



City of Westminster

Licensing Sub-Committee Report

Item No:	
Date:	7 March 2019
Licensing Ref No:	19/00852/LIPV - Premises Licence Variation
Title of Report:	Sports Bar And Grill Unit 14 Marylebone Station Melcombe Place NW1 6JJ
Report of:	Director of Public Protection and Licensing
Wards involved:	Bryanston And Dorset Square
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Daisy Gadd Senior Practitioner for Licensing
Contact details	Telephone: 0207 641 2737 Email: dgadd@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	Variation of a Premises Licence, Licensing Act 2003		
Application received date:	22 January 2019		
Applicant:	Bar Holdings Ltd		
Premises:	Sports Bar And Grill		
Premises address:	Unit 14 Marylebone Station Melcombe Place London NW1 6JJ	Ward:	Bryanston and Dorset Square
		Cumulative Impact Area:	None
Premises description:	The premises currently operates as a bar/restaurant.		
Variation description:	<p>This variation application seeks the following variations:</p> <ol style="list-style-type: none"> 1. To vary the layout of the premises, as detailed as section 1-C of the report. 2. To extend the permitted start time for the sale by retail of alcohol from 10:00 on Monday to Saturday and 12:00 on Sunday to 07:00 Monday to Sunday inclusive. 3. To add the exhibition of films as a licensable activity, as detailed in section 1-B of the report. 4. To amend conditions as detailed in section 1-D and 1-E and Appendix 6 of the report. 		
Premises licence history:	The premises has had the benefit of a premises licence since at least 2005. The current premises licence reference is 18/11412/LIPVM which is attached as Appendix 2 of this report. Please see Appendix 5 of the report for a full licence history.		
Applicant submissions:	<p>On submission of the application, the applicant provided the following information:</p> <p>“Stonegate Pub Company Limited acquired the premises in 2017. The premises operate under Stonegate’s ‘Sports Bar & Grill’ brand and provide a substantial quality food offering as well as entertainment in the form of sporting events and activities provided for customers.</p> <p>This application seeks to amend the plans attached to the premises licence, along with the operating schedule, in line with a significant refurbishment that is shortly due to take place at the premises.</p> <p>The application has also been submitted to update the</p>		

premises licence conditions to ensure that they are suitable for the style of operation at the premises following pre-consultation with the Police, Senior Environmental Health Officer and District Surveyor. Much of the current operating schedule is replicated and offered as new updated conditions. However, new conditions are also offered which bolster the operating schedule ensuring it is robust, clear, appropriate and enforceable.

Formal pre-application advice took place with the Senior Environmental Health Officer and District Surveyor and their report is available. Additionally, conditions were agreed with the authorities concerning the earlier start time for the sale of alcohol, to ensure it will be ancillary to food.

Given the changes proposed, the applicant has carefully considered the application, the effect of the licensing objectives and the Council's Licensing Policy. Steps have been taken to ensure that the application and proposed conditions will continue to promote the licensing objectives without undermining the licensing objectives.

Stonegate are an experienced licensed operator and have in place an extensive licensing manual containing policies and procedures across the whole estate, which are adapted at site level to ensure the premises operates to a high standard and promotes the Licensing Objectives. These include policies regarding social responsibility, training, underage sales and challenge policies, incident logs and noise management as well as procedures to prevent crime and disorder and public nuisance.

Considering the above, the Applicant believes that the new proposed conditions, along with existing measures within the operating schedule and robust internal policies in place, as well as experience of the applicant, will ensure the premises continues to promote the Licensing Objectives if the application is granted and further conditions are not required."

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

Regulated Entertainment

Playing of Recorded Music

	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	00:00	00:00	No change		Basement and Ground Floor	No change
Tuesday	00:00	00:00				
Wednesday	00:00	00:00				
Thursday	00:00	00:00				
Friday	00:00	00:00				
Saturday	00:00	00:00				
Sunday	00:00	00:00				
Seasonal variations: Non-standard timings:	Current: None				Proposed: No change	

Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit

	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	00:00	00:00	No change		Basement and Ground Floor	No change
Tuesday	00:00	00:00				
Wednesday	00:00	00:00				
Thursday	00:00	00:00				
Friday	00:00	00:00				
Saturday	00:00	00:00				
Sunday	00:00	00:00				
Seasonal variations/ Non-standard timings:	Current: None				Proposed: No change	

Late night refreshment						
Indoors, outdoors or both			Current :			Proposed:
			Indoors			No change
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	23:00	00:30	No change		Basement and Ground Floor	No change
Tuesday	23:00	00:30				
Wednesday	23:00	00:30				
Thursday	23:00	00:30				
Friday	23:00	00:30				
Saturday	23:00	00:30				
Sunday	23:00	00:00				
Seasonal variations/ Non-standard timings:		Current:			Proposed:	
		The terminal hour for late night refreshment on New Year's Eve is extended to 05:00 on New Year's Day.			No change	

Sale by Retail of Alcohol						
On or off sales			Current :			Proposed:
			Both			No change
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	10:00	00:00	07:00	00:00	Basement and Ground Floor	No change
Tuesday	10:00	00:00	07:00	00:00		
Wednesday	10:00	00:00	07:00	00:00		
Thursday	10:00	00:00	07:00	00:00		
Friday	10:00	00:00	07:00	00:00		
Saturday	10:00	00:00	07:00	00:00		
Sunday	12:00	23:30	07:00	22:30		
Seasonal variations/ Non-standard timings:		Current:			Proposed:	
		Condition 10 on the premises licences which reproduces the effect of any restriction imposed on the use of the premises by specified enactment.			On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, 00:00 midnight on 31 December)	

Exhibition of films						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	None		07:00	00:30	None	Basement and Ground Floor
Tuesday			07:00	00:30		
Wednesday			07:00	00:30		
Thursday			07:00	00:30		
Friday			07:00	00:30		
Saturday			07:00	00:30		
Sunday			07:00	00:00		
Seasonal variations:			Current:			
Non-standard timings:	None				From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.	

