



City of Westminster

Licensing Sub-Committee Report

Item No:	
Date:	1 February 2018
Licensing Ref No:	17/14551/LIPV - Premises Licence Variation
Title of Report:	23 Grosvenor Gardens London SW1W 0BP
Report of:	Director of Public Protection and Licensing
Wards involved:	St James's
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Ms Daisy Gadd Senior Licensing Officer
Contact details	Telephone: 0207 641 2737 Email: dgadd@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	Variation of a Premises Licence, Licensing Act 2003		
Application received date:	7 December 2017		
Applicant:	AD Lounge Bars Limited		
Premises address:	23 Grosvenor Gardens London SW1W 0BP	Ward:	St James'
		Cumulative Impact Area:	None
Premises description:	The premises currently operates as a wine bar.		
Variation description:	<p>The application seeks to vary the opening hours of the premises to: Sunday to Wednesday: 07:00 to 02:00 Thursday to Saturday: 07:00 to 03:00 Sundays before Bank Holidays: 07:00 to 03:00</p> <p>The application also seeks to vary the operating hours for the following licensable activities:</p> <p>Late night refreshment: Sunday to Wednesday: 23:00 to 01:30 Thursday to Saturday: 23:00 to 02:30 Sundays before Bank Holidays: 23:00 to 02:30</p> <p>Sale by retail of alcohol: Sunday to Wednesday: 10:00 to 01:00 Thursday to Saturday: 10:00 to 02:30 Sundays before Bank Holidays: 10:00 to 02:30</p> <p>Playing of recorded music Sunday to Wednesday: 10:00 to 01:00 Thursday to Saturday: 10:00 to 02:30 Sundays before Bank Holidays: 10:00 to 02:30</p> <p>Furthermore, this variation application seeks to amend conditions 24, 28, 34 and 37 and to remove condition 33.</p>		
Premises licence history:	The premises has been licensed since 2009. The full details of the premises licence history can be found at Appendix 2.		
Applicant submissions:	None		
Plans:	Plans are available to view upon request to the Licensing Authority and they will be made available at Licensing Committee.		

1-B Current and proposed licensable activities, areas and hours

Playing of recorded music

	Current Hours		Proposed Hours		Licensable Area
	Start:	End:	Start:	End:	
Monday	08:00	23:00	10:00	01:00	No change
Tuesday	08:00	23:00	10:00	01:00	
Wednesday	08:00	23:00	10:00	01:00	
Thursday	08:00	23:00	10:00	02:30	
Friday	08:00	00:00	10:00	02:30	
Saturday	08:00	00:00	10:00	02:30	
Sunday	08:00	22:30	10:00	01:00	
Seasonal variations/ Non-standard timings:	Current:				Proposed:
	The Supply of Alcohol and Recorded music may be provided from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.				Sundays before Bank Holidays: 10:00 to 02:30
	On the day commencement of British Summertime and on that day only, the terminal hour for all licensable activities shall be extended by one hour.				On the day commencement of British Summertime and on that day only, the terminal hour for all licensable activities shall be extended by one hour.
				The supply of alcohol and recorded music, late night refreshment may be provided from the end of permitted hours on New Year's Eve to 05:00 on New Year's Day 1 SIA doorman must be present from 23:00 on New Year's Eve.	

Late night refreshment					
	Current Hours		Proposed Hours		Licensable Area
	Start:	End:	Start:	End:	
Monday	23:00	23:30	23:00	01:30	No change
Tuesday	23:00	23:30	23:00	01:30	
Wednesday	23:00	23:30	23:00	01:30	
Thursday	23:00	23:30	23:00	02:30	
Friday	23:00	00:00	23:00	02:30	
Saturday	23:00	00:00	23:00	02:30	
Sunday			23:00	01:30	
Seasonal variations/ Non-standard timings:	Current:			Proposed:	
	Sundays before Bank Holidays: 23:00 to 00:00.			Sundays before Bank Holidays: 23:00 to 02:30	
	Late Night Refreshment may be provided from the end of permitted hours on New Year's Eve to 05:00 on New Year's Day.			The supply of alcohol and recorded music, late night refreshment may be provided from the end of permitted hours on New Year's Eve to 05:00 on New Year's Day 1 SIA doorman must be present from 23:00 on New Year's Eve.	
	On the day commencement of British Summertime and on that day only, the terminal hour for all licensable activities shall be extended by one hour.			On the day commencement of British Summertime and on that day only, the terminal hour for all licensable activities shall be extended by one hour.	

