

Licensing Sub-Committee Report

Item No:	
Date:	24 September 2020
Licensing Ref No:	20/04234/LIPN - New Premises Licence
Title of Report:	Mr Fogg's Society of Exploration 1A Bedford Street London WC2E 9HD
Report of:	Director of Public Protection and Licensing
Wards involved:	St James's
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:	28 May 2020		
Applicant:	Bedford Street Bar Ltd		
Premises:	Mr Fogg's Society of Exploration		
Premises address:	1A Bedford Street London WC2E 9HD	Ward:	St James's Ward
		Cumulative Impact Area:	West End
Premises description:	According to the application form the premises trade as a Lounge and wine bar		
Premises licence history:	A premises licence is currently in existence for the premises under reference 20/00229/LIPDPS. A copy of this licence is attached at Appendix 2 and the history for this licence is set out at Appendix 3.		
Applicant submissions:	None		

1-B Proposed licensable activities and hours							
Recorded Music:				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	10:00	10:00	10:00	10:00	10:0	10:0	12:00
End:	02:00	02:00	02:00	02:00	02:00	02:00	00:00
Seasonal variations/ Non-standard timings:		All licensable activities shall be extended from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.					

Late Night Refreshment:				Indoors, outdoors or both			Both
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	23:00	23:00	23:00	23:00	23:00	23:00	23:00
End:	02:00	02:00	02:00	02:00	02:00	02:00	00:00
Seasonal variations/ Non-standard timings:		All licensable activities shall be extended from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.					

Sale by retail of alcohol				On or off sales or both:			Both
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	10:0	10:00	10:00	10:00	10:00	10:00	12:00
End:	02:00	02:00	02:00	02:00	02:00	02:00	00:00
Seasonal variations/ Non-standard timings:		All licensable activities shall be extended from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.					

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	08:00	08:00	08:00	08:00	08:00	08:00	10:00
End:	02:30	02:30	02:30	02:30	02:30	02:30	00:30
Seasonal variations/ Non-standard timings:		All opening hours shall be extended from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.					
Adult Entertainment:		None					

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Environmental Health Service
Representative:	Sally Fabbricatore
Received:	12 June 2020
<p>I refer to the application for a new Premises Licence for the above premises. The premises does currently benefit from a premises, 20/00229/LIPDPS, this would be surrendered if this application is successful.</p> <p>The premises are situated in the West End Cumulative Impact Area as stated in City of Westminster's Statement of Licensing Policy.</p> <p>This representation is based on the Operating Schedule and the submitted plans for the ground and lower ground floor, drawing number L01-D and dated 23.03.18.</p> <p>The applicant is seeking the following on the ground and lower ground:</p> <ol style="list-style-type: none"> 1. To allow the Supply of Alcohol 'on and off' the premises Monday to Saturday 10:00-02:00 hours and Sunday 12:00-00:00 hours. 2. To allow Late Night Refreshment 'indoors and outdoors' Monday to Saturday 23:00-02:00 hours and Sunday 23:00-00:00 hours. 3. To allow the provision of the Recorded Music Monday to Saturday 10:00-02:00 hours and Sunday 12:00-00:00 hours. 4. To allow the above provisions from the end of New Year's Eve to the start of New Year's Day. <p>I wish to make the following representation in relation to the above application:</p> <ol style="list-style-type: none"> 1. The provision of the Supply of Alcohol may cause an increase in Public Nuisance in the cumulative impact area, it may also impact on Public Safety. 2. The provision of Late Night Refreshment may cause an increase in Public Nuisance in the cumulative impact area. 3. The provision of Regulated Entertainment may cause an increase in Public Nuisance in cumulative impact area, it may also impact on Public Safety. 4. The non-standard timings may cause an increase in Public Nuisance in the cumulative impact area. 	

The applicant has proposed conditions within the Operating Schedule which are being considered. Further conditions may be proposed by Environmental Health in order to help prevent Public Nuisance and protect Public Safety.

The granting of the new Premises Licence as presented would have the likely effect of causing an increase in Public Nuisance in the cumulative impact area and may impact on Public Safety.

Responsible Authority:	Metropolitan Police Service (withdrawn)
Representative:	Brian Hunter
Received:	16 June 2020

I am in receipt of the above application and its attached operating schedule of proposed conditions, We the Metropolitan Police as a responsible authority are making a representation against it

The venue is situated within the Cumulative Impact Area. It is our believe that if granted the application would undermine the Licensing Objectives in relation to the prevention of crime and disorder.