Hours premises are open to the public						
	Current Hours		Proposed Hours		Premises Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	07:00	00:30	No change		Basement and Ground Floor	No change
Tuesday	07:00	00:30				
Wednesday	07:00	00:30				
Thursday	07:00	00:30				
Friday	07:00	00:30				
Saturday	07:00	00:30				
Sunday	07:00	00:00				
Seasonal variations/ Non-standard timings:	Current:					
	From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.				No change	

1-C Layout alteration

The layout alteration proposed by the applicant is as follows:

Ground Floor

- Removal of coffee area and new fixed seating in place
- Reconfiguration of bar servery
- New fixed seating near the entrance
- New drinks shelf towards the entrance
- New poseur table opposite the bar servery
- New glass wash area
- Installation of fixed booth seating
- Removal of a store area
- Installation of a new lobby to the left hand side of the plan
- Installation of new fixed seating around the lobby
- Reconfiguration of the screens in the customer area

Basement

- Removal of a bar servery and replacing with a kitchen
- Installation of a new bar servery on the opposite side
- Reconfiguration of screens in the customer area
- New low fixed seating
- Slight reconfiguration to back of house store areas
- Installation of new drinks shelves
- Removal of cellar and replacing with 'darts' area
- Addition of new fixed seating area

1-D Conditions proposed to be removed by the applicant

Condition 10 (i) (a) – (f)

Alcohol shall not be sold, supplied, consumed in or taken from the premises except during hours.

In this condition, permitted hours means:

- (a) On weekday, other than Christmas Day, Good Friday or New Year's Eve, 10:00 to 23:00
- (b) On Sundays, other than Christmas Day or New Year's Eve, 12:00 noon to 22:30
- (c) On Good Friday, 12:00 to 22:30
- (d) On Christmas Day, 12:00 to 15:00 and 19:00 to 22:30
- (e) On New Year's Eve, except on a Sunday, 10:00 to 23:00
- (f) On New Year's Eve on a Sunday, 12:00 to 22:30

Condition 10 (ii)

(ii) Alcohol may be sold or supplied for one hour following the hours set out above other than Christmas Day and New Year's Eve and on Christmas Day, between 15:00 and 19:00 to persons taking table meals in the premises in a part of the premises usually set apart for the service of such persons and for consumption by such a person in that part of the premises as an ancillary to his meal. For other purposes or in other parts of the premises the hours set out above shall continue to apply.

NOTE – The above restrictions do not prohibit:

- (a) During the first thirty minutes after the above hours the consumption of 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) During the first thirty minutes after the above hours the consumption of the alcohol on the premises by persons taking table meals there if the alcohol was supplied for consumption as ancillary to their meals
- (d) The sale or supply of alcohol to or the consumption of alcohol by any person residing in the licensed premises
- (e) The ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered
- (f) The sale of alcohol to a trader or registered club for the purposes of the trader or club
- (g) 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
- (h) The taking of alcohol from the premises by a person residing there
- (i) 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
- (j) 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.

Condition 11

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.

Condition 13

The number of persons accommodated at the premises at any one time shall be:

185 on the Ground Floor area
130 within the Basement

With no more than 290 in the premises at any one time.

Condition 14

The premises shall at all times of operation maintain a minimum of 70 covers within the basement area.

Condition 15

In the ground floor restaurant area only intoxicating liquor shall not be sold or supplied other than by waitress/waiter service and consumption in that area shall be by persons seated at tables.

Condition 17

The premises will maintain a comprehensive CCTV system, and thereafter maintained and operated correctly in accordance with the requirements of the relevant Metropolitan

Police Crime Prevention Officer and the Council of the City of Westminster, that ensures that all entry and exit points and bar areas of the licensed premises are monitored and which enable frontal identification of every person entering in any light condition. All cameras shall continually record whilst the premises are open to the public and the recordings shall be kept available for a minimum of 31 days with time and date stamping. Recordings shall be made available to an authorised officer or a police officer together with facilities for viewing. The recordings for the preceding two days shall be made available immediately on request. Recordings outside this period shall be made available on 24 hours notice (Subject to the Data Protection Act 1998).

1-E Conditions proposed to be added by the applicant

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.

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.

An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:

- (a) All crimes reported to the venue
- (b) All ejections of patrons
- (c) Any complaints received concerning crime and disorder
- (d) Any incidents of disorder
- (e) All seizures of drugs or offensive weapons
- (f) Any faults in the CCTV system, searching equipment or scanning equipment
- (g) Any refusal of the sale of alcohol
- (h) Any visit by a relevant authority or emergency service

There shall be seating available for a minimum of 150 people.

Between 07:00 and 10:00 daily the sale of alcohol for consumption on the premises shall be ancillary to substantial food.

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.

The means of escape provided for the premises shall be maintained and unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.

All emergency exit doors shall be available at all materials times without the use of a key, code, card or similar means.

All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device.

The variation of the premises licence (**state the licensing reference number**) will have no effect until the premises have been assessed as satisfactory by the Environmental Health Consultation Team at which time this condition shall be removed from this licence by the licensing authority.

Before the premises open to the public, the plans as deposited will be checked by the Environmental Health Consultation Team to ensure they are an accurate reflection of the premises constructed. Where the premises layout has changed during the course of construction new plans shall be provided to the Environmental Health Consultation Team and the Licensing Authority.

No licensable activities shall take place at the premises until the capacity of the premises has been determined by the Environmental Health Consultation Team and the Licensing Authority has replaced this condition on the licence with a condition detailing the capacity so determined.

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

A Challenge 21 or Challenge 25 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.

2. Representations

2-A Responsible Authorities	
Responsible Authority:	London Fire Brigade
Representative:	Colin Herbst
Received:	24 January 2019
<p>I have reviewed the application and am not happy to give our agreement as there appears to be a significant change to the property in relation to changes in the basement and removal of structures. It would appear that this would require building control comments and if London Fire Brigade were to give a no objection to this application it could be seen that we are also giving agreement to the proposed structural alterations.</p>	
Responsible Authority:	Metropolitan Police Service
Representative:	PC Bryan Lewis
Received:	14 February 2019
<p>Police object to this application, as it does not promote the licensing objectives, namely the prevention of crime and disorder.</p> <p>On 21 February 2019, the Metropolitan Police Service submitted a Police statement of Sergeant David Hine 101CD to be included as evidence for this variation application. This statement can be found at Appendix 4 of the report.</p>	
Responsible Authority:	Environmental Health Consultation Team
Representative:	Ian Watson
Received:	19 February 2019
<p>I refer to the application for variation of the Premises Licence.</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 vary the approved plans attached to the Premises Licence in accordance with drawing numbers 3202-80 Rev A (basement) and 3202-81 Rev A (ground floor). Please see attached additional document which lists the works to be undertaken. The changes to the plans take effect on notification to the Licensing Authority that the works have been completed. 2.To extend the permitted start time for the sale of alcohol to 7am, Monday to Sunday inclusive. 3.To amend conditions as detailed in the application. 	