Sale by Retail of Alcohol					
On or off sales			Current :		Proposed:
			On		No change
	Current Hours		Proposed Hours		Licensable Area
	Start:	End:	Start:	End:	
Monday	10:00	23:30	10:00	01:00	No change
Tuesday	10:00	23:30	10:00	01:00	
Wednesday	10:00	23:30	10:00	01:00	
Thursday	10:00	23:30	10:00	02:30	
Friday	10:00	00:00	10:00	02:30	
Saturday	10:00	00:00	10:00	02:30	
Sunday	12:00	22:30	10:00	01:00	
Seasonal variations/ Non-standard timings:	Current:			Proposed:	
	Sundays before Bank Holidays: 12:00 to 00:00.			Sundays before Bank Holidays: 10:00 to 02:30	
	The Supply of Alcohol and Recorded music may be provided from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.			The supply of alcohol and recorded music, late night refreshment may be provided from the end of permitted hours on New Year's Eve to 05:00 on New Year's Day 1 SIA doorman must be present from 23:00 on New Year's Eve.	
	On the day commencement of British Summertime and on that day only, the terminal hour for all licensable activities shall be extended by one hour.			On the day commencement of British Summertime and on that day only, the terminal hour for all licensable activities shall be extended by one hour.	

Hours premises are open to the public					
	Current Hours		Proposed Hours		Premises Area
	Start:	End:	Start:	End:	
Monday	07:00	23:30	07:00	02:00	No change
Tuesday	07:00	23:30	07:00	02:00	
Wednesday	07:00	23:30	07:00	02:00	
Thursday	07:00	23:30	07:00	03:00	
Friday	07:00	00:30	07:00	03:00	
Saturday	07:00	00:30	07:00	03:00	
Sunday	07:00	23:00	07:00	02:00	
Seasonal variations/ Non-standard timings:	Current:			Proposed:	
	Sundays before Bank Holidays: 07:00 to 00:00.			Sundays before Bank Holidays: 07:00 to 03:00.	

1-C Layout alteration

There are no changes to the layout of the premises.

1-D Conditions being varied

Condition	Proposed variation
Condition 24 At least 1 SIA licensed door supervisors shall be on duty at the entrance of the premises between 20:00 hours and closing every Friday and Saturday night.	At least 1 SIA licensed door supervisors shall be on duty at the entrance of the premises between 22:00 hours and closing every Thursday, Friday and Saturday night.
Condition 28 There shall be no outside drinking permitted after 22:00 hours.	There shall be no outside alcohol drinking permitted after 23:30 hours.
Condition 34 Late Night Refreshment may be provided from the end of permitted hours on New Year's Eve to 05:00 on New Year's Day.	The supply of alcohol and recorded music, late night refreshment may be provided from the end of permitted hours on New Year's Eve to 05:00 on New Year's Day 1 SIA doorman must be present from 23:00 on New Year's Eve.
Condition 37 A personal licence holder shall be on duty every Thursday, Friday and Saturday from 20:00 hours until close.	A personal licence holder shall be on duty every Thursday, Friday and Saturday from 22:00 hours until close.

1-E Conditions being removed**Condition 33**

The Supply of Alcohol and Recorded music may be provided from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Metropolitan Police Service
Representative:	PC Adam Deweltz
Received:	13 December 2017
<p>For the avoidance of doubt, I am writing to inform you that the Metropolitan Police, as a Responsible Authority, will be making a representation against this application.</p> <p>It is our belief that if granted the application would undermine the Licensing Objectives in relation to The Prevention of Crime and Disorder.</p> <p>The hours you seek are beyond those of the Westminster Core Hours and if the variation is granted, this would have an impact on Crime and Disorder in the area.</p> <p>This decision will need to be made by the Licensing Sub-Committee.</p>	
Responsible Authority:	Environmental Health Consultation Team
Representative:	Mr Maxwell Koduah
Received:	19 December 2017
<p>This representation is based on information contained within the operating schedule.</p> <p>The applicant is seeking the following amendments to premises licence 13/01773/LIPVM:</p> <ol style="list-style-type: none"> 1. Condition 24 to read: At least 1 SIA licensed door supervisors shall be on duty at the entrance of the premises between 22:00hrs and closing every, Thursday, Friday and Saturday night 2. Condition 28 to read: There shall be no outside alcohol drinking permitted after 23:30hrs 3. Condition 34 to read: The Supply of Alcohol and Recorded music, Late Night Refreshment may be provided from the end of permitted hours on New Year's Eve to 05:00 on New Year's Day 4. Condition 37 to read: A personal licence holder shall be on duty every Thursday, Friday and Saturday from 22:00 hours until close 5. In support of 3 above, to add: 1 SIA doorman must be present from 23:00 on New Year's Eve. 6. Increase hours for the provision of late night refreshment as below: Sunday to Wednesday: 23:00 to 01:30 hours Thursday, Friday, Saturday: 23:00 to 02:30 hours 	

