

Licensing Sub-Committee Report

Item No:	
Date:	3 December 2020
Licensing Ref No:	20/09233/LIPN - New Premises Licence
Title of Report:	1-8 Davies Mews London W1K 5AB
Report of:	Director of Public Protection and Licensing
Wards involved:	West End
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Miss Jessica Donovan Senior Licensing Officer
Contact details	Telephone: 020 7641 6500 Email: jdonovan@westminster.gov.uk

1. Application

1-A	Applicant and premises		
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	9 October 2020		
Applicant:	Hartshorn Hook Enterprises Limited		
Premises address:	1-8 Davies Mews London W1K 5AB	Ward:	West End
		Cumulative Impact Area:	None
Premises description:	This is an application for a new premises licence which intends to operate as a performance space. The applicant has applied for a time limited licence until 31 July 2026.		
Premises licence history:	This is a new premises application and therefore no Premises Licence history exist.		
Applicant submissions:	The applicant is transforming the premises and turning it into a performance space. The premises shall operate as a theatre space offering a variety of productions, performances and an immersive theatre setting where attendees shall be invited to be part of the theatre production. The applicant will be working with highly trained professionals to deliver high scale shows.		

1-B	Proposed licensable activities and hours						
Plays:	Indoors, outdoors or both					Indoors	
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	10:00	10:00	10:00	10:00	10:00	10:00	10:00
End:	23:30	23:30	23:30	23:30	23:30	23:30	23:00
Seasonal variations/ Non-standard timings:	The premises shall remain open for the sale of alcohol, regulated entertainment and the provision of late night refreshment from the terminal hour for those activities on New Year's Eve through to the commencement time for those activities on New Year's Day.						

Films:	Indoors, outdoors or both					Indoors	
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	10:00	10:00	10:00	10:00	10:00	10:00	10:00
End:	23:30	23:30	23:30	23:30	23:30	23:30	23:00
Seasonal variations/ Non-standard timings:	The premises shall remain open for the sale of alcohol, regulated entertainment and the provision of late night refreshment from the terminal hour for those activities on New Year's Eve through to the commencement time for those activities on New Year's Day.						

Live Music:				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	10:00	10:00	10:00	10:00	10:00	10:00	10:00
End:	23:30	23:30	23:30	23:30	23:30	23:30	23:00
Seasonal variations/ Non-standard timings:		The premises shall remain open for the sale of alcohol, regulated entertainment and the provision of late night refreshment from the terminal hour for those activities on New Year's Eve through to the commencement time for those activities on New Year's Day.					

Recorded Music:				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	10:00	10:00	10:00	10:00	10:00	10:00	10:00
End:	23:30	23:30	23:30	23:30	23:30	23:30	23:00
Seasonal variations/ Non-standard timings:		The premises shall remain open for the sale of alcohol, regulated entertainment and the provision of late night refreshment from the terminal hour for those activities on New Year's Eve through to the commencement time for those activities on New Year's Day.					

Performance of Dance:				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	10:00	10:00	10:00	10:00	10:00	10:00	10:00
End:	23:30	23:30	23:30	23:30	23:30	23:30	23:00
Seasonal variations/ Non-standard timings:		The premises shall remain open for the sale of alcohol, regulated entertainment and the provision of late night refreshment from the terminal hour for those activities on New Year's Eve through to the commencement time for those activities on New Year's Day.					

Anything of a similar description to that falling within (e), (f) or (g):				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	10:00	10:00	10:00	10:00	10:00	10:00	10:00
End:	23:30	23:30	23:30	23:30	23:30	23:30	23:00
Seasonal variations/ Non-standard timings:		The premises shall remain open for the sale of alcohol, regulated entertainment and the provision of late night refreshment from the terminal hour for those activities on New Year's Eve through to the commencement time for those activities on New Year's Day.					

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	N/A
End:	23:30	23:30	23:30	23:30	23:30	23:30	N/A
Seasonal variations/ Non-standard timings:		The premises shall remain open for the sale of alcohol, regulated entertainment and the provision of late night refreshment from the terminal hour for those activities on New Year's Eve through to the commencement time for those activities on New Year's Day.					

Sale by retail of alcohol				On or off sales or both:			On sales
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	10:00	10:00	10:00	10:00	10:00	10:00	10:00
End:	23:30	23:30	23:30	23:30	23:30	23:30	23:00
Seasonal variations/ Non-standard timings:		The premises shall remain open for the sale of alcohol, regulated entertainment and the provision of late night refreshment from the terminal hour for those activities on New Year's Eve through to the commencement time for those activities on New Year's Day.					

