

Licensing Sub-Committee Report

Item No:	
Date:	16 March 2018
Licensing Ref No:	18/00957/LIPN - New Premises Licence
Title of Report:	Premier Inn Basement To Eleventh Floor 1 Neathouse Place London
Report of:	Director of Public Protection and Licensing
Wards involved:	Warwick
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Mr Nick Nelson Senior Licensing Officer
Contact details	Telephone: 020 7641 3431 Email: nnelson@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	29 January 2018		
Applicant:	Whitbread Group PLC		
Premises:	Premier Inn		
Premises address:	Basement To Eleventh Floor 1 Neathouse Place London SW1V 4LU	Ward:	Warwick
		Cumulative Impact Area:	None
Premises description:	<p>According to the application form, this proposal is for a combined hub by Premier Inn and Premier Inn with food and beverage facilities. At the time of application, construction work has not yet commenced.</p> <p>It is intended to create a c. 183 bed hub by Premier Inn combined with a 533 bed Premier Inn at this location. It is intended that the proposed premises will operate as a combined Hotel (by Premier Inn) with related licensed accommodation operating under the hub by Premier Inn / Premier Inn brand.</p> <p>There will be a joint licensed / breakfast area at basement level for both aspects hub by Premier Inn / Premier Inn. There will be separate reception areas for the hub by Premier Inn / Premier Inn at ground floor level. In addition, there will be licensed areas at ground floor as part of the development, a food and beverage operation usual in developments of this type. The bedrooms at both aspects (hub by Premier Inn / Premier Inn) will be unlicensed and will comprise 183 at the hub by Premier Inn and 533 at the Premier Inn.</p>		
Premises licence history:	This is a new development and as such no licence history exists.		
Applicant submissions:	<p>The applicant has stated that it is not anticipated that the proposed development will adversely affect crime and disorder or public nuisance.</p> <p>It is proposed that the redevelopment of the site will improve the area by providing jobs for the local community and a new hotel facility at this location.</p> <p>Premier Inn is a well known and the leading budget hotel brand within the United Kingdom, operated by Whitbread Group PLC of which there are a number successfully</p>		

	<p>operating within the Westminster City Council area including both the Premier Inn and hub by Premier Inn. These are not known to undermine the licensing objectives and particularly those of crime and disorder and public nuisance.</p> <p>The applicant has proposed 30 conditions in the operating schedule of the application form (please refer to Appendix 4).</p>
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1-B Proposed licensable activities and hours							
Late Night Refreshment:				Indoors, outdoors or both			Both
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	23:00	23:00	23:00	23:00	23:00	23:00	N/A
End:	23:30	23:30	23:30	23:30	00:00	00:00	N/A
Seasonal variations/ Non-standard timings:		When hours for sale of alcohol are extended hereunder these hours are also extended.					

Sale by retail of alcohol				On or off sales or both:			Both
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	10:00	10:00	10:00	10:00	10:00	10:00	12:00
End:	23:30	23:30	23:30	23:30	00:00	00:00	22:30
Seasonal variations/ Non-standard timings:		<p>To extend the proposed hours as identified on New Year's Eve until New Year's Day - terminal hour as proposed being 00.30 on 2nd January.</p> <p>The premises shall remain open to permit the sale of alcohol to hotel residents 24 hours a day.</p>					

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	07:00	07:00	07:00	07:00	07:00	07:00	07:00
End:	00:30	00:30	00:30	00:30	00:30	00:30	00:30
Seasonal variations/ Non-standard timings:		<p>The premises shall remain open 24 hours a day for hotel residents.</p> <p>For non-residents, the premises will close 30 minutes after the end of the non-standard timings identified for the sale of alcohol.</p>					
Adult Entertainment:		None, save for the presence of AWP machines the use of which is not permitted by persons under the age of 18.					

