



City of Westminster

Licensing Sub-Committee Report

Item No:

Date:

9th December 2021

Classification:

For General Release

Title of Report:

**Mappin House
4 Winsley Street
London
W1W 8HF**

Uniform Reference:

21/13315/LITENP

Report of:

Director of Public Protection and Licensing

Policy context:

City of Westminster Statement of Licensing Policy

Financial summary:

None

Report Author:

**Abigail Mugisa
Senior Licensing Officer**

Contact Details:

E-mail: amugisa@westminster.gov.uk

1. TEMPORARY EVENT NOTICE DETAILS

Proposal:	<u>Permitted Temporary Activities:</u> <ul style="list-style-type: none"> • The sale by retail of alcohol • The provision of regulated entertainment • The provision of late-night refreshment <p><i>(Please find the Temporary Event Notice at Appendix A)</i></p>		
Premises User:	Mr James Spallone	Premises Name and Address:	Mappin House 4 Winsley Street London W1W 8HF
Date Temporary Event Notice Received:	19 ^h November 2021	Event Period:	03:00 19.12.2021 – 04:30 19.12.2021 (1 Hour 30 minutes) 22:30 19.12.2021 – 03:30 19.12.2021 (5 Hours)
Ward Name:	West End	Times when licensable activities will be carried out on each day:	03:00 19.12.2021 – 04:30 19.12.2021 (1 Hour 30 minutes) 22:30 19.12.2021 – 03:30 19.12.2021 (5 Hours)
Number of attendees at event (including staff):	350	Cumulative Impact Area:	West End
Details of Premises Licence:	The premises does have the benefit of a Premises Licence (20/05431/LIPT). <i>(Please find the premises licence Appendix B)</i>		
Notice of Objection by the Environmental Health Service:	Reference is made to application 21/13315/LITENP that is requesting the supply of alcohol, regulated entertainment and late-night refreshment on both the 19th and 20th December 2021 for up to 350 persons up to 04.30 hours. An objection is made to this TEN on the grounds of prevention of public nuisance and more information is required on the type of events being promoted and how you believe that the unrestricted private entertainment will apply when entry will be for guest list and regular patrons. <i>(Please find the objection from Environmental Health and additional submissions at Appendix C and Appendix C1)</i>		

<p>Notice of Objection by the Metropolitan Police Service:</p>	<p>With reference to the above TEN(s), Police object to these Temporary Event Notices for the following reasons to prevent crime and disorder and protect children from harm:-</p> <ul style="list-style-type: none"> - Insufficient details describing the event. - Insufficient undertakings provided to promote the licensing objectives. <p>The TEN(s) states it is to cover two dates 21/13315/LITENP 19th and 20th Dec & 21/13311/LITENP - 5th and 6th Dec, stating that two different areas are being used, (VIP Room Day1 Temple Room Day2).</p> <p>Please provide a detailed plan showing what areas will be in use (e.g accessible by the public/customers) for the two events.</p> <p>Please also provide details regarding this being a private event?</p> <p><i>(Please find the objection from the Metropolitan Police Appendix C2)</i></p>
<p>Recommendation:</p>	<p>That the Sub-Committee consider the notice of objection given by The Metropolitan Police and Environmental Health and determine whether or not the Licensing Authority should issue a counter notice to the premises user, in accordance with s.105 of the Licensing Act 2003.</p>

Additional procedural information – please see Appendix D

If you have any questions about this report, please contact Abigail Mugisa at
amugisa@westminster.gov.uk

Temporary Event Notice

Please Note: You will need to make a payment of £21.00 before the form submission can be accepted. You will be directed to pay when you submit the form.

I, the proposed premises user, hereby give notice under section 100 of the Licencing Act 2003 of my proposal to carry on a temporary activity at the premises described below.

