



City of Westminster

# Licensing Sub-Committee Report

Item No:

Date:

21 September 2023

Licensing Ref No:

23/03511/LIPV - Premises Licence Variation

Title of Report:

Ku Bar  
Basement To First Floor  
25 Frith Street  
London  
W1D 5LB

Report of:

Director of Public Protection and Licensing

Wards involved:

West End

Policy context:

City of Westminster Statement of Licensing Policy

Financial summary:

None

Report Author:

Miss Jessica Donovan  
Senior Licensing Officer

Contact details

Telephone: 020 7641 6500  
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## 1. Application

1-A Applicant and premises			
<b>Application Type:</b>	Variation of a Premises Licence, Licensing Act 2003		
<b>Application received date:</b>	26 May 2023		
<b>Applicant:</b>	Allied Promotions Limited		
<b>Premises:</b>	Ku Bar		
<b>Premises address:</b>	Basement To First Floor 25 Frith Street London W1D 5LB	<b>Ward:</b>	West End
		<b>Cumulative Impact Area:</b>	West End
		<b>Special Consideration Zone:</b>	None
<b>Premises description:</b>	The premises currently operates as a bar.		
<b>Variation description:</b>	<p>This variation seeks the following:</p> <p>To make permanent the current time limited extension of the terminal hour for all licensable activities and opening hours from Core Hours to 1am the following day on Monday to Saturday and Sundays immediately before Bank Holiday Mondays.</p> <p>The application proposes to replace existing Premises Licence conditions 29 to 32 with the following:</p> <ul style="list-style-type: none"> <li>• The permitted extended terminal hours beyond Core Hours shall only apply when the Premises are operated by Allied Promotions Limited as a LGBTQ+ Venue.</li> <li>• At least 2 SIA licensed door supervisors shall be on duty during the extended hours beyond Core Hours.</li> <li>• 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.</li> </ul>		
<b>Premises licence history:</b>	<p>The premises has had the benefit of a premises licence since August 2005.</p> <p>The current premises licence (18/09821/LIPCH) can be viewed at <b>Appendix 4</b> of this report.</p> <p>A full licence history and Temporary Event Notice history for the premises appears at <b>Appendix 5</b>.</p>		

<b>Applicant submissions:</b>	<p>On the application, the applicant refers to Policy CCSOS1 Cinemas, Cultural Venues, Live Sport Premises and Outdoor Spaces and Policy paragraphs B34 – B37 on Promoting Equality &amp; Inclusivity.</p> <p>The applicant has provided the following documents:</p> <ul style="list-style-type: none"> <li>• Applicant submissions</li> <li>• Ku Group: Introduction, Business, Culture &amp; Diversity</li> <li>• Ku Identity Presentation</li> <li>• Safeguarding Policy</li> <li>• Gay Times Amy Lane Article</li> <li>• Frith Street Dispersal Policy</li> <li>• Frith Street TEN Schedule 2015 – 2023</li> </ul> <p>A copy of the documents can be found at <b>Appendix 1</b>.</p>
<b>Applicant amendments:</b>	None

<b>1-B</b>	<b>Current and proposed licensable activities, areas and hours</b>					
<b>Regulated Entertainment</b>						
<b>Exhibition of films</b>						
	<b>Current Hours</b>		<b>Proposed Hours</b>		<b>Licensable Area</b>	
	<b>Start:</b>	<b>End:</b>	<b>Start:</b>	<b>End:</b>	<b>Current:</b>	<b>Proposed:</b>
<b>Monday</b>	09:00	23:30	09:00	01:00	Basement, Ground and First floor	No change
<b>Tuesday</b>	09:00	23:30	09:00	01:00		
<b>Wednesday</b>	09:00	23:30	09:00	01:00		
<b>Thursday</b>	09:00	23:30	09:00	01:00		
<b>Friday</b>	09:00	00:00	09:00	01:00		
<b>Saturday</b>	09:00	00:00	09:00	01:00		
<b>Sunday</b>	09:00	22:30	09:00	22:30		
<b>Seasonal Variations/ Non-standard timings:</b>	<b>Current:</b>				<b>Proposed:</b>	
	Sundays before Bank Holidays 09:00 to 00:00.				Sunday's immediately before Bank Holiday Monday's 09:00 to 01:00.	

Playing of recorded music						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	09:00	23:30	09:00	01:00	Basement, Ground and First floor	No change
Tuesday	09:00	23:30	09:00	01:00		
Wednesday	09:00	23:30	09:00	01:00		
Thursday	09:00	23:30	09:00	01:00		
Friday	09:00	00:00	09:00	01:00		
Saturday	09:00	00:00	09:00	01:00		
Sunday	09:00	22:30	09:00	22:30		
Seasonal variations/ Non-standard timings:	<b>Current:</b>				<b>Proposed:</b>	
	Sundays before Bank Holidays 09:00 to 00:00.				Sunday's immediately before Bank Holiday Monday's 09:00 to 01:00.	

Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	00:00	00:00	No change		Basement, Ground and First floor	No change
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				
Seasonal variations/ Non-standard timings:	<b>Current:</b>				<b>Proposed:</b>	
	N/A				N/A	

Late night refreshment						
Indoors, outdoors or both			Current :		Proposed:	
			Indoors		No change	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	23:00	23:30	23:00	01:00	Basement, Ground and First floor	No change
Tuesday	23:00	23:30	23:00	01:00		
Wednesday	23:00	23:30	23:00	01:00		
Thursday	23:00	23:30	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	N/A	N/A	N/A		
Seasonal variations/ Non-standard timings:	<b>Current:</b>				<b>Proposed:</b>	
	Sundays before Bank Holidays 23:00 to 00:00.				Sunday's immediately before Bank Holiday Monday's 23:00 to 01:00.	

Sale by Retail of Alcohol						
On or off sales			Current :		Proposed:	
			Both		No change	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	10:00	23:30	10:00	01:00	Basement, Ground and First floor	No change
Tuesday	10:00	23:30	10:00	01:00		
Wednesday	10:00	23:30	10:00	01:00		
Thursday	10:00	23:30	10:00	01:00		
Friday	10:00	00:00	10:00	01:00		
Saturday	10:00	00:00	10:00	01:00		
Sunday	10:00	22:30	10:00	22:30		
Seasonal variations/ Non-standard timings:		Current: Sundays before Bank Holidays 10:00 to 00:00.			Proposed: Sunday's immediately before Bank Holiday Monday's 10:00 to 01:00.	

Hours premises are open to the public						
	Current Hours		Proposed Hours		Premises Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	10:00	23:30	10:00	01:00	Basement, Ground and First floor	No change
Tuesday	10:00	23:30	10:00	01:00		
Wednesday	10:00	23:30	10:00	01:00		
Thursday	10:00	23:30	10:00	01:00		
Friday	10:00	00:00	10:00	01:00		
Saturday	10:00	00:00	10:00	01:00		
Sunday	10:00	22:30	10:00	22:30		
Seasonal variations/ Non-standard timings:		Current: Sundays before Bank Holidays 10:00 to 00:00.			Proposed: Sunday's immediately before Bank Holiday Monday's 10:00 to 01:00.	

1-C	Layout alteration
There are no proposed changes to the layout.	

**1-D Conditions proposed to be removed**

29. The permitted terminal hour for licensable activities shall be 1am the following day on Monday to Saturday and Sundays immediately before Bank Holiday Mondays until 31 May 2023. From 1 June 2023 the terminal hours for licensable activities shall revert back to Core Hours unless this condition is removed from the Premises Licence by way of a variation application.
30. The permitted extended terminal hours shall only apply when the Premises are operated by Allied Promotions Limited as a LGBTQ+ Venue.
31. At least 2 SIA licensed door supervisors shall be on duty during the extended hours until 31 May 2023.
32. 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.

**1-E Conditions proposed to be added**

- The permitted extended terminal hours beyond Core Hours shall only apply when the Premises are operated by Allied Promotions Limited as a LGBTQ+ Venue.
- At least 2 SIA licensed door supervisors shall be on duty during the extended hours beyond Core Hours.
- 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.

## 2. Representations

2-A Responsible Authorities	
Responsible Authority:	The Licensing Authority
Representative:	Roxsana Haq
Received:	23 June 2023

I write in relation to the application submitted for a variation of the premises licence for:

**Ku Bar, Basement To First Floor, 25 Frith Street, London W1D 5LB**

As a responsible authority under section 13 (4) of the Licensing Act 2003 as amended under the Police and Social Responsibility Act 2011, the Licensing Authority have considered your application in full. The Licensing Authority has concerns in relation to this application and how the premises would promote the four Licensing Objectives:

- Public Nuisance
- Prevention of Crime & Disorder
- Public Safety
- Protection of children from harm

The application seeks the following:

The application proposes to make permanent the current time limited extension of the terminal hour for licensable activities and opening hours from Core Hours to 1am (the following day) on Monday to Saturday and Sunday's immediately before Bank Holiday Monday.

1. Exhibition of films indoors at the following times  
Monday to Saturday 09:00 – 01:00 hours  
Sunday immediately before BH 09:00 – 01:00 hours  
Sunday 09:00 – 22:30 hours
2. Playing of recorded music indoors at the following times  
Monday to Saturday 09:00 – 01:00 hours  
Sunday immediately before BH 09:00 – 01:00 hours  
Sunday 09:00 – 22:30 hours
3. Provision of late-night refreshment indoors Monday to Saturday and Sunday immediately before BH at 23:00 – 01:00 hours
4. Supply of alcohol for consumption on and off the premises at the following times  
Monday to Saturday 10:00 – 01:00 hours  
Sunday immediately before BH 10:00 – 01:00 hours  
Sunday 10:00 – 22:30 hours
5. To replace condition 29 – 32 which currently read

29. The permitted terminal hour for licensable activities shall be 1am the following day on Monday to Saturday and Sundays immediately before Bank Holiday Mondays until 31 May 2023. From 1 June 2023 the terminal hours for licensable activities shall revert back to Core Hours unless this condition is removed from the Premises Licence by way of a variation application.

30. The permitted extended terminal hours shall only apply when the Premises are operated by Allied Promotions Limited as a LGBTQ+ Venue.
31. At least 2 SIA licensed door supervisors shall be on duty during the extended hours until 31 May 2023.
32. 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.

**With**

1. The permitted extended terminal hours beyond Core Hours shall only apply when the Premises are operated by Allied Promotions Limited as a LGBTQ+ Venue.
2. At least 2 SIA licensed door supervisors shall be on duty during the extended hours beyond Core Hours.
3. 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.

The premises are located within the West End Cumulative Impact Area and as such various policy points must be considered, namely CIP1 and PB1.

**Policy CIP1 states:**

- A. It is the Licensing Authority's policy to refuse applications within the West End Cumulative Impact Zone for: pubs and bars, fast food premises, and music and dancing and similar entertainment, other than applications to:
  1. Vary the hours within Core Hours under Policy HRS1, and/or
  2. Vary the licence to reduce the overall capacity of the premises.
- C. Applications for other premises types within the West End Cumulative Impact Zones will be subject to other policies within this statement and must demonstrate that they will not add to cumulative impact.
- D. For the purposes of this policy the premises types referred to in Clause A are defined within the relevant premises use policies within this statement.

**Policy PB1(B) states:**

It is the Licensing Authority's policy to refuse applications within the West End Cumulative Impact Zone other than:

1. Applications to vary the existing licence hours within the council's Core Hours Policy HRS1.
2. Applications that seek to vary the existing licence so as to reduce the overall capacity of the premises.

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.

The Licensing Authority note that within the application the applicant has made reference to Policy CCSOS1.

Policy CCSOS1 relates to premises where the primary function of the premises is that of a cinema, cultural venue and live sporting premises, defined as follows:



1. Cinema For the exhibition of feature or shorts films to an audience.
2. Cultural Venues a. Theatres: for the performance of plays, dramatic or other entertainment performances to an audience. b. Performance Venues: for a live performance in front of an audience which may include concert halls, comedy clubs or similar performances venues. c. Cultural Uses: for the exhibition of art (e.g. galleries), a museum, or historical building/site that is open for visitors to visit on payment.
3. Live sporting premises: the premises or the use to which the licence is intended for
  - a. Live sporting events in the form of boxing and wrestling which takes place either inside or outside in the presence of an audience.
  - b. Live sporting events that are licensable as they are being held within a building where the sport and audience are accommodated wholly or partly inside that building.
  - c. Live sporting events that will take place outside a building, where the live sporting event is not a licensable activity but other licensable activities, are provided ancillary to that live sporting event.

The applicant is therefore required to make further submissions in respect of the operation of the premises and why Policy CCSOS1 would be applicable in assessing the application?

The Licensing Authority's policies, in relation to the Cumulative Impact Areas, are directed at the global and cumulative effects of licences on the area as a whole. The Licensing Authority encourages the applicant to provide further submissions as to how the premises will not add to cumulative impact in the cumulative impact area, as per policy CIP1 and PB1.

It will be for Licensing Sub-Committee Members to determine this application, given its location within the West End Cumulative Impact area and the proposed hours of operation.

The Licensing Authority looks forward to receiving further submissions from the applicant in due course.

Please accept this as a formal representation.

<b>Responsible Authority:</b>	Metropolitan Police Service
<b>Representative:</b>	PC Steve Muldoon
<b>Received:</b>	22 June 2023

The Metropolitan Police Service (\*\*MPS\*\*) objects to this application as it is likely that if the application were to be granted, the premise would undermine the following licensing objective/s: **the Prevention of Crime and Disorder**.

The reasons for this objection are as follows:

- The venue is located within the West End cumulative impact area and as such is in an extremely high crime area with crime levels likely to be some of the highest in the country. Crime levels are increasing with the peak times being between 23:00 – 03:00.
- The venue was given the times as part of a temporary extension due to covid. When this was granted crime levels were significantly lower, the country had not returned to normal and foot-fall was clearly down. This is not the case now.

Further submissions will be submitted.

A copy of the Metropolitan Police Service's further submissions can be found at **Appendix 2**.

<b>Responsible Authority:</b>	Environmental Health Service
<b>Representative:</b>	Maxwell Koduah
<b>Received:</b>	16 June 2023

I refer to the variation application for the above-mentioned premises. The premises is located within the West End Cumulative Impact Area. I have considered the information that you have provided within and accompanying this application. I have also considered the application in line with the relevant policies within the Councils Statement of Licensing Policy dated October 2021.

The applicant is seeking to make the following time limited licensable activities on the Ground and First floors of the premises permanent:

6. Exhibition of films indoors at the following times

Monday to Saturday	09:00 – 01:00 hours
Sunday immediately before BH	09:00 – 01:00 hours
Sunday	09:00 – 22:30 hours

7. Playing of recorded music indoors at the following times

Monday to Saturday	09:00 – 01:00 hours
Sunday immediately before BH	09:00 – 01:00 hours
Sunday	09:00 – 22:30 hours

8. Provision of late-night refreshment indoors Monday to Saturday and Sunday immediately before BH at 23:00 – 01:00 hours

9. Supply of alcohol for consumption on and off the premises at the following times

Monday to Saturday	10:00 – 01:00 hours
Sunday immediately before BH	10:00 – 01:00 hours
Sunday	10:00 – 22:30 hours

10. To replace condition 29 – 32 which currently read

C29 - The permitted terminal hour for licensable activities shall be 1am the following day on Monday to Saturday and Sundays immediately before Bank Holiday Mondays until 31 May 2023. From 1 June 2023 the terminal hours for licensable activities shall revert back to Core Hours unless this condition is removed from the Premises Licence by way of a variation application.

C30 - The permitted extended terminal hours shall only apply when the Premises are operated by Allied Promotions Limited as a LGBTQ+ Venue.

C31 - At least 2 SIA licensed door supervisors shall be on duty during the extended hours until 31 May 2023.

C32 - 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.

**With**

4. The permitted extended terminal hours beyond Core Hours shall only apply when the Premises are operated by Allied Promotions Limited as a LGBTQ+ Venue.
5. At least 2 SIA licensed door supervisors shall be on duty during the extended hours beyond Core Hours.
6. 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.

**Following consideration of the application and how it may affect the Licensing Objectives and meeting the requirements of the Council's Statement of Licensing Policy I wish to make the following representations:**

1. The hours requested to permanently exhibition films may have the likely effect of causing an increase in Public Nuisance within the Cumulative Impact area
2. The hours requested to permanently play recorded music may have the likely effect of causing an increase in Public Nuisance within the Cumulative Impact area
3. The hours requested to permanently provide late-night refreshment may have the likely effect of causing an increase in Public Nuisance and may affect Public Safety within the Cumulative Impact area
4. The permanent supply of alcohol and the hours requested may have the likely effect of causing an increase in Public Nuisance and may affect Public Safety within the Cumulative Impact area.
5. The changes in conditions as requested may have the likely effect of causing an increase in Public Nuisance and may affect Public Safety within the Cumulative Impact area

As presented, the application would have the likely effect of causing an increase in Public Nuisance and may affect Public Safety within the Cumulative Impact area.

The granting of the application as presented would have the likely effect of causing an increase in Public Nuisance and may impact on Public Safety within the area.

Please contact me if you are minded discussing any of the matters above.

<b>2-B Other Persons</b>			
<b>Name:</b>		██████████ (Withdrawn 12 <sup>th</sup> September 2023)	
<b>Address and/or Residents Association:</b>		██████████ ██████████ ██████████	
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	01 June 2023		
<p>I write to express my strong opposition to the extension of Ku Bar's license application. ██████████ ██████████, I have personally experienced the negative impact caused by the venue's inability to uphold their current timings and prevent noise from spilling out onto the street, significantly affecting the well-being and tranquility of our community. The noise disturbances generated by Ku Bar have become an ongoing concern, disrupting our daily lives and causing unnecessary stress. Despite numerous attempts by residents to address these issues, it is disheartening to witness the venue's failure to take effective measures to rectify the situation.</p> <p>The inability of Ku Bar to uphold their current timings and control noise levels is not only a breach of their responsibilities but also a disregard for the peace and comfort of the community they operate in. Granting an extension of their license would only perpetuate the existing problems and demonstrate a lack of consideration for the residents' legitimate concerns.</p> <p>I urge the council to prioritise the well-being and quality of life of the residents when considering the license extension for Ku Bar. It is essential to hold businesses accountable for their impact on the community and ensure that appropriate measures are put in place to address the noise spillover issues effectively.</p> <p>██████████, I implore the council to carefully evaluate the situation and make a decision that reflects the best interests of the community. Our neighborhood deserves a peaceful and respectful environment, free from the disturbances caused by venues that fail to uphold their obligations.</p> <p><b><i>Following a meeting with the applicant, the interested party withdrew their representation on 12<sup>th</sup> September 2023 and provided the following comments in support:</i></b></p> <p>Thank you for taking the time to consider the concerns and perspectives of the residents. I trust that you will make the right decision.</p> <p>I am writing to express my strong support for the license extension request for Ku Bar (23/03511/LIPV-Ku Bar) and its owner, Gary Henshaw. Initially, I had raised objections regarding the extension due to concerns about the venue's lack of control. However, I would like to bring to your attention the significant positive changes that have taken place since then.</p> <p>After my objection, I had the opportunity to meet with Gary Henshaw and his management team. Gary was not only willing to engage in a productive discussion but also genuinely concerned about the issues that had arisen previously. Learning about the incidents that occurred before our meeting left Gary both appalled and angered, as it was clear that his previous team had not been fulfilling their responsibilities.</p> <p>Since our meeting, Gary has taken proactive steps to completely revamp the operations of Ku Bar at 25 Frith Street. This overhaul includes addressing concerns related to noise, disturbances on the street, and overall behavior. Gary has made me feel heard ██████████, and from the very beginning, he established open lines of communication. Consequently, the venue has been operating seamlessly, adhering strictly to licensing laws, and there hasn't been</p>			

a single complaint.

I have full confidence that Gary, his team, and Ku Bar will maintain this approach and promptly address any issues that may arise in the future, although there have been none since our conversation. Therefore, I firmly believe that Gary should be granted the license extension he is seeking. This extension would allow his establishment to continue providing a safe and enjoyable late-night environment for the LGBTQ community.

I hope that my endorsement of this extension request will provide the case officers with the assurance they need to grant it. I am confident that, with your support, Gary's business will once again thrive as a vibrant late-night venue for the LGBTQ community.

Thank you for considering my input.

<b>Name:</b>	■		
<b>Address and/or Residents Association:</b>			
<b>Status:</b>	Valid	<b>In support or opposed:</b>	In support
<b>Received:</b>	21 June 2023		

Please consider my (and my neighbours) support for the late opening of Ku & She Bar.

This little corner is a refuge for women, and anyone seeking a safe space after dark. Its a tough little neighbourhood, and when crossing after work, which might often be after midnight, its a great route home for me. The sanctuary provided by the excellent door staff and welcoming patrons make this a safe way home and help to keep the streets safer for women like myself.

She bar is also the only place where women can go and not be hassled by men. It's a place with no fear of rape, molestation or other terrible things that often happen to women when out. It's a great place to go and have a quiet chat, or a loud drink and a dance if the mood takes one, without any fear. This is a rare and wonderful place, and a sanctuary in Soho.

Ku & She are also what I would refer to as the uplifting and centre of community for LGBTQ Events in Soho. While other places also welcome and focus on the community, for me, personally, I feel the venue has the nicest people and kindest staff, making it my choice. The staff are incredibly welcoming, beautiful and considerate. As far as im aware, the venue is well run and has little to no problems because of it.

Frankly, as it's an excellent operation, I would like to see it open past 1am, perhaps until 3am or later. I note that around 1am is a very tough time to finish work and have to cross Soho to get home. Without sanctuaries provided by excellent door staff and without having a route to follow, Soho is starting to feel shady. It might not be as bad as it feels but when tired, late and just wanting to get home, good door staff keep everyone safe, not just those indoors.

Please allow Ku & She to stay open, keep us safe and help keep Soho as wonderful as it often is.

<b>Name:</b>	[REDACTED]		
<b>Address and/or Residents Association</b>	[REDACTED] [REDACTED] [REDACTED]		
<b>Status:</b>	Valid	<b>In support of opposed:</b>	In support
<b>Received:</b>	18 June 2023		

[REDACTED]  
[REDACTED]

I've worked with Ku/She many times, running creative writing courses and hosting [REDACTED] live literary events.

The venue provides a much needed LGBT community space at a time when so many of our bars and clubs have closed or are struggling to survive. I wrote about this recently for Openly.

The venue is a strong supporter of cultural events, such as those I run, and is therefore more than simply a bar - it's a vital cultural community resource.

The venue is well run by a highly professional management team.

Given that LGBT punters are hardly known for causing a disturbance, I do not think that the slight extension in hours will result in crime, disorder, noise complaints or compromise public safety in any way.

On the contrary, I believe very strongly that Ku/She has a profoundly positive impact in the West End, where so many LGBT spaces have been lost.

<b>Name:</b>	[REDACTED]		
<b>Address and/or Residents Association</b>	[REDACTED]		
<b>Status:</b>	Valid	<b>In support or opposed:</b>	In support
<b>Received:</b>	18 June 2023		

[REDACTED] & have known & worked with Gary for over 25 years Supporting this application, signifies the importance of LGBTQ+ venues working together even though we compete, it's so important in the present climate & for the long term future of independent businesses for us to support each other

There are several reasons to support this application. The recovery from Covid is still on going for Hospitality, [REDACTED] is probably the most famous LGBTQ+ brand across the world, if we are struggling in the recovery, then so is everyone else. We have noticed in the last 6 months, that the cost of living crisis is now really hitting hospitality, even venues at capacity are struggling, we have noticed that the spend per head has dramatically dropped, so the image of a sell out night, doesnt tell the true picture of the affects on night time venues, even as a competitor to Ku, knowing the affects of the drop in spend per head, extra hours are now a lifeline for hospitality

Like [REDACTED], Ku is one of the few venues who believe our venues are more than a business, it's about being part of a community and providing a much need safe space. As Hate crime goes up, the need for safe spaces is needed more than ever. What you have with Ku, is unique, like [REDACTED], you have owners who care, which is gold dust, because if theres an issue, we take it personally and we act on it, unlike corporate hospitality, [REDACTED] & Ku are owned by people who care which means managers have to work harder to protect the reputations of our venues.

We need safe places, for LGBTQ customers to go to, LGBTQ+ venues do not create crime, crime is created by the door policy of the people you allow in, the nature of our venues means we create the safest door policies for customers. The future of the west End is the diversity of the west end, if LGBT venues do not survive, the west end loses its appeal. You either want a nightlife of Weatherspoons or you want a diverse nightlife appealing to all communities, you decide by granting this application.

<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association:</b>		[REDACTED] [REDACTED] [REDACTED] [REDACTED]	
<b>Status:</b>	Valid	<b>In support or opposed:</b>	In support
<b>Received:</b>	20 June 2023		

I am writing to the committee in support of this application. [REDACTED]  
[REDACTED]  
[REDACTED]

Firstly, I have never written in support of any license application, so this is an exception, and a first because of the key role of LGBTQIA venues to the heritage and future of Soho. Soho has been a beacon for freedom and toleration and a safer area for the LGBTQIA to socialise, make friends and build resilience due to the concentration of gay bars in and around Old Compton Street. I recently attended the Soho Pub Bombing Memorial it was moving and underlined the important of gay venues remaining. Whenever the community is in crisis it comes together in Soho, on or near Old Compton Street often at the junction of Old Compton St and Frith.

There are only 3 gay owned gay bars in Soho and Ku Bar on Frith Street is a vital one. I am aware that trading has not returned to pre Covid levels and we need to keep gay run venues in Soho trading. Making permanent the license is one step towards this. Arguments about cumulative impact may be persuasive generally but I don't believe that Soho gay bars really contribute to anti-social behaviour or crime. I would also point out that Ku is also home to She Bar Soho's only gay girls venue. It is absolutely vital that She Bar succeeds.

In my experience the operator Mr Henshaw is well known and professional as are his team of managers and there are many many conditions on their licence to ensure the noise and disruption from the bar is successfully minimised. I think the temporary extension is enjoy should be made permanent and I support it.

<b>Name:</b>	[REDACTED]		
<b>Address and/or Residents Association:</b>	[REDACTED] [REDACTED] [REDACTED]		
<b>Status:</b>	Valid	<b>In support or opposed:</b>	In support
<b>Received:</b>	18 June 2023		

Both me and my restaurant teams ( c 100 team members in total across both restaurants) fully supported the application for variation of hours for the above in 2021 to 1am.

I/we now fully support making this extension of hours permanent. It has been a huge success over the last 2 years in providing a safe and inclusive space for us to use post work when we close at 11pm. This extension allows my LGBTQI+ team members in particular to have a well run bar to use for c an hour post work in order to unwind and spend time with their friends and community.

It is bars like these that make Soho special and world famous and we must absolutely continue to promote Soho as a welcoming, inclusive and safe place for all of our LGBTQI+ community.

Gary and his teams at Ku and Little Ku/She lead the way in Soho in having the best run LGBTQI+ bars in Soho and it is for this reason that I/we fully support this application in full as it supports all 4 licensing objectives completely. It will not lead to any additional disruption or disorder in any way. In fact these venues provide an essential safe environment for their clientele.

I have cc'd some of my team at [REDACTED] who are also fully supportive of this application/variation.

Please do not hesitate in calling me as a witness to support this application or to ask me for any further detail / comments in support of this application.

<b>Name:</b>	[REDACTED]		
<b>Address and/or Residents Association</b>	[REDACTED] [REDACTED] [REDACTED] [REDACTED]		
<b>Status:</b>	Valid	<b>In support of opposed:</b>	In support
<b>Received:</b>	18 June 2023		

I am aware that the Ku Bar is applying to permanently extend their opening hours to 1am Monday to Saturday.

The two year variation they have had has allowed them to demonstrably show how well they run their business and I strongly support this becoming a permanent extension.

I firmly believe that their clientele have a positive impact on the West End, indeed I feel that more LGBTQ visibility has a positive impact on an area. This extension should reduce crime and public safety in the area with the added vitality and control they bring, and should not lead to any change in disorder or noise complaints.

[REDACTED] we have one of the most objective viewpoints on the KU bar. They are a great neighbour, adding both to the vitality and diversity of the area, but also to the quality and safety of the area, giving a well run, safe space for the local community.



