

Licensing Sub-Committee Report

Item No:	
Date:	27 August 2020
Licensing Ref No:	20/02859/LIPN - New Premises Licence
Title of Report:	Blush Ground Floor Entrance and Basement 37 Duke Street London
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:	Kevin Jackaman Senior Licensing Officer
Contact details	Telephone: 0207 641 6500 Email: kjackaman@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	11 March 2020		
Applicant:	Electshow Limited		
Premises:	Blush		
Premises address:	Ground Floor Entrance and Basement 37 Duke Street London W1U 1LN	Ward:	Marylebone High Street
		Cumulative Impact Area:	None
Premises description:	According to the application from the premises intend to trade as a lap dancing club. A separate application has been made for a Sexual Entertainment Venue licence for the premises.		
Premises licence history:	There is an existing premises licence for the premises, (licence number 19/11489/LIPV) a copy of the premises licence and the licence history at appendix 3.		
Applicant submissions:	None		

1-B Proposed licensable activities and hours							
Sale by retail of alcohol				On or off sales or both:			On only
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	20:00	20:00	20:00	20:00	20:00	20:00	20:00
End:	06:00	06:00	06:00	06:00	06:00	06:00	00:30
Seasonal variations/ Non-standard timings:			None				

Late night refreshment:				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	23:00	23:00	23:00	23:00	23:00	23:00	23:00
End:	05:00	05:00	05:00	05:00	05:00	05:00	00:30
Seasonal variations/ Non-standard timings:			None				

Film, Live Music, Recorded Music, Performance of Dance:				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	20:00	20:00	20:00	20:00	20:00	20:00	20:00
End:	06:00	06:00	06:00	06:00	06:00	06:00	00:30
Seasonal variations/ Non-standard timings:			None				

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	20:00	20:00	20:00	20:00	20:00	20:00	20:00
End:	06:00	06:0	06:00	06:00	06:00	06:00	00:30
Seasonal variations/ Non-standard timings:		None					
Adult Entertainment:		None					

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Metropolitan Police Service
Representative:	Reaz Guerra
Received:	1 st April 2020
<p>With reference to the above application, I am writing to inform you that the Metropolitan Police, as a Responsible Authority, will be objecting to this application as it is our belief that if granted the application would undermine the Licensing Objectives.</p> <p>The hours sought exceed Westminster's Core Hour Policy and there is insufficient detail contained within the operating schedule to promote the licensing objectives.</p> <p>It is for these reasons that we are objecting to the application.</p>	
Responsible Authority:	Environmental Health Service
Representative:	Anil Drayan
Received:	3 April 2020
<p>I refer to the application for a new Premises Licence which is being made concurrently with a Sexual Entertainment Venue Licence application, 20/02836/LISEVN, for the above premises. The applicant has submitted a plan of the premises (no reference) showing the basement and the entrance on the ground floor.</p> <p>The licensing activities being applied for are:</p> <ol style="list-style-type: none"> To provide the following Regulated Entertainments 'indoors' between 20:00 and 06:00 hours Monday to Saturday and 20:00 and 00:30 hours Sunday: <ul style="list-style-type: none"> • Live Music • Recorded Music • Performances of Dance • Film To provide for the Supply of Alcohol 'On' the premises between 20:00 and 06:00 hours Monday to Saturday and 20:00 and 00:30 hours Sunday: Provision of Late Night Refreshment 'indoors' between 23:00 and 05:00 hours Monday to Saturday and 23:00 to 00:30 Sunday <p>I wish to make the following representations based on the plans submitted and the supporting operating schedule:</p>	

1. The hours for and types of Regulated Entertainments requested may lead to an increase in Public Nuisance in the area and may adversely affect Public Safety
2. The hours requested for and the Supply of Alcohol may lead to an increase in Public Nuisance in the area
3. The hours requested for and the Provision of Late Night Refreshment may lead to an increase in Public Nuisance in the area

Environmental Health also makes the following further comments:

- The applicant has offered an extensive list of conditions and these are under consideration.
- Sexual Entertainment Venue Licence application has not been made for the Sunday hours
- An Appendix 11 (Westminster's Statement of Licensing Policy) assessment has not been submitted particularly with regards to hours of operation of plant and machinery, managing smokers (staff and patrons) and arrangements on the arrival/dispersion patrons.
- It is unclear if the premises has already been refurbished for the proposed use. The premises will need to be inspected for Public Safety, suitable sanitary accommodation and provision of hot food (to ensure no odour nuisance etc).

The applicant is requested to contact the undersigned to arrange a site visit to discuss the above after which Environmental Health may propose additional conditions to allay its concerns.

On 17th August 2020, the Environmental Health Service provided additional submissions, a copy of which appear at appendix

2-B Other Persons

Name:

[REDACTED]

Address and/or Residents Association:

[REDACTED]
[REDACTED]
[REDACTED]

Received:

06 April 2020

As a business owner further along the street ([REDACTED]), I wanted to draw your attention to this as I believe this will have a detrimental impact on the Neighbourhood and will work against everything we do to keep it clean and safe and an attractive destination to tourists, shoppers, local office workers and residents.

I don't agree with him turning his location into a strip club in the slightest and I do not believe it's the correct thing to do.

I think due to what they are trying to achieve by applying for the following:

- o The application reference numbers are 20/02859/LIPN (for the new premises licence) and 20/02836/LISEVN (for the sexual entertainment venue application)

I object on the points of:

- 1) Prevention of crime and disorder

2) The prevention of public nuisance.

Running a strip club, comes with a crowd of individuals who will lower the standards of the prestigious street and could potentially cause serious issues. I have spent considerable money on my store on Duke street and I think it is unacceptable to allow this kind of operating business on the street. It is a family environment and this is far from the opposite.

I would strongly object as do I believe other residents on the street do.

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]

Received:	06 April 2020
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Dear Sirs,

I write to you in order to lodge formal objections to two recent applications, 20/02859/LIPN and 20/02836/LISEVN, at 37 Duke Street, London W1U 1LN.

I am the Company Director of [REDACTED] who has been in occupation of the [REDACTED] for more than 10 years. [REDACTED]. Our head office function operates from [REDACTED] where we receive a number of visitors, such as international investors, our lenders, property professionals and other such visitors.

As a longstanding tenant at [REDACTED], I would like to object to the new premises licence on the following basis:

1. Prevention of crime and disorder and public safety: I believe the new premise licence will increase crime and disorder due to the sale of alcohol. I have in the past been in my office until the early hours of the morning and have been threatened with physical harm by a drunken customer of the nightclub downstairs upon leaving the building. This incident was never reported to the police.
2. Prevention of public nuisance: I believe the noise and flow of people will lead to a much greater level of noise, thereby constituting a public nuisance.

I would be grateful if you would acknowledge receipt of this email.

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED]

Received:	06 April 2020
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THIS representation is made by the [REDACTED], which is recognised by Westminster as the Amenity Society for the Marylebone Area south of Marylebone Road and so represents the interests of those who live and work in this area.

We are writing on behalf of the local community OBJECTING to the application by Electshow Limited 20/02859/LIPN

It is submitted that the proposal, along with the Sexual Entertainment Venue application

20/02836/LISEVN, are likely to lead to contravention of the Licencing Objectives regarding the prevention of public nuisance (PN1) and the prevention of crime and disorder.(CD1) and also disregard of opening hours (HRS1)

There will necessarily be some overlap between the objection/representation, and I ask that the objection/representation be read in conjunction with one another.

Due to the current 'lockdown' caused by the ongoing Covid-19 crisis, fewer people may have become aware of the application because lower footfall will have meant lower exposure to the public notices displayed regarding the applications. Consequently the level of response or lack of response, to the applications should not be taken as a sign that local residents and businesses have no interest in the outcome of these applications.

The applicant has been running a club at the premises for some time. There have been incidents that came to the attention of the police over the years but we accept that recently there has been no cause for police concern.

There has been some evidence of 'creep' in that the applicant has attempted to extend the hours during which alcohol can be served and to soften the licence conditions. The first occasion was in 2005 (05/06008/LIPCV) and the most recent in 2019 (19/00325/LIPV). The current licence permits a terminal hour of 6am. However, after 3am sale of alcohol must be ancillary to a table meal. There are also last entry conditions. There is a condition requiring the premises to be a members' club.

None of these conditions are proposed in the current application. The proposed timings are the same as the terminal hour for sale of alcohol on the current premises licences. Alcohol could also be sold without the need for food at all, however the premises are operated and there is no requirement to be a private club.

We note that the SEV application states that the applicants previously operated a premises called 'The Mayfair Club', on Dover Street W1, and intend to operate 37 Duke Street in 'an identical manner'. An internet search for 'The Mayfair Club' reveals that it operated as an SEV in the week, but a nightclub at the weekend. The conditions submitted with this premises licence application seem to enable this. This is an unusual style of operation, and we question how this would work in practice.

The conditions proposed with this application appear to have been lifted wholesale from the premises licence for The Mayfair Club, with no consideration given to the entirely different context of Marylebone.

However, leaving aside the potential for further 'creep' in the licencing conditions, we believe that the change in business model from nightclub to lap dancing will have a massive impact on the ability of the management to adhere to the Licencing Principles of Westminster.

The applicant has stated in previous sub-Committee hearings (LICENSING SUB-COMMITTEE No. 3 Thursday 7th November 2019) that the existing operation caters for a clientele consisting of "Middle Eastern gay men". We would submit that, in general, given the likely religion of this client base, there would be fewer issues relating to the consumption of alcohol than might be expected in a 'Western' nightclub.

In our view a lap dancing club is likely to attract potentially rowdy customers. The very late hours and Marylebone location imply that young men who are likely to have been drinking and or taking drugs elsewhere will travel in taxis, in groups, in order to partake of the adult entertainment. The atmosphere generated by the titillation anticipated will often cause greater exuberance amongst these young men. Consequently on arrival they are entirely likely to be causing a public noise nuisance and will endanger law and order. Given that they will most likely continue to consume alcohol it is also likely that on exit these groups of men will also be noisy even if security personnel attempt to control them. We do not think it likely that a typical customer will use public transport and given that they may have travelled from the City or West End they are unlikely to be on foot. Consequently there will be a marked increase in taxi traffic

throughout the hours the establishment is operating with attendant increase in engine and door closing noise. With the narrowness of Duke and Barrett Streets this noise very early morning, when ambient noise levels are low, will cause a severe public nuisance.

