



City of Westminster

# Licensing Sub-Committee Report

Item No:

Date:

19 January 2023

Licensing Ref No:

22/09983/LIPN - New Premises Licence

Title of Report:

Tequila Mockingbird  
3 - 5 Burleigh Street  
London  
WC2E 7PX

Report of:

Director of Public Protection and Licensing

Wards involved:

St James's

Policy context:

City of Westminster Statement of Licensing Policy

Financial summary:

None

Report Author:

Karyn Abbott  
Senior Licensing Officer

Contact details

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Email: [kabbott@westminster.gov.uk](mailto:kabbott@westminster.gov.uk)

## 1. Application

1-A Applicant and premises			
<b>Application Type:</b>	New Premises Licence, Licensing Act 2003		
<b>Application received date:</b>	19 October 2022		
<b>Applicant:</b>	London Cocktail Bars Limited		
<b>Premises:</b>	Tequila Mockingbird		
<b>Premises address:</b>	3 - 5 Burleigh Street London WC2E 7PX	<b>Ward:</b>	St James's
		<b>Cumulative Impact Area:</b>	None
		<b>Special Consideration Zone:</b>	East Covent Garden
<b>Premises description:</b>	According to the application form, the applicant proposes to operate the premises as a high premium cocktail bar.		
<b>Premises licence history:</b>	This is a new premises licence application and therefore no premises licence history exists.		
<b>Applicant submissions:</b>	<p>The applicant has provided submissions addressing the relevant spatial policies and proposed twenty-five conditions plus agreed a further five conditions with the Police to form part of their operating schedule. The applicant has also provided a dispersal policy.</p> <p>The applicant also invited the interested parties to the premises to address their concerns.</p> <p>These can be found at <b>Appendix 2</b> of the Report.</p>		
<b>Applicant amendments:</b>	<p>On original submission of the application, the applicant applied for the following.</p> <p><b>Live Music, Recorded Music, Performance of Dance, anything similar, Late Night Refreshment and Retail Sale of Alcohol</b>  Monday to Wednesday 10:00 to 01:00  Thursday to Saturday 10:00 to 02:00  Sunday 10:00 to 00:30</p> <p><b>Opening Hours</b>  Monday to Wednesday 10:00 to 01:30  Thursday to Saturday 10:00 to 02:30  Sunday 10:00 to 01:00</p> <p>The applicant has since reduced the hours for Thursday to Saturday which are reflected in section <b>1-B</b> of the report.</p>		

1-B Proposed licensable activities and hours							
Live Music:				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
<b>Start:</b>	10:00	10:00	10:00	10:00	10:00	10:00	10:00
<b>End:</b>	01:00	01:00	01:00	01:00	01:00	01:00	00:30
<b>Seasonal variations/ Non-standard timings:</b>			<p>An additional hour to the terminal hour on the following notable days: St George's Day; St David's Day, St Patrick's Day, St Andrew's Day, Burns Night, Valentines Night, Halloween, the day before Bank Holidays, and the Friday, Saturday and Sunday preceding all Bank Holidays, Maundy Thursday, Christmas Eve, Christmas Day &amp; Boxing Day, 27, 28, 29 &amp; 30 December, Bonfire Night and New Year's Day.</p> <p>An additional hour to the standard and non-standard times on the day when British Summertime commences.</p> <p>New Year's Eve – from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day</p>				

Recorded Music:				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
<b>Start:</b>	10:00	10:00	10:00	10:00	10:00	10:00	10:00
<b>End:</b>	01:00	01:00	01:00	01:00	01:00	01:00	00:30
<b>Seasonal variations/ Non-standard timings:</b>			<p>An additional hour to the terminal hour on the following notable days: St George's Day; St David's Day, St Patrick's Day, St Andrew's Day, Burns Night, Valentines Night, Halloween, the day before Bank Holidays, and the Friday, Saturday and Sunday preceding all Bank Holidays, Maundy Thursday, Christmas Eve, Christmas Day &amp; Boxing Day, 27, 28, 29 &amp; 30 December, Bonfire Night and New Year's Day.</p> <p>An additional hour to the standard and non-standard times on the day when British Summertime commences.</p> <p>New Year's Eve – from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day</p>				

Performance of Dance:				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
<b>Start:</b>	10:00	10:00	10:00	10:00	10:00	10:00	10:00
<b>End:</b>	01:00	01:00	01:00	01:00	01:00	01:00	00:30
<b>Seasonal variations/ Non-standard timings:</b>			<p>An additional hour to the terminal hour on the following notable days: St George's Day; St David's Day, St Patrick's Day, St Andrew's Day, Burns Night, Valentines Night, Halloween, the day before Bank Holidays, and the Friday, Saturday and Sunday preceding all Bank Holidays, Maundy Thursday, Christmas Eve, Christmas Day &amp; Boxing Day, 27, 28, 29 &amp; 30 December, Bonfire Night and New Year's Day.</p>				

	<p>An additional hour to the standard and non-standard times on the day when British Summertime commences.</p> <p>New Year's Eve – from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day</p>
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Anything of a similar description to that falling within (e), (f) or (g):				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
<b>Start:</b>	10:00	10:00	10:00	10:00	10:00	10:00	10:00
<b>End:</b>	01:00	01:00	01:00	01:00	01:00	01:00	00:30
<b>Seasonal variations/ Non-standard timings:</b>				<p>An additional hour to the terminal hour on the following notable days: St George's Day; St David's Day, St Patrick's Day, St Andrew's Day, Burns Night, Valentines Night, Halloween, the day before Bank Holidays, and the Friday, Saturday and Sunday preceding all Bank Holidays, Maundy Thursday, Christmas Eve, Christmas Day &amp; Boxing Day, 27, 28, 29 &amp; 30 December, Bonfire Night and New Year's Day.</p> <p>An additional hour to the standard and non-standard times on the day when British Summertime commences.</p> <p>New Year's Eve – from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day</p>			

Late Night Refreshment:				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
<b>Start:</b>	23:00	23:00	23:00	23:00	23:00	23:00	23:00
<b>End:</b>	01:00	01:00	01:00	01:00	01:00	01:00	00:30
<b>Seasonal variations/ Non-standard timings:</b>				<p>An additional hour to the terminal hour on the following notable days: St George's Day; St David's Day, St Patrick's Day, St Andrew's Day, Burns Night, Valentines Night, Halloween, the day before Bank Holidays, and the Friday, Saturday and Sunday preceding all Bank Holidays, Maundy Thursday, Christmas Eve, Christmas Day &amp; Boxing Day, 27, 28, 29 &amp; 30 December, Bonfire Night and New Year's Day.</p> <p>An additional hour to the standard and non-standard times on the day when British Summertime commences.</p> <p>New Year's Eve – from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day</p>			

Sale by retail of alcohol				On or off sales or both:			Both
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
<b>Start:</b>	10:00	10:00	10:00	10:00	10:00	10:00	10:00
<b>End:</b>	01:00	01:00	01:00	01:00	01:00	01:00	00:30
<b>Seasonal variations/ Non-standard timings:</b>				<p>An additional hour to the terminal hour on the following notable days: St George's Day; St David's Day, St Patrick's Day, St Andrew's Day, Burns Night, Valentines Night, Halloween, the day before Bank Holidays, and the Friday, Saturday and Sunday preceding all Bank Holidays, Maundy Thursday, Christmas Eve, Christmas Day &amp; Boxing Day, 27, 28, 29 &amp; 30 December, Bonfire Night and New Year's Day.</p> <p>An additional hour to the standard and non-standard times on the day when British Summertime commences.</p> <p>New Year's Eve – from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day</p>			

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
<b>Start:</b>	10:00	10:00	10:00	10:00	10:00	10:00	10:00
<b>End:</b>	01:30	01:30	01:30	01:30	01:30	01:30	01:00
<b>Seasonal variations/ Non-standard timings:</b>				<p>An additional hour to the terminal hour on the following notable days: St George's Day; St David's Day, St Patrick's Day, St Andrew's Day, Burns Night, Valentines Night, Halloween, the day before Bank Holidays, and the Friday, Saturday and Sunday preceding all Bank Holidays, Maundy Thursday, Christmas Eve, Christmas Day &amp; Boxing Day, 27, 28, 29 &amp; 30 December, Bonfire Night and New Year's Day.</p> <p>An additional hour to the standard and non-standard times on the day when British Summertime commences.</p> <p>New Year's Eve – from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day</p>			
<b>Adult Entertainment:</b>				None			