4.To add films as a licensable activity for the duration of opening hours.

I wish to make the following representation

Representation is made against the alterations and the additional hours due to the likely impact on Public Safety and nuisance. The plans provided by the applicant need to be assessed to ensure adequate measures are provided for both the public and staff.

The applicant has provided a comprehensive list of model conditions to replace those being removed from the premises licence.

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><u>For premises for the supply of alcohol for consumption on the premises:</u></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> <p><u>For premises for the provision of other licensable activities:</u></p> <p>Monday to Thursday: 09:00 to 23.30 Friday and Saturday: 09:00 to midnight Sundays immediately prior to Bank Holidays: 09:00 to midnight Other Sundays: 09:00 to 22:30</p>
Policy PB1 applies:	<p>Applications will only be granted if it can be demonstrated that the proposal meets the relevant criteria in Policies CD1, PS1, PN1 and CH1.</p>

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 characteristic 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

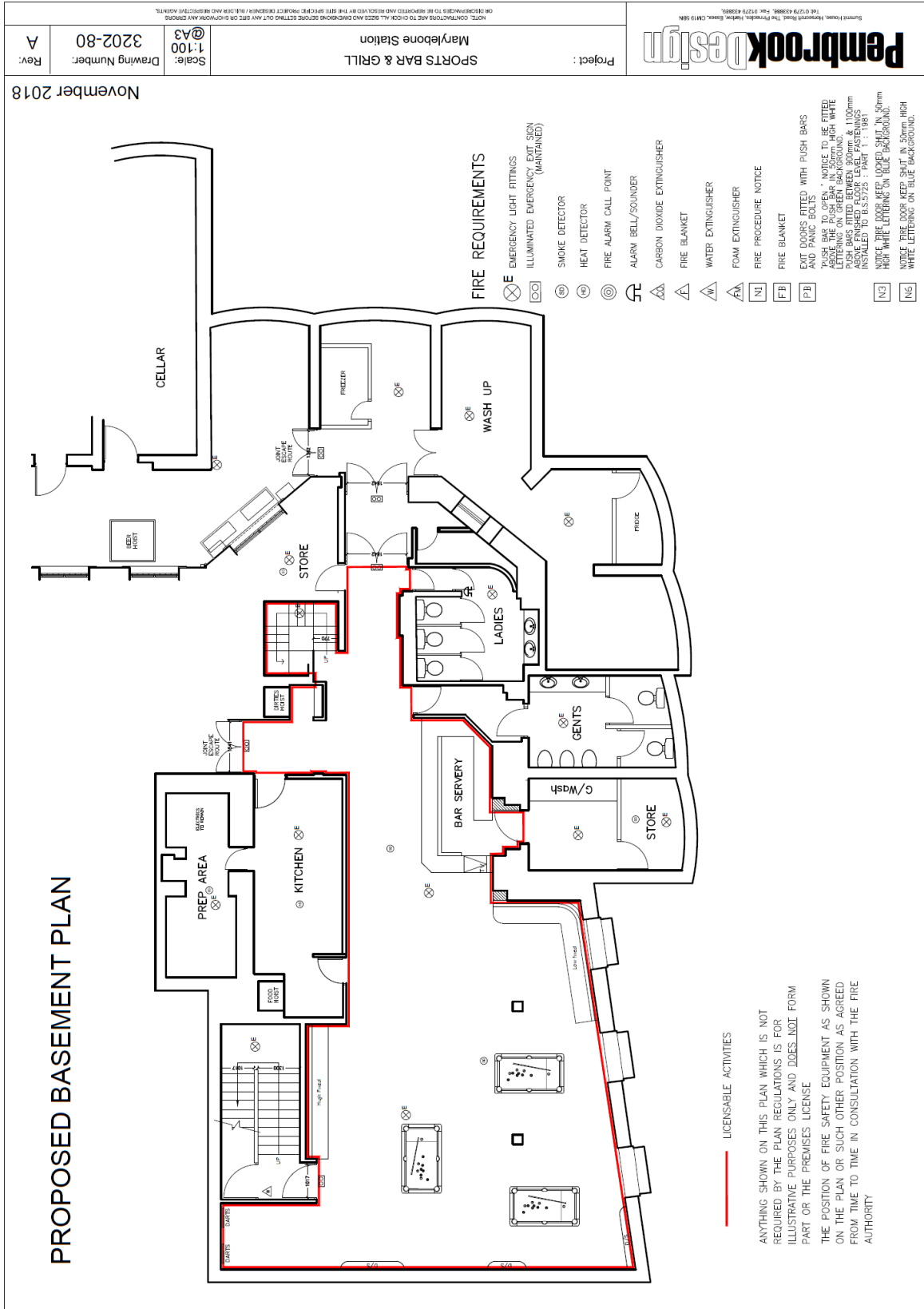
Appendix 1	Premises plans
Appendix 2	Current premises licence
Appendix 3	Applicant supporting documents
Appendix 4	Metropolitan Police Service Police Statement of Sergeant David Hine 101CD.
Appendix 5	Premises history
Appendix 6	Proposed conditions
Appendix 7	Residential map and list of premises in the vicinity

Report author:	Daisy Gadd Senior Practitioner for Licensing
Contact:	Telephone: 0207 641 2737 Email: dgadd@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 London Fire Brigade	24 January 2019
5	Representation Metropolitan Police Service	14 February 2019
6	Representation Environmental Health	19 February 2019



