

Licensing Sub-Committee Report

Item No:	
Date:	20 February 2020
Licensing Ref No:	19/13341/LIPN - New Premises Licence
Title of Report:	Christie's Education 42 Portland Place London W1B 1NB
Report of:	Director of Public Protection and Licensing
Wards involved:	Marylebone High Street
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Jessica Donovan Senior Licensing Officer
Contact details	Telephone: 020 7641 7654 Email: Jonovan@Westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	15 October 2019		
Applicant:	Christie's Education Limited		
Premises:	Christie's Education		
Premises address:	42 Portland Place London W1B 1NB	Ward:	Marylebone High Street
		Cumulative Impact Area:	None
Premises description:	This is an application for a new premises licence which intends to operate as an education centre. The applicant has specified that wine and other tasting courses will be provided as well as private events where alcohol will be sold.		
Premises licence history:	The premises have had the benefit of the use of Temporary Event Notices but does not have an existing premises licence.		
Applicant submissions:	The application follows pre-application advice ref: 19/08609/PREAPM. A copy of this report can be found along with a summary of proposals and a letter sent from the applicant to the residents at Appendix 2. The applicant has confirmed they will not be submitting a dispersal plan.		

Sale by retail of alcohol				On or off sales or both:				Both
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun	
Start:	10:00	10:00	10:00	10:00	10:00	10:00	12:00	
End:	23:00	23:00	23:00	23:00	23:00	18:00	18:00	
Seasonal variations/ Non-standard timings:			None					

Films				Indoors, outdoors or both				Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun	
Start:	08:00	08:00	08:00	08:00	08:00	08:00	08:00	
End:	23:00	23:00	23:00	23:00	23:00	18:00	18:00	
Seasonal variations/ Non-standard timings:			None					

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	08:00	08:00	08:00	08:00	08:00	08:00	08:00
End:	23:00	23:00	23:00	23:00	23:00	18:00	18:00
Seasonal variations/ Non-standard timings:			None				

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Environmental Health
Representative:	Anil Drayan
Received:	11 November 2019
<p>I refer to the application for a new Premises Licence for the above premises.</p> <p>The applicant has submitted the following plans:</p> <ul style="list-style-type: none"> • Basement, ref PP/PLA/B00, Rev C, dated 10.10.19 • Ground Floor, ref PP/PLA/G00, Rev C, dated 10.10.19 • First Floor, ref PP/PLA/001, Rev C, dated 10.10.19 • Second Floor, ref PP/PLA/002, Rev C, dated 10.10.19 <p>The applicant is seeking the following:</p> <ol style="list-style-type: none"> 1. The provision of Films, Monday to Friday from 08:00 to 23:00, and Saturday to Sunday from 08:00 to 18:00. 2. The Supply of Alcohol 'On' and 'Off' the premises, Monday to Friday from 10:00 to 23:00, Saturday from 10:00 to 18:00 and Sunday 12:00 to 18:00 <p>I wish to raise the following representations based on the plans and operating schedule submitted.</p> <ol style="list-style-type: none"> 1. The provision of films and for the hours requested may lead to an increase in Public Nuisance and impact on Public Safety 2. The supply of Alcohol 'On' and 'Off' the premises and for the hours requested may lead to an increase in Public Nuisance <p>The applicant has offered numerous conditions and these are under consideration as to whether they are sufficient to allay Environmental Health concerns.</p> <p>The applicant should be advised to contact the undersigned to arrange a site visit and discuss the above after which additional conditions may be proposed.</p>	

2-B Other Persons	
Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED]
Status:	Valid
In support or opposed:	Opposed
Received:	06 November 2019

Portland Place is a residential area with a number of schools for small children. As such, a sale of alcohol in the vicinity and late opening hours of the premises during school days are not welcome in the neighbourhood for the reasons of both protecting the children from any possible harm as well as for the prevention of residents from public nuisance (possible noise, light pollution, noxious smells and litter), caused by customers leaving the premises just before the late closing hours and after a consumption of alcohol.

Furthermore, the proposed provision of entertainment coincides with resting hours of the residents in the neighbourhood and will interfere with the residents' right to peaceful enjoyment of their property.

Name:	[REDACTED]		
Address and/or Residents Association:	[REDACTED] [REDACTED]		
Status:	Valid	In support or opposed:	Opposed
Received:	21 October 2019		

I have read the notification of the application outside 42 Portland Place but haven't been able to get on the site. You haven't sent me personally a notification but I have been given one by a resident of Portland Place and I will pass this around No 42s neighbours.

I would like you to record that I do not want No 42 to have a license to sell drinks to their students.

1. That block of Portland Place between Weymouth Street and New Cavendish street is almost entirely either residential, a children's school or an Embassy. Recently we have had enormous problems with young people vomiting, defecating and urinating in the back streets behind Portland Place if they aren't too inebriated and so have to be sick directly outside. We managed to defeat the license application of Quintessentially which was firstly turned down by WCC and then we were taken by Quintessentially to the Magistrates Court where we won the case. We also defeated No 33 when they applied for a licence. That building also had a brothel. So, we know how unpleasant it can be for residents.

