

WESTMINSTER CITY COUNCIL LICENSING SUB-COMMITTEE NO.4 ("THE COMMITTEE")

Thursday 25 February 2021

Membership: Councillor Karen Scarborough (Chairman), Councillor Heather Acton and Councillor Rita Begum

APPLICATION FOR A VARIATION OF PREMISES LICENCE, DINNER JACKETS, UNIT 18 AND UNIT 19 JUBILEE HALL, JUBILEE MARKET, THE PIAZZA, COVENT GARDEN, WC2E 8BE 20/11204/LIPV

SUMMARY

The Committee has determined an application for a Variation of Premises Licence under the Licensing Act 2003 ("The Act"). The premises operate as a market stall in the Jubilee Market Hall, serving hot food, snacks and refreshments. The premises are in St. James's Ward and are within the West End Cumulative Impact Area. The premises have had the benefit of a licence (10/049774/LIPN) since August 2010.

Applicant

Mr Nicolas Henry

Summary Decision

The Committee decided that the Applicant had provided valid reasons as to why the granting of the application would not add to negative cumulative impact in the Cumulative Impact Area and promote the licensing objectives.

Having carefully considered the committee papers and the submissions made by all the parties, both orally and in writing, **the Committee has decided**, after taking into account all of the individual circumstances of this case and the promotion of the four licensing objectives:

1. To grant permission for the sale of alcohol for consumption off the premises between the hours of 11:00 to 21:00 Monday to Sunday 365 days per year, and 366 days in a leap year.
2. To grant permission for the Hours Premises are open to the Public
Monday to Sunday: 10:00 to 21:00.
3. To grant permission for the removal of condition 5 from the operating schedule, to the effect to remove "the supply of alcohol shall only be permitted from 15th November until 15th February each year".
4. To grant permission for the removal of condition 6 of the operating schedule, to the effect to remove "the supply of alcohol shall be restricted to mulled wine only".
5. To grant permission for the removal of condition 7 of the operating schedule, to the effect to remove "all sales of alcohol shall be for immediate consumption and supplied in plastic containers only".
6. To add conditions in the terms specified below.

7. That the varied licence is subject to any relevant mandatory conditions.
8. That the existing conditions on the licence shall apply in all respects except in so far as they are varied by this Decision.
9. That the varied licence is subject to the following additional conditions imposed by the Committee which are considered appropriate and proportionate to promote the licensing objectives.

CONDITIONS IMPOSED BY THE COMMITTEE AFTER A HEARING

10. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises are open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.
11. A staff member from the premises who is conversant with the operation of the CCTV system shall always be on the premises when the premises are open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
12. An incident log shall be kept at the premises and made available on request to an authorised officer of the City Council or 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 incident of disorder;
 - (e) all seizures of drugs or offensive weapons;
 - (f) any faults in the CCTV system, searching equipment or scanning equipment;
 - (g) any refusal of the sale of alcohol;
 - (h) any visit by a relevant authority or emergency service.
13. A 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.
14. Sales of alcohol for consumption off the premises shall only be supplied with, and ancillary to a takeaway meal.
15. Outside of the hours authorised for the sale of alcohol and whilst the premises are open to the public, the licence holder shall ensure that all alcohol within the premises (including alcohol behind the counter) is secured in a locked storeroom or behind locked grilles, locked screens or locked cabinet doors so as to prevent access to the alcohol by both customers and staff.
16. No super-strength beer, lagers, ciders or spirit mixtures of 5.5% ABV (alcohol by volume) or above shall be sold at the premises, except for premium beers and ciders supplied in glass bottles.

17. Save for mulled wine supplied between 15th November and 15th February each year, the sale of alcohol shall be in sealed containers only, and shall not be consumed on the premises.
18. Alcohol shall only be sold for consumption off the premises as ancillary to food. No alcohol to be sold for off sales without food.
19. No alcohol shall be on open sale. All alcohol to be stored behind the counter, and only sold on request for a named item by the customer.
20. 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.

INFORMATIVE

The Premises Licence Holder shall ensure that all staff are trained regarding the Premises obligations under the Licensing Act 2003 ("the Act"), namely, offences under the Act, underage sales, sales of alcohol to drunks and a comprehensive knowledge of Challenge 25 proof of age scheme, 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.

This is the summary Decision reached by the Licensing Sub-Committee. The Fully Reasoned Decision will be sent to all parties as soon as possible.

The date for appealing the decision will not start until the full, Reasoned Decision has been sent to the Parties.

**Licensing Sub-Committee
25 February 2021**