I am delighted to support their application for a permanent extension of their operating hours.			
<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association</b>		[REDACTED] [REDACTED] [REDACTED]	
<b>Status:</b>	Valid	<b>In support or opposed:</b>	In support
<b>Received:</b>	19 June 2023		
<p>[REDACTED] and would like to counter the often promoted myth that all residents are anti the night time economy. It is actually precisely because of the vibrant, inclusive and diverse cafe, bar and club culture that I have chosen Soho to be my home.</p> <p>I have been a customer of the Ku Group of venues for over twenty years and have watched them grow and build a community of family and friends within the LGBTQ+ community.</p> <p>I have seen the hospitality sector struggle through the pandemic and now the threat of rising inflation, soaring fuel prices and the cost of living crises has continued to provide difficulties to many.</p> <p>This minor variation on licensed operating hours should be granted on the basis that they are an 'exception' to the mainstream hospitality businesses. The Ku Group is a professionally run and managed business with an impressive track record. They are one of the last independently owned LGBTQ+ businesses in the West End providing a safe haven for the LGBTQ+ community. I strongly believe that rather than a negative effect this extension will have a positive effect on the area. The more visible the LGBTQ+ community are in the West End the safer it becomes for all.</p> <p>I hope you will take into account my observations when considering this application.</p>			
<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association:</b>		[REDACTED] [REDACTED] [REDACTED] [REDACTED]	
<b>Status:</b>	Valid	<b>In support or opposed:</b>	In support
<b>Received:</b>	19 June 2023		
<p>I write as a [REDACTED] in support of the above License Applications and my address is:</p> <p>[REDACTED] [REDACTED] [REDACTED] [REDACTED]</p> <p>I state at the outset that I have no business or fiduciary connection to Gary Henshaw or any of his companies or businesses save as a customer of his bars over many years and having a respected and valued acquaintanceship with Mr Henshaw as a welcoming host and landlord.</p> <p>I, and a number of my friends, have met socialised, celebrated and commiserated with each other regularly in Ku Bar, Lisle Street and occasionally in Ku Bar, Frith Street for as long as Mr Henshaw has been in business at those premises and prior to that in other bars that he has owned, managed and run over a period of over 30 years.</p> <p>We are a group of gay male friends ranging in age from our 40s to our 70s and we choose to meet and drink in Ku Bar because we are always made to feel welcome by management and</p>			

staff alike.

Mr Henshaw has taken particular care over many years to train his staff to be customer focused and to show friendship and respect to all his customers irrespective of who or what they are.

I personally hire one of his off duty staff to act as a barman at my annual birthday party and all my many friends and colleagues attending always make warm comments about the service they receive. This is a tangible reflection of the investment in training by Mr Henshaw and his highly effective managers and supervisors.

Perhaps most importantly we, as a group, feel safe in his bar environment. Security is paramount to Mr Henshaw and I can personally state that, no matter the hour, his bars are well managed and I have never witnessed anything to make me feel unsafe in any way.

This is, I know from experience, rare in licensed premises in the West End especially on weekends. Security staff are well trained, conscientious and alert to dealing with any potential issues almost before they arise.

Mr Henshaw and his businesses are totally committed to LGBTQ+ issues.

In his recruiting Mr Henshaw has shown an enormous contribution to diversity in employment and has a broad and talented team including some who are transitioning and others who express themselves in many different ways.

His bar operations on London Pride days over the years are second to none and it is where we always choose to gather after the Parade, safe in the knowledge that crowd control and servicing customers will have been carefully planned by Mr Henshaw and his team on what is a crazy day for our community and for bar owners in Soho.

This will be especially significant as we, as a community, mark 50 years of Pride in London and remember and honour all those who started our struggle for equality.

Mr Henshaw raises many thousands of pounds every year for charities to benefit the LGBTQ+ community. An annual charity evening to mark World AIDS Day on 1st December each year is a particular highlight and raises much needed funds for charities working on HIV/AIDS related issues.

I am personally connected to the Albert Kennedy Trust supporting young LGBTQ+ people facing homeless and Mr Henshaw has never failed to give support when asked.

The hospitality industry emerged from the catastrophic situation they found themselves in following the global pandemic and it is critical that they are given the opportunity to continue to recover and to support the economy of central London at the heart of which are our bars and restaurants.

A 1am extension to the licenses for two years was granted by the City Council and I am confident that Mr Henshaw has well demonstrated that he is a fit and proper person to take this forward on a permanent basis responsibly with no impact on the public and in a safe and well ordered manner.

Mr Henshaw has shown great commitment to his businesses following the crisis and has recently spent many thousands of pounds on a full refurbishment of his Lisle Street premises.

Ku Bar, Lisle Street and Ku/She Frith Street named in this application are an important part of the Soho and West End hospitality industry and are a welcoming and safe environment for the LGBTQ+ community to continue to meet, to celebrate and occasionally to mourn and also to rejoice in the lives of those we have lost.

I respectfully appeal to the Licensing Committee to grant this application.

<b>Name:</b>	[REDACTED]		
<b>Address and/or Residents Association:</b>	[REDACTED]		
<b>Status:</b>	Valid	<b>In support or opposed:</b>	In support
<b>Received:</b>	22 June 2023		

I am emailing in strong support of the Ku Bar/She Bar proposal to make their temporary 1am licence extension permanent.

[REDACTED], a non-profit venture providing social and recreational events for London's gay and wider LGBT+ community. We run the world's best-attended LGBTQ-category group on [REDACTED]. Our membership on this platform alone is more than 10,500 people strong. We have been running for just over seven years. Whilst the events we run are pan-London, the vast majority of them take place in the City of Westminster.

We work with most of the gay/LGBT+ bars in Westminster, but can honestly say that Ku Bar is one of our most-preferred venues to work with. This is because it is managed exceptionally well, the venue staff (including security) are always polite and professional, and the feedback from our members is that it is genuinely a very safe space for all members of the LGBT+ community.

In the last five years we have never had a single issue of concern with Ku bar. Please understand this in a context where our events usually take place on a Friday night in the West End, when it is extremely busy. Ku bar are one of only to LGBT+ bars in the West End where I have complete confidence in the venue to always provide a friendly and professional style of on-the-night management that I consider exemplary and something many other venues could learn from.

She Soho is also a much-loved venue, as it is the only bar solely focussed on serving the needs of female members of the LGBT+ community.

From what I have personally witnessed whilst running community events at the venue, and from what I know of the management at Ku/She bars, I genuinely believe that the small extension in hours will not result in any crime, disorder, noise complaints or compromise public safety in any way at all.

I am convinced that Ku/She bars are clearly committed to providing a safe space for London's LGBT+ community, and believe that continuing the 1am licence will only have a positive impact in the West End and for London's LGBT+ community.

<b>Name:</b>	[REDACTED]		
<b>Address and/or Residents Association</b>	[REDACTED]		
<b>Status:</b>	Valid	<b>In support or opposed:</b>	In support
<b>Received:</b>	14 June 2023		

I am writing to support the 1am extension for Ku Bar and Little Ku/She.

I have known the owner, Gary Henshaw, for over 20 years and have always found him to be a responsible, conscientious person and business owner.

His bars provide vital social venues for the LGBT+ community in London, at a time when many LGBT+ venues have closed.

They are well run and trouble-free - and have done commendable charitable fundraising for

community organisations and projects. They are an asset to the LGBT+ community and the West End.

There is interest in the LGBT+ community for a late night venue. The management, staff and customers are well behaved. There is no evidence that the proposed slight extension in hours will result in crime, disorder, noise complaints or compromise public safety.

I ask you to grant the 1am extension.

<b>Name:</b>	[REDACTED]		
<b>Address and/or Residents Association</b>	[REDACTED] [REDACTED] [REDACTED]		
<b>Status:</b>	Valid	<b>In support or opposed:</b>	In support
<b>Received:</b>	20 June 2023		

Please consider my support for the Ku Bar and She Bar application to open later. I live extremely close to the bars at (replace with address).

[REDACTED] in Soho to be amongst welcoming venues like Ku/She, as well as Soho's other pubs, bars and restaurants that make the area so special.

Venues like Ku and She make a really important contribution to Soho's cultural and LGBTQI+ offer. The bars are also exceptionally well run by the ownership and management team. It would be great if all premises in Soho were operated by such thoughtful and responsible licensees. I am aware the Ku and She were granted a temporary extension to their hours in 2021. I would like to confirm that I have experienced no reason to complain nor have I suffered any nuisance during the extended hours. In fact, the area feels safer and better supervised for longer when Ku are open.

I think that this is a very relevant consideration as granting the later licence will help have a positive impact in Soho, as well as providing a friendly and inclusive venue for the LGBTQI+ community that does not close prematurely.

As a result, I am in full support of the application and respectfully hope that our councillors grant the application.

<b>Name:</b>	[REDACTED]		
<b>Address and/or Residents Association:</b>	[REDACTED] [REDACTED] [REDACTED]		
<b>Status:</b>	Valid	<b>In support or opposed:</b>	In support
<b>Received:</b>	23 June 2023		

I am writing in support of the above application

[REDACTED]  
I have not witnessed any disruptive behaviour from this premises and hear no noise whilst they are operating, I note that there are many conditions attached to this licence which ensure that this is the case.

I believe that it is in supporting and encouraging established business such as this we make Soho a better and safer place.

Far better that night time visitors to Soho are in well controlled venues with approved security than hanging out in the streets and the illegal drinking clubs of yesteryear.

<b>Name:</b>	[REDACTED]		
<b>Address and/or Residents Association:</b>	[REDACTED]		
<b>Status:</b>	Valid	<b>In support or opposed:</b>	In support
<b>Received:</b>	23 June 2023		

[REDACTED]

I would like to support Ku/She Bar's application for extended hours at their venue located on the corner of Frith Street and Old Compton Street. The venues are an asset to Soho, Westminster and the LGBTQI+ community.

I have lived in Soho for many years. I have always noted that Ku/She stands out as one of Soho's better operators and a very professional outfit indeed. I have no concerns whatsoever about the permanent extension of hours adversely affecting me as a local resident and ask you to kindly grant the application.

I supported their temporary extension in 2021 and was delighted when that application was granted. The decision demonstrated Westminster's commitment to helping important cultural, inclusive and diverse hospitality venues during a very difficult time.

Over the last 2 years I can say that the extended hours have certainly not caused any problems in Soho. The only impact has been positive. It has allowed the LGBTQI+ community to stay in a safe and well managed environment for longer and all the supervisory benefits of having a professionally operated venue open a little longer has brought advantages to the streets in the immediate vicinity of Frith Street.

Allowing the additional hours on a permanent basis will help Soho to continue recover and bring back its world renowned vibrancy, which we residents and businesses alike find so special about our area.

Thank you for taking into account my views.

<b>Name:</b>	[REDACTED]		
<b>Address and/or Residents Association</b>	[REDACTED]		
<b>Status:</b>	Valid	<b>In support of opposed:</b>	In support
<b>Received:</b>	22 June 2023		

[REDACTED]

We are a voluntary group, supported by [REDACTED], and work with the [REDACTED] and a range of Westminster based organisations to support our community, and improve services and provision for LGBT+ people across the City of Westminster. We work in accordance with a constitution agreed by our members.

We really appreciate the contribution that Ku Bar and She Soho bars make to London and the West End's LGBTQ+ scene and nightlife.

As an independent bar, we consider them to be a shining example of a well-managed and run venue. They truly provide a safe space for members of our community and we are unaware of any issues of concern resulting from their nighttime trade.

We use Ku as our venue of choice for our monthly Soho Social event for all of our members.

She Soho is also greatly loved by many of our members, as the only remaining bar dedicated to serving the needs of the lesbian community in London.

We avidly support the Ku Group's proposal to make their temporary 1am licence extension permanent. We have only ever received positive feedback from Ku's 1am temporary licence extension, so are keen to see it made permanent.

Ku bar clearly takes their commitment to provide a safe space for the LGBT+ community very seriously.

There is always ample security at their venues on any given night. They effectively manage entry to the venue, resulting in a friendly and safe environment for all its customers.

We genuinely believe that the small extension in hours will not result in any disorder, crime, noise complaints or compromise public safety in any way at all.

As one of the few remaining independent LGBT+ bars in the City of Westminster, we consider Ku Bar and She Soho to have a really positive impact in the West End.

This is the consensus of our Constituted Committee.

<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association</b>		[REDACTED]	
<b>Status:</b>	Valid	<b>In support or opposed:</b>	In support
<b>Received:</b>	19 June 2023		

[REDACTED]  
[REDACTED]  
[REDACTED]

I have been actively involved in the community for over twenty years, often campaigning for better access to gay men's health and wellbeing services, greater equal rights for all, and the protection of safe spaces for the LGBTQ+ community.

I would like to voice my support for an extension to the KU Bar/She Bar license to 1am. This would allow LGBTQ+ people a safe space to gather, particularly allowing them to avoid the rush that often happens when neighbouring (majority straight) local bars and pubs close around midnight. I do not believe an extension of these opening times will result in crime, disorder, noise complaints or compromise public safety

I have been a patron of the Ku Bar for nearly thirty years, and have found them to consistently be operated to the highest standard, from its bar staff and management to security. The bars are a haven for queer people that must be protected. The bars are also incredibly community minded having raised tens (if not hundreds) of thousands of pounds over the years for good causes in its long history.

<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association:</b>		[REDACTED] [REDACTED] [REDACTED] [REDACTED]	
<b>Status:</b>	Valid	<b>In support or opposed:</b>	In support
<b>Received:</b>	20 June 2023		

I am writing in support of the licensing extension request of Ku Bar/She Soho. I have worked for the Ku Bar Group for 20 years, as a [REDACTED]. I help organise Cabaret events for the company and also run Bombshell at Ku Bar, the only weekly dedicated safe-space night in the area for members of the Trans+ Community.

I support the proposal to make the 1am licence extension permanent as it has had a noticeable impact on the success of the events I host and an increase in the resources we can provide, including well paid work for members of the Trans+ community who so often struggle to find credible work.

The management team and security are well organised and helpful. I often work until close and the venue is swiftly cleared with minimal disruption to surrounding areas. I do not think the small extension to the current hours has a negative impact on the crime or noise pollution of the area.

We have lost so many LGBT+ venues, that we must do everything we can to protect the ones still running successfully, especially as KU Bar is one of the few independently owned.

<b>Name:</b>	[REDACTED]		
<b>Address and/or Residents Association:</b>			
<b>Status:</b>	Valid	<b>In support or opposed:</b>	In support
<b>Received:</b>	20 June 2023		

I hope this letter finds you well. I am writing to express my strong support for Ku Group's application for a late closing time for their bar. As a longtime supporter of their venues and a beneficiary of their unwavering support for my creative work, I believe granting them this extension would be a valuable contribution to the LGBTQ+ community and the vibrant atmosphere of the West End.

For the past six years, Ku Group has been an invaluable partner in the realisation of my creative projects. Their unwavering support, both in terms of resources and financial backing, has been instrumental in the success of my productions. Since 2017, they have generously funded three LGBTQ-themed plays, two LGBTQ+ operas, and most recently, they provided vital financial investment in my award-winning debut short film, Blueberry Smoothie. Their involvement has played a pivotal role in bringing this work to life, resulting in significant achievements. Notably, the script received the esteemed New York Award for Best LGBTQ+ Screenplay, and the film itself garnered recognition for Best Performances at the Toronto LGBTQ+ Film Festival. The world premiere of Blueberry Smoothie was celebrated at the London Independent Film Festival, with the post-event gathering held in the Light Lounge, a venue owned by Ku Group. We are currently engaged in discussions regarding my next two short films, which form a compelling trilogy of LGBTQ+ themed works, with the prospect of Ku Group providing their valued support for my upcoming debut feature.

Moreover, Ku Group has been an ardent supporter of my endeavours, fostering a safe space for queer artists like myself to work, develop, and showcase their talent. Their in-house events provide invaluable opportunities for LGBTQ+ individuals who may not have access to such environments elsewhere. I am a proud customer of Ku Group's venues, and their consistent support has allowed me to overcome challenges and realise projects that might not have been possible otherwise.

In addition to their significant contributions to the LGBTQ+ community, Ku Group plays a vital role in the West End's nightlife. The area surrounding their venues is bustling with activity, particularly during the late hours. I believe granting them a late license would not only provide an opportunity for them to recoup losses incurred during the pandemic but also ensure the availability of safe spaces for the LGBTQ+ community and other patrons.

Furthermore, considering the presence of other establishments, such as the casino operating with a 24-hour schedule opposite Ku Group's main venue on Lisle Street, it is evident that the area can accommodate extended operating hours. Granting Ku Group a late closing time would foster a safer environment for individuals, like myself, who rely on inclusive and welcoming spaces to socialise and express themselves freely.

By allowing Ku Group to extend their operating hours, patrons would have the opportunity to enjoy a relaxed and paced night out, discouraging binge drinking and promoting responsible consumption. Additionally, the availability of night transportation options, such as the night tube and other late-night public transportation services, encourages a more sustainable and

environmentally friendly way for people to return home after their evening activities.

In conclusion, I wholeheartedly believe that granting Ku Group a late closing time would serve not only to bolster their business recovery efforts but also contribute to the cultural vibrancy and inclusivity of the West End. As an independent business, their unwavering commitment to investing in LGBTQ+ arts projects is of paramount importance in promoting LGBTQ+ talent and creating safe spaces for the community. Extending their operating hours would further amplify their positive impact, fostering an even more supportive and inclusive environment for all.

Thank you for considering my viewpoint. I trust that you will give careful consideration to Ku Group's application. [REDACTED] and should you require any further information or clarification, please do not hesitate to contact me.

<b>Name:</b>	[REDACTED]		
<b>Address and/or Residents Association</b>	[REDACTED]		
<b>Status:</b>	Valid	<b>In support of opposed:</b>	In support
<b>Received:</b>	23 June 2023		

[REDACTED] We operate licensed premises across London and specifically in Westminster.

I would like to register my support for Mr Gary Henshaw's proposals to make his 1am licence extension across both of his venues permanent.

Gary is one of the most respected, experienced, professional and culturally important operators in Westminster. His pioneering approach has helped to shape a safe home for the LGBTQI+ community in the West End. He is very much part of what makes Soho and the West End so special.

The Cumulative Impact Policy should not be used as a tool to curtail business operations like Ku/She. The policy and Westminster should instead welcome and promote independent operators like Gary Henshaw to preserve and encourage magic of the West End.

I have every confidence that the proposals will promote the licensing objectives and have a positive impact in the West End.

<b>Name:</b>	[REDACTED]		
<b>Address and/or Residents Association</b>	[REDACTED]		
<b>Status:</b>	Valid	<b>In support or opposed:</b>	In support
<b>Received:</b>	16 June 2023		

I'm writing in support of Ku's application to make their temporary 1am licence extension permanent at Ku and Little Ku/She.

[REDACTED] is a London based charity which has been supporting people living with HIV since 1988. As we receive no statutory funding we rely on community fundraising events as an important income stream. Ku/She owner Gary Henshaw has been a firm supporter of our charity for more than ten years, holding regular fundraising events on important dates in the LGBTQI+ calendar, particularly around World AIDS Day (1st December).

As a charity providing vital services within the LGBTQI+ community, we have a long relationship with Ku/She and I have personally run several fundraising events in their venues. The staff and management team are always welcoming, professional, organised and gracious with a strong



commitment to creating and maintaining an important safe space for London's queer community. This small change in operating hours will make a big difference to their operation and ensure the businesses future, which in turn will continue to benefit small community charities such as ourselves through their ongoing support.

██████████ supports Gary and the Ku Group in their endeavours to keep their independent business and important safe queer space alive and successful in the long term. We believe that a permanent extension to the licence hours would have a positive impact in the West End and have no reason to think that it would result in crime, disorder, noise complaints or compromise public safety.

<b>Name:</b>	██████████		
<b>Address and/or Residents Association:</b>	██████████ ██████████ ██████████		
<b>Status:</b>	Valid	<b>In support or opposed:</b>	In support
<b>Received:</b>	21 June 2023		

I want to put on record my wholehearted support for the permanent extension to Ku/She's 1am licence.

As a gay man, Ku was my first gay bar visit and it's always been a safe environment to meet friends, socialise and feel included.

I believe more now than ever, venues like Ku, which are well run, managed and offer a safe environment for LGBTQ+ people (who are often marginalised) are extremely important.

I've made new friends at Ku, took my partner on our first date at Ku and at all times, it's been a constant in my life. This vital space for LGBTQ+ people should be supported to offer the broadest possible opening hours, to meet the needs of its community.

On a professional note, I have worked with the Ku Group for at least 15+ years, working for, and now owning ██████████

I have always found their management teams trustworthy, reliable and totally focused on providing the best possible experience for their customers. This includes going over and above to ensure the safety and security of patrons.

Having worked with the ██████████ in the past, and seeing the care and concern the Ku Group and its team puts into events such as Pride London, I have always felt that they set the bar for other venues to follow, with how to engage with relevant local authorities and organisations to create events the LGBTQ+ can be proud of, and feel reflect them. Always done with safety and inclusion at their heart.

Simply put, other operators look to the Ku Group to understand how they can run their venues better and how they can create the safest possible environment!

At a time when LGBTQ+ venues are under threat, it's imperative that Ku remains to serve the community. Soho is safer for having well-run venues like Ku & She, who care about their customers and ensure their safety. I don't think that the permanent extension to this license will increase crime/noise or disorder - quite the opposite.

Ku is an intrinsic part of the LGBTQ+ Community in London and should be supported to ensure it can continue to play it's part.

<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association:</b>		[REDACTED]	
<b>Status:</b>	Valid	<b>In support or opposed:</b>	In support
<b>Received:</b>	21 June 2023		

[REDACTED] serves as the voice for 600 businesses and 100 property owners across the West End area. Our purpose is to support the commercial wellbeing of the businesses, and to ensure our the area remains integral to London's West End offer as a place for people to visit, live, trade and work.

We represent the most mature night- time economy area in London where over 400 million visits are made to the West End every year, with some of the world's best entertainment, culture, and

hospitality, generating over £10billion in sales.

We strive for the West End to have the most varied and high-quality evening and night- time economy (ENTE) for visitors, workers, and residents.

We continue to promote a responsible night-time economy. Crime and anti-social behaviour (ASB) associated with the ENTE has been something we take seriously, and our frontline street services work closely with the Metropolitan Police and Westminster Council to ensure we create a safe environment for all to enjoy. In fact, strong partnership work and industry standards have made huge progress in this regard.

[REDACTED] supports the applications to make the temporary 1am licence extension permanent at Ku and Little Ku/She venues which we know well and we are satisfied to support their licence application.

To our knowledge we have only known both venues to operate considerately, respecting its neighbours. As far as we're aware there have been no complaints and have only known these venues to be an experienced and responsible operator.

We also know that the operator of both venues continues to demonstrate sufficient operational due diligence and responsible venue management by participating and supporting.

- the Westminster Night Stars initiative
- staff to undertake WAVE and Ask for Angela training.
- participant on the Best Bar None Business accreditation scheme.
- participate in our Pubwatch meetings.

The Operator has agreed to continue supporting the above and any new initiative that supports the vulnerability and safety of patrons to these venues.

As a Business representative organisation we are satisfied to provide this reference as part of their application and do not think that slight extension in hours will result in crime, disorder, noise complaints or compromise public safety

We are grateful for the opportunity to be able to submit this submission in support of this application and are happy to provide any further assistance if required.

<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association</b>		[REDACTED] [REDACTED]	
<b>Status:</b>	Valid	<b>In support or opposed:</b>	In support
<b>Received:</b>	21 June 2023		

I write as [REDACTED]  
[REDACTED], to support the application above.

As a community organisation, we regularly hold events in Ku, which offers a safe and welcoming environment for our members and guests. The management team are incredibly professional and take their duties and responsibilities as licence holders seriously. This has

been widely demonstrated by the way the venue(s) operate and the longevity with which they have done so.

Clearly, like many venues, Ku suffered significant hardship through the COVID pandemic. The 1am licence has helped the business rebuild its position in the community, and I hope, restorative path to financial health. Sadly, many other community venues have not enjoyed the same prospects and as such the uniqueness of Soho and its place in the LGBT+ community is constantly changing. Without the Council's support for a permanent extension of the 1am licence, I fear Soho will continue to suffer and lose its community heart.

Ku has a long held position as a leading LGBT+ venue and has done untold work to support the community and raise hundreds of thousands of pounds for charities operating in Westminster and beyond.

In many years of attending and hosting events at Ku, I have never experienced any trouble in the venues. The security teams are professional and handle matters extremely well, ensuring punters leave the venue quietly and respectfully.

I have no hesitation in supporting the application.

<b>Name:</b>	[REDACTED]		
<b>Address and/or Residents Association</b>	[REDACTED]		
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	23 June 2023		

I made comments on the above application, which I'm not sure got through to the appropriate place.

Just in case they didn't, my comments were in general that I opposed this licence, as there are issues with noise, it's against the council's policy, within the cumulative impact zone. There are too many licences (some going to 3 am), with far too many people in the area, very high crime rates.

If my comments didn't get through via the website, I asked for register and submit, but they wanted me to update my details (which are the same), and that was the last I saw of the rep.

If it didn't get through, would you take this as my objection. Also, could you acknowledge safe receipt.

<b>Name:</b>	[REDACTED]		
<b>Address and/or Residents Association:</b>	[REDACTED]		
<b>Status:</b>	Valid	<b>In support or opposed:</b>	In support
<b>Received:</b>	21 June 2023		

I write to support the application of KU and little Ku. Gary Henshaw is an early adopter for LGBTQ+ bar scene as has lead the way of bringing diversity to Soho. His record as an operator speaks for itself. As an independent operator he duly cares about Soho and what he can bring to the community.

<b>Name:</b>	[REDACTED]		
<b>Address and/or Residents Association:</b>	[REDACTED] [REDACTED] [REDACTED] [REDACTED]		
<b>Status:</b>	Valid	<b>In support or opposed:</b>	In support
<b>Received:</b>	21 June 2023		

I write to support the application of KU and little Ku.

It is vital we recognise and support the hospitality industry in the centre of our city. London must be able to compete internationally, and restrictive practice's do nothing to aid this.

We need to recognise what makes the West End Unique and vital and not let it be diminished. There are many boroughs that would happily accommodate the past success of soho and the West End.

I absolutely refute the attempt to link Licencing to crime and disorder.

<b>Name:</b>	[REDACTED]		
<b>Address and/or Residents Association</b>	[REDACTED] [REDACTED] [REDACTED]		
<b>Status:</b>	Valid	<b>In support of opposed:</b>	In support
<b>Received:</b>	14 June 2023		

[REDACTED]  
[REDACTED].

I've been visiting Ku Bar since it first opened on Charing Cross Road and at its current location on Lisle Street for many years.

This venue represents much more than just a bar, not just to me but to the wider LGBTQI+ community. It is a safe space, a place where you can be yourself without fear of violence, mockery or disdain.

Over the years I have grown to know Gary (Henshaw) and many of his senior staff, all of whom strive to make the venue and its surroundings a better place. There has recently been a refurbishment and improvement to all aspects of Ku Bar.

Above and beyond its role as "simply a bar" The Ku Group, and specifically Gary have reached out to the community to offer support in other ways. During [REDACTED] of the first ever gay football club affiliated to an English League Team (Charlton Invicta) Gary was anxious to support us in any way he could, free use of the venue, press and photography support as well as financial assistance - much much more than "simply a bar"! Offering Ku and She as locations for multiple charity events every year, certainly more than "simply a bar". Offering sexual health advice, prevention and testing, more than "simply a bar".

I'm sure there is a tendency to ask how an extension can make a difference to a community? People live their lives in different ways, work, commitments, travel etc all of which make the late opening important to everyone who wants to spend time at any of the Ku Group venues.

Anecdotally, this extension can only be positive. Bringing more business to the surrounding area keeping the area looking clean and tidy as well as allowing the bar to thrive. A permanent

1am extension will offer stability to both venue and staff as well as the opportunity to enjoy London's Gay culture at its finest! The nature of the space (predominantly LGBTQI+) means that violence and antisocial behavior are rare (significantly less frequent than other bars in the Leicester Square area) and noise and disorder created is notably less.

In short, I support the Ku Group application for a permanent 1am extension.