## 2. Representations

2-A Responsible Authorities	
<b>Responsible Authority:</b>	Metropolitan Police Service
<b>Representative:</b>	PC Tom Stewart
<b>Received:</b>	7 November 2022
<p>In regard to the above mentioned application for a new premises licence, The Metropolitan Police Service (MPS) objects to the granting of this application because if granted in its current form, the premises would likely undermine the licensing objective; The prevention of Crime and Disorder.</p> <p>In order to better understand the application, I would like to meet with the applicant and their representative (cc'd) and conduct a site visit. The applicant and/or their representative may reach me at <a href="mailto:tstewart1@westminster.gov.uk">tstewart1@westminster.gov.uk</a> to arrange a visit.</p> <p><b>Conditions have been agreed between the applicant and the Metropolitan Police. These can be found at Appendix 4.</b></p>	
<b>Responsible Authority:</b>	Environmental Health Service
<b>Representative:</b>	Ian Watson
<b>Received:</b>	16 November 2022
<p>I refer to the application for a New Premises Licence.</p> <p><b>The premises are located within the East Covent Garden SCZ.</b></p> <p>The applicant has submitted floor plans of the premises.</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"> <li>1. To provide for the Supply of Alcohol 'On' and 'Off' the premises Monday to Wednesday 10.00 to 01.00 hours, Thursday to Saturday between 10.00 and 02.00 hours and Sunday between 10.00 to 00.30 hours. NYE to NYD, Additional hour for BST. Additional hour on notable dates.</li> <li>2. To provide Late Night Refreshment 'Indoors' Monday to Wednesday 23.00 to 01.00 hours, Thursday to Saturday between 23.00 and 02.00 hours and Sunday between 23.00 to 00.30 hours. NYE to NYD, Additional hour for BST. Additional hour on notable dates.</li> <li>3. To provide regulated entertainment 'Indoors' comprising <ul style="list-style-type: none"> <li>• Live Music</li> <li>• Recorded Music</li> <li>• Performance of Dance</li> <li>• Anything of a similar description to Live Music, Recorded Music and Performance of Dance</li> </ul> Monday to Wednesday 10.00 to 01.00 hours, Thursday to Saturday between 10.00 and 02.00 hours and Sunday between 10.00 to 00.30 hours. NYE to NYD, Additional hour for BST. Additional hour on notable dates.</li> </ol> <p>I wish to make the following representation</p> <ol style="list-style-type: none"> <li>1. The hours requested for the Supply of Alcohol will have the likely effect of causing an increase in Public Nuisance within the area.</li> <li>2. The hours requested to permit the provision of late-night refreshment will have the likely effect of causing an increase in Public Nuisance and impact on Public Safety within the</li> </ol>	

area.

3. The hours requested to permit the provision of regulated entertainment will have the likely effect of causing an increase in Public Nuisance and impact on Public Safety within the area.

The applicant has provided additional information with the application which is being addressed. Should you wish to discuss the matter further please do not hesitate to contact me.

## 2-B Other Persons

**Name:**

[REDACTED]

**Address and/or Residents Association:**

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

**Received:**

15 November 2022

Dear Sir / Madam,

We object to two aspects of this proposed licence.

Background:

[REDACTED] of the building and is at street level. All but one of the [REDACTED] and we are, I think, the closest to the proposed venue. Our building is single glazed and has metal "crittal" windows which do not stop noise or odours well at all. The Strand Palace has installed an awning and shelf on their building on the corner of Exeter Street. The cleaning staff use this for smoking and congregating before their shift. We are often woken by 6:30am latest by their noise and smell of smoke is pervasive. This area will be an open invitation for smokers from the venue to smoke outside, even protected from inclement weather.

Objections:

1: Licensing hours: We object to the proposal to extend the licencing hours beyond the Covent Garden "core hours". People exiting the venue will likely disturb with both noise and smoking and the congrating smokers outside will be there until very close to closing and hence late at night.

2: Access: If the bar want to direct patrons to approach and leave via the Strand it would be much more appropriate for access to the bar to be via the hotel rather than on the corner of our entirely residential street.

**Name:**

[REDACTED]

**Address and/or Residents Association:**

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

**Received:**

15 November 2022

This is a new application for a Licence for a premises located within the NE corner of the Strand Palace Hotel. The application is for a cocktail bar to operate **outside** WCC's Core Hours. It is situated just outside the West End CIZ but is well within the East Covent Garden SCZ. This area of the hotel is currently licensed within the Hotel footprint under 21/04617/LIPV. This allows the area to operate until 01:00 on all days of the week as part of the hotel. Entry to members of the public is required to end at 00:00 (1 hour before the premises close). The licence also requires that substantial refreshment is available in all areas (including this one) where alcohol is supplied. No consumption of alcohol outside the premises is permitted as

customers cannot take drinks outside with them.

We assume that after 00:00 entry and exit would have been via the hotel. We do not believe that this licence was ever actually operated and there is no evidence that this use has received Planning Permission. The area was permitted (by Planning) to be used as an "A3 Bar" under 98/0787 when it was changed to this use, but this use had to cease at 23:00. There is no evidence we can find for a subsequent Planning application.

The new licence being applied is to operate the area as a cocktail bar and to keep the premises open for an additional hour on Thursday-Saturday (until 02:00). It maintains the 01:00 time on all other days but does not have the last entry requirement for members of the public.

The CGCA believes that operating the premises as a separate bar to the hotel until the hours and with the conditions proposed will fail to support the Licencing Objectives of the Prevention of Public Nuisance and Prevention of Crime and Disorder. We ask that the licence applied for is either refused, or that the hours for the sale of alcohol are limited to the Core Hours contained within the Licensing Policy HRS1 and that the condition requiring the availability of substantial food is maintained. Whilst outside the CIZ there is no presumption automatically to refuse the Licence we believe that operating an alcohol led premises after these hours is not appropriate in this location as this is now separate from the hotel. We do not believe that the fact that there is an existing licence for the premises justifies even a licence that matches the previous hours. The HRS1 Policy makes clear that one of the reasons to permit applications for new licences beyond the Core Hours in HRS1 is because it wants to diversify the range of activities available at night. Paragraph E9 states that

*Hours later than these core hours will be considered on their own merits in relation to other policies in the Statement of Licensing Policy. The council wishes to see a less alcohol-led and a more diverse range and variety of uses available later at night. The Licensing Authority will allow greater flexibility within its core hours approach for venues that add a more varied offer of entertainment and cultural activity.*

The addition of a cocktail bar does not diversify the range of activities and is clearly alcohol led. If the premises are open after the end of Core Hours it will attract customers from other premises, and they may give rise to noise and other nuisance as they move through the area towards the premises. It therefore retains people in the area and so adds to the Cumulative Impact from all of the licenced premises. Although just outside the CIZ the premises will still add to the cumulative impact on the area and so it is appropriate to take this into account, especially when considering the hours it proposes to operate after the end of Core Hours.

The application does include a dispersal and egress policy which is attached the application, and which is referred to in the proposed conditions. This aims to ensure that any dispersal is towards the Strand, which is welcome. It is clear in Policy terms that the dispersal of customers is key to preventing nuisance being caused by the premises late at night and we welcome this. However, if the Council chooses to grant a licence later than Core Hours then we believe that additional door staff will be required to ensure that dispersal can be managed effectively as explained below.

The policy requires that the dispersal of customers is to be managed by staff and door staff. However, SIA door supervisors are only required when the premises open until 02:00, which will happen on some Thursdays, Friday and Saturday. Given that they propose to open until 01:00 on all days of the week we do not believe that this is sufficient. Customers dispersing at any time after the end of Core Hours are likely to give rise to a nuisance. We believe that on any night when the premises operates after the end of Core Hours then at least 1 SIA door supervisor needs to be on duty and proposed condition 22 and 23 need to be adjusted appropriately.