The premises are located on the corner of Duke Street and Barrett Street. In the immediate area from Duke Street eastwards there are a very large number of restaurants pretty well all of which have licences within Westminster Council 'Core Hours' as defined by the Licensing Policy HRS1. This means that the whole area quiets down dramatically after about 11:00pm meaning that the many residents are able to live peacefully at night. We have always felt that a nightclub in this location opening until 6:00am was out of place but with the a change in function as proposed, and the undoubted change in customer profile, we strongly believe that even if a licence is granted conditions should be imposed recognising HRS1. This is important as we understand the resident population locally is surprisingly large.

It should also be borne in mind that sexual entertainment venues such as being proposed have a reputation for attracting 'pimps' offering girls to departing customers. We have no evidence of such happening at the Mayfair Club but we believe that the possibility should be recognised and that for a quiet neighbourhood in Marylebone this would be totally unacceptable.

We therefore believe that this application if granted as applied for will be contrary to the following Licensing Objective: The Prevention of Public Nuisance, The Prevention of Crime and Disorder and will be outside HRS1.

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]
Received:	06 April 2020
<p>Permitting the sale of alcohol throughout the night will lead to an increase in crime and anti-social behaviour. I am concerned that our glass-fronted doors will become damaged and the building broken into.</p> <p>More worrying than this, some of our female staff often work in our offices late, studying and I have serious concerns for their safety as they walk, on their own, past this potential club on the way to the tube.</p>	
Name:	31-37 Dukeson Properties Limited
Address and/or Residents Association:	c/o Poppleston Allen Solicitors The Stanley building, 7 Pancras Square London N1C 4AG
Received:	03 April 2020
See full representation at Appendix 1	
Name:	Selfridges Retail Limited
Address and/or Residents Association:	c/o Poppleston Allen Solicitors The Stanley building, 7 Pancras Square London N1C 4AG
Received:	03 April 2020

See full representation at Appendix 2	
Name:	New West End Company
Address and/or Residents Association:	3 rd Floor, Heddon House 149-151 Regent Street London W1B 4JD
Received:	03 April 2020
See full representation at Appendix 3	

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> 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> 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	Applications will only be granted if it can be demonstrated that the proposal meets relevant criteria in Policies CD1, PS1, PN1 and CH1.
Policy MD1 applies	It is the Licensing Authority's policy that applications will only be granted if the proposal meets the relevant criteria in Policies CD1, PS1, PN1 and CH1.
Policy NS1	<p>(i) Applications involving nudity or striptease or sex related entertainment will only be granted in exceptional circumstances and if the proposal meets the relevant criteria specified in Policies CD1, PS1, PN1, CH1 and HRS1.</p> <p>(ii) Applications will be subject to appropriate conditions which promote the licensing objectives.</p> <p>(iii) Applications will not be granted in proximity to:</p> <ul style="list-style-type: none"> (a) residential accommodation (b) schools (c) places of worship

	(d) community facilities or public buildings. (iv) The Licensing Authority will have regard to the cumulative effect of the number of such premises, and sexual entertainment venues, in proximity to each other and in the vicinity.
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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, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

5. Appendices

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
Appendix 1	Representation from 31-37 Dukeson Properties Limited
Appendix 2	Representation from Selfridges Retail Limited
Appendix 3	Representation from New West End Company
Appendix 4	Premises plans
Appendix 5	Premises Licence 19/11489/LIPV
Appendix 3	Premises history
Appendix 4	Further submissions from the Environmental Health Service
Appendix 5	Proposed conditions
Appendix 6	Residential map and list of premises in the vicinity

Report author:	Kevin Jackaman Senior Licensing Officer
Contact:	Telephone: 0207 641 6500 Email: kjackaman@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	Interested party representation (1)	06 April 2020
5	Interested party representation (2)	06 April 2020
6	Interested party representation (3)	06 April 2020
7	Interested party representation (4)	06 April 2020
8	Interested party representation (5)	03 April 2020
9	Interested party representation (6)	03 April 2020
10	Interested party representation (7)	03 April 2020

Premises Licensing
Westminster City Council
15th Floor
64 Victoria Street
London
SW1E 6QP

03 April 2020

CE/SD/L12513-4
Doc Ref: 2147537764

c.eames@popall.co.uk

0203 859 7750

VIA EMAIL ONLY

Dear Sirs,

Objection to New Premises Licence Application and Sexual Entertainment Venue Licence Applications for 37 Duke Street, London W1K 1LN

Application Reference (New Premises Licence) 20/02859/LIPN
Application Reference (SEV Application) 20/02836/LISEVN

We act on behalf of 31 – 37 Dukeson Properties Limited, who are the freeholder of the premises subject to the above two applications.

Our client is aware of the new premises licence application and the sexual entertainment venue licence application that have been submitted to allow the premises to operate as a nightclub and lap dancing club.

Our client has instructed us to submit representations objecting to both the new premises licence application and the sexual entertainment venue application on their behalf.

Summary of objection

We summarise the objection as follows:

1. This represents the latest attempt by the applicant to secure the ability to sell alcohol for longer hours without restaurant conditions.
2. Both applications are contrary to the licensing objectives.
3. The premises licence application is contrary to the Statement of Licensing Policy, has been prepared without proper regard to the Policy, and omits important protective conditions on the existing licence.
4. The SEV licence application is contrary to the SEV Statement of Licensing Policy, and should be refused on the grounds relating to the character of the locality, the

use of premises in the vicinity and the layout, character and condition of the premises.

Licensing History

The applicant, Electshow Limited (“the licensee”), holds an existing premises licence for the premises, licence number 19/11489/LIPV, and they have historically operated a nightclub from the premises.

In 2015, the licensee applied for a minor variation to add conditions to the licence on the insistence of the Police, following incidents of crime and disorder at the premises. These conditions included: the use of ID scan; a minimum of 3 SIA-licensed door staff on Sunday to Wednesday and 4 on Thursday to Saturday, and a last entry of 2.45 a.m. on Sunday to Wednesday and 4.30 a.m. on Thursday to Saturday.

Historically, the premises had permission to sell alcohol until 3am. In 2017, an application sought to extend that permission to 6am. At the hearing of the application, the licensee suggested that a restaurant condition be added to sales of alcohol after 3 a.m. On that basis, the Licensing Sub-Committee granted the variation, stating that the restaurant condition “would assist the licensing objectives being met.”

We would also note that prior to the hearing the premises were permitted to trade from 10 a.m. on Monday to Saturday and from 12:00 on Sunday. At the same hearing, the licensee made it clear that the premises operated a membership scheme including membership rules, that it had a small, young, gay clientele who tended not to arrive until later hours, and that consequently if the later hours application was granted, it would be content with a later commencement of licensable activities of 11 p.m. The variation application was therefore granted subject to this later commencement of trade.

Despite this outcome, in 2019, the licensee applied to remove the restaurant condition between these hours entirely and make some further amendments to the application. This received objections. At the hearing on 7th November 2019, the licensee modified the application so that the restaurant condition remained, but the requirements that customers be shown to their table and eat off non-disposable crockery were removed.

The licensee also applied to extend the last entry time to 4.30 a.m. on Monday to Saturday. Again, at the hearing this was modified to Wednesday to Saturday.

The Sub-Committee stated that it “was pleased to note that the Applicant amended their application in the light of the objections.” It therefore granted the application as amended.

At the hearing, the licensee described the clientele as Middle Eastern gay men and the food offer as Lebanese mezze. It also stated that it was rare for the premises to operate to its licensed capacity of 90, and that on an average night the capacity would be 50-60 people.

So far as the club was concerned, licence condition 42 stated that alcohol may only be sold for consumption by members of the private club and their bona fide guests.

It will therefore be seen that, dealing with a number of applications to relax conditions, the Sub-Committee has struck a careful balance for what was presented as a club for Middle Eastern gay men, in terms of restaurant conditions, commencement and terminal hours, membership, last entry and SIA supervision.

As the landlord, our client is extremely concerned to maintain that balance. It has experience of the premises causing significant harm to the crime prevention objective and wishes to avoid a regression to that state of affairs.

The premises licence application

The new premises licence application seeks licensable activities and opening from 20:00 hours until 06:00 hours the following day, Monday to Saturday, and from 20:00 hours until 00:30 hours the following day on Sundays. A schedule of conditions has been included.

Although the description of the premises in Part 3 of the Operating Schedule is as a lap-dancing club, it is clear from the conditions that it is intended that the premises will also be able to operate as a nightclub. There is specific reference to such use in conditions 28, 30, 34, 36 and 40.

Our client is seriously concerned that nearly all of the controls on the existing premises licence have simply been ignored in the preparation of this application. For example:

- (1) The commencement hour is 8 p.m. rather than 11 p.m.
- (2) Condition 13 on the existing licence, which sets a capacity of 90, is no longer proposed. (The capacity in proposed condition 19 is left blank.)
- (3) Condition 16, which requires tables and chairs to be laid out to a minimum capacity of 90 covers, is no longer proposed.
- (4) Condition 17, which requires the sale of alcohol to be ancillary to the use of the premises for music and dancing and substantial refreshment, is no longer proposed.
- (5) Condition 24, which requires a Challenge 21 scheme to be operated, is no longer proposed
- (6) Condition 29, which requires supervision of queuing and smoking to prevent nuisance and obstruction, is no longer proposed.
- (7) The requirements for 3 door staff on Sunday to Tuesday and 4 on Wednesday to Saturday in conditions 30 and 31, and for 2 of these to be on duty at the entrance has been lost. The only door supervisor requirement proposed is for when the premises is operating as a nightclub, with proposed condition 28 requiring 2 at the entrance and 4 inside. There is no proposal for when it is operating as an SEV.
- (8) The last entry conditions of 2.45 a.m. on Sunday to Tuesday and 4.30 a.m. for Wednesday to Saturday in conditions 33 and 34 are no longer proposed.