The hours requested are outside policy, and some of the conditions proposed are not the model conditions, for clarity I have listed below the conditions we would like placed onto the premises Licence should it be granted, should these be agreed I may be in a position to withdraw my representation.

Following agreement of amended conditions, the Metropolitan Police Service representation was withdrawn on 10th September 2020

Responsible Authority:	Licensing Authority
Representative:	Bushara Hamida
Received:	16 June 2020

I write in relation to the application submitted for a new premises licence for 1A Bedford Street, London, WC2E 9HD.

As a responsible authority under section 13 (4) of the Licensing Act 2003 as amended under the Police and Social Responsibility Act 2011, the Licensing Authority have considered your application in full. The Licensing Authority has concerns in relation to this application and how the premises would promote the four Licensing Objectives:

- Public Nuisance
- Prevention of Crime & & Disorder
- Safety
- Protection of children from harm

The application seeks the following:

Recorded Music: Monday to Saturday 10:00 to 22:00, Sunday 12:00 to 00:00

Late Night Refreshment: Monday to Saturday 23:00 to 02:00, Sunday 23:00 to 00:00

Supply of Alcohol On and Off Premises: Monday to Saturday 10:00 to 02:00, Sunday 12:00 to 22:30

The premises are located within the West End Cumulative Impact Area and as such various policy points must be considered, namely CIP1, HRS1 and PB2.

The premises currently has the benefit of an existing premises licence (20/00229/LIPDPS) and the current hours licensed for the premises terminate at 00:00 for the supply of alcohol and 00:30 for late night refreshments.

At present, the hours applied for licensable activities currently fall outside of Westminster's core hours. For premises for the supply of alcohol for consumption on and off the premises, Westminster's core hours are as follows:

Monday to Thursday: 10:00 – 23:30

Friday and Saturday: 10:00 – 00:00

Sunday: 12:00 - 22:30

Applications for hours outside the core hours set above will be considered on their merits, subject to other relevant policies with particular regard to the policy points raised under HRS1.

As part of the application form, the applicant described the proposed operation of the premises as a lounge & wine bar. The Licensing Authority would encourage the applicant to provide information as to the proposed operation of the premises in terms of style as well as the provision of 'off sales' from the premises and how this is intended to be operated and controlled from the premises to ensure that there is no adverse impact within the West End Cumulative Impact Area.

Paragraph 2.5.23 of the Council's Statement of Licensing Policy states that it is of particular concern in Cumulative Impact Area where there had been a growth in the number of premises that primarily serve alcohol, resulting in or adding to cumulative impact. On the basis, the Licensing Authority considers that the grant of variations or new licences for pubs and bars in the cumulative impact area should be limited to exceptional circumstances.

Therefore, it is a decision for the Licensing Sub-Committee to determine whether the applicant has demonstrated any exceptional circumstances that would allow to depart from policy.

The Licensing Authority looks forward to receiving further submissions from the applicant in due course.

Please accept this as a formal representation

2-B Other Persons

Name:	[REDACTED]		
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]		
Status:	Valid	In support or opposed:	Opposed
Received:	24 June 2020		

This is a new application which would have the effect of extending the licence of these premises so that the sale of alcohol is permitted to 02:00 Monday to Saturday and 00:00 on Sunday with the premises closing 30 minutes later. It also permits recorded music and LNR to the same times.

The current licence for the premises allows the sale of alcohol to 00:00 Monday to Saturday and 23:30 on Sunday. The additional times proposed are 2 hours on Monday to Saturday and 30 minutes on Sunday

The existing Licence is a converted pre-LA2003 licence and doesn't include many Model Conditions. The applicant has proposed 31 conditions to be included in the Licence.

Whilst the location of the premises are not close to residents there it is possible that customers leaving the premises will move through residential areas and so give rise to public nuisance. Although close by the Strand the most direct route to other late night venues in Soho is through Covent Garden.

The [REDACTED] therefore asks that this licence application be refused on the grounds of the impact on the CIA and public nuisance in the vicinity of the venue.

If the Licensing Authority is minded to grant any part of what has been applied for then we ask that additional conditions should be added to the application. These are:

Replace proposed condition 30 with 2 separate conditions regarding the Dispersal Policy and management of the outside area.

- The premises will operate a Dispersal Policy and all relevant staff will be trained in its implementation. At a minimum it will include the requirement that customers will be encouraged to disperse via the Strand and not North along Bedford Street.
- The premises will operate a Policy regarding the management of the outside area Policy and all relevant staff will be trained in its implementation. At a minimum it will include the requirement that customers outside the premises, whether queuing or smoking, will be managed in such a way that they do not cause a nuisance, including by way of noise or by restricting movement along the footway.

