

Licensing Sub-Committee Report

Item No:	
Date:	18 October 2018
Licensing Ref No:	18/09845/LIPN - New Premises Licence
Title of Report:	1 Marylebone Road London NW1 4AQ
Report of:	Director of Public Protection and Licensing
Wards involved:	Marylebone High Street
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Michelle Steward Senior Licensing Officer
Contact details	Telephone: 0207 641 2737 Email: msteward1@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	22 August 2018		
Applicant:	Hammer Holdings Limited		
Premises address:	1 Marylebone Road London NW1 4AQ	Ward:	Marylebone High Street
		Cumulative Impact Area:	None
Premises description:	According to the application form, the premises will operate as a wedding exhibition and retail space.		
Premises licence history:	The premises have been licensed since 2007. The premises has the benefit of an existing premises licence (18/09999/LIPCH) of which Hammer Holdings Ltd are the current licence holders.		
Applicant submissions:	None submitted		

1-B Proposed licensable activities and hours							
Sale by retail of alcohol				On or off sales or both:		On	
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	12:00	12:00	12:00	12:00	12:00	12:00	12:00
End:	21:00	21:00	21:00	21:00	21:00	21:00	21:00
Seasonal variations/ Non-standard timings:		None applied for					

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	10:00	10:00	10:00	10:00	10:00	10:00	10:00
End:	21:00	21:00	21:00	21:00	21:00	21:00	21:00
Seasonal variations/ Non-standard timings:		None applied for.					
Adult Entertainment:		Not applicable.					

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Environmental Health
Representative:	Ian Watson
Received:	11 September 2018
<p>The applicant has submitted floor plans of the premises.</p> <p>This representation is based on the plans and operating schedule submitted.</p> <p>The applicant is seeking the following</p> <ol style="list-style-type: none">1. To provide for the Supply of Alcohol 'On' the premises Monday to Sunday between 12.00 to 21.00 hours. <p>I wish to make the following representation</p> <ol style="list-style-type: none">1. The hours requested for the Supply of Alcohol will impact on Public Safety and have the likely effect of causing an increase in Public Nuisance within the area. <p>The applicant has provided additional information with the application which does not address the concerns of Environmental Health.</p>	
Responsible Authority:	Metropolitan Police Service (withdrawn)
Representative:	PC Cheryl Boon
Received:	19 September 2018
<p>Please find below the proposed conditions from the Metropolitan Police. Please let us know whether you would agree to them being added to any future operating schedule. If you are able to agree to these conditions it may enable us to withdraw our representation</p> <ol style="list-style-type: none">1. 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.2. 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.	

3. A record shall be kept detailing all refused sales of alcohol. The record should 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 whilst the premises is open.

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

5. 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.

6. There shall be no self service of alcohol.

7. The supply of alcohol is by waiter or waitress service only

Following the agreement of conditions, the Metropolitan Police Service withdrew their representation on 2 October 2018.

2-B Other Persons

Name:	Mr Linus Rees
Address and/or Residents Association:	Fitzrovia Neighbourhood Association 39 Tottenham Street
Received:	30 August 2018
<p>The application gives no details about what type of business is proposed to be operated. There is no application form to view. We are potentially concerned about sale of alcohol on- and off-licence from the premises. We would like to see more information so that we can assess its merits and demerits.</p> <p>We would like a condition attached to the licence which states:</p> <p>“The sale of alcohol is only to be ancillary to the operation of a sale and exhibition space for wedding goods and services.”</p> <p>The reason being is to ensure that the licence cannot be transferred to another operator which may give rise to public nuisance.</p>	

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 set out below in this policy will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy.</p> <p>(ii) Applications for hours outside the core hours set out below in this policy will be considered on their merits, subject to other relevant policies.</p> <p>For premises for the supply of alcohol for consumption on the premises:</p> <p>Monday to Thursday: 10:00 to 23:30 Friday and Saturday: 10:00 to midnight Sundays immediately prior to Bank Holidays: Midday to midnight Other Sundays: Midday to 22:30</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. 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	Premises plans
Appendix 2	Applicant supporting documents
Appendix 3	Premises history
Appendix 4	Proposed conditions
Appendix 5	Residential map and list of premises in the vicinity
Appendix 6	Existing premises licence 18/09999/LIPCH

