



City of Westminster

Licensing Sub-Committee Report

Item No:

Date:

Licensing Ref No:

Title of Report:

Report of:

Wards involved:

Policy context:

Financial summary:

Report Author:

Contact details

10 February 2022

21/11130/LIPV - Premises Licence Variation

Flight Club -Unit 8 Nova
Victoria Street
London
SW1E 5DJ

Director of Public Protection and Licensing

Vincent Square

City of Westminster Statement of Licensing Policy

None

Kevin Jackaman
Senior Licensing Officer

Telephone: 0207 641 6500
Email: kjackaman@westminster.gov.uk

1.	Application				
1-A	Applicant and premises				
Application Type:	Variation of a Premises Licence, Licensing Act 2003				
Application received date:	11 October 2021				
Applicant:	Flight Club Darts Limited				
Premises:	Flight Club				
Premises address:	Unit 8 Nova Victoria Street London SW1E 5DJ	Ward:		Vincent Square	
		Cumulative Impact Area:		None	
		Special Consideration Zone:		Victoria	
Premises description:	The premises are a darts themed multi purpose venue				
Variation description:	<p>To vary the current premises licence as follows:</p> <ul style="list-style-type: none"> • Sunday to Tuesday to add an additional 30 minutes drinking up time after the current cessation of alcohol sales of 11pm Sunday and midnight Monday and Tuesday. • Extension of licensable activities on Wednesday to Saturday and Sunday preceding Bank Holiday Monday to 1am the following morning with 30 minutes drinking up time thereafter (current permission until midnight). • To add conditions to the operating schedule of the premises licence in order to further promote the licensing objectives. 				
Premises licence history:	The premises have had the benefit of a premises licence since July 2010. The current premises licence (licence number 20/00972/LIPT) is attached as appendix 1 of this report. A full licence history for the premises appears at appendix 3.				
Applicant submissions:	None				
Applicant amendments:	None				

1-B	Current and proposed licensable activities, areas and hours					
Regulated Entertainment						
Recorded music						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	07:00	00:00	No change		Ground floor and external	No change
Tuesday	07:00	00:00				

Wednesday	07:00	00:00	07:00	01:00	area	
Thursday	07:00	00:00	07:00	01:00		
Friday	07:00	00:00	07:00	01:00		
Saturday	07:00	00:00	07:00	01:00		
Sunday	07:00	23:00	No change			
Seasonal Variations/ Non-standard timings:	Current:				Proposed:	
	Sundays immediately prior to a Bank Holiday 07:00 to 00:00				Sunday preceding Bank Holiday Monday to 01:00 the following morning	

Late night refreshment						
Indoors, outdoors or both		Current :			Proposed:	
		Both			No change	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	23:00	00:00	No change		Ground floor and external area	No change
Tuesday	23:00	00:00				
Wednesday	23:00	00:00	23:00	01:00		
Thursday	23:00	00:00	23:00	01:00		
Friday	23:00	00:00	23:00	01:00		
Saturday	23:00	00:00	23:00	01:00		
Sunday	N/A		23:00	00:00		
Seasonal variations/ Non-standard timings:	Current:				Proposed:	
	Sundays immediately prior to a Bank Holiday 07:00 to 00:00				Sunday preceding Bank Holiday Monday to 01:00 the following morning	

Sale by Retail of Alcohol						
On or off sales		Current :			Proposed:	
		Both on and off			No change	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	07:00	00:00	No change		Ground floor and external area	No change
Tuesday	07:00	00:00				
Wednesday	07:00	00:00	07:00	01:00		
Thursday	07:00	00:00	07:00	01:00		
Friday	07:00	00:00	07:00	01:00		
Saturday	07:00	00:00	07:00	01:00		
Sunday	07:00	23:00	No change			
Seasonal variations/ Non-standard timings:	Current:				Proposed:	
	Sundays immediately prior to a Bank Holiday 07:00 to 00:00				Sunday preceding Bank Holiday Monday to 01:00 the following morning	

Hours premises are open to the public						
	Current Hours		Proposed Hours		Premises Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	07:00	00:00	0:00	00:30	Ground floor and external area	No change
Tuesday	07:00	00:00	07:00	00:30		
Wednesday	07:00	00:00	07:00	01:30		
Thursday	07:00	00:00	07:00	01:30		
Friday	07:00	00:00	07:00	01:30		
Saturday	07:00	00:00	07:00	01:30		
Sunday	07:00	23:00	07:00	23:30		
Seasonal variations/ Non-standard timings:	Current:				Proposed:	
	None				Sunday preceding Bank Holiday Monday to 01:00 the following morning	