Personal Details of Premises User *(Please read note 1)*

1. Your name

Title	First name	Last
Mr	James	Spallone

2. Previous names *(if relevant)*

3. Your date of birth

██████████

4. Your place of birth

██████████

5. National Insurance number

6. Your current address *(We will use this address to correspond with you unless you complete the separate correspondence box below)*

██████████ ██████████ ██████████	Postcode ██████████
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7. Other contact details

Telephone numbers	
Daytime	██████████
Mobile (optional)	
Email address	joannaonisiforou@incegd.com

Licensing Authority: *Westminster City Council*

Ref:

8. Alternative address for correspondence (*Address for correspondence associated with this application, if different to the previous address*)

Ince Gordon Dadds Llp

Aldgate Tower
2 Leman Street
London

Postcode
E1 8QN

9. Alternative contact details (*if applicable*)

Title	Ms	
First name	Joanna	
Last name	Onisiforou	
Telephone numbers		
Daytime	02077591371	
Mobile (optional)		
E-Mail address (optional)	joannaonisiforou@incegd.com	

The Premises

Please select the address of the premises where you intend to carry out the licensable activities. If there is no address please select the street record in the address lookup and supply further details of the location (including Ordnance Survey references) (Please read note 2). Search for address

Mappin House
4 Winsley Street
London

W1W 8HF

Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)? If so, please enter the licence or certificate number below.

Premises licence number	20/05431/LIPT					
Additional address information	Chinawhite					
Do you intend to use the whole of the premises at this address (Please read note 3) (If no, please give a description and details below)		<table border="1"> <tr> <td>Yes</td> <td>No</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> </tr> </table>	Yes	No	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Yes	No					
<input type="checkbox"/>	<input checked="" type="checkbox"/>					

VIP Room Day1 Temple Room Day2

The TEN will operate under the "Off" sales of alcohol provision. The entertainment will be provided under the unrestricted 'Private Entertainments' provisions on the licence for the premises.

Please describe the nature of the premises below. (Please read note 4)

Nightclub

Please describe the nature of the event below. (Please read note 5)

Extended hours over the festive period. Guest list and regular patrons only.

The operator will give the following undertaking:-

- Alcohol will not be permitted to be taken outside the building.
 - Other than the hours, all other licence conditions will be complied with.
 - No entry or re-entry to the premises after 02:00 hours, save for smokers.
 - No more than 15 smokers outside at any given time.
 - Everyone will be searched coming in and on re-entry.
 - Club ID Scan, metal detecting wand and full pat-downs will be employed.
 - All security outside will be wearing high vis jackets.
 - At least 4 SIA staff in high visibility jackets to be outside the premises, 2 inside the front door, 2 floating and 4 in the basement downstairs. (At least 2 female door supervisors will be present).
- The Applicant has established a staggered departure approach of customers over a one hour period, to minimise disturbance (for the Day 2 Event).

Licensing Authority: *Westminster City Council*

Ref:

The licensable activities

Please state the licensable activities that you intend to carry on at the premises (please mark an "X" next to the licensable activities you intend to carry on - either double click with the mouse, or press the space bar in the relevant field). (Please read note 6)

The sale by retail of alcohol	<input checked="" type="checkbox"/>
The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club	
The provision of regulated entertainment (Please read note 7)	<input checked="" type="checkbox"/>
The provision of late night refreshment	<input checked="" type="checkbox"/>
Are you giving a late temporary event notice? (Please read note 8)	

Please state the date and times on which you intend to use these premises for licensable activities. (Please read note 9) Please give times in 24 hour clock. eg. 19:00. (Please read note 10) How many days will your event cover?

Start date	19/12/2021	Time	03:00	End date	19/12/2021	Time	04:30	<input checked="" type="checkbox"/>
	19/12/2021		22:30		20/12/2021		03:30	

Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers. (Please read note 11)

350

If the licensable activities will include the supply of alcohol, please state whether the supplies will be for consumption on or off the premises, or both (please mark an "X" next to the appropriate box). (Please read note 12)

On the premises only
Off the premises only
Both

Please state if the licensable activities will include the provision of relevant entertainment. If so, please state the times during the event period that you propose to provide relevant entertainment. (please read note 13)

N/A

Personal licence holders (please read note 14)

		Yes	No
Do you currently hold a valid personal licence? (please mark an "X" in the box that applies to you)		<input checked="" type="checkbox"/>	
Provide the details of your personal licence below.	Issuing licensing authority	<input type="text"/>	
	Licence number	<input type="text"/>	
	Date of issue	<input type="text"/>	
	Date of expiry	<input type="text"/>	
	Any further relevant details	<input type="text"/>	

Previous Temporary Event Notices you have given (please read note 15)

