



City of Westminster Licensing Sub-Committee

Meeting:	<i>Licensing Sub-Committee</i>
Date:	<i>18 October 2018</i>
Classification:	<i>General Release</i>
Premises:	<i>Heaven, The Arches, London, WC2N 6NG</i> <i>18/08991/LISEVR</i>
Wards Affected:	<i>St James's, Core CAZ North</i>
Financial Summary:	<i>None</i>
Report of:	<i>Operational Director for Public Protection & Licensing</i>

1. Executive Summary

- 1.1 The council has received an application for the renewal of the sex establishment licence under the Local Government (Miscellaneous Provisions) Act 1982 (the Act) for Heaven, The Arches, London, WC2N 6NG. Heaven is licensed to operate as a sexual entertainment venue under the Act. The report sets out the application details, representations, policy and legal context along with other considerations that the Licensing Sub-Committee requires to determine this application.

2. Recommendations

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

3. Application 2018

- 3.1 Heaven has operated as a sex establishment since 2012. Previously, the premises had the benefit of a public entertainment licence since at least 2000. Following the grant of the sex establishment licence for Heaven in 2012, annual renewal applications on behalf of Mr Jeremy Louis Joseph have been submitted and granted under delegated authority in the subsequent years. A copy of the licence history for this premises since 2012 is attached as [Appendix A1](#). The premises are currently licensed to operate under this licence between the hours of 00:00 to 00:00 on each of the days Monday to Sunday. The licence was due to expire on 30 September 2018. A copy of the current Sexual Entertainment Licence is attached at [Appendix A2](#).
- 3.2 On 31 July 2018 the applicant submitted an application to renew the sex establishment licence to continue to operate the premises as a sexual entertainment venue. The applicant has not requested to change the relevant entertainment or to remove any standard conditions to the licence if the application is granted. A copy of the application is attached as [Appendix A3](#).
- 3.3 As a valid application has been received prior to the expiry of the SEV Premises Licence, the licence is deemed to continue until it is determined by the Council.

4. Objections

- 4.1 On 17 August 2018, an objection was received to the renewal application ([attached as Appendix B1](#)) within the statutory 28 day consultation period stating a number of issues with the licensed premises and this application. These issues were namely:
- The venue has long and noisy queues
 - The area is now very much residential
 - The venue is an inappropriate use of the premises in a residential and cultural area
- 4.2 On 10 September 2018 the objector confirmed that they do not wish to waive their right to anonymity.

5. Licensing Act 2003 Premises Licence

- 5.1 The premises currently benefits from a premises licence issued under the provisions of the Licensing Act 2003. A copy of the current premises licence is provided at [Appendix C1](#) of this report.

6. Policy Considerations

6.1 Suitability of applicant – SU1

The applicant has stated that no relevant offences have been committed. In addition, the Police and the Council's Licensing Inspectorate have carried out fit and proper persons checks and have not made any objections to the application.

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

The Police and the Council's Licensing Inspectorate have undertaken appropriate checks and have made no comments.

6.3 Appropriate number of SEV in a locality – NO1

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

6.4 Character of the relevant locality – LO1

The Arches are off of Villiers Street which is a busy thoroughfare between Charing Cross and Embankment Stations. Within a 100 metre radius of the premises, there is a resident count of 166.

6.5 Use of premises in the vicinity – LO2

The main use of the premises in the immediate vicinity are commercial. There are no other SEV premises, schools, or places of worship in a 100 metre radius of the premises.

6.6 Layout, character or condition of the venue – LO3

The premises is a large nightclub spread over the ground and first floors. For the current Relevant Entertainment purposes, the entertainment takes place in the main dance floor area in the main room of the premises. The main room consists of a large dance floor in the centre, a bar to the rear of the room and a raised stage accessible from the main dance area by two sets of stairs on either side of the stage. The stage also has a side access away from the main dance floor area.