1-C	Layout alteration
No change of layout is proposed	

1-D	Conditions being varied, added or removed
Condition 9	Proposed variation
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 records shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period	(a) The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. (b) All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. (c) The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises and will include the external area immediately outside the premises entrance. (d) All recordings shall be stored for a minimum period of 31 days with date and time stamping. (e) Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31-day period
Adult entertainment:	Current position:
	None
	Proposed position:
	No change

2.	Representations
2-A	Responsible Authorities
Responsible Authority:	Metropolitan Police Service (withdrawn)
Representative:	Adam Deweltz
Received:	2 November 2021
<p>With reference to the above, I am writing to inform you that the Metropolitan Police, as a responsible authority, are making a representation against this application. It is our belief that if granted the application could undermine the Licensing Objectives in relation to The Prevention of Crime and Disorder. The hours sought are also beyond those of Westminster's core hours policy.</p> <p>Following agreement of additional conditions, the Metropolitan Police withdrew their representation on 9 November 2021. The conditions agreed appear in appendix 4 below.</p>	
Responsible Authority:	Environmental Health
Representative:	Ian Watson
Received:	8 November 2021
<p>I refer to the application for a New Premises Licence.</p> <p>The premises are located within the Victoria Special Consideration Zone as stated in the City of Westminster's Statement of Licensing Policy.</p> <p>This representation is based on the plans and operating schedule submitted.</p> <p>The applicant is seeking the following</p> <ol style="list-style-type: none"> 1. To extend all licensable activities on Wednesday to Saturday to 01.00 hours. Extend licensable activities on a Sunday prior to a Bank Holiday Monday to 01.00 hours. 2. To add conditions to the licence regarding last entry times, personal licence holder, dispersal policy, door supervisors etc... <p>I wish to make the following representation</p> <ol style="list-style-type: none"> 1. The additional hours requested for licensable activities will have the likely effect of causing an increase in Public Nuisance within the Victoria Special Consideration Zone. 2. No representation. <p>The applicant has provided additional information with the application which is being addressed.</p> <p>Should you wish to discuss the matter further please do not hesitate to contact me.</p>	

2-B Other Persons	
Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]
Received:	2 November 2021

I wish to object to the above application which, as you will know, is seeking to vary the premises' licence as follows:

- Sunday to Tuesday - to add an additional 30 minutes' drinking-up time after the current cessation of alcohol sales of 11.00pm Sunday, and midnight Monday and Tuesday.
- Extension of licensable activities on Wednesday to Saturday and Sunday preceding Bank Holiday Monday to 1.00am the following morning, with 30 minutes' drinking-up time thereafter. Current permission is until midnight.
-

Flight Club, Unit 8 Nova, SW1E 5DJ is located on Landsec's Nova development. There are 16 other hospitality businesses located on the development, including many restaurants, several coffee bars, a pub and a gym. There is also a residential building and two completed office buildings on the development, with another commercial building under construction. These buildings are all in close proximity to the applicant's premises, with the residential building located approximately 75-80 yards from the entrance to and exit from Flight Club's premises.

Piers Warne, a solicitor with TLT LLP, who submitted the above application on behalf of Flight Club, stated on page 20 of the application in point 3 of 'Flight Club Victoria: response to HRS 1 B and reasons for SPZ' that:

"We do not believe that there is residential property within proximity of the premises that would be adversely affected by the application."

Mr Warne's statement is incorrect and untrue. The Nova Building, 75-87 Buckingham Palace Road, SW1 is situated approximately 75-80 yards from the applicant's premises. It is a residential building with 170 apartments and there are currently in the order of 300 people living in it. The occupants are mostly of working-age and many have children. Almost every evening of the week those 300 individuals endure considerable noise nuisance as a direct consequence of the activities of Flight Club's customers.

Flight Club, Victoria can accommodate up to 780 people. On almost every night of the week lengthy public disturbances are occasioned by several hundred people exiting Flight Club's premises when it closes, who then congregate outside those premises. Many of them are clearly intoxicated. Significant numbers of the individuals who linger in the vicinity of the entrance to/exit from Flight Club's premises engage in a range of anti-social activities, including shouting, football-style chanting, screaming and shrieking, urinating in public and, on occasions, there has been fighting between rival groups. This public nuisance generally continues for between 30 and 60 minutes after Flight Club's customers have left its premises, and takes place less than a hundred yards from the residential Nova Building at a time when most of the occupants of that building are in bed.

The anti-social activities of these large, noisy groups are such that many of the 300 or so residents of the Nova Building are woken up, and are then kept awake by the continuing noise nuisance for anything up to an hour after Flight Club has closed. The noise nuisance only abates when Flight Club's customers eventually disperse, generally making their way noisily towards Victoria Station and its transport links.