Asia House wanted a licence to sell alcohol on a Sunday not understanding that in this country Sunday is still a day for families to visit their families and friends in our part of London. Sundays are quiet days for us and we strongly want them to stay that way.

2. If the students want to drink after their lessons there are plenty of pubs where the staff are well trained to control excessive drinkers. In our local experience the pubs are the safest and best places for drinkers to be. Safest for them and for us.

3. I am one of three Freehold Directors of [REDACTED] which makes me ultimately responsible for 39 flats. All the flat owners that I have had the chance to speak to to date are most worried about Christies having a drinks' license, in large part it is because they either are parents or grandparents who have children who visit. Kids and alcohol is a toxic mix. Some have asked me to write to you for them, but I have told them they have to write to you individually.

Name:	[REDACTED]		
Address and/or Residents Association	[REDACTED] [REDACTED] [REDACTED] [REDACTED]		
Status:	Valid	In support of opposed:	Opposed
Received:	28 October 2019		

I have reviewed the application and wish to object to the grant of the licence. Portman Place and the adjoining areas are filled with Embassies, schools (particularly primary and secondary schools) and are otherwise residential. There are a sufficient number of public houses where alcoholic beverages can be consumed on premises and a number of local supermarkets where off licence purchases can be made.

Portland Place is not an appropriate area for a cinema. The licence application itself specifically includes sales for off premises consumption.

If the intention is the use by Christies of their premises for the exhibition of films in conjunction with their educational programmes, then the licencing request is too broadly drawn. In such a case, the licensing hours do not need to extend to 23:00 on Monday-Friday or at all on Saturday and Sunday. I have passed the premises on many occasions and have never seen any signs of educational activity past approximately 5:00 pm on a week day.

If the intention of the licence is to establish a cinema on Portland Place and to supply alcoholic beverages both on and off premises, then the whole plan is inappropriate to the area. Drug dealing and supply would almost certainly follow in the wake of the other activities.

I am not registering a public comment as I will not be in London for the next few weeks. I own a property in Weymouth Mews but will not be here when the licence application is heard.

In past years Quintessentially applied for a licence in connection with a supper club proposed to be established in their building on Portland Place adjacent to the Swedish Embassy. The licence was refused and the refusal was upheld after a court hearing for the same sorts of reasons why this licence application should be refused.

The grant of a licence to Christies would set a dangerous precedent for the area.

Thank you for your consideration.

Correspondence between the Licensing Authority and Objector dated 10 February 2020.

“ I do not plan to attend the licensing hearing on the assumption that the Licensing Committee will issue the licence in accordance with the restrictions noted in Christies' letter. A licence allowing service of alcohol at pre-booked events that are ancillary to Christies' educational activities at the premises will not create a precedent dangerous for the neighbourhood.”

“Do you wish to withdraw your representation?”

“Unless there is a practical implication that necessitates my representation to be withdrawn, I would prefer to let it stand. The document expresses the concerns of local residents regarding these types of licensing applications. My representation may have encouraged Christies (or their solicitor) to narrow their licensing application to its current acceptable scope. As Christies is a reputable and reliable company, I have confidence that they will act within the scope of their licence and the grant of their licence will not negatively affect the Marylebone area. Future applicants may not be of a similar calibre.”

Name:	[REDACTED]		
Address and/or Residents Association	[REDACTED]		
Status:	Valid	In support or opposed:	Opposed
Received:	26 October 2019		

Having been away in Canada , I have just learned about the application relating to 42 Portland Place, to secure a license to sell alcohol to its students.

As a local resident [REDACTED] I wish to record my objection to any consideration given to this application. Close by there are a number of public houses where alcohol can be purchased and where the landlord ensures that drinking is kept under control. At the pub in Weymouth Mews , management employ staff to ensure that there is no excessive drinking or behaviour which could cause any inconvenience for local residents. Everyone is aware that young adults do not exercise any constraints on their drinking habits with consequences for anyone resident nearby. Applications have already been rejected in the area because of the resultant unacceptable behaviour affecting residents and those working in local offices. To grant a license to any organisation is unacceptable when any adult wishing to drink is more than sufficiently catered for.

I trust that the Council will act responsibly in this issue which has been tested already in court where the verdict was that there were more than sufficient houses to cater for the demands of alcohol.

Name:	[REDACTED]		
Address and/or Residents Association	[REDACTED] [REDACTED] [REDACTED]		
Status:	Valid	In support or opposed:	Opposed
Received:	29 October 2019		

As a resident of [REDACTED] , I have been informed about an application made by Christie's Education Limited of 42 Portland Place, W1B 1NB, to show films and sell alcohol [Mon-Fri 1000-2300, Sat 1000-1800, Sun 1200-1800].

I cannot but express my profound astonishment at the application and I herewith oppose any permission to be granted for the sale of alcohol at the above premises by Westminster at the times applied for or any other time.