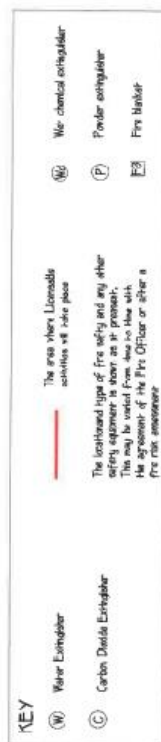
Report author:	Miss Michelle Steward Senior Licensing Officer
Contact:	Telephone: 0207 641 2737 Email: mdsteward1@westminster.gov.uk

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

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

1	Licensing Act 2003	N/A
2	City of Westminster Statement of Licensing Policy	7 th January 2016
3	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2018
4	Representation Environmental Health	11 September 2018
5	Representation Metropolitan Police Service (withdraw)	19 September 2018
6	Representation Fitzrovia Neighbourhood Association	30 August 2018

Appendix 1



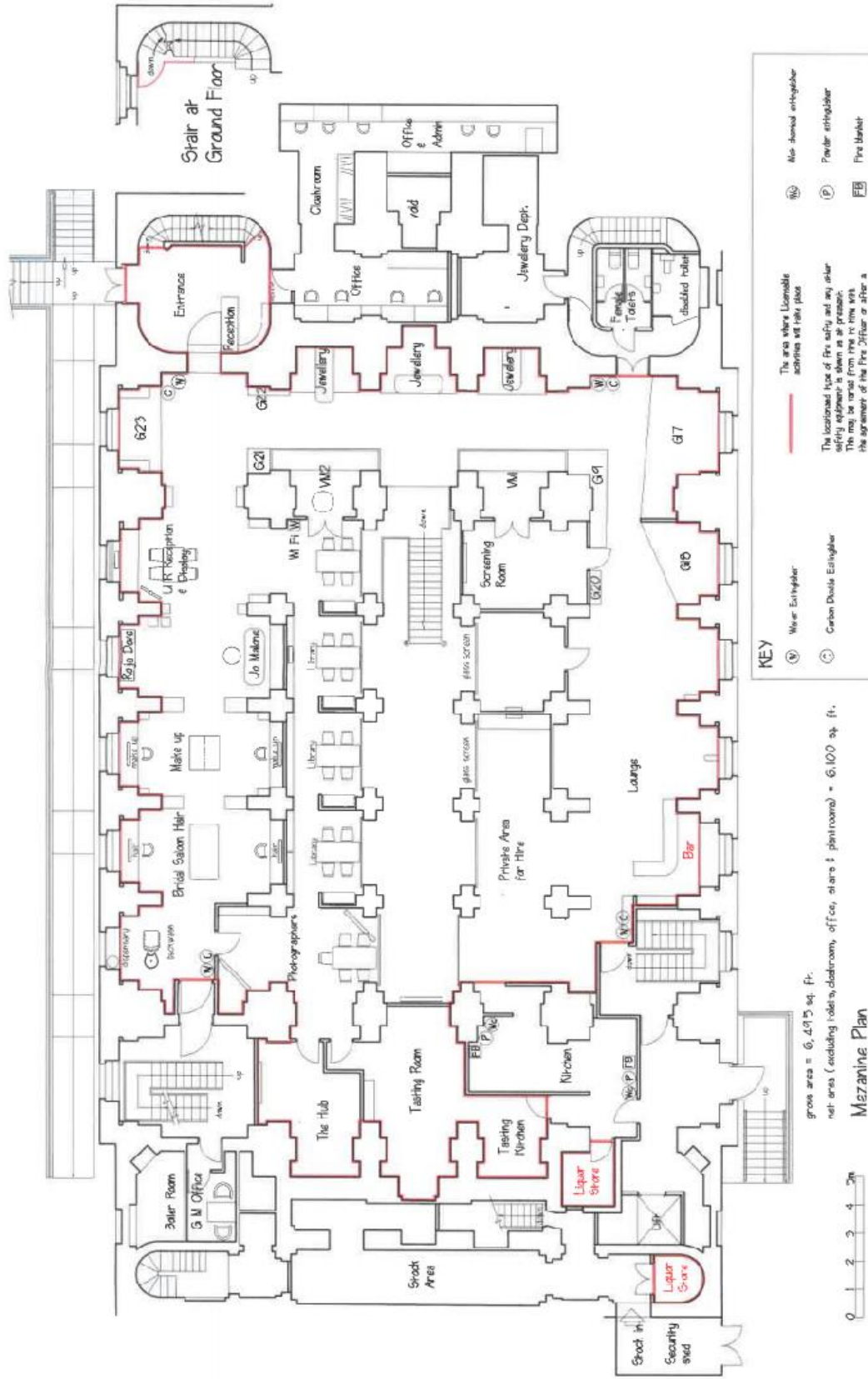
gross area = 7,700 sq. ft.,

net area (excluding toilets, offices, stairs & pantries) - 6,475 sq. ft.