Practically every night of the week, Flight Club's customers commit public nuisance, petty crime and disorder and inflict harm on the many children and adults who reside in the Nova Building. No other hospitality business on the Nova development has large numbers of customers who

routinely engage in a wide variety of anti-social behaviours which impact adversely on the children and adults who live in the residential Nova Building. In short, Flight Club, Victoria is a blight on an otherwise well managed development.

There is mention in the application of another nearby hospitality business, called 'Market Halls', that has capacity for 840 customers and which closes at 01.30am every day of the week. However, there is a major and critical difference between the location of Flight Club's and Market Halls' premises. When Flight Club's customers leave Flight Club's premises many of them congregate and carouse for up to an hour close to a residential building. However, when Market Hall's customers exit its premises they do so straight into the bus terminus in front of Victoria Station, where they board night buses, tubes and trains. There is no residential building there, and Market Halls' customers do not linger for long periods, inflicting sustained public and noise nuisance on the occupants of a residential building, as Flight Club's customers do. Accordingly, any comparison with Market Halls is specious and inappropriate.

Please do not extend the licensable hours of Flight Club by 1 hour on 4 nights of the week, or grant Flight Club an additional 30 minutes 'drinking-up time' on 7 nights of the week, as it will make the present situation far worse. Any extension at all of Flight Club's opening hours would be grossly unfair to the residents of the Nova Building, will adversely impact their lives and will cause them considerable distress.

3.	Policy & Guidance
The following policies within the City Of Westminster Statement of Licensing Policy apply:	
Policy HRS1 applies	<p>A. Applications within the core hours set out below in this policy will generally be granted for the relevant premises uses, subject to not being contrary to other policies in the Statement of Licensing Policy.</p> <p>B. Applications for hours outside the core hours set out in Clause C will be considered on their merits, subject to other relevant policies, and with particular regard to the following:</p> <ol style="list-style-type: none"> 1. The demonstration of compliance in the requirements of policies CD1, PS1, PN1 and CH1 associated with the likelihood of the effect of the grant of a licence for later or earlier hours on crime and disorder, public safety, public nuisance and the protection of children from harm. 2. If the application is located within a Special Consideration Zone they have demonstrated that they have taken account of the issues identified in that area and provided adequate mitigation. 3. Whether there is residential accommodation in the proximity of the premises that would likely be adversely affected by premises being open or carrying out operations at the hours proposed. 4. The proposed hours of the licensable activities and when customers will be permitted to remain on the premises. 5. The proposed hours when any music, including incidental music, will be played. 6. The hours when customers will be allowed to take food or drink outside the premises or be within open areas which form part of the premises. 7. The existing hours of licensable activities and the past operation of the premises (if any) and hours of licensable premises in the vicinity. 8. Whether customers and staff have adequate access to public transport when arriving at and leaving the premises, especially at night. 9. The capacity of the premises. 10. The type of use, recognising that some venues are more likely to impact the licensing objectives than others; for example, pubs and

	<p>bars are higher risk than theatres, cinemas and other cultural and sporting venues due to the nature of the operation.</p> <p>11. The Licensing Authority will take into account the active measures proposed for a 'winding down' period including arrangements for people to be collected from the premises to travel home safely.</p> <p>12. Conditions on hours may be attached that require that the supply of alcohol for consumption on the premises ceases a suitable period of time before customers are required to leave the premises.</p> <p>13. The council, acting as the Licensing Authority, may reduce hours if, after review, it is necessary to impose conditions specifying shorter hours in order to promote the licensing objectives.</p> <p>14. Specific days for non-standard hours should be identified and justified as part of the application to allow responsible authorities and interested parties to evaluate the impact that these licensable activities may have, and to plan accordingly. The consideration of applications for later hours for Bank Holiday Mondays will take into account that later hours are generally granted for preceding Sundays and that the next day is a working day. Non-specific days are expected to be covered by Temporary Event Notices or variation applications.</p>
<p>Policy COMB1(A) applies</p>	<p>A. Applications outside the West End Cumulative Impact Zone for premises that propose to operate as a 'combined use premises' will be considered on their merits and subject to:</p> <ol style="list-style-type: none"> 1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1. 2. The hours for licensable activities for the relevant use being within the council's Core Hours Policy HRS1. 3. The operation of any delivery services for alcohol and/or latenight refreshment meeting the council's Ancillary Delivery of Alcohol and/or Late-Night Refreshment Policy DEL1. 4. The applicant has taken account of the Special Consideration Zone policy SCZ1 if the premises are located within a designated zone. <p>C. When considering what weight is to be given to the relevant uses and policies the Licensing Authority will take into account:</p> <ol style="list-style-type: none"> 1. Whether it will undermine the licensing objectives. 2. The current and proposed use of the premises. 3. When those uses will take place. 4. What the primary use of the premises is or the uses that will take place in different parts of that premises. 5. Whether there would normally be a presumption to refuse an application for that use if it was operating as that premises type and not a combined use premises. 6. Whether the hours sought for the all or parts of the premises are within or outside the Core Hours. <p>D. The Licensing Authority will take into account, when considering the application, the relevant considerations from each of the appropriate premises uses policies within this statement E. For the purpose of this policy a Combined Use Premises means premises which require a premises licence and where there is more than one premises use, and where the uses are not dependent on/ or part of the other uses i.e. are not ancillary to the other uses.</p>
<p>Policy SCZ1 applies</p>	<p>A. In addition to meeting the other policies within this statement, applications within a designated Special Consideration Zone should demonstrate that they have taken account of the issues particular to</p>