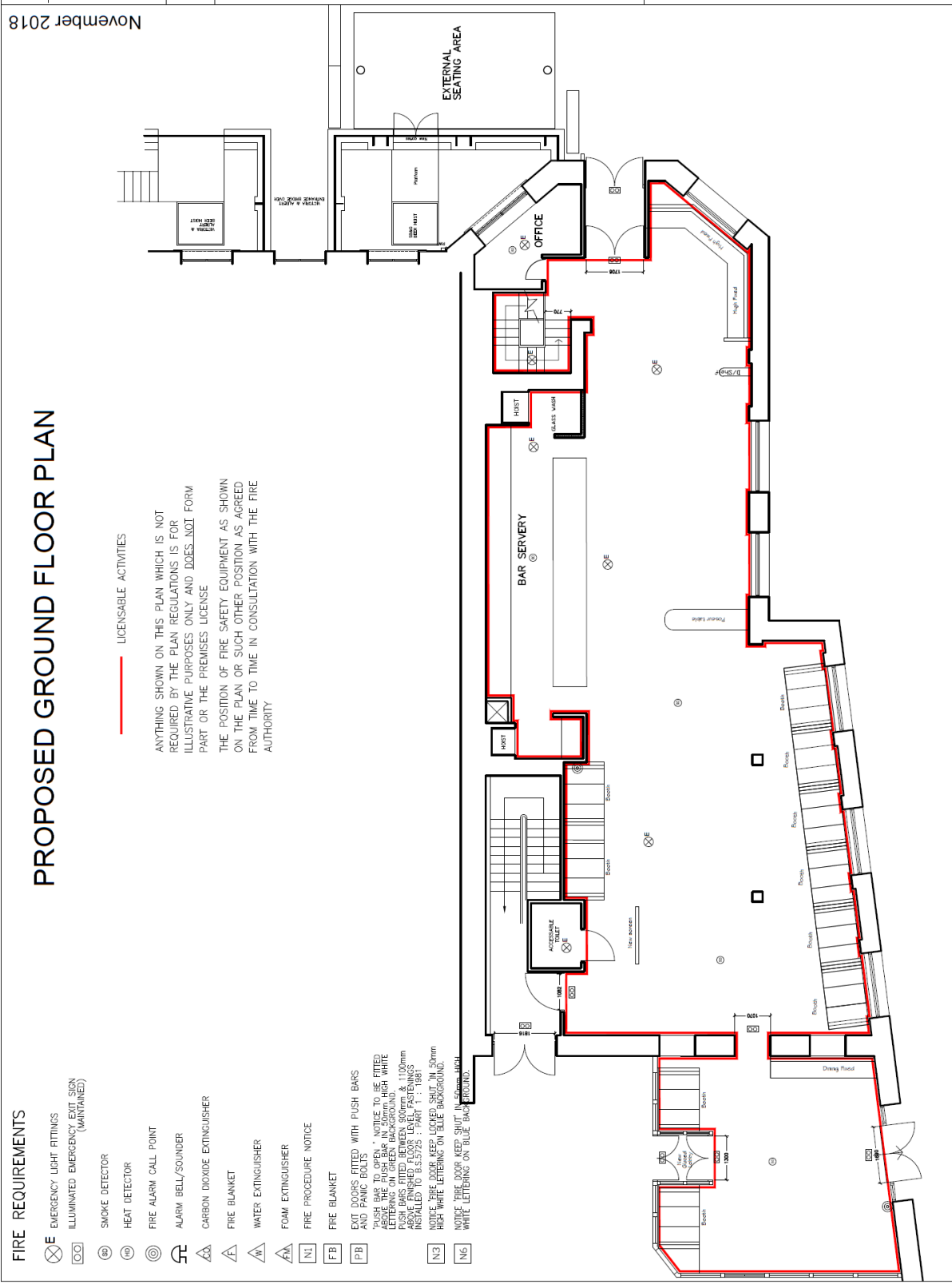
FIRE REQUIREMENTS

- ⊗ EMERGENCY LIGHT FITTINGS
- ⊙ ILLUMINATED EMERGENCY EXIT SIGN (MAINTAINED)
- ⊙ SMOKE DETECTOR
- ⊙ HEAT DETECTOR
- ⊙ FIRE ALARM CALL POINT
- ⊙ ALARM BELL/SOUNDER
- ⊙ CARBON DIOXIDE EXTINGUISHER
- ⊙ FIRE BLANKET
- ⊙ WATER EXTINGUISHER
- ⊙ FOAM EXTINGUISHER
- ⊙ FIRE PROCEDURE NOTICE
- ⊙ FIRE BLANKET
- ⊙ EXIT DOORS FITTED WITH PUSH BARS AND PANIC BOLTS . NOTICE TO BE FITTED ABOVE THE PUSH BAR IN 200mm HIGH WHITE LETTERING ON GREEN BACKGROUND. 140mm HIGH WHITE LETTERING ON BLUE BACKGROUND. ABOVE ENGLISH BLUE LABEL PASTENAILS INSTALLED TO B-5.5725 : PART 1 : 1981
- ⊙ NOTICE FIRE DOOR KEEP LOCKED SHUT IN 50mm HIGH WHITE LETTERING ON BLUE BACKGROUND.
- ⊙ NOTICE FIRE DOOR KEEP SHUT IN 50mm HIGH WHITE LETTERING ON BLUE BACKGROUND.

PROPOSED GROUND FLOOR PLAN

— LICENSABLE ACTIVITIES

ANYTHING SHOWN ON THIS PLAN WHICH IS NOT REQUIRED BY THE PLAN REGULATIONS IS FOR ILLUSTRATIVE PURPOSES ONLY AND DOES NOT FORM PART OF THE PREMISES LICENSE
 THE POSITION OF FIRE SAFETY EQUIPMENT AS SHOWN ON THE PLAN OR SUCH OTHER POSITION AS AGREED FROM TIME TO TIME IN CONSULTATION WITH THE FIRE AUTHORITY





City of Westminster

64 Victoria Street, London, SW1E 6QP

Schedule 12
Part A

Premises licence

WARD: Bryanston And
Dorset Square
UPRN: 010033553459

Regulation 33, 34

Premises licence number:

18/11412/LIPVM

Original Reference:

05/04476/LIPC

Part 1 – Premises details

Postal address of premises:

Sports Bar And Grill
Unit 14
Marylebone Station
Melcombe Place
London
NW1 6JJ

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Playing of Recorded Music
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:

Playing of Recorded Music

Late Night Refreshment

Monday to Saturday: 23:00 to 00:30
Sunday: 23:00 to 00:00

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

Monday to Saturday: 10:00 to 00:00
Sunday: 12:00 to 23:30

The opening hours of the premises:

Monday to Saturday: 07:00 to 00:30
Sunday: 07:00 to 00:00

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

Alcohol is supplied for consumption both on and off the Premises.