We are also concerned that the option to dispense with door staff can be made with only the agreement of the Police. The Police are primarily concerned with Crime and Disorder. The process of dispersal has a significant impact on the public nuisance. Therefore, if the premises wishes to dispense with door staff it should also have the agreement of EH and the Licensing Authority, who are concerned with public nuisance.

The condition referring to the Dispersal Policy is also inadequate. It only requires that the premises has a Policy and that this is available. It is not required that they actually follow the Policy, that they keep it up to date or that they review it at any interval. We believe that the conditions should be revised to ensure that staff are trained in the Policy, that dispersal is



carried out in accordance with it and that it is reviewed regularly any also reviewed if the Licensee is made aware of issues associated with dispersal.

Our proposed alternative condition is as follows:

*The Premises Licence Holder shall at all times comply with the Dispersal and Egress Policy as shall be amended from time to time. Copies of the Policy shall be made readily available to the Police and the Licensing Authority upon request. The Policy shall be reviewed at least annually and whenever the Licence Holder becomes aware of issues associated with the dispersal of customers. No changes to the plans may be made without a review with and agreement from the Licensing Authority and the Police.*

If the Council is indeed minded to permit a later licence that Core Hours then we would ask that it maintains a last entry condition similar to that which exists on the current licence for the premises but sets it at the end of Core Hours. As stated above the arrival of customers at the premises is likely to give rise to noise in the vicinity of the premises. If they come from Covent Garden this will disturb residents on Tavistock Street which contains several residential buildings. By setting last entry at the end of Core Hours reduces the risk that people will move between premises at the end of Core Hours.

The licence includes conditions related to deliveries and waste, which are welcome. We would also like a condition which requires the premises to move on any Rickshaws and PHV's which congregate on Burleigh Street in the vicinity of the premises and give rise to a nuisance. Their presence in the area would be directly related to the fact that these premises are open, and it is therefore a reasonable mitigation to make. If the applicant prefers to include this in the dispersal policy rather than as a standalone condition then this would be satisfactory, provided that the wording for the condition regarding the Policy is then as we have proposed.

In summary

- We believe that the premises should be limited to licensable activities during Core Hours only, notwithstanding the fact that the premises has an existing (but not, we believe, used) licence to operate as a bar as part of the hotel, with last entry for non-residents at 00:00.
- If the Licensing Authority considers granting a licence beyond Core Hours then last entry should be set at Core Hours.
- Door supervisors should then be required on any day when the premises are open beyond Core Hours
- The dispersal policy clause should be strengthened to ensure not just that there is a policy but that it is followed and reviewed as required.

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

<b>Name:</b>	[REDACTED]
<b>Address and/or Residents Association:</b>	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
<b>Received:</b>	16 November 2022

This is a large scale cocktail bar in close proximity to residents living nearby and I oppose the 2am license on the grounds of noise disturbance as people (up to 250) leave the venue. The noise from the cocktail bar will have a detrimental effect on the quality of life / peace and quiet that residents such as myself who live within close proximity to the venue would like to enjoy.

I would ask for a midnight license instead.

I would also ask that exit from the venue is to be via the main Strand Palace hotel and that the main door should be supervised by a door man who directs people to the Strand, not Exeter Street and does not allow groups to congregate outside.

<b>Name:</b>	[REDACTED]
<b>Address and/or Residents Association:</b>	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
<b>Received:</b>	15 November 2022

As a near neighbour to this proposed new bar I object to the new use being for a late licensed drink led establishment next door to a [REDACTED], many facing onto the proposed bar and with a horseshoe shaped courtyard that is a sound well for all noises in Exeter Street with many bedrooms facing into the courtyard and many facing onto the corner of Exeter Street and Burleigh Street directly opposite this new proposal. No one will escape the noise.

I object to the 2am application, which is 2 hours later than the vast majority of other bars in the area so obviously drinkers will flock here to take advantage of the late license and likely to do so when other establishments close. This is a quiet corner of Covent Garden and at midnight especially quiet and not the entertainment area that one may expect (most of Covent Garden Piazza area is quiet after 10.30/11pm). Harlequin Court does not have double or secondary glazed windows, they are single glazed crittal windows, and part of the block is a listed building so that will never change.

We will clearly be disturbed by drinkers arriving and leaving this bar whether on foot or by taxi and it is also very likely given my experience of the area that pedicabs will be attracted to a late drinking venue.

It is accepted that lack of and poor/disturbed sleep is damaging to mental health. People arriving and leaving likely drunk will be noisy or at least make more noise than when sober. Voices are louder inhibitions lower.

I ask that any license granted be to core hours only,

No smoking outside the entrance

There must be no bottle collections before 8am - as this will be taken directly outside the residents' windows.

Experience has shown me that complaining to the Strand Palace produces little action as I found with their bins left out 24/7 and taken at 6am including bottle tipping

**Further Submissions received on 24<sup>th</sup> December 2022 following a Site Visit held on 12<sup>th</sup> December 2022**

I met with the founders of the proposed bar as suggested with other neighbours. Nothing was said to allay our fears of noise and disturbance from the premises.

It is quite a large area split into two but I would not have thought large enough for 200/250 people - the majority would be standing as there is not sufficient seating (though the 'founders' did say that the majority would be seated and there would not be as many as 200/250 but we can only go by the application) . There will be no doorman 'unless it's busy' - unfortunately as I think anyone will realise that it takes a handful of overly refreshed or happy people to cause a disturbance and the bar is within little more than touching distance of Harlequin Court (as I've said before, single glazed and leaky windows). Smoking is still an issue as this is likely to be outside, I suggested a smoking/vaping area lower down but talking will still be heard as the area is silent after 10/10.30pm when the theatres have emptied. Any talking or sound in Exeter Street can be clearly heard in the residences of Harlequin Court as the courtyard is a sound well. Fortunately these noises pass - anyone standing outside this new proposed bar will not - and there will be a turn over of people to carry on with the noise.

We've heard nothing back from the founders with any suggestions to help mitigate disturbance so our objections still stand

We do need to protect our homes: this is my full time home as it is with the others who objected (and more who did not put in a formal objection but still unhappy with the erosion of our peace). There is a general feeling that 'no one lives in Covent Garden' and all is now over to overseas students and airbnb - this is simply not the case but as our amenity is eroded more residents will leave and Covent Garden will lose its unique nature of being home to '000's of residents alongside a thriving business population. This can only be saved by not having bars and clubs closely sited to residential properties.

<b>Name:</b>	[REDACTED]
<b>Address and/or Residents Association:</b>	[REDACTED] [REDACTED] [REDACTED]
<b>Received:</b>	15 November 2022

I don't object to the license itself but to the hours which are too long for residents and neighbours and will be a nightmare us. The license application is for up to 2am Thursday to Saturday and 1am Monday to Weds and 12.30 Sunday. My bedroom is directly above the bar so I will be adversely affected by the noise especially as the street is a noise trap.

Licensing hours in Covent Garden have been held mostly to 'core hours' and are to 11.30pm Monday to Thursday and 12/midnight at weekends, which protects the neighbourhood. This operator can take advantage of the overall license of the Strand Palace which operates to 1am but would like to manage its own and has asked for the extra hour. Covent Garden is not 'party central' despite its reputation. There are also very few places for drinking only and drinking late so it will be popular - the only late licences nearby are Dirty Martini at 2am and another in what was the RoadHouse (not yet opened) both in the Piazza. We don't want Covent Garden to be "party central."

This full-on cocktail bar (<https://www.tequilamock.com/>) of 200/250 'guests' with only 80 standing is too much for this corner (having gone from nothing, this is essentially a new venue) and noise and disturbance of people leaving or entering will be immense.