<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association</b>		[REDACTED] [REDACTED] [REDACTED] [REDACTED]	
<b>Status:</b>	Valid	<b>In support or opposed:</b>	In support
<b>Received:</b>	14 June 2023		

[REDACTED]  
[REDACTED]  
[REDACTED] which was initially founded as a Facebook group to mark the 10th anniversary of the London Nail Bomb attacks on Brixton, Brick Lane and Soho. We organise the annual [REDACTED] [REDACTED] to mark the anniversaries of these events - to bring people together to remember those lost, to stand in solidarity with those who need our ongoing support, and to educate future generations to prevent these attacks from happening again.

I've known **Gary Henshaw** for many years, he is an **outstanding LGBT+ entrepreneur** who has been responsible for some of the best LGBT+ venues in London. I've been a customer at his venues for many years.

We have both been members of the [REDACTED] that have existed to represent the interests of the LGBT+ community in Westminster (I was the chair of the community forum when it was first established in 2000 after the attack on the Admiral Duncan). I was also involved in setting up the business forum.

When **Ian Baynham** was homophobically abused and attacked in Trafalgar Square (2009) I organised the first **London Vigil Against Hate Crime**, and worked closely with Gary who kindly provided us with space to meet and organise the vigil at one of his venues. Over a two week period, several meetings, we organised a vigil that was attended by over 10,000 people on the 30th October 2009, with over 29,000 event shares on Facebook - it was the first vigil hate crime event of its kind to go viral on social media. Since then the London Vigils and the vigils they inspired around the UK and abroad, have evolved into what we now call **National Hate Crime Awareness Week** in October each year. A week of action across the UK to encourage the authorities, key partners and communities affected by hate crime to work together to tackle local issues (last year we had most of the UK's police services and over 259 councils involved in the national week). This happened because of people like Gary providing space for **community meetings**, and **resources** (he provided chairs for the choirs during the 4 London vigils we held between 2009 to 2012).

When the shootings took place in the **Pulse Nightclub, Orlando** killing 49 members of our community - Gary and I, and a small group of people worked together to organise the **London Stands with Orlando** vigil, which took place within 24 hours of the Orlando attack. Again, this vigil which attracted over 15,000 people was safely delivered in close liaison with the local authorities, key partners and community that we brought together. Again space was provided for meetings, bringing volunteers together, raising funds to support the victims of this awful attack.

Over the course of the years that I have known Gary he has run many charity fundraisers - **raising money for LGBT+ causes** including tackling hate crime and HIV/Aids support services. He has also provided **space in his venues for outreach projects** - enabling members of the

community to access **information about sexual health and wellbeing**, and get HIV tests (I've accessed HIV testing during these events in the past).

I support Gary's application to make their temporary 1am licence extension permanent because these venues are of vital importance to the LGBT+ community, not just because of the space, support and resources that Gary has previously provided, but because these are **well-run, safe venues that our community needs**. I have attended venue training sessions with the local police - so I know how well these venues are run, with the **appropriate training, systems and procedures in place**.

I understand that later night venues may have an impact on their local neighbourhoods - but when the venues are as well-run as Gary's venues, this impact is minimal. Gary is a responsible licensee who runs venues that have a positive impact on their local communities and neighbours, and a **good working relationship with the local police** ensures that any arising issues are often swiftly resolved.

The **Ku/She bar** is, as far I know, the **last remaining space that is dedicated for Lesbians, Trans and non-binary women in London**, and as such - its unique value to the community is priceless. Many other LGBT+ venues have predominantly male clientele so having a **safe space for women** to relax and socialise is vital for their health and wellbeing. The venue without doubt has a positive impact on the West End, and on Westminster - it is a destination point for many people from across London and beyond.

What I like about Gary's venues is how **welcoming his team are**, from the security and door staff, the bar staff and other people working at his venues. I remember visiting the KU Bar when venues started opening up after the Covid pandemic and how well the staff looked after everyone.

There are very few LGBT+ venues with 1 am licenses. It is important that the community has safe licensed venues that they can go to.

I think it is important that the City of Westminster supports its LGBT+ venues to ensure that they remain financially viable and sustainable. Licensed venues are vital to the local economy.

<b>Name:</b>	[REDACTED]		
<b>Address and/or Residents Association:</b>	[REDACTED]		
<b>Status:</b>	Valid	<b>In support or opposed:</b>	In support
<b>Received:</b>	18 June 2023		

I also make a representation in support of the application as above/below.

<b>Name:</b>	[REDACTED]		
<b>Address and/or Residents Association:</b>	[REDACTED]		
<b>Status:</b>	Valid	<b>In support or opposed:</b>	In support
<b>Received:</b>	14 June 2023		

We are writing in support of the Allied Promotions Ltd (Ku Bar) application to vary their premises licence in relation to making permanent the current time limited extension of the terminal hour for all licensable activities and opening hours.

[REDACTED] operates multiple Business Crime Reduction Partnerships (BCRPs) across London, working with the business community to reduce the impact of crime and

disorder within our communities.

Ku Bar venues are a very active part of our partnership in Westminster, proactively working with our team and both hosting and attending Pubwatch meetings regularly. They ensure that their staff are trained on Welfare and Vulnerability Engagement (WAVE), and they support the Ask For Angela scheme.

Through their membership with [REDACTED], they have access to our secure intelligence portal and regularly submit incident reports to help us identify offenders and work in partnership to issue civil bans and support any police action needed. They also use our radio network, linking into other premises and the police to keep the area safe.

London is renowned for its nightlife and LGBTQ+ venues which serve as a community hub for many LGBTQ+ Londoners, as well as being integral to the local community. Ku Lisle Street, and Ku Frith Street/She Soho, are important venues to the LGBTQ+ community providing safe and trusted spaces with the latter providing a dedicated women-priority venue in London.

We appreciate the impact that licensed premises can have, but businesses who proactively work with us demonstrate an intention to operate safely and in compliance with their licensing objectives, implementing policies that address issues that arise and being receptive when advised on best practice. Ku Bar venues have been working with and supporting us for many years and have consistently demonstrated a commitment to the prevention of crime and disorder.

<b>Name:</b>	[REDACTED]		
<b>Address and/or Residents Association</b>	[REDACTED]		
<b>Status:</b>	Valid	<b>In support of opposed:</b>	In support
<b>Received:</b>	22 June 2023		

I'm writing in support of the applications to make the current operating hours at Ku Lisle Street and Ku/She Frith Street permanent.

London's LGBTQ+ spaces are a vital resource to the community. They are the heart of London's open, welcoming and inclusive culture, offering safe havens where people are free to express themselves without fear. After losing 62% of venues in a decade, [REDACTED] committed to supporting these spaces, to protect existing infrastructure and encourage the opening of new venues.

COVID-19 had a severe impact on our LGBTQ+ venues. [REDACTED] and I were proud to play our part in providing dedicated funding and support to ensure they were able to survive the pandemic. But since then, venues have been hampered by a series of unforeseen challenges, including the cost of living and doing business crises, high inflation and rising energy and supply costs.

In light of these additional pressures, it's vital that we all play our part in supporting LGBTQ+ venues and do what we can to help maximise opportunities for them to thrive. Without help, London faces losing many late night venues, not least our much-loved LGBTQ+ venues.

Gary Henshaw, who runs both venues, is an experienced and responsible operator and an active participant in the [REDACTED], sharing best practice and learning with other venues across the capital. I have no doubt that his experience and understanding of the late night landscape of Soho would allow the continued successful operation of these venues at the permanent terminal hour in the applications.

As Westminster is home to the largest concentration of LGBTQ+ venues in the capital, I encourage the council to support these vital pieces of cultural infrastructure and look favourably on these two applications, which I wholeheartedly support.

<b>Name:</b>		█	
<b>Address and/or Residents Association</b>		████████████████████	
<b>Status:</b>	Valid	<b>In support or opposed:</b>	In support
<b>Received:</b>	15 June 2023		
<b>Introduction</b>			
<p>████████████████████ would be grateful for the Licensing Authority's consideration of this representation in support of the above premises licence applications, based upon the promotion of all four licensing objectives.</p> <p>████████████████████ provides a unified voice for all businesses in Soho, with the aim of protecting and growing the economic diversity of the area in which we do business, through engaging with each other, our residents, other amenity groups and Westminster City Council. We currently represent almost 100 businesses in the Soho area, with hospitality, retail and property being our current focus.</p> <p><b>The Applications</b></p> <p>Soho stands as a beacon of inclusivity and, for many, a place of refuge; at its best, Soho offers spaces where people can come to be themselves, without fear of judgment or reprisal.</p> <p>But we should never take this for granted. It is not a "given" state of affairs, that prevails by dint of some intrinsic magic in the streets. Rather, it is the product of a confluence of individuals, venues and communities fighting over many years for their vision of what Soho – and the world - should be. Without them, and without the spaces they have created, Soho would just be a square mile of (admittedly lovely) pavement, and some equally lovely flats.</p> <p>Soho belongs to these communities, as much (or indeed more) than it belongs to those who have the means to buy or rent a property in the area.</p> <p>And few have played as big a role in Soho's recent history than Gary Henshaw. Over 20 years ago, he was the first LGBTQIA+ venue owner to operate without blocked windows, paving the way for openness and acceptance. And today, She Soho remains the only venue in London dedicated to queer woman and non-binary people.</p> <p>This matters. Only 0.56% of licensed premises in Westminster are LGBTQIA+, according to Westminster's current Statement of Licensing Policy.<sup>1</sup> That follows the loss of 58% of London's LGBTQIA+ venues between 2006 and 2017,<sup>2</sup> before we were hit with the Covid-19 pandemic, which has wrought such havoc on the hospitality industry. People like Mr. Henshaw are the embattled soldiers fighting for the Soho we all want, and they deserve all the help we can give them.</p> <p>At first blush, a one-hour extension to licensed hours might not seem like a weighty issue, worthy of delving into Soho's history. But small steps at the margins like these are what make a huge difference over time – just like Mr. Henshaw's boldness in changing practice on blocked windows. An extra hour at She Soho is an extra hour of positivity, community and culture every week, for people who still have precious few spaces to call their own.</p> <p>1am is a very reasonable ask in the circumstances. And, in any event, those who are inclined to continue their evening beyond midnight will be able to do so regardless of</p>			



whether the variation is granted - the difference is that many of them would be forced to go to other venues (possibly with less welcoming crowds).

In short, what is on paper a tweak to licensed hours for a couple of premises is in substance a conferral of extra breathing space for a community of people. Refusing these applications would be to snatch that breathing space away.

Mr. Henshaw has already demonstrated the positive impact his venues can have in the area operating to these adjusted hours over the last two years. No speculation or conjecture is required here.

The Sub-Committee should be applauded for the original grant of the extension back in 2021. We hope and trust that the Councillors can see the obvious and compelling merits of now making that decision permanent.

Thank you for considering [REDACTED] views.

<b>Name:</b>	[REDACTED]		
<b>Address and/or Residents Association:</b>	[REDACTED]		
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	23 June 2023		

We write to make a relevant representation to the above application on behalf of [REDACTED]

**About [REDACTED]**

[REDACTED] is a charitable company limited by guarantee established in 1972. [REDACTED] is a recognised amenity group and was formed to make Soho a better place to live, work or visit by preserving and enhancing the area's existing diversity of character and uses, and by improving its facilities, amenities and environment.

**Application Summary**

**Variation application Licence**

The application proposes to make permanent the current limited extension of the terminal hours for all licensable activities, opening hours from Core Hours to 1am (the following day) on Monday to Saturday and Sunday's immediately before Bank Holidays.

The applicant refers to Policy CCSOS1 Cinemas, Cultural Venues, Live Sport Premises and Outdoor Spaces and Policy paragraphs B34 and B37 on Promoting Equality and Inclusivity.

The application proposes to replace existing Premises Licence conditions 29 -32 with the following:

- The permitted extended terminal hours beyond Core Hours shall only apply when the Premises are operated by Allied Promotions Limited as a LGBTQ+ Venue.
- At least 2 SIA licensed door supervisors shall be on duty during the extended hours beyond Core Hours.
- A copy of the Premises Dispersal Policy shall be made readily available at the Premises for inspection by a Police office and/or an authorised officer of Westminster City Council.
- The application does not propose any other changes to the layout conditions.
- Conditions 29 - 32 to be replaced as per the application description.
- The existing and amended licence conditions will continue to promote all four licensing objections

**Alcohol On and Off Sales** : Monday - Saturday : 10:00 - 01:00. Sun: 10:00 - 22.30.

**LNR**: Monday - Saturday : 23:00 - 01:00

**Recorded Music/ Anything Similar/ Films:**

Monday - Saturday: 09:00 - 01:00. Sunday: 09:00 - 22:30

**Opening Hours**: Monday - Saturday : 10:00 - 01:00. Sun: 12:00 - 23:00

**Capacity**: Basement 80, GF 40, 1st Fl 40. Total 160

### **Representation**

We object to this application for a permanent extension of this bar on the grounds it will fail to promote the licensing objectives and increase cumulative impact in the West End Cumulative Impact Zone.

This application is to make permanent a two year extension of hours which ended on 31 May 2023. This being an extension to 1am from the original licence which fell within the Core Hours Policy PB1; Monday - Thursday 11.30pm and Friday and Saturday from midnight. [REDACTED] objected to the application in 2021 (21/01596/LIPV) which was based on the financial impact of COVID and loss of revenue, the additional trading hours being required to enable re-opening and meeting a range of associated costs.

Since the end of COVID food, beverage and entertainment premises in Soho have thrived, there are more people in the Soho now than at pre-COVID times, the number of new alcohol licences continue to grow year on year, between 2020 to 2022 thirty eight new alcohol licences were granted in the area accommodation a further 2,531 people.

[REDACTED] also highlight the growth in rental across Soho, Covent Gardens and Chinatown having completed 173 leasing transactions in the first five months of the year, with rents on average 6% higher ahead of December 2022.

The premises is within Soho an area at the heart of the West End's entertainment district, with its **482** licensed premises which includes a large proportion being late night **119** (25%) licensed with a terminal hour between 1am - 6am and a **capacity of over 22,560**.

This bar is situated on Frith Street and including the streets that surround it, Greek Street, Dean Street, Batman Street, Bateman Buildings and Manette Street it has the highest concentration of licensed premises in Soho, **118 with terminal hours between 12am to 3.30am and a capacity of over 11,200**.

With the terminal hour of 1am and a capacity of 160 this bar would have increased cumulative impact with more people in the area late at night and having consumed alcohol for a longer period, and it will continue to do so if made permanent, this is a concern and raised within Cumulative Impact Policy,

D5 states, 'The retention of people late at night contributes to cumulative impact.'

We also know the crime statistics repeatedly show an increase in crime, the latest figures show levels of certain crimes are now higher than at pre COVID times, and the peak times for crime being between 10pm - 2am. (See Crime and Disorder).

We do not agree the application falls under the the Cinemas, Cultural Venues and Live Sporting Premises CCSOS1, it does not meet the definition of a cultural venue under Section C. 2 of the policy. The Pubs and Bar Policy PB1 applies in this case, there is a presumption to refuse any new applications within the West End Cumulative Impact Zone unless they can demonstrate exceptional circumstances.

The applicant also makes reference to paragraphs B34 and B37 on Promoting Equality and Inclusivity in the Statement of Licensing Policy 2021, this a general and broad statement which sets out the Council's expectations on all licensed venues to promote equality and inclusivity.

The statement does not promote the extension of licenses outside the core hours policy for any types of premises.

We acknowledge the important contribution our LGBTQ+ venues bring to Soho and the community, but a permanent extension to 1am of a bar in Soho and the West End Cumulative Impact Zone cannot be supported.

### **Residents**

We note the noise complaint raised by a resident in December 2022 citing loud music heard in the street and in the complainants room next door. We know a resident has submitted a representation and has also raised concerns.

Residents are disturbed by noise and anti-social behaviour at night. They are disturbed by the late night activity as people leave premises by either shouting, screaming or arguing, noise from pedicabs, car doors slamming, horns honking, and are subjected to anti-social behaviour with people vomiting and urinating in the street and in their doorways.

Residents are also disturbed even if an establishment is not located directly on their street, as patrons usually intoxicated leave premises and either carry on their night out in Soho or as they make their way home making a noise and disturbing residents along the way.

With all of the above it is unsurprising residents experience sleep disturbance, a recent survey conducted by ██████████ confirms that residents are disturbed by noise at night and this is having a negative impact on their lives. 87 people responded of which 78 are Soho residents with ages spread fairly evenly from 22 to 80, 59% having lived in Soho for more than 10 years.

When asked about disturbed sleep; 24% of respondents have their sleep disturbed 7 nights a week, 16% 5 or 6 nights a week and 19% 3 or 4 nights a week.

Furthermore, 64% of respondents agreed that noise nuisance from increased commercial activity at night is the most serious problem impacting Soho residents quality of life.

62% of respondents agreed that the council should not grant any extensions of hours for premises in Soho.

60% of respondents agreed that noise nuisance and sleep deprivation is adversely impacting my health and the health of the people they live with.

46% of respondents agreed that noise nuisance is so bad that they have considered moving away from Soho.

The full survey can be found in **Appendix 1**.

### **Crime and Disorder**

The Cumulative Impact Assessment 2020 presents overwhelming evidence of the year on year increase in cumulative impact in the West End Zone 1, **it highlights the rate of crime as 10 - 13 times higher between 6pm - 6am compared to the borough average.**

The level of crime, disorder and anti social behaviour continues to be a huge problem in Soho, the crime figures are high and rising. The recent police crime reports for April /May shows current levels of alcohol related assaults, sexual assaults and robberies within the West End area are now higher than at pre-COVID levels. The peak times for crime being between 10pm - 2am.

In Soho the majority of robberies take place at night, people are targeted as they leave venues. Alongside the robberies and assaults drug dealing is a huge problem with groups of dealers congregating to sell drugs to people as they leave premises or as they pass by. There are more

dealers in the area at night than during the day, this is directly linked to the large number of venues and people which creates the drugs market. Pickpockets also operate in the area, they are a part of a well organised criminal group who arrive in a van at night and disperse into Soho before returning to be driven away.

It is well known that intoxicated people become victims of crime, their vulnerability being exploited by gangs or individuals who are in Soho explicitly to target them. We believe patrons leaving this bar at night will be at high risk of becoming victims of crime.

### **Public Safety PS1**

The Committee will be aware of a number of recent serious incidents that have taken place in Soho these incidents confirm what residents already know that Soho is unsafe at night. It has reached such a level that public safety is threatened. Public safety is a huge concern and has been for a long time, the large number of licensed premises plus the large numbers of intoxicated people out on the streets at night attracts criminal gangs, which in turn results in high levels of crime and disorder creating a very unsafe environment for the public.

Drunk and highly intoxicated people on the streets late at night are very vulnerable, requiring support and to prevent them from becoming victims of crime, the Night Stars help people who become vulnerable on a night out.

The Night Stars continue to work with the most vulnerable providing information and support in various forms, data for the past year is important as it shows Leicester Square, Soho and Charing Cross as having the highest number of service interactions, with most interactions taking place in a range of venues including; night clubs, bars, restaurants and hotels. The demographic is young and predominantly female. Most service users were found to be under the influence of alcohol. Unsurprisingly the streets in Soho where the most interactions took place were Greek Street, Soho Square, Wardour Street, Old Compton Street, Dean Street and Frith Street all falling within in the area already identified as having the highest concentration of licensed premises.

### **Cumulative Impact Policy CIP1**

This

area has been identified by the Westminster City Council as under stress because the cumulative effect of the concentration of late night and drink led premises and night cafes has led to serious problems of disorder and/or public nuisance affecting residents, visitors and other businesses. The evidence presented in the Cumulative Impact Assessment 2020 is overwhelming, it describes the high level of cumulative impact in the West End Zone between 2017-2019. It concludes that,

**'After consideration of the cumulative impact assessment it is the Licensing Authority's view that the number of premises licences in the West End, are such that it is likely granting further types of licences or varying existing licences would be inconsistent with the authority's duty to promote the licensing objectives. The granting of licences for certain types of operation that are likely to add to Cumulative Impact within these areas would not be consistent with the Licensing Authority's duty under the Licensing Act 2003.'**

(p.19) **(Our emphasis)**

This evidence supported further policy restrictions in the West End, however, the impact of COVID-19 resulted in the Licensing Authority deciding not to implement greater restrictions at this stage, but it may in the lifetime of the policy if footfall moves toward pre-March 2020 levels (D1). Soho is fully open for business and thriving.

The policies in relation to the cumulative impact zone are directed at the global and cumulative effects of licences on the area as a whole (D16. of the policy).

D23. **'The proximity of residential accommodation is a general consideration with regard to the prevention of public nuisance. It goes on, 'The nature of cumulative impact is that it is cumulative and affects not only the immediate vicinity of the premises, but the wider area; thus the number of people visiting the premises, the nature of licensable activities and the lateness of operations have an impact on an area as a whole, irrespective of whether or**

**not there is residential accommodation in proximity to the premises.’ (our emphasis)**

It is important to note the policy relates to the global effects of alcohol licences in the whole impact zone and not just a part of it.

The Cumulative Impact Policy is clear the Licensing Authority will fail in its duty if they continue to grant certain types of licences, therefore any extension of hours of a bar cannot be justified.

**In summary**

This is an application for a permanent extension in hours until 1am with a capacity of 160 of a bar in the West End Cumulative Impact Zone, it is contrary to policy and any increase in the number of people drinking for longer hours in this area will fail to promote the licensing objectives and increase cumulative impact.

Yours faithfully,

Licensing Committee

██████████

**Appendix 1 : ██████████ Sleep Survey Results**

**Appendix 1 : ██████████ Sleep Survey Results - 31 October 2022**

The survey conducted by ██████████ confirms that residents are disturbed by noise at night and this is having a negative impact on their lives.

87 people have responded of which 78 are Soho residents with ages spread fairly evenly from 22 to 80.

59% have lived in Soho more than 10 years

26% between 3 and 10 years

6% between 1 and 3 years and

9% have lived here less than a year

42% own their homes

20% are Soho Housing Association and the rest tenants with other landlords

10 respondents have children living at home with them

58% have double glazing

37% single glazing

5% have triple glazing

24% of respondents have their sleep disturbed 7 nights a week

16% of respondents have their sleep disturbed 5 or 6 nights a week

19% of respondents have their sleep disturbed 3 or 4 nights a week

19% of respondents have their sleep disturbed once or twice a week

20% do not have a problem with environmental noise pollution

Topping the list in September was people drinking in the street with 54 mentions, then pedicabs with 51, waste collections at 48, construction noise 36 and car horns 33 and deliveries at 25.

Other noise sources identified were air conditioning, motorbikes revving, building alarms and music from licensed venues. The most common identified problem at 42% of respondents was people drinking and shouting in the street.

64% of respondents agreed that noise nuisance from increased commercial activity at night is the most serious problem impacting Soho residents quality of life

46% of respondents agreed that noise nuisance is so bad that they have considered moving away from Soho

60% of respondents agreed that noise nuisance and sleep deprivation is adversely impacting my health and the health of the people they live with.

67% of respondents agreed that the council should base its noise policy on the World Health

## Organisation guidelines

64% of respondents agreed that our ward councillors should make this their priority during the next four years

69% of respondents agreed that during the time I have lived in Soho noise pollution has got significantly worse

73% of respondents agreed that if noise limits are being exceeded the council should consider reviewing existing alcohol licences

72% of respondents agreed that the council should install electronic noise monitoring in Soho

56% of respondents agreed that the council should not grant additional premises licence for the sale of alcohol in Soho.

62% of respondents agreed that the council should not grant any extensions of hours for premises in Soho

68% of respondents agreed that the council should renew its noise strategy as a matter of urgency

Many respondents made additional comments:-

████████████████████, the noise & air pollution finally broke me. Like the frog in the pan of water with the heat gradually turned up, it took me a while to realise that it wasn't me going soft, it was the significant degradation of the environment around me. Since moved out of my flat, several other tenants have moved in & swiftly out again citing sleep disruption & excessive night noise as their reason for leaving. The flat is now used as an office rather than as residential.

I am disappointed that another restaurant unit is going to be let on ██████████ when the residents already have an enormous amount of noise from the existing restaurants. No doubt they will also want an alcohol license, which will increase the noise and disturb residents even more.

As a disabled person working from home, I find it extremely exhausting not able to have rest at night, Screams and noise of drunk people every night, The Landlord WCC does not want to change the windows to a double glazing nor allow tenants to pay privately for windows to be upgraded. Noise at home, lack of sleep, and concentration in the day time. I have a hand held noise monitor, I recorded noise levels of 97db outside the pub at the corner of Broadwick and Berwick Streets.

More consideration needs to be given to residents from councillors, people visiting the area and local businesses in particular those who serve alcohol and have late night licences. Decisions such as granting planning and licence applications should not be made by people who do not live in the area and are therefore not impacted by the decision making.

Very difficult to get the local authority to understand and take complaints seriously. Officers often helpful but then the case goes to committee and they always seem to rule in favour of the commercial premises rather than residents.

There is supposed to be a presumption to refuse new licences but in practice the council still lets new things through until after Midnight, which is far too late and has made a nonsense of the policy.

There should be a quiet window of 11pm to 8am every day. 7am deliveries are far too early for a lot of people if they are noisy or use cages or refrigeration.

██████████ Regularly now (most nights) there are traffic jams in the street at 3am in the morning with cars picking up people leaving clubs. The cars frequently are using their horns. Last night they had their door open with music blaring. we have 2 motorbike stands close together. ██████████ There is always at least one bike revving up at either 3am or really early like 530am This noise has changed and increased over the past 3-4 years. I am woken up most nights at about 3am. And i have double glazing and am on [a high] floor.

Businesses take no responsibility for their customers drinking/eating and mainly shouting outside, including when they are queuing, and particularly when they are leaving. Post al fresco, there is a new attitude that anything goes on the streets and that includes contempt for the community who live here. The Council need to rethink this and put some major resource into enforcement.

██████████ .. It's never been this noisy!

Early hours waste collections (including bottle smashing) also includes the food & beverage businesses putting their waste in the street and bottle bins at anti-social hours ahead of collection times. Our local restaurants are not supposed to put bottles out between the hours of 23:00 and 07:00 but they frequently do. Frequently delivery trucks some with noisy refrigeration units are also delivering early hours.

Also deliveries & pedicabs. Unfortunately my lack of sleep due to noise has caused serious health issues and I now cannot work and suffer anxiety and depression. I'm woken up on average 5 times per night and have considered suicide. Why I'm being denied sleep between the hours of 11pm and 7am astonishes me. The freeholders ██████████ show a total disrespect to the effects that noise has on the residents of Soho.

### 3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
<b>Policy CIP1 applies</b>	<p>A. It is the Licensing Authority's policy to refuse applications within the West End Cumulative Impact Zone for: pubs and bars, fast food premises, and music and dancing and similar entertainment, other than applications to:</p> <ol style="list-style-type: none"> <li>1. Vary the hours within Core Hours under Policy HRS1, and/or</li> <li>2. Vary the licence to reduce the overall capacity of the premises.</li> </ol> <p>C. Applications for other premises types within the West End Cumulative Impact Zones will be subject to other policies within this statement and must demonstrate that they will not add to cumulative impact.</p> <p>D. For the purposes of this policy the premises types referred to in Clause A are defined within the relevant premises use policies within this statement.</p>
<b>Policy HRS1 applies</b>	<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"> <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 night.</li> <li>9. The capacity of the premises.</li> <li>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.</li> </ol>



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.
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.
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.
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.

C. For the purpose of Clauses A and B above, the Core Hours for applications for each premises use type as defined within this policy are:

1. **Casinos:** Up to 24 hours a day whilst casino gaming is permitted by a premises licence under the Gambling Act 2005.
2. **Cinemas, Cultural Venues and Live Sporting Premises:**  
Monday to Sunday: 9am to 12am
3. **Hotels:** Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to 12am. For the sale of alcohol to guests for consumption in hotel/guest rooms only:  
Anytime up to 24 hours.
4. **Off licences:** Monday to Saturday: 8am to 11pm. Sunday: 9am to 10.30pm.
5. **Outdoor Spaces:** Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to 12am.
6. **Pubs and bars, Fast Food and Music and Dance venues:**  
Monday to Thursday: 10am to 11.30pm. Friday and Saturday: 10am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 12pm to 12am.
7. **Qualifying Clubs:** Monday to Thursday: 9am to 12am.. Friday and Saturday: 9am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to 12am.
8. **Restaurants:** Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to 12am.
9. **Sexual Entertainment Venues and Sex Cinemas:** Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to 12am.

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.