- (9) Condition 38 of the existing licence requires all SIA door supervisors to be employed by an independent contractor. Proposed condition 34 dilutes this requirement so that it only operates when the premises is operating as a nightclub. This would seem to permit directly employed door staff to work when the premises is operating as an SEV. Unless the applicant is licensed by the Security Industry Authority as a non-front line provider, this is not lawful.
- (10) The requirement for an ID scan in condition 41 is lost when the premises operates as an SEV. Proposed conditions 40 and 41 require an ID scan only for nightclub use, and even then subject to an exception for 20 guests as opposed to the 10 guests under the current condition.
- (11) Condition 42, which restricts the sale of alcohol to members of the private club and their guests, is no longer proposed.
- (12) Condition 43, which prevents the sale of alcohol after 3 a.m. save as ancillary to a table meal, is no longer proposed.
- (13) Condition 44, which requires waiter/waitress service of all alcohol, is no longer proposed.
- (14) Condition 46, which requires the operation of a queuing and dispersal policy, is no longer proposed.
- (15) Conditions 47 and 48, which prevent nuisance and also prevent loudspeakers in the lobby or outside, are no longer proposed.
- (16) Conditions 49 and 50, which restrict the number of people who may stand outside and smoke after 11 p.m., and which prevent alcohol being taken outside by smokers at all times, are no longer proposed.
- (17) Condition 58, which requires two of the door staff to wear body worn video cameras, is no longer proposed.

As may be seen, therefore, this application is a fundamentally different proposition from the current licence. It starts earlier. It removes the restaurant condition for later service. It abandons the membership condition. And it removes a large number of controls which have been forged over the years for the protection of residents and businesses in the vicinity, including in the very same building.

It is a matter of record that the premises historically caused harm to the licensing objectives. In recent years, such difficulties have reduced as a result of the timely addition of strict conditions governing the operation and the reduction in hours of operation. It is therefore a matter of great concern that this application represents a wholesale abandonment of that scheme of control. Our client strongly objects to this application for that reason.

This nightclub shares occupation of the premises with a family café and a number of small offices. The hours are already late enough that staff turning up for work can be confronted with stragglers leaving the premises and this creates a threatening environment that impacts the use of the property by others. The proposal for a nightclub with terminal hours of 6 a.m. operating out of this building without restaurant conditions and with a relaxed set of conditions is entirely unacceptable.

We also submit that the application is directly contrary to the Council's Statement of Licensing Policy. In particular:

- It will have the effect of creating a late night bar with insufficient conditions to promote the licensing objectives.
- The Licensing Policy in its introduction recognises that *"the council wishes to discourage drunkenness and to encourage the provision of more seating in premises which serve alcohol for people to sit and enjoy a drink and order food by table service, in place of open bar space which caters for high volume vertical drinking"*. This is not what has been proposed.
- Contrary to paragraph 1.3, there is no provision for a wind-down period.
- Contrary to Policy CD1, the application contains insufficient management measures to prevent crime and disorder.
- Contrary to Policy PN1, the application contains insufficient management measures to prevent public nuisance.
- The hours applied for are directly contrary to Policy HRS1(ii). In particular: the hours are significantly beyond core hours, while there has not been compliance with the relevant criteria in policies CD1 and PN1; there is residential accommodation in the proximity of the premises that would be likely to be adversely affected by premises being open or carrying out operations at the hours proposed; customers will be permitted to stand outside the premises, and the past operation of the premises and the licensing history shows that it has been necessary to strike a very careful balance in order to protect the licensing objectives.

Further, policy HRS1 states: *"The type of use: recognising that premises that sell alcohol, play music for dancing, provide fast food, are more likely to be associated with crime and disorder and public nuisance than restaurants, theatres, cinemas, other performance venues or qualifying clubs."* In this case, the proposal abandons the restaurant condition previously offered and imposed to secure longer hours.

Policy HRS1 also states: *"The Licensing Authority will take into account the active measures proposed for a 'winding down' period..."* No such measures have been proposed in this case.

- The application should also be viewed in light of Policy PB1 which clearly stipulates that *"applications will only be granted if it can be demonstrated that the proposal meets the relevant criteria in Policies CD1, PS1, PN1 and CH1."* The applicant has provided no additional information in the operating schedule regarding how this will be addressed. In fact, the proposal is to have markedly fewer controls than have historically been applied at this premises.

The licensee was the holder of an SEV licence and premises licence at premises in Dover Street, Mayfair. That premises has now closed. It seems that, for reasons which are unclear, the current application has simply replicated most of the conditions from the Dover Street premises licence. In doing so the licensee proposes to overwrite the conditions which have historically applied at the Duke Street premises.

The licensee has provided no additional information in the new premises licence application operating schedule as to how they will address issues of crime and disorder and anti-social behaviour that are bound to occur if this application is granted, nor is there any information that relates to how the licensing objectives will be addressed at these specific premises.

In summary, the premises licence application represents a wholesale release from the controls which have evolved over the years to promote the licensing objectives, it is contrary to policy and will clearly risk harm to the licensing objectives. It does not appear that the application has been carefully thought through as one would expect for an application for a 6 a.m. nightclub. We anticipate that the licensee may seek at a late stage to recover the position by making suggestions for significant amendments to the application. This would not be a satisfactory approach. We respectfully submit that the application is fundamentally deficient and should be refused.

The SEV application

The sexual entertainment venue licence application seeks permission for relevant entertainment in the form of striptease, pole dancing and table dancing with full nudity from 21:00 hours to 06:00 hours the following day, Monday to Saturday.

Our client strongly objects to the conversion of the basement of its building to a sexual entertainment venue. It notes with regret that its tenant did not inform it of this proposal prior to making the application.

It is right to point out that a significant transformation of the character of Duke Street has taken place in the past few years. From being a 'service road' alongside Selfridges, Duke Street is becoming a destination in its own right. The most obvious signifiers of this change are the improvements made by Selfridges opposite. Their new entrance has become a public meeting place and the Brasserie of Light restaurant has a dedicated entrance onto Duke Street diagonally opposite 37 Duke Street. Most recently the opening of Selfridges' new cinema has also improved public amenity on the street. Granting a licence for a sexual entertainment venue would represent a serious backward step and would undermine the positive changes made by a number of stakeholders.

On top of this our client's own building comprises other uses that will be severely impacted by the proposed changes. The upper floors house a number of self-contained offices used by a law firm, a company specialising in further education and the offices of a self-storage

Premises Licensing
Westminster City Council
15th Floor
64 Victoria Street
London
SW1E 6QP

03 April 2020

CE/SD/L12513-4
Doc Ref: 2147537764

c.eames@popall.co.uk
0115 953 8500

VIA EMAIL ONLY

Dear Sirs

Objection to New Premises Licence Application and Sexual Entertainment Venue Licence Applications for 37 Duke Street, London W1K 1LN

Application Reference (New Premises Licence) 20/02859/LIPN
Application Reference (SEV Application) 20/02836/LISEVN

We act on behalf of Selfridges Retail Limited ('Selfridges'), which is a tenant of 400 Oxford Street and associated properties on Duke Street.

Our client is aware of the new premises licence application and the sexual entertainment venue licence application that have been submitted to allow the premises to operate as a nightclub and lap dancing club.

Our client has instructed us to submit representations objecting to both the new premises licence application and the sexual entertainment venue application on their behalf.

Our client has seen the letter of objection written on behalf of 31 – 37 Dukeson Properties Limited. It agrees entirely with and adopts the contents of that letter. In this letter, therefore, we make points which are specific to Selfridges' retail store, which is a near neighbour of the site.

Selfridges has been a tenant in the locality for many years and considers the locality as one of mainly high-end retail, family friendly leisure and residential use. Selfridges has worked hard to cultivate this character and invested considerably in this, such as the quite recent construction and opening of the Brasserie of Light restaurant and the Selfridges Cinema. Its Duke Street entrance is an importance entrance to the store, and has recently been completely remodelled at a cost of c. £300 million to enhance the sense of arrival at the store and make a significant contribution to the character of the street.

Accordingly, Selfridges objects to the grant of the SEV as it believes that the proposal will significantly and adversely affect the current character of the locality.

In accordance with the SEV Policy, our client understands that one of the factors the council will consider when reviewing a SEV licence application is if the locality is predominately (i) high profile retail, (ii) iconic in nature or (iii) one of family entertainment or leisure. Selfridges is very concerned about the negative impact the presence of a sexual entertainment venue will likely have on this type of locality.

Our client believes that the current locality encompasses all three of these elements, for the following reasons:

1. With concessions including Chanel, Prada, Dior, Hermes and many more Selfridges is a destination for high end retail;
2. Since the opening of the Selfridges store on Oxford Street in 1909, Selfridges has welcomed visitors from all around the world through its doors and itself has become an attractive and iconic world-wide tourist destination;
3. With the opening of the new toy shop FAO Schwarz and the Selfridges Cinema in 2019, more so than ever Selfridges has become a destination and place of entertainment for all members of the family.

Given the characteristics of the locality highlighted above and in line with the council's policies, the SEV licence is simply inappropriate.

In order to further foster the current characteristics of Duke Street, Selfridges has invested substantial amounts to the development of the area, most notably the recent opening of:

1. Selfridges Duke Street entrance to the Selfridges Accessories Hall, with amenities outside including trees, a bench and water fountain;
2. The Selfridges Cinema; and
3. The Brasserie of Light restaurant and its entrance on Duke Street.

The granting of the SEV application would significantly hinder the hard work they have done to develop the area and constitute a substantial step back in further elevating the locality.

Our client is deeply concerned about a sexual entertainment operation which opens its doors at 8 p.m. At certain times of the year the store opens until 10pm so this a full 2 hours before Selfridges shuts its doors. Brasserie of Light and Selfridges Cinema, both with entrances in Duke Street, open much later. Additionally there are 24 hour staff working in the store. This may be appropriate in a night time entertainment locality, but it is not appropriate in a high-end shopping and residential area.

Turning to the statutory grounds of refusal, it is our client's submission that the grant of an SEV licence is not appropriate in light of:

- the character of the locality: Duke Street is an iconic retail destination for a huge number of local people and UK and international visitors to London.
- The use of other properties in the vicinity: there are a number of residential properties in the vicinity and the area is also iconic for its retail offer. The entrance is directly opposite to Selfridges which is a world famous shopping destination. The entrance is also close to the restaurant and cinema operated within Selfridges store, which will attract visitors and families.
- The layout, character or condition of the premises. Certainly, the character of the building does not lend itself to being a strip club.

In conclusion, our client submits that if either application is granted, it will adversely affect the licensing objectives and therefore, the applications should be refused. The SEV application is itself inappropriate in the light of the character of the locality and the nature of uses in the vicinity.

Our client reserves the right to raise additional matters at the Licensing Sub Committee Hearing of the applications and further to provide evidence in relation to the issues highlighted within this letter of representation.