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	07:30	07:30	07:30	07:30	07:30	07:30	07:30
End:	23:30	23:30	23:30	23:30	23:30	23:30	23:00
Seasonal variations/ Non-standard timings:		The premises shall remain open for the sale of alcohol, regulated entertainment and the provision of late night refreshment from the terminal hour for those activities on New Year's Eve through to the commencement time for those activities on New Year's Day.					

2. Representations

2-A	Responsible Authorities
Responsible Authority:	Environmental Health Service
Representative:	Dave Nevitt
Received:	06 November 2020
<p>EH objection. Application will have the likely effect of impacting on prevention of public nuisance and impact on Public Safety. A more detailed response will be produced later.</p> <p>The Environmental Health Service's further comments submitted 18 November 2020</p> <p>The applicant seeks the following:</p> <p><i>'The applicant is transforming the premises and turning it into a performance space. The premises shall operate as a theatre space offering a variety of productions, performances and an immersive theatre setting where attendees shall be invited to be part of the theatre production. The applicant will be working with highly trained professionals to deliver high scale shows.'</i></p> <p>The applicant has included a set of proposed conditions to accompany the application and I will comment on those below.</p> <p>I note that the application includes the Sale of Alcohol for consumption 'On' the premises. I recommend that the application <u>is amended so that the hours sought for the Sale of Alcohol on a Sunday</u> are within the 'Core Hours' as defined in the City Council's Licensing Policy – 1200noon-2230hrs.</p> <p>The description given by the applicant states that the premises will be used as a theatre/performance space but I note that Condition 34 in the list of proposed conditions states:</p> <p><i>'34. The sale of alcohol must be ancillary to the primary use of the premises for theatre, performances <u>and/or events</u>.'</i></p> <p>The main description above does not make reference to 'events' – it would be helpful if the applicant could <u>provide more information about the nature and possible frequency of the 'events'</u> they may have in mind. I propose that the wording of the condition is amended to read:</p> <p><i>'34. The sale of alcohol shall, at all times, be ancillary to the primary use of the premises for theatre performances.'</i></p> <p>I am generally in agreement with the other proposed conditions and would like to propose the following additional conditions:</p> <p>MC50 No licensable activities shall take place at the premises 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 shall be removed from the licence by the licensing authority.</p> <p>MC94 Alcohol shall only be sold for consumption by persons:</p> <p>(i) Attending the performance of a play or theatre production that day and/or,</p>	

Attending a pre-booked and bona fide private function or event to which members of the public are not admitted. A register of persons attending the event shall be kept at the premises and made available for immediate inspection by police or an authorised officer of the Council.

2-B	Other Persons		
Name:	[REDACTED]		
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]		
Status:	Valid	In support or opposed:	Opposed
Received:	30 October 2020		
<p>I am officially making a representation against the licence application 20/09233/LIPN at 1-8 Davies Mews, W1K 5AB.</p> <p>[REDACTED], this is directly affecting us due to:</p> <ul style="list-style-type: none">- The very high amount of noise incurred during the heavy building works. The works have already started with constant drilling, jackhammer, demolition noises. We have a 6 months old baby who is unable to sleep due to the amount of noise. The demolition has been conducted both during the week and at weekends, including Sundays, which I believe is forbidden by law. <p>We understand that the works are due to last until at least February 2021 and this is simply unbearable.</p> <ul style="list-style-type: none">- We are therefore extremely worried about the amount of noise which will be incurred when the premises are due to open. We understand that it will include music until late in the evenings and again this is highly disturbing for a family with 2 young children (2 years old and 6 months old baby). <p>I hope you will understand our concern and we can find an acceptable solution to ensure that we can minimise how the building works and the entertaining operations will affect us.</p>			

3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
Policy HRS1 applies	<p>(i) Applications for hours within the core hours set out below in this policy will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy.</p> <p>(ii) Applications for hours outside the core hours set out below in this policy will be considered on their merits, subject to other relevant policies.</p> <p>For premises for the supply of alcohol for consumption on the premises:</p> <p>Monday to Thursday: 10:00 to 23:30</p> <p>Friday and Saturday: 10:00 to midnight</p> <p>Sundays immediately prior to Bank Holidays: Midday to midnight</p> <p>Other Sundays: Midday to 22:30</p> <p>For premises for the provision of other licensable activities:</p> <p>Monday to Thursday: 09:00 to 23.30</p> <p>Friday and Saturday: 09:00 to midnight</p> <p>Sundays immediately prior to Bank Holidays: 09:00 to midnight</p> <p>Other Sundays: 09:00 to 22:30</p>
Policy PVC1 applies	Applications will generally be granted and reviews determined, subject to the relevant criteria in Policies CD1, PS1, PN1 and CH1.