Basement Plan

The CAD layers used on this drg are :-

The CAD layers used on this dwg are :-							
<p>PETER KNIGHT MCIA.T., A.B.Eng. CHARTERED ARCHITECTURAL TECHNOLOGIST</p> <p>The Thin / Logo / Group Tree Hill / Invering-Lus-Lower / Box / 004 / R1</p> <p>Tel : +44 0700 727260 Mob : 07940000405 Email : p.knight@bt.com</p>		<p>SCALE 1=12'5"</p>	<p>DATE 1/29/2017</p>	<p>PROJECT One Marlborough Road Marlborough, London NW 4DJ (Formerly Hsu, Tienchi, Church)</p>	<p>DOC. TITLE The Wedding Gallery Basement - License Plan</p>	<p>JOB No 210</p>	<p>REV. L-1 A</p>



The CAD layers used on this drawing are :-

PETER KNIGHT MCIAT, ARBEng CHARTERED ARCHITECTURAL TECHNOLOGIST The Ryle Lodge, Orange Tree Hill, Havering-atte-Bower, Essex, RM11 0T Tel: 01473 723555 Mob: 07943353545 Email: peter.knight@pkn.co.uk		SCALE	1:125	DATE	1/3/2017	PROJECT	One Marylebone Road, Marylebone, London NW1 4DL (Formerly Holy Trinity Church)	DRG. TITLE	The Wedding Gallery Mezzanine License Plan	IDB No	218	REV.	A
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Applicant Supporting Documents

None submitted

Appendix 2

Premises History

Appendix 3

Application	Details of Application	Date Determined	Decision
07/05527/LIPN	Application for a new premises licence	19.09.2007	Granted under Delegated Authority
07/08538/WCCMAP	Master licence	20.09.2007	Granted under Delegated Authority
08/05372/LIPV	Application to vary the premises licence that sought to extend the area for licensable activities, remove work conditions and increase the capacity.	24.07.2008	Granted by Licensing Sub-Committee
09/01530/LIPV	Application to vary the premises licence that sought to amend the layout of the premises and increase the capacity.	27.04.2009	Granted under Delegated Authority
10/02030/LIPDPS	Application to vary the Designated Premises Supervisor.	07.06.2010	Granted under Delegated Authority
11/02592/LIPVM	Application for a minor variation of the premises licence that sought to vary the layout of the premises.	14.04.2011	Granted under Delegated Authority
11/12440/LIPV	Application to vary the premises licence that sought to amend the layout of the premises and increase the capacity.	14.05.2012	Granted under Delegated Authority
14/08144/LIPV	Application to vary the premises licence that sought to amend the layout of the premises.	12.11.2014	Granted under Delegated Authority

18/09999/LIPCH	Application for a change of details.	28.08.2018	Granted under Delegated Authority
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Application	Details of Application	Date Determined	Decision
09/02573/LIMN	Application for a new marriage licence.	21.07.2009	Granted under Delegated Authority
12/06022/LIMR	Application to renew the marriage licence.	21.08.2012	Granted under Delegated Authority

Application	Details of Application	Date Determined	Decision
13/10060/LIMN	Application for a new marriage licence.	14.04.2014	Granted under Delegated Authority
17/01422/LIMR	Application to renew the marriage licence.	25.04.2017	Granted under Delegated Authority

Application	Details of Application	Date Determined	Decision
14/03641/LITENP	Application for a temporary event notice.	28.05.2014	Event to proceed
14/03643/LITENP	Application for a temporary event notice.	28.05.2014	Event to proceed
14/04913/LITENP	Application for a temporary event notice.	19.06.2014	Event to proceed
14/04914/LITENP	Application for a temporary event notice.	19.06.2014	Event to proceed
14/06134/LITENP	Application for a temporary event notice.	05.08.2014	Event to proceed