Should you require any additional information, then please contact Clare Eames on the above number.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Poppleston Allen'.

Poppleston Allen



Licensing Authority
Westminster City Council
Sent via email: licensing@westminster.gov.uk

3 April 2020

Dear Sirs,

Application Licensing Reference Number 20/02859/LIPN

We write in response to the above Application Licensing Reference.

New West End Company is the Business Improvement District for London's West End, representing over 600 retail, hospitality, entertainment and property businesses in and around Oxford Street, Bond Street, Regent Street and East Mayfair.

We would like to object most strongly to the application for this property.

New West End Company has been contributing to the City Plan review, seeking more flexibility of uses in the West End to allow for uses that are complementary to core retail uses. This will enable the West End to respond effectively to evolving retail trends and visitor demands.

However, we do not believe that a lap dancing club is an appropriate use in this vicinity.

Emerging visions for the Oxford Street District, supported by significant public and private sector investment, are conscious of the need to ensure that new uses should contribute to the overall global appeal of the district, as a world class shopping and entertainment district. We do not believe that a lap dancing club contributes to these visions. Indeed, we are concerned that allowing it, and setting a precedent, would significantly damage the area.

The site is adjacent to one of the West End's most iconic department stores that attracts visitors of all ages from all around the world. We believe that a lap dancing club would detract from this and other surrounding stores.

In addition, we are concerned about late night entertainment in an area with significant residential premises. New West End Company and its members are always aware of the need to be sensitive to concerns of residents and, from many years' experience, we do not believe that a lap dancing club would be appreciated in this area.

We believe that sex related premises should be concentrated in areas that are traditionally known for such uses. We do not believe that new areas should be established for sex-related businesses.

Yours faithfully



3rd Floor, Heddon House,
149-151 Regent Street, London W1B 4JD
Tel: +44 (0)20 7462 0680 Web: newwestend.com

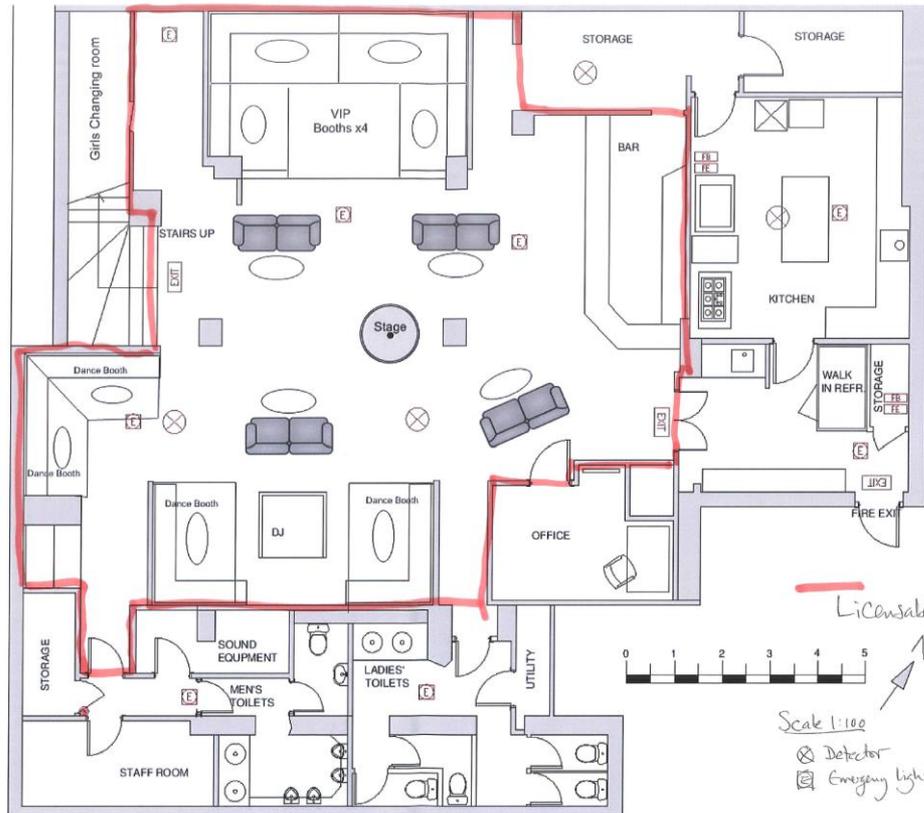


Registered Office: 3rd Floor, Heddon House,
149-151 Regent Street, London W1B 4JD. Registered No. 04039488



Ground - Entrance

25th
St
27th St



Scale 1:100
X Detector
E Emergency lighting



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

Schedule 12
Part A

**WARD: Marylebone High
Street**
UPRN: 010033533695

Premises licence

Regulation 33, 34

Premises licence number:

19/11489/LIPV

Original Reference:

05/06008/LIPCV

Part 1 – Premises details

Postal address of premises:

Blanca
37 Duke Street
London
W1U 1LN

Telephone Number: 020 7935 9459

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

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

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

Performance of Dance

Monday to Saturday: 09:00 to 06:00
Sunday: 09:00 to 03:00

Performance of Live Music

Monday to Saturday: 09:00 to 06:00
Sunday: 09:00 to 03:00

Playing of Recorded Music

Unrestricted

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

Monday to Saturday: 09:00 to 06:00
Sunday: 09:00 to 03:00

Late Night Refreshment

Monday to Saturday: 23:00 to 05:00
Sunday: 23:00 to 03:00

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

Sale by Retail of Alcohol

Monday to Saturday: 10:00 to 06:00
Sunday: 12:00 to 00:30

For times authorised for Christmas, New Year and Good Friday see conditions at Annex 3

The opening hours of the premises:

Monday to Saturday: 09:00 to 06:00
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 both on and off the Premises.

Part 2**Name, (registered) address, telephone number and email (where relevant) of holder of premises licence:**

Electshow Ltd
37 Duke Street
London
W1M 5DF
Business Phone Number : 020 7409 0822

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

03281959

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

Name: Wahid Mekhaiel

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: 00997
Licensing Authority: London Borough Of Hounslow

Date: 23 March 2020

This licence has been authorised by Kevin Jackaman 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.
9. All persons guarding premises against unauthorised access or occupation or against outbreaks of disorder or against damage (door supervisors) must be licensed by the Security Industry Authority.

Annex 2 – Conditions consistent with the operating Schedule

None

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

10. This licence is subject to all the former Rules of Management for Places of Public Entertainment licensed by Westminster City Council, in force from 4 September 1998 and incorporating amendments agreed by the Council on 25 October 1999, 30 June 2000, 16 January 2001 and 1 October 2001.
11. On New Year's Eve the premises can remain open for the purpose of providing regulated entertainment from the time when the provision of regulated entertainment must otherwise cease on New Year's Eve to the time when regulated entertainment can commence on New Year's Day (or until midnight on New Year's Eve where no regulated entertainment takes place on New Year's Day).
12. Notwithstanding the provisions of Rule of Management No. 6 the premises may remain open for the purposes of this licence from 11pm on each of the days Monday to Saturday to 6am on the day following and from 11pm on Sunday to 3am on the day following.
13. The number of persons permitted in the premises at any one time (excluding staff) shall not exceed 90 persons.
14. Substantial food and suitable beverages other than intoxicating liquor (including drinking water) shall be available during the whole of the permitted hours in all parts of the premises where intoxicating liquor is sold or supplied.
15. There shall be no striptease or nudity, and all persons shall be decently attired at all times, except when the premises are operating under the authority of a Sexual Entertainment Venue licence.
16. With the exception of the bar area, the area hatched on the deposited plan shall be permanently laid out to tables and chairs to a minimum capacity of 90 covers.
17. (a) Subject to the following paragraphs, the permitted hours for the sale of alcohol shall commence at 23:00 Mondays to Saturdays and extend until 06.00 on the morning following except that:
 - (i) the permitted hours shall end at 00.00 midnight on any day on which music and dancing is not provided after midnight; and
 - (ii) On any day that music and dancing end between 00.00 midnight and 06.00, the permitted hours shall end when the music and dancing end
- (b) The permitted hours on Sundays shall commence at 23.00 and extend until 03:00 on the morning following, except that-
 - (i) the permitted hours shall end at 00.00 midnight on any Sunday on which music and dancing is not provided after midnight;
 - (ii) Where music and dancing end between 00.00 midnight on any Sunday and 03:00, the permitted hours shall end when the music and dancing end
- (c) The sale of alcohol must be ancillary to the use of the premises for music and dancing and substantial refreshment.
- (d) The permitted hours on New Year's Eve will extend to the start of permitted hours on the following day, or if there are no permitted hours on 1 January, to 00.00 on New Year's Eve.

NOTE – The above restrictions do not prohibit:

- (a) of the the sale or supply of alcohol to or the consumption of alcohol by any person residing in the licensed premises;
- (b) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- (c) the sale of alcohol to a trader or registered club for the purposes of the trade or club;
- (d) 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;
- (e) the taking of alcohol from the premises by a person residing there;
- (f) 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;
- (g) 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.

18. 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.

19. If any entertainment is provided for children or if an entertainment is provided at which the majority of persons attending are children, then, if the number of children attending the entertainment exceeds 100, it shall be the duty of the holder of this premises licence / club premises certificate:

- (a) to station and keep stationed wherever necessary a sufficient number of adult attendants, properly instructed as to their duties, to prevent more children or other persons being admitted to the building, or to any part thereof, than the building or part can properly accommodate,
- (b) to control the movement of the children and other persons admitted while entering and leaving the building or any part thereof, and

- (c) the to take all other reasonable precautions for the safety of the children.
20. The terminal hour for late night refreshment on New Year's Eve is extended to 05:00 on New Year's Day.
 21. 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 preceding 31 day period.
 22. 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.
 23. There shall be a personal licence holder on duty on the premises at all times when the premises are authorised to sell alcohol.
 24. A Challenge 21 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
 25. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) the 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 or searching equipment or scanning equipment
 - (g) any refusal of the sale of alcohol
 - (h) any visit by a relevant authority or emergency service.
 26. All management at the premises shall undergo crime scene management training given by Westminster City Council. All SIA staff shall be given training from management on current licensing issues twice yearly including input of premises licence conditions.
 27. All staff training records will be properly maintained by way of a log or record and will be available for inspection on request of Police or other responsible authority. These records will include dates of first aid/crime scene/licensing training and an outline of roles and responsibilities of each staff member working at the premises during licensable hours including SIA staff.
 28. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by the police or an authorised officer of the City Council at all times whilst the premises is open.
 29. The premises licence holder shall ensure that any patrons queuing/smoking outside the premises do so in an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.