4. Equality Implications

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

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

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

5. Appendices

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

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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	07 January 2016
3	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2018
4	Environmental Health representation	06 November 2020
5	Resident representation	30 October 2020

1 - 8 Davies Mews Secondary Lighting and Fire Safety Plan
Hartshorn - Hook Enterprises Ltd
Created: 06/10/20

BASEMENT LEVEL - AREAS 2, 3, 4 & 5
 FIRE WALLS AND SCENERY WALLS
 SCALE: MTS@A0

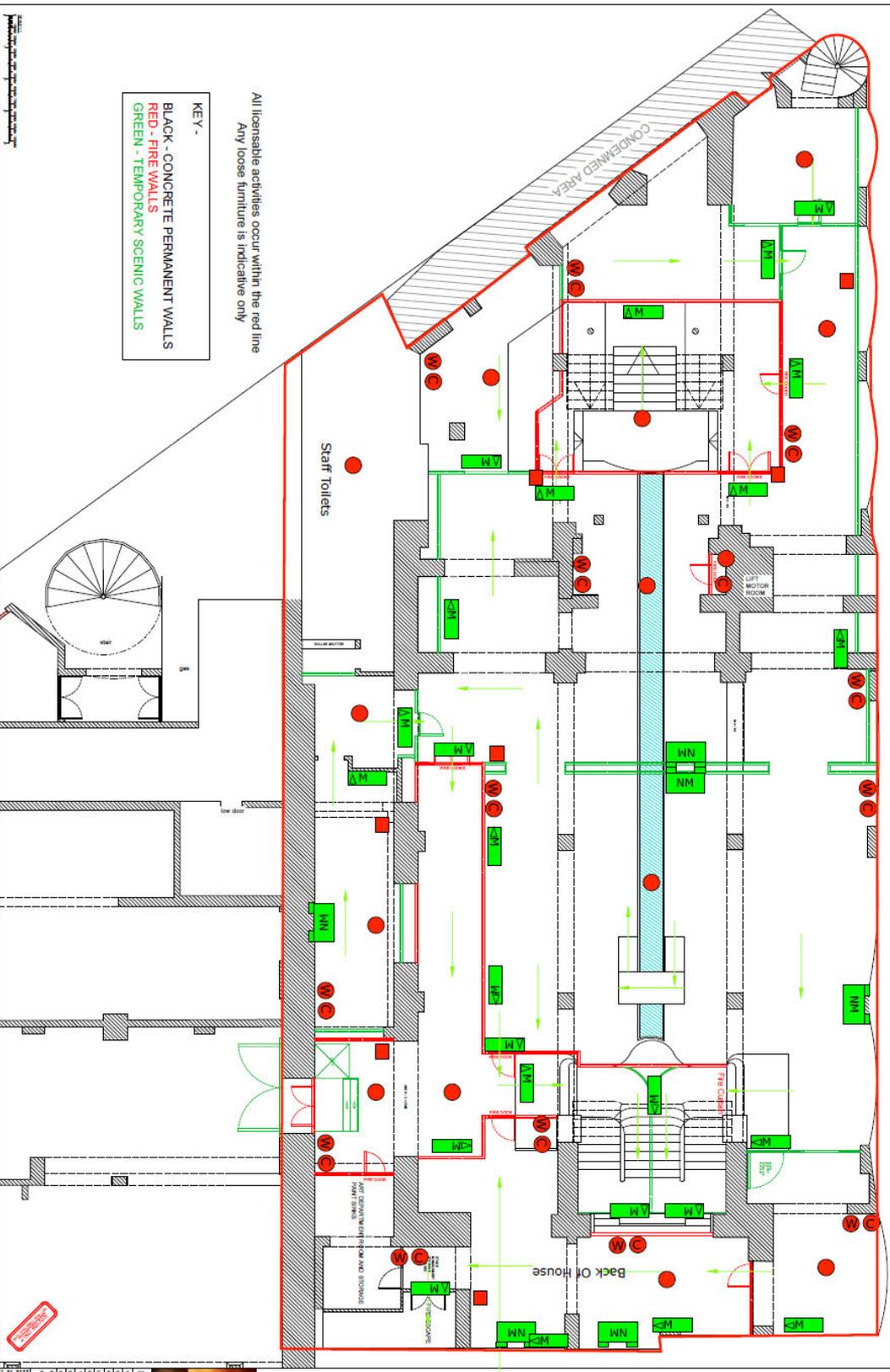
All of Basement is used as performance spaces for the immersive experience.