Add a condition that:

- The premises shall only be permitted to carry out licensable activities after midnight if it operates as a Phileas Fogg themed lounge and wine bar

The intention of these conditions is to future proof the licence so that another operator cannot operate the premises to these hours without making a variation application.

We wish to be clear that our position remains that the extension of hours should be refused. We are suggesting these additional conditions as a way of mitigating some, but not all, of the impact of any extension of hours should the panel be minded to grant this.

We hope that this representation is clear and ask that you advise us well in advance of any meeting at which this application will be discussed.

Name:	[REDACTED]		
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED] [REDACTED]		
Status:	Valid	In support or opposed:	Opposed
Received:	24 June 2020		

We act on behalf of the [REDACTED], in their capacity as owners of [REDACTED] [REDACTED]. This is a residential apartment within close proximity of the above public house for which the Application has been made. John Adam Street is a quiet enclave south of the Strand. The street is a mixture of residential and offices, and is in the Adelphi Conservation Area.

Our clients' representation is made upon the basis that the likely impact of the Application, if granted, would be to harm the licensing objective of prevention of public nuisance. It could also impact on the prevention of crime and disorder. Taken as a whole, the Application could, if granted, have a significant and disproportionate impact on local residents.

The Application
The application seeks to

- a) *To extend the opening hours to commence at 08:00am Monday to Saturday and 10:00am Sunday.*
- b) *To extend the terminal hour for opening Monday to Saturday to 02:30am and on Sunday to 00:30am.*
- c) *To extend the hours for playing of recorded music to between 10:00am and 02:00am Monday to Saturday and between midday and midnight on Sunday.*
- d) *To extend the terminal hour for late night refreshment to 02:00am Monday to Saturday and to midnight on Sunday.*

Our clients are concerned that the proposed hours are likely to cause a public nuisance and are disproportionate in this location when measured against the promotion of the licensing objectives.

Our clients note the inclusion of draft conditions but are concerned that these are insufficient to prevent crime and disorder, protect public safety, alleviate potential public nuisance, or protect children from harm. We cannot see that any risk assessment has been undertaken to assess what further steps may be appropriate in promoting the four licensing objectives.

The Licensing Objectives

Our clients are particularly concerned by the following elements of the application which are likely to impact on public nuisance:

- Our clients are concerned that the long hours for sale of alcohol are inappropriate and could lead to noise nuisance.
- The proposal to open earlier and to sell alcohol into the early morning is of concern to our clients. John Adam Street is generally quiet in the later evening.
- The applicant clearly envisages anti-social behaviour in drafting conditions to include CCTV monitoring for the use of the Police and maintenance of incident log but there is insufficient consideration of how to minimise the impact of such behaviour. The proposal for only one door supervisor and on only three days of the week is clearly insufficient for a venue proposing such long drinking hours.
- The noise from the venue during operating hours and from customer dispersal at a later hour and/or them having had more time to drink will likely disturb residents' sleep. John Adam Street is regularly used for parking in the evenings and at weekends for those visiting bars in the area, and already suffers noise in the early hours as people return to their cars and drive away. We can see no mention of the nuisance impact of additional late night traffic in the submission.
- The draft conditions permitting waste disposal and deliveries up to 11:00pm and from 07:00am are of particular concern and external windows and doors would need to be closed well before 11:00pm if the public nuisance is to be alleviated.

Conclusion

The licensing authority is charged with determining the Application with a view to promoting the licensing objectives in the overall interests of the local community (Guidance 9.334). For the reasons stated, our clients are concerned that the Application does not promote the objectives and they are therefore opposed to the application being granted.

We look forward to hearing from you further in this matter

3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
Policy CP1 applies	(i) It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas for: pubs and bars, fast food premises, and premises offering facilities for music and dancing; other than applications to vary hours within the Core Hours under Policy HRS1. (ii) Applications for other licensable activities in the Cumulative Impact Areas will be subject to other policies, and must demonstrate that they will not add to cumulative impact in the Cumulative Impact Areas.
Policy HRS1 applies	(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. (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. For premises for the supply of alcohol for consumption on the premises: Monday to Thursday: 10:00 to 23:30 Friday and Saturday: 10:00 to midnight Sundays immediately prior to Bank Holidays: Midday to midnight Other Sundays: Midday to 22:30 For premises for the supply of alcohol for consumption off the premises: Monday to Saturday: 08:00 to 23:00 Sundays: 10:00 to 22:30 For premises for the provision of other licensable activities: Monday to Thursday: 09:00 to 23.30 Friday and Saturday: 09:00 to midnight Sundays immediately prior to Bank Holidays: 09:00 to midnight Other Sundays: 09:00 to 22:30
Policy PB2 applies	It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas other than applications to vary hours within the Core Hours under Policy HRS1.