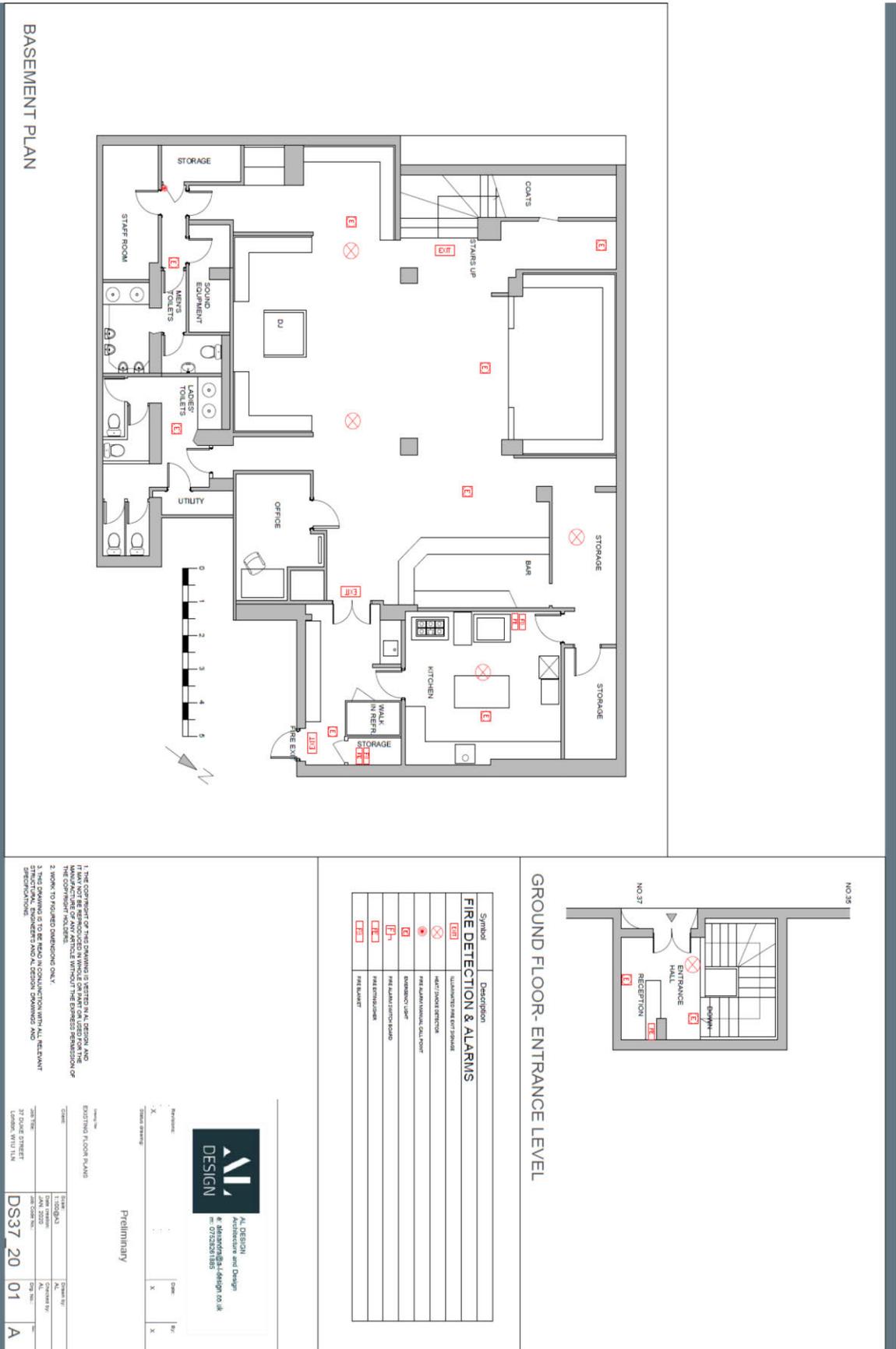
30. A minimum of three (3) SIA licensed door supervisors shall be on duty when the premises are open on Sunday to Tuesday.
31. A minimum of four (4) SIA licensed door supervisors shall be on duty when the premises are open on Wednesday, Thursday, Friday & Saturday.
32. At least (2) SIA licensed door supervisors shall be on duty at the entrance of the premises at all times whilst it is open for business.
33. On the mornings following Sunday to Tuesday, the last entry to the premises will be 2.45am.
34. On the mornings following Wednesday, Thursday, Friday and Saturday there shall be no admittance or re-admittance to the premises after 04:30am, save for those persons leaving the premises temporarily to smoke.
35. All door supervisors engaged outside the entrance to the premises and ground floor reception area, or supervising or controlling queues, shall wear high visibility yellow jackets or tabards.
36. In the event that a serious assault is committed on or immediately outside the premises (or appears to have been committed) to the managements knowledge, the management will immediately ensure that:
 - (a) The police (and where appropriate, the London Ambulance service) are called without delay, using telephone number 999;
 - (b) All measures that are reasonable practicable are taken to apprehend any suspects pending the arrival of the Police;
 - (c) As far as is reasonably practicable, the crime scene is preserved so as to enable a full forensic investigation to be carried out by the Police; and
 - (d) Such other measures are taken (as appropriate) to fully protect the safety of all persons present on the premises.
37. No taxi drivers, minicab drivers or chauffeurs shall be permitted to enter the premises at any time.
38. All SIA door supervisors working at the premises will be employed by an external independent SIA contractor.
39. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
40. Door staff shall remind patrons leaving the premises of the residential nature of the area and to keep noise to a minimum.
41. All customers entering the premises shall have their ID scanned on entry, save for when a biometric scanning system is in place (when fingerprint scanning will be required for all customers who have previously shown identification at the premises). The details recorded by the ID scanner system shall be made available to the Police upon request. All customers entering shall have their facial image captured by the ID scanner camera except for persons 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 exception, namely that a maximum number of 10 guests per night may be admitted at the Managers discretion without necessary ID being scanned and recorded. The admission of such guests however shall be in accordance with the following procedure:
 - (i) 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.

42. Alcohol may only be sold for consumption by members of the private club and their bona fide guests (not exceeding (4) guests per member). No person shall be admitted to membership of the private club or be entitled to take advantage of any of the privileges of membership without their ID being verified.
43. Between 03.00 and 06.00 The supply of alcohol at the premises shall only be to a person seated taking a table meal there and for consumption by such a person as ancillary to their meal.
44. The supply of alcohol shall be by waiter or waitress service only.
45. The licensee shall provide induction and refresher training in relation to the Licensing Act 2003 and the associated requirements and responsibilities which arise under it together with the premises' specific policies and procedures to persons employed by the premises where such training is relevant to the persons role. The training shall be delivered at least every 6 months and by a person who holds a personal licence or other equivalent accredited qualification. When members of staff have received training in relation to the selling of alcohol and company policy, a record of the training and a sample copy of the training pack/document shall be attached to staff records, which shall be available for inspection by authorised licensing or police officer on reasonable request.
46. A Queuing and Dispersal Policy shall be operated by the venue. Such policy shall be adhered to at all times the premises are operating under the premises licence, accepting that the policy may have different requirements for different periods of the day and different uses of the premises.

This policy should also contain a staggered dispersal strategy in order to minimise the potential for disruption and anti-social behaviour within the surrounding area.
47. 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.
48. Loudspeakers shall not be located in the entrance lobby or outside the premises building.
49. After 23:00 hours, patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall be limited to 5 persons at any one time.
50. 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.
51. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
52. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.
53. 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.
54. 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.

55. All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.
56. All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device.
57. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
58. A minimum of two (2) SIA licensed door supervisors shall be equipped with Body Worn Video, capable of recording audio and video in any light condition as per the minimum requirements of the Westminster Police Licensing Team. 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 preceding 31 day period. BWV must be activated at an early stage during any incident involving conflict.

Annex 4 – Plans



BASEMENT PLAN

GROUND FLOOR - ENTRANCE LEVEL

Symbol	Description
[E1]	STANDARD FIRE DETECTOR
[E2]	SMOKE DETECTOR
[E3]	FIRE ALARM MANUAL CALL POINT
[E4]	EXTINGUISHER
[E5]	FIRE ALARM CONTROL PANEL
[E6]	FIRE EXTINGUISHER
[E7]	FIRE EXTINGUISHER

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Approved: _____ Date: _____
 Prepared: _____ Date: _____
 Drawn: _____ Date: _____
 Checked: _____ Date: _____
 Project Manager: _____ Date: _____

EXISTING FLOOR PLAN

DATE	11/05/20	SCALE	1:100
DESIGNER	AL DESIGN	CHECKED BY	AL
DATE	11/05/20	SCALE	1:100
DESIGNER	AL DESIGN	CHECKED BY	AL
DATE	11/05/20	SCALE	1:100
DESIGNER	AL DESIGN	CHECKED BY	AL

27 DOCK STREET LONDON W1U 1LN

DS37 20 01 A



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

Schedule 12
Part B

WARD: Marylebone High
Street
UPRN: 010033533695

Premises licence
summary

Regulation 33, 34

Premises licence number:

19/11489/LIPV

Part 1 – Premises details

Postal address of premises:

Blanca
37 Duke Street
London
W1U 1LN

Telephone Number: 020 7935 9459

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

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

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

Performance of Dance

Monday to Saturday: 09:00 to 06:00
Sunday: 09:00 to 03:00

Performance of Live Music

Monday to Saturday: 09:00 to 06:00
Sunday: 09:00 to 03:00

Playing of Recorded Music

Unrestricted

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

Monday to Saturday: 09:00 to 06:00
Sunday: 09:00 to 03:00

Late Night Refreshment

Monday to Saturday: 23:00 to 05:00
Sunday: 23:00 to 03:00

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

Sale by Retail of Alcohol

Monday to Saturday: 10:00 to 06:00
Sunday: 12:00 to 00:30

For times authorised for Christmas, New Year and Good Friday see conditions at Annex 3

The opening hours of the premises:

Monday to Saturday: 09:00 to 06:00
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 both on and off the Premises.