Portland Place is a residential street with more than 50% people living there, including more and more young families with young children. Furthermore, there are several renowned numerous institutions [e.g. RIBA], embassies [e.g. Chinese Embassy], offices and - more important in connection with the above application - we have 6 schools at Portland Place and in the immediate neighbourhood to Christie's, including two schools for very young students [eifa at 36 Portland Place and Abercorn School at 38 Portland Place].

Selling alcohol in such an environment is absolute not appropriate; it could/will cause severe problems to young children being exposed to people consuming alcohols with all related effects such as drunkenness, disorderly behaviour etc.

We/I have in the past already suffered considerable alcohol-related problems at Portland Place [e.g. at no. 33 and no. 29/Quintessentially] and fought all very hard against it to assure that we can live here in peace and quiet. Quintessentially was taken to Court and they lost [I was called as a witness]. We/I do not wish to have to take similar action yet again.

I would urge you to take into consideration the above points as well as the Court decision and turn down the application by Christie's to sell alcohol at their premises at any time. Should the application be granted, we will most certainly contest it in court.

3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
Policy HRS1 applies	<p>(i) Applications for hours within the core hours set out below in this policy will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy.</p> <p>(ii) Applications for hours outside the core hours set out below in this policy will be considered on their merits, subject to other relevant policies.</p> <p>For premises for the supply of alcohol for consumption on the premises: 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>For premises for the supply of alcohol for consumption off the premises: Monday to Saturday: 08:00 to 23:00 Sundays: 10:00 to 22:30</p> <p>For premises for the provision of other licensable activities: 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>

4. Equality Implications

The Council in its capacity as Licensing Authority has a duty to have regard to its public sector equality duty under section 149 of the Equality Act 2010. In summary, section 149 provides that a Public Authority must, in the exercise of its functions, have due regard to the need to:

- (a) eliminate discrimination harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- (c) foster good relations between persons who share a relevant protected characteristics and persons who do not share it.

Section 149 (7) of the Equality Act 2010 defines the relevant protected characteristics as age, disability, gender reassignment, marriages and civil partnerships pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

5. Appendices

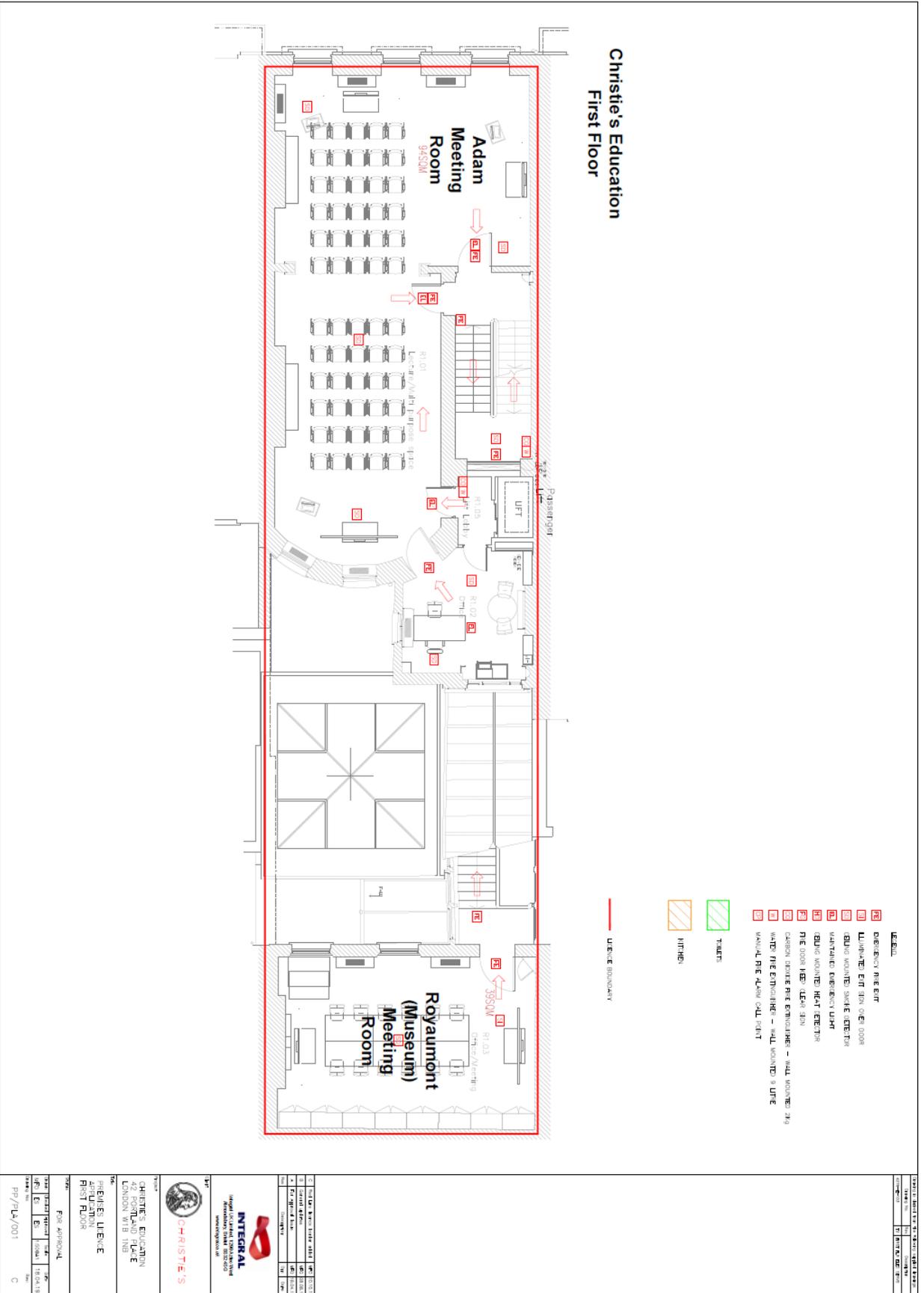
Appendix 1	Premises plans
Appendix 2	Applicant supporting documents
Appendix 3	Premises history
Appendix 4	Proposed conditions
Appendix 5	Residential map and list of premises in the vicinity

