Appendix A

Premises Licence 18/13366/LIPDPS



Schedule 12 Part A

WARD: St James's UPRN: 010033615435

Premises licence

Regulation 33, 34

Premises licence number:	18/13366/LIPDPS
Original Reference:	11/02631/LIPN

Part 1 - Premises details

Postal address of premises:

Opium Basement 21 Rupert Street London W1D 7PJ

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Performance of Dance

Exhibition of a Film

Performance of Live Music

Playing of Recorded Music

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

Performance of a Play Late Night Refreshment Sale by Retail of Alcohol

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

Performance of Dance

Monday to Sunday: 09:00 to 03:00

Non-standard Timings: See conditions 39 to 40

Exhibition of a Film

Monday to Sunday: 09:00 to 03:00

Non-standard Timings: See conditions 38 & 39

Performance of Live Music

Monday to Sunday: 09:00 to 03:00

Non-standard Timings: See conditions 38 & 39

Playing of Recorded Music

Monday to Sunday: 09:00 to 03:00

Non-standard Timings: See conditions 38 & 39

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

Monday to Sunday: 09:00 to 03:00

Non-standard Timings: See conditions 38 & 39

Performance of a Play

Monday to Sunday: 09:00 to 03:00

Non-standard Timings: See conditions 38 & 39

Late Night Refreshment

Monday to Sunday: 23:00 to 03:00

Non-standard Timings: See conditions 38 & 40

Sale by Retail of Alcohol

Monday to Saturday: 10:00 to 03:00 Sunday: 12:00 to 00:30

Non-standard Timings: See conditions 38 & 39

The opening hours of the premises:

Monday to Sunday: 09:00 to 03:00

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

Alcohol is supplied for consumption on the Premises.

Part 2

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

Opium London Ltd C/O Stone King Llp Boundary House 91-93 Charterhouse Street London

EC1M 6HR

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

11147750

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

Name: Eamonn Aidan Mulholland

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: 87963

Licensing Authority: London Borough Of Islington

Date: 12 July 2019

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

Annex 1 - Mandatory conditions

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

- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either -
 - (a) a holographic mark, or
 - (b) an ultraviolet feature.
- 7. The responsible person must ensure that -
 - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures -
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

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

- 8. (i) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
 - (ii) For the purposes of the condition set out in paragraph 8(i) above -
 - (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
 - (b) "permitted price" is the price found by applying the formula -

P = D+(DxV)

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 ofthe 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,
 - the designated premises supervisor (if any) in respect of such a licence, or

- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
- (iii). Where the permitted price given by Paragraph 8(ii)(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- (iv). (1) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
 - (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.
- Admission of children to the premises must be restricted in accordance with the film classification recommended by the British Board of Film Classification or recommended by this licensing authority as appropriate.
- 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

- 11. All drinking containers used within the lounge/club area shall be polycarbonate. All glass bottles to be decanted into polycarbonate glassware or polycarbonate glassware carafes, with the exception of champagne and bottles of spirits of a minimum size of 70cl, supplied by waiter/waitress service to tables. Staff will clear all empty champagne and spirit bottles from the tables promptly. Customers will not permitted to self serve or remove bottles from the tables. Customers will not be permitted to drink directly from champagne or spirit bottles. For the avoidance of any doubt, this condition does not apply to the restaurant area of the premises, as marked on the plans attached to the licence.
- 12. Notwithstanding condition 12 above, with the written agreement of the Westminster Licensing Police, a copy of which will be held at the premises reception, glass drinking vessels may be used for private or pre-booked events within the lounge/club area.
- 13. All persons, with the exception of staff and security, shall have left the premises no later than 45 minutes after the permitted terminal hour for the retail sale of alcohol.
- 14. (a) When the premises are open all customers entering the nightclub/ lounge after 22:00 will have their ID scanned on entry or be subject to a biometric scanning system (when fingerprint scanning will be required for all customers who have previously shown identification at the premises).

All customers entering shall have their facial image captured by the ID scanner camera except for person who enter using finger print scanning and have provided a recent facial image captured by the ID Scanner.