E. For the purposes of this policy, 'premises uses' are defined within

	the relevant premises use policies within this statement.
<b>Policy PB1 applies</b>	<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 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>

#### 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>	Applicant supporting documents
<b>Appendix 2</b>	Metropolitan Police Service Submissions
<b>Appendix 3</b>	Time limited premises licence 21/01596/LIPV
<b>Appendix 4</b>	Existing premises licence 18/09821/LIPCH
<b>Appendix 5</b>	Premises history
<b>Appendix 6</b>	Proposed conditions
<b>Appendix 7</b>	Residential map and list of premises in the vicinity

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

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

<b>1</b>	Licensing Act 2003	N/A
<b>2</b>	City of Westminster Statement of Licensing Policy	01 October 2021
<b>3</b>	Amended Guidance issued under section 182 of the Licensing Act 2003	December 2022
<b>4</b>	The Licensing Authority representation	23 June 2023
<b>5</b>	Metropolitan Police Service representation	22 June 2023
<b>6</b>	Environmental Health representation	16 June 2023
<b>7</b>	Interested party representation 1	01 June 2023 ( <i>Withdrawn 12<sup>th</sup> September 2023</i> )
<b>8</b>	Interested party representation 2	21 June 2023
<b>9</b>	Interested party representation 3	18 June 2023
<b>10</b>	Interested party representation 4	18 June 2023
<b>11</b>	Interested party representation 5	20 June 2023
<b>12</b>	Interested party representation 6	18 June 2023
<b>13</b>	Interested party representation 7	18 June 2023
<b>14</b>	Interested party representation 8	19 June 2023
<b>15</b>	Interested party representation 9	19 June 2023
<b>16</b>	Interested party representation 10	22 June 2023
<b>17</b>	Interested party representation 11	14 June 2023
<b>18</b>	Interested party representation 12	20 June 2023
<b>19</b>	Interested party representation 13	23 June 2023
<b>20</b>	Interested party representation 14	23 June 2023
<b>21</b>	Interested party representation 15	22 June 2023
<b>22</b>	Interested party representation 16	19 June 2023
<b>23</b>	Interested party representation 17	20 June 2023
<b>24</b>	Interested party representation 18	20 June 2023

25	Interested party representation 19	23 June 2023
26	Interested party representation 20	16 June 2023
27	Interested party representation 21	21 June 2023
28	Interested party representation 22	21 June 2023
29	Interested party representation 23	21 June 2023
30	Interested party representation 24	23 June 2023
31	Interested party representation 25	21 June 2023
32	Interested party representation 26	21 June 2023
33	Interested party representation 27	14 June 2023
34	Interested party representation 28	14 June 2023
35	Interested party representation 29	18 June 2023
36	Interested party representation 30	14 June 2023
37	Interested party representation 31	22 June 2023
38	Interested party representation 32	15 June 2023
39	Interested party representation 33	23 June 2023

23/03512/LIPV AND 23/03511/LIPV

KU BAR, 29 – 30 LISLE STREET, WC2H 7BA

KU BAR & SHE BAR, 25 FRITH STREET, W1D 5LB

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**APPLICANT SUBMISSIONS**

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**EXECUTIVE SUMMARY - REASONS TO GRANT & EXCEPTIONAL CIRCUMSTANCES**

1. The applicant invites the Licensing Sub-Committee to not consider the applications under Policy CIP1 and PB1 alone. There are a number of reasons under the Policy and law why the applications should be granted:
  - a. The City Council's public sector equality duty.
  - b. The evidence upon which the CIP1 and PB1 Policies are based, being the 2020 Cumulative Impact Assessment, expires in days; was based on 2019 pre-Covid data; and, significantly, does not provide any evidence that LGBTQ+ venues contribute to cumulative impact.
  - c. The leading case of *Hope and Glory* allows the Licensing Authority to take into account numerous factors.
  - d. The Policy should not be applied inflexibly and allows the consideration of other characteristics of a premises, in this case the diverse range of cultural entertainment. The applications should not be considered under CIP1 and PB1 in isolation. Policy CCSOS1 is also relevant and does not include a presumption to refuse – applications can be considered on their merits.

- e. The s.182 guidance confirms very clearly that cumulative impact policies are not absolute.
2. Even when considering Policy CIP1 and PB1, and uniquely to the applicant, the following exceptional circumstances apply:

- a. The applicant's unparalleled and impeccable reputation, experience, track record and defining characteristics; particularly as Westminster's longest standing independent LGBTQ+ venue operator.
- b. The applicant provides London's only dedicated lesbian venue.
- c. The extension of hours would be subject to the following condition:

*The permitted extended terminal hours beyond Core Hours shall only apply when the Premises are operated by Allied Promotions Limited as a LGBTQ+ Venue.*

- d. As above, the Licensing Sub-Committee's public sector duty under the Equality Act 2010, particularly in light of the disproportionate impact the Covid-19 pandemic had on the LGBTQ+ hospitality sub-sector and cost of living crisis, together with the deeply concerning backdrop of a 62% decline of LGBTQ+ venues during the 10+ years. The applicant has suffered more than most as a result of its business model and customer base – and these premises are a key pillar of the remaining LGBTQ+ social infrastructure in Soho and London, serving the needs of a large cross-section of the community.
- e. There is a strong element of self-policing in LGBTQ+ venues, since a primary objective is to provide a safe environment for a historically marginalised community. LGBTQ+ venues are therefore generally more highly managed and supervised to ensure the promotion of all four licensing objectives, particularly in terms of public safety. The customer base is part of a community, which promotes responsible behaviour amongst members of that community when attending the premises.
- f. The overwhelming and unprecedented levels of support from a broad range of local residents, local businesses, activists, special interest groups, stakeholders, industry groups and a Ward Councillor. The supporters express their confidence in the applicant's ability

to promote all four licensing objectives without adding to cumulative impact in the West End, and emphasise the importance of the premises within the community.

- g. The evidence that the applicant has for many years operated in accordance with the hours sought (and later) under the annual maximum TENs without complaint or adversely impacting upon the licensing objectives or contributing to cumulative impact.
- h. The cultural importance of the applicant's venues and the unique, varied and interesting entertainment provided by LGBTQ+ performers, who are provided with a platform to showcase their talents at the applicant's venues. The additional hours will provide more time to programme more cultural performances. The Policy recognises that venues providing cultural entertainment are less likely to add to cumulative impact, and emphasises that the Council wishes to support a more diverse range of cultural entertainment in the West End.

- 3. No other applicant in Westminster is able to demonstrate all of the above exceptional circumstances and reasons to grant, which the applicant seeks to expand upon in these submissions. Even if it is argued that one of these factors is not sufficient on its own – the combination of factors and circumstances here considered together can, and should, substantiate an exception.

## **THE APPLICATIONS**

- 4. The applications seek authorisation to extend the terminal hour for all licensable activities from Core Hours to 1.00 am Monday to Saturday at Ku/She Frith Street and on the ground floor and first floor of Ku Lisle Street (with no change to the existing 3.00 am terminal hour in the Ku Lisle Street basement).
- 5. On 22 July 2021 the Licensing-Sub Committee granted similar applications, albeit on a 2-year time limited basis until 31 May 2023. The current applications seek to make the 1am terminal hour permanent.

## **SUPPORTING DOCUMENTS**

6. The applicant is grateful for the Licensing Sub-Committee's consideration of the following supporting material:
  - a. Ku Group: an introduction, business, culture & diversity.
  - b. Ku Group identity presentation.
  - c. Safeguarding policy.
  - d. Dispersal policies for each premises.
  - e. Schedule of Temporary Event Notices for each premises between the periods 2015 – 2023. Similar TEN programming was also utilised at each premises in the years prior to 2015.
  - f. Schedule of closed LGBTQ+ venues in Westminster.
  - g. Gay Times Article June 2023

## **THE KU/SHE VENUES**

7. Ku Lisle Street:
  - a. Ku Bar (ground floor): Ku Group's flagship venue, an Award-Winning Gay Bar which celebrated 25 years of independently owned LGBTQ+ nightlife in 2020.
  - b. Ku Lounge (1<sup>st</sup> floor): A luxury cocktail establishment above Ku Bar.
  - c. Ku Underground (basement): Klub is a popular and vibrant live music venue licensed until 3am under Ku Bar (not subject to current applications).
8. Ku/She Frith Street:
  - a. Little Ku (ground & 1<sup>st</sup> floor): An alternative, smaller and more intimate venue to Ku Lisle Street.
  - b. SHE Soho (basement): London's only dedicated lesbian venue, providing a space for gay/queer women to enjoy entertainment safely.



## GARY HENSHAW

9. The sole director and owner of the applicant company is Mr Gary Henshaw.
10. Mr Henshaw is Westminster's longest standing independent LGBTQ+ venue operator. He is one of the West End's most experienced licence holders with a deserved reputation as a professional, compliant and safe venue operator. His 27+ year operational record is impeccable. He is a licence holder that Westminster can trust.
11. Mr Henshaw is a member of [REDACTED] and was on the Board at time of formation; a member of [REDACTED]; and a key participant in the annual London Pride event planning. He also liaised closely with the government on Covid-19 safe operational practices - with the Ku Group cited as a successful case study on the government guidance website.
12. Above all, Mr Henshaw has an eminent standing in the LGBTQ+ community for the brave and pioneering approach he adopted when opening venues at the start of his career, which he maintains to this day. Over 20 years ago, Mr Henshaw was the first LGBTQ+ venue owner to operate without blocked windows, when most LGBTQ+ venues still operated behind closed doors. This helped change general perception of the London Gay scene by being proud. Others followed Mr Henshaw's lead, which in turn contributed to a greater acceptance of the LGBTQ+ community in London and further afield.

## EQUALITY, DIVERSITY AND INCLUSION

### The Public Sector Equality Duty

13. Section 149(1) of the Equality Act 2010 contains the 'public sector equality duty' (the "**Duty**"), which provides that the City Council 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 the Equality Act 2010;

- b. advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- c. foster good relations between persons who share a relevant protected characteristic and persons who do not share it,

(the “**Equality Objectives**”).

14. The protected characteristics here include sex, sexual orientation and gender reassignment.<sup>1</sup> And the requirement to have due regard to the need to advance equality of opportunity under limb a. involves having due regard, in particular, to the need to:<sup>2</sup>

- a. remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
- b. take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;
- c. encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low,

(the “**Equality of Opportunity Objectives**”).

### **The scope of the Duty**

15. The significance of the Duty for public decision-making has been repeatedly affirmed in the Senior Courts. To quote the Court of Appeal in *R (Bracking) v SoS for Work and Pensions*,<sup>3</sup> at [60]:

*“the 2010 Act imposes a heavy burden upon public authorities in discharging the PSED and in ensuring that there is evidence available, if necessary, to demonstrate that discharge. It seems to have been the intention of Parliament that these considerations of equality of opportunity (where*

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<sup>1</sup> Section 149(7) of the Equality Act 2010.

<sup>2</sup> Section 149(3) of the Equality Act 2010.

<sup>3</sup> [2013] EWCA Civ 1345

they arise) are now to be placed at the centre of formulation of policy by all public authorities, side by side with all other pressing circumstances of whatever magnitude [emphasis added].”

16. Indeed, while the Duty does not curb powers to take decisions, it does require public authorities to:

*“confront the anticipated consequences [of their decision] in a conscientious and deliberate way in so far as they impact upon the equality objectives for those with the characteristics identified in section 149(7) of the Equality Act 2010.”*<sup>4</sup>

17. Moreover, the Duty:

*“must be “exercised in substance, with rigour, and with an open mind”; “is not a question of “ticking boxes”; “is non-delegable”; and falls upon the decision maker “personally”.*<sup>5</sup>

18. The Duty applies both when a local authority is formulating its policy and each time an individual case is determined applying that policy<sup>6</sup>.

### **The implications for licensing decisions generally**

19. There is therefore no doubt that the Duty applies in respect of all of the City Council’s functions under the Licensing Act 2003, as statutory functions of equivalent nature to the planning functions under consideration in *R(Buckley)*<sup>7</sup> – and it applies every time the Licensing Sub-Committee is asked to determine an application under the Act.

20. The Duty overlays the Council’s obligations both to promote the licensing objectives and to have regard to its statement of licensing policy and the statutory guidance under the Licensing Act 2003 – and so must be given due weight when considering the individual merits of an application.

21. It is not sufficient simply to acknowledge the existence of the Duty in general terms when making a decision, or seek to apply a general policy that has been the subject of an equalities impact

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<sup>4</sup> *Ibid*, at 74.

<sup>5</sup> See *R(Bracken)* at 26, citing *R (Brown) v Secretary of State for Work and Pensions* [2008] EWHC 3158 (Admin) and *R (National Association of Health Stores) v Department of Health* [2005] EWCA Civ 154, in turn cited with approval and applied by the Supreme Court in *Hotak v London Borough of Southwark* [2016] A.A.C. 811. See also *R(Buckley) v Bath and North Somerset Council* [2018] EWHC 1551 (Admin)

<sup>6</sup> *Pieretti v London Borough of Enfield* [2010] EWCA Civ 1104

<sup>7</sup> *R(Buckley) v Bath and North Somerset Council* [2018] EWHC 1551 (Admin)

assessment. Rather, careful regard – with due rigour - must be had to the specific impact of any decision on the Equality Objectives.

22. As noted in the Equality and Human Rights Commission’s “Technical guidance on the Public Sector Equality Duty: England”:<sup>8</sup>

*“Many functions of a body subject to the duty require it to make decisions in individual cases. **For example, licensing, child protection measures and staff discipline.** [...] Where individual decision makers exercise some degree of discretion, having a policy or guidance does not remove the responsibility on them to ensure that they have considered all relevant matters [in relation to the Duty]. [emphasis added]”*

23. The Duty cannot be displaced or ignored because of other consideration in a particular case (such as issues of cumulative impact discussed in the licensing policy) - it is something that must always be had regard to when weighing a decision, *“side by side with all other pressing circumstances of whatever magnitude”*.<sup>9</sup>

### **Westminster’s licensing policy and the Duty**

24. Paragraphs B28 to B37 of the Policy set out the Council’s intended approach to “Equality & Inclusion in Licensed Venues”, with a stated view of ensuring the city *“is open and accessible to all”*.<sup>10</sup> It says that *“we need to hold ourselves, as well as the venues and businesses we licence, to account to ensure that together we continue to promote and offer equal opportunities and inclusive experiences for everyone”*.

25. The applicant has been at the forefront of providing some of Westminster’s most diverse and inclusive licensed venues for almost 30 years. The applicant has been striving to achieve the key objectives set out in paragraphs B28 to B37 of the Policy many years before the Policy itself was first implemented under the Licensing Act 2003. The Licensing Authority’s objectives set out in the *“Equality and Inclusion in Licence Venues”* are very closely aligned with the applicant’s underlying principles. By granting the applications, the Licensing Sub-Committee can follow the commendable ambitions set out in Policy paragraph B31.

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<sup>8</sup> At 5.54 and 5.57; see <https://www.equalityhumanrights.com/en/publication-download/technical-guidance-public-sector-equality-duty-england>

<sup>9</sup> Per *R (Bracking)*.

<sup>10</sup> At B30.

26. The Policy proceeds on the basis that the principle means to achieve this – and for the City Council to comply with the Duty (which is referred to at B33) – is to use the licensing process to ensure operators themselves promote equality and inclusivity.

27. B37 closes by pledging that *“any strategy or policy affecting the licensed industry is always underpinning [sic] by the promotion of equality and inclusivity”*. This is welcome as an overarching principle – but it can never sidestep the fact that the Equality Objectives must be considered every time an individual application is decided.<sup>11</sup>

### LGBTQI+ Venues in Westminster

28. Just 0.56% of licensed venues in Westminster are dedicated LGBTQI+ venues<sup>12</sup>. She Bar Frith Street is the only dedicated lesbian licensed venue in London.

29. There has been a sad decline of dedicated LGBTQ+ venues in Westminster over recent years, particularly since the original introduction of the West End Cumulative Impact Zone (formerly known as stress area) policies. The applicant is aware of 13 such venues closing in Westminster with a combined capacity of approximately 4755<sup>13</sup>. Westminster has just 21 LGBTQ+ venues left, including the applicant’s premises<sup>14</sup>. London has seen an overall decline of 62% of its LGBTQ+ venues in the last 10+ years alone<sup>15</sup>.

30. The Soho Neighbourhood Plan 2021 also recognises the importance of LGBTQ+ history in the West End:

*“Soho has also always been a place where new attitudes to sexuality have developed and the current LGBTQ+ community reflects this today”.*

31. According to the Policy there are (more than) 3,700 licensed premises in Westminster, but only 21 LGBTQ+ venues. Given Westminster’s stated population of 205,087 (as of 2021),<sup>16</sup> and

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<sup>11</sup> B37 also promises a code of practice for licensed operators, and an annual report on the Council’s compliance with the Duty – but we aren’t aware of those documents / reports ever having been published.

<sup>12</sup> Policy paragraph A2

<sup>13</sup> Please refer to appended schedule of closed LGBTQ+ venues

<sup>14</sup> Policy paragraph A2

<sup>15</sup> Representation of Amy Lane – Mayor of London

<sup>16</sup> <https://www.westminster.gov.uk/about-council/data/facts-and-figures-about-westminster>

assuming 1 in 10 people identify as LGBTQ+ (per London Assembly Health Committee estimates), that means:

- a. there are 19.93 non-LGBTGQ+ venues for every 1000 people not identifying as LGBTQ+, but only 1.02 venues for every 1000 people identifying as LGBTQ+; or, alternatively put:
- b. non-LGBTQ+ venues are in the region of **1847%** more concentrated in Westminster than LGBTQ+ venues on a per capita basis.

### **What does the Duty require in relation to the applications?**

32. The Committee must “*confront the anticipated consequences [of their decision] in a conscientious and deliberate way in so far as they impact upon the equality objectives*”<sup>17</sup> – and they must do so “*side by side with all other pressing circumstances*”<sup>18</sup> outlined in the statement of licensing policy – including in particular the issues discussed in Cumulative Impact Policy CIP1.

33. The potential impact of the decision on the Equality Objectives here is marked:

#### *LGBTQ+ venues as social infrastructure – safe spaces*

34. The importance of venues as safe spaces for LGBTQ+ communities is now well documented by academic study; at their best, they can be “*non-judgmental place[s] in which diverse gender identities and sexualities are affirmed, accepted and respected*”.<sup>19</sup> In particular, survey analysis by academics at the UCL Urban Laboratory conducted in the context of widespread recent LGBTQ+ venue closures in London found that people in the community are particularly concerned about (inter alia):<sup>20</sup>

- a. “***The loss of spaces of belonging.*** LGBTQ+ nightlife spaces were seen as important places to express LGBTQ+ rights and the community rituals that have helped people to survive forms of oppression and discrimination, from one generation to another. Venues were

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<sup>17</sup> Per the Court of Appeal in *R v Bracking*.

<sup>18</sup> *Ibid*.

<sup>19</sup> Survey findings from UCL Urban Laboratory report: [LGBTQ+ Cultural Infrastructure in London: Night Venues, 2006 – present](#), Ben Campkin and Laura Marshall (July 2017), page 10. The Mayor of London supported this work as part of the development of London’s Cultural Infrastructure Plan.

<sup>20</sup> *Ibid*, pages 15 and 16.

*seen to contain, embed or communicate LGBTQ+ heritage in their fabric and atmospheres, and to provide a structure that holds specific communities together.”*

- b. ***“The importance of LGBTQ+ nightlife spaces to the formation and expression of identities”*** – as venues can be *“important to coming out – and coping with associated anxiety or rejection”*, as well as being spaces for people *“forging or understanding their own identities and feeling acceptance and validation, personal development and the acquisition of self-confidence”*.
- c. ***“The loss of ‘safe spaces’ and the consequences for LGBTQ+ communities and individuals”***. In this context, the meaning of *“safe space”* can have various aspects, including *“safety for self-expression, to be with friends, protection from heteronormativity, homophobia, harassment, other forms of discrimination and threats or actual violence”*, and such spaces are *“prized as being open, secure, non-threatening, refuges, inclusive, pockets within safe neighbourhoods, and spaces where cis- and heteronormativity do not dominate and/or are challenged.*
- d. ***“The negative emotional and wellbeing effects of venue closures on LGBTQ+ peoples’ sense of identity and community.*** *The terms chosen to describe these effects were consistently strong, conveying the anxiety felt about the closure of venues (erasure, erosion, devastation, ostracization, stigma, ‘the world closing down’, pushing people ‘back into the closet’). Some individuals stated that LGBTQ+ venues, specifically those in their own neighbourhoods, were the main spaces in the city where they felt a sense of belonging. Many respondents were specifically alarmed because of a perception that venues are completely disappearing rather than being replaced. Closures were seen to have potential to further exclude LGBTQ+ people, forcing them to live less social/public lives, and impacting on already marginalised groups within the LGBTQ+ communities, for example by eliminating spaces for QTPOC and women.”*
- e. This important academic work precipitated the recognition of LGBTQ+ venues as fundamental social infrastructure by the Mayor of London and Greater London Authority – as now enshrined in the Cultural Infrastructure Plan 2019<sup>21</sup> and the London Plan 2021.<sup>22</sup>

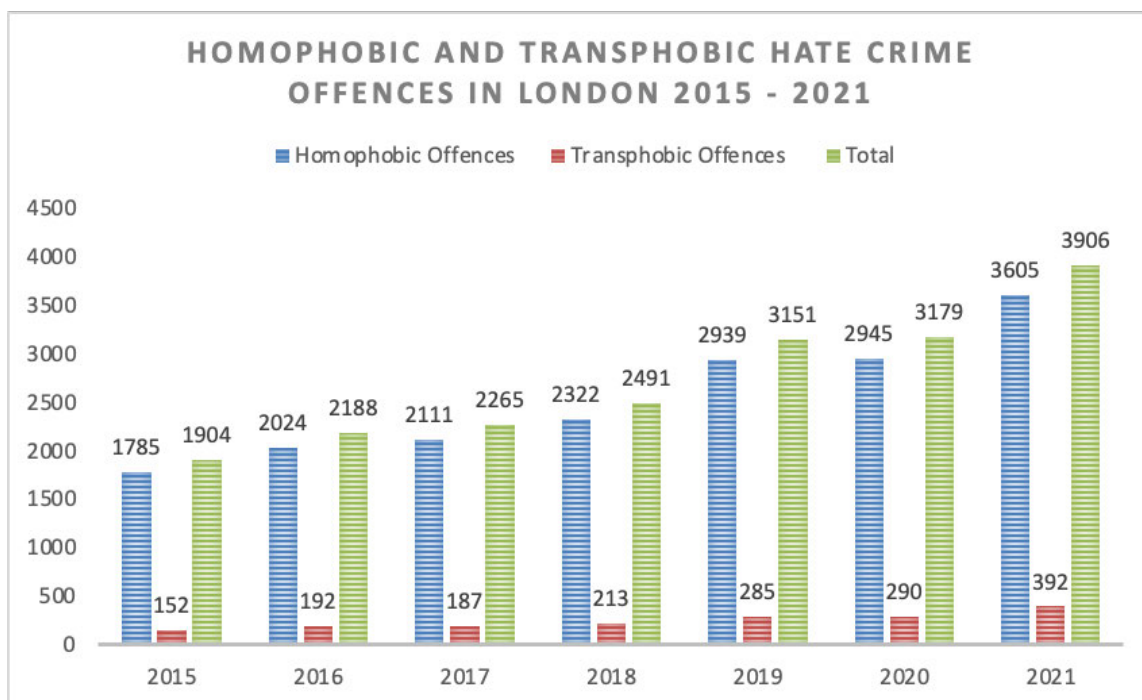
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<sup>21</sup> See [https://www.london.gov.uk/sites/default/files/cultural\\_infrastructure\\_plan\\_online.pdf](https://www.london.gov.uk/sites/default/files/cultural_infrastructure_plan_online.pdf),

<sup>22</sup> See [https://www.london.gov.uk/sites/default/files/the\\_london\\_plan\\_2021.pdf](https://www.london.gov.uk/sites/default/files/the_london_plan_2021.pdf)

35. And the notion of safe space here has acute significance:

- a. According to data published by the Metropolitan Police,<sup>23</sup> between 2015 and 2021 homophobic and transphobic hate crime rates across London increased by over **105%**, from 1904 offences in 2015 to 3906 offences in 2021 (see chart below).
- b. The London Assembly Health Committee has published findings<sup>24</sup> that around 40% of people identifying as LGBTQ+ experience a mental health issue, compared to 25% of the general population – and it is estimated that up to 1 in 10 Londoners (around 800,000 at the time) identify as LGBTQ+.



Data source: Metropolitan Police – see footnote 23

### Past LGBTQ+ venue closures

36. The same UCL work identified a precipitous net fall in LGBTQ+ venues in London, of 58% in the years 2006 – 2017.<sup>25</sup> This fall later increased to 62%, according to the Greater London Authority<sup>26</sup> – and as noted by Night Czar Amy Lame in her representation for these applications.

<sup>23</sup> See <https://www.met.police.uk/foi-ai/metropolitan-police/d/august-2022/homophobic-transgender-hate-crimes-2015-2021/>

<sup>24</sup> See <https://www.london.gov.uk/who-we-are/what-london-assembly-does/london-assembly-publications/lgbt-mental-health-0>

<sup>25</sup> See page 6.

<sup>26</sup> <https://www.london.gov.uk/programmes-strategies/arts-and-culture/lgbtq-nightlife-venues>



The applicant's premises and the applications

37. Against this backdrop, the applicant's premises stand as a key pillar of the remaining LGBTQ+ social infrastructure in Soho (and therefore London), serving the needs of a large cross-section of the community.

38. This is evident from the effusive representations submitted by many long-standing customers of the premises.

*"Please consider my (and my neighbours) support for the late opening of Ku & She Bar. This little corner is a refuge for women, and anyone seeking a safe space after dark. Its a tough little neighbourhood, and when crossing after work, which might often be after midnight, it's a great route home for me. The sanctuary provided by the excellent door staff and welcoming patrons make this a safe way home and help to keep the streets safer for women like myself.*

*She bar is also the only place where women can go and not be hassled by men. It's a place with no fear of rape, molestation or other terrible things that often happen to women when out. It's a great place to go and have a quiet chat, or a loud drink and a dance if the mood takes one, without any fear. This is a rare and wonderful place, and a sanctuary in Soho. Ku & She are also what I would refer to as the uplifting and centre of community for LGBTQ Events in Soho. [emphasis added]"*

*"I, and a number of my friends, have met socialised, celebrated and commiserated with each other regularly in Ku Bar, Lisle Street and occasionally in Ku Bar, Frith Street for as long as Mr Henshaw has been in business at those premises and prior to that in other bars that he has owned, managed and run over a period of over 30 years.*

*We are a group of gay male friends ranging in age from our 40s to our 70s and we choose to meet and drink in Ku Bar because we are always made to feel welcome by management and staff alike. [emphasis added]"*

39. Of course, in the case of Ku/She Frith Street, it is the only dedicated venue for queer women and non-binary people in the whole of London, let alone Soho.

40. If granted, the applications will allow for an extra hour and a half of valuable community space to be provided across the two venues Monday to Thursday, and an extra hour on Friday and Saturday - in circumstances where many people have come to rely on that extra space since the original variation was granted in 2021. In so doing, they will unequivocally reduce disadvantages suffered by people who share a protected characteristic, and help meet their particular needs – and thereby further the Equality Objectives, especially the Equality of Opportunity Objective.
41. When one considers the time and financial constraints people live under - such that many people may only be able to go out once or twice a month – that extra hour or hour and a half on each occasion becomes hugely significant. That is especially so for those workers who generally work evening shifts (including young people working in hospitality), who may only be able to come out later in the evening.
42. The context of widespread recent venue closures, dramatically rising hate crime in London and a worrying mental health landscape is critical here – it places an even greater significance on the few premises that remain, in relation to the need to remove disadvantages and promote equality of opportunity for the people that rely on these spaces for their mental and indeed physical well-being.
43. In the words of [REDACTED] representation:
- “In short, what is on paper a tweak to licensed hours for a couple of premises is in substance a conferral of extra breathing space for a community of people. Refusing these applications would be to snatch that breathing space away. [emphasis added]”*
44. The extra trading time will moreover support the applicant’s business simply so that it can continue to survive and serve the community in its current form, in the wake of what are increasingly challenging trading conditions, wrought first by the Covid-19 pandemic and now the cost of living crisis.<sup>27</sup> It will also help them further their extensive community and charity initiatives<sup>28</sup> and continue to provide a platform for a wide range of culturally significant LGBTQ+ performers<sup>29</sup>.