Report author:	Jessica Donovan Senior Licensing Officer
Contact:	Telephone: 020 7641 7654 Email: Jdonovan@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	Environmental Health Representation	11 th November 2019
5	Resident Representation 1	06 th November 2019
6	Resident Representation 2	21 st October 2019
7	Resident Representation 3	28 th October 2019
8	Resident Representation 4	26 th October 2019
	Resident Representation 5	29 th October 2019



INTEGRAL
 INTEGRAL SYSTEMS CONSULTANTS
 APPROVED DRAWING
 0203 254545

CHRISTIE'S

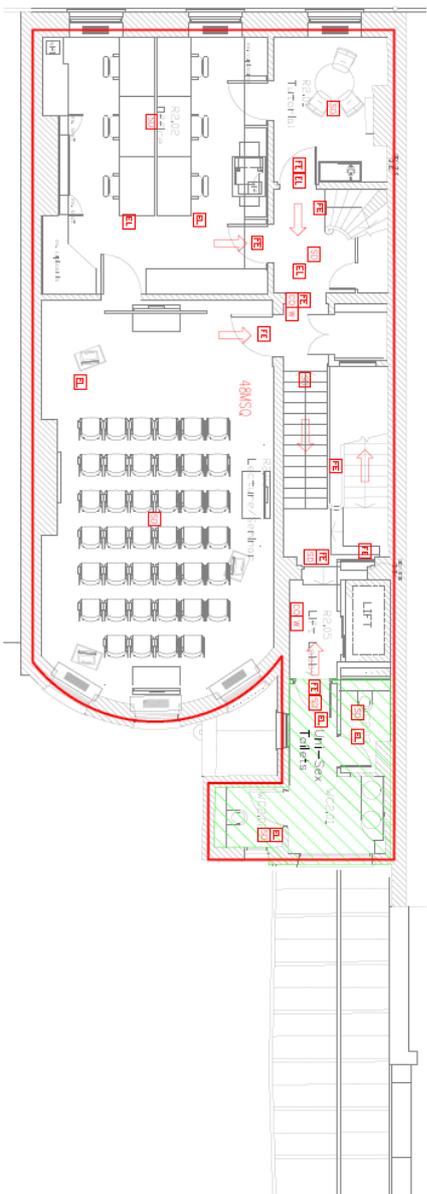
CHRISTIE'S EDUCATION
 150 MARK LANE
 LONDON W1B 1NB

PREPARED BY: UEG/IE
 APPROVAL:
 RIST FLOOR

FOR APPROVAL:
 DATE: 15/01/2019
 BY: [Signature]
 TITLE: [Signature]

PP/EA/001 C

Christie's Education Second Floor



- 15 EMERGENCY FIRE EXIT
- 14 WALL MOUNTED FIRE SIGN (OVER DOOR)
- 13 BOUND MOUNTED SMOKE DETECTOR
- 12 WALL MOUNTED EMERGENCY LIGHT
- 11 BOUND MOUNTED HEAT DETECTOR
- 10 FIRE DOOR HEED (OVER SIGN)
- 9 CARBON DIOXIDE FIRE SUPPRESSOR - WALL MOUNTED 215
- 8 WATER FIRE EXTINGUISHER - WALL MOUNTED 11 LITRE
- 7 MANUAL FIRE ALARM CALL POINT