		Yes	No
Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice? (please mark an "X" in the box that applies to you)		<input checked="" type="checkbox"/>	
State the number of temporary event notices you have given for events in that same calendar year		29	
Have you already given a temporary event notice for the same premises in which the event period:			
a) ends 24 hours or less before; or			
b) begins 24 hours or less after the event period proposed in this notice? (please mark an "X" in the box that applies to you)		<input checked="" type="checkbox"/>	

Licensing Authority: *Westminster City Council*

Ref:

Associates and business colleagues (please read note 16)

Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes	No
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
If answering yes, please state the total number of temporary event notices your associate(s) have given for events in the same calendar year		
Has any associate of yours already given a temporary event notice for the same premises in which the event period:	Yes	No
a) ends 24 hours or less before; or		
b) begins 24 hours or less after the event period proposed in this notice?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes	No
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
If answering yes, please state the total number of temporary event notices your business colleague(s) have given for events in the same calendar year.		
Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period:	Yes	No
a) ends 24 hours or less before; or		
b) begins 24 hours or less after the event period proposed in this notice?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Condition (please read note 17)

It is a condition of this temporary event notice that where the relevant licensable activities described in Section 3 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user.

Declarations (please read note 18)

The information contained in this form is correct to the best of my knowledge and belief.

I understand that it is an offence:

(i) to knowingly or recklessly make a false statement in connection with this temporary event notice and that a person is liable on conviction for such an offence to a fine up to level 5 on the standard scale; and

(ii) to permit an unauthorised licensable activity to be carried on at any place an that a person is liable on conviction for any such offence to an unlimited fine, or to imprisonment for a term not exceeding six months, or to both.

Please tick the box if you agree with the declarations above.

Date	19/11/2021
Name of person signing	Ms Joanna Onisiforou

For events held outside, please upload a plan of the area.

James, Spallone





Schedule 12
Part A

WARD: West End
UPRN: 010033546425

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

Premises licence

Regulation 33, 34

Premises licence number:

20/05431/LIPT

Original Reference:

05/02035/LIPCV

Part 1 – Premises details

Postal address of premises:

China White
Whole Building
Mappin House
4 Winsley Street
London
W1W 8HF

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

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

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

Performance of Dance

Monday to Saturday: 09:00 to 03:00
Sunday: 09:00 to 23:00
Non-standard Timings: See condition 47

Performance of Live Music

Monday to Saturday: 09:00 to 03:00
Sunday: 09:00 to 23:00
Non-standard Timings: See condition 47

Playing of Recorded Music

Unrestricted

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

Monday to Saturday: 09:00 to 03:00
Sunday: 09:00 to 23:00
Non-standard Timings: See condition 47

Late Night Refreshment

Monday to Saturday: 23:00 to 03:30
Non-standard Timings: See condition 47

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 03:00
Sunday: 12:00 to 22:30
Non-standard Timings: See condition 47

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

The opening hours of the premises:

Monday to Saturday: 09:00 to 03:30
Sunday: 09:00 to 23:00

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:

Mr James Spallone
China White
Mappin House
4 Winsley Street
London W1W 8HF

Email: james@chinawhite.com

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

04691555

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

Name: James Nicola Spallone

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: 10/07358/LIPERS
Licensing Authority: City of Westminster Council

Date: 27 August 2020



Signed:

This licence has been authorised by Ms Roxsana Haq on behalf of the Director - Public Protection and Licensing.

Annex 1 – Mandatory conditions

1. 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.
2. For the purposes of the condition set out in paragraph 1—
 - (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979(6)
 - (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(7)
3. Where the permitted price given by Paragraph (b) of paragraph 2 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.
4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 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.
5. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
6. 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.
7. Every supply of alcohol under this licence must be made or authorised by a person who hold a personal licence.
8. (1) The responsible person shall take all reasonable steps to 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 in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children:
- (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 (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
 - (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;
 - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on
 - (i) the outcome of a race, competition or other event or process, or
 - (ii) the likelihood of anything occurring or not occurring;
 - (e) 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.
9. The responsible person shall ensure that no alcohol is dispensed 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).
10. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
11. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
- (2) 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 a holographic mark.
12. The responsible person shall 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; and

- (b) customers are made aware of the availability of these measures.

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.

13. 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 reproducing the effect of conditions subject to which the relevant existing licenses have effect.