BASEMENT (GROUND PLAN)

- CO2 Extinguisher
- Water Extinguisher
- Smoke/Heat Detector
- Break Glass Call Point
- Non Maintained Bulk Head
- Non Maintained Bulk Head W. Running Man
- NM Non Maintained Fixture
- NM Twin head spot

KEY -
 BLACK - CONCRETE PERMANENT WALLS
 RED - FIRE WALLS
 GREEN - TEMPORARY SCENERY WALLS

All licensable activities occur within the red line
 Any loose furniture is indicative only



DOCTOR WHO
 TIME DETECTIVE

PROJECT MANAGER: [Name]
 ARCHITECT: [Name]
 DATE: [Date]

Applicant's letter to resident

Dear [REDACTED]

I act for the owners and operators of 1-8 Davies Mews and have received a copy of your representation against the above licence application from the council.

I have spoken to my client about your concerns; my client was aware of your concern and had already spoken to planning and their landlord about the incident you referred to, and is sincerely sorry for any inconvenience caused to your family which was caused without my client's knowledge or authority.

I am, however, informed that the major works are going to end next week and the next step is that my client will install the acoustic insulation ceiling at great expense, to protect you from any sound bleed from the premises. I understand this has already been communicated to you and I can also confirm my client has also agreed to be quiet between 1 and 3pm in the interim to help your baby sleep.

My client does apologise again for any inconvenience but the louder work is needed to ensure the appropriate acoustic treatments can be installed to ensure you are not affected by the future operation.

So that you are aware, the noise restrictions my client is creating, in line with their planning consent, include:

-The design and construction of the separating building fabric should be such that the received noise value in the residential habitable spaces, with music/entertainment occurring, should achieve a value of 10 dB below that measured/assessed without music/entertainment events taking place, at the quietest time of day and night, measured/assessed over a period of 5 minutes and in the indices of Leq & LFM_{ax} in the octave bands of 63 Hz & 125 Hz. The limits of NR30 (day), NR25 (night) and NR40 (LAF_{Max}, night-time) should be used to demonstrate that the intrusive noise would be effectively inaudible.

-The following mitigation measures, as recommended in the Acoustic Report from ACA Acoustics, should be applied:

'8.1 Acoustic Ceiling

It is recommended that a new plasterboard ceiling is formed throughout the performance areas. The ceiling should comprise minimum two layers 12.5mm plasterboard and be set off the existing soffit by at least 50mm. The ceiling should be supported on acoustic hangers/brackets such as Genie Clips or equivalent. 50mm dense mineral wool insulation should be fitted within the void.

The ceiling should be imperforate where possible. Any cable penetrations through the ceiling must be sealed airtight using a non-hardening, flexible, mastic. Any structural connections through the ceiling such as for lighting rigs should incorporate acoustic hangers and the penetration around the drop-rod should be sealed airtight.

Although the flat at first floor level is above the entrance foyer, rather than above the performance area, to ensure a good standard of sound insulation it is recommended that this ceiling also continue over the entrance foyer.'

'8.2 Acoustic Ceiling Below Skylight

The skylight is a relatively weak area of sound transmission and it will be necessary to form a higher-performance lining below this area. It is recommended an acoustic lining below the

skylight is formed using two layers 15mm SoundBloc plasterboard on independent joists or high- performance acoustic hangers (such as TVS SH Acoustic Hanger or equivalent). The ceiling shall form a void of at least 400mm from the centre of the sloped skylight, and minimum 200mm dense Rockwool insulation shall be fitted within the void. This ceiling should be imperforate where at all possible and should be sealed at the edges using a non-hardening, flexible, mastic.'