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Environmental Health
Representative:	Mr Anil Drayan
Received:	26 February 2018
<p>I wish to make the following representations based on the plans submitted and the supporting operating schedule:</p> <ol style="list-style-type: none"> 1. The hours requested for and the Supply of Alcohol 'On' and 'Off' the premises may lead to an increase in Public Nuisance in the area; 2. The provision of Late Night Refreshment 'Indoors' and 'Outdoors' may lead to an increase in Public Nuisance in the area. <p>Environmental Health also makes the following comments:</p> <ul style="list-style-type: none"> • Some conditions and undertakings have been offered in the operating schedule and these are under consideration. Some will need to be converted to reflect Westminster's model wording for conditions. • I understand the premises have not yet undergone refurbishment for the proposed use. The premises will in any case need to be inspected for Public Safety prior to commencement of licensable activities. • The provision of sanitary accommodation for any proposed capacity should be in line with British Standard 6465. • It is also not clear on the level of food provision in the 'café' and the premises will therefore also need to be assessed for its food preparation/cooking facilities in order to evaluate whether Public Nuisance may arise from odour and/or the operation of any plant and machinery. <p>The applicant is therefore requested to contact the undersigned to arrange a site visit to discuss all of the above issues. Environmental Health may then propose further conditions to allay its concerns.</p>	
Responsible Authority:	Metropolitan Police (withdrawn)
Representative:	PC Bryan Lewis
Received:	26 February 2018
<p>Please regard this as a Police objection due to insufficient conditions to promote the prevention of crime and disorder.</p> <p>You have offered a comprehensive list of conditions. I request that you agree to the two additional standard conditions shown below following which I will withdraw my objection.</p>	

1. 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) any faults in the CCTV
 - (f) any visit by a relevant authority or emergency service.

2. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.

On 26 February 2018, the applicant confirmed their agreement to these 2 conditions being added to the premises licence and subsequently the Police withdrew their representation on that basis.

2-B Other Persons	
Name:	
Address and/or Residents Association:	
Received:	4 February 2018

The application proposes alcohol will be sold for consumption between 07:00am & 12:30am, 7 days a week. A licence would provide a further source of alcohol in an area already heavily populated with licensed premises; noise, crime, disorder & public nuisance has already reached problem levels for residents. A licence will not promote the licensing objectives, particularly the prevention of crime, disorder & antisocial behaviour. The granting of the licence would be against HMG's Alcohol Sales & Misuse Policy Statement: "The cost of alcohol misuse in society is estimated to be around £21bn per year. We will continue to work on the alcohol strategy launched in 2012 to address crime caused by alcohol & support people to stay healthy without unfairly affecting responsible drinkers & businesses". Granting this licence would increase, rather than reduce, the misuse & abuse of alcohol. Residents already suffer noise nuisance & antisocial behaviour at all hours of the day & night from the Victoria Plaza, restaurants & the pubs. Residents have endured this since 2009; it is unacceptable to expect them to continue to do so. Any proposal to grant a live music licence would also adversely affect the residents. Will operational conditions be put in place? The re-development includes a heavy plant unit on the roof, this will further add to the noise pollution for the residents. Other considerations include: Sensitive local amenities: Proximity of schools, churches and medical centres, locations prone to loitering, residential nature of neighbourhood. Evidence of alcohol misuse & abuse: Research data & other police reports, vandalism & foul litter, other antisocial behaviour & underage drinking. Granting a licence will lead to a significant negative impact on the residential area. I ask the Authority to consider the impact on the neighbourhood & I urge the Licensing Authority to refuse the application.

3. 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 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 will be considered on their merits, subject to other relevant policies and with particular regard to the criteria specified.</p>
Policy HOT1 applies	<p>Subject to the effect on the promotion of the licensing objectives and other relevant policies in this Statement, premises licences for hotels will generally be granted so that:</p> <p>(a) Alcohol is permitted to be sold at any time to people staying in hotel rooms for consumption on the premises.</p> <p>(b) The hours of serving alcohol to the general public will be subject to conditions limiting the sale of alcohol after a specified time to those attending pre-booked events held at the hotel.</p> <p>(c) The exhibition of film, in the form of recordings or non-broadcast television programmes to be viewed in hotel bedrooms, will generally be permitted.</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.