14/06147/LITENP	Application for a temporary event notice.	09.09.2014	Event to proceed
14/06152/LITENP	Application for a temporary event notice.	09.09.2014	Event to proceed
14/10763/LITENP	Application for a temporary event notice.	30.01.2015	Event to proceed
16/05414/LITENP	Application for a temporary event notice.	07.06.2016	Event to proceed
16/05432/LITENP	Application for a temporary event notice.	07.06.2016	Event to proceed
16/13788/LITENP	Application for a temporary event notice.	29.12.2016	Event to proceed
16/13791/LITENP	Application for a temporary event notice.	29.12.2016	Event to proceed
17/02454/LITENP	Application for a temporary event notice.	11.04.2017	Event to proceed
18/10606/LITENP	Application for a temporary event notice.	17.09.2018	Event to proceed
18/10662/LITENP	Application for a temporary event notice.	17.09.2018	Event to proceed

Appendix 4

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 number of persons permitted in the premises at any one time (including staff) shall not exceed 100.
- 10. 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.

Conditions proposed by the Police and agreed with the applicant

- 11. 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.
- 12. 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.

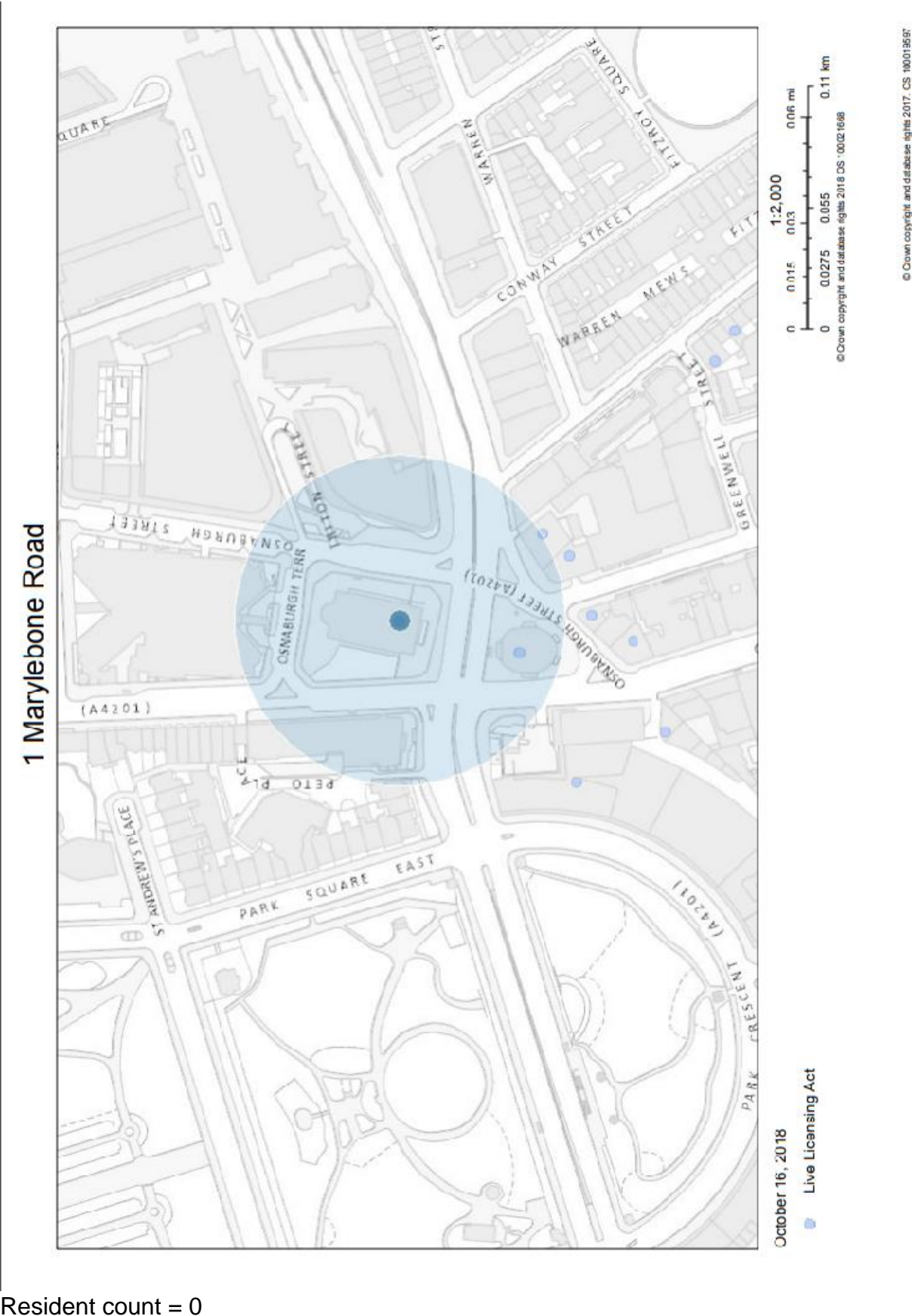
13. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of staff who refused the sale. The record shall be available for inspection at the premises by the Police or an authorised officer of the City Council at all times whilst the premises is open.
14. Patrons permitted to leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.
15. There shall be no self service of alcohol.