7. Legal Implications

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

Appendices

- A1 – Sex Establishment Licence history
- A2 – Sexual Entertainment Venue licence
- A3 – Application form
- B1 – Objection
- C1 – Current Licensing Act 2003 Premises Licence

If you have any queries about this Report or wish to inspect any of the Background Papers please contact: Daisy Gadd on 020 7641 6500 or at dgadd@westminster.gov.uk

BACKGROUND PAPERS

Local Government (Miscellaneous Provisions) Act 1982
Policing and Crime Act 2009
Sexual Entertainment Venues Statement of Licensing Policy 2012
Sexual Entertainment Venues Guidance and Procedure effective 17 February 2012

Sex Establishment Licence history**Appendix A1**

Sex Establishment Licence history - Heaven			
Application reference	Application details	Application determination date	Decision
12/02508/LISEVN	Application for a New Sexual Entertainment Venue Licence.	11.06.2012	Granted by Licensing Sub-Committee
12/07381/LISEVV	Application to vary a Sexual Entertainment Venue licence. The variation sought changes to the layout of the premises and an amendment to the wording of standard condition 6 to permit advertisement of relevant entertainment at the premises.	01.11.2012	Granted in Part by Licensing Sub-Committee
13/06791/LISEVR	Application to renew the Sexual Entertainment Venue licence.	20.11.2013	Granted under Delegated Authority
14/07642/LISEVR	Application to renew the Sexual Entertainment Venue licence.	21.10.2014	Granted under Delegated Authority
15/06054/LISEVR	Application to renew the Sexual Entertainment Venue licence.	18.11.2015	Granted under Delegated Authority
16/07854/LISEVR	Application to renew the Sexual Entertainment Venue licence.	26.09.2016	Granted under Delegated Authority
17/08574/LISEVR	Application to renew the Sexual Entertainment Venue licence.	11.10.2017	Granted under Delegated Authority

17/10075/LISEVV	Application to vary a Sexual Entertainment Venue licence. The variation sought changes to the layout of the premises and amendments to the capacity ratio of the premises.	23.10.2017	Granted under Delegated Authority
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SEX ESTABLISHMENT LICENCE
Sexual Entertainment Venue

Premises licence number:

17/10075/LISEVV

Original Reference:

12/02508/LISEVN

The CITY OF WESTMINSTER, under the provisions of the Local Government (Miscellaneous Provisions) Act 1982 as amended by the Policing and Crime Act 2009

hereby licences:
to use the premises:

Mr Jeremy Louis Joseph
Heaven
The Arches
London
WC2N 6NG

as a Sexual Entertainment Venue.

This licence commences from the 01 October 2017 and will expire on the 30 September 2018.

Relevant Entertainment (Striptease including full nudity) may be provided during the following times:

Monday to Sunday

00:00 to 00:00

Relevant Entertainment may only be provided in the permitted areas outlined in red shown on the plans attached at Appendix 1.

This licence is granted subject to the conditions attached at Appendix 2.

DATE: 02.01.2018

SIGNED:



On behalf of the Operational Director -
Premises Management

Appendix 1 – Plans

Attached

Appendix 2 – Conditions

Standard conditions

1. Whilst Relevant Entertainment is taking place no person under the age of 18 shall be on the licensed premises and a clear notice to that effect shall be displayed at the entrance in a prominent position so that it can be easily read by persons entering the premises.
2. Whenever persons under the age of 18 are admitted to the premises there will be no promotional or other material on display within the premises which depicts nudity or partial nudity.
3. The licence or a clear copy shall be prominently displayed at all times so as to be readily and easily seen by all persons using the premises.
4. No provision of relevant entertainment, or material depicting nudity or relevant entertainment, shall be visible from outside the premises.
5. Menus and drinks price lists shall be clearly displayed at the front entrance of the club, reception area, tables and bar at such a position and size as to be easily read by customers. This price list shall show all consumable items and any minimum tariff including charges and fees applicable to Performers.
6. Except with the consent of the Licensing Authority, no advertisements of any kind (including placard, poster, sticker, flyer, picture, letter, sign or other mark) shall be inscribed or affixed at the premises, on the surface of the highway or on any building, structure, works, street furniture, tree or any other property or be distributed in the street to the public that advertises or promotes the relevant entertainment at the premises.
7. The licence holder or other person concerned in the conduct or management of the premises shall not seek to obtain custom by means of personal solicitation or touting, nor enter into any agreement with a third party to do so.
8. Adequate toilets, washing and changing facilities for use by the Performers shall be provided.
9. Either the licence holder or a named responsible person shall be present throughout the time the Relevant Entertainment takes place.
10. The premises will install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer that ensures all areas of the licensed premises are monitored including all entry and exit points will be covered enabling frontal identification of every person entering any light condition. All cameras shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period together with facilities for viewing.
11. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to the public and this staff member should be able to show Police recent data and footage with the absolute minimum of delay of the request.