Part 2

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

Bar Holdings Ltd
C/o Stonegate Pub Company Limited
500 Capability Green
Luton
England
LU1 3LS
Telephone Number : 02072513813

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

06615529

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

Name: Mr David Bennett

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: BAS/PM/1097
Licensing Authority: Basildon District Council

Date: 21 February 2019

This licence has been authorised by Angela Seaward 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.

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

Conditions related to the Sale of Alcohol

9. On the days when there is Football Association or sporting fixture at Wembley, in the interests of public safety, to close the premises when directed by the Metropolitan Police and to liaise with the Metropolitan Police re the use of plastic glasses and other respective measures.

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

10. (i) Alcohol shall not be sold, supplied, consumed in or taken from the premises except during permitted hours.

In this condition, permitted hours means:

- (a) On weekdays, other than Christmas Day, Good Friday or New Year's Eve, 10.00 to 23.00.
 - (b) On Sundays, other than Christmas Day or New Year's Eve, 12.00 noon to 22.30.
 - (c) On Good Friday, 12.00 to 22.30.
 - (d) On Christmas Day, 12.00 to 15.00 and 19.00 to 22.30.
 - (e) On New Year's Eve, except on a Sunday, 10.00 to 23.00.
 - (f) On New Year's Eve on a Sunday, 12.00 to 22.30.
 - (g) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, 00.00 midnight on 31st December).
- (ii) Alcohol may be sold or supplied for one hour following the hours set out above other than Christmas Day and New Year's Eve and on Christmas day, between 15:00 and 19:00 to persons taking table meals in the premises in a part of the premises usually set apart for the service of such persons and for consumption by such a person in that part of the premises as an ancillary to his meal. For other purposes or in other parts of the premises the hours set out above shall continue to
-

apply.

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) during the first thirty minutes after the above hours the consumption of the alcohol on the premises by persons taking table meals there if the alcohol was supplied for consumption as ancillary to the meals;
- (d) the sale or supply of alcohol to or the consumption of alcohol by any person residing in the licensed premises;
- (e) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- (f) the sale of alcohol to a trader or registered club for the purposes of the trade or club;
- (g) 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;
- (h) the taking of alcohol from the premises by a person residing there;
- (i) 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;
- (j) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

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

11. 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.

12. The terminal hour for late night refreshment on New Year's Eve is extended to 05:00 on New Year's Day.

Annex 2 – Conditions consistent with the operating Schedule

13. The number of Persons accommodated at the Premises at any one time shall be:
- 185 on the Ground Floor area.
 - 130 within the Basement.

With no more than 290 persons in the premises at any one time

14. The premises shall at all times of operation maintain a minimum of 70 covers within the basement area.
15. In the ground floor restaurant area only intoxicating liquor shall not be sold or supplied other than by waitress/waiter service and consumption in that area shall be by persons seated at tables.
16. Substantial food and non-intoxicating beverages, including drinking water, shall be available throughout the permitted hours in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
17. The premises will maintain a comprehensive CCTV system, and thereafter maintained and operated correctly in accordance with the requirements of the relevant Metropolitan Police Crime Prevention Officer and the Council of the City of Westminster, that ensures that all entry and exit points and bar areas of the licensed premises are monitored and which enable frontal identification of every person entering in any light condition. All cameras shall continually record whilst the premises are open to the public and the recordings shall be kept available for a minimum of 31 days with time and date stamping. Recordings shall be made available to an authorised officer or a police officer together with facilities for viewing. The recordings for the preceding two days shall be made available immediately on request. Recordings outside this period shall be made available on 24 hours notice (Subject to the Data Protection Act 1998).
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Annex 3 – Conditions attached after a hearing by the licensing authority

None



Annex 4 – Plans





City of Westminster

64 Victoria Street, London, SW1E 6QP

Schedule 12
Part B

Premises licence
summary

**WARD: Bryanston And
Dorset Square
UPRN: 010033553459**

Regulation 33, 34

Premises licence number:

18/11412/LIPVM

Part 1 – Premises details

Postal address of premises:

Sports Bar And Grill
Unit 14
Marylebone Station
Melcombe Place
London
NW1 6JJ

Telephone Number:

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Playing of Recorded Music
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:

Playing of Recorded Music

Late Night Refreshment
Monday to Saturday: 23:00 to 00:30
Sunday: 23:00 to 00:00

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
Monday to Saturday: 10:00 to 00:00
Sunday: 12:00 to 23:30

For times authorised for Christmas, New Year and Good Friday see conditions at Annex 1

The opening hours of the premises:

Monday to Saturday: 07:00 to 00:30
Sunday: 07:00 to 00:00

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

Alcohol is supplied for consumption both on and off the Premises.

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

Bar Holdings Ltd
C/o Stonegate Pub Company Limited
500 Capability Green
Luton
England
LU1 3LS

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

06615529

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

Name: Mr David Bennett

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

Restricted



Date: 21 February 2019

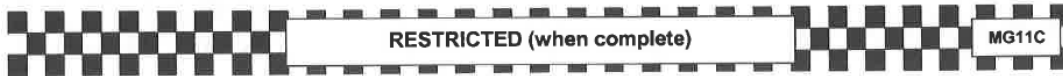
This licence has been authorised by Angela Seaward on behalf of the Director - Public Protection and Licensing.



Applicant Supporting Documents

Appendix 3

None submitted



WITNESS STATEMENT

Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

URN

Statement of: David HINE PS 101CO
Age if under 18: over 18 (if over 18 insert 'over 18') Occupation: Police Sergeant p186348

This statement (consisting of 4 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.

Witness Signature: David Hine PS101CO Date: 19th February 2019

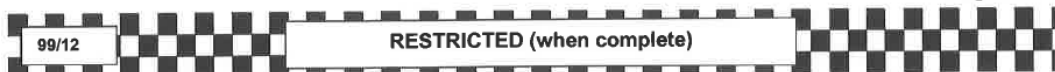
I am employed by the Metropolitan Police Force as a police sergeant and have been for the past 20 years. I am presently employed as a Football sergeant within the Central Football Unit - Public Order Branch based at Lambeth HQ. This involves planning all football events across the Metropolitan Police area and includes the policing of 16 different football clubs including Wembley National Stadium.