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

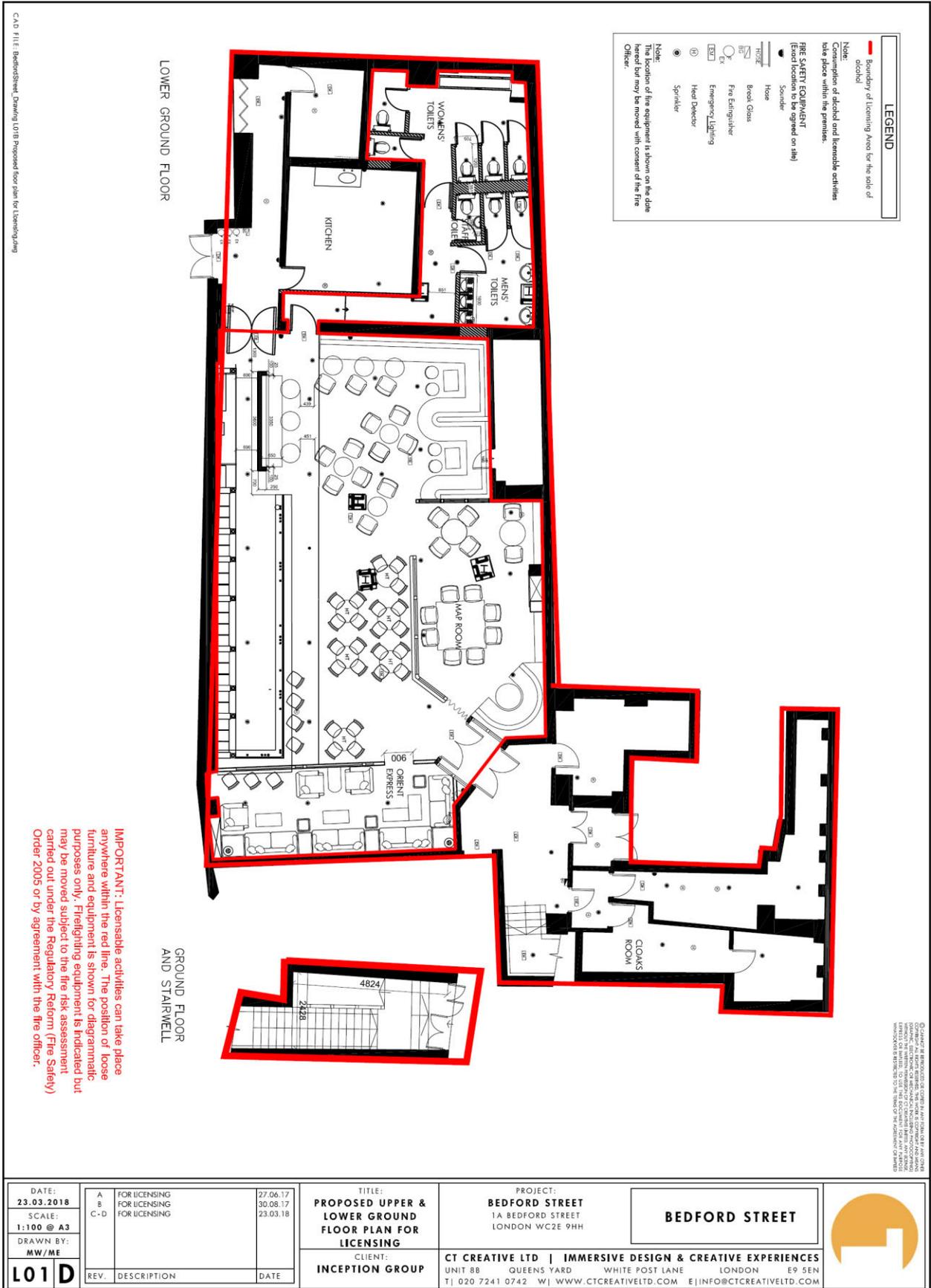
Appendix 1	Premises Plans
Appendix 2	Premises Licence 20/00229/LIPDPS
Appendix 3	Premises history
Appendix 4	Proposed conditions
Appendix 5	Residential map and list of premises in the vicinity