'8.3 Acoustic Lining to Flank Walls

It is understood that the immersive performance set would include linings to all walls and doorways. It is recommended that these are formed using minimum two layers of plasterboard or a layer of plasterboard and layer of plywood on independent studs, set off the existing structural walls. The linings shall form minimum 100mm cavity to the structural walls, however the greater the depth of cavity the better the acoustic performance and a larger cavity may be used if possible. The linings should be imperforate where possible. Any electrical cables passing through the linings should be sealed airtight with non-hardening flexible mastic. 8.4 Sound System As discussed above, the immersive performance space does not use very-high sound levels for a variety of reasons. The sound system incorporates a higher number of small loudspeakers rather than fewer large loudspeakers. This provides a high-quality targeted audio experience, rather than simply achieving excessively high volumes, particularly in the bass low frequencies. The sound system is completely computerised and automated, such that once it is set up it is impossible for the operator to alter the volume. Loudspeakers should be installed on resilient rubber or neoprene mounts to reduce structure-borne vibration to the building fabric. Where possible speakers should be supported from floor stands.'

In addition to these controls imposed by planning, my client has offered the following licensing conditions (amongst others of course as shown in the application papers):

1. 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.
2. Loudspeakers shall not be located in the entrance lobby or outside the premises building.
3. All windows and 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.

My client is happy to speak to you direct to answer any other questions you may have; alternatively please just let me know of any other concerns or questions.

I hope the above is of help to you and provides you with some reassurance as to the noise concerns you may hold.

Kind regards
Lana

Lana Tricker
Principal, LT Law



Premises History

Appendix 3

There is no licence or appeal history for the premises.

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. Admission of children to the premises must be restricted in accordance with the film classification recommended by the British Board of Film Classification or recommended by this licensing authority as appropriate.

10. 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

11. 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.
12. 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.
13. At least 1 SIA licensed door supervisors shall be on duty at the premises after 7.00pm whilst it is open for business.
14. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
15. Loudspeakers shall not be located in the entrance lobby or outside the premises building.
16. All windows and 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. There shall be no sales of alcohol for consumption off the premises.
18. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
19. 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.
20. An attendant shall be on duty in the cloakroom during the whole time that it is in use.
21. The licence holder shall ensure that any queue to enter the premises which forms outside the premises is orderly and supervised by staff so as to ensure that there is no public nuisance or obstruction to the public highway.
22. No waste or recyclable materials, including bottles, shall be moved, removed or placed in outside areas between 23.00 hours and 08.00 hours.

23. No licensable activities shall take at the premises until the capacity of the premises has been determined by the Environmental Health Consultation Team and the licensing authority has replaced this condition on the licence with a condition detailing the capacity so determined.
24. 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.
25. The licence holder shall enter into an agreement with a hackney carriage and/or private carriage firm to provide transport for customers, with contact numbers made readily available to customers who will be encouraged to use such services.
26. No deliveries to the premises shall be arranged between 23.00 and 08.00.
27. 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 holographically marked PASS scheme identification cards.
28. All Customer Service Assistants will be fully versed in the transport options available within the vicinity of the premises.
29. A permanently manned direct telephone number for a responsible person who has powers to deal with nuisance, shall be publicly available at all times the premises are open and up to 30 minutes after the scheduled closing time. This telephone number is to be made available to residents, businesses and local Residents' Associations in the vicinity.
30. 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.
31. 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 events, facilities, goods or services shall be inscribed or affixed upon the surface of the highway, or upon any building, structure, works, street furniture, tree, or any other property, or be distributed to the public.
32. 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 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.

33. 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
 - smoke machines and fog generators
 - pyrotechnics including fireworks
 - firearms
 - lasers
 - explosives and highly flammable substances.
 - real flame.
 - strobe lighting
34. 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.
35. 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.
36. 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.
37. All emergency doors shall be available at all material times without the use of a key, code, card or similar means.
38. All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device.
39. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
40. Curtains and hangings shall be arranged so as not to obstruct emergency safety signs or emergency equipment.
41. All fabrics, curtains, drapes and similar features including materials used in finishing and furnishing shall be either non-combustible or be durably or inherently flame-retarded fabric. Any fabrics used in escape routes (other than foyers), entertainment areas or function rooms, shall be non-combustible.
42. 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.

43. All persons entering or re-entering the premises shall have their bags searched by a member of staff and monitored by the premises CCTV system.
44. The sale of alcohol must be ancillary to the primary use of the premises for theatre, performances and/or events.