To mitigate this I suggest

- (a) new license hours should be latest to midnight weekdays and Saturday
- (b) additional time till 1am if essential, via the existing Hotel license, but after midnight entrance (and exit) should be via the entrance to the hotel on the Strand
- (c) no smoking or congregating on the street at all (it is a noise trap for anyone there already)

It isn't just the noise of the bar but the crush and noise of dispersal under our windows late at night which is going to adversely affect the neighbourhood. Please don't grant this late license for tequila fuelled party goers!

<b>Name:</b>	[REDACTED]
<b>Address and/or Residents Association:</b>	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
<b>Received:</b>	26 October 2022

[REDACTED] the road from the proposed property. [REDACTED]  
[REDACTED] We have no objection to licensed premises but live music to 3.00 a.m in a previously quiet street is unacceptable. If the property closed at midnight it would be more consistent with the neighbourhood.

**Further Submissions received on 9<sup>th</sup> January 2023 which were sent to the applicant with the reply within the Applicants Supporting Documents at Appendix 2**

Thank you for inviting me to appear before the licensing sub committee on January 19th. Unfortunately I cannot attend that day but my concerns are simple and amount to three

questions.

1) what is the intended sound insulation in the building to prevent noise reaching street level.

2)What is the expected decibel level outside the proposed bar?

3) If approved what is the remedy if the noise level is exceeded?

I thank you for organizing this meeting and hope all interested parties are able to make their representations.

### 3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:

<b>Policy SCZ1 applies</b>	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 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. B. For the purpose of Clause A, the designated Special Consideration Zones are: <ul style="list-style-type: none"><li>• West End Buffer.</li><li>• Queensway/Bayswater.</li><li>• Edgware Road.</li><li>• East Covent Garden.</li><li>• Mayfair.</li><li>• Victoria.</li></ul>
<b>Policy HRS1 applies</b>	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. 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: <ol style="list-style-type: none"><li>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.</li><li>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.</li><li>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.</li><li>4. The proposed hours of the licensable activities and when customers will be permitted to remain on the premises.</li><li>5. The proposed hours when any music, including incidental music, will be played.</li><li>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.</li><li>7. The existing hours of licensable activities and the past operation of the premises (if any) and hours of licensable premises in the vicinity.</li><li>8. Whether customers and staff have adequate access to public transport when arriving at and leaving the premises, especially at</li></ol>

	<p>night.</p> <p>9. The capacity of the premises.</p> <p>10. The type of use, recognising that some venues are more likely to impact the licensing objectives than others; for example, pubs and 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><b>6. Pubs and bars, Fast Food and Music and Dance venues</b>  Monday to Thursday: 10am to 11.30pm.  Friday and Saturday: 10am to Midnight.  Sunday: Midday to 10.30pm.  Sundays immediately prior to a bank holiday: Midday to Midnight.</p> <p>D. Core hours are when customers are permitted to be on the premises and therefore the maximum opening hours permitted will be to the same start and terminal hours for each of the days where licensable activity is permitted.</p> <p>E. For the purposes of this policy, 'premises uses' are defined within the relevant premises use policies within this statement.</p> <p>Note: The core hours are for all licensable activities but if an application includes late night refreshment then the starting time for that licensable activity will be 11pm.</p>
<p><b>Policy PB1 applies</b></p>	<p>Policy PB1</p> <p>A. Applications outside the West End Cumulative Zone will generally be granted subject to:</p> <ol style="list-style-type: none"> <li>1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1.</li> <li>2. The hours for licensable activities being within the council's Core Hours Policy HRS1.</li> <li>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.</li> <li>4. The applicant has taken account of the Special Consideration Zones policy SCZ1 if the premises are located within a designated zone.</li> <li>5. The application and operation of the venue meet the definition of a Public House or Bar in Clause D.</li> </ol> <p>B. It is the Licensing Authority's policy to refuse applications within</p>

	<p>the West End Cumulative Impact Zone other than:</p> <ol style="list-style-type: none"> <li>1. Applications to vary the existing licence hours within the council's Core Hours Policy HRS1.</li> <li>2. Applications that seek to vary the existing licence so as to reduce the overall capacity of the premises.</li> </ol> <p>C. The applications referred to in Clause B1 and B2 will generally be granted subject to:</p> <ol style="list-style-type: none"> <li>1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1, and/or,</li> <li>2. 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.</li> <li>3. The application and operation of the venue continuing to meet the definition of a Public House or Bar in Clause D.</li> </ol> <p>D. For the purposes of this policy a Public House or Bar is defined as a premises, or part of a premises that's primary use is the sale or supply of alcohol for consumption on those premises and/or for consumption off the premises for consumption outside the venue.</p>
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#### 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

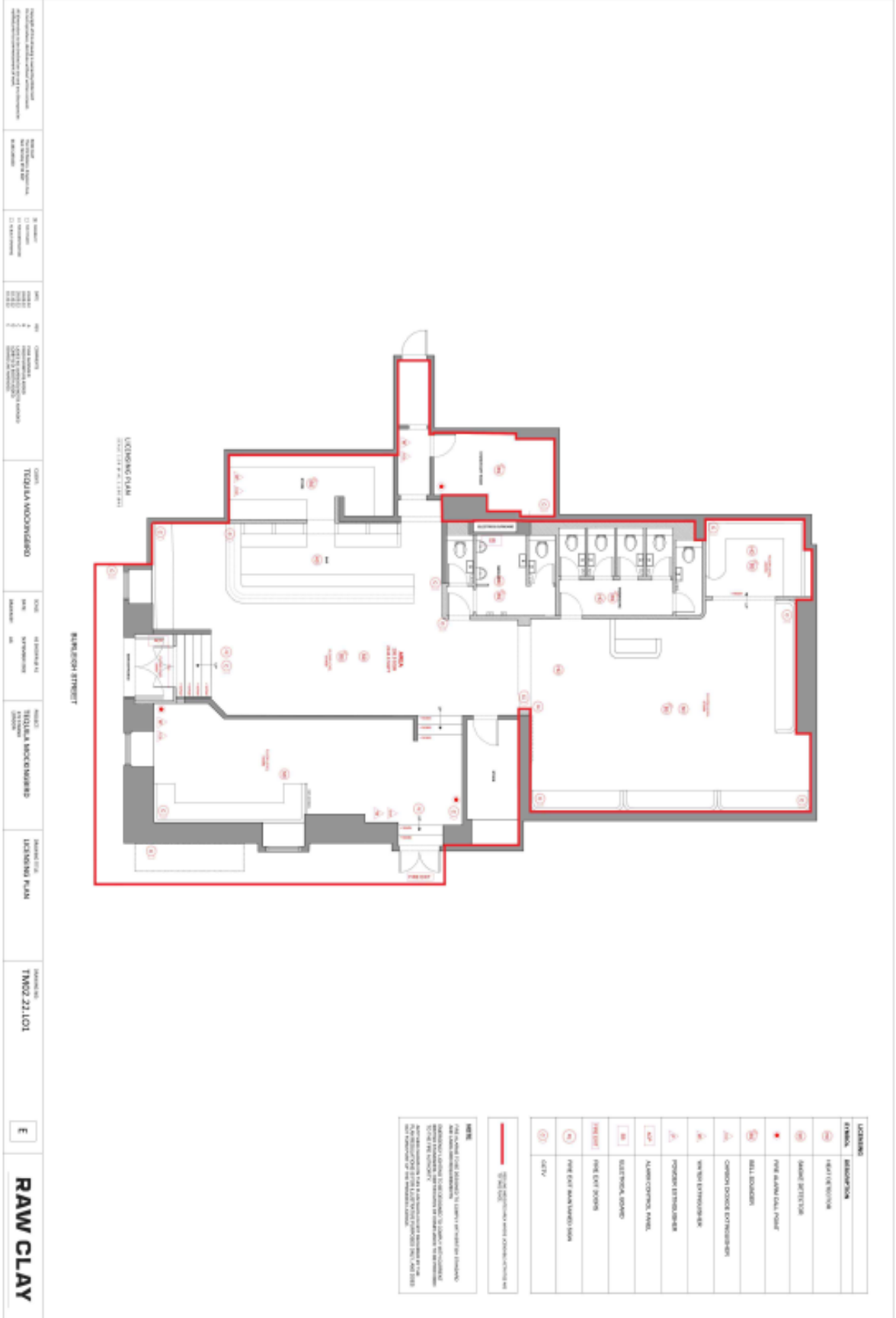
<b>Appendix 1</b>	Premises plans
<b>Appendix 2</b>	Applicant supporting documents
<b>Appendix 3</b>	Premises history
<b>Appendix 4</b>	Proposed conditions
<b>Appendix 5</b>	Residential map and list of premises in the vicinity