The above requirement is subject to the following exceptions, namely that a maximum number of 25 guests per night may be admitted at the Managers discretion without necessarily ID being scanned and recorded. The admission of such guests however shall be in accordance with the following procedure:

- (i) The Police shall approve in writing the names of those managers (Police Approved Managers) who are authorised to sign in such guests, such approval shall not be unreasonably withheld. There shall be a maximum of three Police approved managers.
- (ii) A legible record (the signing in sheet) of these guests name shall be retained on the premises for inspection by the licensing authority and Police for a period of 31 days. The name of the Police approved manager authorising the admission will also be recorded by that manager,
- (iii) Guests shall be required to produce some form of ID such as a bank card (or emailed electronic photo ID) and ID scan entry with a live photo shall be created.
- (iv) Where there are appropriate reasons for a guest not to be able to produce ID and be subject to ID scan, the Police Approved Manager may never the less permit entry. In such circumstance he shall also record the reasons for this in the signing in sheet.
- (b) Notwithstanding (a) above, patrons who are attending a pre-booked private event at the premises do not need to have their ID Scanned on entry and instead a written guest list shall be held at reception for the event, and will be retained for 28 days after the event for inspection by the police and responsible authorities upon request.

- (c) Any customer attending the restaurant who then wishes to enter the nightclub shall have their identification scanned, subject to the above provisions of this condition.
- 15. For any pre-booked event or occasion when a guest list is in operation, only a Director, the Premises Licence Holder, the Designated Premises Supervisor or the Duty Manager will be authorised to add additional names to the guest list. Any additions less than 48 hours before the pre-booked event or occasion must be legibly entered on the list and signed for by a Director, the Premises Licence Holder, the Designated Premises Supervisor or the Duty Manager. The list will be kept for a period of 28 days following the event and will be made available immediately for inspection upon the request by a Police Officer or Council Officer.

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

- 16. The number of persons accommodated at any one time in the basement (excluding staff) shall not exceed 500, with no more than 250 in the hatched area and no more than 250 in the un-hatched area.
- 17. Patrons shall be greeted by a member of the staff at the reception areas on both the ground and basement floors (as marked on the plans submitted) before being directed to the relevant area of the premises.
- 18. In the area marked 'restaurant' and marked as the hatched area on the plans alcohol shall not be sold or supplied on the premises otherwise than to persons seated taking table meals, by waitress service only and for consumption by such persons as ancillary to their meal.
- 19. The restaurant area of the premises (marked as the hatched area on the plans) shall be set out with tables and chairs at all times save for pre-booked or private events, details of which shall be forwarded to the Police at least 14 days (or such other time agreed with the Police in writing) in advance of the event.
- 20. There shall be waitress service throughout the entire premises at all times it is trading to the public.
- 21. There shall be no patrons permitted on the stage area as marked on the plans.
- 22. The provision of film shall be incidental to other licensable activities and there shall be no cinema style showing of films.
- 23. There shall be no consumption of alcohol outside the premises.
- 24. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
- 25. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to the public. This staff member shall be able to show Police recent data or footage with the absolute minimum of delay when requested.
- 26. There shall be no removal of glasses or bottles from the premises by patrons when leaving.
- 27. No rubbish including bottles will be moved, removed or placed in outside areas between 23:00 and 07:30 hours.
- 28. No deliveries shall be made between the hours of 2300 hours and 0730 hours.
- 29. A noise limiter shall be fitted to the musical amplification system in agreement with and to the reasonable satisfaction of the Environmental Health Officer. The operational panel shall then be secured and the system will not be altered without the approval of the Environmental Health Officer.
- 30. No additional sound generation equipment shall be used on the premises without being routed through the noise limiter device.