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<sup>27</sup> Please refer to the document *Ku Group: An Introduction, Covid-19, Culture & Diversity*

<sup>28</sup> Please refer to the Ku Group Introduction document

<sup>29</sup> *ibid*

45. Moreover, as a hetero-friendly business, and one that strives to improve access, visibility and outreach to a diverse range of community groups, the expanded trading time will promote the Equality Objectives even further, by helping to foster good relations between those who share a protected characteristic and those who do not.
46. The Duty requires all these factors – both generally in relation to the communities at large who benefit from these premises, and specifically in relation to those individual customers who have made such strong representations in support of the applications - to be given due weight in this licensing decision.
47. In the context of the framework of the licensing policy, this means these issues must be factored into the question as to whether this application amounts to exceptional circumstances for the purposes of CIP1.

#### Equality, Diversity and Inclusion at Ku Group

48. The applicant operates a stringent and comprehensive employment equal opportunities policy, guided by the core company values of inclusivity, transparency and equality. The applicant's workforce is very diverse and reflective of the different backgrounds, heritages and orientation of the people within the community. All members of the applicant's team undertake regular diversity training to ensure they are kept up to date with industry best practice and aware of any wider legislation or guidance.
49. These policies, principles and experience have proved key factors in the applicant's longstanding ambition to reach out to marginalised groups in a constant effort to change the perception of what an LGBTQ+ venue is and can be.
50. By its nature, the applicant's customer base is very diverse, being a well-established hetero-friendly LGBTQ+ company. The applicant continues to build and expand its customer base to improve access for even more people. To meet this objective, the applicant continues to promote its weekly trans-nights, providing a safe space for the trans-community to meet. In addition, the applicant continues its commitment to providing the only dedicated lesbian licence venue in London. The applicant is also striving to increase links with the BAME community, for example

by hosting theme nights which highlight various heritages and backgrounds present within the community.

## **CULTURAL SIGNIFICANCE**

51. The applicant's varied entertainment is culturally significant within the London and wider UK LGBTQ+ scene, providing industry leading platforms for grass roots and seasoned performers. Proudly showcasing the entertainment in this manner helps to create a wider acceptance of the LGBTQ+ cause and their efforts to be understood and celebrated. The cultural significance of the entertainment offer is highlighted through the applicant's frequent collaborations with a host of talented performers, for example:

- a. [REDACTED] – who is actively involved in improving awareness and inclusivity of non-binary and trans people.
- b. [REDACTED] – who has toured with Little Mix and has performed across the globe.
- c. [REDACTED] – who are both popular drag artists who participated in Ru Paul's Drag Race UK.
- d. [REDACTED] - a drag king who performs in She Frith Street.

52. The applicant also works with talented local acts and performers during various events, providing opportunities for these LGBTQ+ artists to showcase their skills.

53. The applicant has a longstanding relationship with local LGBTQ+ production company *Making Productions*, which provides an opportunity for LGBTQ+ shows and performances to be shown to a wider audience. In doing so, this helps to extend the scope of the LGBTQ+ performing arts nationwide. Previous collaborations include:

- a. Contributing to the production and delivery of 'Outlaws to In-laws' at the King's Head Theatre as part of their Queer Season, and to commemorate the 50th Anniversary of the Decriminalisation of the Homosexuality Act.

- b. Providing finance and marketing investment to successfully transfer the Kevin Elyot play, 'Coming Clean', to the West End. The play considers differing attitudes to love within the LGBTQ+ community.
- c. Assisting in the development of an opera, 'Opera Undone', which distilled and translated two Puccini operas. This gained critical success and made opera more accessible to a wider audience.

## **LGBTQ+ COMMUNITY & CHARITY**

54. The applicant continues to strive to help raise awareness and support charitable work in the LGBTQ+ community. For example, the applicant has proactively participated in the following charitable causes:

- a. The applicant has regularly provided space at its premises for sexual health screenings.
- b. The applicant has raised over £100,000 for [REDACTED], which ensures people living with HIV in London can access the nutrition they need to lead healthy, independent lives.
- c. In December 2019, the applicant raised over £20,000 for a trans-led charity which is part of 56 Dean Street, a sexual health clinic in Soho. The organisation includes 56T, a trans-led health and wellbeing team offering a safe space for all trans/non-binary people.
- d. Working closely with the Switchboard LGBT Charity.

## **REPRESENTATIONS**

55. There are no objections to the Ku Lisle Street application from individual local residents.

56. There are two objections from individual local residents to the Ku/She Frith Street application. The applicant has engaged with the two local resident objectors and has been able to make adjustments to the premises operation as a result of helpful comments made by one of the objectors. That objector has since provided positive feedback as concerns raised in their original representation have been addressed.

57. All representations against the applications are predominantly based upon Policy, which is addressed below.

58. The applicant is grateful for [REDACTED] acknowledgement in their representation in respect of Ku/She Frith Street that: *“we acknowledge the important contribution our LGBTQ+ venues bring to Soho and the community...”*. The applicant understands that [REDACTED] has adopted a position on Policy but is nevertheless grateful to [REDACTED] for time spent engaging in 2021, at pre-application stage and during the statutory consultation period.

59. The applications also attracted overwhelming, and possibly unprecedented, levels of wide-ranging support from local residents, local businesses, interest groups, activists, charities, landlords, the [REDACTED], industry groups, local stakeholders, [REDACTED] and even a competitor. The numerous representations in support speak for themselves. An indicative sample is set out below:

- a. [REDACTED], which is cited as best practice in the Policy 2021<sup>30</sup>:

*Ku Bar venues are a very active part of our partnership in Westminster, proactively working with our team and both hosting and attending Pubwatch meetings regularly. They ensure that their staff are trained on welfare and vulnerability engagement (WAVE), and they support the Ask for Angela scheme.*

*Through their membership with [REDACTED], they have access to our secure intelligence portal and regularly submit instant reports to help us identify offenders and work in partnership to issue civil bands and support any police action needed. They also use our radio network, linking into other premises and the police to keep the area safe.*

*London is renowned for its nightlife and LGBTQ plus venues which serve as a community hub for many LGBTQ plus Londoners, as well as being integral to the local community. Ku Lisle Street, and Ku Frith Street/She Soho, are important venues to the LGBTQ plus community providing safe and trusted spaces with the latter providing a dedicated woman-priority venue in London.*

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<sup>30</sup> Policy paragraphs B46 to B50

b. [REDACTED]

*LGBTQ+ spaces are a vital resource to the community. They are the heart of London's open, welcoming and inclusive culture, offering safe havens where people are free to express themselves without fear. After losing 62% of venues in a decade, [REDACTED] committed to supporting these spaces, to protect existing infrastructure and encourage the opening of new venues.*

*COVID-19 had a severe impact on our LGBTQ+ venues. [REDACTED] and I were proud to play our part in providing dedicated funding and support to ensure they were able to survive the pandemic. But since then, venues have been hampered by a series unforeseen challenges, including the cost of living and doing business crises, high inflation and rising energy and supply costs.*

*Gary Henshaw, who runs both venues, is an experienced and responsible operator and an active participant in the [REDACTED], sharing best practice and learning with other venues across the capital. I have no doubt that his experience and understanding of the late night landscape of Soho would allow the continued successful operation of these venues at the permanent terminal hour in the applications.*

*As Westminster is home to the largest concentration of LGBTQ+ venues in the capital, I encourage the council to support these vital pieces of cultural infrastructure and look favourably on these two applications, which I wholeheartedly support.*

c. [REDACTED]

*Soho stands as a beacon of inclusivity and, for many, a place of refuge; at its best, Soho offers spaces where people can come to be themselves, without fear of judgment or reprisal....And few have played as big a role in Soho's recent history than Gary Henshaw. Over 20 years ago, he was the first LGBTQIA+ venue owner to operate without blocked windows, paving the way for openness and acceptance. And today, She Soho remains the only venue in London dedicated to queer woman and non-binary people.*

*This matters. Only 0.56% of licensed premises in Westminster are LGBTQIA+, according to Westminster's current Statement of Licensing Policy.<sup>1</sup> That follows the loss of 58% of London's LGBTQIA+ venues between 2006 and 2017,<sup>2</sup> before we were hit with the Covid-19 pandemic, which has wrought such havoc on the hospitality industry. People like Mr. Henshaw are the embattled soldiers fighting for the Soho we all want, and they deserve all the help we can give them.*

d. [REDACTED]:

*We are a voluntary group, supported by Westminster City Council, and work with the Westminster Police and a range of Westminster based organisations to support our community, and improve services and provision for LGBT+ people across the City of Westminster.*

*As an independent bar, we consider them to be a shining example of a well-managed and run venue. They truly provide a safe space for members of our community and we are unaware of any issues of concern resulting from their nighttime trade. We use Ku as our venue of choice for our monthly Soho Social event for all of our members. She Soho is also greatly loved by many of our members, as the only remaining bar dedicated to serving the needs of the lesbian community in London.*

*We avidly support the Ku Group's proposal to make their temporary 1am licence extension permanent. We have only ever received positive feedback from Ku's 1am temporary licence extension, so are keen to see it made permanent. Ku bar clearly takes their commitment to provide a safe space for the LGBT+ community very seriously. There is always ample security at their venues on any given night. They effectively manage entry to the venue, resulting in a friendly and safe environment for all its customers.*

*We genuinely believe that the small extension in hours will not result in any disorder, crime, noise complaints or compromise public safety in any way at all. As one of the few remaining independent LGBT+ bars in the City of Westminster, we consider Ku Bar and She Soho to have a really positive impact in the West End.*

e. Local Business Owners, for example [REDACTED]



*In my opinion, the applicant runs an extremely professional operation. In particular, I have always observed that they pay scrupulous attention to all aspects of safety, security and compliance with statutory and licensing obligations.*

*I have read Westminster City's licensing objectives; historically and over the last 2 years I have witnessed everyone at Ku Bar uphold and promote all four of them, and I am completely confident that they will continue to do so in future.*

*I have noticed that - in certain other establishments - the licensed door staff can sometimes appear to be quite menacing and actually make the street feel less safe. In contrast, the staff at Ku Bar are always respectful and dutiful, and continuously ensure that the whole vicinity is quiet and peaceful.*

*Ku Bar are community-minded: in addition to being constantly vigilant regarding such threats as crime and terrorism, I have - on several occasions - witnessed their staff offer first aid and similar assistance to passers-by who are totally unrelated to their business. They simply do their bit to make the West End a nicer place to be.*

f. Local stakeholders, for example [REDACTED]:

*Gary Henshaw and his business, the Ku Bar have been a valued member of [REDACTED] [REDACTED] for many years. Gary is a responsible and community-focused businessman whose operational experience is respected and often called upon during large-scale events planning including the annual Chinese New Year celebrations and London Pride. We support commend Gary for his proposed licence extension and hope the council would consider granting his change to his licensed hours.*

*Ku Bar is a business with a proven operational track record. We have no reason to be concerned that the extended hours would have any adverse impact in the West End generally or on the key licensing objectives. We therefore offer Gary our support and hope the Council would agree.*

g. Numerous local and Westminster residents (for both applications), including residents

████████████████████ Ku Lisle Street:

*I am aware that the premises has been trading from a temporary 1am licence for some time now. I have always found Ku Bar to be run professionally; I am pleased to confirm that I have never been disturbed by noise either from the premises or its customers. I have no concerns with the prospect that the premises will continue to trade to 1am - to the contrary - I support it.*

*We are all aware of the devastating impact of Covid on the hospitality sector. I am delighted that Ku Bar has been able to weather that storm when so many premises have failed. I believe the City Council has a responsibility to support well-run businesses as much as its residents and I hope the application will be considered in a favourable light.*

And:

████████████████████ *and would like to counter the often promoted myth that all residents are anti the night time economy. It is actually precisely because of the vibrant, inclusive and diverse cafe, bar and club culture that I have chosen Soho to be my home....*

*I have seen the hospitality sector struggle through the pandemic and now the threat of rising inflation, soaring fuel prices and the cost of living crises has continued to provide difficulties to many.*

*This minor variation on licensed operating hours should be granted on the basis that they are an 'exception' to the mainstream hospitality businesses. The Ku Group is a professionally run and managed business with an impressive track record. They are one of the last independently owned LGBTQ+ businesses in the West End providing a safe haven for the LGBTQ+ community. I strongly believe that rather than a negative effect this extension will have a positive effect on the area. The more visible the LGBTQ+ community are in the West End the safer it becomes for all.*

And:

*Mr Henshaw and his businesses are totally committed to LGBTQ+ issues. In his recruiting Mr Henshaw has shown an enormous contribution to diversity in employment and has a broad and talented team including some who are transitioning and others who express themselves in many different ways.*

*His bar operations on London Pride days over the years are second to none and it is where we always choose to gather after the Parade, safe in the knowledge that crowd control and servicing customers will have been carefully planned by Mr Henshaw and his team on what is a crazy day for our community and for bar owners in Soho. This will be especially significant as we, as a community, mark 50 years of Pride in London and remember and honour all those who started our struggle for equality.*

*Mr Henshaw raises many thousands of pounds every year for charities to benefit the LGBTQ+ community. An annual charity evening to mark World AIDS Day on 1st December each year is a particular highlight and raises much needed funds for charities working on HIV/AIDS related issues.*

*And:*

*I have lived in Soho for many years. I have always noted that Ku/She stands out as one of Soho's better operators and a very professional outfit indeed. I have no concerns whatsoever about the permanent extension of hours adversely affecting me as a local resident and ask you to kindly grant the application.*

*I supported their temporary extension in 2021 and was delighted when that application was granted. The decision demonstrated Westminster's commitment to helping important cultural, inclusive and diverse hospitality venues during a very difficult time.*

*Over the last 2 years I can say that the extended hours have certainly not caused any problems in Soho. The only impact has been positive. It has allowed the LGBTQI+ community to stay in a safe and well managed environment for longer and all the supervisory benefits of having a professionally operated venue open a little longer has brought advantages to the streets in the immediate vicinity of Frith Street.*

*Allowing the additional hours on a permanent basis will help Soho to continue recover and bring back its world renowned vibrancy, which we residents and businesses alike find so special about our area.*

h. [REDACTED]

*I am writing to the committee in support of this application.* [REDACTED]  
[REDACTED]  
[REDACTED]

*Firstly, I have never written in support of any license application, so this is an exception, and a first because of the key role of LGBTQIA venues to the heritage and future of Soho. Soho has been a beacon for freedom and toleration and a safer area for the LGBTQIA to socialise, make friends and build resilience due to the concentration of gay bars in and around Old Compton Street. I recently attended the Soho Pub Bombing Memorial it was moving and underlined the important of gay venues remaining. Whenever the community is in crisis it comes together in Soho, on or near Old Compton Street often at the junction of Old Compton St and Frith.*

*There are only 3 gay owned gay bars in Soho and Ku Bar on Frith Street is a vital one. I am aware that trading has not returned to pre Covid levels and we need to keep gay run venues in Soho trading. Making permanent the license is one step towards this. Arguments about cumulative impact may be persuasive generally but I don't believe that Soho gay bars really contribute to anti-social behaviour or crime. I would also point out that Ku is also home to She Bar Soho's only gay girls venue. It is absolutely vital that She Bar succeeds.*

*In my experience the operator Mr Henshaw is well known and professional as are his team of managers and there are many many conditions on their licence to ensure the noise and disruption from the bar is successfully minimised. I think the temporary extension is enjoy should be made permanent and I support it.*

## **BUSINESS VIABILITY POST COVID & COST OF LIVING CRISIS**

60. The Covid-19 pandemic hit the LGBTQ+ hospitality sub-sector particularly hard. The applicant now faces new challenges brought about by the cost of living crisis. The applicant refers to its “*Ku Group: An Introduction, Covid-19, Culture & Diversity*” document, which outlines the direct substantial impact of these economic challenges on the business. Revenue is down and costs are up.

61. The applicant is grateful to the Licensing Sub-Committee for granting the time limited 1am extension in 2021. It provided a business lifeline. Since the 2-year extension expired in May 2023, the applicant’s revenue figures unfortunately confirm:

- a. Post Covid-19 revenue is still below pre Covid-19 revenue and costs are higher.
- b. Ku/She Frith Street increasingly looks to be an unviable business.

62. Licensing decisions inevitably and should take into account the wider economic impact of a proposal made by a local business. This was recognised by the Court of Appeal in the leading case of *Hope and Glory* [2011] EWCA Civ 31, when Toulson LJ observed [at 42]:

*“Licensing decisions often involve weighing a variety of competing considerations: benefit to the proprietor and to the locality by drawing in visitors and stimulating the demand, the effect on law and order, the impact on the lives of those who live and work in the vicinity, and so on.”*

63. The Licensing Sub Committee should therefore consider the disproportionality high adverse impact Covid-19 had on the applicant’s businesses and the continuing challenges presented by the economic climate.

## **POLICY**

### Policy Context

64. A statement of licensing policy sets out a set of guiding principles that a licensing authority ordinarily follows when determining an application. However, a policy is not absolute. It does not have to be followed and must not undermine the right of any person to apply under the terms

of the Licensing Act 2003 for a variety of permissions and to have any such application considered on its individual merits<sup>31</sup>.

65. Similarly, the Section 182 Guidance confirms that a cumulative impact policy should never be absolute. A statement of licensing policy should always allow for the circumstances of each application to be considered properly and for applications that are unlikely to add to the cumulative impact on the licensing objectives to be granted. A licensing authority can depart from a cumulative impact policy in light of the individual circumstances of the case<sup>32</sup>.

66. The Policy recognises this recommendation in the Section 182 Guidance at paragraph B3:

*“It will always consider the merits of each application. It may make exceptions to its own policies where it is appropriate to do so in order to promote the licensing objectives and it will give reasons for doing this.”*

67. The applicant’s unparalleled set of defining characteristics summarised in paragraphs 1 and 2 above present a set of unique individual circumstances in which the Licensing Sub-Committee can and should consider as a proper justification in departing from the presumption in the Cumulative Impact Zone Policy. Moreover, the Licensing Sub-Committee’s public sector equality duty provides further justification why it is proper and proportionate for the Licensing Sub-Committee to adopt a more considered approach to the Policy presumption.

68. These are therefore prime examples of applications that ought to be considered flexibly. Adopting this approach is consistent with Policy paragraph D11, which states:

*“The licensing authority will not apply these policies in-flexibly. It will always consider the individual circumstances of each application, even where an application is made for a proposal that is apparently contrary to policy”.*

69. Further submissions on Policy CIP1 and the exceptional circumstances are set out in more detail below.

### Core Hours Policy HRS1

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<sup>31</sup> Paragraph 14.10 Section 182 Guidance

<sup>32</sup> Paragraph 14.44 Section 182 Guidance

70. As above, Policy HRS1 is not, and should not, be absolute, nor is there a presumption to refuse applications outside Core Hours. The HRS1 Policy recognises that:

*“Applications for hours outside the core hours ... will be considered on their merits, subject to other relevant Policies.”*

*And*

*“These are not policies to refuse applications for hours longer than the core hours, and consideration will in all cases be given to the individual merits of an application. Where a proposal is made to operate outside these core hours each application will be considered on its merits against the criteria as set out under each policy”<sup>33</sup>.*

71. Policy HRS1 places weight on the importance of applications for hours beyond Core Hours to be considered alongside a dispersal policy. A dispersal policy has been lodged with the Licensing Authority. Its implementation has been fine-tuned by the applicant’s management team during the 2 year 1am extension period and during many years of complaint free TENs. This is evidence that the applicant can promote the licensing objectives during the hours proposed.

72. Furthermore, the applicant found that the 1am extension helped to facilitate a more gradual and controlled dispersal during the 2 year extension period. A Core Hours dispersal results in more customers leaving simultaneously at a time when they are not yet ready to start their journey home. Some members of the LGBTQ+ community may feel safer choosing the time to make their journey home, even if that is a little later when the streets are less busy.

73. The licensing objectives, related policies and individual merits of the applications that can be considered in the context of Policy HRS1 are addressed further below.

#### Licensing Objectives & Licensing Objectives Policies

74. Each Licensing Objective Policy begins with the text:

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<sup>33</sup> Policy paragraph E3

*“The licensing authority will not grant applications that do not promote the [relevant] licensing objective”.*

75. The Licensing Sub-Committee has the benefit of considering applications made by a licence holder that has a 27+ year proven track record of promoting all four licensing objectives in Westminster.
76. The applicant has successfully and continually demonstrated its ability to promote the licensing objectives, not just during normal trading periods, but also during the extended hours authorised under the time limited extension and under multiple years of operating with fully utilised annual TEN allowances<sup>34</sup>. This is evidence that can be relied upon to demonstrate compliance with all four Licensing Objective Policies.
77. The applicant has tried and tested management systems and operational procedures that take into account and address the relevant criteria listed in each Licensing Objective Policy.
78. For example, the applicant has implemented a safeguarding policy, which has been recognised by the Safer Sounds Partnership. Safeguarding and public safety are of utmost importance to the applicant, particularly because the venues are enjoyed by groups that have been historically marginalised and victims of hate crimes. The applicant has had to implement comprehensive operational practices and safeguards over and above those found in many more mainstream licensed premises, simply to ensure the safety and security of members of the LGBTQ+ community visiting the premises. This continues to provide a level of “self-policing”, which is often not present with a more typical licensed premises in Westminster.
79. The existing premises licences have a full complement of premises-specific conditions to continue the ongoing promotion of the licensing objectives and satisfaction of the criteria set out in each Licensing Objective Policy. These conditions will continue to apply during the additional hours proposed, together with the following additional conditions:
- a. The permitted extended terminal hours beyond Core Hours shall only apply when the Premises are operated by Allied Promotions Limited as a LGBTQ+ Venue.*

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<sup>34</sup> Please refer to schedule of TENs



- b. At least 2 SIA licensed door supervisors shall be on duty during the extended hours beyond Core Hours.*
- c. 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.*

#### Public Houses and Bars Policy PB1

80. For the purposes of Policy PB1, a public house or bar is defined as a premises that's primary use is the sale of alcohol for consumption on the premises.
81. Policy paragraphs F91 and F92 highlight the importance of applying Policy PB1 to premises that primarily sell alcohol and/or to new pubs and bars. This is because new pubs and bars are more likely to adversely impact upon the licensing objectives and add to cumulative impact.
82. The applicant's premises are not new pubs or bars. They are longstanding LGBTQ+ venues with a range of activities not centred around the sale of alcohol, with a proven track record of promoting the licensing objectives. The venues provide a safe environment for members of the LGBTQ+ community to socialise and enjoy a varied range of important cultural entertainment.
83. As a result, the applications should not be considered in isolation under Policy PB1. A more flexible policy approach, as recommended in Policy paragraph D11, should be adopted in finding that the application premises are not the type of pub or bar typically associated with adversely impacting upon the licensing objectives and adding to cumulative impact. The proposals can, and should, also be considered under Policy CCSOS1, as below.

#### Policy CCSOS1 - Cinemas, Cultural Venues, Live Sporting Premises & Outdoor Spaces

84. The applicant provides multiple platforms for a diverse, inclusive, and interesting range of entertainment to showcase LGBTQ+ talent and culture. The Policy recognises that many licensed operators in Westminster play a pivotal role in sustaining Westminster's visitor economy and offering a diversity of world-class and cutting-edge cultural experiences<sup>35</sup>. The applicant is a longstanding and key contributor to Westminster's proud reputation in this regard.

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<sup>35</sup> Policy paragraph A5

85. Furthermore, the applicant contributes to the wide range of entertainment on offer in the West End in accordance with Policy paragraph D9. This helps to reduce the extent of dominance of problem pubs, bars, nightclubs and fast-food premises, which are more typically associated with cumulative impact. The nature of the applicant's proposals will legitimately help broaden the already impressive range of entertainment that Westminster is famous for. This is because the applicant will have more time to programme more LGBTQ+ entertainment.
86. This variety of entertainment uses that Westminster premises offer are of real positive benefit to the area because they provide a wider entertainment offer that is not centred around alcohol, it provides an attractive and alternative experience for customers of a varied age range and can therefore lead to a positive benefit to the local community and visitors to Westminster<sup>36</sup>.
87. The Licensing Sub-Committee is therefore invited to also consider the proposals under the Cinemas, Cultural Venues, Live Sporting Premises & Outdoor Spaces Policy CCSOS1 and not PB1 alone. This is because the applicant will continue to provide live performances in front of audiences and there is no doubt each premises has important cultural significance, as set out above. Although the applicant's premises are not dedicated theatre venues, many of the aspiring performers and LGBTQ+ theatrical productions would not have made it to the bigger stage had it not been for the applicant's support at grass roots level.
88. The CCSOS1 premises use policy does not present a presumption to refuse premises licence applications in the West End Cumulative Impact Zone.

### 2020 Cumulative Impact Assessment

89. The evidence base for Policy CIP1 is the 2020 Cumulative Impact Assessment, which is due to expire in October 2023<sup>37</sup>. This Cumulative Impact Assessment does not:
- a. Include post Covid-19 pandemic data. The evidence basis relies predominantly on data gathered in 2019 and earlier.

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<sup>36</sup> Policy paragraph D26

<sup>37</sup> Section 5A(12) Licensing Act 2003

- b. Specifically categorise and analyse the contribution (if any) to cumulative impact made by LGBTQ+ venues.
- c. Include any direct evidence that LGBTQ+ venues are the type of premises typically associated with cumulative impact.

90. LGBTQ+ venues are less likely to adversely impact on the licensing objectives and add to cumulative impact because, *inter alia*:

- a. They are highly managed and supervised to ensure the safety of minority groups attending the premises.
- b. The customer base is part of a community, which promotes responsible behaviour amongst members of that community when attending the premises.
- c. The primary purpose of a visit is not centred around the consumption of alcohol. Customers attend the premises to safely socialise with other members of the community and enjoy cultural entertainment, which is a characteristic of a premises that the Policy recognises as being less likely to adversely impact on the licensing objectives and therefore less likely to add to cumulative impact<sup>38</sup>.

#### Cumulative Impact Policy CIP1

91. Both premises are located within the West End Cumulative Impact Zone.

92. The premises have not historically contributed to the type of serious problems identified in paragraph D4 of the Policy. Instead, each premises promotes and encourages the provision of a range of LGBTQ+ cultural entertainment, which helps to reduce the extent of dominance of pubs, bars, nightclubs and fast food premises that are more typically associated with contributing to cumulative impact<sup>39</sup>.

93. Paragraph D26 of the Policy also recognises that cultural venues, or at least venues where there are other activities not primarily focussed on the consumption of alcohol, are *significantly less*

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<sup>38</sup> Policy paragraph D26

<sup>39</sup> Policy paragraph D9

*likely to have an impact on the licensing objectives.* This is because there is a direct relationship to the activities that the venue provides and the resultant risk of adversely contributing to cumulative impact. As a result, it would not be fair or proportionate to consider the applicant's premises as the type of pub or bar typically associated with cumulative impact.

94. In accordance with Policy paragraph D11, a more flexible approach should be adopted by recognising the applicant's premises are lower risk because of their defining characteristics, the focus on providing a safe environment for the LGBTQ+ community and the entertainment they provide.

95. These submissions include details of the applicant's impeccable character, unparalleled experience in the LGBTQ+ community and distinguished operational track record. Paragraph D14 of the Policy stipulates that the reputation or good character of the licence holder cannot be considered as an exception to Policy.

96. However, there is no other licence holder in Westminster that can legitimately claim to have the same level of experience, community standing and track record operating in a specific hospitality sub-sector as the applicant.