<b>Report author:</b>	Karyn Abbott Senior Licensing Officer
<b>Contact:</b>	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**

<b>1</b>	Licensing Act 2003	N/A
<b>2</b>	City of Westminster Statement of Licensing Policy	October 2021
<b>3</b>	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2018
<b>4</b>	Metropolitan Police Service	7 <sup>th</sup> November 2022
<b>5</b>	Environmental Health Service	16 <sup>th</sup> November 2022
<b>6</b>	Representation 1	15 <sup>th</sup> November 2022
<b>7</b>	Representation 2	15 <sup>th</sup> November 2022
<b>8</b>	Representation 3	16 <sup>th</sup> November 2022
<b>9</b>	Representation 4	15 <sup>th</sup> November 2022
<b>10</b>	Representation 5	15 <sup>th</sup> November 2022
<b>11</b>	Representation 6	26 <sup>th</sup> October 2022





Dispersal Policy

**Dispersal & Egress Policy – Tequila Mockingbird,  
Burleigh Street**

Safe and orderly and dispersal of all guests is of the utmost importance

Key Targets for This Policy

The below policy aims to take all reasonable steps to achieve the following targets

- o Guests leave quietly and safely and cause minimum nuisance, disturbance or impact to the surrounding area
- o Residents & other business operators (and their guests) are not disturbed by noise from our venue or from our guests, or our guests' actions
- o Prevention & removal of negative impacting factors on the surrounding area including (but not limited to) urination, littering and damage
- o Prevention of crime being caused or committed by our guests or indeed where our guests are the victim(s)
- o Assist anyone who is vulnerable in our vicinity, even those who may not be guests
- o To be a positive influence on our community & work in conjunction with our neighbours, relevant bodies (inclusive of local security) and fellow operators nearby
- o Adherence to the licensing objectives;
  1. Prevention of crime and disorder
  2. Public safety
  3. Prevention of public nuisance
  4. Protection of children from harm

Winding Down

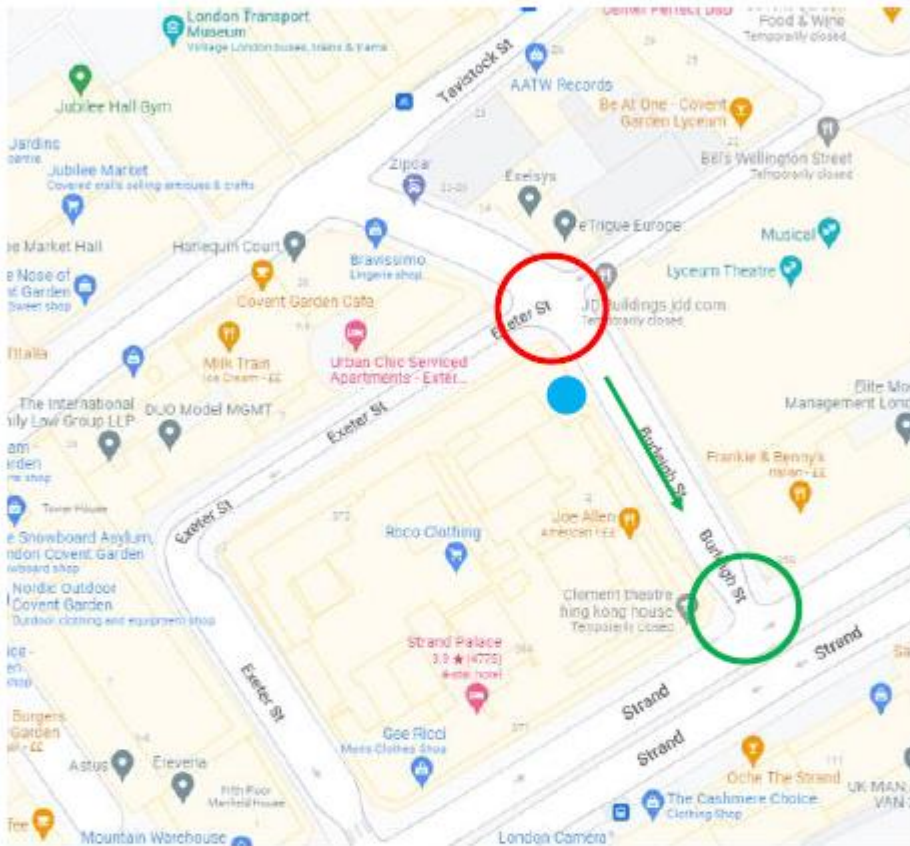
On peak days (Thursday to Saturday) or ANY days which we have more than 50 guests present towards closing time, gradual dispersal will be encouraged in the following ways.

1. Calling last orders such that there is adequate "drinking-up time".
2. Staff encouraging customers to finish their drinks and prepare to leave in plenty of time.
3. Adequate signage around respectful exit and transport information.
4. We will play music (see point 5.ii) for an appropriate amount of time (either 'drinking up time' if we have closed earlier than our licensed hours or the time allowed on our license, whichever is sooner) after last orders are placed, while guests remain.
5. 'Dynamic Closing'
  - i. Use of increased lighting as the last orders are taken or even before and
  - ii. Utilise our slower music playlists and reducing volume from the time of last orders or even before

Dispersal

Guests will be directed by staff and signage as they exit the premises. Sufficient staff (and door staff where appropriate) will be present at the front entrance to the venue and beyond.

At that point staff (and door staff where appropriate) will encourage customers to disperse primarily to the **right** as they leave. We aim to persuade this via signage, human requests and use of barriers (if applicable) to get guests to turn right along the building onto Burleigh Street and towards The Strand.



**Green Circle** – Target Area to Disperse to (and beyond)  
**Red Circle** – Areas to avoid where possible  
**Blue Dot** – Tequila Mockingbird

**Staff and Door Supervisors roles (regarding dispersal and closing) will include the following: -**

1. Door staff, where employed, will be briefed at the beginning of each shift as to the dispersal of customers
2. To encourage customers to leave the premises in a quiet and orderly manner.
3. Not to allow any drinks to be taken outside the building.

4. If customers are found to be loitering near the building, then they will be politely asked to move on as quickly and quietly as possible.
5. To do everything in our power to promote the objectives & targets laid out above
6. To pay particular attention to guests close to the barriers and body of water. We must intervene with urgency in that instance.
  
7. Door supervisors for the duration of dispersal and closing will have their Body Worn Cameras switched on and recording both audio and video.

**Manager's role: -**

It is ultimately the responsibility of the General Manager or Senior Manager on duty to ensure that: -

1. Door supervisors and other managers and staff act effectively and responsibly to comply with this policy and are aware of the importance of customers leaving as safely and quietly as possible.
2. Ensure that all managers and SIA registered door staff will be in communication through radio contact across all areas of the venue and outside the demise.
3. Customers do not cause disturbance or nuisance to any residents within the vicinity of the premises.
4. To prioritise and assist wherever possible in ensuring that customers leave as safely, quietly and in as orderly manner as possible.
5. All staff who sell alcohol will receive training in relation to the premises Challenge policy
6. Conduct a visual check of the surrounding area subsequent to guests vacating the area to minimise impact on neighbouring properties, businesses and public highways caused our guests.
7. Conduct cleaning / take action where needed based on point 6
8. Our community radio (where applicable) is utilised

**CCTV**

CCTV showing the area outside of the entrance (part of the same system and therefore part of the same processes & checks as the internal CCTV system) shall be in place

**Vulnerability**

We support the Ask For Angela campaign and its objectives (see poster below)

We are proud to be responsible operators in the area and as such our assistance is not limited to guests alone. We should offer support, advice or assistance to other passers by where we can.