4. Appendices

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

Report author:	Mr Nick Nelson Senior Licensing Officer
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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	Application form	29 January 2018
5	Representation – Environmental Health	26 February 2018
6	Representation – Police	26 February 2018
7	Representation – local resident	4 February 2018

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

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

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

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

Mandatory Conditions

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

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

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

- 8(i) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
- 8(ii) For the purposes of the condition set out in paragraph 8(i) above -
- (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
- (b) "permitted price" is the price found by applying the formula -
- $$P = D + (D \times V)$$
- Where -
- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
- (i) the holder of the premises licence,
- (ii) the designated premises supervisor (if any) in respect of such a licence, or
- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
- 8(iii). Where the permitted price given by Paragraph 8(ii)(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- 8(iv). (1) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Conditions consistent with the operating schedule

9. The use of door staff will be risk assessed on an ongoing basis by the licence holder of premises supervisor. Where engaged, door staff shall be licensed by the Security Industry Authority.

10. Alcoholic and other drinks may not be removed from the premises save for consumption in the hotel bedrooms.
11. Staff will receive training on matters concerning underage sales, drugs policies and operating procedures.
12. There shall be a zero tolerance policy in relation to drugs at the premises and there shall be regular checks by management to prevent the use of drugs by patrons. Drugs seized shall be stored securely and handed to the police.
13. The premises shall operate a proof of age scheme and will require photographic identification from any person who appears to be under the age of 21 years.
14. The management of the premises will liaise with police on issues of local concern or disorder.
15. The premises shall install and maintain a CCTV system as per the minimum requirements of 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 at 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 proper request of Police or authorised Officers during the preceding 31 day period.
16. A staff member who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to non-residents of the hotel. The staff member must be able to provide a Police or authority Council Officer copies of recent CCTV images or data with the absolute minimum of delay when properly requested .
17. The food and beverage area shall be substantially laid out with tables and chairs as indicated on the licensing drawings.
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. There shall be no striptease or nudity in the public licensed area 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.
20. No advertisements of any kind that advertise or promotes the establishment, its premises or any of its events, facilities, goods or services shall be inscribed or affixed upon the surface of the highway, upon any building, structure, works, street furniture, tree or any other property or be distributed to the public.
21. There shall be no drinks promotions at the premises which are inconsistent with the need to promote responsible drinking.
22. There shall be no self-service of alcohol on the premises.
23. A record shall be kept detailing all refused sales of alcohol. The record shall include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by the Police or an authorised officer of the City Council at all times when the premises are open to non-residents.

24. To comply with the reasonable requirements of the fire officer from time to time.
25. The premises will have adequate safety and fire fighting equipment, and such equipment will be maintained in good operational order.
26. Staff will be trained on matters of safety, evacuation and use of emergency equipment as required.
27. Spillages and breakages will be removed as soon as possible to reduce the risk to patrons and staff.
28. Toughened glasses will be used in the premises where appropriate.
29. Fire Exits and means of escape shall be kept clear and in good operational condition.
30. Where appropriate, prominent, clear and legible notices shall be displayed at all exits requesting the public respect the needs of local residents and to leave the premises and area quietly.
31. Patrons will be encouraged by staff to leave quietly and respect the interests of the occupiers of any nearby noise sensitive premises, Where appropriate the licensee or a suitable staff member will monitor patrons leaving at the closing time.
32. Noise or vibration shall not emanate from the premises so as to cause a nuisance to nearby properties.
33. Contact numbers for local taxi firm(s) shall be kept at the premises and made available to patrons requiring a taxi.
34. No films or videos of any description will be shown so that they can be viewed by persons under the age of any applicable BBFC/Local Authority certification.
35. Children under the age of 16 shall not be permitted to enter the premises after 21:00 unless dining with an adult or attending a pre booked function or resident in the hotel.
36. There shall be adequate controls in place including staff training to safeguard against the sale of alcohol to persons under 18 years.
37. The premises supervisor or appointed staff member shall ensure that when children are admitted to the premises their presence is not inconsistent with the style of operation of the premises at that time and the licensable activities that are being carried out.
38. Policies in relation to children shall be adequately communicated to patrons by staff or through appropriate signage.

Conditions proposed by the Environmental Health

None.