Conditions relating to Regulated Entertainment:

14. This licence is subject to all the former Rules of Management for Places of Public Entertainment licensed by Westminster City Council, in force from 4 September 1998 and incorporating amendments agreed by the Council on 25 October 1999, 30 June 2000, 16 January 2001 and 1 October 2001.
15. On New Year's Eve the premises can remain open for the purpose of providing regulated entertainment from the time when the provision of regulated entertainment must otherwise cease on New Year's Eve to the time when regulated entertainment can commence on New Year's Day (or until midnight on New Year's Eve where no regulated entertainment takes place on New Year's Day).
16. Notwithstanding the provisions of Rule of Management No. 6 the premises may remain open for the purposes of this licence from 23:00 on each of the days Monday to Saturday to 03:00 on the day following.
17. The security fastenings to the double doors in the escape corridor (opposite the staff room) shall be completely removed while the public are on the premises.
18. The doors to the ground floor bar area shall remain closed, except for the immediate access and egress of patrons, after 23:00.

Conditions related to the Sale of Alcohol

19. Substantial food and suitable non intoxicating beverages, including drinking water, shall be available throughout permitted hours in all parts of the premises where intoxicating is sold or supplied.
20. No striptease, no nudity and all persons to be decently attired.
21. No payment to be made by or on behalf of the premises for distribution of flyers or tickets within public areas in the Licensing Districts of Westminster.

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

Conditions for Sale of Alcohol

22. (a) Subject to the following paragraphs, the permitted hours on weekdays shall commence at 10.00 (12.00 on Christmas Day and Good Friday) and extend until 03.00 on the morning following except that,
- (i) the permitted hours shall end at 00.00 midnight on any day on which music and dancing is not provided after midnight; and

- (ii) on any day that music and dancing end between 00.00 midnight and 03.00, the permitted hours shall end when the music and dancing end
- (b) In relation to the morning on which summer time begins, paragraph (a) of this condition shall have effect,
 - (i) with the substitution of references to 04.00 for references to 03.00
- (c) The permitted hours on Sundays shall commence at 12.00 and extend until 22.30
- (d) The sale of alcohol must be ancillary to the use of the premises for music and dancing and substantial refreshment.
- (e) The permitted hours on New Year's Eve will extend to the start of permitted hours on the following day, or if there are no permitted hours on 1 January, to 00.00 on New Year's Eve.

NOTE - The above restrictions do not prohibit:

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

23. If any entertainment is provided for children or if an entertainment is provided at which the majority of persons attending are children, then, if the number of children attending the entertainment exceeds 100, it shall be the duty of the holder of the premises licence:
- (a) to station and keep stationed wherever necessary a sufficient number of adult attendants, properly instructed as to their duties, to prevent more children or other persons being admitted to the building, or to any part thereof, than the building or part can properly accommodate,
 - (b) to control the movement of the children and other persons admitted while entering and leaving the building or any part thereof, and
 - (c) to take all other reasonable precautions for the safety of the children.
24. 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.

25. 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

26. The number of persons accommodated at any time (excluding staff) shall not exceed the following:
- The temple Room - 75 but the total number of persons excluding staff in the basement at any one time shall not exceed 500.
Ground floor - 75
27. Whilst the premises are in use under this licence the entertainment shall be limited to a type commonly known as discotheque
28. On any evening where the premises or part of the premises are open for the purpose of music and dance in which the sale of alcohol must be ancillary to the use of the premises for music and dancing and substantial refreshment, intoxicating liquor shall not be sold or supplied to persons admitted to the premises after 23:00 other than to:
- i. Persons who have paid a minimum admission fee or at least £3 Monday to Thursday and £5 Friday and Saturday for music, dancing and entertainment (not to be credited against consumables);
 - ii. Persons who have paid a minimum annual admission fee of £150 (excluding founder members) payable in advance (not to be credited against consumables);
 - iii. Any persons attending a private function at the premises, of which 24 hours notice has been given to the police, a list of whom will be held at reception for inspection by any relevant authority;
 - iv. Artistes or persons employed on the premises;
 - v. Persons taking a full table meal, a list of whom are held at reception for inspection by any relevant authority;
 - vi. Bona fide guests of the proprietor, a list of whom shall be kept for inspection by appropriate authorities;
 - vii. Members and up to three guests of member of the propriety club operated by the owners. No person shall be admitted to the membership of the premises without an interval of 24 hours between the application for membership and admission on Monday and Tuesday limited to three guests and Wednesday to Saturday limited to one guest.
29. Persons under 18 may only be permitted in the basement as part of a private function whilst under the supervision of an adult.
30. At all times when the premises is open to the public and door security is employed at the premises all bags shall be searched.
31. On Thursday / Friday and Saturday all persons entering the premises after 2200hrs shall be searched in accordance with reasonable Metropolitan Police Search Instructions.
32. A daily Security Supervisor log shall be maintained at the premises recording full details of Door Security Staff on duty, including: Full name / DOB / SIA Licence number. This log shall be made available immediately upon request of Police and shall be stored by the venue operators for at least 6 months.
33. A daily log is to be maintained to ensure that any capacity limit set for the basement is recorded hourly and can be properly monitored. Information regarding the capacity will be given to an authorised officer or Police Officer on request.