	<p>the Zone, in question as identified within the 2020 Cumulative Impact Assessment, and should set out any proposed mitigation measures in relation to those issues within their operating schedule.</p> <p>B. For the purpose of Clause A, the designated Special Consideration Zone for this application is:</p> <ul style="list-style-type: none"> • Victoria.
--	---

4. Equality Implications

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

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

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

5.	Appendices
Appendix 1	Premises licence 18/15220/LIPDPS
Appendix 2	Applicant supporting documents
Appendix 3	Premises history
Appendix 4	Proposed conditions
Appendix 5	Residential map and list of premises in the vicinity

Report author:	Kevin Jackaman Senior Licensing Officer
Contact:	Telephone: 0207 641 6500 Email: kabbott@westminster.gov.uk

If you have any queries about this report or wish to inspect one of the background papers please contact the report author.

Background Documents – Local Government (Access to Information) Act 1972

1	Licensing Act 2003	N/A
2	City of Westminster Statement of Licensing Policy	7 th January 2021
3	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2018
4	Metropolitan Police Service representation	2 November 2021 (withdrawn 9 November 2021)
5	Environmental Health representation	8 November 2021
6	Interested Party representation	2 November 2021



**Schedule 12
Part A**

**WARD: Vincent Square
UPRN: 010033549280**

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

Premises licence

Regulation 33, 34

Premises licence number:

18/15220/LIPDPS

Original Reference:

16/01770/LIPN

Part 1 – Premises details

Postal address of premises:

Flight Club -Unit 8 Nova
Victoria Street
London

Telephone Number:

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Playing of Recorded Music
Late Night Refreshment
Sale by Retail of Alcohol

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

Playing of Recorded Music

Monday to Saturday: 07:00 to 00:00
Sunday: 07:00 to 23:00 (extension until midnight
for Sundays immediately prior to a bank holiday)

Late Night Refreshment

Monday to Saturday: 23:00 to 00:00
Sundays before Bank Holidays: 23:00 to 00:00

Sale by Retail of Alcohol

Monday to Saturday: 07:00 to 00:00
Sunday: 07:00 to 23:00 (extension until midnight
for Sundays immediately prior to a bank holiday)

The opening hours of the premises:

Monday to Saturday: 07:00 to 00:00
Sunday: 07:00 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:

Flight Club Darts Limited
22 Great James Street
London
WC1N 3ES

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

08824987

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

Name: Emil Matijevic

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: 17ILIC325PERS
Licensing Authority: London Borough Of Ealing

Date: 28 September 2021

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

Annex 1 – Mandatory conditions

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

- (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either -
 - (a) a holographic mark, or
 - (b) an ultraviolet feature.