12. An incident log shall be kept at the premises, and made available on request to the Licensing Authority or the Police, which will record the following:
 - (a) all crimes reported to the venue;
 - (b) all ejections of patrons;
 - (c) any complaints received;
 - (d) any incidents of disorder;
 - (e) seizures of drugs or offensive weapons;
 - (f) any faults in the CCTV system or searching equipment or scanning equipment;
 - (g) any refusal of the sale of alcohol;
 - (h) any visit by a relevant authority or emergency service;
 - (i) any breach of licence conditions reported by a Performer
13. The licence holder shall produce a Code of Conduct setting out rules and obligations between the licence holder and performers whilst performing. All Performers shall sign the Code of Conduct in their proper name acknowledging that they have read, understood and are prepared to abide by the said Code of Conduct, and a copy so signed shall be retained by the licence holder and shall be readily available for inspection by the Police and/or authorised persons upon reasonable request.
14. Individual records shall be kept at the premises of the real names, stage names and addresses of all Performers working at the premises. The record will include either a copy of their birth certificate, current passport, EU driving licence or national identity card and shall be made immediately available for inspection by the Police and/or the Licensing Authority upon request.
15. Details of all work permits and/or immigration status relating to persons working at the premises shall be retained by the licence holder and be readily available for inspection by the Licensing Authority, a Police Officer or Immigration Officer.
16. Relevant Entertainment shall be given only by Performers and the audience shall not be permitted to participate in the relevant entertainment.
17. There shall be no physical contact between Performers whilst performing.
18. Performers will not request or give out any telephone number, address or any other contact information from or to any customer. Any such information given by a customer shall be surrendered to the premises manager as soon as is practicable.
19. Relevant Entertainment shall take place only in the designated areas approved by the Licensing Authority as shown on the licence plan. Arrangements for access to the dressing room shall be maintained at all times whilst Relevant Entertainment is taking place and immediately thereafter.
20. Customers must remain fully clothed at all times. The Performer must not remove any of the customer's clothing at any time.
21. Where Relevant Entertainment is provided in booths, or other areas of the premises where private performances are provided, the booth or area shall not have a door or other similar closure, the area shall be constantly monitored by CCTV, and access to the booth or other area shall be adequately supervised.

22. Whenever Relevant Entertainment is being provided there shall be no physical contact between Performers and customers or between customers and Performers except for the exchanging of money or tokens at the beginning or conclusion of the performance and only for the purpose of that performance. Clearly legible notices to this effect shall clearly be displayed in each private booth and in any performance area.
23. Performers must redress fully immediately after each performance.

Additional conditions

24. The provision of the Porn Idol talent competition or similar entertainment when unpaid members of the public participate as performers, shall be permitted to be held for a two hour period one day a week, during which time standard conditions 14, 15, 16 and 20 (above) shall not apply.
25. The maximum number of persons accommodated within the premises at any one time (excluding staff) shall not exceed 1625 persons with maximum local capacities at any one time for the following areas (as marked on drawing no's 08.001 Rev L and 8.002 Rev K) being: the ground floor main dance floor - 1300, 'VIP' bar - 50, the 'Artist Bar and Cinema' - 550 and first floor total - 390 provided that there shall be a maximum capacity in the Dakota Smoke Bar of 280.
26. All emergency doors shall be maintained effectively self closing and not held open other than by an approved device.
27. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
28. Curtains and hangings shall be arranged so as not to obstruct emergency signs.
29. The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.
30. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.
31. All exit doors shall be available at all material times without the use of a key, code, card or similar means.

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

- i. pyrotechnics including fire works
 - ii. firearms
 - iii. lasers
 - iv. explosives and highly flammable substances.
 - v. real flame.
 - vi. strobe lighting.
32. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.