34. 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.
35. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
36. Off Sales of Alcohol are to be in sealed containers only and for consumption off the premises.
37. There shall be no consumption of alcohol purchased on the premises outside, in the immediate vicinity of the premises including any smoking area.
38. No authorised advertisements of any kind (including placard, poster, sticker, flyer, picture, letter, sign or other mark) is inscribed or affixed upon the surface of the highway, or upon any building, structure, works, street furniture, tree, or any other property, or is distributed to the public, that advertises or promotes the establishment, its premises, or any of its events, facilities, goods or services.
39. All waste to be properly presented and placed out for collection no earlier than 30 minutes before the schedule collection times.
40. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
41. 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.
42. All door security personnel engaged outside the entrance to the premises, or supervising or controlling queues, shall wear high visibility yellow jackets or vests.
43. A manager shall be responsible for ensuring that all door security staff on duty have in their possession and are clearly displaying a valid SIA licence or have in their possession a SIA personal licence dispensation notice (LDN).
44. 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.
45. Save for when private corporate events are taking place, when the premises are open, save for when a Biometric Scanning System is in place (when fingerprint scanning will be required for all customers who have previously shown identification at the premises) all customers entering the premises will have their ID scanned on entry save for a maximum number of 25 guests per night who may be admitted at the manager's discretion without ID being scanned and recorded, and that a legible record of these people's names shall be retained on the premises for inspection by the licensing authority and police for a period of 31 days. The name of the manager authorising the entrance without scanning will also be recorded.

46. a. All drinking vessels used in the venue shall be polycarbonate. All drinks in glass bottles are to be decanted into polycarbonate containers or polycarbonate carafes prior to being served, with the exception of champagne or bottles of spirits with a minimum size of 70cl supplied by waiter/waitress service to tables. Staff shall clear all empty champagne and spirit bottles promptly from the tables. Customers shall not be permitted to leave their table carrying any such glass bottles or drink directly from the bottle.
- b. Notwithstanding a) above, with the written agreement of the Westminster Licensing Police, a copy of which will be held at the premises reception, glass drinking vessels may be used for private or pre-booked events within the areas agreed by the Police.

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

47. Provided that in any calendar year, there have been no applications for a temporary event notice, on no more than 15 occasions in that calendar year, the terminal hour on Sundays to be 03:00 for the purposes of private pre-booked functions to which the general public are not admitted, following 10 working days notice to the Police and the Licensing Authority and subject to the written consent of the Police.
48. Where condition 40 applies for less than a whole calendar year, the maximum number of such functions allowed in that calendar year shall be calculated pro rata.
49. When a customer chooses to pay by credit card, he/she will be presented with an itemised bill upon final payment, showing details of all drinks and food purchased.



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

Schedule 12
Part B

WARD: West End
UPRN: 010033546425

Premises licence
summary

Regulation 33, 34

Premises licence number:

20/05431/LIPT

Part 1 – Premises details

Postal address of premises:

China White
Whole Building
Mappin House
4 Winsley Street
London W1W 8HF

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

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

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

Performance of Dance

Monday to Saturday: 09:00 to 03:00
Sunday: 09:00 to 23:00
Non-standard Timings: See condition 47

Performance of Live Music

Monday to Saturday: 09:00 to 03:00
Sunday: 09:00 to 23:00
Non-standard Timings: See condition 47

Playing of Recorded Music

Unrestricted

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

Monday to Saturday: 09:00 to 03:00
Sunday: 09:00 to 23:00
Non-standard Timings: See condition 47

Late Night Refreshment

Monday to Saturday: 23:00 to 03:30
Non-standard Timings: See condition 47

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 03:00
Sunday: 12:00 to 22:30
Non-standard Timings: See condition 47

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

The opening hours of the premises:

Monday to Saturday: 09:00 to 03:30
Sunday: 09:00 to 23:00

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:

Mr James Spallone
China White
Mappin House
4 Winsley Street
London W1W 8HF

Email: james@chinawhite.com

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

04691555

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

Name: James Nicola Spallone

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

Restricted

Date: 27 August 2020



Signed:

This licence has been authorised by Ms Roxsana Haq on behalf of the Director - Public Protection and Licensing.