- TRIESTE
- ATTEN

LECTURE BOUNDARY

PROJECT NO.	10000000000000000000
CLIENT	CHRISTIE'S EDUCATION
DATE	10/01/2022
SCALE	1:100

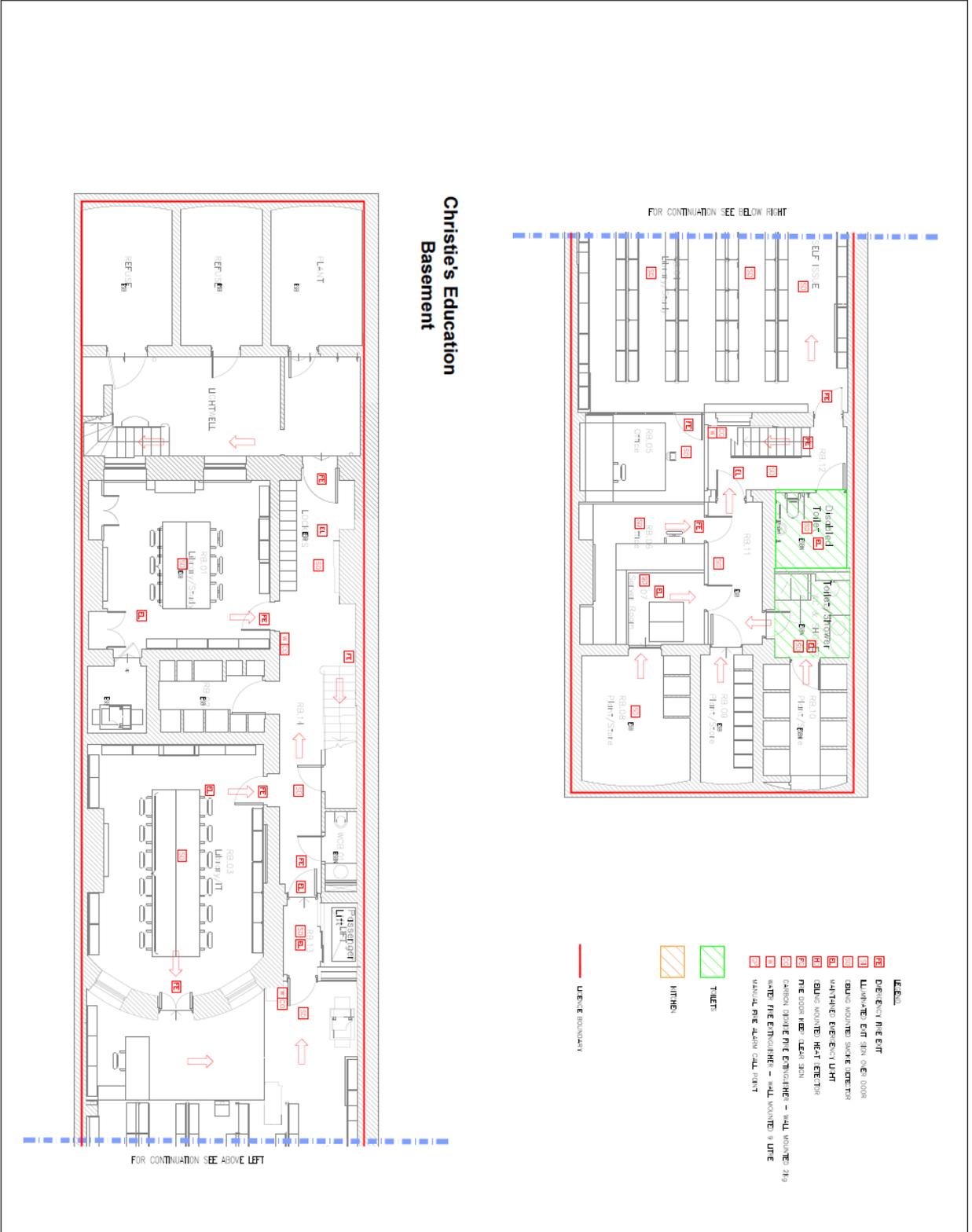
NO.	DESCRIPTION	DATE	BY
1	ISSUED FOR APPROVAL	10/01/2022	PP/PLA/002

INTEGRAL
 INTEGRAL PROJECT MANAGEMENT
 10000000000000000000

CHRISTIE'S
 EDUCATION

CHRISTIE'S EDUCATION
 42, PORTLAND PLACE
 LONDON W1B 1NB

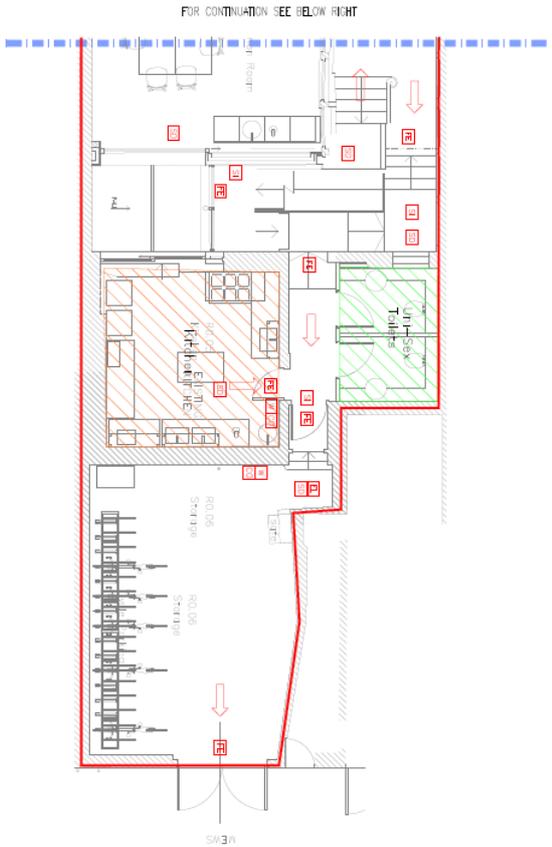
PP/PLA/002



**Christie's Education
Basement**

- LEGEND**
- 10 EMERGENCY FIRE EXIT
 - 11 UNMARKED EXIT SIGN OVER DOOR
 - 12 BOUNDARY MARKER
 - 13 HAZARDOUS MATERIALS
 - 14 BOUNDARY MARKER
 - 15 CARBON MONOXIDE DETECTOR
 - 16 FIRE DOOR
 - 17 FIRE DOOR WITH GLASS PANEL
 - 18 WATER FIRE EXTINGUISHER - WALL MOUNTED 2kg
 - 19 WATER FIRE EXTINGUISHER - WALL MOUNTED 9 LITRE
 - 20 MANUAL FIRE ALARM CALL POINT
 - 21 TOILET
 - 22 HATCH
 - 23 UTILITY BOUNDARY

<p>DATE: 12/11/2019 TIME: 10:00 AM DRAWN: J. SMITH CHECKED: M. JONES</p>	<p>PROJECT: CHRISTIE'S EDUCATION LOCATION: 150 N. BROADWAY FLOOR: BASEMENT</p>	<p>CLIENT: CHRISTIE'S ADDRESS: 150 N. BROADWAY CONTACT: 020 7835 3000</p>	<p>DESIGNER: INTEGRAL ADDRESS: 150 N. BROADWAY CONTACT: 020 7835 3000</p>	<p>DATE: 12/11/2019 TIME: 10:00 AM DRAWN: J. SMITH CHECKED: M. JONES</p>
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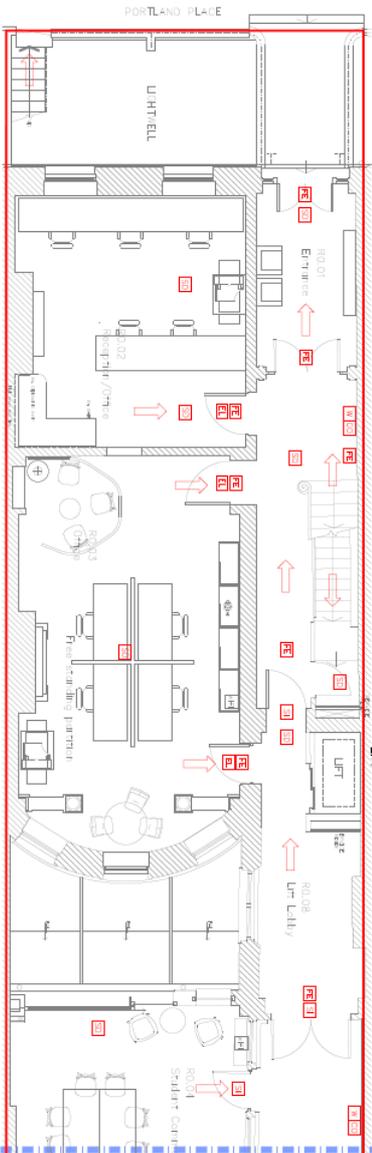
FOR CONTINUATION SEE BELOW RIGHT

- LEGEND**
- 15 DEMONSTRATION ROOM
 - 14 LUNNETTES
 - 13 WASHROOMS
 - 12 WASHROOMS