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	March 2015
4	Environmental Health Service representation	12 June 2020
5	Metropolitan Police Service representation (withdrawn 10 September 2020)	16 June 2020
6	Licensing Authority representation	16 June 2020
7	Interested Party representation 1	24 June 2020
8	Interested Party representation 2	24 June 2020





Schedule 12
Part A

WARD: St James's
UPRN: 100023431203

City of Westminster

64 Victoria Street, London, SW1E 6QP

Premises licence

Regulation 33, 34

Premises licence number:

20/00229/LIPDPS

Original Reference:

05/10572/LIPC

Part 1 – Premises details

Postal address of premises:

Bedford And Strand
1A Bedford Street
London
WC2E 9HD

Telephone Number:

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

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

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

Playing of Recorded Music	Unrestricted
Late Night Refreshment	
Monday to Saturday:	23:00 to 00:30
Sunday:	23:00 to 00:00
Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit	Unrestricted
Sale by Retail of Alcohol	
Monday to Saturday:	10:00 to 00:00
Sunday:	12:00 to 23:30

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

The opening hours of the premises:

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

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

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

Part 2

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

Bedford Street Bar Ltd
10 Queen Street Place
London
United Kingdom
EC4R 1AG

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

10730589

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

Name: Richard Walker

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: LAPA1098
Licensing Authority: Lancaster City Council

Date: 27th January 2020

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

Annex 1 – Mandatory conditions

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

(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—

- (a) a holographic mark, or
- (b) an ultraviolet feature.

7. The responsible person must ensure that—

- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;
- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

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

8(i) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

8(ii) For the purposes of the condition set out in paragraph 8(i) above -

- (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
- (b) "permitted price" is the price found by applying the formula -

$$P = D + (D \times V)$$

Where -

- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

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

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

Conditions related to the Sale of Alcohol

9. Substantial food and suitable beverages other than intoxicating liquor, including drinking water, to be available during the whole of the permitted hours in all parts of the premises where intoxicating liquor is sold or supplied.

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

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

In this condition, permitted hours means:

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

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

NOTE - The above restrictions do not prohibit:

- (a) during the first thirty minutes after the above hours the consumption of the alcohol on the premises;
- (b) during the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;
- (c) during the first thirty minutes after the above hours the consumption of the alcohol on the premises by persons taking table meals there if the alcohol was supplied for consumption as ancillary to the meals;
- (d) the sale or supply of alcohol to or the consumption of alcohol by any person residing in the licensed premises;
- (e) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- (f) the sale of alcohol to a trader or registered club for the purposes of the trade or club;
- (g) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;
- (h) the taking of alcohol from the premises by a person residing there;
- (i) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied;
- (j) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

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

- 11. No person under fourteen shall be in the bar of the licensed premises during the permitted hours unless one of the following applies:
 - (a) He is the child of the holder of the premises licence.
 - (b) He resides in the premises, but is not employed there.
 - (c) He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress.

(d) The bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary.

In this condition "bar" includes any place exclusively or mainly used for the consumption of intoxicating liquor. But an area is not a bar when it is usual for it to be, and it is, set apart for the service of table meals and alcohol is only sold or supplied to persons as an ancillary to their table meals.