I have policed football matches in London and abroad since November 1999. I have been deployed as a spotter and involved in gathering football intelligence at football games since January 2000. My responsibilities are to locate known football risk supporters and monitor their activities throughout the match day. My role is also to travel across the country including Europe and assist in the policing operations of the force in which London clubs are playing.

Through my experience of policing football matches, I have gained extensive knowledge of the profile and behavioural patterns of risk groups of supporters. I am considered the MPS force expert on football and regularly advise police commanders on the behaviour of football risk groups and the threat/risk they pose to fixtures.

My primary role for most weekends is to monitor the various supporter groups who travel into and out of London to watch their teams play. This will also include teams passing through London such as Cardiff City playing at Watford where fans travel into Paddington, across to Euston Station and onwards to Watford. A typical Saturday during the football season can involve up to 9 homes, 5 away games (fans returning into London late evening

Witness Signature: David Hine PS101CO
Signature Witnessed by Signature:



Continuation of Statement of:
and causing issues) and 12 teams passing through London. This number fluctuates from week to week but this is about average for most weekends.

Wembley Stadium poses its own problems due to the increase in the number of supporters that the venue can hold. Many supporters who attend the stadium for a cup final or play off final will travel into the capital the day before in order to make 'weekend of it'. I have dealt with numerous groups of supporters who have travelled into London the day before a game at Wembley who drink alcohol throughout the day and the cause issues into the night and early morning. There appears to be a culture within football and especially when teams play at Wembley Stadium that supporters attending events start their day early by consuming alcohol from the moment they leave their home towns or cities. This consumption of alcohol continues throughout the day, quite often resulting in acts of anti-social behaviour or assault.

Legislation prevents supporters travelling on coaches to football games from consuming alcohol on board the vehicles. It does not however prevent them from consuming alcohol on trains unless this has been prohibited by the rail company for that particular day. This, therefore allows football supporters to consume alcohol before they alight trains in their home towns, on the train into London then in public houses immediately outside main line stations. Over the years I have seen many football supporters at 10am in the morning hardly able to stand due to the amount of alcohol that they have consumed. These supporters are difficult to engage with and have caused a number of issues throughout the day.

Train stations, inherently are places where football supporters from different teams 'cross over' with each other both pre and post-match. Most football supporters do not cause issues when they see fans from opposing teams standing or walking close to them as they wait for their trains but some will take this opportunity to engage in disorder if it arises. This type of incident does not happen too often during the pre-match phase of the day as many fans are sober and not feeling as brave due to them not having alcohol in their system. In my experience, when I receive information about 2 groups of football supporters (risk groups) wanting to fight each other the first place that I will visit to locate these fans is the local public house. Many risk supporters will gather in public houses to meet and consume alcohol before making plans to engage in disorder with a rival group. It has been known for

Witness Signature:
Signature Witnessed by Signature: *Murdoch Wilson*

Continuation of Statement of:
risk groups to organise for a public house to open early and behind locked doors in order to consume alcohol before heading off to fight with a rival group. This type of behaviour is not uncommon and I have seen it many times in the past.

Some people assume that the age of football hooliganism is a thing of the past and it no longer occurs. I have experienced a number of violent confrontations over my time on the central football unit and these incidents happen on a regular basis. On 26th January 2019 police had to deal with large scale disorder between Millwall and Everton supporters. This incident involved 100's of supporters and resulted in one male sustaining serious knife wounds to his face and 3 injured police officers. Millwall supporters had gathered early in Surrey Quays on the day of the game and consumed copious amounts of alcohol before engaging with Everton supporters who had travelled into the area by train. Had it not been for the bravery of police officers on the day then I have no doubt that this incident would have resulted in more serious injuries to both supporters and passing members of the public.

Due to my experience in policing football over many years, I have no doubt what so ever that alcohol consumption changes the attitude of supporters attending games in London and across the UK. The longer supporters drink, the greater the risk they pose to a football event. I have spoken to the nicest people you could meet in the morning and then seen them turn into an aggressive, argumentative and non-engaging individual once they have consumed a number of pints of beer. If you times this by 20 or 50 or 100 then collectively, this becomes a problem, not just for police but for others who happen to come into contact with these people. I cannot imagine what it is like to be a sober, fare paying passenger on a train when a group of drunken alight and start to shout, swear and fight with each other for the duration of the journey. This, sadly has occurred many times and I feel for those passengers, staff and BTP officers who have to endure the behaviour of these supporters. I appreciate that this situation could very well happen during a stag or birthday party but I would guess that alcohol is the root of this anti-social behaviour.

Dealing with drunken football supporters requires substantial police resources. There is currently a drive within the organisation to reduce the numbers of officers deployed at football so that police can be retained on their local area's to combat violent knife crime and other local issues. By allowing longer drinking times for people attending football or

Witness Signature:
Signature Witnessed by Signature: *[Handwritten Signature]*

Continuation of Statement of:
other sporting events, it will increase the numbers of officers required to deal with violent or anti-social behaviour. Permitting the sale of alcohol from 7am, will only increase the risk of alcohol fuelled crime and disorder linked to major sports events and place greater demands on already depleted numbers of officers to monitor the behaviour of sports fans.

The MPS central football unit are constantly looking at ways to reduce violence at football and are working closely with our partners to achieve this aim.

Witness Signature: *David Wine P51011a*
Signature Witnessed by Signature:

Licence & Appeal History

Application	Details of Application	Date Determined	Decision
05/04476/LIPC	Converted licence	21 June 2005	Granted under Delegated Authority
07/00093/LIPT	Application to transfer the licence from Porchshire Limited to Jaybrand Ltd.	17 January 2007	Granted under Delegated Authority
07/07050/LIPV	Application to vary the premises licence that sought to changes to the layout of the premises and conditions.	25 September 2007	Granted under Delegated Authority
06/11939/WCCMAP	Master licence	25 September 2007	Granted under Delegated Authority
08/10362/LIPT	Application to transfer the licence from Jaybrand Ltd to Bar Holdings Ltd.	9 January 2009	Granted under Delegated Authority
08/10365/LIPDPS	Application to vary the Designated Premises Supervisor.	9 January 2009	Granted under Delegated Authority
17/10194/LIPDPS	Application to vary the Designated Premises Supervisor.	1 February 2018	Granted under Delegated Authority
18/00942/LIPDPS	Application to vary the Designated Premises Supervisor.	30 March 2018	Granted under Delegated Authority
18/01416/LIPDPS	Application to vary the Designated Premises Supervisor.	19 April 2018	Granted under Delegated Authority
18/04283/LIPDPS	Application to vary the Designated Premises Supervisor.	22 May 2018	Granted under Delegated Authority
18/11412/LIPVM	Application for a minor variation of the premises licence that sought to vary the	16 October 2018	Granted under Delegated Authority

	layout of the premises, to amend condition 13 of the premises licence relating to capacities and to vary the opening times to allow the provision of food and non-alcoholic drinks on Monday to Saturday from 07:00 to 00:30 and Sunday 07:00 to 00:00.		
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There is no appeal history