97. Furthermore, Policy paragraph D14 provides a key reason why the character and track record of an applicant should not be taken into account: licences can be easily transferred. The benefit of the proposed 1m extension of these licences could not be transferred as the applicant has offered the following condition:

*The permitted extended terminal hours beyond Core Hours shall only apply when the Premises are operated by Allied Promotions Limited as a LGBTQ+ Venue.*

98. Paragraph D12 of the Policy states:

*"Applicants for premises uses that have a presumption to refuse will be expected to demonstrate an exception as to why their licence application should be permitted. It is not possible to give a full list of examples of when the council may treat an application as an exception. However, in considering whether a particular case is exceptional, the licensing authority will consider the reasons underlying the Westminster cumulative impact zone special policy and the relevant premises use policies when considering applications".*

99. Policy paragraph D16 goes on to state:

*“A case is most unlikely to be considered exceptional unless it is directed at the underlying reasons for having the policy. Exceptions to the West End Cumulative Impact Zone Policy to refuse certain types of applications must be for genuinely exceptional reasons”.*

100. The applicant invites the Licensing Sub-Committee to consider the following:

- a. The Policy recognises that there can be exceptional circumstances outside the examples cited in the Policy. The applicant’s unique set of circumstances are material factors for the Licensing Sub-Committee’s consideration. If this set of circumstances cannot be considered exceptional, it raises the question: what is?
- b. As a result of the foregoing, there is no realistic possibility of the proposals undermining the underlying reasons for the Policy. The underlying reasons for the Policy should not be directed at refusing applications such as this. Instead, the underlying reasons for the Policy are properly directed at introducing a presumption to refuse more typical bar or pub applications with no cultural offering and where the primary or exclusive purpose of visit is to consume alcohol. That is certainly not the case here.

101. The set of circumstances set out in paragraphs 1 and 2 of these submissions should be considered together and globally. No other premises licence holder in Westminster possesses a combination all of these defining characteristics.

102. Considering all these factors together can, and should, constitute exceptional circumstances for the purposes of Policy CIP1. Adopting this approach is consistent with District Judge Roscoe in *Marc Merran v Westminster City Council* 2007 (the ‘Movida’ case) where she decided:

*“...in my view there are reasons that persuade me that there are genuinely exceptional circumstances that take these premises outside the constraints of the [Stress Area] Policy. I should make it clear that there is not one single characteristic that persuades me of this, but that it is a combination of factors and circumstances”.*

## **SUMMARY**

103. These are not typical applications that ought to be subject to the policy presumption in CIP1 and PB1. The Policy is not absolute. The applications should not be considered under CIP1 and PB1 alone.
104. Even when considered under CIP1 and PB1, the combination of factors constituting exceptional circumstances set out in paragraph 2 above allow the Licensing Sub Committee to grant the applications.
105. There is no other licence holder in Westminster that could realistically demonstrate a comparable combination of a unique set of defining characteristics as the applicant. The applications therefore can, and should, be considered exceptional on these particular merits allowing a departure from the Policy presumption with no addition to cumulative impact in the West End.
106. The proposed extension to hours would remain vested only in the applicant and only when the premises operate as LGBTQ+ venues. The benefit of the extended hours could not be transferred.
107. The applicant invites the Licensing Sub-Committee to grant the applications in accordance with its public sector equality duty. In doing so, members can signal their support to Westminster's longest standing independent LGBTQ+ operator trying its best to continue to survive in relentlessly challenging circumstances.

**THOMAS & THOMAS PARTNERS LLP**

**SEPTEMBER 2023**

## Schedule of Closed LGBTQI+ Venues in Westminster

	Premises Name	Address	Terminal Hour	Capacity	Approximate Closure Date
1.	Ghetto	5-6 Falconberg Court	Monday to Saturday 03:00 Sunday 00:30	220	December 2008
2.	Astoria	157 Charing Cross Road	Monday to Saturday 03:00 Sunday 22:30	2000	January 2009
3.	Trash Palace	11 Wardour Street	Monday to Saturday 03:00 Sunday 22:30	200	June 2009
4.	Kudos	10 Adelaide Street	Monday to Saturday 00:00 Sunday 22:30	n/a	June 2011
5.	Lo Profile	84-86 Wardour Street	Monday 01:00 Tuesday & Wednesday 02:00 Thursday to Saturday 03:00 Sunday 22:30	470	January 2013
6.	Candy Bar*  <i>NB. closed by the applicant and relocated to SHE Frith Street</i>	4 Carlisle Street	Monday to Saturday 03:00 Sunday 00:30	175	January 2014
7.	Green Carnation	4 Greek Street	Monday to Saturday 02:00 Sunday 00:30	260	August 2014
8.	Madame Jo Jo's	8-10 Brewer Street	Monday to Saturday 03:00 Sunday 00:30	180	November 2014
9.	Escape	10A Brewer Street	Monday to Saturday 03:00 Sunday 22:30	120	November 2014
10.	Manbar	79 Charing Cross Road	Monday to Saturday 03:00 Sunday 22:30	320	January 2015
11.	Bar Titania	75 Charing Cross Road	Monday to Thursday 23:30 Friday to Saturday 00:00 Sunday 22:30	150	Forthcoming closure pending landlord development

	Premises Name	Address	Terminal Hour	Capacity	Approximate Closure Date
12.	Shadow Lounge	3-7 Brewer Street	Monday to Saturday 03:00 Sunday 23:00	280	Late 2016
13.	The Edge Soho	11 Soho Square	Monday to Thursday 01:00 Friday to Saturday 03:30 Sunday 23:30	380	2016

<b>APPROXIMATE TOTAL CAPACITY OF WESTMINSTER CLOSED LGBTQI+ VENUES</b>	<b>4,755</b>
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NB. 'New Bloomsbury Set' (licensed by Camden) 76a Marchmont Street also closed in 2022.



# **KU GROUP: AN INTRODUCTION, BUSINESS, CULTURE & DIVERSITY**

## **AN INTRODUCTION TO KU GROUP**

Ku Group is a collection of independently owned and run LGBTQ+ bars based in Westminster, consisting of:

### **Ku Leicester Sq, 30 Lisle Street:**

- Ku Bar (ground floor)  
Ku Group's flagship venue, an award-winning gay bar celebrating 28 years of service this year (2023).
- Klub (basement)  
Ku's late night venue providing LGBTQ+ focused events and entertainment 7 days per week.
- Ku Lounge (first floor)  
Ku's premium cocktail venue that boasts a premium waiter serviced menu with a focus on bespoke offerings.

### **Ku Soho, 25 Frith Street:**

- Little Ku (ground & first floor)  
An alternative, smaller venue providing an intimate bar setting in the heart of Soho.
- She Soho (basement)  
London's only full-time dedicated lesbian venue providing a safe space for queer women, with a variety of queer women lead events.

Ku Group has provided premium hospitality and various events to London's LGBTQ+ community since its creation in the 1990s. Offering a series of safe locations for the community in an environment where the values of diversity and inclusion are promoted.

With a 62% loss of LGBTQ+ businesses Ku's 28 years history is significant particularly considering there are only a handful of independently owned and run LGBTQ+ business left in operation in central London.

Ku has a host of talented and regular Drag Queens / Kings, DJs and performers such as [REDACTED] (who is a key voice on inclusivity of non-binary and trans awareness), [REDACTED] [REDACTED] (a drag king who regularly hosts & performs in She).

## **GARY HENSHAW**

Ku was founded by Gary Henshaw 28 years ago. Born in Dublin in the 60's, Gary began working his life in the family business as a butcher. In the mid-80's he left Dublin and headed to Copenhagen, getting into the hospitality sector, starting as a bar back in the city's bohemian nightclub Pan. Within a year he had worked as a DJ, Barman and then Assistant Manager. In 1987 he headed to Ibiza and a year later opened his own bar in the city's Old Town called Catwalk.

In 1990 Gary arrived in London and opened a small Mediterranean style venue called Village West One on Hanway Street, just off Oxford Street. Immediately a hit with London's growing gay population, it expanded to its current location - The Village on Wardour St. Gary continued to launch a number of bars and club nights, including Kudos, and The Tea Dance at The Limelight, a hugely successful hit with everyone who was anyone.

In 1995 Gary opened the first Ku Bar on Charing Cross Rd which quickly became "my first gay bar" for many who were looking to meet like-minded people.

Ku relocated to Lisle Street in 2007, followed by the opening of Little Ku on Frith Street in 2009. Ku acquired Candy Bar, Soho's world-renowned lesbian bar in 2011. Candy Bar moved home to Old Compton Street and was rebranded to She Soho in 2013.

Gary opened the first gay venue that had windows to view inside, where most venues still operated behind closed doors. He helped changed the perception for the London gay scene by being proud. Others followed in suit, which helped build acceptance towards the LGBTQ+ community.

More recently, Gary:

- was invited to take part in a BBC London news item praising the success of the AI Fresco scheme in the West End in summer 2020.
- was on the Board of the Soho Business Alliance.
- liaised closely with the Government to publish a case study on the Government website to detail how we are adhering to COVID-19 safe guidelines.

## IMPACT OF COVID-19 - TEMPORARY LICENCE EXTENSION & RECOVERY PERIOD

Due to COVID-19 and the resulting business closures, we lost revenue of more than £2,000,000. We managed to mitigate the loss as much as possible by utilising the Coronavirus Business Interruption Loan scheme, furlough, government grants and revised rent deals with landlords.

The temporary extension helped us recover some of the revenue lost during the pandemic. The cost-of-living crisis presents us with continuing challenges which threatens the viability of Little Ku / She Soho.

Please refer to the tables below which show our Revenue comparable variances between 2022 (during our temporary extension of hours) against the previous year of the same periods. We have also detailed our current variances in revenue against last year and the current year against pre-COVID periods. As can be seen we are yet to reach pre-COVID figures and, significantly, costs are also now much higher.

	<b>2022 vs 2021</b>	<b>2023 vs 2022</b>	<b>2023 vs 2019</b>
MAY	90.64%	-8.85%	-7.19%
JUN	138.04%	-7.63%	-31.39%
JUL	46.66%	-41.80%	2.82%
AUG	-8.85%	-28.74%	-7.45%

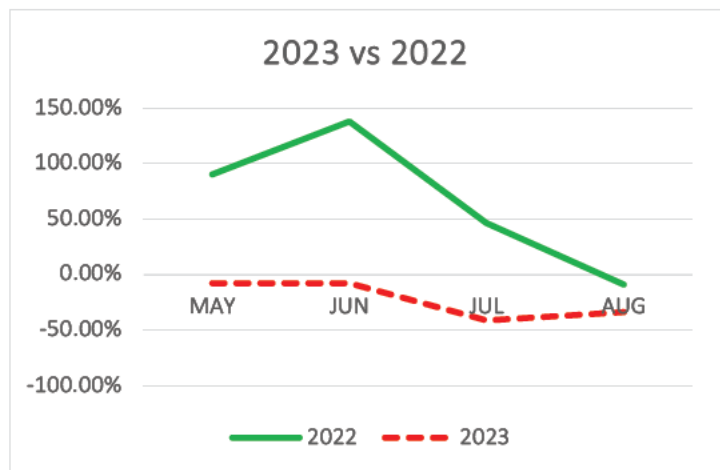
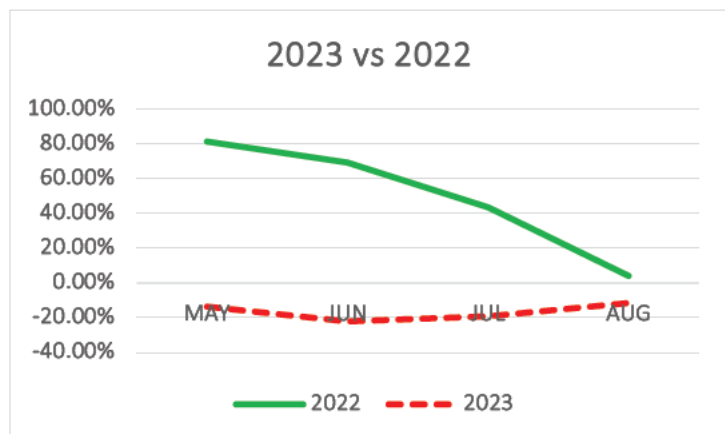


Table and Graph above show the revenue variances for Ku Frith Street

	<b>2022 VS 2021</b>	<b>2023 VS 2022</b>	<b>2023 VS 2019</b>
MAY	81.24%	-13.53%	11.46%
JUN	68.99%	-22.11%	17.52%
JUL	43.57%	-19.33%	15.32%
AUG	4.02%	-11.53%	8.82%



**Table and Graph above show the revenue variances for Ku Lisle Street**

As per the graphs above we can see that our revenue variances since our temporary extension have ended have dropped considerably in comparison to the same periods last year. If we look at Ku Frith Street specifically, this site is yet to return to pre-COVID figures. With the ever-increasing costs from all our suppliers from wholesalers, utilities to even staffing costs this puts Ku Frith Street in a very volatile position.

Whilst Lisle Street appears to be improving on the pre-COVID figures this does not consider the additional increase in costs. Since pre-COVID times we have increased our cultural spend in Ku Lounge by introducing LGBTQ+ performers to 5 days per week, as opposed to twice weekly. With regards to our other expenditures this year alone we have currently seen 4 price increases from our main wholesaler, each averaging an increase of **7.05%** increase across our draught, packaged and spirit costs. Our staffing costs have increased since previous years by **20%**, due to short supply of staff. Not to mention the staggeringly high increases of utility costs which saw our costs increase on the previous year by **70%** in Ku Lisle Street and **27%** in Ku Frith Street.

This is consistent with the general economic climate - with inflation over 20% overall from 2019 to 2023. Even the Lisle Street revenue % change figures vs 2019 are lower than this. This means that across the board revenue is lower than 2019 in real terms with higher costs.

### **Cultural Significance**

Ku Group is prolific within the London and wider UK LGBTQ+ scene, providing industry leading venues, entertainment and service. We take pride in our entertainment, our cultural offerings, and our overall influence within the history of London's LGBTQ+ community. We aim to showcase our community through entertainment which helps to create a wider acceptance of the LGBTQ+ cause and efforts to be understood and celebrated.

The title 'Award-Winning Gay Bar' in front of our flagship Leicester Square venue highlights our pride in our contribution to LGBTQ+ culture.

We also work to enhance the reputation of local acts and talents; our various events providing opportunities and a platform for LGBTQ+ artists to showcase their skills.

Ku Group supports Making Productions, an LGBTQ+ production company which curates shows and performances for a wider audience, extending the scope of the performing arts scene in England. Previous collaborations include:

- Contributing to the production and delivery of 'Outlaws to In-laws' at the King's Head Theatre as part of their Queer Season, and to commemorate the 50th Anniversary of the Decriminalisation of the Homosexuality Act.
- Providing finance and marketing investment to successfully transfer the Kevin Elyot play, Coming Clean, to the West End. The play considers differing attitudes to love within the LGBTQ+ community.

- Assisting in the development of a new opera, Opera Undone, which distilled and translated two Puccini operas. This gained critical success and made opera more accessible to a wider audience.

## **Community**

Ku Group takes a collaborative approach to raising awareness of charitable work and LGBTQ+ related causes within our community. Our charitable efforts include:

- Providing space within our venues for sexual health screenings.
- Raising over £100,000 for The Food Chain, which ensures people living with HIV in London can access the nutrition they need to lead healthy, independent lives.
- Raising over £20,000 for 56T, a trans-led health and wellbeing team offering a safe space for all trans/non-binary people.
- Raising funds for Switchboard LGBT+, Albert Kennedy Trust and various other LGBTQ+ charities.

## **DIVERSITY & INCLUSIVITY**

### **Employees**

Our company policy and values promote equal opportunities within the workplace. Our workforce continues to be diverse and reflective of the various members of our community. We currently employ 54 people, 23% of which are female. We ensure any promotions or hiring opportunities are experience and values based to ensure inclusivity within our workforce which compliments the diversity of our customer base.

### **Customer Diversity**

We continuously work with diverse audiences being an established LGBTQ+ company. To build upon this we work to expand our client base and improve access for even more people. This includes:

- Hosting a weekly event which provides a safe space for the trans community to meet and socialise.
- Developing She Soho, the only dedicated lesbian bar in London, to ensure the longevity of a dedicated safe space for queer women.
- Building relationships to ensure the provision of diverse events aimed at the various groups within the LGBTQ+ community.

## **IMPORTANCE OF SAFEGUARDING**

As a LGBTQ+ company we have always put our customers safety at our core. We have adopted the Ask for Angela safety initiative, which is prominently displayed across our venues to ensure customers can see we prioritise their safety.

We work closely with our security company to ensure all our security guards are fully aware of our customer base and to ensure our customers feel safe from the moment they enter our building to the moment they leave.

All our managers have attended WAVE training to ensure they are fully aware of how to deal with potentially vulnerable people, and we are currently implementing a welfare officer role across the venues. This role will be combined with our current hosts responsibility as they are the first and last person to greet our customers.

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# KU Group



WWW.KU-GROUP.COM

Ku is proud of our LGBTQ+ friendly and inclusive venues.

We focus on providing exceptional levels of service in a safe environment for all our customers.

Ku is recognised for our personable, inviting and professional service.

Our venues offer a range of LGBTQ+ focused entertainment & events.



## EXCELLENCE OF SERVICE

We believe in offering the best product quality and service to help welcome new and regular customers, developing our staff on customer service and product knowledge.

## DIVERSITY

We believe in offering a wide range of events, showcasing the LGBTQ+ talent, throughout our venues to cater for a diverse and expanding customer base.

## INCLUSIVITY

We believe in being an inclusive brand, offering spaces to the wider LGBTQ+ community and our allies. We offer free spaces to not-for-profit LGBTQ+ organizations.

## CHARITY & THE ARTS

We run fundraising events, raising hundreds of thousands of pounds for LGBTQ+ focused charities. We are also proud to support the arts, investing capital into independent LGBTQ+ performance's, increasing awareness and support.

**TEAMWORK** TEAMWORK

INTEGRITY **INTEGRITY**

**EXCELLENCE** EXCELLENCE

PERSONALITY **PERSONALITY**

**WELFARE** WELFARE

COMMUNICATION **COMMUNICATION**

**ACCOUNTABILITY** ACCOUNTABILITY

CREATIVITY **CREATIVITY**

**PASSION** PASSION

RESPONSIBILITY **RESPONSIBILITY**

**TRUST** TRUST

RESPECT **RESPECT**

## THE KU EXPERIENCE...

To provide our customers with an exceptional experience including **excellence in service**, **competitively priced premium products** and the **warmest of welcomes** in a **professionally managed environment** from our passionate and personable team. **Embracing diversity** by providing a **safe, inclusive and culturally vibrant space** for all members of the LGBTQ+ community.

**Develop** our team to ensure they are able to offer excellence in customer service and product knowledge.

Maintain a premium edge through our product range whilst offering **competitive pricing**.

Grow our reputation by providing **diverse events & entertainment** by and for the LGBTQ+ community.

Continually reinvest into our venues, ensuring we maintain the highest standard of **safety, design, comfort & style**.

OUR GOALS

ORIGINALS

██████████ 'We must protect our cherished  
queer venues from closure'

Ahead of Pride in London, ██████████, writes about  
the importance of protecting queer spaces.

WORDS BY ██████████  
PHOTOGRAPHY © GREATER LONDON AUTHORITY

28th June 2023



weekend London's Pride march returns as we celebrate the end of a  
nth-long programme of Pride events. London hosts the largest and most  
diverse Pride celebrations in the UK, showcasing our inclusivity and acceptance as  
well as providing a platform for London's LGBTQI+ communities to raise  
awareness of the issues affecting us.

It's incredibly important that we gather together in solidarity and celebration of our  
LGBTQI+ communities, in all their diversity. I'm so proud that in London you are  
free to be who you want to be – it is what attracted me to move here as a young  
lesbian 30 years ago! While our capital is a shining example of diversity and  
inclusivity to others, there is still a huge need for our own dedicated LGBTQI+  
venues.

Our queer spaces are a huge part of what makes London London – adding to our  
varied nightlife, supporting the economy and providing a space for true freedom of  
expression. They are a safe haven where people can feel comfortable and free to  
be who they are, while also supporting a network of talent including performers,  
DJs, and promoters.

Before Sadiq was Mayor, the capital lost more than half of its LGBTQI+ spaces  
over the course of a decade. Venues and spaces were facing pressure from  
developments, a lack of protection in the planning system, and the sale and  
change of use of the property by landlords, alongside rising business rates and  
rents.

The Mayor recognised this problem, and when I was appointed London's Night Czar, one of my most urgent priorities was to tackle the decline in LGBTQI+ venues across the capital. Many will know this is an issue close to my heart; I led the campaigns to save the Royal Vauxhall Tavern in the 1990s and the 2010s.

Over the years the Mayor and I have worked hard to support venues through a range of measures, including protections in the London Plan, establishing the LGBTQI+ Venues Forum and bespoke support through our Culture and Community Spaces at Risk Programme.

This helped stabilise venues but then sadly the pandemic hit and massively affected them again – as they were among the first to close and last to reopen.



We stepped up to help these venues when it became clear that there were gaps in the support available from Government. This led to Sadiq providing £225,000 of dedicated funding and support to help LGBTQI+ venues survive as part of his Culture at Risk Business Support Fund.

As the long-lasting impact of the pandemic continues to loom over businesses, they are now facing a series of other challenges as they struggle with the impact of the cost of living crisis, skyrocketing inflation, high energy costs and general uncertainty, putting increased pressure on our vital night time businesses.

Sadiq and I are doing all we can to support LGBTQI+ venues. Our Culture and

Community Spaces at Risk Programme continues to safeguard London's grassroots and world-leading cultural institutions, with a focus on working with venues that serve LGBTQI+ communities. If you own or visit an LGBTQI+ venue which you believe is in trouble, please reach out to us before it's too late.

We also set up the first ever LGBTQI+ Venues Forum, which provides a space for venue operators and owners to come together and discuss their shared challenges. This is helping to build resilience in the sector, and keeps us informed of the difficulties facing the community and businesses.

And I'm thrilled that one of the Mayor's Night Time Enterprise Zones is supporting iconic LGBTQI+ venues in Vauxhall, an area much loved by our community.

But as we approach the end of Pride Month, the situation for LGBTQI+ venues remains tough and there is still much more to be done.

I'd like to see more support from central Government, and recognition that the value of our LGBTQI+ spaces is measured by much more than just what they contribute to the economy. Developers also have a huge role to play, and I will continue to lobby them to include LGBTQI+ spaces in their plans.

I am proud that London is a beacon of diversity, and I'm confident that by working together in partnership we can not only protect our cherished LGBTQI+ venues from closure, but also ensure more of our community spaces can open and flourish, welcoming generations to come.

**██████████** *has been London's Night Czar since 2016.*



# SAFEGUARDING POLICY

## INTRODUCTION

We have a responsibility to safeguard the wellbeing and safety of young or vulnerable people on our premises. Protecting the welfare of our customers is paramount.

All members of the Ku team must commit to upholding our Safeguarding Policy. The following guidelines will be supplemented by in-house training and additional guidance.

The aims of Safeguarding Policy are:

- To safeguard all young and vulnerable people who interact with Ku.
- To demonstrate best practice in the area of safeguarding young and vulnerable people.
- To develop a positive and pro-active welfare attitude to enable young and vulnerable people to participate in an enjoyable and safe environment provided by Ku.
- To promote high ethical standards throughout our company.

The key principles underpinning this policy are:

- A Customer's welfare is, and must always be, the paramount consideration.
- Everyone has a right to be protected from abuse regardless of their sexuality, age, gender, disability, culture, language, racial origin, religious beliefs or sexual identity.
- All allegations or suspicions of abuse will be taken seriously and responded to efficiently and appropriately.
- To ensure that all staff at Ku provide good role models of behaviour.

## **CHALLENGE 21**

Ku operates the Challenge 21 age verification policy throughout our venues. All SIA supervisors and bar staff receive training on Challenge 21 to ensure only persons aged 18 or over can access our venues and purchase alcohol. This helps to promote the Protection of Children from Harm Licensing Objective.

Challenge 21 requires staff to challenge any potential customer that looks 21 or under to prove that they are aged 18 or over. A successful implementation of the Challenge 21 policy ensures that no person aged under 18 can unlawfully purchase alcohol at our venues.

Only the following forms of photographic ID can be accepted:

- **Passport**
- **Driving Licence**
- **EU ID Card**
- **Approved ID with PASS hologram**
- **Military ID**

If there is any doubt in relation to a customer's ID or age a manager can be called but the default position is to refuse entry and/or service of alcohol.

## **ASK FOR ANGELA**

Ku supports the Ask for Angela safety initiative which has been effectively utilised by our customers. Our management team have all received WAVE training to ensure they take effective action when a customer Asks for Angela.

Ku is considering the implementation of a welfare officer position across the group, as a point of contact for potentially vulnerable customers.

## **INTOXICATED PERSONS**

A person's safety and wellbeing can be compromised if they are intoxicated.

It is an offence to supply alcohol to intoxicated persons. All members of the Ku team must commit to our responsible supply of alcohol procedures.

Any person indicating signs of intoxication must be refused entry and/or service of alcohol. Instead they should be offered water or soft drinks.

If a member of staff is concerned about a customer's level of intoxication or welfare, a manager or SIA supervisor must be called to assess the situation. Where necessary, enquiries should be made to find the customer's friends/family/colleague/partner. The person must be supervised until it is deemed safe to let them go.

Heavily intoxicated persons should not be ejected from our venues alone as this could compromise their safety and wellbeing. If required, the emergency services must be called.

## **RECOGNITION - SIGNS OF ABUSE**

There are five main forms of abuse identified below. If you have any concern that abuse is occurring in Ku, you must contact a manager or SIA registered supervisor immediately.

- 1. Physical Abuse**
- 2. Sexual Abuse**
- 3. Neglect**
- 4. Emotional Abuse**
- 5. Bullying**

Ku has a zero-tolerance approach to any form of abuse whatsoever. This applies to all members of our team and customers.

## **SUSPECTED INCIDENTS**

The following guidelines offer help and support in responding to abuse or a suspicion of abuse:

Any member of staff who feels it is appropriate to intervene or respond in a safeguarding situation should:

- Treat any allegations extremely seriously.
- Reassure the person that they are not to blame, and they were right to inform the member of staff of the situation.
- Tell the person what is being done and keep them up to date with what is happening.
- Take note of details to complete the incident report when you have time to do so.
- Call the emergency services or social services (Westminster Social Services: 0207641 2500) if necessary.

The member of staff should not:

- Interrogate the person - it is not their job to carry out an investigation - this will be up to the police and social services, who have experience in this.
- Cast doubt on what the person has told them or interrupt or change the subject.
- Say anything that makes the person feel responsible for the abuse.

Doing nothing is not an option. We have a responsibility to act to protect vulnerable persons.

## **RECORDING OF INCIDENTS**

A full incident report must be recorded on Trail, ensuring to complete all relevant parts, as soon as possible after the incident.

Extra care should be taken to protect the confidentiality of the incident and persons involved.

# VENUE DISPERSAL POLICY

**LITTLE KU & SHE SOHO, 25 FRITH STREET W1D 5LB**

## **SAFE, QUIET & CONTROLLED DISPERSAL**

The objective of this Dispersal Policy is to ensure our customers and staff leave **safely, quietly** and in a **controlled** manner – particularly at night.

- The departure of our customers must be managed professionally and responsibly to ensure they make their journey home **without causing any disturbance to our neighbours**.
- This Dispersal Policy also helps to ensure customers make their journey home **safely and do not become victims of crime**.
- We promote the Women's Night Safety Charter for our female identifying customers.

## **LOCATION**

The premises are situated at 25 Frith Street.

Despite our central London location and mixed-use area, staff must be constantly aware that there are residential properties close by.

## **POINT OF CONTACT**

Contact details for the duty manager are made available for use by any person who may wish to speak about any issues relating to the operation of Little Ku & She Soho, including the dispersal of customers.

## **GENERAL ENTRY/EGRESS**

The main customer entrance and exit for Little Ku is located at on the corner of Frith Street.

The main customer entrance and exit for She Soho is located on Old Compton Street.

When leaving, customers are reminded to respect the local residents and disperse quietly and quickly. We do not tolerate unruly or anti-social behaviour from customers that may cause a disturbance to our neighbours. Signage is displayed to this effect.

## **SIA SUPERVISION**

During busier periods our SIA registered supervisors supervise the dispersal of customers until they have left the vicinity of the premises safely and quietly.

The requirement for SIA registered supervisors will continue to be risk assessed by management. SIA registered door supervisor numbers may be increased or decreased depending on the number of customers expected on any particular evening.

Our SIA supervisors play a key role in the successful implementation of our dispersal procedures. Where possible regular SIA supervisors are employed who can work in partnership with management to promote and encourage a safe, quiet and controlled dispersal of customers.

## **DISPERSAL**

Closing time:

- customers are politely reminded that the premises has closing.
- music tempo and volume is stopped.
- lighting levels are increased.