 - 11 WASHROOMS
 - 10 WASHROOMS
 - 9 WASHROOMS
 - 8 WASHROOMS
 - 7 WASHROOMS
 - 6 WASHROOMS
 - 5 WASHROOMS
 - 4 WASHROOMS
 - 3 WASHROOMS
 - 2 WASHROOMS
 - 1 WASHROOMS



Christie's Education Ground Floor

Main Entrance



FOR CONTINUATION SEE ABOVE LEFT

NO.	DATE	BY	REVISION
1	15/01/2020	AL	ISSUED FOR PERMIT
2	15/01/2020	AL	ISSUED FOR PERMIT

NO.	DATE	BY	REVISION
1	15/01/2020	AL	ISSUED FOR PERMIT
2	15/01/2020	AL	ISSUED FOR PERMIT



CHRISTIE'S
EDUCATION
LONDON W1B 1NE

PRELIMINARY
APPLICATION
GROUND FLOOR

FOR APPROVAL
DATE: 15/01/2020
BY: AL
PROJECT: PT/PLA/000
C

Pre-Application Advice report

The proposals submitted are largely satisfactory as the premises are not in a cumulative impact area. There are also no records of complaints made against the premises for its current operation.

However the following advice is offered:

1. You have requested the following Licensable hours for alcohol:

- Monday – Friday : 08:00 – 23:00
- Saturday: 08:00 – 18:00
- Sunday: 10:00 – 18:00

The start times are outside 'core hours' i.e. 10:00 Mon to Sat and 12:00 On Sunday. Environmental Health will not be looking for these hours to be made ancillary as condition 1 in your submission is regarded as providing sufficient control whereby the premises shall operate '*ancillary to the main function of the premises as an educational institution.*' However you are advised other Responsible Authorities may not take the same view when an application is submitted.