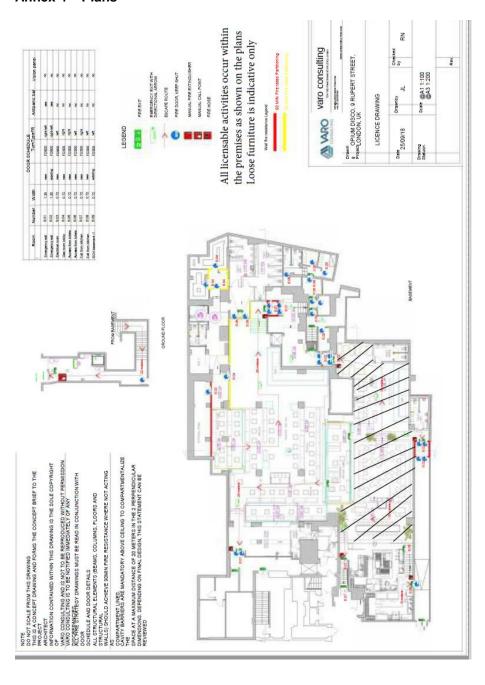
- 31. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which give rise to a nuisance.
- 32. There shall be no speakers situated or amplification of music or sound within the entrance lobby on the ground floor.
- 33. The highway and public spaces in the vicinity of the premises are kept free of litter from the premises at all material times to the satisfaction of the Council. All litter and sweepings shall be collected and stored in accordance with the approved refuse storage arrangements.
- 34. Notices will be prominently displayed at the ground floors exits requesting the public to respect the needs of local residents and to leave the premises and area quietly.
- 35. Management will appoint dedicated taxi or licensed minicab companies and staff will offer to book the cars on behalf of patrons. After midnight all patrons who seek licensed vehicles to take them away will be encouraged to remain inside whilst the vehicle is summonsed.
- 36. No unauthorised advertisements of any kind (including placard, poster, sticker, flyer, picture, letter, sign or other mark) is inscribed or affixed upon the surface of the highway, or upon any building, structure, works, street furniture, tree, or any other property, or is distributed to the public, that advertises or promotes the establishment, its premises, or any of its events, facilities, goods or services.
- 37. The premises will participate in the Westminster Licensed premises shared radio scheme approved by Westminster City Council and the Metropolitan Police.
- 38. All Licensable Activities: When the hours authorised by the licence extend to a time later than 01:00am, then in relation to the morning on which British Summer Time begins, the hours will be extended to one hour after the authorised hour on the licence.
- 39. The permitted hours shall be extended on New Year's Eve until the start of permitted hours on New Year's Day, subject to the submission of a Metropolitan Police Risk Assessment Form 696 at least 14 days prior to the event.
- 40. The terminal hour for late night refreshment on New Year's Eve is extended to 05:00 hours on New Year's Day, subject to the submission of a Metropolitan Police Risk Assessment Form 696 at least 14 days prior to the event.
- 41. 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.
- 42. Any entertainment, performance, service, or exhibition involving nudity or sexual stimulation which would come within the definition of a sex establishment in Schedule 3 to the Council (General Powers) Act 1986 (whether or not locally adopted), shall not be provided."
- 43. 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.

- 44. 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.
- 45. All exit doors shall be available at all material times without the use of a key, code, card or similar means.
- 46. All emergency doors shall be maintained effectively self closing and not held open other than by an approved device.
- 47. After 21:00, or as agreed with the Police in writing (and a copy of any agreement to be held at reception), all security engaged outside the entrance to the premises, or supervising or controlling queues, shall wear high visibility jackets or vests.
- 48. After 21:00 Registered Door Supervisors shall ensure that the specified capacities are adhered to at all material times. Before 21:00 Registered Door Supervisors and/or staff shall ensure that the specified capacities are adhered to at all material times. A daily log is to be maintained to ensure that any capacity limit set is recorded hourly and can be properly monitored. Information regarding the capacity will be given to an authorised officer or police officer on request.
- 49. Substantial food and suitable beverages other than alcohol (including drinking water) shall be available during the whole of the permitted hours in all parts of the premises where alcohol is sold or supplied.
- 50. From Monday to Sunday after 23:00 all patrons attempting to gain re entry will be subject to a search. After 21:00 Monday to Sunday, upon entry all bags are to be opened and searched. A general search policy shall be implemented as agreed with the Westminster Police Licensing Team and documented. In accordance with the general search policy, searching will be supplemented by the use of two functional metal detecting wands operated by a male and female door supervisor dedicated to that duty either until the end of permitted hours or until there are no further admissions.
- 51. After 22:00 hours, unless otherwise agreed with the Westminster Police Licensing Team in writing (and a copy of any agreement to be held at reception) there shall be a minimum of two registered security staff on duty at the premises and an additional 1 registered security staff per additional 100 customers.
- 52. After 21:00, or as agreed with the Westminster Police Licensing Team in writing (and a copy of any agreement to be held at reception) any designated queuing and smoking area shall be enclosed within appropriate barriers to ensure that the footway is kept clear and constantly monitored by security personnel and/or staff.
- After 21:00 Monday to Sunday, or as agreed with the Westminster Police Licensing Team in writing (and a copy of any agreement to be held at reception) either (a) an attendant shall be on duty in any designated male and female toilets or (b) management shall check and monitor the male and female toilets every 30 mins. In relation to (b) the checks shall be recorded in writing and made available to the Police and Council officers upon request.
- 54. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following:
 - (a) all crimes reported to the venue
 - (b) any complaints received regarding crime and disorder
 - (c) any incidents of disorder
 - (d) any faults in the CCTV system
 - (e) any refusal of the sale of alcohol
 - (f) any visit by a relevant authority or emergency service.