Sundays before Bank holidays: 23:00 to 02:30 hours

7. Increase hours for supply of alcohol as below:
 - Sunday to Wednesday: 10:00 to 01:00 hours
 - Thursday, Friday, Saturday: 10:00 to 02:30 hours
 - Sundays before Bank holidays: 10:00 to 02:30 hours
8. Playing of recorded music as below:
 - Sunday to Wednesday: 10:00 to 01:00 hours
 - Thursday, Friday, Saturday: 10:00 to 02:30 hours
 - Sundays before Bank holidays: 10:00 to 02:30 hours

Late Night Refreshment "Indoors" Monday to Sunday from 23:00 to 02:00 hours.

I wish to make the following representation

1. No objection.
2. Extending the permitted hours for drinking outside by 1 hour 30 minutes will have the likely effect of causing an increase in Public Nuisance and impact on Public Safety within the area.
3. Amending condition 34 to include the supply of alcohol and playing of recorded music will have the likely effect of causing an increase in Public Nuisance and impact on Public Safety within the area.
4. No objection.
5. No objection.
6. Increasing the hours for the provision of late night refreshment will have the likely effect of causing an increase in Public Nuisance and impact on Public Safety within the area.
7. Increasing the hours for the supply of alcohol will have the likely effect of causing an increase in Public Nuisance and impact on Public Safety within the area.
8. Increasing the hours for the playing of recorded music will have the likely effect of causing an increase in Public Nuisance within the area.

Applicant has requested relaxation of conditions and substantial increase in hours for licensable activities. This will have the likely effect of causing an increase in Public Nuisance and impact on Public Safety within the area

Applicant failed to provide sufficient measures by way of conditions to mitigate the likely impact of the proposed changes on existing amenities including noise sensitive premises. In a visit to the premises prior to submission of the application, I advised applicant to include in the application a public nuisance and public safety impact analysis yet this has not been taken on board.

The granting of the variation to the premises licence as presented would have the likely effect of causing an increase in Public Nuisance and may impact on Public Safety within

the area.

Following a visit to the premises and discussions thereof, I have assessed the application and I consider the conditions submitted in support of the application not sufficient to fully address the concerns of Environmental Health. Therefore, additional conditions may be recommended to support the licensing objectives of Prevention of Public Nuisance and Public Safety

3. Policy & Guidance

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

Policy HRS1 applies:	(i) Applications for hours within the core hours set out below in this policy will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy. (ii) Applications for hours outside the core hours set out below in this policy will be considered on their merits, subject to other relevant policies.
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.

4. Equality Implications

The Council in its capacity as Licensing Authority has a duty to have regard to its public sector equality duty under section 149 of the Equality Act 2010. In summary, section 149 provides that a Public Authority must, in the exercise of its functions, have due regard to the need to:

- (a) eliminate discrimination harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- (c) foster good relations between persons who share a relevant protected characteristics and persons who do not share it.