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

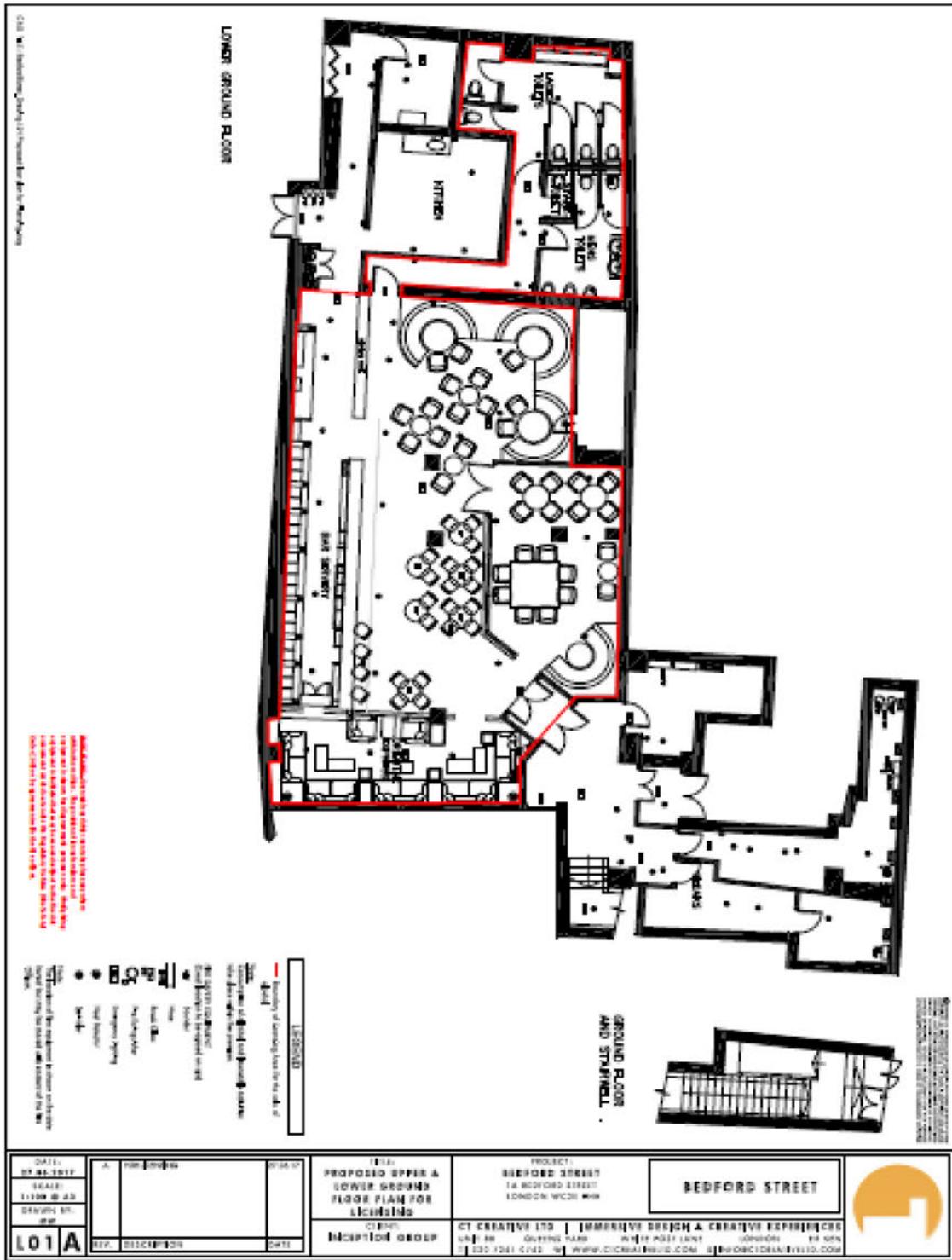
Annex 2 – Conditions consistent with the operating Schedule

None

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

None

Annex 4 – Plans





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

Schedule 12
Part B

WARD: St James's
UPRN: 100023431203

Premises licence
summary

Regulation 33, 34

Premises licence number:

20/00229/LIPDPS

Part 1 – Premises details

Postal address of premises:

Bedford And Strand
1A Bedford Street
London
WC2E 9HD

Telephone Number:

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

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

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

Playing of Recorded Music	Unrestricted
Late Night Refreshment	
Monday to Saturday:	23:00 to 00:30
Sunday:	23:00 to 00:00
Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit	Unrestricted
Sale by Retail of Alcohol	
Monday to Saturday:	10:00 to 00:00
Sunday:	12:00 to 23:30

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

The opening hours of the premises:

Monday to Saturday: 10:00 to 00:30

Sunday:

12:00 to 00:00

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

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

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

Bedford Street Bar Ltd
10 Queen Street Place
London
United Kingdom
EC4R 1AG

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

10730589

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

Name: Richard Walker

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

Restricted

Date: 27th January 2020

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

Licence & Appeal History – Premises Licence 20/00229/LIPDPS

Application	Details of Application	Date Determined	Decision
05/10572/LIPC	Conversion	05.10.2005	Granted under delegated authority
06/04810/LIPT	Transfer – Maurice Huggett to Ford and Friends Ltd	14.06.2006	Granted under delegated authority
07/00736/LIPDPS	Variation of designated premises supervisor	22.01.2007	Granted under delegated authority
17/03733/LIPT	Transfer – Ford and Friends Ltd to Legal And General Assurance (Pensions Management) Limited	27.06.2017	Granted under delegated authority
17/10495/LIPVM	Minor Variation – Change of layout	28.09.2017	Granted under delegated authority
18/00425/LIPT	Transfer – Legal And General Assurance (Pensions Management) Limited to Bedford Street Bar Ltd	07.03.2018	Granted under delegated authority
18/01178/LIPDPS	Variation of designated premises supervisor	21.05.2018	Granted under delegated authority
18/09431/LIPDPS	Variation of designated premises supervisor	31.08.2018	Granted under delegated authority
18/10182/LIPRW	Removal of works condition	10.09.2018	Granted under delegated authority
19/04191/LIPDPS	Variation of designated premises supervisor	13.06.2019	Granted under delegated authority
19/06429/LIPDPS	Variation of designated premises supervisor	14.06.2019	Granted under delegated authority
19/11347/LIPDPS	Variation of designated premises supervisor	27.09.2019	Granted under delegated authority
20/00229/LIPDPS	Variation of designated premises supervisor	27.01.2020	Granted under delegated authority