Members of staff, management and SIA supervisors work together to ensure all customers leave by the authorised closing time. There are no exceptions to this whatsoever.

Customers are encouraged to leave quietly and quickly. Where required, customers are directed away from the local area and not permitted to loiter or cause any disturbance.

## **TRANSPORT**

### **FOOT**

- A significant number of customers arrive and depart by foot.
- We are well serviced by public transport links, as set out below. All staff are familiar with these transport links so they can advise customers where required.

### **TUBE**

We are well situated near the following easily accessible stations, with the benefit of the night tube services:

- Leicester Square
- Covent Garden
- Tottenham Court Road (including Crossrail)
- Charing Cross
- Oxford Circus

Where necessary guests are given directions to the station and are reminded to reach the station as quietly and as quickly as possible, particularly at night.

### **RAIL**

The following rail stations are easily accessible by foot, bus or taxi:

- Charing Cross
- Kings Cross
- St Pancras
- Victoria
- Liverpool Street
- Paddington
- Blackfriars

Where necessary guests are given directions to the station and are reminded to reach the station as quietly and as quickly as possible, particularly at night.

## **TAXI**

Black cabs, and other app-based cabs, are available right through the day and night in the surrounding area.

Guests are encouraged to quickly and quietly disperse towards their waiting vehicle to minimise any noise disruption.

Some customers may wait inside before leaving directly into a waiting taxi to prevent potential risks to their safety.

## **BUSES**

We are well serviced by public buses. TFL bus services, including night buses, are accessible by bus stops on Shaftesbury Avenue (Gerrard Place/Chinatown) and Charing Cross Road (Cambridge Circus).

Routes include 14, 19, 24, 29, 38, 176, N5, N19, N20, N29, N38, N41 and N279, which serve a wide range of onwards destinations.

Where necessary customers are given directions to the bus stops and are reminded to consider the local residents and businesses when travelling to the bus stops and waiting for buses, particularly at night.

Staff are familiar with the local bus services and will advise customers accordingly.

## **SIGNAGE**

Notices are displayed at the exits reminding customers to respect our local residents and to encourage customers to disperse as quickly and as quietly as possible.



## **MANAGER'S ROLE**

It is ultimately the responsibility of the Duty Manager to:

- ensure that any SIA registered door supervisors, other managers and staff act effectively and responsibly to comply with this policy;
- use all reasonable endeavours to dissuade customers from causing any disturbance or nuisance within the vicinity of the premises; and
- prioritise and assist wherever possible in ensuring a quiet, safe and controlled dispersal of customers.

## Frith Street TENS - 2015

### Basement & Ground Floor

	Dates	Area Used / Capacity	Times
1.	Saturday 31 <sup>st</sup> Jan	170	00:00 to 03:00
2.	Sunday 1 <sup>st</sup> March	170	00:00 to 03:00
3.	Saturday 28 <sup>th</sup> & Sunday 29 <sup>th</sup> March	170	00:00 to 03:00 each day
4.	Saturday 25 <sup>th</sup> & Sunday 26 <sup>th</sup> April	170	00:00 to 03:00 each day
5.	Saturday 30 <sup>th</sup> & Sunday 31 <sup>st</sup> May	170	00:00 to 03:00 each day
6.	Saturday 27 <sup>th</sup> & Sunday 28 <sup>th</sup> June	170	00:00 to 03:00 each day
7.	Sunday 25 <sup>th</sup> & Sunday 26 <sup>th</sup> July	170	00:00 to 03:00 each day
8.	Saturday 28 <sup>th</sup> & Sunday 29 <sup>th</sup> August	170	00:00 to 03:00 each day
9.	Saturday 26 <sup>th</sup> & Sunday 27 <sup>th</sup> September	170	00:00 to 03:00 each day
10.	Saturday 24 <sup>th</sup> & Sunday 25 <sup>th</sup> October	170	00:00 to 03:00 each day
11.	Saturday 31 <sup>st</sup> October & Sunday 1 <sup>st</sup> November	170	00:00 to 03:00 each day
12.	Saturday 28 <sup>th</sup> & Sunday 29 <sup>th</sup> November	170	00:00 to 03:00 each day

## Frith Street TENS - 2016

### Basement & Ground Floor

	Dates	Area Used / Capacity	Times
1.	Saturday 30 <sup>th</sup> & Sunday 31 <sup>st</sup> Jan	170	00:00 to 03:00 each day
2.	Saturday 28 <sup>th</sup> & Sunday 29 <sup>th</sup> Feb	170	00:00 to 03:00 each day
3.	Saturday 26 <sup>th</sup> & Sunday 27 <sup>th</sup> March	170	00:00 to 03:00 each day
4.	Saturday 30 <sup>th</sup> April & Sunday 1 <sup>st</sup> May	170	00:00 to 03:00 each day
5.	Saturday 28 <sup>th</sup> & Sunday 29 <sup>th</sup> May	170	00:00 to 03:00 each day
6.	Saturday 25 <sup>th</sup> & Sunday 26 <sup>th</sup> June	170	00:00 to 03:00 each day
7.	Sunday 30 <sup>th</sup> & Sunday 31 <sup>st</sup> July	170	00:00 to 03:00 each day
8.	Tuesday 23 <sup>rd</sup> August	170	23:30 to 03:00
9.	Sunday 28 <sup>th</sup> August	170	00:00 to 03:00
10.	Sunday 2 <sup>nd</sup> October	170	00:00 to 03:00
11.	Sunday 30 <sup>th</sup> October	170	00:00 to 03:00
12.	Saturday 26 <sup>th</sup> & Sunday 27 <sup>th</sup> November	170	00:00 to 03:00 each day

**Frith Street TENS - 2018****Basement & Ground Floor**

	Dates	Area Used / Capacity	Times
1.	Saturday 27 <sup>th</sup> & Sunday 28 Jan	170	00:00 to 03:00 each day
2.	Saturday 24 <sup>th</sup> & Sunday 25 <sup>th</sup> Feb	170	00:00 to 03:00 each day
3.	Friday 30 <sup>th</sup> , Saturday 31 <sup>st</sup> March, Sunday 1 <sup>st</sup> and Monday 2 <sup>nd</sup> April	170	00:00 to 03:00 each day
4.	Saturday 28 <sup>th</sup> & Sunday 29 <sup>th</sup> April	170	00:00 to 03:00 each day
5.	Sunday 27 <sup>th</sup> May	170	00:00 to 03:00
6.	Sunday 1 <sup>st</sup> July	170	00:00 to 03:00
7.	Sunday 8 <sup>th</sup> July	170	00:00 to 03:00
8.	Sunday 29 <sup>th</sup> July	170	00:00 to 03:00
9.	Sunday 26 <sup>th</sup> August	170	00:00 to 03:00
10.	Sunday 30 <sup>th</sup> September	170	00:00 to 03:00
11.	Sunday 28 <sup>th</sup> October	170	00:00 to 03:00
12.	Sunday 25 <sup>th</sup> November	170	00:00 to 03:00
13.	Sunday 2 <sup>nd</sup> December	170	00:00 to 03:00
14.	Sunday 9 <sup>th</sup> December	170	00:00 to 03:00
15.	Sunday 16 <sup>th</sup> December	170	00:00 to 03:00

## Frith Street TENS - 2019

### Basement & Ground Floor

	Dates	Area Used / Capacity	Times
1.	Sunday 27 <sup>th</sup> Jan	170	00:00 to 03:00
2.	Sunday 24 <sup>th</sup> Feb	170	00:00 to 03:00
3.	Sunday 31 <sup>st</sup> March	170	00:00 to 03:00
4.	Sunday 28 <sup>th</sup> April	170	00:00 to 03:00
5.	Sunday 30 <sup>th</sup> June	170	00:00 to 03:00
6.	Sunday 7 <sup>th</sup> July	170	00:00 to 05:00
7.	Sunday 29 <sup>th</sup> September	170	00:00 to 03:00
8.	Sunday 27 <sup>th</sup> October	170	00:00 to 03:00
9.	Saturday 2 <sup>nd</sup> and Sunday 3 <sup>rd</sup> November	170	00:00 to 03:00
10.	Saturday 16 <sup>th</sup> and Sunday 17 <sup>th</sup> November	170	00:00 to 03:00
11.	Saturday 23 <sup>rd</sup> and Sunday 24 <sup>th</sup> November	170	00:00 to 03:00
12.	Saturday 30 <sup>th</sup> November and Sunday 1 <sup>st</sup> December	170	00:00 to 03:00
13.	Sunday 8 <sup>th</sup> December	170	00:00 to 03:00
14.	Saturday 14 <sup>th</sup> and Sunday 15 <sup>th</sup> December	170	00:00 to 03:00
15.	Sunday 29 <sup>th</sup> December	170	22:30 to 03:00

**Frith Street TENS - 2020**

**Basement & Ground Floor**

	Dates	Area Used / Capacity	Times
1.	Sunday 01 March	170	00:00 to 03:00

## Frith Street TENS – 2021

Yearly allowance is **15 TENS**. Each covers **max 499 people** and can last **up to 7 days**, with a cumulative total of **max 21 days** to be used.

### Basement & Ground Floor

	Dates	Area Used / Capacity	Times	Days Used	TENS Used
1.	Saturday 12 & Sunday 13 June	170	00:00 to 03:00	2	1
2.	Saturday 19 & Sunday 20 June	170	00:00 to 03:00	2	1
3.	Saturday 26 & Sunday 27 June	170	00:00 to 03:00	2	1
4.	Saturday 3 & Sunday 4 July	170	00:00 to 03:00	2	1
5.	Saturday 31 July & Sunday 1 August	170	00:00 to 03:00	2	1
6.	Sunday 29 <sup>th</sup> August	170	01:00 to 03:00	1	1
7.	Sunday 12 <sup>th</sup> September	85	01:00 to 03:00	1	1
8.	Sunday 31 <sup>st</sup> October	170	01:00 to 03:00	1	1
9.	Sunday 7 <sup>th</sup> November	170	01:00 to 03:00	1	1
10.	Sunday 14 <sup>th</sup> November	170	01:00 to 03:00	1	1
11.	Sunday 21 <sup>st</sup> November	170	01:00 to 03:00	1	1
12.	Sunday 28 <sup>th</sup> November	170	01:00 to 03:00	1	1
13.	Sunday 5 <sup>th</sup> December	170	01:00 to 03:00	1	1
14.	Sunday 12 <sup>th</sup> December	170	01:00 to 03:00	1	1
15.	Saturday and Sunday 18 <sup>th</sup> and 19 <sup>th</sup> December	170	01:00 to 03:00	2	1

## Frith Street TENS – 2022

Yearly allowance is **20 TENS**. Each covers **max 499 people** and can last **up to 7 days**, with a cumulative total of **max 26 days** to be used.

### Basement & Ground Floor

	Dates	Area Used / Capacity	Times	Days Used	TENS Used
1.	Saturday 26 & Sunday 27 March (LATE)	170	01:00 to 03:00	2	1
2.	Saturday 30 <sup>th</sup> April & Sunday 1 <sup>st</sup> May	170	01:00 to 03:00	2	1
3.	Saturday 28 <sup>th</sup> and Sunday 29 <sup>th</sup> May	170	01:00 to 03:00	2	1
4.	Friday 17 <sup>th</sup> , Saturday 18 <sup>th</sup> and Sunday 19 <sup>th</sup> June	170	01:00 to 03:00	3	1
5.	Saturday 25 <sup>th</sup> June and Sunday 26 <sup>th</sup> June	170	01:00 to 03:00	2	1
6.	Sunday 3 <sup>rd</sup> July	170	01:00 to 03:00	1	1
7.	Sunday 31 <sup>st</sup> July	170	01:00 to 03:00	1	1
8.	Saturday 1 <sup>st</sup> & Sunday 2 <sup>nd</sup> October	170	01:00 to 03:00	2	1
9.	Saturday 29 <sup>th</sup> & Sunday 30 <sup>th</sup> October	170	01:00 to 03:00	2	1
10.	Saturday 26 <sup>th</sup> & Sunday 27 <sup>th</sup> November	170	01:00 to 03:00	2	1
11.	Saturday 3 <sup>rd</sup> & Sunday 4 <sup>th</sup> December	170	01:00 to 03:00	2	1
12.	Saturday 10 <sup>th</sup> & Sunday 11 <sup>th</sup> December	170	01:00 to 03:00	2	1
13.	Saturday 17 <sup>th</sup> & Sunday 18 <sup>th</sup> December	170	01:00 to 03:00	2	1



## Frith Street TENS – 2023

Yearly allowance is **20 TENS**. Each covers **max 499 people** and can last **up to 7 days**, with a cumulative total of **max 26 days** to be used.

### Basement & Ground Floor

	Dates	Area Used / Capacity	Times	Days Used	TENS Used
1.	Saturday 2 April (LATE)	170	01:00 to 03:00	1	1
2.	Saturday 30 <sup>th</sup> April	170	01:00 to 03:00	1	1
3.	Sunday 2 <sup>nd</sup> July	170	00:00 to 03:00	1	1
4.	Saturday 29 <sup>th</sup> to Sunday 30 <sup>th</sup> July	170	00:00 to 03:00 each day	2	1
5.	Saturday 5 <sup>th</sup> to Sunday 6 <sup>th</sup> August	170	00:00 to 03:00 each day	2	1
6.	Saturday 2 <sup>nd</sup> to Sunday 3 <sup>rd</sup> September	170	00:00 to 03:00 each day	2	1
7.	Sunday 10 <sup>th</sup> September	170	00:00 to 03:00	1	1
8.	Sunday 17 <sup>th</sup> September	170	00:00 to 03:00	1	1
9.	Sunday 24 <sup>th</sup> September	170	00:00 to 03:00	1	1
10.	Sunday 1 <sup>st</sup> October	170	00:00 to 03:00	1	1

## Metropolitan Police Service submissions

## Appendix 2

From: [REDACTED]  
Sent: Sunday, July 23, 2023 10:26 PM  
To: [REDACTED]  
Subject: She Bar - Saturday night 22nd July

Hi Both,

I imagine the supervisor [REDACTED] would have made contact to advise that we had cause to visit on Saturday night/Sunday morning.

Myself and Sgt Ben Chadwick were working nights and were passing on Old Compton St at approx. 00:40. I could see Little Ku was closed but found She bar was open with people appearing to enter (they may be smokers re-entering as there were smokers in the smoking area too.

As this was open we approached and asked the security how many were inside, to this we were told "I don't know". I asked for the manager and met with [REDACTED] who advised there were just over 100 in. I queried the capacity and was told that after Little Ku closed the capacity can be used in She. [REDACTED] seemed shocked to find there was a conditioned 80 persons on the licence.

I queried to make sure there was no TEN in place and was told there was not.

At this time it was clear that there was still regulated entertainment taking place and when we discussed this with [REDACTED] she advised that alcohol stops at 12 and they drink up until 1am.

It was quite clear [REDACTED] was unaware of any condition on the licence and quite clear we have identified some issues here.

I am in on Tuesday and then on leave but ideally I would like to meet Tuesday to discuss this. Is there any time not suitable Tuesday and any time that works best. I have a few meetings already but will fit this in.

Thanks  
Steve

**Pc Steve Muldoon** | Licensing Officer | Westminster Licensing Team  
Westminster City Council  
15<sup>th</sup> Flr 64 Victoria Street  
SW1E 6QP  
Phone - 07442419872  
Email – [Steve.Muldoon@met.police.uk](mailto:Steve.Muldoon@met.police.uk)  
Licensing Team mailbox - [AWMailbox.Licensing@met.police.uk](mailto:AWMailbox.Licensing@met.police.uk)

From: Jack Spiegler <[JSpiegler@tandtp.com](mailto:JSpiegler@tandtp.com)>

Sent: 18 October 2022 11:41

To: [REDACTED]  
[REDACTED]  
[REDACTED]

Subject: Ku Bar Action Plan [ALL.34.2]

Dear Steve, [REDACTED]

Thank you all very much indeed for your time last week. Your feedback was incredibly helpful and much appreciated.

Please see below suggested action plan that [REDACTED] intend to implement in response to the points raised during our meeting:

1. A full debrief meeting with [REDACTED] to discuss:
  - a. the original incident;
  - b. his response to the incident; and
  - c. his attitude during his meeting with Steve.

*Date to action: Friday 14/10/2022 and ongoing*

2. The following to attend the WAVE training in November:
  - a. [REDACTED];
  - b. [REDACTED];
  - c. Head of Security from both sites
  - d. Management team from both sites, 8 in total.

*Date of training 9<sup>th</sup> November 2022, 2pm*

[REDACTED] Review of the individual SIA supervisors provided by the [REDACTED]

*Date to be actioned: Wednesday 19<sup>th</sup> October 2022*

4. Working with [REDACTED] to try to ensure at least one female SIA supervisor is on duty.

*Date to be actioned by: Monday 24<sup>th</sup> October 2022*

5. Revised incident response policy supported by radio contact between management and SIA to increase management involvement as incidents occur.

*Date to be actioned by: Friday 21<sup>st</sup> October 2022*

6. Internal check of incident logs to review and check incidents discussed during the meeting.

*Date to be actioned: Wednesday 19<sup>th</sup> October 2022*

7. Introduction of body worn video cameras for SIA supervisors.

*Date to be actioned: Wednesday 26<sup>th</sup> October 2022*

8. Review of internal welfare policy with refresher training for staff.

*Date to be actioned: Wednesday 26<sup>th</sup> October 2022*

9. Refresher training for staff on crime reporting – with tiered assessment to report via 999, 101 or report online.

*Date to action: Friday 14/10/2022 and ongoing*

10. Undertake further review of food provision following chef's period of leave. Ensuring there is a substantial food provision available upon customer request, together with readily available signage and menus on-site to ensure compliance with the condition, even though customers very rarely request food in practice.

*Date to be actioned: Wednesday 19<sup>th</sup> October 2022*

11. Reminder to Frith Street staff that windows must be closed at 9.00 pm.

*Date to action: Friday 14/10/2022*

Please note that some of the target completion dates rely on third parties so there is a possibility of some slippage, although hopefully not.

We would welcome any comments or feedback you have on the proposed action plan.

Thanks again and kind regards

Jack

**Jack Spiegler**  
**Partner**

Thomas & Thomas Partners LLP  
38a Monmouth Street  
London WC2H 9EP

M: 07720 975272

D: 020 7042 0413

T: 020 7042 0410

F: 020 7379 6618

E: [jspiegler@tandtp.com](mailto:jspiegler@tandtp.com)

W: <https://www.tandtp.com/home.html>

From: Jack Spiegler <[JSpiegler@tandtp.com](mailto:JSpiegler@tandtp.com)>

Sent: 13 March 2023 10:47

To: [REDACTED]

Subject: Re: Police Licensing - Meeting Request [ALL.34.2]

Dear Steve and Reaz

Thank you very much indeed for your time last week. I understand that you have since spoken with [REDACTED].

[REDACTED] are in the process of implementing (some have been implemented already) the following action points following your feedback during our meeting on Tuesday:

1. SIA - [REDACTED] replaced the previous SIA company with [REDACTED] last year following your previous feedback. They hoped that instructing London's largest SIA firm would bring about the improvements you requested. Unfortunately, the various SIA supervisors [REDACTED] provided were not suitable for Ku's specific customer base and not up to standard [REDACTED] got the impression that [REDACTED] may have been prioritising their bigger clients with their higher calibre SIA supervisors. As a result, and particularly following the recent incident, [REDACTED] [REDACTED] has already spoken with two candidate SIA companies and is in the process of deciding on a new SIA provider very soon.
2. Incident Reporting – following your advice, [REDACTED] has reviewed a few electronic incident reporting systems and has now signed a contract with an app provider.
3. CCTV [REDACTED] has ordered four new high-definition cameras to replace the black and white camera covering the stairs and improve coverage generally. These have now arrived and will be installed this week by Ku's maintenance team with a hope of improving the footage in those areas highlighted.
4. Police meetings – while point 5 below is being actioned and implemented, [REDACTED] would be most grateful if you could please, wherever possible, contact them in advance when you intend to visit the premises so that [REDACTED] can ensure he is there to see you in person.
5. General manager – following Tuesday's meeting [REDACTED] took the decision to remove [REDACTED] as General Manager of Ku Group effective 8 March. They will have ongoing meetings with [REDACTED] to see if there are any other suitable roles within the company for him. [REDACTED] has also issued [REDACTED] a final written warning and has put him on a 3-month probationary period with a condition he is not to close the premises alone until they are satisfied with his progression. [REDACTED] will hold a full management meeting to discuss the current position to ensure the team are up to speed on how to handle these situations moving forward.

There are currently critical hospitality-wide recruitment issues. [REDACTED] have been proactively trying to recruit new staff and a general manager. They will continue the recruitment drive. In the meantime [REDACTED] will be working with the current management team to ensure they are fully confident in all licensing areas. He'll take over the weekly management meetings where they go through all operational issues and ensure they fully understand company policies and reporting protocols etc.

In addition [REDACTED] intend to instruct licensing consultants (retired senior police officers) to undertake a mock licensing officer inspection when the new management team are in place. This will form part of the management training and provide them with an important opportunity to receive frank and honest feedback about management techniques and how to handle officer inspections.

Please do not hesitate to contact us if you have any feedback or queries arising. In the meantime, we hope this assists.

Best wishes

Jack

**Jack Spiegler**  
**Partner**

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38a Monmouth Street  
London WC2H 9EP

M: 07720 975272

D: 020 7042 0413

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F: 020 7379 6618

E: [jspiegler@tandtp.com](mailto:jspiegler@tandtp.com)

W: [www.tandtp.com](http://www.tandtp.com)

WITNESS STATEMENT

Criminal Procedure Rules, r 16. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

URN [ ] [ ] [ ] [ ]

Statement of: Stephen MULDOON

Age if under 18: Over 18 (if over 18 insert 'over 18') Occupation: Police Constable

This statement (consisting of 2 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.

Witness Signature: [Redacted] Date: 25/07/2023

I am the above named person and am currently employed by the Metropolitan Police Service to work as a Police Constable in the London borough of Westminster. My current role is to work as part of the Police licensing team. I have been a police officer for 21 years with 16 of those in Westminster. The police licensing team have responsibility for over 3,500 licensed premises on the borough, we deal with licence applications, licence reviews, temporary event notices, licence breaches and crimes that have taken place in or involve a licensed premises. We also work closely with partner agencies like Westminster Council and will assist them where necessary. This statement relates to a breach of licence conditions that I identified during the early hours of Sunday 23rd July 2023.

At 00:40 hours on the above date I was on duty in plain clothes in company with Ps Ben Chadwick. At this time we were travelling along OLD COMPTON ST in the direction of CHARING CROSS ROAD as we had been due to attend an address for a visit. However at this time my attention was drawn to the smoking area of the bar known as SHE BAR on OLD COMPTON ST. I could see the venue was open with 1 female door supervisor at the door, I saw a small number of people in the smoking area and then saw a female enter the venue. As there was a crowd walking passed the front door at the time, I cannot be certain if the female that entered was a new customer or someone that had been in the smoking area. I was aware the venue did not have any current temporary event notice and was aware that the venue had a terminal hour of 00:00

I approached the front door identified myself and asked the member of security on the door "HOW MANY ARE INSIDE" the member of security said "I DON'T KNOW" this immediately concerned me as I am aware the venue have the following condition on their premises licence (21/01596/LIPV)

- 19 - The number of persons accommodated at the premises shall be:-
First Floor - 40 persons excluding staff.
Ground Floor - 40 persons excluding staff.
Basement - 80 persons excluding staff.

I asked for the manager to attend so i could discuss with them. I stepped inside the venue and could hear loud music was playing, this was much louder than background music and was exactly the same volume that would be played throughout the night. The terminal hour for regulated entertainment is 00:00 and with it now being 00:40 it was clear that the venue was operating outside of this.

[Redacted] the manager arrived and introduced herself to me. I first to ensure there was no confusion said to her "DO YOU HAVE ANY TEN FOR TONIGHT" [Redacted] responded by saying "NO WE HAVE ONE FOR NEXT WEEK BUT NOT TONIGHT" I asked [Redacted] if she knew how many were inside and her response was "AROUND 100" I pointed out to [Redacted] that the licence has a capacity of 80 persons in the basement and [Redacted] appeared genuinely shocked about this. It was clear that she was not aware of this nor was she sticking to it. As I had been told by [Redacted] how many were inside I did not count to get the exact figure, even if [Redacted] was out by a small number the venue would still have been over capacity.

Witness Signature [Redacted]

Signature Witnessed by Signature: .....

Continuation of Statement of: Stephen Muldoon

I asked [redacted] about the music that was playing and I was told that alcohol stops being sold at midnight the music keeps playing until 1am to allow people to finish their drinks. I asked [redacted] if alcohol was being sold and I was told clearly "NO". I looked in and walked round and saw people drinking alcohol but at that time did not see any being sold.

Having discussed the breaches with [redacted] it was quite clear she was unaware of the licence conditions, terminal hour or capacity. I finished speaking with her advised she stops the music and I left.

I on the evening of the 23rd of July 23 sent an email to the DPS/owner (Gary Henshaw) and one of the venues managers [redacted] I attach this e-mail as exhibit SM/1.

On Tuesday the 25th of July 23 I received a phone call on my work mobile phone from the DPS/Owner (Gary Henshaw). During this call Gary informed me that he had reviewed the CCTV of my visit and confirmed that alcohol was being sold right up until the point I walked in.

It was quite clear that this was no mistake by the venue as they must have ensured all sales stopped at the point [redacted] came to speak to us as when i walked in, I could see no alcohol sales taking place. I was also told clearly by [redacted] that alcohol sales stopped at 12.

Witness Signature:  .....

Signature Witnessed by Signature: .....





Westminster Licensing Team  
Westminster City Hall  
15<sup>th</sup> Floor 64 Victoria Street  
SW1E 6QP

Westminster Police Licensing Team  
Westminster City Hall  
15<sup>th</sup> Flr 64 Victoria Street  
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**Mobile** - 07442419872  
**Email** – [steve.muldoon@met.police.uk](mailto:steve.muldoon@met.police.uk)  
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**Licensing Team mailbox** -  
[AWMailbox.LicensingCW@met.police.uk](mailto:AWMailbox.LicensingCW@met.police.uk)

**Tuesday, 12 September 2023**

**Re: - 23/03511/LIPV, Ku Bar, Frith St, W1. – Further Submissions**

Dear Licensing,

Please see the below further information that relates to the police objection for 23/03511/LIPV

I have included the crime maps for Robbery, Violent Crime, Violent Crime (Assault ABH and GBH), Theft from/Theft other (pickpocketing/theft from tables, All crime and finally a table showing the peak times for all crime in Soho.

This is an application to extend the terminal hour for all licensable activities until 01:00/ This follows a temporary extension that was granted during Covid/ This temporary extension expired in July 2023. The venue is located within the heart of the cumulative impact area.

The temporary extension was granted in 2021 to assist with recovery from the covid pandemic, in 2021 (March) when the application for the temporary extension was submitted it is clear that both London and the UK had struggled to recover and that foot-fall was significantly less than pre-covid levels and as such crime was significantly lower than that of pre covid levels.

I have below shown in a) that in March 2021 when the application was submitted that for the entire West End ward there were in the month of March 360 offences. Looking at the crime stats for now, shown in b) in August in the West End ward there were 2,373 offences. I have attached a heat map below c) for the time when the time limited extension was applied for to d) the current heat map for last month. Ku bar is located on Frith St in between the junctions of Romilly St and Old Compton St. It is clear from viewing the stats that the venue is not only in the heart of the cumulative impact area but in the heart of a high crime area.