2. Your condition 5 is recommended to be replaced with the following condition:

- A suitable and sufficient Event Management Plan shall be drawn up by a competent person for each private event which must be made available on request to the Responsible Authorities. This should be kept for at least one year and must contain information and assessments, as a minimum, on the following aspects where relevant:
 - i. Details of responsible persons including at least one person with management responsibilities of the licence holder
 - ii. Stewarding and Emergency Evacuation Plan
 - iii. Use of Special Effects
 - iv. Noise Management Plan including arrival and dispersal arrangements
 - v. Maximum capacity

3. Capacity and Licensed areas.

I would recommend the whole premises be licensed to give greatest flexibility of use. It is likely we will assign individual capacities for each area with an overall maximum capacity as the premises has only one exit route i.e. the central staircase.

Summary Of Proposal

SUMMARY OF PROPOSALS CHRISTIE'S EDUCATION 42 PORTLAND PLACE, LONDON, W1B 1NB

Introduction

1. Christie's Education, following pre-application advice have submitted an application for use ancillary to an education establishment and which match planning hours (0700 - 2300 Mon-Fri and Sat & Sun 0800- 1800) and are within the Council's core hours:

*"The licensable activities authorised by this licence and provided at the premises **shall be limited to private pre-booked events** ancillary to the main function of the premises as an educational institution."*

2. The premises are occupied by Christie's Education, which is part of the wider Christie's group whose principal business is that of fine art auctioneering. Christie's Education is an internationally recognised education centre specialising in the study of art, the art market and art history.
3. The premises is situated at 42 Portland Place, London, W1B 1NB, which is a grade II* listed building located in the Harley Street Conservation Area. It was noted in the planning application that:

"Policy SOC 3 of the UDP states that education facilities will be encouraged to be designed for community use outside of teaching hours"

4. This application is to permit alcohol to be sold at scheduled receptions or talks on topics relating to art appreciation and art market studies, which are all private or pre-booked.
5. Those events include:
 - (a) Small academic lectures;
 - (b) student exhibitions;
 - (c) discussion panels;
 - (d) conferences and seminars; and
 - (e) post graduate programmes;

which are all organised and run internally or in conjunction with organisations that we have partnered with.

6. In most cases, alcohol will not be sold in the traditional sense but may be included in the ticket-price e.g. a glass of wine offered at a conference closing event or ahead of an evening talk.
7. The capacity of the premises has been agreed at 120, excluding staff. The EHO conditions are agreed.
8. The inclusion on films as a licensable activity is not for the premises to be used as a cinema, but simply to cover any events where films may be shown at the premises, as ancillary always to the main function of the premises as an educational institution.

Policy

9. There is no presumption to refuse any part of this application, although compliance with both the licensing objectives and CD1, PN1, and PS1 are addressed.

Letter from applicant to residents

CHRISTIE'S
EDUCATION | LONDON

Monday, 3rd February 2020

Dear Neighbour

Christie's Education, 42 Portland Place, W1B 1NB

Westminster City Council have provided us with a copy of your representation in respect of our Premises Licence application.

We would be very grateful for your consideration of this letter and we hope that this will help to open a line of communication and address some of the concerns you have raised.

As you are aware, Christie's Education is an internationally recognised education centre specialising in the study of art business, the art market and art history.

We have applied for a Premises licence for Christie's Education, further to planning permission and after undertaking pre-application advice with Westminster City Council. As a result of your representation and to avoid confusion, we are amending condition 1 on the proposed licence application to read as follows:

*The licensable activities authorised by this licence and provided at the premises **shall be limited to private pre-booked events** ancillary to the main function of the premises as an educational institution.*

The premises licence is not to create a bar for the students, nor is it for public access to the site. Alcohol would only be sold to persons attending a pre-booked or private event. Guest lists are managed and monitored to ensure knowledge of who is in the building at any time.

The inclusion on films as a licensable activity is not for the premises to be used as a cinema, but simply to cover any events where films may be shown at the premises, as ancillary always to the main function of the premises as an educational institution. By way of example, events held by Christie's Education vary from small intimate lectures to student exhibitions, alumni events and conferences.

Finally, to address your concerns regarding public nuisance, we are acutely aware of the location in which we operate and we have a world renowned reputation that we are very proud of, and of which it is of utmost importance for us to protect. There are conditions on the licence regarding waste, litter and noise, all of which underpin the way the premises is managed

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Letter from applicant to residents

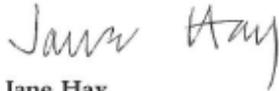
CHRISTIE'S
EDUCATION | LONDON

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currently. Our management team are trained to be diligent and they work hard to ensure that guests do not disturb local residents on their dispersal from events. We do not wish to be associated with other premises and how they have been managed.