7. The responsible person must ensure that –

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

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

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

Annex 2 – Conditions consistent with the operating Schedule

None

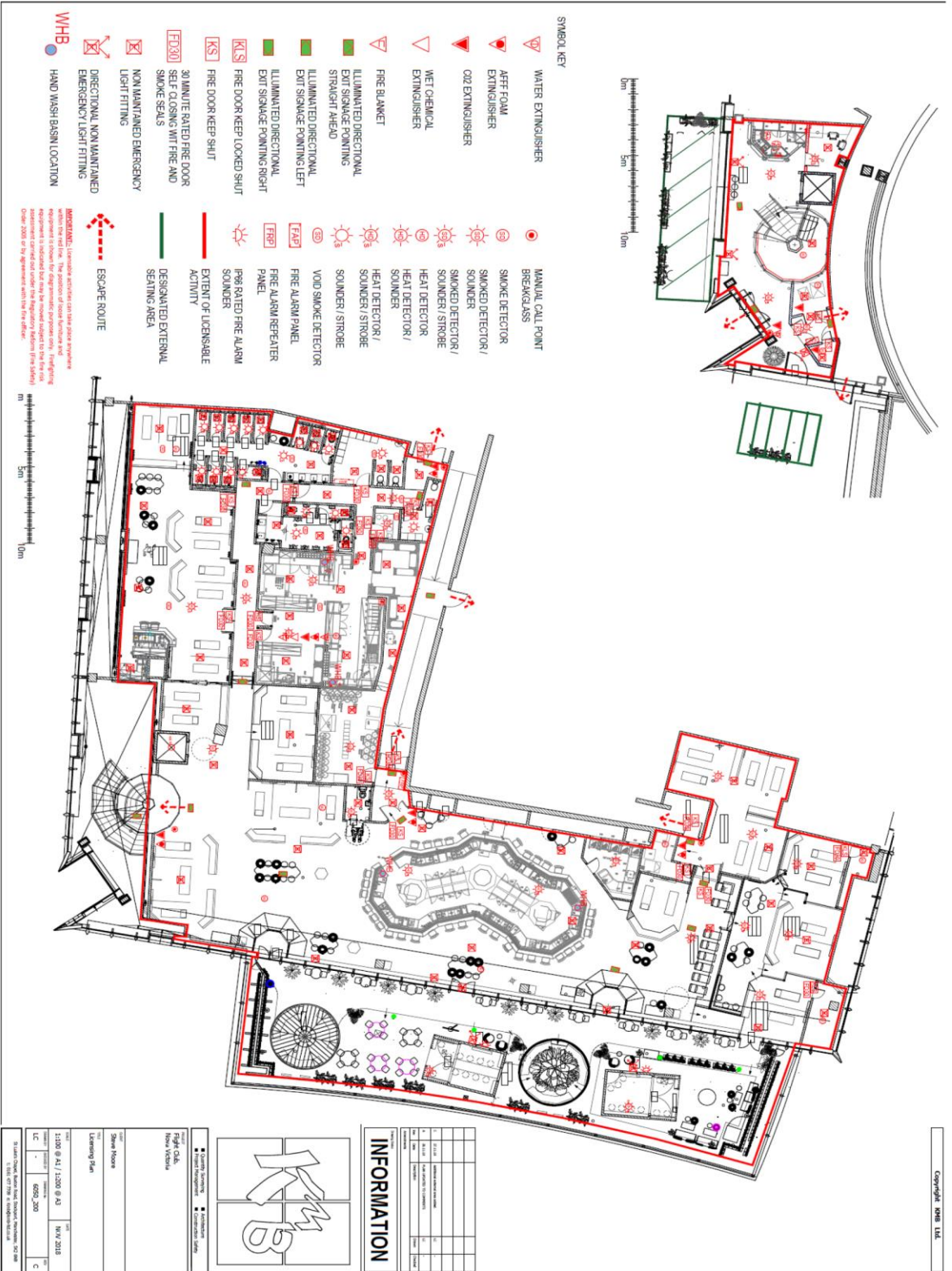
Annex 3 – Conditions attached after a hearing by the licensing authority

9. 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 records shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
10. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises 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.
11. Substantial food and 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.
12. Waiter and Waitress service shall be available in all parts of the licensed premises.
13. In relation to the first floor terrace area no licensable activities shall be provided and no consumption of alcohol shall be allowed after 11pm.
14. All sales of alcohol for consumption off the premises shall be in sealed containers only, save for alcohol served by a waiter or waitress to customers who are seated at tables within the designated external seating area(s) shown on the attached plan edged and cross-hatched in green.
15. All outside tables and chairs within the dedicated ground floor outside seating area shall be rendered unusable by 23:00 hours each day.
16. Patrons permitted to temporarily leave and then re-enter the premises and any dedicated outside ground floor seating area, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.
17. An incident log shall be kept at the premises, and made available on requires 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; and
 - h) any visit by a relevant authority or emergency service
18. Notices shall be displayed at the exit of the premises requesting customers leaving the premises to respect the needs of local residents and business and leave the area quietly.
19. A Challenge 21 or Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable form of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS hologram.
20. Other than where deliveries take place in accordance with the NOVA development delivery arrangements allowing delivery to the dedicated basement delivery area, no

deliveries to the premises shall take place between 23:00 and 08:00 on the following day.

21. Other than where refuse is disposed of and collected in accordance with the NOVA refuse collection arrangements allowing collections from the dedicated basement area, all waste shall be properly present and placed out for collection no earlier than 30 minutes before the scheduled collection times.
22. 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.
23. All windows and external doors shall be kept closed before 08:00 and after 23:00 hours, except for the immediate access and egress of persons.
24. Between 07:00 and 10:00 hours the sale of alcohol for consumption on the premises or in the designated external seating area(s) shall be limited to pre-booked private functions or to consumption of alcohol that is ancillary to food.
25. Between 07:00 and 08:00 the sale of alcohol for consumption off the premises shall be limited to alcohol served to customers who are seated at tables within the designated external seating area(s) shown on the attached plan.
26. There shall be a minimum of 8 oches available at anytime when the premises is open to the public. Oche means the darts playing area , which consists of a designated area for the use of darts, which includes a dartboard, throw line and clearance area .
27. The number of persons permitted in the premises at any one time (excluding staff) shall not exceed 780 persons.