**Potential Signs of Vulnerability: -**

- Persons whose intoxication or physical state means they may not be able to be able to look after themselves and make their way safely home
- A guest / potential guest who has been asked to leave or refused entry. Our responsibility does not stop there. Are we confident that person will get home safely?
- Those leaving alone or looking lost or unsure of where to go
- People in a highly emotional state

- Persons leaving with a person or group of persons who you suspect are not their friends or trustworthy – For example, a lone guest leaving with a group who have not been guests in the venue may be a cause for suspicion.
- Persons being cajoled, persuaded or physically assisted / corralled away from the venue  
Persons asking for assistance or lingering near security operatives / staff and not wanting to leave
- Any body language, behaviour or reports of; violence, sexual misbehaviour or potential domestic abuse, children being in danger or anything else of concern
- Vulnerability is not limited to specific gender or age and not only occurs at the end of the night

**If we spot a vulnerable person(s): -**

- If a crime is being committed or likely to, please call 999 and a manager should be called to support this process
- For any other issues a manager should be called to assist if not present already  
If there is simply a suspicion of vulnerability often the way to ascertain whether that is the case is to simply ask those involved if they re OK or need any assistance
- Remember that in examples of sexual criminal behaviour, the potential victim may not feel able to say they need assistance (and may not be aware of the Ask For Angela campaign). In such instances we must endeavour to intervene or at the very least keep said persons in site while we call 999 for assistance
- In all cases – If you are in any doubt it is always preferable to Investigate, report and take action

**How can we help: -**

- Providing transport advice and information on the local area
- Intervention to prevent crimes or escalation of issues
- Providing safe-haven at our entrance or inside where applicable & possible
- Contacting loved ones, the police or other persons in order to make sure guests get home safely or to assist in other ways
- Managers are permitted to pay for transport or assist in other ways to help those most in need get home
- Reporting (either to police where applicable or internally) issues we have witnessed, details of persons involved, timings of issues etc primarily via our 'Security Action Sheet'
- Full co-operation with the police or other bodies to assist them at the time or in times subsequent to an issue around vulnerability

Whilst the topic of vulnerability and sexual criminal behaviour is a challenging one, Tequila Mockingbird and other operators in our sector are proud to take steps and actions to support vulnerable people in our area.

*Remember: Our actions, intervention, integrity and processes could help prevent serious crimes and assist people at their time of need.*



## Special Consideration Zone Submissions

RE: 22/09983/LIPN - 3 - 5 Burleigh Street, London, WC2E 7PX. PCX:000085000000075



Felix Faulkner <f.faulkner@popall.co.uk>

To: Abbott, Karyn: WCC

Cc: Police Fullapps: WCC; EH Consultation Team: WCC



Reply

Reply All

Forward



Tue 25/10/2022 13:23

Hi Karyn,

Apologies, the application form through the WCC website did not provide me adequate space for all the information.

The locality of the premises within the East Covent Garden Special Consideration Zone has been considered carefully and conscientiously by the applicant, and in turn with discussions with both Ian Watson at the pre-application meeting and David Kaner of the Covent Garden Association.

The applicant has presented a strong bank of conditions, which both mirrors and enhances the conditions on the licence currently in force at the site, which in conjunction with the provision of SIA door supervision on the busier nights and a strong and site-specific dispersal policy (submitted with the application), will ensure any potential noise nuisance is kept to an absolute minimum for the surrounding areas.

The applicant has already taken the advice and specialist comments on board from Mr Watson and Mr Kaner and will continue to liaise with them both throughout the consultation, and including any other parties who would provide comment, to alleviate any concerns regarding noise.

I trust the above is satisfactory, but please do advise if you have any further questions.

Many thanks

Felix

Felix Faulkner | Solicitor

### **Poppleston Allen**

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London Office: The Stanley Building, 7 Pancras Square, London, N1C 4AG

#### **Coronavirus - Important Information**

Business continues as usual. A number of our team continue to work securely from home and remain available via email or phone. Where possible, all correspondence will be dealt with electronically and there may be a delay in sending out hard copy documents by post.

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Felix Faulkner | Solicitor

## Site Visit Invite for Interested Parties

FW: 3 - 5 Burleigh Street, London, WC2E 7PX - 22/09983/LIPN PCX:00008500000232



Abbott, Karyn: WCC



Reply

Reply All

Forward



Wed 07/12/2022 12:22

To Stewart, Tom: WCC; Watson, Ian: WCC

Bcc [licensing@coventgarden.org.uk](mailto:licensing@coventgarden.org.uk); [andrew.caffyn@gmail.com](mailto:andrew.caffyn@gmail.com); [vicky@poolers.net](mailto:vicky@poolers.net); [baxze@hotmail.com](mailto:baxze@hotmail.com); [david.kaner](mailto:david.kaner); [chesapp@gmail.com](mailto:chesapp@gmail.com); [sdombey@comcast.net](mailto:sdombey@comcast.net)

This message was sent with High importance.

Good Afternoon

The applicant is inviting you to meet the founders of Tequila Mockingbird to discuss your concerns.

The founders will be at the premises on Monday 12<sup>th</sup> December at midday.

Please can you let me know by Friday 2pm if you can attend so I can advise the applicant?

Many Thanks

Karyn Abbott  
Senior Licensing Officer  
Licensing Team  
Public Protection & Licensing Department

Westminster City Council  
15<sup>th</sup> Floor  
64 Victoria Street  
London SW1E 6QP

Mobile 07866 019698  
Call Centre (for general queries) 020 7641 6500



From: Felix Faulkner <[f.faulkner@popall.co.uk](mailto:f.faulkner@popall.co.uk)>

Sent: 07 December 2022 11:53

To: Abbott, Karyn: WCC <[kabbott@westminster.gov.uk](mailto:kabbott@westminster.gov.uk)>

Subject: FW: 3 - 5 Burleigh Street, London, WC2E 7PX - 22/09983/LIPN  
PCX:00008500000232

Importance: High

Dear Karyn,

I hope you are well.

Having spoken with my client, I have been instructed to pass an invitation to the individuals who have objected publicly to our application to meet the founders of Tequila Mockingbird to discuss their concerns.

My client will be at the premises on Monday 12<sup>th</sup> December at midday. Please can you pass the invite onto the objectors?

If the above date is not feasible, then I would welcome any additional proposed dates which I can pass onto my client.

Please let me know if you receive any responses.

Kind regards

Felix

Felix Faulkner |Solicitor

Poppleston Allen

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Felix Faulkner |Solicitor

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## Applicant response to Interested Party on 10<sup>th</sup> January 2023

RE: Tequila Mockingbird - 3 - 5 Burleigh Street, London, WC2E 7PX PCX:000085...



Felix Faulkner <f.faulkner@popall.co.uk>

To Abbott, Karyn: WCC  
Cc Watson, Ian: WCC; James Anderson



11:46

You forwarded this message on 11/01/2023 13:37.

Karyn,

Thank you for providing the comments below.

The applicant, if they obtain the licence, will be constructing a noise lobby inside the main entrance of the premises. This will ensure the doors can be closed and keep noise breakout to a minimum.

The side fire exit doors of the premises will be converted into acoustic doors to ensure minimal noise breakout, and all windows are being converted to non-opening triple glazed window, with an air gap between the new windows and the existing, to again avoid any further noise breakout.

The premises ceiling is being lowered by approximately 200mm to allow for the addition of a secondary acoustic ceiling, comprised of metal framework, acoustic plasterboard hangers, double sound board plasterboard, and filled with 100mm RW3 Rockwool.

Small speakers are to be used throughout the premises, without any additional bass speakers, which are to be hung on account mounts to decouple them from the wall.

A sound limiter is to be installed and set at a level which prevents nuisance noise permitting through the hotel & into the street.

It is not the intention of the applicant to provide any form of nuisance to any nearby residents, and all measures possible are being put in place to prevent this.

Further, the premises is directly below the Strand Palace Hotel, with 16 bedrooms of the hotel directly above the bar.