Section 149 (7) of the Equality Act 2010 defines the relevant protected characteristics as age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

5. Appendices

Appendix 1	Applicant supporting documents
Appendix 2	Premises history
Appendix 3	Proposed conditions
Appendix 4	Residential map and list of premises in the vicinity
Appendix 5	Existing premises licence

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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	Representation Metropolitan Police Service	13 December 2017
5	Representation Environmental Health Consultation Team	19 December 2017

Applicant Supporting Documents

Appendix 1

None submitted

Licence & Appeal History

Application	Details of Application	Date Determined	Decision
09/07751/LIPN	This was an application for a new premises licence.	24.11.2009	Granted under Delegated Authority
09/09934/LIPDPS	This was an application to vary the Designated Premises Supervisor.	05.01.2010	Granted under Delegated Authority
10/10202/LIPV	This was an application to vary the premises licence. The variation sought to remove certain conditions from the licence.	09.02.2011	Granted under Delegated Authority
10/10203/LIPT	This was an application to transfer the licence from Santi Limited to Adriano Dulgher "AD Lounge Bars Limited"	26.01.2011	Granted under Delegated Authority
11/01183/LIPDPS	This was an application to vary the Designated Premises Supervisor.	11.02.2011	Granted under Delegated Authority
11/12088/LIPV	This was an application to vary the premises licence. The variation sought: To extend the opening hours of the premises. To incorporate the activity of live music and to extend current hours of recorded music. To extend the provision of late night refreshment. To extend the sale by retail of alcohol and for consumption both on and off the premises. To remove condition 18. To increase the capacity in the basement to 60.	09.02.2012	Granted by Licensing Sub-Committee
13/01773/LIPVM	This was an application for a minor variation. The application sought to add 3 conditions to the licence: All drinking containers used within the basement area of the venue shall be polycarbonate.	02.04.2013	Granted under Delegated Authority

	<p>All glass bottles to be decanted into polycarbonate glassware or polycarbonate carafes, with the exception of champagne or bottles of spirits with a minimum size of 70cl supplied by waiter/waitress service to tables. Staff will clear all empty champagne and spirit bottles promptly.</p> <p>A personal licence holder shall be on duty every Thursday, Friday and Saturday from 20:00 hours until close.</p> <p>Prominent signage shall be erected in the vicinity of the stairwell to the basement area stating that taking glassware downstairs is forbidden.</p>		
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Application	Details of Application	Date Determined	Decision
10/04235/LITENP	This was an application for a temporary event notice.	11.06.2010	Notice granted
12/08666/LITENP	This was an application for a temporary event notice.	27.11.2012	Notice granted
12/09268/LITENP	This was an application for a temporary event notice.	24.10.2012	Notice granted
12/09756/LITENP	This was an application for a temporary event notice.	12.11.2012	Notice granted
12/10976/LITENP	This was an application for a temporary event notice.	18.12.2012	Notice granted
13/02444/LITENP	This was an application for a temporary event notice.	23.04.2013	Notice granted
13/03328/LITENP	This was an application for a temporary event notice.	28.05.2013	Notice granted
13/06720/LITENP	This was an application for a temporary event notice.	30.09.2013	Notice granted
13/07939/LITENP	This was an application for a temporary event notice.	22.10.2013	Notice granted
13/08302/LITENP	This was an application for a temporary event notice.	19.12.2013	Notice granted
13/08870/LITENP	This was an application for a temporary event notice.	20.11.2013	Notice granted
14/00398/LITENP	This was an application for a temporary event notice.	12.03.2014	Notice granted

14/02074/LITENP	This was an application for a temporary event notice.	14.04.2014	Notice granted
14/04543/LITENP	This was an application for a temporary event notice.	10.06.2014	<p>Refuse licence</p> <p>A chief officer of police for any police area in which the premises are situated is satisfied that allowing the premises to be used in accordance with the notice would undermine a licensing objective.</p> <p>A local authority exercising environmental health functions for the area in which the premises are situated is satisfied that allowing the premises to be used in accordance with the notice would undermine a licensing objective.</p>

There is no appeal history

Appendix 3

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 appropriate for the promotion of the licensing objectives.

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

Conditions: On Current Licence -

Mandatory:

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

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

- (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;
- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

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

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

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

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

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

Where -

- (i) P is the permitted price,
 - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
 - (i) the holder of the premises licence,
 - (ii) the designated premises supervisor (if any) in respect of such a licence, or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
 - (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club

present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
- 8(iii). Where the permitted price given by Paragraph 8(ii)(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- 8(iv). (1) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.
9. All persons guarding premises against unauthorised access or occupation or against outbreaks of disorder or against damage (door supervisors) must be licensed by the Security Industry Authority.

Annex 2 – Conditions consistent with the operating Schedule

None

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

10. 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.

Environmental Health have proposed that condition 10 be replaced with the following:

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 are open to the public. This staff member shall be able to show Police recent data or footage with the absolute minimum of delay when requested.