Annex 4 – Plans





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

Schedule 12
Part B

WARD: Vincent Square
UPRN: 010033549280

Premises licence
summary

Regulation 33, 34

Premises licence number:

18/15220/LIPDPS

Part 1 – Premises details

Postal address of premises:

Flight Club -Unit 8 Nova
Victoria Street
London

Telephone Number:

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Playing of Recorded Music
Late Night Refreshment
Sale by Retail of Alcohol

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

Playing of Recorded Music

Monday to Saturday: 07:00 to 00:00
Sunday: 07:00 to 23:00 (extension until midnight
for Sundays immediately prior to a bank holiday)

Late Night Refreshment

Monday to Saturday: 23:00 to 00:00
Sundays before Bank Holidays: 23:00 to 00:00

Sale by Retail of Alcohol

Monday to Saturday: 07:00 to 00:00
Sunday: 07:00 to 23:00 (extension until midnight
for Sundays immediately prior to a bank holiday)

The opening hours of the premises:

Monday to Saturday: 07:00 to 00:00
Sunday: 07:00 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:

Flight Club Darts Limited
22 Great James Street
London
WC1N 3ES

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

08824987

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

Name: Emil Matijevic

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

Restricted

Date: 28 September 2021

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

Applicant Supporting Documents

Appendix 2

None

Licence & Appeal History

Application	Details of Application	Date Determined	Decision
16/01770/LIPN	New premises licence	07.04.2016	Granted by Licensing Sub Committee
16/12844/LIPT	Transfer - Victoria Circle Limited Partnership to Barby Limited	23.01.2017	Granted under delegated authority
18/02582/LIPT	Transfer - Barby Limited to Victoria Circle Limited Partnership	12.04.2018	Granted under delegated authority
18/04387/LIPV	Variation – change of layout and addition/variation of conditions	23.05.2018	Granted under delegated authority
18/09065/LIPT	Transfer - Victoria Circle Limited Partnership to Flight Club Darts Limited	19.10.2018	Granted under delegated authority
18/10458/LIPVM	Minor variation – change of layout	24.09.2018	Granted under delegated authority
18/15220/LIPDPS	Variation of DPS	11.12.2018	Granted under delegated authority

There is no appeal history

Temporary Event Notices	Date of Event	Activities/Hours	Decision
19/00055/LITENP	11.01.2021	Regulated Entertainment, Late night refreshment and Supply of Alcohol – 00:00 to 01:00	Event permitted
19/01039/LITENP	14.01.2021	Regulated Entertainment, Late night refreshment and Supply of Alcohol – 00:00 to 01:00	Event permitted
19/10159/LITENP	19.09.2019	Regulated Entertainment, Late night refreshment and Supply of	

		Alcohol – 00:00 to 02:00	
--	--	-----------------------------	--

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 appropriate for the promotion of the licensing objectives.

This schedule lists those conditions which are consistent with the operating schedule, or proposed as appropriate 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

Conditions: On Current Licence -

Mandatory:

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.

Annex 2 – Conditions consistent with the operating Schedule

9. 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 records shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.

The applicant has proposed the following model condition to replace the existing condition

9.
 - (a) The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team.
 - (b) All entry and exit points will be covered enabling frontal identification of every person entering in any light condition.
 - (c) The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises and will include the external area immediately outside the premises entrance.
 - (d) All recordings shall be stored for a minimum period of 31 days with date and time stamping.
 - (e) Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31-day period
10. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises 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.
11. Substantial food and 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.
12. Waiter and Waitress service shall be available in all parts of the licensed premises.
13. In relation to the first floor terrace area no licensable activities shall be provided and no consumption of alcohol shall be allowed after 11pm.
14. All sales of alcohol for consumption off the premises shall be in sealed containers only, save for alcohol served by a waiter or waitress to customers who are seated at tables within the designated external seating area(s) shown on the attached plan edged and cross-hatched in green.
15. All outside tables and chairs within the dedicated ground floor outside seating area shall be rendered unusable by 23:00 hours each day.
16. Patrons permitted to temporarily leave and then re-enter the premises and any dedicated outside ground floor seating area, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.
17. 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; and
 - h) any visit by a relevant authority or emergency service
18. Notices shall be displayed at the exit of the premises requesting customers leaving the premises to respect the needs of local residents and business and leave the area quietly.
 19. A Challenge 21 or Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable form of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS hologram.
 20. Other than where deliveries take place in accordance with the NOVA development delivery arrangements allowing delivery to the dedicated basement delivery area, no deliveries to the premises shall take place between 23:00 and 08:00 on the following day.
 21. Other than where refuse is disposed of and collected in accordance with the NOVA refuse collection arrangements allowing collections from the dedicated basement area, all waste shall be properly present and placed out for collection no earlier than 30 minutes before the scheduled collection times.
 22. 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.
 23. All windows and external doors shall be kept closed before 08:00 and after 23:00 hours, except for the immediate access and egress of persons.
 24. Between 07:00 and 10:00 hours the sale of alcohol for consumption on the premises or in the designated external seating area(s) shall be limited to pre-booked private functions or to consumption of alcohol that is ancillary to food.
 25. Between 07:00 and 08:00 the sale of alcohol for consumption off the premises shall be limited to alcohol served to customers who are seated at tables within the designated external seating area(s) shown on the attached plan.
 26. There shall be a minimum of 8 oches available at anytime when the premises is open to the public. Oche means the darts playing area , which consists of a designated area for the use of darts, which includes a dartboard, throw line and clearance area .
 27. The number of persons permitted in the premises at any one time (excluding staff) shall not exceed 780 persons.