The entire premises is being fitted to ensure that no noise nuisance is provided to the guests in the hotel, and the landlord of the property, and these measures will in turn prevent any nuisance caused to the residents on Exeter Street.

Many thanks  
Felix

Felix Faulkner | Solicitor

Poppleston Allen

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Felix Faulkner | Solicitor

**Poppleston Allen**

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**From:** Abbott, Karyn: WCC <[kabbott@westminster.gov.uk](mailto:kabbott@westminster.gov.uk)>

**Sent:** 10 January 2023 09:04

**To:** Felix Faulkner <[f.faulkner@popall.co.uk](mailto:f.faulkner@popall.co.uk)>

**Cc:** Watson, Ian: WCC <[iwatson@westminster.gov.uk](mailto:iwatson@westminster.gov.uk)>

**Subject:** Tequila Mockingbird - 3 - 5 Burleigh Street, London, WC2E 7PX

Hi Felix

I have received the below from Stuart Dombey regarding Tequila Mockingbird. Please can you provide some answers if you can.

Thank you for inviting me to appear before the licensing sub committee on January 19th. Unfortunately I cannot attend that day but my concerns are simple and amount to three questions.

- 1) what is the intended sound insulation in the building to prevent noise reaching street level.
- 2)What is the expected decibel level outside the proposed bar?
- 3) If approved what is the remedy if the noise level is exceeded?

I thank you for organizing this meeting and hope all interested parties are able to make their representations.

Many Thanks

Karyn Abbott  
Senior Licensing Officer  
Licensing Team  
Public Protection & Licensing Department

## **Premises History**

## **Appendix 3**

There is no licence or appeal history for the premises.

**CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE AND CONDITIONS PROPOSED BY A PARTY TO THE HEARING**

When determining an application for a new premises licence under the provisions of the Licensing Act 2003, the licensing authority must, unless it decides to reject the application, grant the licence subject to the conditions which are indicated as mandatory in this schedule.

At a hearing the licensing authority may, in addition, and having regard to any representations received, grant the licence subject to such conditions which are consistent with the operating schedule submitted by the applicant as part of their application, or alter or omit these conditions, or add any new condition to such extent as the licensing authority considers necessary for the promotion of the licensing objectives.

This schedule lists those conditions which are consistent with the operating schedule, or proposed as necessary for the promotion of the licensing objectives by a responsible authority or an interested party as indicated. These conditions have not been submitted by the licensing service but reflect the positions of the applicant, responsible authority or interested party and have not necessarily been agreed

**Mandatory Conditions**

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
4.
  - (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
  - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
    - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
      - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
      - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
    - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
    - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or

less in a manner which carries a significant risk of undermining a licensing objective;

- (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
  - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
5. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
6. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
- (a) a holographic mark, or
  - (b) an ultraviolet feature.
7. The responsible person must ensure that—
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
    - (i) beer or cider: ½ pint;
    - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
    - (iii) still wine in a glass: 125 ml;
  - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
  - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

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

- 8(i) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
- 8(ii) For the purposes of the condition set out in paragraph 8(i) above -
- (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
- (b) "permitted price" is the price found by applying the formula -
- $$P = D + (D \times V)$$
- Where -
- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
- (i) the holder of the premises licence,
- (ii) the designated premises supervisor (if any) in respect of such a licence, or
- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
- 8(iii). Where the permitted price given by Paragraph 8(ii)(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- 8(iv). (1) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.
9. All persons guarding premises against unauthorised access or occupation or against outbreaks of disorder or against damage (door supervisors) must be licensed by the Security Industry Authority.

## Conditions consistent with the operating schedule

10. 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 and will include the external area immediately outside the premises entrance. 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.
11. A Challenge 21 or Challenge 25 scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as driving licence, military ID card, passport or proof of age card with the PASS Hologram.
12. 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. (a) all crimes reported to the venue
  - b. (b) all ejections of patrons
  - c. (c) any complaints received regarding crime and disorder
  - d. (d) any incidents of disorder
  - e. (e) any faults in the CCTV system
  - f. (f) any refusal of the sale of alcohol
  - g. (g) any visit by a relevant authority or emergency service
13. The inner entrance lobby doors shall be kept closed after 22.00 hours when regulated entertainment takes place, except for the immediate access and egress of persons.
14. After 22.00 hours all sales of alcohol for consumption off the premises shall be in sealed containers.
15. There shall be no sales of alcohol for consumption 'Off' the premises after 23.00 hours.
16. Loudspeakers shall not be located in the entrance lobby or outside the premises building.
17. 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.
18. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
19. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.

20. The premises licence holder shall ensure that any patrons drinking and/or smoking outside the premises do so in an orderly manner so as to ensure that there is no public nuisance or obstruction of the public highway.
21. All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device.
22. All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.
23. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.
24. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.
25. No deliveries to the premises shall take place between 20.00 and 08.00 hours on the following day.
26. No collections of waste or recycling materials (including bottles) from the premises shall take place between 20.00 and 08.00 hours on the following day.
27. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 20.00 hours and 08.00 hours on the following day.
28. No licensable activities shall take place until the premises has been assessed as satisfactory by the Environmental Health Consultation Team at which time this condition shall be removed from the Licence by the licensing authority.
29. No licensable activities shall take at the premises until the capacity of the premises has been determined by the Environmental Health Consultation Team and the licensing authority has replaced this condition on the licence with a condition detailing the capacity so determined.
30. Before the premises open to the public, the plans as deposited will be checked by the Environmental Health Consultation Team to ensure they are an accurate reflection of the premises constructed. Where the premises layout has changed during the course of construction new plans shall be provided to the Environmental Health Consultation Team and the Licensing Authority.
31. There will not be less than two SIA licensed door supervisors on duty from 20:00 hours, and an extra one SIA door supervisor on duty from 21:00, until close on a Thursday if the premises is to open until 01:00.

32. There will not be less than two SIA licensed door supervisor on duty from 20:00, and an extra one SIA door supervisor on duty from 21:00, hours until close on Fridays and Saturdays.
33. A copy of the premises' dispersal policy shall be made readily available at the premises for inspection by a police officer and/or an authorised officer of Westminster City Council.
34. A minimum number of 80 seats shall be available within the premises at all times.

**Conditions proposed by the Police and agreed by the applicant to form part of the operating schedule.**

35. 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.
36. After 23:00, patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke or make a phone call, shall not be permitted to take glass containers with them.
37. 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 and that all front of house staff employed by or at the premises complete the ACT eLearning within a reasonable period not exceeding 3 months from the day they start their employment.
38. All front of house staff at the premises shall receive Welfare and Vulnerability Engagement (WAVE) training, or similar by a qualified trainer, and once every 12 months thereafter. The date the training was provided and signed confirmation from the member of staff shall be recorded and made available for inspection by the Responsible Authorities upon request.
39. The licensee shall ensure that:
  - a. All licensed SIA door staff on duty at premises shall be equipped with Body Worn Video (BWV), capable of recording audio and video in any light condition as per the minimum requirements of the Westminster Police Licensing Team.
  - b. All recordings shall be stored for a minimum period of 31 days with date and time stamping, and
  - c. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.