If you have any comments or queries relating to the licence applications, please do not hesitate to contact us directly.

Yours faithfully



Jane Hay
International Managing Director
Christie's Education Limited

Premises History**Appendix 3**

Application	Details of Application	Decision	Date Determined
19/16830/LITENP	Temporary Event Notice	Notice Granted	17.12.2019
18/10160/LITENP	Temporary Event Notice	Notice Granted	06.09.2018

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

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

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

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

Mandatory Conditions

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

less in a manner which carries a significant risk of undermining a licensing objective;

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

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

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

Conditions consistent with the operating schedule

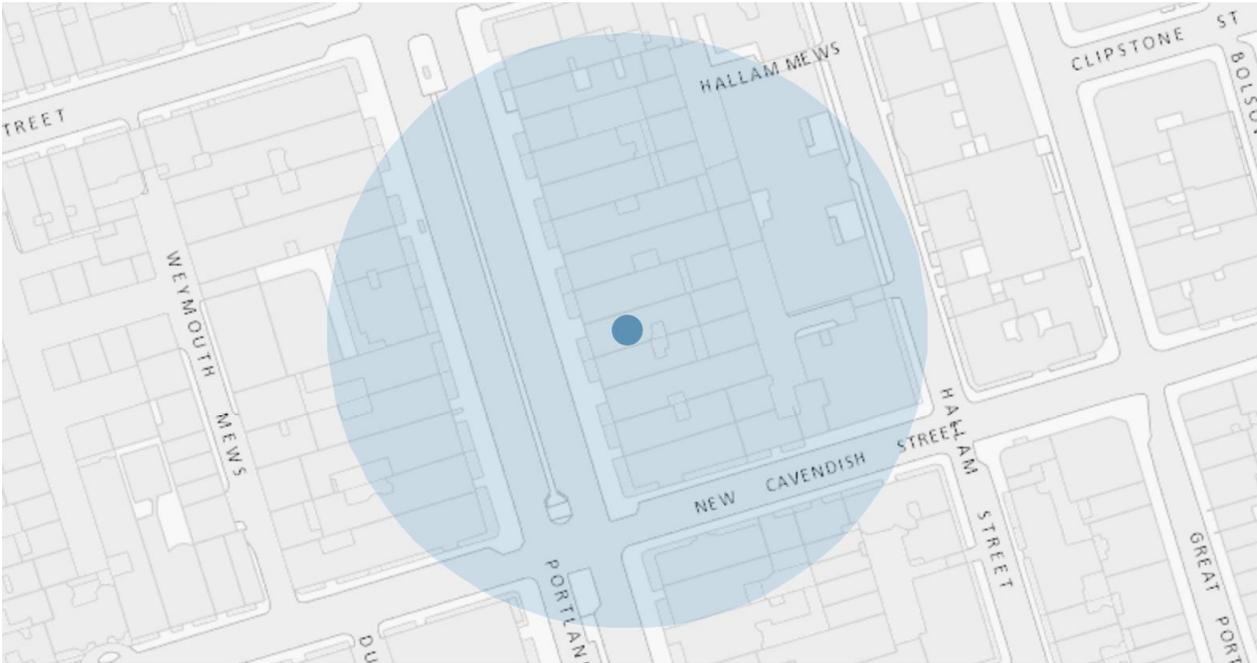
9. The licensable activities authorised by this licence and provided at the premises shall be limited to private pre-booked events ancillary to the main function of the premises as an educational institution.

10. 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.
11. A staff member who is conversant with the operation of the CCTV system shall be available 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.
12. 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.
13. A list of private events shall be kept at the premises for 31 days and made available to the authorities on request.
14. 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.
15. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
16. 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.
17. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.

18. No deliveries to the premises shall take place between 23.00 hours and 08.00 hours.
19. Off sales of alcohol shall be in sealed containers only.
20. No waste or recyclable materials, including bottles, shall be moved, removed or placed in outside areas between 23.00 hours and 08.00 hours.
21. A 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.
23. The number of persons permitted in the premises at any one time (including staff) shall not exceed (x) persons.

Conditions proposed by the Environmental Health and agreed with applicant so as to form of the operating schedule.

24. There shall be no cinema style showing of films
25. No licensable activities shall take at the premises until the capacity of the premises has been determined by the Environmental Health Consultation Team and the licensing authority has replaced the capacity condition on the licence (*capacity shall not be more than 120 excluding staff in any case*).
26. **Replace applicant's condition 5 with the following:**
 - A suitable and sufficient Event Management Plan shall be drawn up by a competent person for each private event which must be made available on request to the Responsible Authorities. This should be kept for at least one year and must contain information and assessments, as a minimum, on the following aspects where relevant:
 - i. Details of responsible persons including at least one person with management responsibilities of the licence holder
 - ii. Stewarding and Emergency Evacuation Plan
 - iii. Noise Management Plan including arrival and dispersal arrangements
 - iv. Maximum capacity for the rooms or areas used.



Resident Count: 208

There are no licensed premises within 75 metres of 42 Portland Place, London, W1B 1NB