City of Westminster



**APPLICATION TO RENEW A SEXUAL
ENTERTAINMENT VENUE LICENCE**

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

I/we JEREMY LOUIS JOSEPH
(Insert name(s) of applicant)

apply to renew the Sexual Entertainment Venue licence under the Local
Government (Miscellaneous Provisions) Act 1982 for the following premises:

Premises name: HEAVEN

Premises address: THE ARCHES, VILLIERS STREET WC2N 6NG

Licence reference number: 17/10075/LISEVV

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

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

PART 1 – Applicant Details

Please state whether you are renewing the Sexual Entertainment Venue licence as:

a) an individual or individuals

☒ complete section (A)

b) a person other than an individual:

i. as a body corporate

☐ complete section (B)

ii. as an unincorporated body

☐ complete section (B)

Section A – Individual Licensee Details

First name(s):	JEREMY LOUIS
Surname:	JOSEPH
Former names (if any):	
Title:	
Home address:	30 OLD COMPTON ST. LONDON
Postcode:	W1D 5JX
Email address:	JEREMY@j-a-y.co.uk
Contact telephone number:	
Date of Birth:	15-01-67
Have you been a resident of an EEA state throughout the period of 6 months immediately preceding the date the application was made?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

Additional Licensee Details (if necessary)

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

Section B – Body Corporate or Unincorporated Body Details

Business Name: (if your business is registered, use its registered name)	
Is your business registered in the UK with Companies House?	Yes <input type="checkbox"/> Registered Number:
	No <input type="checkbox"/>
Is your business registered in another EEA state:	Yes <input type="checkbox"/> EEA State: Registered Number:
	No <input type="checkbox"/>
Legal Status: (e.g. Company Partnership, etc)	
Home Country: (the country where the headquarters of your business is located)	
Registered Address:	
Postcode:	
Directors, Partners, Owners and Managers	
You must provide details of all DIRECTORS (if the applicant is a company), all PARTNERS (if it is a partnership), and all MANAGERS of the business or organisation, including day-to-day MANAGERS OF THE PREMISES.	
Have there been any changes to the directors, partners or managers involved with the premises?	Yes <input type="checkbox"/> (please see below) No <input checked="" type="checkbox"/>
If yes, please provide details of the changes on a separate sheet, including the full name, private address and capacity of each director, partner and manager involved with the operation of the premises.	

Other Business Interests

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

Yes

☐

(please complete below)

No

☒

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

PART 2 – Premises Details

Premises name:	HEAVEN
Premises address:	THE ARCHES, VILLIERS ST. LONDON
Postcode:	WC2N 6NG
Premises telephone number:	0207 930 2020
Email:	INFO@HEAVENNIGHTCLUB-LONDON.COM
Website address:	WWW.HEAVENNIGHTCLUB-LONDON.COM
Where the licence is for a vehicle, vessel or stall, state where it is used as a sexual entertainment venue:	
Have there been any changes to the nature of the relevant entertainment since the licence was last granted / renewed?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, please provide details below.

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PART 3 – Convictions / Disqualifications

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

PART 4 - Checklist

Please tick as appropriate:

All relevant sections of the application form have been completed in full	<input checked="" type="checkbox"/>
Payment of the fee has been made in full (refer to Part 6 of this form)	<input checked="" type="checkbox"/>
Notice of this application has been published in a local newspaper / will be published in a local newspaper within the next 7 days, a full copy of the newspaper to be provided to the Licensing Authority as soon as possible	<input checked="" type="checkbox"/>
Notice of this application has been displayed at the premises	<input checked="" type="checkbox"/>


The application has been served on the Metropolitan Police Service



PART 5 - Declaration

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

I CRUG BAYLIS declare that the information given above is true and complete in every respect.

Signed	
Date:	1/8/18
Capacity:	SOLICITOR FOR APPLICANT.

For joint applications:

Signed	
Date:	
Capacity:	

Agent Details

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

Yes ☒ No ☐

If yes, please provide the following:

Agent name:	BCLP
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Agent Address:	ADELAIDE HOUSE LONDON BRIDGE LONDON
Postcode:	EC4R 9HA.
Agent Telephone Number:	0203 400 2326
Agent Email:	Craig.Baylis@BCLPLAW.com

Correspondence Details

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

Name:	CRAIG BAYLIS
Address:	BCLP ADELAIDE HOUSE LONDON BRIDGE LONDON
Postcode:	EC4R 9HA
Telephone Number:	0203 400 2326
Email:	Craig.Baylis@BCLPLAW.com