Appendix 6

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

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

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

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

Conditions: On Current Licence -

Mandatory:

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

- (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
5. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
6. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
- (a) a holographic mark, or
 - (b) an ultraviolet feature.
7. The responsible person must ensure that—
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;

- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

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

Annex 2 – Conditions consistent with the operating Schedule

Conditions related to the Sale of Alcohol

9. On the days when there is Football Association or sporting fixture at Wembley, in the interests of public safety, to close the premises when directed by the Metropolitan Police and to liaise with the Metropolitan Police re the use of plastic glasses and other respective measures.

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

10. (i) Alcohol shall not be sold, supplied, consumed in or taken from the premises except during hours.

In this condition, permitted hours means:

- (a) On weekday, other than Christmas Day, Good Friday or New Year's Eve, 10:00 to 23:00
- (b) On Sundays, other than Christmas Day or New Year's Eve, 12:00 noon to 22:30
- (c) On Good Friday, 12:00 to 22:30
- (d) On Christmas Day, 12:00 to 15:00 and 19:00 to 22:30
- (e) On New Year's Eve, except on a Sunday, 10:00 to 23:00
- (f) On New Year's Eve on a Sunday, 12:00 to 22:30
- (g) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, 00:00 midnight on 31 December)

The applicant has proposed to removed condition 10 (i) (a) – (f) but to retain condition 10 (i) (g)

- (ii) Alcohol may be sold or supplied for one hour following the hours set out above other than Christmas Day and New Year's Eve and on Christmas Day, between 15:00 and 19:00 to persons taking table meals in the premises in a part of the premises usually set apart for the service of such persons and for

consumption by such a person in that part of the premises as an ancillary to his meal. For other purposes or in other parts of the premises the hours set out above shall continue to apply.

NOTE – The above restrictions do not prohibit:

- (a) During the first thirty minutes after the above hours the consumption of 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) During the first thirty minutes after the above hours the consumption of the alcohol on the premises by persons taking table meals there if the alcohol was supplied for consumption as ancillary to their meals
- (d) The sale or supply of alcohol to or the consumption of alcohol by any person residing in the licensed premises
- (e) The ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered
- (f) The sale of alcohol to a trader or registered club for the purposes of the trader or club
- (g) 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
- (h) The taking of alcohol from the premises by a person residing there
- (i) 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
- (j) 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 he 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.

The applicant has proposed to remove condition 10 (ii).

11. 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.

The applicant has proposed to remove condition 11.

12. The terminal hour for late night refreshment on New Year’s Eve is extended to 05:00 on New Year’s Day.
13. The number of persons accommodated at the premises at any one time shall be:

185 on the Ground Floor area
130 within the Basement

With no more than 290 in the premises at any one time.

The applicant has proposed to remove condition 13.

14. The premises shall at all times of operation maintain a minimum of 70 covers within the basement area.

The applicant has proposed to remove condition 14.

15. In the ground floor restaurant area only intoxicating liquor shall not be sold or supplied other than by waitress/waiter service and consumption in that area shall be by persons seated at tables.

The applicant has proposed to remove condition 15.

16. Substantial food and non-intoxicating beverages, including drinking water, shall be available throughout the permitted hours in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
17. The premises will maintain a comprehensive CCTV system, and thereafter maintained and operated correctly in accordance with the requirements of the relevant Metropolitan Police Crime Prevention Officer and the Council of the City of Westminster, that ensures that all entry and exit points and bar areas of the licensed premises are monitored and which enable frontal identification of every person entering in any light condition. All cameras shall continually record whilst the premises are open to the public and the recordings shall be kept available for a minimum of 31 days with time and date stamping. Recordings shall be made available to an authorised officer or a police officer together with facilities for viewing. The recordings for the preceding two days shall be made available immediately on request. Recordings outside this period shall be made available on 24 hours notice (Subject to the Data Protection Act 1998).

The applicant has proposed to remove condition 17.

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

None

Condition proposed by the applicant to be added to the operating schedule of the licence