Consultee Comments for Licensing Application 21/13315/LITENP

Application Summary

Application Number: 21/13315/LITENP

Address: Mappin House 4 Winsley Street London W1W 8HF

Proposal: TEN Personal Licence Holder

Case Officer: Abigail Mugisa

Consultee Details

Name: Ian Watson

Address: LICENSING DEPARTMENT FOURTH FLOOR, WESTMINSTER CITY HALL, 64
VICTORIA STREET, LONDON SW1E 6QP

Email: Not Available

On Behalf Of: Environmental Health Service For TENs

Comments

Dear Joanna

Reference is made to application 21/13315/LITENP that is requesting the supply of alcohol, regulated entertainment and late night refreshment on both the 19th and 20th December 2021 for up to 350 persons up to 04.30 hours.

An objection is made to this TEN on the grounds of prevention of public nuisance and more information is required on the type of events being promoted and how you believe that the unrestricted private entertainment will apply when entry will be for guest list and regular patrons.

Regards

Ian Watson

From: [Watson, Ian: WCC](#)
To: [Donovan, Jessica: WCC](#)
Subject: FW: 21/13315/LITENP Mappin House 4 Winsley Street London W1W 8HF [INCE-EU_GDG_OPEN.FID45250]
Date: 01 December 2021 16:50:15
Attachments: [image007.png](#)
[image008.png](#)
[image009.png](#)

Hi Jess

This e-mail trail can be included in the report.

Regards

Ian Watson

Senior Practitioner Environmental Health (Licensing)
EH Consultation
Regulatory Support Team 2
Public Protection and Licensing
Westminster City Council
15th Floor
City Hall
64 Victoria Street
Victoria
London
SW1E 6QP

Tel: 07983 392684

Email: iwatson@westminster.gov.uk



From: Watson, Ian: WCC
Sent: 01 December 2021 16:45
To: Joanna Onisiforou <JoannaOnisiforou@incegd.com>
Subject: RE: 21/13315/LITENP Mappin House 4 Winsley Street London W1W 8HF [INCE-EU_GDG_OPEN.FID45250]

Hi Joanna

I have considered your response to my concerns about private events and 'Off' sales and I am not satisfied that my points have been addressed on a legal basis. Regarding the meaning of the term 'private' or the 'Off' sales of alcohol within the premises. In that respect I have asked the licensing authority to have the TEN determined by the licensing subcommittee next Thursday.

Happy to discuss.

Regards

Ian Watson

Senior Practitioner Environmental Health (Licensing)
EH Consultation
Regulatory Support Team 2
Public Protection and Licensing
Westminster City Council

15th Floor
City Hall
64 Victoria Street
Victoria
London
SW1E 6QP

Tel: 07983 392684

Email: iwatson@westminster.gov.uk



From: Joanna Onisiforou <JoannaOnisiforou@incedg.com>

Sent: 01 December 2021 14:31

To: Watson, Ian: WCC <iwatson@westminster.gov.uk>

Subject: RE: 21/13315/LITENP Mappin House 4 Winsley Street London W1W 8HF [INCE-EU_GDG_OPEN.FID45250]

Dear Ian,

I just wondered whether you have had an opportunity to consider our discussions and my subsequent email of yesterday.

Unfortunately, I am not having any joy in contacting the police.