Environmental Health have proposed that condition 11 be replaced with the following:

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. A proof of age scheme, such as Challenge 21, shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence or passport.

Environmental Health have proposed that condition 12 be replaced with the following:

A Challenge 21 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.

13. There shall be no self service of alcohol on the premises
14. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.

Environmental Health have proposed that condition 14 be replaced with the following:

No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.

15. Notices to be prominently displayed requesting persons to respect the needs of local residents and to leave the premises and area quietly.

16. No rubbish including bottles will be moved, removed or placed in outside areas between 2300 hours and 0800hours

Environmental Health have proposed that condition 16 be replaced with the following 2 conditions:

All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.

No collections of waste or recycling materials (including bottles) from the premises shall take place between 23.00 hours and 08.00 hours on the following day.

17. The highway and public spaces in the vicinity of the premises are kept free of litter from the premises at all material times to the satisfaction of the Council.

Environmental Health have proposed that condition 17 be replaced with the following:

During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.

18. Suitable beverages other than intoxicating liquor (including drinking water) shall be equally available with or otherwise as ancillary to food served in the licensed premises.

Environmental Health have proposed that condition 18 be replaced with the following:

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. No super strength beer, lagers or ciders of above 5.5% ABV or above shall be sold at the premises.
20. There shall be no sales of alcohol for consumption off the premises.

21. No entertainment, performance, service, or exhibition involving nudity or sexual stimulation which would come within the definition of a sex establishment in Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 as amended by the Greater London Council (General Powers) Act 1986 (whether or not locally adopted), shall be provided.

Environmental Health have proposed that condition 21 be replaced with the following:

There shall be no striptease or nudity, and all persons shall be decently attired at all times, except when the premises are operating under the authority of a Sexual Entertainment Venue licence.

22. There shall be no striptease or nudity, and all persons shall be decently attired at all times.

Environmental Health have proposed that condition 22 be removed if their proposed replacement to condition 21 is agreed.

23. There shall be no payment made by or on behalf of the licence holder to any person for bringing customers to the premises.
24. At least 1 SIA licensed door supervisors shall be on duty at the entrance of the premises between 20.00hrs and closing every Friday and Saturday night.

The applicant has applied to vary condition 24 to the following:

At least 1 SIA licensed door supervisors shall be on duty at the entrance of the premises between 22:00 hours and closing every Thursday, Friday and Saturday night.

25. Any staff engaged outside the entrance to the premises, or supervising or controlling queues, shall wear high visibility jackets or vests.
26. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.

27. 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) 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.

Environmental Health have proposed that condition 27 be replaced with the following:

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
28. There shall be no outside drinking permitted after 22.00hrs.
- The applicant has applied to vary condition 28 to the following:**
- There shall be no outside alcohol drinking permitted after 23:30 hours.
29. Prominent signage will be placed around the premises giving crime prevention advice in relation to theft prevention.
30. All staff will be trained in crime prevention tactics and what to look out for.
31. The maximum number of persons at any one time (including staff) at the premises shall be 130 with the following local maximums: Ground Floor 100; Basement 60.
32. Substantial food shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.

Environmental Health have proposed that condition 32 be removed if their proposed replacement to condition 18 is agreed.

33. The Supply of Alcohol and Recorded music may be provided from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

The applicant has applied to remove condition 33.

34. Late Night Refreshment may be provided from the end of permitted hours on New Year's Eve to 05:00 on New Year's Day

The applicant has applied to vary condition 34 to the following:

The Supply of Alcohol and Recorded music, late night refreshment may be provided from the end of permitted hours on New Year's Eve to 05:00 on New Year's Day. 1 SIA doorman must be present from 23:00 on New Year's Eve.

35. On the day commencement of British Summertime and on that day only, the terminal hour for all licensable activities shall be extended by one hour.
36. All drinking containers used within the basement area of the venue shall be polycarbonate. All glass bottles to be decanted into polycarbonate glassware or polycarbonate carafes, with the exception of champagne or bottles of spirits with a minimum size of 70cl supplied by waiter/waitress service to tables. Staff will clear all empty champagne and spirit bottles promptly.
37. A personal licence holder shall be on duty every Thursday, Friday and Saturday from 20:00 hours until close.