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

Electshow Ltd
37 Duke Street
London
W1M 5DF

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

03281959

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

Name: Wahid Mekhaiel

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

Prohibited

Date: 23 March 2020

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

Premises History

Appendix 6

Application	Details of Application	Date Determined	Decision
05/06008/LIPCV	Conversion and variation	07.09.2005	Granted in part by Licensing Sub Committee
06/11086/WCCMAP	Master Licence	07.09.2005	Granted in part by Licensing Sub Committee
13/06444/LIPDPS	Variation of DPS	16.10.2013	Granted under delegated authority
13/06448/LIPVM	Minor variation – addition of conditions agreed with the Police	16.09.2013	Granted under delegated authority
15/02624/LIPVM	Minor variation – revise conditions agreed with the Police	30.04.2015	Granted under delegated authority
16/03487/LIPV	Full variation – variation of conditions	28.07.2016	Granted by Licensing Sub Committee
17/08201/LIPV	Full variation – Extend hours/addition of conditions	26.10.2017	Granted by Licensing Sub Committee
18/12078/LIPV	Full variation – amend conditions	05.12.2018	Application withdrawn
18/15763/LIPVM	Minor variation – variation of conditions	02.01.2019	Refused under delegated authority
19/00325/LIPVM	Minor variation – addition of conditions	29.01.2019	Granted under delegated authority
19/11489/LIPV	Full variation – amend conditions	07.11.2019	Granted by Licensing Sub Committee

CITY OF WESTMINSTER

MEMORANDUM

TO Kevin Jackaman
REFERENCE 20/02859/LIPN

FROM EH Consultation Team, 15th Floor, City Hall
REFERENCE 20/013614/EHCT
BEING DEALT WITH BY Anil Drayan
TELEPHONE 07931546137
DATE 17 August 2020

BLUSH, GROUND FLOOR, 37 DUKE STREET, LONDON

I refer to the application for a new Premises Licence, 20/02859/LIPN, which is being made concurrently with a Sexual Entertainment Venue Licence application, 20/02836/LISEVN, for the above premises.

Further to my memo dated 20 April 2020 Environmental Health submit the following further information:

A. Environmental Health relevant records for last 2 years for operation of Blush nightclub under Premises Licence, 19/11489/LIPV:

- i. **Date and time of Complaint:** Sunday 04.02.2018, 04:02 hours

Nature of complaint: Complaint regarding people, smoking and creating noise in Picton Place

Action by City Inspectors:

- Sunday 04.02.2018, 04:02 Visited to discuss staggered dispersal now that they have a terminal hour of 06:00 hours, to ensure the residents of Picton Place are not disturbed.
- Saturday 10.03.2018, 03:30 Observations carried out following a complaint from a resident in Picton Place regarding noise created by customers leaving Burlock and Blush on Duke Street. Time of visit costumers were seen leaving Burlock and getting into cabs that were parked in Picton Place but were generally quiet.
- Sunday 15.04.2018, 04:09 Following up on a noise complaint from Picton Place, observations were carried out on the premises. A large crowd of people were observed standing outside the club. Due to road works being carried out in Duke Street, it was difficult for the taxis to pick up and drop off outside the venue. Further monitoring and a site visit are planned.

- ii. **Date and time of Complaint:** Saturday 30.03.2019, 04:05 hours
- Nature of complaint:** Blush night club playing very loud base
- Action by City Inspectors:**
- Call to customer on 31.3.2019. Customer happy for us to walk by the noise source but not make assessment from inside their property. Explained we must visit. No further action.
- iii. **Date and time of Complaint:** Sunday 31.03.2019, 04:39 hours
- Nature of complaint:** Night club very loud for several hours now
- Action by City Inspectors:**
- 31.03.2019, 04:45 Call to customer, no response. No further action.
- iv. **Date and time of Complaint:** Sunday 17.11.2019, 04:44 hours
- Nature of complaint:** A club is playing loud music. Caller said it feels like she is inside the club
- Action by City Inspectors:**
- SMS Sent to customer 17/11/2019, 05:05
- v. **Date and time of Complaint:** Friday 13.12.2019, 05:46 hours
- Nature of complaint:** Cars racing up and down the street and drunk people coming out of the club.
- Action by City Inspectors:**
- 13.12.2019, Rang spoke to customer says noise is from the patrons of The Blush Nightclub they were shouting, yelling and revving their cars when stationary. Customer advised will hand over the job to the area team to speak to the source.
- vi. **Date and time of Complaint:** Sunday 15.12.2019, 03:47 hours
- Nature of complaint:** Experiencing loud music and noise from a night club Blush lots of people on the streets
- Action by City Inspectors:**
- 15.12.2019, 04:50 visited and noted that there was no queue to enter the club, only pockets of patrons outside smoking and talking but not loudly.

vii. **Date and time of Complaint:** Saturday 21.12.2019, 04:20 hours

Nature of complaint: Noise coming from night club called Blush

Action by City Inspectors:

- 21.12.2019, 05:00 Street level assessment conducted as customer declined visit to affected property as husband was asleep and she didn't want him disturbed. Heavy bass audible and vibrations felt at street level together with voices audible from patrons outside club could potentially be considered as issue. Customer advised and she fully understands that we must visit and assess from inside her property if the issue reoccurs.

viii. **Date and time of Complaint:** Saturday 01.02.2020, 04:04 hours

Nature of complaint: Partying, shouting and playing loud music.

Action by City Inspectors:

- 01.02.2020, 04:20 Called customer to clarify noise source as address given adjacent to club at 37 (bass audible at distance). No reply from customer v/m left. Spoke to club manager - advice given.

B. Environmental Health relevant records for history of applicant's operation of Mayfair Club, 49-50 Dover Street under Premises Licence, 14/09521/LIPVM and SEV Licence, 19/09525/LISEVR:

- No objection from Environmental Health for renewal application, 19/09525/LISEVR, 29 August 2019.
- No record of complaints of nuisance against premises from residents
- City Inspectors comments for operations at Mayfair Club: *'Operator has held a SEV licence at 49-50 Dover Street since 2012 (and other licences for a long time prior to that) without objections and would therefore be hard to argue that the applicant is unsuitable to hold a licence'*

C. Environmental Health propose the following amendments and additional conditions to those proposed in my memorandum dated 20 April:

Amended Conditions:

Condition 1 amended to read:

- On Monday to Saturday the sale of intoxicating liquor shall be ancillary to the premises operating under the authority of a Sexual Entertainment Venue licence and on a Sunday the sale of intoxicating liquor shall be ancillary to the use of the premises as a nightclub (where there shall be provision of music and dancing and substantial refreshment).

Condition 7 amended to read:

- Except for when the premises operates as a nightclub the supply of alcohol shall be by waiter/waitress service at tables only and there shall be no vertical drinking of alcohol at the premises.

Condition 22 amended to read:

- Any special effects or mechanical installations shall be arranged and stored so as to minimise any risk to the safety of those using the premises. The following special effects will only be used after a risk assessment has been carried out by a competent person and a record kept of the assessment for at least a year::
 - dry ice and cryogenic fog
 - smoke machines and fog generators
 - pyrotechnics including fire works
 - firearms
 - lasers
 - explosives and highly flammable substances.
 - real flame.
 - strobe lighting.

Additional Conditions:

Condition 44:

- A Queuing and Dispersal Policy shall be operated by the venue. Such policy shall be adhered to at all times the premises are operating under the premises licence, accepting that the policy may have different requirements for different periods of the day and different uses of the premises. This policy should also contain a staggered dispersal strategy in order to minimise the potential for disruption and anti-social behaviour within the surrounding area.

Condition 45:

- The licensee shall provide induction and refresher training in relation to the Licensing Act 2003 and the associated requirements and responsibilities which arise under it together with the premises' specific policies and procedures to persons employed by the premises where such training is relevant to the persons role. The training shall be delivered at least every 6 months and by a person who holds a personal licence or other equivalent accredited qualification. When members of staff have received training in relation to the selling of alcohol and company policy, a record of the training and a sample copy of the training pack/document shall be attached to staff records, which shall be available for inspection by authorised licensing or police officer on reasonable request.

Condition 46:

- All staff training records will be properly maintained by way of a log or record and will be available for inspection on request of Police or other responsible authority. These records will include dates of first aid/crime scene/licensing training and an outline of roles and responsibilities of each staff member working at the premises during licensable hours Including SIA staff.

Condition 47:

- A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by the police or an authorised officer of the City Council at all times whilst the premises is open.

Condition 48:

- In the event that a serious assault is committed on or immediately outside the premises (or appears to have been committed) to the management's knowledge, the management will immediately ensure that:
 - (a) The police (and where appropriate, the London Ambulance service) are called without delay, using telephone number 999;
 - (b) All measures that are reasonably practicable are taken to apprehend any suspects pending the arrival of the Police;
 - (c) As far as is reasonably practicable, the crime scene is preserved so as to enable a full forensic investigation to be carried out by the Police; and
 - (d) Such other measures are taken (as appropriate) to fully protect the safety of all persons present on the premises.

Condition 49:

- When premises operates as a nightclub all customers entering the premises must be searched (pat down of outer garments as a minimum). All bags being carried by customers entering the premises will also be searched.

Condition 50:

- When premises operates as a nightclub all customers entering the premises will have their ID scanned on entry, save for when a Biometric Scanning System is in place (when fingerprint scanning will be required for all customers who have previously shown identification at the premises).
Notwithstanding this condition, a maximum number of 10 guests per night may be admitted at the manager's discretion without ID being scanned and recorded. A legible record of these people's full names shall be retained on the premises for inspection by the licensing authority and police for a period of 31 days. The name of the manager authorising the entrance without scanning will also be recorded."

Condition 51:

- When premises operates as a nightclub a minimum of two (2) SIA licensed door supervisors shall be equipped with Body Worn Video, capable of recording audio and video in any light condition as per the minimum requirements of the Westminster Police Licensing Team. 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 preceding 31-day period. BWV must be activated at an early stage during any incident involving conflict.

Condition 52:

- When premises operates as a nightclub:
 - a). All drinking vessels used in the venue shall be polycarbonate. All drinks in glass bottles are to be decanted into polycarbonate containers or polycarbonate carafes prior to being served, with the exception of champagne or bottles of spirits with a

minimum size of 70cl supplied by waiter/waitress service to tables. Staff shall clear all empty champagne and spirit bottles promptly from the tables. Customers shall not be permitted to leave their table carrying any such glass bottles or drink directly from the bottle.

b). Notwithstanding a) 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.