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. Substantial food and non-intoxicating beverages shall be available throughout the permitted hours in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
11. Notices shall be prominently displayed at exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
12. 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.
13. No entertainment, performance, service, or exhibition involving nudity or sexual entertainment shall be provided except under the authority of a Sexual Entertainment Venue licence pursuant to the Local Government Miscellaneous Provisions Act 1982 as amended.
14. During busy times door staff shall ensure that the footway outside is not obstructed by the venue's customers
15. There shall be no payment made by or on behalf of the licence holder to any person for bringing customers to the premises directly off the street.
16. All door staff employed at the venue shall be accredited to the Security Industry Authority
17. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
18. No waste or recyclable materials, including bottles shall be moved, removed or placed in outside areas between 23:00 hours and 07:00 hours.
19. No deliveries to the premises shall be arranged between 23:00 and 07:00 hours.
20. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
21. All windows and external doors shall be kept closed after 23:00 hours, except for the immediate access and egress of persons.
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 on 10 days prior notice being given to the Licensing Authority where consent has not previously been given:-
 - dry ice and cryogenic fog (except for food presentations)
 - smoke machines and fog generators
 - pyrotechnics including fire works
 - firearms
 - lasers
 - explosives and highly flammable substances.
 - real flame (except for candles)
 - strobe lighting.
23. No person shall give at the premises any exhibition, demonstration or performance of hypnotism, mesmerism or any similar act or process which produces or is intended to produce in any other person any form of induced sleep or trance in which susceptibility

of the mind of that person to suggestion or direction is increased or intended to be increased.

NOTE: (1) This rule does not apply to exhibitions given under the provisions of Section 2(1A) and 5 of the Hypnotism Act 1952.

24. 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.
25. 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.
26. All exit doors on designated escape routes shall be available at all material times without the use of a key, code, card or similar means.
27. All self-closing doors shall be effectively maintained and not held open other than by an approved device.
28. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
29. Curtains and hangings shall be arranged so as not to obstruct emergency signs.
30. The certificates listed below shall be submitted to the Licensing Authority upon written request.
 - Any emergency lighting battery or system
 - Any electrical installation
 - Any emergency warning system.
31. The air conditioning units operating within the premises must be switched off when licensable activities have ceased for the day.
32. A noise limiter 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, 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 by key or password to the satisfaction of officers from the Environmental Health Service and access shall only be by persons authorised by the Premises Licence holder. 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. No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device.
33. The premises shall operate in accordance with an Outdoor Management and Dispersal Policy

Interested Party 1 has proposed the following alternative conditions

The premises will operate a Dispersal Policy and all relevant staff will be trained in its implementation. At a minimum it will include the requirement that customers will be encouraged to disperse via the Strand and not North along Bedford Street.

The premises will operate a Policy regarding the management of the outside area Policy and all relevant staff will be trained in its implementation. At a minimum it will include the requirement that customers outside the premises, whether queuing or smoking, will be

managed in such a way that they do not cause a nuisance, including by way of noise or by restricting movement along the footway.

34. This Premises Licence shall not be used as a permission for Licensable Activities until Premises Licence 18/10182/LIPRW (Or its successor) has been effectively surrendered.

Conditions agreed with the Metropolitan Police Service so as to form part of the operating schedule

35. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.
36. 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.
37. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
38. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:
- (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received concerning crime and disorder
 - (d) any incidents of disorder
 - (e) all seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system, searching equipment or scanning equipment
 - (g) any refusal of the sale of alcohol
 - (h) any visit by a relevant authority or emergency service.
39. There shall be a minimum of (2) SIA licensed door supervisors after 10pm until 30 mins past close on Thursday, Friday and Saturday. At all other times the management must complete a written risk assessment to be kept at the venue and made available on request of Police or authorised officials from Westminster City Council.
40. All staff engaged outside the entrance to the premises, or supervising or controlling queues, shall wear high visibility yellow jackets or vests or distinctive uniform that is easily identifiable (e.g. butlers uniform/top hat/tails). SIA must wear the approved SIA registered identification.