PART 6 – Payment

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

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

Type of credit / debit card:	Visa <input type="checkbox"/>	MasterCard <input type="checkbox"/>
	Solo <input type="checkbox"/>	Maestro <input type="checkbox"/> Delta <input type="checkbox"/>
Card number:		
Issue date:	/	(mm/yy)
Expiry date:	/	(mm/yy)
Issue number:	(for Maestro / Solo)	
Name on card:		
Amount (£):		

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

Objection

Appendix B1

Comments for Licensing Application 18/08991/LISEVR

Application Summary

Application Number: 18/08991/LISEVR

Address: Club The Arches London WC2N 6NG

Proposal: Sexual Entertainment Venue - Renewal

Case Officer: Ms Daisy Gadd

Customer Details

Name: Not Available

Address: Not Available

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Licensing Application

Comment Reasons:

Comment: 10:39 AM on 17 Aug 2018 My objection is that the queue is long and noisy stretching back towards Charring Cross Station and the corner of Adam Street

This is now very much a residential area and in the early hours we are often woken by rowdy drunken people vomiting and urinating and behaving in a very inappropriate sexual manner

This area has now become more and more a communal area with more residential units and it is now an inappropriate use of this premises in a residential and cultural part of our capital

I therefore strongly object to this license being granted

Current Licensing Act 2003 Premises Licence

Appendix C1



City of Westminster

64 Victoria Street, London, SW1E 6QP

Schedule 12
Part A

WARD: St James's
UPRN: 010033544601

Premises licence

Regulation 33, 34

Premises licence number:

17/08886/LIPVM

Original Reference:

05/06314/LIPCV

Part 1 – Premises details

Postal address of premises:

Heaven Nightclub
10A The Arches
London
WC2N 6NG

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

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

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

Performance of Dance

Monday to Sunday: 00:00 to 00:00

Exhibition of a Film

Monday to Sunday: 00:00 to 00:00

Performance of Live Music

Monday to Sunday: 00:00 to 00:00

Playing of Recorded Music

Unrestricted

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

Monday to Sunday: 00:00 to 00:00

Performance of a Play	
Monday to Saturday:	09:00 to 00:00
Sunday:	14:00 to 00:00
Non-standard Timings: Condition 42	
Late Night Refreshment	
Monday to Sunday:	23:00 to 05:00
Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit Unrestricted	
Sale by Retail of Alcohol	
Monday to Saturday:	10:00 to 06:00
Sunday:	12:00 to 06:00
Non-standard Timings: Condition 42	
<i>For times authorised for New Year see conditions at Annex 1&3</i>	

The opening hours of the premises:	
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.

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence:
Heaven (London) Limited 11 The Arches Villiers Street London WC2N 6NG Telephone Number : 020 7389 6611

Registered number of holder, for example company number, charity number (where applicable)
06606876

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol:
Name: Mark Ellicott
<i>Please note: It is the policy of the Licensing Authority not to display the address details of a designated premises supervisor.</i>

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: LBH-PER-7-0003
Licensing Authority: London Borough of Hackney

Date: 26 September 2017

This licence has been authorised by Mrs Shannon Pring on behalf of the Director - Public Protection and Licensing.

Annex 1 – Mandatory conditions

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

- (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either -
 - (a) a holographic mark, or
 - (b) an ultraviolet feature.

7. The responsible person must ensure that –

- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures -
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;
- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

A responsible person in relation to a licensed premises means the holder of the 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.
- (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.
- (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.
- (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. 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.

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

Conditions relating to regulated entertainment: (Ground and First Floors excluding the entrance and control room areas)

- 10. This licence is subject to all the former Rules of Management for Places of Public Entertainment licensed by Westminster City Council, in force from 4 September 1998 and incorporating amendments agreed by the Council on 25 October 1999, 30 June 2000, 16 January 2001 and 1 October 2001.
- 11. On New Year's Eve the premises can remain open for the purpose of providing regulated entertainment from the time when the provision of regulated entertainment must otherwise cease on New Year's Eve to the time when regulated entertainment can commence on New Year's Day (or until midnight on New Year's Eve where no regulated entertainment takes place on New Year's Day).
- 12. The laser installation shall be operated and maintained in accordance with guidance Note PM19 'Use of Lasers for Display Purposes issued by the Health and Safety Executive, and subject to the conditions set out in the GLC's letter dated 26 October 1992.
- 13. The operation of the laser shall at all times be under the direct control of an authorised trained operator who shall maintain constant surveillance of the laser equipment. The emission of laser radiation shall be immediately terminated in the

event of: (a) equipment malfunction, (b) if any person goes onto or attempts to go onto the stage, or (c) any other unsafe condition.