The applicant has applied to vary condition 37 to the following:

A personal licence holder shall be on duty every Thursday, Friday and Saturday from 22:00 hours until close.

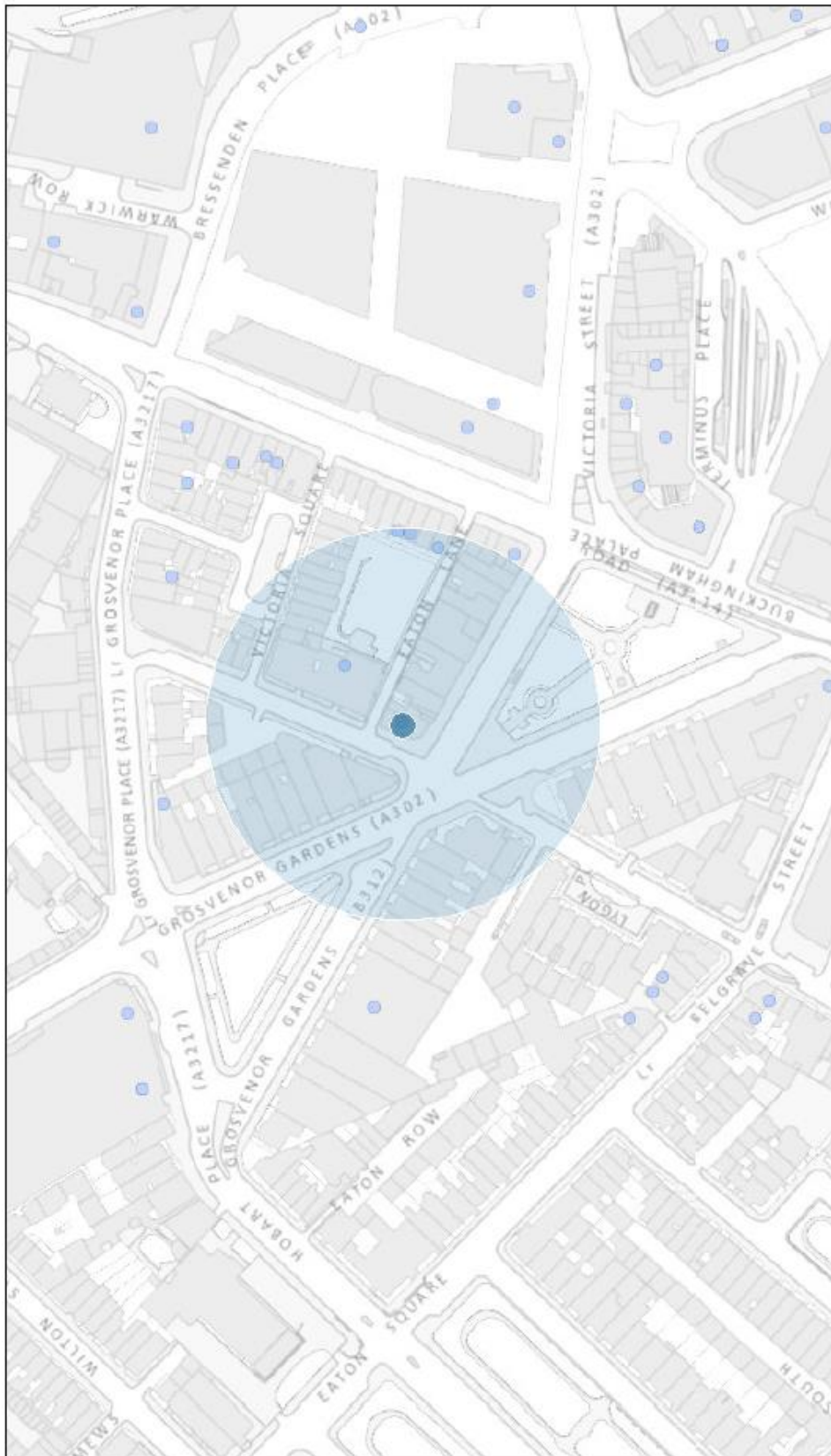
38. Prominent signage shall be erected in the vicinity of the stairwell to the basement area stating that taking glassware downstairs is forbidden.