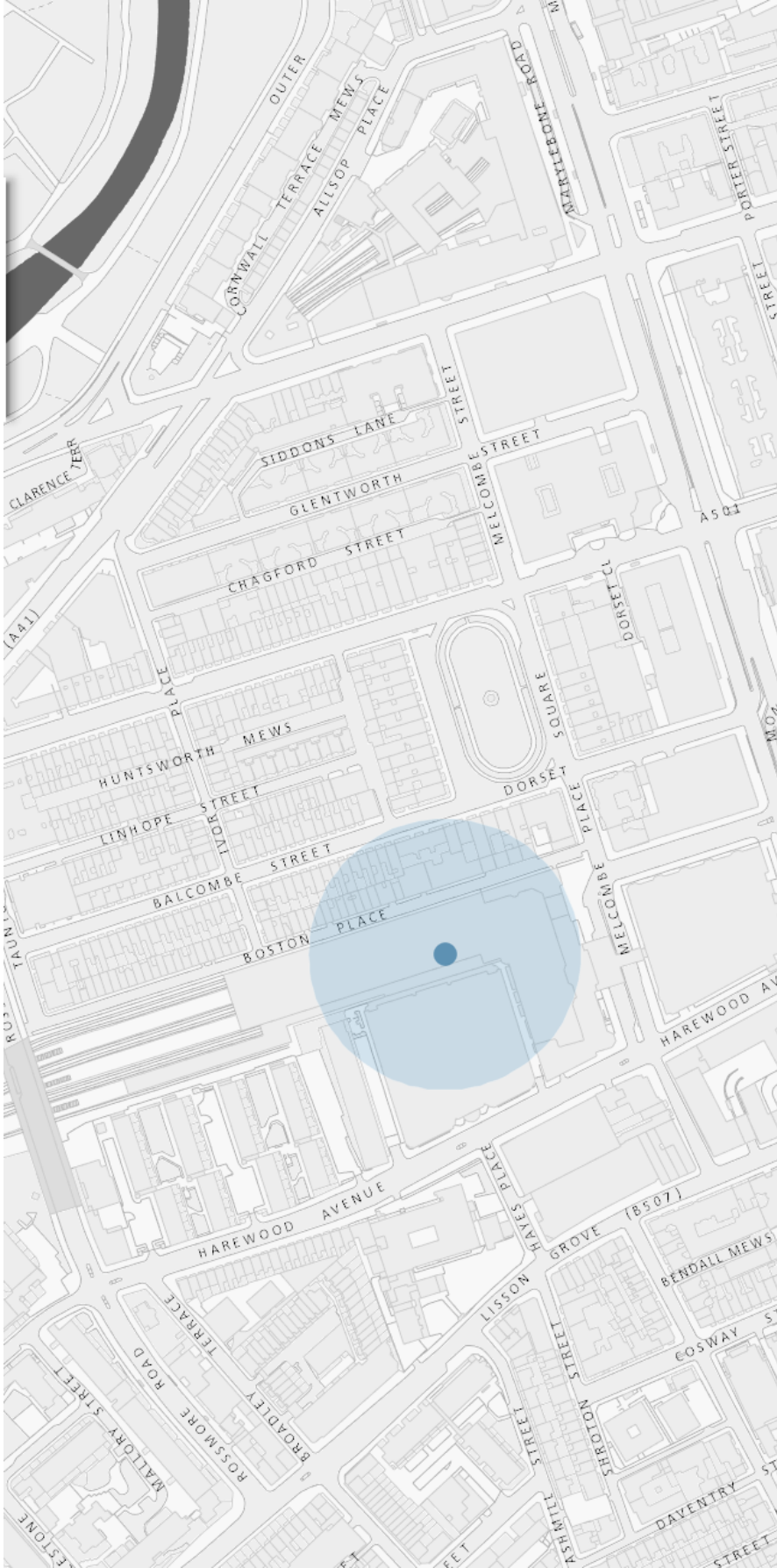
18. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually 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.
19. 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.
20. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:
 - (a) All crimes reported to the venue
 - (b) All ejections of patrons
 - (c) Any complaints received concerning crime and disorder
 - (d) Any incidents of disorder
 - (e) All seizures of drugs or offensive weapons
 - (f) Any faults in the CCTV system, searching equipment or scanning equipment
 - (g) Any refusal of the sale of alcohol
 - (h) Any visit by a relevant authority or emergency service
21. There shall be seating available for a minimum of 150 people.
22. Between 07:00 and 10:00 daily the sale of alcohol for consumption on the premises shall be ancillary to substantial food.
23. 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.
24. The means of escape provided for the premises shall be maintained and unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.
25. All emergency exit doors shall be available at all materials times without the use of a key, code, card or similar means.

26. All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device.
27. The variation of the premises licence (**state the licensing reference number**) will have no effect until the premises have been assessed as satisfactory by the Environmental Health Consultation Team at which time this condition shall be removed from this licence by the licensing authority.
28. Before the premises open to the public, the plans as deposited will be checked by the Environmental Health Consultation Team to ensure they are an accurate reflection of the premises constructed. Where the premises layout has changed during the course of construction new plans shall be provided to the Environmental Health Consultation Team and the Licensing Authority.
29. No licensable activities shall take place at the premises until the capacity of the premises has been determined by the Environmental Health Consultation Team and the Licensing Authority has replaced this condition on the licence with a condition detailing the capacity so determined.
30. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
31. A Challenge 21 or Challenge 25 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 Metropolitan Police Service

32. There shall be a minimum of three SIA security on duty at all times on Wembley match days. They shall wear hi viz yellow tops and display their licences. At all other times there shall be a minimum of one SIA security wearing hi viz yellow. A written weekly risk assessment shall be undertaken and shall be provided to the Responsible Authorities upon request. It shall include a search policy.
33. From 07:00 to 10:00 every day, the premises shall only operate as a restaurant
 - (i) in which customers are shown to their table,
 - (ii) where the supply of alcohol is by waiter or waitress service only,
 - (iii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table.
 - (iv) which do not provide any take away service of food or drink for immediate consumption,
 - (v) who are seated in the premises and bona fide taking substantial table meals there and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.
34. On Wembley match days all drinkware shall be polycarbonate / or plastic.
35. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.

36. A representative from the management of the premises shall attend local public watch meetings when they are taking place.



Resident count = 93

Premises within a 75m radius of the premises

<u>Licence Number</u>	<u>Trading Name</u>	<u>Address</u>	<u>Time Period</u>
18/15976/LIPDPS	Victoria & Albert Bar	Unit 11 Marylebone Station Melcombe Place London NW1 6JJ	Monday to Sunday; 10:00 - 00:00
18/11412/LIPVM	Sports Bar And Grill	Unit 14 Marylebone Station Melcombe Place London NW1 6JJ	Monday to Saturday; 07:00 - 00:30 Sunday; 07:00 - 00:00
17/13042/LIPDPS	Hotel Chocolat	Unit 1 Marylebone Station Melcombe Place London NW1 6JJ	Monday to Sunday; 08:00 - 23:00
06/12055/WCCMAP	International Cheese Centre	Unit 5 Marylebone Station Melcombe Place London NW1 6JJ	Monday to Saturday; 08:00 - 23:00 Sunday; 10:00 - 22:30
14/04678/LIPV	AMT Coffee	Mobile Unit Marylebone Station Melcombe Place London NW1 6JJ	Monday to Friday; 05:15 - 00:30 Saturday; 06:00 - 00:00 Sunday; 07:00 - 23:30
18/06290/LIPVM	Marks & Spencer - Simply Food	Unit 10 Marylebone Station Melcombe Place London NW1 6JJ	Monday to Sunday; 07:00 - 00:00
17/12858/LIPCH	Sports Bar & Grill	Unit 14 Marylebone Station Melcombe Place London NW1 6JJ	
17/02481/LIPCH	West Cornwall Pasty	Unit 12 Marylebone Station Melcombe Place London NW1 6JJ	Monday to Friday; 06:00 - 01:00 Saturday; 06:30 - 01:00 Sunday; 08:00 - 00:00