Condition 53:

- No licensable activities shall take place at the premises until premises licence 19/11489/LIPV (or such other number subsequently issued for the premises) has been surrendered and is incapable of resurrection.

Should you wish to discuss the matter further or seek further clarification or information please do not hesitate to contact me.

**Anil Drayan,
Environmental Health Officer,
Environmental Health Consultation Team
Regulatory Support Team 2**

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.
9. All persons guarding premises against unauthorised access or occupation or against outbreaks of disorder or against damage (door supervisors) must be licensed by the Security Industry Authority.

Conditions consistent with the operating schedule

10. There shall be no physical contact between dancers whilst performing.
11. There shall be a minimum of three registered door supervisors on the premises at any time and whilst table dancing takes place at least one door supervisor shall be employed in the part of the premises used for table dancing.
12. A noise limiter located in a separate and remote lockable cabinet from the volume control must be fitted to the musical amplification system set at a level determined by and to the satisfaction of an authorised officer of the Environmental Health Service's Community Protection Department so as to ensure that no noise nuisance is caused to local residents or businesses. The operational panel of the noise limiter shall then be secured to the satisfaction of officers from the Environmental Health Service. The keys securing the noise limiter cabinet shall be held by the applicant only, and shall not be accessed by any other person.
13. The limiter shall not be altered without prior agreement with the Environmental Health Service. No alteration or modification to any existing sound system(s) should be effected without prior knowledge of an authorised Officer of the Environmental Health Service.
14. No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device.
15. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
16. Striptease entertainment as part of any table dancing may only be provided by performers or entertainers ("dancers") engaged or employed by Electshow Limited, associated or subsidiary companies of Electshow Ltd or such other organisation as the Police may approve in writing. Each dancer shall upon engagement be given a copy of this code of conduct and a copy of the conditions attached to the premises licence.
17. Full personal details of all dancers shall be kept by the premises and retained for a minimum period of 12 months following the termination of employment or engagement. These details shall include full name and address, date of birth, nationality and national insurance number and passport sized photograph.
18. Before any dancer is allowed to work within the premises and perform lap dancers involving striptease entertainment that dancer shall have undergone an induction at the premises with a manager or the designated premises supervisor of the premises. Such induction shall include providing training and information in relation to the terms and conditions contained within the premises licence, the hostess code of conduct and this code of conduct as well as setting out the standards which the premises expect dancers to adhere to. A written record shall be kept of this fact and placed on the personal file of the dancer. All dancers will be required to book in when arriving for work and out when leaving the premises.
19. Striptease entertainment by way of table dancing shall only be provided by dancers and no members of the audience may be permitted to provide striptease entertainment. The management or dancers shall not encourage or solicit the audience to partake in the striptease entertainment. Dancers may not give out any personal information, including telephone numbers or contact details.
20. Whenever striptease entertainment by way of lap dancing is provided at the premises a member of management shall be on duty within the premises at all times, to supervise the dancers and to ensure that this Code is adhered to.

21. Striptease entertainment by way of table dancing may take place at either table side or on the dance floor and more than one dancer may provide such entertainment at a time. However, such entertainment must always take place so that it is in full view of those supervising such dancing activities.
22. Striptease entertainment shall take place in an area covered by CCTV.
23. A dressing room shall be made available to the dancers and access to this area shall be maintained whilst striptease entertainment is taking place and immediately thereafter. Patrons will not be allowed access to the dressing room. The room shall be secured by means of a coded keypad system and the entrance to the room monitored at all times by the CCTV.
24. The premises licence holder, dancers and any other person connected with the management or organisation of the premises shall not permit, encourage the audience to throw money at or otherwise give gratuities to the dancers otherwise as permitted by paragraph 17 below.
25. There shall be no physical contact between dancers and patrons whilst dancers are providing striptease entertainment other than for the placing of money or tokens into the hands of a dancer or within a garter at the beginning or conclusion of a performance. Notices to this effect shall be prominently displayed at each table and the entrance to the premises.
26. Dancers will redress after each performance and shall be fully clothed between performances. If a dancer is fully clothed and no performance is taking place physical contact between the dancer and patron may take place provided it is not inappropriate physical contact. This will include any contact of a sexual nature whatsoever.
27. There shall be a minimum charge of £10 per music track.
28. Striptease entertainment may not be provided to persons standing at the bar.
29. The premises licence holder, dancers and any person connected with the management or organisation of the premises shall not permit or encourage any dancer to engage in prostitution with any patron or solicit such services.
30. Any dancer attempting to offer herself for prostitution or attempting to solicit such services shall be subject to disciplinary action by the premises. Such behaviour will lead to immediate dismissal from the premises forthwith. The police shall be informed of any such incidents.
31. Dancers will not be allowed to leave the premises with patrons and all reasonable steps will be put in place to ensure that dancers do not make arrangements to meet with patrons outside the premises.
32. Dancers to remain at the premises until 30 minutes after the departure of the last patron or with the consent of the DPS
33. The premises will review this code of conduct periodically with the police and any agreed amendments to the code of conduct may be incorporated into this code.
34. There shall be no external advertising of the striptease facility immediately outside the premises or within the immediate vicinity of the premises.

35. There shall be no discounted or promotions of alcoholic drinks for sale at the premises any time nor shall they be advertised either internally or externally.
36. There shall be a Personal Licence holder on duty on the premises at all times when the premises are authorised to sell alcohol.
37. On any occasion when the premises is not providing table side dancing but is operating as a night club:
 - (a) No drinks shall be served in glass containers at any time apart from bottles of champagne and spirits in line with the Bottle Service Policy.
 - b) At least 2 SIA licensed door supervisors shall be on duty at the entrance of the premises at all times whilst it is open for business.
 - (c) At least 4 SIA licensed door supervisors shall be on duty inside the premises at all times whilst it is open for business.
38. An incident log shall be kept at the premises and made available on request to an authorised officer of Westminster City Council or the Police, which will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received
 - (d) any incidents of disorder
 - (e) seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system or searching equipment
 - (g) any refusal of the sale of alcohol
 - (h) any visit by a relevant authority or emergency service
39. Whenever the premises operates as a night club that is open to the public and providing alcohol and facilities for dancing (notwithstanding '33' below) all drinking vessels used in the venue shall be polycarbonate. All drink in glass bottles are to be decanted into polycarbonate containers or polycarbonate carafes prior to being served, with the exception of champagne or bottles of spirits with a minimum size of 70cl supplied by waiter/waitress service to tables. Staff shall clear all empty champagne and spirit bottles promptly from the tables. Customers shall not be permitted to leave their table carrying any such glass bottles or drink directly from the bottle.
40. Notwithstanding condition 39 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.
41. 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 preceding 31 day period.
42. 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.
43. Whenever the premises operates as a night club that is open to the public and providing alcohol and facilities for dancing all of the door supervisors working at the premises will be employed by an external independent SIA contractor.

44. All security working outside the premises shall wear yellow high visibility jackets or tabards.
45. On any occasion when the premises is not providing table side dancing but is operating as a nightclub and the premises are open to the public, all customers entering the premises must be searched (pat down of outer garments as a minimum).
46. All bags being carried by customers entering the premises will also be searched
47. Substantial food shall be available at all times.
48. The number of persons accommodated at any one time (excluding staff) shall be XXX
49. On any occasion when the premises is not providing table side dancing but is operating as a night club and the premises are open to the public, all customers entering the premises will have their ID scanned on entry, save for when a Biometric Scanning System is in place (when fingerprint scanning will be required for all customers who have previously shown identification at the premises)
50. Notwithstanding condition 49 above, a maximum number of 20 guests per night may be admitted at the managers discretion without ID being scanned and recorded. A legible record of these people's full names shall be retained on the premises for inspection by the licensing authority and police for a period of 31 days. The name of the manager authorizing the entrance without scanning will also be recorded.

Conditions proposed by the Environmental Health Service to replace those proposed by the applicant. These conditions are based on 'model conditions' for consistency of operation of similar premises

1. On Monday to Saturday the sale of intoxicating liquor shall be ancillary to the premises operating under the authority of a Sexual Entertainment Venue licence and on a Sunday the sale of intoxicating liquor shall be ancillary to the use of the premises as a nightclub(where there shall be provision of music and dancing and substantial refreshment).
2. There shall be a minimum of two door supervisors to be employed at the entrance of the premises whenever there is striptease entertainment.
3. All staff engaged outside the entrance to the premises, or supervising or controlling queues, shall wear high visibility jackets or vests.
4. Door supervisors shall remain on duty to supervise the area immediately outside the premises until at least 15 minutes after the last patron has left the premises
5. There shall be a personal licence holder on duty on the premises at all times when the premises are authorised to sell alcohol.
6. Substantial food and non-intoxicating beverages, including drinking water, shall be available during the whole of the permitted hours in all parts of the premises where intoxicants are provided.
7. Except for when the premises operates as a nightclub the supply of alcohol shall be by waiter/waitress service at tables only and there shall be no vertical drinking of alcohol at the premises.
8. Any person permitted to temporarily leave and then re-enter the premises, eg to smoke, shall not be permitted to take drinks or glass containers with them

9. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of a 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 of the City Council throughout the preceding 31 day period.
10. 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 are 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.
11. The premises management will become members and actively participate in a pub watch scheme (or similar) if one is operating in the area of the premises.
12. A sound limiting device located in a separate and remote lockable cabinet from the volume control shall be fitted to any musical amplification system and set at a level determined by and to the satisfaction of an authorised officer of the Environmental Health Service to ensure that no noise nuisance is caused to local residents. No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device. The operational panel of the noise limiter shall then be secured to the satisfaction of officer from the Environmental Health Service. The keys securing the noise limiter cabinet shall be held by the licence holder or authorised manager only, and shall not be accessed by any other person. The limiter shall not be altered without prior agreement with the Environmental Health Service.
13. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
14. No fumes, steam or odours shall be emitted from the licensed premises so as to cause a nuisance to any persons living or carrying on business in the area where the premises are situated.
15. Loudspeakers shall not be located in the entrance lobby or outside the premises building.
16. All external doors shall be kept closed after (21:00) hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons.
17. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly
18. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
19. No waste or recyclable materials, including bottles, shall be moved, removed or placed in outside areas between (23.00) hours and (08.00) hours.
20. 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.

21. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received
 - (d) any incidents of disorder
 - (e) all seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system or searching equipment or scanning equipment
 - (g) any refusal of the sale of alcohol
 - (h) any visit by a relevant authority or emergency service.
22. Any special effects or mechanical installations shall be arranged and stored so as to minimise any risk to the safety of those using the premises. The following special effects will only be used after a risk assessment has been carried out by a competent person and a record kept of the assessment for at least a year:
 - dry ice and cryogenic fog
 - smoke machines and fog generators
 - pyrotechnics including fire works
 - firearms
 - lasers
 - explosives and highly flammable substances.
 - real flame.
 - strobe lighting.
23. The licence holder shall enter into an agreement with a hackney carriage and/or private hire firm to provide transport for customers, with contact numbers made readily available to customers who will be encouraged to use such services.
24. All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device.
25. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
26. Curtains and hangings shall be arranged so as not to obstruct emergency signs.
27. 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.
28. 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.
29. All exit doors shall be available at all material times without the use of a key, code, card or similar means.
30. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall be limited to (5) persons at any one time.
31. Patrons will have a designated smoking area, which shall be supervised by a SIA door supervisor
32. Performers/Dancers permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall be limited to two persons at any one time.

33. An attendant shall be on duty in the cloakroom during the whole time that it is in use.
34. There shall be no new admittance or re-admittance to the premises after 03.00 hours save for persons temporarily leaving to smoke.
35. A challenge 21 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
36. The certificates listed below shall be submitted to the Licensing Authority upon written request:
 - a) Any emergency lighting battery or system
 - b) Any electrical installation
 - c) Any emergency warning system
 - d) Any ceiling inspection certificate
37. Flashing or particularly bright lights on or outside the premises shall not cause a nuisance to nearby properties (save insofar as they are necessary for the prevention of crime).
38. No advertisements of any kind (including placard, poster, sticker, flyer, picture, letter, sign or other mark) that advertises or promotes the establishment, its premises, or any of its highway, or upon any building, structure, works, street furniture, tree, or any other property, or be distributed to the public.
39. There shall be no payment made by or on behalf of the licence holder to any person for bringing customers to the premises.
40. No person on behalf of the premises or on behalf of a person carrying or attempting to carry on a licensable activity at the premises shall cause, permit, employ or allow, directly or indirectly through a third party, whether on payment or otherwise, any person(s) to importune, solicit or tout members of the public on any public highway within the specified area outlined below for the purpose of bringing customers to the premises.

For the purposes of this condition, 'Specified Area' means the area encompassed within Shaftesbury Avenue, Piccadilly Circus, Regent Street up to the junction with Pall Mall, Cockspur Street, Trafalgar Square, Strand up to the junction with Bedford Street, Garrick Street, Great Newport Street and Charing Cross Road to the junction of Shaftesbury Avenue.
41. The maximum number of persons accommodated at any one time (including staff) shall not exceed (x) persons.
42. The Licence will have no effect until the Licensing Authority are satisfied that the premises is 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.
43. Before the premises opens 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 LFEPA, Environmental Health Consultation Team, the Police and the Licensing Authority.
44. A Queuing and Dispersal Policy shall be operated by the venue. Such policy shall be adhered to at all times the premises are operating under the premises licence, accepting

that the policy may have different requirements for different periods of the day and different uses of the premises. This policy should also contain a staggered dispersal strategy in order to minimise the potential for disruption and anti-social behaviour within the surrounding area.

45. The licensee shall provide induction and refresher training in relation to the Licensing Act 2003 and the associated requirements and responsibilities which arise under it together with the premises' specific policies and procedures to persons employed by the premises where such training is relevant to the persons role. The training shall be delivered at least every 6 months and by a person who holds a personal licence or other equivalent accredited qualification. When members of staff have received training in relation to the selling of alcohol and company policy, a record of the training and a sample copy of the training pack/document shall be attached to staff records, which shall be available for inspection by authorised licensing or police officer on reasonable request.
46. All staff training records will be properly maintained by way of a log or record and will be available for inspection on request of Police or other responsible authority. These records will include dates of first aid/crime scene/licensing training and an outline of roles and responsibilities of each staff member working at the premises during licensable hours Including SIA staff.
47. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by the police or an authorised officer of the City Council at all times whilst the premises is open.
48. In the event that a serious assault is committed on or immediately outside the premises (or appears to have been committed) to the management's knowledge, the management will immediately ensure that:
 - (a) The police (and where appropriate, the London Ambulance service) are called without delay, using telephone number 999;
 - (b) All measures that are reasonably practicable are taken to apprehend any suspects pending the arrival of the Police;
 - (c) As far as is reasonably practicable, the crime scene is preserved so as to enable a full forensic investigation to be carried out by the Police; and
 - (d) Such other measures are taken (as appropriate) to fully protect the safety of all persons present on the premises.
49. When premises operates as a nightclub all customers entering the premises must be searched (pat down of outer garments as a minimum). All bags being carried by customers entering the premises will also be searched.
50. When premises operates as a nightclub all customers entering the premises will have their ID scanned on entry, save for when a Biometric Scanning System is in place (when fingerprint scanning will be required for all customers who have previously shown identification at the premises).
Notwithstanding this condition, a maximum number of 10 guests per night may be admitted at the manager's discretion without ID being scanned and recorded. A legible record of these people's full names shall be retained on the premises for inspection by the licensing authority and police for a period of 31 days. The name of the manager authorising the entrance without scanning will also be recorded.
51. When premises operates as a nightclub a minimum of two (2) SIA licensed door supervisors shall be equipped with Body Worn Video, capable of recording audio and video in any light condition as per the minimum requirements of the Westminster Police Licensing Team. 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 preceding 31-day period. BWV must be activated at an early stage during any incident involving conflict.

52. When premises operates as a nightclub:
 - a). All drinking vessels used in the venue shall be polycarbonate. All drinks in glass bottles are to be decanted into polycarbonate containers or polycarbonate carafes prior to being served, with the exception of champagne or bottles of spirits with a minimum size of 70cl supplied by waiter/waitress service to tables. Staff shall clear all empty champagne and spirit bottles promptly from the tables. Customers shall not be permitted to leave their table carrying any such glass bottles or drink directly from the bottle.
 - b). Notwithstanding a) 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.

53. No licensable activities shall take place at the premises until premises licence 19/11489/LIPV (or such other number subsequently issued for the premises) has been surrendered and is incapable of resurrection.

Conditions proposed by the Police

None



Resident count: 150

Licensed premises within 75 metres of 37 Duke Street

Licence Number	Trading Name	Address	Premises Type	Time Period
19/11489/LIPV	Blanca	Ground Floor Front 37 Duke Street London W1U 1LN	Wine bar	Monday to Saturday; 09:00 - 06:00 Sunday; 09:00 - 03:00
06/10991/WCCMAP	Silvio's Quality Sandwich Bar	Ground East 37 Duke Street London W1U 1LN	Shop	Monday to Saturday; 10:00 - 23:30 Sunday; 12:00 - 23:00
20/04571/LIPDPS	Burlock	31 Duke Street London W1U 1LG	Public house or pub restaurant	Monday to Thursday; 09:00 - 02:30 Friday to Saturday; 09:00 - 03:30 Sunday; 09:00 - 23:00

20/00873/LIPDPS	Burlock	31 Duke Street London W1U 1LG	Public house or pub restaurant	Monday to Thursday; 09:00 - 02:30 Friday to Saturday; 09:00 - 03:30 Sunday; 09:00 - 23:00
19/10001/LIPVM	Henry Holland Public House	39 Duke Street London W1U 1LP	Public house or pub restaurant	Monday to Wednesday; 10:00 - 00:30 Thursday; 10:30 - 00:30 Friday to Saturday; 10:00 - 01:30 Sunday; 11:00 - 23:00
18/12199/LIPVM	Not Recorded	16-17 Picton Place London W1U 1BP	Restaurant	Monday; 10:00 - 23:30 Tuesday; 10:00 - 23:30 Wednesday; 10:00 - 23:30 Thursday; 10:00 - 23:30 Friday; 10:00 - 23:30 Saturday; 10:00 - 23:30 Sunday; 12:00 - 23:00
13/02533/LIPDPS	Amjadia Indian Restaurant	15-16 Picton Place London W1U 1BW	Restaurant	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
16/11958/LIPVM	Molé	16-17 Picton Place London W1U 1BP	Restaurant	Monday to Saturday; 10:00 - 23:30 Sunday; 12:00 - 23:00
18/08472/LIPDPS	Busaba Eathai	8 - 13 Bird Street London W1U 1BU	Restaurant	Monday to Saturday; 08:00 - 01:00 Sunday; 08:00 - 00:30
20/01858/LIPDPS	Lazeez Lebanese Tapas	29 Duke Street London W1U 1LF	Cafe	Monday to Thursday; 10:00 - 23:30 Friday to Saturday; 10:00 - 01:30 Sunday; 12:00 - 23:00

19/16004/LIPDPS	All Bar One	5A Picton Place London W1U 1BH	Public house or pub restaurant	Monday to Saturday; 08:00 - 23:30 Sunday; 08:00 - 23:00
06/11182/WCCMAP	James Newsagent	Ground Floor 29 James Street Marylebone London W1U 1DU	Shop	Monday to Saturday; 08:00 - 23:00 Sunday; 10:00 - 22:30
18/08557/LIPDPS	Ping Pong	29A James Street Marylebone London W1U 1DZ	Restaurant	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
20/02654/LIPDPS	Slim Chicken	35 James Street Marylebone London W1U 1EA	Restaurant	Monday to Saturday; 10:00 - 23:30 Sunday; 12:00 - 23:00
20/03106/LIPVM	Yamabahce	Ground 26 James Street Marylebone London W1U 1EN	Restaurant	Monday; 09:00 - 00:30 Tuesday; 09:00 - 00:30 Wednesday; 09:00 - 00:30 Thursday; 09:00 - 00:30 Friday; 09:00 - 00:30 Sunday; 12:00 - 22:30
13/03207/LIPDPS	Massis	Ground Floor 28 James Street Marylebone London W1U 1EW	Restaurant	Monday to Sunday; 08:00 - 01:30
18/09751/LIPDPS	Harrys Bar	Ground Floor 32 James Street Marylebone London W1U 1EP	Restaurant	Monday to Sunday; 11:00 - 00:30