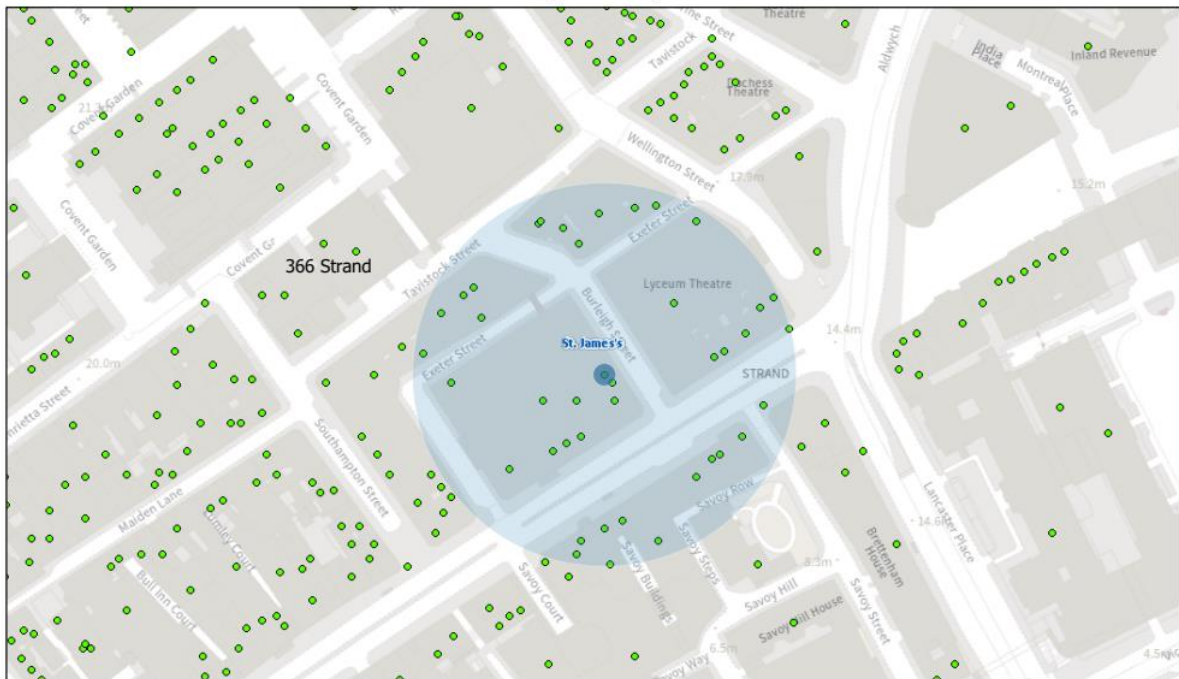
**Conditions proposed by an Interested Party and agreed by the applicant to form part of the operating schedule**

40. The Premises Licence Holder shall at all times comply with the Dispersal and Egress Policy as shall be amended from time to time. Copies of the Policy shall be made readily available to the Police and the Licensing Authority upon request. The Policy shall be reviewed at least annually and whenever the Licence Holder becomes aware of issues associated with the dispersal of customers. No changes to the plans may be made without a review with and agreement from the Licensing Authority and the Police.
41. There will not be less than one SIA licensed door supervisors on duty from 21:00 hours until close on any day the premise is open past midnight.

**Conditions proposed by the Environmental Health**

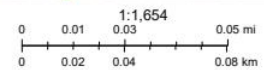
None

3 - 5 Burleigh Street, London



05/01/2023, 11:00:09

- Property Mailing List
- Ward Labels
- Borough Boundary - Mask
- Borough Boundary - Detailed
- Ward Boundaries



Resident Count = 55

Licensed premises within 75 metres of 3 – 5 Burleigh Street, London				
Licence Number	Trading Name	Address	Premises Type	Time Period
21/02845/LIPV	Restaurant Ground Floor	Strand Palace Hotel 372 Strand London WC2R 0JJ	Restaurant	Monday; 09:00 - 00:30   Tuesday; 09:00 - 00:30   Wednesday; 09:00 - 00:30   Thursday; 09:00 - 00:30   Friday; 09:00 - 00:30   Saturday; 09:00 - 00:30   Sunday; 09:00 - 00:00   Sundays before Bank Holidays; 09:00 - 00:30
21/04617/LIPV	Strand Palace Hotel	Strand Palace Hotel 372 Strand London WC2R 0JJ	Hotel, 4+ star or major chain	Monday; 00:00 - 00:00   Tuesday; 00:00 - XXXX   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
17/14646/LIPCH	Bar Ground Floor	Strand Palace Hotel 372 Strand London WC2R 0JJ	Public house or pub rest	Sunday; 09:00 - 00:00   Monday to Saturday; 09:00 - 00:30   Sundays before Bank Holidays; 09:00 - 00:30
21/06946/LIPDPS	The Lyceum Theatre	The Lyceum Theatre 17 - 21 Wellington Street London WC2E 7RQ	Theatre	Monday to Sunday; 09:00 - 01:30
21/04558/LIPDPS	Frankie & Bennys	Basement And Ground Floor Burleigh House 357 Strand London WC2R 0HS	Restaurant	Monday to Sunday; 07:00 - 00:30
22/03688/LIPN	Not Recorded	7 - 9 Burleigh Street London WC2E 7PW	Restaurant	Monday to Sunday; 11:30 - 23:00
22/06427/LIPDPS	Lyceum Tavern Public House	Ground Floor 354 Strand London WC2R 0HS	Pub or pub restaurant with lodge	Monday; 10:00 - 23:30   Tuesday; 10:00 - 23:30   Wednesday; 10:00 - 23:30   Thursday; 10:00 - 23:30   Friday; 10:00 - 23:30   Saturday; 10:00 - 23:30   Sunday; 12:00 - 23:00
09/05167/LIPD	La Anabela	18 Tavistock Street London WC2E 7PP	Shop	Monday to Sunday; 10:00 - 19:00
17/09661/LIPT	Sophie's Steakhouse	Covent Garden 29 - 31 Wellington Street London WC2E 7DB	Restaurant	Sunday; 12:00 - 00:00   Monday to Saturday; 10:00 - 01:00
17/09813/LIPT	Joe Allen And Orso Restaurant	27 Wellington Street London WC2E 7DB	Restaurant	Sunday; 12:00 - 22:30   Sunday; 12:00 - 00:00   Monday to Thursday; 10:00 - 23:30   Monday to Saturday; 10:00 - 01:30   Friday to Saturday; 10:00 - 00:00
15/11893/LIPV	Viandas De Salamanca	99 Strand London WC2R 0EW	Cafe	Monday to Sunday; 08:00 - 00:00
16/09107/LIPCH	Casa Manolo	99 Strand London WC2R 0EW	Cafe	Sunday; 10:00 - 22:30   Monday to Thursday; 08:00 - 23:30   Friday to Saturday; 08:00 -

				00:00   Sundays before Bank Holidays; 10:00 - 00:00
14/08353/LIPT	Brioche	15 Exeter Street London WC2E 7DT	Cafe	Sunday; 12:00 - 01:00   Monday to Saturday; 10:00 - 01:00
21/06107/LIPN	Ole Steen	352-353 Strand London WC2R 0HS	Cafe	Sunday; 06:30 - 22:30   Monday to Saturday; 06:30 - 23:00
10/03038/LIPN	The Covent Garden Kafeneo	12 - 14 Tavistock Street London WC2E 7PH	Restaurant	Sunday; 12:00 - 19:00   Monday to Saturday; 10:00 - 20:00
22/05407/LIPDPS	Oche	Basement 105 Strand London WC2R 0AB	Restaurant	Sunday; 11:00 - 00:00   Monday to Saturday; 11:00 - 01:30
22/06953/LIPDPS	Be At One	23 Wellington Street London WC2E 7DA	Public house or pub restaurant	Sunday; 12:00 - 22:50   Monday to Thursday; 10:00 - 23:30   Friday to Saturday; 10:00 - 00:00   Sundays before Bank Holidays; 12:00 - 00:00
21/06904/LIPDPS	Bills	21 Wellington Street London WC2E 7DN	Restaurant	Sunday; 12:00 - 00:00   Monday to Saturday; 10:00 - 00:30
18/09378/LIPVM	Wellington Public House	351 Strand London WC2R 0HS	Restaurant	Sunday; 07:00 - 22:30   Sunday; 07:00 - 00:00   Monday to Thursday; 07:00 - 23:30   Monday to Saturday; 07:00 - 00:30   Friday to Saturday; 07:00 - 00:00   Sundays before Bank Holidays; 07:00 - 00:00
19/04065/LIPDPS	Simpsons In The Strand	100-102 Strand London WC2R 0EW	Restaurant	Sunday; 07:30 - 00:00   Monday to Tuesday; 07:30 - 01:30   Wednesday to Saturday; 07:30 - 03:30   Sundays before Bank Holidays; 07:30 - 01:00