Conditions proposed by the Environmental Health

41. There shall be no sales of hot food or hot drink for consumption off the premises after 23.00 hours.
42. There shall be no admittance or re-admittance to the premises after midnight except for patrons permitted to temporarily leave the premises to smoke.

43. There shall be no sales of alcohol for consumption off the premises after 23.00 hours.
44. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.
45. The number of persons accommodated at the premises (excluding staff) shall not exceed TBC.

Conditions proposed by the Interested Party

46. The premises shall only be permitted to carry out licensable activities after midnight if it operates as a Phileas Fogg themed lounge and wine bar



Resident count: 136

Licensed premises within 75m of 1A Bedford Street, London WC2				
Licence Number	Trading Name	Address	Premises Type	Time Period
20/00229/LIPDPS	Bedford And Strand	1A Bedford Street London WC2E 9HD	Wine bar	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
15/03758/LIPN	The Whisky Exchange	2 Bedford Street London WC2E 9HD	Shop	Monday to Saturday; 08:00 - 23:00 Sunday; 10:00 - 22:30

19/14676/LIPV	Not Recorded	50 Bedford Street London WC2E 9HA	Hotel, 3 star or under	Monday; 00:00 - 00:00 Tuesday; 00:00 - 00:00 Wednesday; 00:00 - 00:00 Thursday; 00:00 - 00:00 Friday; 00:00 - 00:00 Saturday; 00:00 - 00:00 Sunday; 00:00 - 00:00
19/00356/LIPN	Kalamaki Street Greek	Basement And Ground Floor 49 Bedford Street London WC2E 9HA	Restaurant	Monday to Sunday; 11:00 - 23:00
19/14898/LIPT	Garfunkels Restaurants	Basement To Ground Floor 419 - 420 Strand London WC2R 0PT	Restaurant	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
20/00448/LIPN	Not Recorded	419 - 420 Strand London WC2R 0PT	Restaurant	Monday to Saturday; 11:00 - 23:00 Sunday; 12:00 - 22:00
18/14542/LIPDPS	Carbon (Bedford Street)	46 Bedford Street London WC2E 9HA	Restaurant	Monday to Thursday; 11:00 - 23:00 Friday to Saturday; 11:00 - 00:00 Sunday; 11:00 - 23:00
20/03033/LIPDPS	TGI Fridays	Ground Floor 6 Bedford Street London WC2E 9HZ	Restaurant	Monday to Thursday; 10:00 - 00:30 Friday to Saturday; 10:00 - 01:30 Sunday; 12:00 - 00:00
17/08375/LIPT	Not Recorded	45 Bedford Street London WC2E 9HA	Not Recorded	Monday to Sunday; 10:00 - 00:30 Sunday; 12:00 - 00:00

12/09819/LIPVM	The Port House	417 Strand London WC2R 0PD	Restaurant	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
20/02754/LIPDPS	Pizza Hut	59 Strand London WC2N 5LR	Restaurant	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
17/14664/LIPDPS	Ping Pong	23 - 24 Maiden Lane London WC2E 7NP	Restaurant	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
14/06782/LIPVM	The Porterhouse Public House	21-22 Maiden Lane London WC2E 7NA	Restaurant	Monday to Saturday; 09:00 - 00:30 Sunday; 12:00 - 23:00
16/03854/LIPD	Bakery Covent Garden	Basement And Ground Floor 6 - 7 Chandos Place London WC2N 4HU	Cafe	Thursday to Saturday; 08:00 - 22:00 Sunday to Wednesday; 08:00 - 21:00
17/09999/LIPV	Bakery Covent Garden	Basement And Ground Floor 6 - 7 Chandos Place London WC2N 4HU	Cafe	Not Recorded; XXXX - XXXX
20/04548/LIPT	Bella Italia	Unit 5 65-72 Strand London WC2N 5LR	Restaurant	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
20/02518/LIPVM	Adelphi Theatre	411 Strand London WC2R 0NS	Theatre	Monday to Friday; 09:00 - 04:00 Saturday; 09:00 - 00:00 Sunday; 09:00 - 00:00
20/02633/LIPDPS	Byron	409 - 410 Strand London WC2R 0NS	Restaurant	Monday to Thursday; 12:00 - 23:30 Friday to Saturday; 12:00 - 00:00 Sunday; 12:00 - 23:00