14. There shall be no loudspeakers in the entrance hall.
15. The licensee shall ensure that music provided at the premises shall not cause a nuisance to the occupants of neighbouring premises.
16. Attendants shall be stationed in the vicinity of the cloakrooms during the whole time they are in use.
17. A sound limiting device will be installed on the amplification system. The limit shall be set at a level agreed with the Environmental Health Officer and the equipment sealed at the level to the satisfaction of that officer.
18. The defined clear way on either side of the stage shall be maintained clear of obstruction at all times, with special reference to the performance of live bands and any other performers.
19. The Licensee shall ensure that the Arches are swept at regular intervals throughout the hours of operation and at the close of business, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements and disposed of in the correct manner through an authorised waste contractor.
20. The Licensee shall ensure that litter patrols are conducted, as frequently as is necessary, on Villiers Street from the Arches to the Strand, to remove litter associated with heaven nightclub. Such litter to be stored in accordance with the approved refuse storage arrangements and disposed of in the correct manner through an authorised waste contractor.

Conditions relating to performance of plays (Main Dance Floor Area)

21. Any changes to the approved layout shall be submitted to the Council for prior approval in writing.
22. The exhibition of films is restricted to films involving the use of real films (e.g. video) where exhibition is incidental or subsidiary to the main use of the premises

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

23. No person under fourteen shall be in the bar of the licensed premises during the permitted hours unless one of the following applies:
 - (a) He is the child of the holder of the premises licence.
 - (b) He resides in the premises, but is not employed there.
 - (c) He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress.
 - (d) The bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary.

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

24. If any entertainment is provided for children or if an entertainment is provided at which the majority of persons attending are children, then, if the number of children attending the entertainment exceeds 100, it shall be the duty of the holder of this premises licence / club premises certificate:
- (a) to station and keep stationed wherever necessary a sufficient number of adult attendants, properly instructed as to their duties, to prevent more children or other persons being admitted to the building, or to any part thereof, than the building or part can properly accommodate,
 - (b) to control the movement of the children and other persons admitted while entering and leaving the building or any part thereof, and
 - (c) to take all other reasonable precautions for the safety of the children.
25. This licence (or certificate) will be subject to any restrictions imposed on the use of the premises by any of the provisions contained in the former Cinematograph (Safety) Regulations 1955 as amended by the Cinematograph (Safety) Regulations 1958, the Cinematograph (Safety) Regulations 1965, the Cinematograph (Safety) (Amendment) Regulations 1976, the Cinematograph (Safety) (Amendment) Regulations 1982 and the Cinematograph (Safety) (Amendment) Regulations 2002.

Annex 2 – Conditions consistent with the operating Schedule

26. 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.
27. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to the public. This staff member shall be able to show Police recent data or footage with the absolute minimum of delay when requested.
28. There shall be a personal licence holder on duty on the premises at all times when the premises are authorised to sell alcohol.
29. 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.
30. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and leave the area quietly.
31. No patrons, DJ's or performers (along with their guests and entourages) shall be admitted or re-admitted to the premises after the hour of 9pm unless they have passed through a functioning metal detecting search arch and been physically searched in accordance with a procedure agreed with the Metropolitan Police which will include a full bag search and where appropriate a full pat down search.
32. All searches must be recorded on the CCTV system.
33. A zero tolerance to drugs and weapons policy shall be implemented and signage confirming this policy will be displayed prominently at the entrance to the club and in the customer toilets. Details of these policies shall be displayed on the website for the premises.
34. The premises shall not employ for payment or otherwise any persons for the purpose of bringing customers to the premises directly off the street or any other public place.
35. The premises licence holder to cease to provide all drinks in glass containers after 23.00 hours by 1st September 2009 where suitable alternatives can be found, save that glass containers may continue to be used for the provision of drinks for private hire events and in the artist & VIP areas within the premises
36. The total capacity of the premises (excluding staff) shall be 1625 persons with maximum local capacities at any one time for the following areas (as marked on drawing , LM2268 REV1/dated 15-06-16 and LM917/02 Rev E dated 15-06-16): being the ground floor main dance floor 1200, VIP Bar 125, the Artist Bar 420, and

first floor total 390, provided that there shall be a maximum capacity in the Dakota Smoke Bar of 280.