Kind regards,

Joanna

Joanna Onisiforou

Associate



D: [+44 \(0\) 20 7759 1371](tel:+442077591371) / M: [+44 \(0\) 7880 186 244](tel:+44207880186244)

JoannaOnisiforou@incedg.com

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T: [+44 \(0\) 20 7493 6151](tel:+442074936151) / F: [+44 \(0\) 20 7437 8216](tel:+442074378216)

incedg.com



From: Joanna Onisiforou

Sent: 30 November 2021 13:17

To: Watson, Ian: WCC <iwatson@westminster.gov.uk>

Subject: 21/13315/LITENP Mappin House 4 Winsley Street London W1W 8HF [INCE-EU_GDG_OPEN.FID45250]

Dear Ian,

Good to speak with you today. As discussed, I understand that the main issues of concern are:

1. How unrestricted private entertainment fits in with the clientele for these events.
2. Off sales of alcohol

Saturday Event

In regard to point 1, the main reason for the extension of hours is to cater for high profile football teams, celebrities and their guests. It is to allow these select guests further time to remain at the premises and for their dispersal after the usual clientele leave the premises. The unrestricted private entertainment would apply to these select private guests.

The applicant is happy to reduce the capacity to 150 people between 3am and 4.30am

Sunday Event

There is no proposed change to the usual Sunday events that have been taking place at this premises over a number of years. Again, only regular patrons and those listed on a guest list will be allowed to attend.

The premises licence permits consumption of alcohol inside of the premises building. In regard to off sales of alcohol, there will be no alcohol permitted to be taken outside of the building.

I look forward to hearing from you once you have considered the above and happy to discuss further.

As you know Covid restrictions have presented many obstacles for nightclub operators and the applicant simply wishes make use of the festive period. Any comments or suggestions to assist with this event going ahead would be much appreciated.

I look forward to hearing from you.

Kind regards,

Joanna

Joanna Onisiforou

Associate



D: [+44 \(0\) 20 7759 1371](tel:+442077591371) / M: [+44 \(0\) 7880 186 244](tel:+44207880186244)

JoannaOnisiforou@incegd.com

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T: [+44 \(0\) 20 7493 6151](tel:+442074936151) / F: [+44 \(0\) 20 7437 8216](tel:+442074378216)

incegd.com



From: Watson, Ian: WCC <iwatson@westminster.gov.uk>

Sent: 24 November 2021 15:42

To: Joanna Onisiforou <JoannaOnisiforou@incegd.com>

Cc: TEN's Mailboxes: WCC <TENS@westminster.gov.uk>; Police Tens: WCC <Police.Tens@westminster.gov.uk>; EH Consultation Team: WCC <EHConsultationTeam@westminster.gov.uk>

Subject: [EXTERNAL] 21/13315/LITENP Mappin House 4 Winsley Street London W1W 8HF

Dear Joanna

Reference is made to application 21/13315/LITENP that is requesting the supply of alcohol, regulated entertainment and late night refreshment on both the 19th and 20th December 2021 for up to 350 persons up to 04.30 hours.

An objection is made to this TEN on the grounds of prevention of public nuisance and more information is required on the type of events being promoted and how you believe that the unrestricted private entertainment will apply when entry will be for guest list and regular patrons.

Regards

Ian Watson

Senior Practitioner Environmental Health (Licensing)

EH Consultation

Regulatory Support Team 2

Public Protection and Licensing

Westminster City Council

15th Floor

City Hall

64 Victoria Street

Victoria

London

SW1E 6QP

Tel: 07983 392684

Email: iwatson@westminster.gov.uk



COVID-19 VACCINATIONS AND TESTING

Testing is the most effective way to control the spread of coronavirus. For information on how to get tested, testing sites, and more visit: www.westminster.gov.uk/covid-19-testing

The COVID-19 vaccine has been proven to be safe and effective at protecting people against serious illness from coronavirus. For information about vaccine centres and how to book your appointment, visit: www.westminster.gov.uk/vaccinations

In addition to regular testing and getting vaccinated, the most important thing we can all do is remember: Hands, Face, Space, Fresh air.

FREE EARLY EDUCATION AND CHILDCARE

15 hours of free early education and childcare is available for all 3 and 4 year olds for up to 38 weeks per year, with an extended entitlement of 30 hours where eligible.

Funded early education and childcare places are also available for 2 year olds, with up to 15 hours of free education for those eligible.

Find out more at: <https://bit.ly/wccfis>

Westminster City Council switchboard: +44 20 7641 6000.

www.westminster.gov.uk

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Consultee Comments for Licensing Application 21/13315/LITENP

Application Summary

Application Number: 21/13315/LITENP

Address: Mappin House 4 Winsley Street London W1W 8HF

Proposal: TEN Personal Licence Holder

Case Officer: Abigail Mugisa

Consultee Details

Name: reaz guerra

Address: 64 Victoria Street, London SW1E 6QP

Email: Not Available

On Behalf Of: Metropolitan Police Service For TENs (for Licensing)

Comments

Dear James

With reference to the above TEN(s), Police object to these Temporary Event Notices for the following reasons to prevent crime and disorder and protect children from harm:-

Insufficient details describing the event.