- 55. A representative of the premises licence holder shall attend the local Pub watch meetings.
- 56. The premises shall order cabs for patrons on request.
- 57. No striptease, no nudity and all persons to be decently attired.
- 58. There to be at least one personal licence holder on duty when the premises are open to the public.
- 59. No entry / Re entry (excluding persons exiting to smoke) to the premises after 02:00 hours or such time as agreed in writing by Westminster Police Licensing Unit (and a copy of any agreement to be held at reception).
- 60. The lounge bar area shall predominantly be set out with tables and chairs at all times.
- Whenever the VIP toilets in the basement lounge are in use there shall be a minimum of 1 SIA stationed in the VIP toilet lobby area.
- 62. A qualified medic shall be on duty on Friday and Saturday nights from midnight until the premises closes, whenever the basement lounge is in operation.
- 63. In the event that an assault is committed on the premises (or appears to have been committed) the management, on notification of such assault or apparent assault, will immediately ensure that:
 - (a) The police (and, where appropriate, the London Ambulance Service) are called without delay.
 - (b) All reasonably practicable efforts are taken to detain any suspect(s) pending the arrival of police.
 - (c) All reasonable practicable efforts are taken to preserve the crime scene so as to enable a full forensic investigation to be carried out by the police, unless otherwise notified by then.
 - (d) Such other measures are taken (as appropriate) to fully protect the safety of all persons present on the premises.
- 64. On nights where the part or all of the premises is operating as a nightclub (not including corporate events, or when the restaurant only is open) a traffic marshal ('the marshal') shall be employed by the premises management from 22:00 until all customers have left the immediate vicinity of the premises to ensure, as far as reasonably practicable, there is no obstruction on Rupert Street in the immediate vicinity of the premises from customers or vehicles related to customers, of the premises. The marshal shall wear a high visibility jacket of a different colour to those worn by SIA door staff and marked 'traffic marshal' so as to be clearly identifiable in this role.
- 65. The Licence will have no effect until the Licensing Authority are satisfied that the premises are constructed or altered in accordance with the appropriate provisions of the District Surveyor's Association Technical standards for Places of Entertainment and the reasonable requirements of Westminster Environmental Health Consultation Team, at which time this condition will be removed from the Licence.
- 66. Prior to the licence taking effect, the plans as deposited will be checked by the Environmental Health Consultation Team to ensure they are accurate reflection of the premises constructed. Where the premises layout has changed during the

course of construction new plans shall be provided to the LFEPA, Environmental Health Consultation Team, the Police and the Licensing Authority.

Annex 4 - Plans





Schedule 12 Part B

WARD: St James's UPRN: 010033615435

Premises licence summary

Regulation 33, 34

Premises licence number:	18/13366/LIPDPS

Part 1 - Premises details

Postal address of premises:

Opium
Basement
21 Rupert Street
London
W1D 7PJ

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Performance of Dance

Exhibition of a Film

Performance of Live Music

Playing of Recorded Music

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

Performance of a Play Late Night Refreshment Sale by Retail of Alcohol

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

Performance of Dance

Monday to Sunday: 09:00 to 03:00

Non-standard Timings: See conditions 39 to 40

Exhibition of a Film

Monday to Sunday: 09:00 to 03:00

Non-standard Timings: See conditions 38 & 39

Performance of Live Music

Monday to Sunday: 09:00 to 03:00

Non-standard Timings: See conditions 38 & 39

Playing of Recorded Music

Monday to Sunday: 09:00 to 03:00

Non-standard Timings: See conditions 38 & 39

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

Dance

Monday to Sunday: 09:00 to 03:00

Non-standard Timings: See conditions 38 & 39

Performance of a Play

Monday to Sunday: 09:00 to 03:00

Non-standard Timings: See conditions 38 & 39

Late Night Refreshment

Monday to Sunday: 23:00 to 03:00

Non-standard Timings: See conditions 38 & 40

Sale by Retail of Alcohol

Monday to Saturday: 10:00 to 03:00 Sunday: 12:00 to 00:30

Non-standard Timings: See conditions 38 & 39

The opening hours of the premises:

Monday to Sunday: 09:00 to 03:00

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

Alcohol is supplied for consumption on the Premises.

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

Opium London Ltd C/O Stone King Llp Boundary House 91-93 Charterhouse Street London

EC1M 6HR

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

11147750

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

Name: Eamonn Aidan Mulholland

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

Restricted

Date: 12 July 2019

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