Conditions proposed by the Environmental Health

None

Conditions proposed by Fitzrovia Neighbourhood Association

16. The sale of alcohol is only to be ancillary to the operation of a sale and exhibition space for wedding goods and services



Licence Number	Trading Name	Address	Time Period
06/10590/WCCMAP	Cafe Meze	Ground Left Great Portland Street Station Great Portland Street London W1W 5PW	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00

Existing premises licence 18/09999/LIPCH

Appendix 6



City of Westminster

64 Victoria Street, London, SW1E 6QP

Schedule 12
Part A

Premises licence

WARD: Marylebone High
Street
UPRN: 010033603313

Regulation 33, 34

Premises licence number:

18/09999/LIPCH

Original Reference:

07/05527/LIPN

Part 1 – Premises details

Postal address of premises:

One Marylebone
1 Marylebone Road
London
NW1 4AQ

Telephone Number: 020 7380 1620

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Performance of Dance
Provision of facilities for Dancing
Performance of Live Music
Playing of Recorded Music
Late Night Refreshment
Sale by Retail of Alcohol

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

Performance of Dance	
Monday to Sunday:	10:00 to 00:00 (Private functions only)
Provision of facilities for Dancing	
Monday to Sunday:	19:00 to 00:00 (Private Functions Only)
Performance of Live Music	
Monday to Sunday:	10:00 to 00:00 (Private Functions Only)
Playing of Recorded Music	
Monday to Sunday:	10:00 to 00:00 (Private Functions Only)
Late Night Refreshment	
Monday to Sunday:	23:00 to 00:00 (Private Functions Only)
Sale by Retail of Alcohol	
Monday to Sunday:	10:00 to 00:00 (Private Functions Only)

The opening hours of the premises:

Open for private functions only

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:

Hammer Holdings Ltd
8 Grosvenor Place
London
SW1X 7SH

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

2439306

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

Name: Mr Andrew Morrow

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: LN/200711798
Licensing Authority: London Borough Of Barnet

Date: 28 August 2018

This licence has been authorised by Emanuela Meloyan 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.

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- 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

10. Admission to the premises shall be by way of pre-booked, ticketed or invitation only events.
11. Supply of alcohol will be supervised by staff at all times, and there shall be no self service of alcohol.
12. During anytime that the Premises Licence is used for an event, any temporary bar will be located in a static position within the area hatched on the deposited plans. Those tables are to be permanently manned during the sale of liquor.
13. A register book shall be held at reception at all times to include, the type of function or ticket event, the date and numbers attending including details of the host and made available to all responsible authorities upon request.
14. The premises will install and maintain a comprehensive CCTV system as per the recommendations of, a Metropolitan Police Crime Prevention Officer. All cameras shall continually record whilst the premises are open to the public and the recordings shall be made and retained for at least thirty-one days and shall be readily available for inspection by the Police or an authorised officer from Westminster City Council.
15. A daily log is to be maintained to ensure that any capacity limit set for the basement is recorded hourly and can be properly monitored. Information regarding the capacity will be given to an authorised officer or Police Officer on request.
16. Food and non-intoxicating beverages, including drinking water, shall be available throughout the permitted hours in all parts of the premises where intoxicating liquor is sold and supplied for consumption on the premises.
17. 16. 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.
18. 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.
19. All exit doors shall be available at all material times without the use of a key, code, card or similar means.
20. All emergency doors shall be maintained effectively self closing and not held open other than by an approved device.
21. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
22. Curtains and hangings shall be arranged so as not to obstruct emergency signs.
23. The certificates listed below shall be submitted to the Licensing Authority upon written request.
 - o Any emergency lighting battery or system
 - o Any electrical installation
 - o Any emergency warning system
24. 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.