Conditions proposed by Environmental Health

39. There shall be no outside drinking after 23:00 hours.
40. All outside tables and chairs shall be rendered unusable by 23:00 hours each day.
41. After 23:30 hours Monday to Thursday; 00:00 hours Friday to Saturday and 22:30 hours on Sunday, the supply of alcohol at the premises shall only be to a person seated taking a table meal there and for consumption by such a person as ancillary to their meal.

42. A noise limiter 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, Premises Management so as to ensure that no noise nuisance is caused to local residents or businesses. The operational panel of the noise limiter shall then be secured by key or password to the satisfaction of officers from the Environmental Health Service and access shall only be by persons authorised by the Premises Licence holder. The limiter shall not be altered without prior agreement with the Environmental Health Service. 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. No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device

23 Grosvenor Gardens



January 16, 2018

● Live Licensing Act

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Resident count = 40

Licence Number	Trading Name	Address	Premises Type	Time Period
13/01/773/LP/WM	23 Grosvenor Gardens	23 Grosvenor Gardens London SW1W 0BP	Cafe	Monday to Thursday; 07:00 - 23:30 Friday to Saturday; 07:00 - 00:30 Sunday; 07:00 - 23:00 Sundays before Bank Holidays; 07:00 - 00:00
06/05/821/WC/MAP	The Goring Hotel	15 Beaton Place London SW1W 0JW	Hotel, 4+ star or major chain	Monday to Sunday; 07:30 - 01:00
16/13/394/LP/V	Buckingham Belli House	42 Buckingham Palace Road London SW1W 0RE	Restaurant	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
11/06/679/LP/N	Patisserie Valerie	Basement And Ground Floor 38 Buckingham Palace Road London SW1W 0RE	Restaurant	Monday to Sunday; 06:00 - 00:00
15/08/563/LP/DPS	Tiles Wine Bar	36 Buckingham Palace Road London SW1W 0RE	Restaurant	Monday to Saturday; 10:00 - 23:30 Sunday; 12:00 - 23:00



**City of
Westminster**

**Schedule 12
Part A**

**WARD: St James's
UPRN:
100023616562**

**64 Victoria Street,
London, SW1E 6QP**

Regulation 33, 34

Premises licence

**Premises licence
number:**

13/01773/LIPVM

Original Reference:

09/07751/LIPN

Part 1 - Premises details

Postal address of premises:

23 Grosvenor Gardens
London
SW1W 0BP

Telephone Number: 020 7976 5591

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Playing of Recorded Music
Late Night Refreshment
Sale by Retail of Alcohol

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

Playing of Recorded Music

Monday to Thursday:	08:00 to 23:00
Friday to Saturday:	08:00 to 00:00
Sunday:	08:00 to 22:30

Late Night Refreshment

Monday to Thursday: 23:00 to 23:30
Friday to Saturday: 23:00 to 00:00
Sundays before Bank Holidays: 23:00 to 00:00

Sale by Retail of Alcohol

Monday to Thursday: 10:00 to 23:30
Friday to Saturday: 10:00 to 00:00
Sunday: 12:00 to 22:30
Sundays before Bank Holidays: 12:00 to 00:00

For times authorised for New Year see conditions at Annex 3

The opening hours of the premises:

Monday to Thursday: 07:00 to 23:30
Friday to Saturday: 07:00 to 00:30
Sunday: 07:00 to 23:00
Sundays before Bank Holidays: 07:00 to 00:00

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

Alcohol is supplied for consumption on the Premises.

Part 2

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

AD Lounge Bars Limited
23 Grosvenor Gardens
London
SW1W 0BP
Electronic Mail : info@23grosvenorgardens.co.uk

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

7435664

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

Name: Mr Adriano Dulgher

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: 11/00005/LIPERS

Licensing Authority: London Borough Of Croydon

Date: 2nd April 2013

Signed: pp
Operational Director - Premises Management

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 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: 25 ml or 35 ml; and
- (iii) still wine in a glass: 125 ml; 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. All persons guarding premises against unauthorised access or occupation or against outbreaks of disorder or against damage (door supervisors) must be licensed by the Security Industry Authority.