Insufficient undertakings provided to promote the licensing objectives.

The TEN(s) states it is to cover two dates 21/13315/LITENP 19th and 20th Dec & 21/13311/LITENP - 5th and 6th Dec, stating that two different areas are being used, (VIP Room Day1 Temple Room Day2)

Please provide a detailed plan showing what areas will be in use (Eg accessible by the public/customers) for the two events. Please also provide details regarding this being a private event?

Reaz

APPENDIX D

ADDITIONAL INFORMATION FOR TEMPORARY EVENT NOTICES

1. TEMPORARY EVENT NOTICE PROCEDURE

- 1.1 Under s.100 (1) of the Licensing Act 2003 certain temporary events, which include licensable activities, are permitted under the Act if they are notified to the Council and the Police/Environmental Health by giving a 'Temporary Event Notice'. The notice must be given by the 'premises user' (usually the event organiser responsible for all aspects of the event).
- 1.2 Permitted temporary events are events that take place in any premises, open space or temporary structure. The event must consist of one or more licensable activities; and the premises must be used over a period of no longer than 168 hours, with no more than 499 people in attendance.
- 1.3 Licensable activities include the sale by retail of alcohol; the provision of regulated entertainment and the provision of late night refreshment (hot food or drink supplied between 11pm and 5am).
- 1.4 The premises user must send two copies of the temporary event notice to the Council, one copy to the environmental health department and one copy to the police leaving at least 10 clear working days before the event is due to begin. The Council must acknowledge receipt of the temporary event notice by the next working day.

2. NOTICE OF OBJECTION BY POLICE/ENVIRONMENTAL HEALTH

- 2.1 If the Police/ Environmental Health are satisfied that the event would undermine one or more of the licensing objectives, they must give a notice of objection stating their reasons as to why an objective would be undermined to the Council and premises user within 3 working days of receipt of the notice.

3. HEARING PROCEDURE FOLLOWING NOTICE OF OBJECTION BY POLICE/ENVIRONMENTAL HEALTH

- 3.1 The Sub-Committee is being asked to consider the notice of objection and hear any oral evidence given by or on behalf of the premises user and the Police/Environmental Health.
- 3.2 The Sub-Committee must consider whether to give a counter notice to the temporary event notice given by the premises user if it considers it necessary for the promotion of the licensing objectives.
- 3.3 The Council must convene a hearing to consider the notice of objection and give at least two day's notice to the premises user and the police.
- 3.4 The Sub-Committee must either reject the notice of objection to allow the event to take place, or issue a counter notice to prevent the event from taking place, or where or, after hearing the objections, allow the notice but attach relevant conditions from the premises licence. Please note not all premises will hold a premises licence.

- 3.5 The Council must, where it decides not to give a counter notice, give the premises user and the Police/Environmental Health a notice of the decision at least 24 hours before the beginning of the event period specified in the temporary event notice.
- 3.6 Where the Council decides to give a counter notice, it must give the premises user the counter notice and the reasons for its decision; and a copy of the counter notice and the reason for its decision to the police, at least 24 hours before the beginning of the event period specified in the temporary event notice.

4. APPEAL

- 4.1 Schedule 5, Part 3 of the Licensing Act 2003 provides a right of appeal to the premises user against the giving of a counter notice, and a right of appeal to the chief officer of Police/Environmental Health where the Council decides not to give a counter notice. Such an appeal must be commenced within 21 days beginning with the day on which the appellant was notified by the Licensing Authority of the decision appealed against.
- 4.2 No appeal may be brought later than five working days before the day on which the event period specified in the temporary event notice begins.

5. POLICY CONSIDERATIONS

- 5.1 The Westminster Statement of Licensing Policy for applications relating to premises and personal licences and temporary event notices made under the Licensing Act 2003 was determined for a three-year period commencing 7 January 2011. This contains no specific policy for Temporary Event Notices but urges longer periods of notice to be given for events which involve the use of the streets or necessitate the special management of traffic and services.