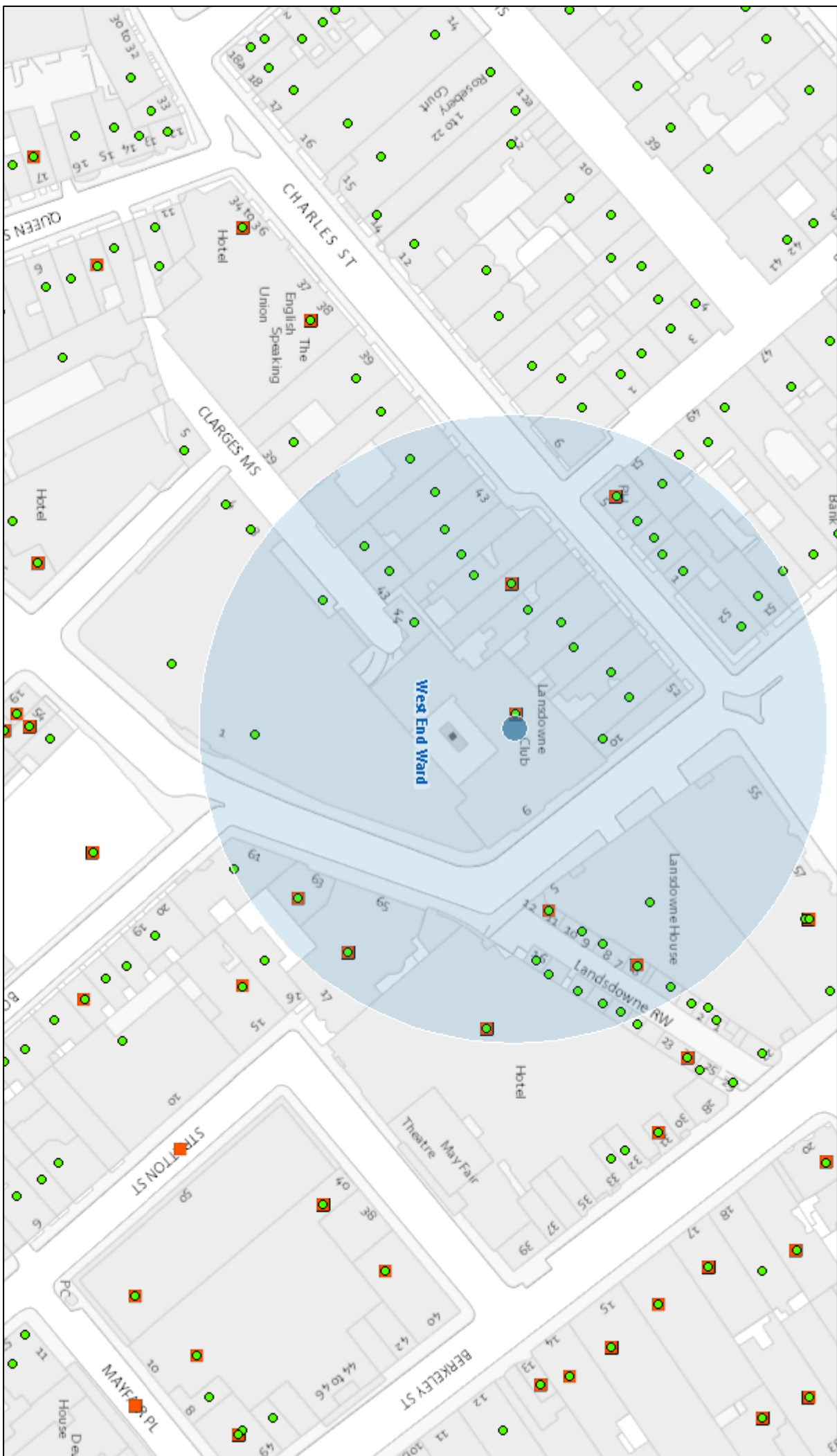
Conditions proposed by the Police and agreed with the applicant

39. 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) any faults in the CCTV
- (f) any visit by a relevant authority or emergency service.

40. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.

The Lansdowne Club



March 7, 2018

- Detailed Boundary
- Property Mailing List
- Ward Labels
- Ward Boundaries

1:1,250

0 0.01 0.02 0.04 mi

0 0.015 0.03 0.06 km

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DISTANCE	Licence Number	Trading Name	Address
45.65117164	16/10465/LIPDPS	Victoria Park Plaza Hotel	239 Vauxhall Bridge Road London SW1V 1EJ
53.70396069	17/10388/LIPDPS	Le Pain Quotidien	128 Wilton Road London SW1V 1JZ
71.10529377	17/03971/LIPCH	Giraffe World Kitchen	120 Wilton Road London SW1V 1HX