above arrangement.

The immediate neighbours are Diplomatic premises and there are Residential dwellings across the road in Montrose Place – a quiet Mews. Although the residential dwellings are not especially close to the premises the locality is probably relatively quiet late at night and the potential for

neighbours to be disturbed by people arriving/leaving is increased late at night. The operator is advised to consider the various sources of noise and disturbance to neighbours: breakout of music noise, patrons using external areas (e.g. outside the front door and the external garden/terrace areas).

EH would seek conditions to regulate the use of external areas – e.g. terminal hours for the use of such areas and possibly by capacity). The operators are advised to give some thought to drop-off and dispersal arrangements for patrons, particularly for larger functions, so as to minimise disturbance to local residents.

EH advice is to consider the use of some Temporary Event Notices to gain some experience of how this might work in practice.

The operator is advised to consider the arrangements for supervision of the main front entrance so that patrons can be managed, especially during departure. It was noted that the existing entrance lobby/reception area would be capable of holding patrons whilst they await transport to arrive rather than waiting on the pavement immediately outside the premises.

The premises appears to have good acoustic integrity generally but care would need to be taken to make sure that noise from Regulated Entertainment is contained. This could be achieved by making sure that external door and windows are kept closed at certain times and/or a sound limiter could be used to regulate amplified systems.

The premises has a number of rooms of varying sizes that could be used for licensable activities. EH advice is that a Capacity Condition would be sought and that an assessment is carried out after grant of a Premises Licence so that detailed capacity figures may be applied to specified areas. This can be done by EHCT District Surveyor (Alan Lynagh also attended the Pre-Application Advice site meeting).

It was noted that the premises already benefits from a CCTV system but it would be for the Police to determine the suitability of the system.

In overall terms, I see no substantive reason why a Premises Licence could not be obtained, subject to suitable Conditions. The applicant is advised to seek hours that are in line with the current Club Premises Certificate. The premises is not in a CIA and the application for a Premises Licence will be determined on its merits. At this stage it is not known if local residents/interested parties will wish to submit Representations.

In any event, EH will maintain a Representation because what is likely to be sought will be slightly in excess of the 'Core Hours' as defined by the City Council's Licensing Policy and, as such, the matter would need to be adjudicated by the Licensing Sub-Committee at a Hearing.

I recommend that the application is accompanied by a schedule of proposed Conditions drawn from our list of 'Model Conditions' as a starting point for detailed discussion/agreement during the Consultation process and at the Hearing.

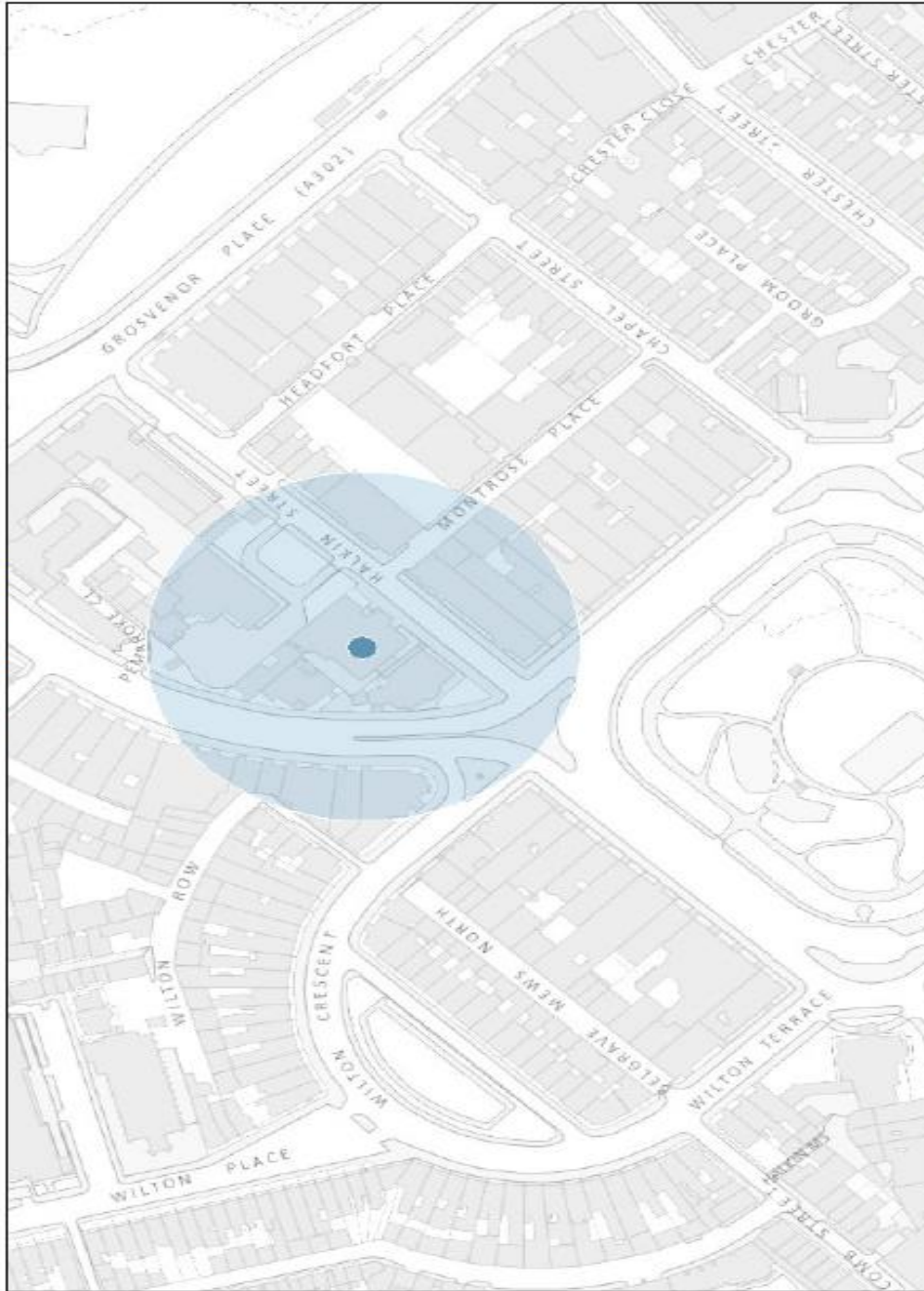
The District Surveyor, Alan Lynagh, has been sent a copy of this report and will add any further

comments if required.

IF THE MATTER IS ADJUDICATED AT A HEARING OF THE LICENSING SUB CTEE THE APPLICATION WILL BE DETERMINED IN RELATION TO CIA POLICIES AND IT WILL BE FOR THE APPLICANT TO SHOW HOW THE LICENSING OBJECTIVES WILL BE PROMOTED.

Please note that any advice given will not guarantee that your application will be granted by the Licensing Service and the Environmental Health Consultation Team may still choose to make a representation to the application submitted.

9 Halkin Street



October 20, 2017

Resident Count: 27