Annex 2 – Conditions consistent with the operating Schedule

None

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

10. 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.
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 are open to the public. This staff member shall be able to show Police recent data or footage with the absolute minimum of delay when requested.
12. A proof of age scheme, such as Challenge 21, shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence or passport.
13. There shall be no self service of alcohol on the premises
14. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
15. Notices to be prominently displayed requesting persons to respect the needs of local residents and to leave the premises and area quietly.
- 16.. No rubbish including bottles will be moved, removed or placed in outside areas between 2300 hours and 0800hours
17. The highway and public spaces in the vicinity of the premises are kept free of litter from the premises at all material times to the satisfaction of the Council
18. Suitable beverages other than intoxicating liquor (including drinking water) shall be equally available with or otherwise as ancillary to food served in the licensed premises.
19. No super strength beer, lagers or ciders of above 5.5% ABV or above shall be sold at the premises.
20. There shall be no sales of alcohol for consumption off the premises.
21. No entertainment, performance, service, or exhibition involving nudity or sexual stimulation which would come within the definition of a sex establishment in Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 as amended by the Greater London Council (General Powers) Act 1986 (whether or not locally adopted), shall be provided.

22. There shall be no striptease or nudity, and all persons shall be decently attired at all times.
23. There shall be no payment made by or on behalf of the licence holder to any person for bringing customers to the premises.
24. At least 1 SIA licensed door supervisors shall be on duty at the entrance of the premises between 20.00hrs and closing every Friday and Saturday night.
25. Any staff engaged outside the entrance to the premises, or supervising or controlling queues, shall wear high visibility jackets or vests.
26. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
27. 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) 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.
28. There shall be no outside drinking permitted after 22.00hrs.
29. Prominent signage will be placed around the premises giving crime prevention advice in relation to theft prevention.
30. All staff will be trained in crime prevention tactics and what to look out for.
31. The maximum number of persons at any one time (including staff) at the premises shall be 130 with the following local maximums: Ground Floor 100; Basement 60.
32. Substantial food shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
33. The Supply of Alcohol and Recorded music may be provided from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day
34. Late Night Refreshment may be provided from the end of permitted hours on New Year's Eve to 05:00 on New Year's Day
35. On the day commencement of British Summertime and on that day only, the terminal hour for all licensable activities shall be extended by one hour.

36. All drinking containers used within the basement area of the venue shall be polycarbonate. All glass bottles to be decanted into polycarbonate glassware or polycarbonate adcarafes, with the exception of champagne or bottles of spirits with a minimum size of 70cl supplied by waiter/waitress service to tables. Staff will clear all empty champagne and spirit bottles promptly.
37. A personal licence holder shall be on duty every Thursday, Friday and Saturday from 20:00 hours until close.
38. Prominent signage shall be erected in the vicinity of the stairwell to the basement area stating that taking glassware downstairs is forbidden.

Annex 4 – Plans

Plans



**City of
Westminster**

**Schedule 12
Part B**

**WARD: St James's
UPRN:
100023616562**

**64 Victoria Street,
London, SW1E 6QP**

**Premises licence
summary**

Regulation 33, 34

**Premises licence
number:**

13/01773/LIPVM

Part 1 – Premises details

Postal address of premises:

23 Grosvenor Gardens
London
SW1W 0BP

Telephone Number: 020 7976 5591

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Playing of Recorded Music
Late Night Refreshment
Sale by Retail of Alcohol

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

Playing of Recorded Music

Monday to Thursday:	08:00 to 23:00
Friday to Saturday:	08:00 to 00:00
Sunday:	08:00 to 22:30

Late Night Refreshment

Monday to Thursday:	23:00 to 23:30
Friday to Saturday:	23:00 to 00:00

Sundays before Bank Holidays: 23:00 to 00:00

Sale by Retail of Alcohol

Monday to Thursday: 10:00 to 23:30

Friday to Saturday: 10:00 to 00:00

Sunday: 12:00 to 22:30

Sundays before Bank Holidays: 12:00 to 00:00

For times authorised for New Year see conditions at Annex 3

The opening hours of the premises:

Monday to Thursday: 07:00 to 23:30

Friday to Saturday: 07:00 to 00:30

Sunday: 07:00 to 23:00

Sundays before Bank Holidays: 07:00 to 00:00

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

Alcohol is supplied for consumption on the Premises.

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

AD Lounge Bars Limited
23 Grosvenor Gardens
London
SW1W 0BP

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

7435664

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

Name: Mr Adriano Dulgher

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

Restricted

Date: 2nd April 2013

Signed: pp
Operational Director - Premises Management