- o dry ice and cryogenic fog
 - o smoke machines and fog generators
 - o pyrotechnics including fire works
 - o firearms
 - o lasers
 - o explosives and highly flammable substances.
 - o real flame.
 - o strobe lighting.
- 25. Flashing or particularly bright lights on or outside the premises shall not cause a nuisance to nearby properties (save insofar as they are necessary for the prevention of crime).
- 26. No person shall give at the premises any exhibition, demonstration or performance of hypnotism, mesmerism or any similar act or process which produces or is intended to produce in any other person any form of induced sleep or trance in which susceptibility of the mind of that person to suggestion or direction is increased or intended to be increased. NOTE: (1) This rule does not apply to exhibitions given under the provisions of Section 2(1A) and 5 of the Hypnotism Act 1952.
- 27. An attendant shall be on duty in the cloakroom during the whole time that it is in use.
- 28. No striptease, no nudity and all persons to be decently attired at all times.
- 29. Notices shall be prominently displayed at exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
- 30. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
- 31. All entrance doors and windows to be kept closed after 21:00 hours, except for immediate access and egress of persons.
- 32. A refuse store of sufficient size shall be provided to enable a minimum of 3 days of refuse to be held.
- 33. All fabrics, curtains, drapes and similar features including materials used in finishing and furnishing should be either non-combustible or be durably or inherently flame-retarded fabric. Any fabrics used in escape routes, other than foyers, entertainment areas or function rooms, should be non-combustible.
- 34. The maximum number of persons accommodated at the premises shall not exceed 500 persons on the ground floor, 300 persons on the first floor and 200 persons within the open external garden area with a total of 800 persons (excluding staff) on the premises at any one time.

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

35. There will be a minimum number of licensed door staff present at the premises, as follows unless otherwise agreed with the Metropolitan Police:
 - o One up to 7pm
 - o Two if only the ground floor is used after 7pm
 - o Two if only the first floor is used after 7pm
 - o Three if both floors are used after 7pm
 - o At any time that the Garden Area is being used there will be one licensed door supervisor present.
36. All the Regulated Entertainment provided within the external garden area shall be non - amplified and live music shall be restricted to up to five musicians.
37. When licensable activities take place within the external garden area, no noise and/or vibration shall be audible within the nearest property which gives rise to public nuisance.
38. No licensable activity shall be provided within the external Garden Area after 22:00 hours.
39. A minimum of 28 days written notice to be given to the Environmental Health Consultation Team of when a temporary structure is to be erected.
40. The Designated Premises Supervisor (DPS) and event organiser shall ensure that suitable and sufficient Risk Assessments are produced for each event which shall be made available to the Environmental Health Consultation Team on request.

Annex 4 – Plans

Attached



City of Westminster

64 Victoria Street, London, SW1E 6QP

Schedule 12 Part B

Premises licence summary

WARD: Marylebone High
Street
UPRN: 010033603313

Regulation 33, 34

Premises licence number:

18/09999/LIPCH

Part 1 – Premises details

Postal address of premises:

One Marylebone
1 Marylebone Road
London
NW1 4AQ

Telephone Number: 020 7380 1620

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Performance of Dance
Provision of facilities for Dancing
Performance of Live Music
Playing of Recorded Music
Late Night Refreshment
Sale by Retail of Alcohol

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

Performance of Dance	
Monday to Sunday:	10:00 to 00:00 (Private functions only)
Provision of facilities for Dancing	
Monday to Sunday:	19:00 to 00:00 (Private Functions Only)
Performance of Live Music	
Monday to Sunday:	10:00 to 00:00 (Private Functions Only)
Playing of Recorded Music	
Monday to Sunday:	10:00 to 00:00 (Private Functions Only)
Late Night Refreshment	
Monday to Sunday:	23:00 to 00:00 (Private Functions Only)
Sale by Retail of Alcohol	
Monday to Sunday:	10:00 to 00:00 (Private Functions Only)

The opening hours of the premises:

Open for private functions only

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:

Hammer Holdings Ltd
8 Grosvenor Place
London
SW1X 7SH

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

2439306

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

Name: Mr Andrew Morrow

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

Restricted

Date: 28 August 2018

This licence has been authorised by Emanuela Meloyan on behalf of the Director - Public Protection and Licensing.