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

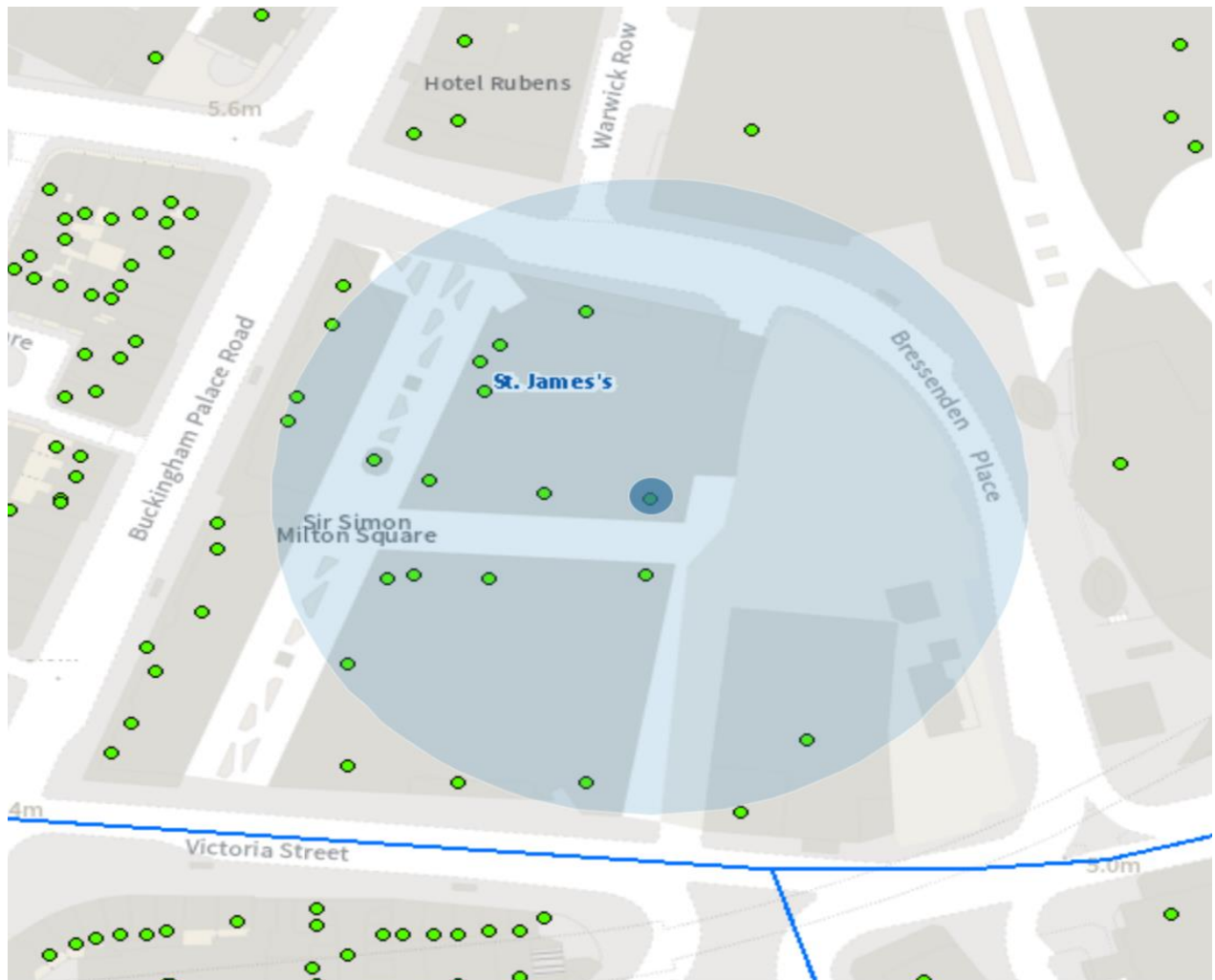
None

Conditions proposed by the Metropolitan Police and agreed by the applicant so as to form part of the operating schedule