37. The licensed areas affected by minor variation application number 12/06895/LIPVM will have no effect until the premises have been assessed as satisfactory by the Environmental Health Consultation Team and this condition has been removed from the licence.
38. CCTV will be installed in the gender - free toilet circulation area.
39. The gender - free toilets will be attended by a female attendant at all times these facilities are made available for use whilst licensable activities are carried out at the premises.

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

40. (a) Subject to the following paragraphs, the permitted hours on weekdays shall commence at 10.00 and extend until 06.00 on the morning, except that -
- (i) the permitted hours shall end at 00.00 midnight on any day on which music and dancing is not provided after midnight; and
 - (ii) on any day that music and dancing end between 00.00 midnight and 06.00, the permitted hours shall end when the music and dancing end (or as the case maybe when the gaming ends);
- (b) In relation to the morning on which summer time begins, paragraph (a) of this condition shall have effect-
- (i) with the substitution of references to 07.00 for references to 06.00.
- (c) On Sundays, the permitted hours shall extend until 06:00 on the morning following, except that-
- (i) the permitted hours shall end at 00.00 midnight on any Sunday on which music and dancing is not provided after midnight;
 - (ii) where music and dancing end between 00.00 midnight on any Sunday and 06:00, the permitted hours on that Sunday shall end when the music and dancing end.
- (d) The sale of alcohol must be ancillary to the use of the premises for music and dancing and substantial refreshment.
- (e) The permitted hours on New Year's Eve will extend to the start of permitted hours on the following day.

NOTE - The above restrictions do not prohibit:

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

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

41. The number of persons accommodated at any one time (excluding staff) shall not exceed 200, provided that condition applies only to main dancing area and only when the main dancing area is being used for the performance of plays.
42. On no more than 15 occasions (and in substitution for Temporary Event Notices) per calendar year and following 10 working days' notice to the Police (or such lesser time as may be agreed with the Police) and the Licensing Authority, the hour for the provision of licensable activities currently provided at the premises may be extended to such time as agreed with the Police, the Police having the power to veto any such application.
- 43.* Permission granted to waiver of existing Rule of Management number 4(a) so as to permit entertainment involving striptease and/or nudity to take place, subject to suitable and sufficient fresh air ventilation and extract to be provided behind the main stage area.
44. Conditions 3, 5 and 6 of the Rules of Management do not apply.

* Conditions indicated shall not apply when a Sexual Entertainment Licence is in effect at the premises

Annex 4 – Plans

Attached



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

Schedule 12
Part B

WARD: St James's
UPRN: 010033544601

Premises licence
summary

Regulation 33, 34

Premises licence number:

17/08886/LIPVM

Part 1 – Premises details

Postal address of premises:

Heaven Nightclub
10A The Arches
London
WC2N 6NG

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

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

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

Performance of Dance Monday to Sunday:	00:00 to 00:00
Exhibition of a Film Monday to Sunday:	00:00 to 00:00
Performance of Live Music Monday to Sunday:	00:00 to 00:00
Playing of Recorded Music	Unrestricted
Anything of a similar description to Live Music, Recorded Music or Performance of Dance Monday to Sunday:	00:00 to 00:00

Performance of a Play	
Monday to Saturday:	09:00 to 00:00
Sunday:	14:00 to 00:00
Non-standard Timings:	Condition 42
Late Night Refreshment	
Monday to Sunday:	23:00 to 05:00
Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit Unrestricted	
Sale by Retail of Alcohol	
Monday to Saturday:	10:00 to 06:00
Sunday:	12:00 to 06:00
Non-standard Timings: Condition 42	
<i>For times authorised for New Year see conditions at Annex 1&3</i>	

The opening hours of the premises:	
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.

Name and (registered) address of holder of premises licence:
Heaven (London) Limited 11 The Arches Villiers Street London WC2N 6NG

Registered number of holder, for example company number, charity number (where applicable)
06606876

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

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

Date: 26 September 2017

This licence has been authorised by Mrs Shannon Pring on behalf of the Director -
Public Protection and Licensing.