Environmental Health proposes an alternative wording to condition 44

44. The sale of alcohol shall, at all times, be ancillary to the primary use of the premises for theatre performances.
45. Non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
46. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
47. 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.
48. 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
49. (a) At least 7 days' notice shall be given to the Council of any proposal to use scenery or properties and such scenery or properties shall only be used with the consent of the Council.
(b) Scenery and properties shall only be stored in approved areas and where permitted to be stored on the stage shall be limited to the approved amounts.
(c) The doors to any scenery store shall be kept closed during performances.
(d) The scenery and properties used on an open stage shall be restricted to that of the actual production. No other storage shall be permitted in the stage area
50. (a) Any entertainment which involves special risks (e.g. firearms, skating to music) may only be given with the Council's consent. At least 7 days' notice shall be given to the Council and save in exceptional circumstances exact details of the proposal including the date and time of any proposed rehearsal
(b) Smoking shall be strictly prohibited within any stage area (other than as part of the action of the performance). Notices prohibiting smoking shall be prominently displayed.
51. The use of special effects (e.g. lasers, dry ice and smoke machines, strobe lighting, real flame, pyrotechnics) or the bringing onto the *premises* of any explosive or flammable substance may only be permitted with the consent of the Council. At least seven days' notice shall be given to the Council detailing the exact proposal including the date and time of any proposed rehearsal. Special effects shall only be used where the desired effect cannot be achieved using other safer means (e.g. by mechanical devices).

NOTE: 1. When it is intended to use special effects the inspecting officer may need to see all the effects demonstrated as they will be used so that the effects can be assessed and, if satisfactory, approved by the issue of a certificate.

52. Pyrotechnics, explosives or other highly flammable substances shall only be stored in areas approved by the Council and subject to the provisions set out below:

Firearms and replica firearms including blank ammunition, shall be stored in a secure area to the satisfaction of the Council and the police. They shall be under the control of a responsible person, who shall be responsible for the removal and return of all firearms. Firearms shall only be removed from the store (with the amount of ammunition required for the scene) immediately prior to use and returned to the store immediately after use. All discharged cartridges etc. must also be accounted for.

53. Storage areas and containers used shall be indicated by the explosive/ inflammable symbol on the door or lid.
54. A minimum of 14 days' notice in writing shall be given to the Council of any intention to use any live animal, bird or fish in a performance at the premises
55. (a) The number of performers and members of any orchestra shall not exceed the number for which in the opinion of the Council, the dressing rooms, staff rooms and retiring-room accommodation is adequate.
(b) Temporary dressing rooms shall not be provided except with the consent of the Council.
(c) Quick change arrangements which affect the means of escape or safety arrangements shall only be made with the consent of the council

Conditions proposed by the Environmental Health

56. No licensable activities shall take place at the premises 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 shall be removed from the licence by the licensing authority.
57. Alcohol shall only be sold for consumption by persons:
- (i) Attending the performance of a play or theatre production that day and/or, Attending a pre-booked and bona fide private function or event to which members of the public are not admitted. A register of persons attending the event shall be kept at the premises and made available for immediate inspection by police or an authorised officer of the Council.



Resident count: 27

Licensed premises within 75 Metres of 1-8 Davies Mews, London, W1K 5AB

Licence Number	Trading Name	Address	Premises Type	Time Period
19/16705/LIPVM	Not Recorded	Army Reserve Centre 52 - 56 Davies Street London W1K 5HR	Not Recorded	Monday; 10:00 - 23:30 Tuesday; 10:00 - 23:30 Wednesday; 10:00 - 23:30 Thursday; 10:00 - 23:30 Friday; 10:00 - 00:00 Saturday; 10:00 - 00:00 Sunday; 10:00 - 22:30
12/03704/LIPN	The Refinery	60 Brook Street Mayfair London W1K 5DU	Hairdresser or beauty salon	Monday to Tuesday; 10:00 - 19:00 Wednesday to Friday; 10:00 - 20:00 Saturday; 09:00 - 18:00 Sunday; 11:00 - 17:00
11/07269/LIPDPS	Mayfair Pasta Restaurant	61 Davies Street London W1K 5JL	Restaurant	Monday to Sunday; 07:00 - 18:00
19/05000/LIPN	Not Recorded	61 Davies Street London W1K 5JL	Not Recorded	Monday to Friday; 07:00 - 22:30 Saturday; 09:00 - 22:30 Sunday; 10:00 - 19:00