28. All staff at the premises shall receive Welfare And Vulnerability Engagement (WAVE) training, which shall be refreshed annually. You will be aware of the recent high number of reports in relation to drink spiking and suspects using needles to administer a

substance to incapacitate the victim. Safety of customers is a top priority and this condition will assist the venue in ensuring customers are looked after properly should they become highly intoxicated through drink or drugs.

29. Staff will receive training in terrorism awareness and procedures adopted by the premises licence holder in the event of a terrorist attack at or in the immediate vicinity of the premises. Such training will be recorded and updated in line with best practice and a copy of the training will be made available to the Metropolitan Police on request. The premises licence holder shall ensure that the management team register and successfully complete the nationally recognised counter terrorism training product referred to as ACT eLearning package or can demonstrate that the ACT eLearning product has been successfully completed within the preceding 12 months.



Resident count: Nil

Licensed premises with 75m of Unit 8 Nova, Victoria Street, London SW1E 5DJ				
Licence Number	Trading Name	Address	Premises Type	Time Period
21/08856/LIPDPS	Bone Daddies, Nova Unit 11	9 Sir Simon Milton Square City Of Westminster London SW1E 5DJ	Restaurant	Sunday; 07:00 - 23:00 Monday to Saturday; 07:00 - 00:00
21/13742/LIPT	The Argyll Club	Nova North 11 Bressenden Place London SW1E 5BY	Office	Monday to Sunday; 00:00 - 00:00
20/07499/LIPV	Notes Nova Unit 12	10 Sir Simon Milton Square City Of Westminster London SW1E 5DJ	Cafe	Sunday; 07:00 - 22:00 Monday to Saturday; 07:00 - 23:30

17/07235/LIPRW	Franco Manca, Nova Unit 9	3 Sir Simon Milton Square City Of Westminster London SW1E 5DJ	Restaurant	Sunday; 07:00 - 23:00 Monday to Saturday; 07:00 - 00:00
21/12309/LIPN	Not Recorded	4 Sir Simon Milton Square City Of Westminster London SW1E 5DJ	Restaurant	Sunday; 07:00 - 23:30 Monday to Saturday; 07:00 - 00:30
18/01047/LIPN	Ahi Poke	11 Sir Simon Milton Square City Of Westminster London SW1E 5DJ	Restaurant	Monday; 11:30 - 21:00 Tuesday; 11:30 - 21:00 Wednesday; 11:30 - 21:00 Thursday; 11:30 - 21:00 Friday; 11:30 - 21:00 Saturday; 11:30 - 21:00 Sunday; 11:30 - 21:00
17/02838/LIPN	Shot Espresso, Ground Floor Café, Verde	Bressenden Place London	Shop	Sunday; 06:00 - 23:00 Monday to Saturday; 06:00 - 23:30
18/10378/LIPDPS	Outside Space	Development Site (Nova) At Bressenden Place Victoria Street Allington Street And Buckingham Palace Road London SW1E 5EF	Miscellaneous	Monday to Sunday; 00:00 - 00:00
21/06715/LIPDPS	Victoria Palace Theatre	Victoria Palace Theatre 126 Victoria Street London SW1E 5LA	Theatre	Monday; 09:00 - 01:30 Tuesday; 09:00 - 01:30 Wednesday; 09:00 - 01:30 Thursday; 09:00 - 01:30 Friday; 09:00 - 01:30 Sunday; 09:00 - 23:30

20/00210/LIPCH	The Argyll Club	150 Victoria Street London SW1E 5LB	Not Recorded	Monday; 00:00 - 00:00 Tuesday; 00:00 - 00:00 Wednesday; 00:00 - 00:00 Thursday; 00:00 - 00:00 Friday; 00:00 - 00:00 Saturday; 00:00 - 00:00 Sunday; 00:00 - 00:00
18/05260/LIPN	Grilla Kiosk	12 Sir Simon Milton Square City Of Westminster London SW1E 5DJ	Not Recorded	Monday to Sunday; 08:00 - 23:00
21/08977/LIPDPS	Aster	Ground Floor Allington House 150 Victoria Street London SW1E 5LB	Restaurant	Sunday; 07:00 - 23:00 Monday to Saturday; 07:00 - 00:00