**A) - March 2021**

	0000 - 0259	0300 - 0559	0600 - 0859	0900 - 1159	1200 - 1459	1500 - 1759	1800 - 2059	2100 - 2359																	
Mon	2	3	2	2	4	2	3	1	4	3	2	7	3	6	7	5	3	6	4	4	1	74			
Tue	2	2		1	1	1	3		3		3	4	1	4	6	4	6	1	3	6	3	54			
Wed	2	1	1	1		2	2	1	4	4	2	5	1	3	2	1	5	6	1	1	4	4	53		
Thu	1			1	1		4	4	1	5	2	3	4	2	5	1	2	1	2	4		1	3	47	
Fri	1	2		2		3	2	4		4	5	4	1	3	2	7	3		1	2	2	4	52		
Sat		2	2		1		2	1		1	2	3	1	1	3	3	3	6	2	1	1	1	2	47	
Sun	2	2		1	1	1		1	2	1	1		1	2	2	2	2	2	3	1	2	1	2	33	
<b>Total</b>	<b>10</b>	<b>9</b>	<b>6</b>	<b>5</b>	<b>7</b>	<b>3</b>	<b>1</b>	<b>19</b>	<b>13</b>	<b>13</b>	<b>12</b>	<b>20</b>	<b>20</b>	<b>28</b>	<b>20</b>	<b>25</b>	<b>20</b>	<b>31</b>	<b>19</b>	<b>18</b>	<b>20</b>	<b>13</b>	<b>14</b>	<b>14</b>	<b>360</b>

**B) – August 2023**

	0700 - 0959	1000 - 1259	1300 - 1559	1600 - 1859	1900 - 2159	2200 - 0059	0100 - 0359	0400 - 0659																	
Mon	2	3	2	7	7	8	6	10	20	14	14	20	17	12	17	9	4	16	8	14	4	2	3	2	221
Tue	2	9	7	7	3	10	9	19	18	19	29	34	14	17	20	9	16	13	4	9	3	9	2	3	285
Wed	2	5	2	10	5	10	10	25	19	29	31	35	23	23	12	30	20	20	14	13	21	9	2	7	377
Thu	1	7	6	7	15	18	15	16	29	39	28	30	31	32	37	30	21	22	17	17	14	6	2	5	445
Fri	4	3	6	3	11	2	15	18	19	19	31	22	25	16	16	19	29	29	28	35	35	11	3	4	403
Sat	1	1	1	3	5	12	15	15	20	31	27	27	26	11	13	31	36	35	32	24	35	12	7	1	421
Sun		1	2		3	2	20	19	23	28	17	12	10	7	16	8	11	19	8	6	4	2	2	1	221
<b>Total</b>	<b>12</b>	<b>29</b>	<b>26</b>	<b>37</b>	<b>49</b>	<b>62</b>	<b>90</b>	<b>122</b>	<b>148</b>	<b>179</b>	<b>177</b>	<b>180</b>	<b>146</b>	<b>118</b>	<b>131</b>	<b>136</b>	<b>137</b>	<b>154</b>	<b>111</b>	<b>118</b>	<b>116</b>	<b>51</b>	<b>21</b>	<b>23</b>	<b>2,373</b>

**C) - (Heat map from date of 2021 application)**



**D) — (Heat map from August 2023) -**

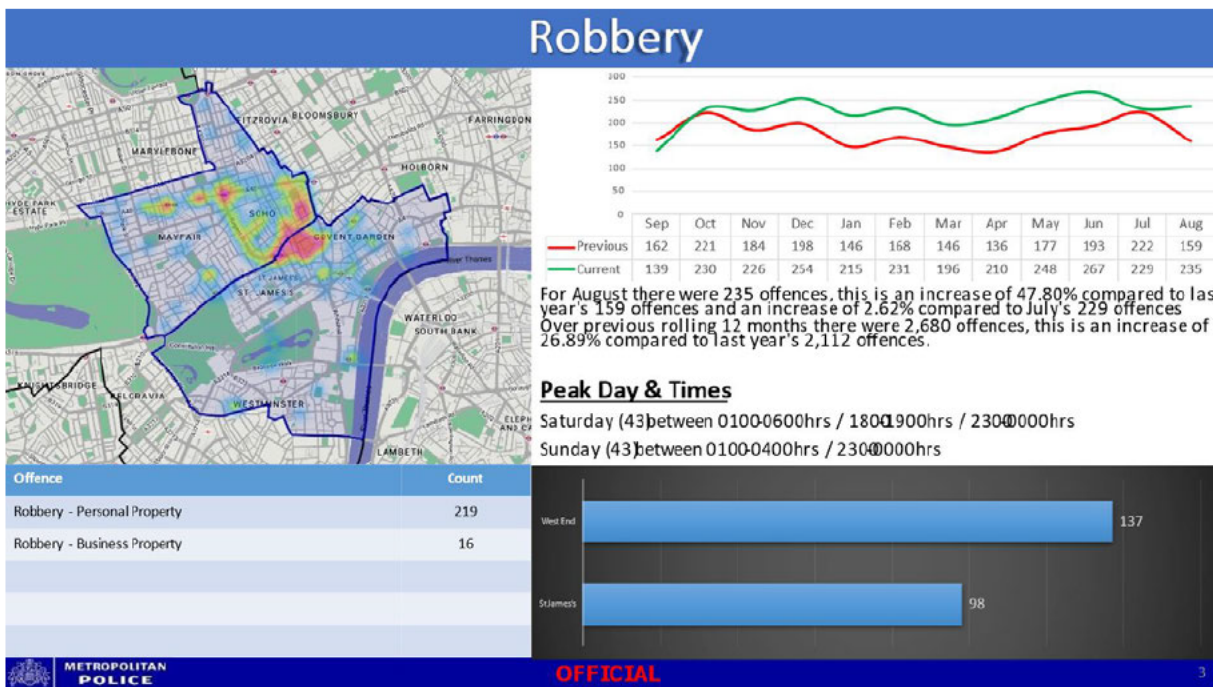
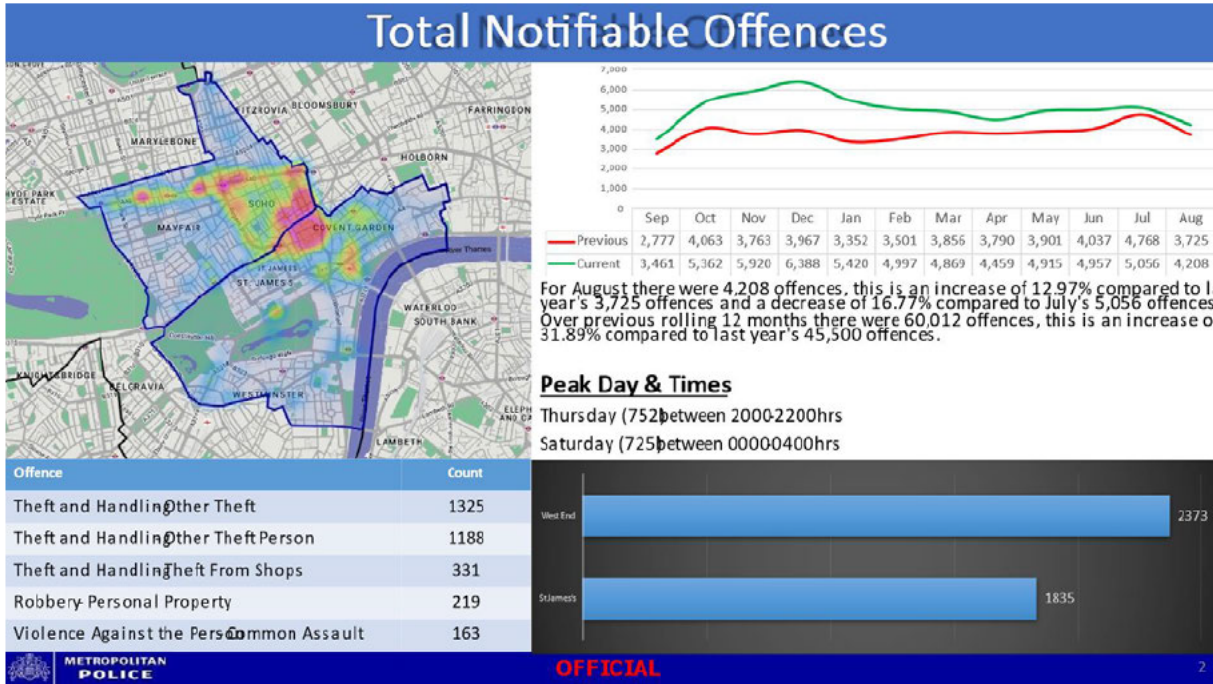


I have below put more generic crime stats and heat maps relating to the West End and St James wards. The slides are clear but the trend is that year on year the crime figures are increasing.



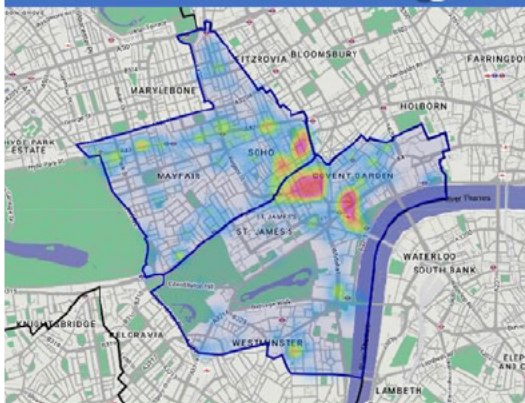


Crime levels in the West End are some of the highest in the country, they are already at a level difficult to manage. The venue should they be granted additional hours would undoubtedly contribute to and add to cumulative impact.





## Violence Against the Person/Domestic



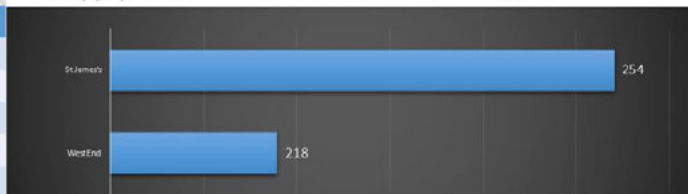
For August there were 472 offences, this is a decrease of 9.75% compared to last year's 523 offences and a decrease of 20.14% compared to July's 591 offences. Over previous rolling 12 months there were 5,931 offences, this is a decrease of 11% compared to last year's 6,015 offences.

### Peak Day & Times

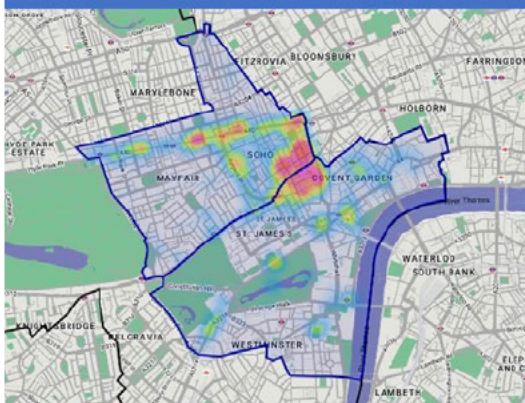
Thursday (79) between 1200-1400hrs / 2000-1000hrs

Saturday (77) between 0000-0400hrs / 1200-1300hrs / 2100-0000hrs

Offence	Count
Violence Against the Person/Common Assault	157
Violence Against the Person/Harassment	138
Violence Against the Person/Assault with Injury	89
Violence Against the Person/Other Violence	42
Violence Against the Person/Serious Wounding	34



## Theft Person

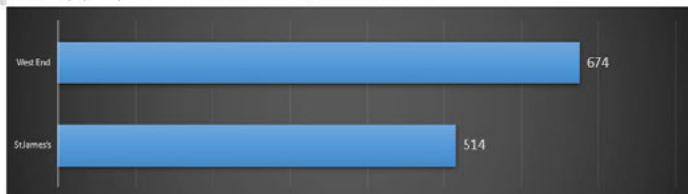


For August there were 1,188 offences, this is an increase of 44.70% compared to last year's 821 offences and a decrease of 22.91% compared to July's 1,541 offences. Over previous rolling 12 months there were 19,831 offences, this is an increase of 56.78% compared to last year's 12,649 offences.

### Peak Day & Times

Saturday (245) between 0200-0400hrs / 1600-1900hrs / 2200-0000hrs

Sunday (205) between 0000-0400hrs / 1500-1700hrs



I attach exhibit SM/3 – An email dated Sunday 23<sup>rd</sup> July from myself to Gary Henshaw and Scott Priestly. This email is regarding my attached MG11. On Saturday 22<sup>nd</sup> July at 00:40 myself and Ps Chadwick saw that She Bar on Old Compton Street (the basement of Ku bar, Frith St) appeared to be open. I was advised by the manager that around 100 people were inside despite the venue having a capacity of 80. I hear regulated entertainment being played clearly despite the venue not having the current licence to do this. I was then later advised by the venues owner Gary Henshaw via a phonecall





that alcohol had been sold passed the venues terminal hour (right up to the point when I walked in). I had requested cctv of the 40 minutes prior but Gary reviewed this and made contact with me to advise the breaches that took place.

I have at his other venue had to implement 2 action plans following how incidents were dealt with by the then management team and the security team. I attach those action plans that were sent to me by the venue's solicitor Jack Speigler. These are exhibit SM/1 – action plan dated 18<sup>th</sup> October, this related to a number of incidents around both the security and incidents that took place inside the club and SM/2 – action plan dated 13<sup>th</sup> March 2023. This action plan related to an assault by a member of security on a customer (the customer was thrown out and kicked whilst on the floor, this was picked up on police CCTV, the venue also failed to record this properly and the then supervisors/manager denied knowledge of the incident to police despite being present and seen on CCTV.

I also include a video showing the incident mentioned as part of the action plan in SM/2. Whilst I am aware this was a member of contracted door staff that was then employed by a security company, after this incident the member of security was further deployed to carry on working at the venue. The then manager at the time saw no real concern and failed to record this incident.

Both the action plans mentioned above resulted in a complete removal of security team and a change in security company.

Yours sincerely

Pc Steve Muldoon  
Westminster Licensing Unit

Yours sincerely

*Steve Muldoon 2332AW*

*Pc Steve Muldoon 2332AW*  
Westminster Police Licensing Team





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

**Schedule 12**  
**Part A**

**WARD: West End**  
**UPRN: 010033587894**

**Premises licence**

Regulation 33, 34

**Premises licence number:**

21/01596/LIPV

**Original Reference:**

05/10990/LIPC

**Part 1 – Premises details**

**Postal address of premises:**

Ku Bar  
Basement To First Floor  
25 Frith Street  
London  
W1D 5LB

**Telephone Number:** 02074374303

**Where the licence is time limited, the dates:**

Not applicable

**Licensable activities authorised by the licence:**

Exhibition of a Film  
Exhibition of a Film  
Playing of Recorded Music  
Late Night Refreshment  
Sale by Retail of Alcohol

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

Exhibition of a Film  
Monday to Saturday: 09:00 to 01:00  
Sunday: 09:00 to 22:30  
Sundays before Bank Holidays: 09:00 to 00:00

Playing of Recorded Music  
Monday to Saturday: 09:00 to 01:00  
Sunday: 09:00 to 22:30  
Sundays before Bank Holidays: 09:00 to 00:00

Late Night Refreshment  
Monday to Saturday: 23:00 to 01:00  
Sundays before Bank Holidays: 23:00 to 00:00

**Sale by Retail of Alcohol**

Monday to Saturday: 10:00 to 01:00

Sunday: 10:00 to 22:30

Sundays before Bank Holidays: 10:00 to 00:00

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

**The opening hours of the premises:**

Monday to Saturday: 10:00 to 01:00

Sunday: 10:00 to 22:50

Sundays before Bank Holidays: 10:00 to 00:00

**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:**

Allied Promotions Limited  
Ku Bar  
30 Lisle Street  
London  
WC2H 7BA

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

03723921

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

**Name:** Mr Gary Henshaw

**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: PERS-LIC04  
Licensing Authority: London Borough Of Camden

**Date:** 29 July 2021

**This licence has been authorised by Michelle Steward 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.

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

Conditions reproducing the effect of conditions subject to which the relevant existing licences have effect

#### Conditions for Sale of Alcohol

- 11. Substantial food and suitable beverages other than intoxicating liquor (including drinking water) shall be available during the whole of the permitted hours in all parts of the premises where intoxicating liquor is sold or supplied.
- 12. No striptease, no nudity and all persons on the premises to be decently attired.
- 13. There shall be no payment made by or on behalf of the licensees to any person for bringing customers to the premises.
- 14. There shall be no gaming on the premises, other than machines authorised by Part III of the Gaming Act 1968 or by the Licensing Justices in accordance with Section 6 of the Gaming Act 1968.

15. A closed circuit television shall be installed, maintained and operated correctly as specified by the Metropolitan Police Crime prevention officer.

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

16. On New Year's Eve: from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).
17. No person under fourteen shall be in the bar of the licensed premises during the permitted hours unless one of the following applies:
  - (a) He is the child of the holder of the premises licence.
  - (b) He resides in the premises, but is not employed there.
  - (c) He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress.
  - (d) The bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary.

In this condition "bar" includes any place exclusively or mainly used for the consumption of intoxicating liquor. But an area is not a bar when it is usual for it to be, and it is, set apart for the service of table meals and alcohol is only sold or supplied to persons as an ancillary to their table meals.

18. The terminal hour for late night refreshment on New Year's Eve is extended to 05:00 on New Year's Day

## **Annex 2 – Conditions consistent with the operating Schedule**

19. The number of persons accommodated at the premises shall be:-  
First Floor - 40 persons excluding staff.  
Ground Floor - 40 persons excluding staff.  
Basement - 80 persons excluding staff.
20. External patrols shall be undertaken to monitor noise escape from the premises.
21. Notices shall be displayed at exits asking patrons to disperse quietly and respect neighbours.
22. Loudspeakers shall not be placed in the entrance lobbies or emergency escape route staircases.
23. The door at the bottom of the emergency escape staircase leading to Old Compton Street shall be kept closed at all times except for the immediate access or egress of persons.

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

24. The premises will maintain a comprehensive CCTV system that ensures all areas of the licensed premises are monitored including all entry points and which enable frontal identification of every person entering in any light condition. All cameras shall continually record whilst the premises are open to the public and the recordings shall be kept available for a minimum of 31 days with time and date stamping. Recordings shall be made available to an authorised officer or a police officer together with facilities for viewing. The recordings for the preceding two days shall be made available immediately on request. Recordings outside this period shall be made available on 24 hours notice. (Subject to the Data Protection Act 1998).
25. The means of escape in emergency provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified.
26. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
27. All windows shall be kept closed after 21.00 hours.
28. All waste to be properly presented and placed out for collection no earlier than 30 minutes before the schedule collection times.
29. The permitted terminal hour for licensable activities shall be 1am the following day on Monday to Saturday and Sundays immediately before Bank Holiday Mondays until 31 May 2023. From 1 June 2023 the terminal hours for licensable activities shall revert back to Core Hours unless this condition is removed from the Premises Licence by way of a variation application.
30. The permitted extended terminal hours shall only apply when the Premises are operated by Allied Promotions Limited as a LGBTQ+ Venue.
31. At least 2 SIA licensed door supervisors shall be on duty during the extended hours until 31 May 2023.
32. 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.

# Annex 4 – Plans





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

Schedule 12  
Part B

Premises licence  
summary

WARD: West End  
UPRN: 010033587894

Regulation 33, 34

Premises licence  
number:

21/01596/LIPV

Part 1 – Premises details

**Postal address of premises:**

Ku Bar  
Basement To First Floor  
25 Frith Street  
London  
W1D 5LB

**Telephone Number:** 02074374303

**Where the licence is time limited, the dates:**

Not applicable

**Licensable activities authorised by the licence:**

Exhibition of a Film  
Exhibition of a Film  
Playing of Recorded Music  
Late Night Refreshment  
Sale by Retail of Alcohol

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

Exhibition of a Film  
Monday to Saturday: 09:00 to 01:00  
Sunday: 09:00 to 22:30  
Sundays before Bank Holidays: 09:00 to 00:00

Playing of Recorded Music  
Monday to Saturday: 09:00 to 01:00  
Sunday: 09:00 to 22:30  
Sundays before Bank Holidays: 09:00 to 00:00

Late Night Refreshment  
Monday to Saturday: 23:00 to 01:00  
Sundays before Bank Holidays: 23:00 to 00:00

Sale by Retail of Alcohol  
Monday to Saturday: 10:00 to 01:00  
Sunday: 10:00 to 22:30

Sundays before Bank Holidays: 10:00 to 00:00

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

**The opening hours of the premises:**

Monday to Saturday: 10:00 to 01:00

Sunday: 10:00 to 22:50

Sundays before Bank Holidays: 10:00 to 00:00

**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:**

Allied Promotions Limited  
Ku Bar  
30 Lisle Street  
London  
WC2H 7BA

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

03723921

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

Name: Mr Gary Henshaw

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

Restricted

**Date:** 29 July 2021

**This licence has been authorised by Michelle Steward on behalf of the Director - Public Protection and Licensing.**





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

Schedule 12  
Part A

WARD: West End  
UPRN: 010033587894

Premises licence

Regulation 33, 34

Premises licence  
number:

18/09821/LIPCH

Original Reference:

05/10990/LIPC

**Part 1 – Premises details**

**Postal address of premises:**

Ku Bar  
Basement To First Floor  
25 Frith Street  
London  
W1D 5LB

**Telephone Number:** 02074374303

**Where the licence is time limited, the dates:**

Not applicable

**Licensable activities authorised by the licence:**

Exhibition of a Film  
Playing of Recorded Music  
Late Night Refreshment  
Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit  
Sale by Retail of Alcohol

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

**Exhibition of a Film**

Monday to Thursday: 09:00 to 23:30  
Friday to Saturday: 09:00 to 00:00  
Sunday: 09:00 to 22:30  
Sundays before Bank Holidays: 09:00 to 00:00

**Playing of Recorded Music**

Monday to Thursday: 09:00 to 23:30  
Friday to Saturday: 09:00 to 00:00  
Sunday: 09:00 to 22:30  
Sundays before Bank Holidays: 09:00 to 00:00

**Late Night Refreshment**

Monday to Thursday:	23:00 to 23:30
Friday to Saturday:	23:00 to 00:00
Sundays before Bank Holidays:	23:00 to 00:00

**Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit** Unrestricted

**Sale by Retail of Alcohol**

Monday to Thursday:	10:00 to 23:30
Friday to Saturday:	10:00 to 00:00
Sunday:	10:00 to 22:30
Sundays before Bank Holidays:	10:00 to 00:00

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

**The opening hours of the premises:**

Monday to Thursday:	10:00 to 23:30
Friday to Saturday:	10:00 to 00:00
Sunday:	10:00 to 22:30
Sundays before Bank Holidays:	10:00 to 00:00

**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:**

Allied Promotions Limited  
Ku Bar  
30 Lisle Street  
London  
WC2H 7BA

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

03723921

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

**Name:** Mr Gary Henshaw

**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: PERS-LIC  
Licensing Authority: London Borough Of Camden

**Date:** 16 March 2020

**This licence has been authorised by Jessica Donovan 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.

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.

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

**Conditions reproducing the effect of conditions subject to which the relevant existing licences have effect**

**Conditions for Sale of Alcohol**

- 11. Substantial food and suitable beverages other than intoxicating liquor (including drinking water) shall be available during the whole of the permitted hours in all parts of the premises where intoxicating liquor is sold or supplied.
- 12. No striptease, no nudity and all persons on the premises to be decently attired.
- 13. There shall be no payment made by or on behalf of the licensees to any person for bringing customers to the premises.

14. There shall be no gaming on the premises, other than machines authorised by Part III of the Gaming Act 1968 or by the Licensing Justices in accordance with Section 6 of the Gaming Act 1968.
15. A closed circuit television shall be installed, maintained and operated correctly as specified by the Metropolitan Police Crime prevention officer.

**Conditions which reproduce the effect of any restriction imposed on the use of the premises by specified enactment**

16. On New Year's Eve: from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).
17. No person under fourteen shall be in the bar of the licensed premises during the permitted hours unless one of the following applies:
  - (a) He is the child of the holder of the premises licence.
  - (b) He resides in the premises, but is not employed there.
  - (c) He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress.
  - (d) The bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary.

In this condition "bar" includes any place exclusively or mainly used for the consumption of intoxicating liquor. But an area is not a bar when it is usual for it to be, and it is, set apart for the service of table meals and alcohol is only sold or supplied to persons as an ancillary to their table meals.

18. The terminal hour for late night refreshment on New Year's Eve is extended to 05:00 on New Year's Day

## **Annex 2 – Conditions consistent with the operating Schedule**

19. The number of persons accommodated at the premises shall be:-  
First Floor - 40 persons excluding staff.  
Ground Floor - 40 persons excluding staff.  
Basement - 80 persons excluding staff.
20. External patrols shall be undertaken to monitor noise escape from the premises.
21. Notices shall be displayed at exits asking patrons to disperse quietly and respect neighbours.
22. Loudspeakers shall not be placed in the entrance lobbies or emergency escape route staircases.
23. The door at the bottom of the emergency escape staircase leading to Old Compton Street shall be kept closed at all times except for the immediate access or egress of persons.



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

24. The premises will maintain a comprehensive CCTV system that ensures all areas of the licensed premises are monitored including all entry points and which enable frontal identification of every person entering in any light condition. All cameras shall continually record whilst the premises are open to the public and the recordings shall be kept available for a minimum of 31 days with time and date stamping. Recordings shall be made available to an authorised officer or a police officer together with facilities for viewing. The recordings for the preceding two days shall be made available immediately on request. Recordings outside this period shall be made available on 24 hours notice. (Subject to the Data Protection Act 1998).
25. The means of escape in emergency provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified.
26. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
27. All windows shall be kept closed after 21.00 hours.
28. All waste to be properly presented and placed out for collection no earlier than 30 minutes before the schedule collection times.





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

Schedule 12  
Part B

Premises licence  
summary

WARD: West End  
UPRN: 010033587894

Regulation 33, 34

Premises licence  
number:

18/09821/LIPCH

Part 1 – Premises details

Postal address of premises:

Ku Bar  
Basement To First Floor  
25 Frith Street  
London  
W1D 5LB

Telephone Number: 02074374303

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Exhibition of a Film  
Playing of Recorded Music  
Late Night Refreshment  
Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit  
Sale by Retail of Alcohol

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

Exhibition of a Film

Monday to Thursday:	09:00 to 23:30
Friday to Saturday:	09:00 to 00:00
Sunday:	09:00 to 22:30
Sundays before Bank Holidays:	09:00 to 00:00

Playing of Recorded Music

Monday to Thursday:	09:00 to 23:30
Friday to Saturday:	09:00 to 00:00
Sunday:	09:00 to 22:30
Sundays before Bank Holidays:	09:00 to 00:00

**Late Night Refreshment**

Monday to Thursday: 23:00 to 23:30  
Friday to Saturday: 23:00 to 00:00  
Sundays before Bank Holidays: 23:00 to 00:00

**Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit** Unrestricted

**Sale by Retail of Alcohol**

Monday to Thursday: 10:00 to 23:30  
Friday to Saturday: 10:00 to 00:00  
Sunday: 10:00 to 22:30  
Sundays before Bank Holidays: 10:00 to 00:00

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

**The opening hours of the premises:**

Monday to Thursday: 10:00 to 23:30  
Friday to Saturday: 10:00 to 00:00  
Sunday: 10:00 to 22:30  
Sundays before Bank Holidays: 10:00 to 00:00

**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:**

Allied Promotions Limited  
Ku Bar  
30 Lisle Street  
London  
WC2H 7BA

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

03723921

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

Name: Mr Gary Henshaw

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

Restricted

**Date: 16 March 2020**

**This licence has been authorised by Jessica Donovan on behalf of the Director - Public Protection and Licensing.**

**Premises Licence history**

<b>Application</b>	<b>Details of Application</b>	<b>Date Determined</b>	<b>Decision</b>
05/10990/LIPC	Conversion licence	05.10.2005	Granted Under Delegated Authority
05/13600/LIPT	Transfer application - Miss Nicola Ann Chubb	05.01.2006	Granted Under Delegated Authority
05/13606/LIPDPS	Application to vary the designated premises supervisor	05.01.2006	Granted Under Delegated Authority
06/10212/WCCMAP	Master Licence	29.06.2007	Granted Under Delegated Authority
07/05559/LIPT	Transfer application - Leaseland Ltd	10.07.2007	Granted Under Delegated Authority
07/05561/LIPDPS	Application to vary the designated premises supervisor	10.07.2007	Granted Under Delegated Authority
07/08338/LIPV	Variation application – To remove all restaurant conditions, remove the provision of entertainment, reduce the hours to core hours, vary the layout of the premises and increase the capacity of the premises	23.10.2007	Granted Under Delegated Authority
08/07314/LIPT	Transfer application - Soho Estates Ltd	19.11.2008	Granted Under Delegated Authority
08/11448/LIPT	Transfer application - Allied Promotions Limited	11.03.2009	Granted Under Delegated Authority
08/11450/LIPDPS	Application to vary the designated premises supervisor	11.03.2009	Granted Under Delegated Authority
08/11552/LIPV	Variation application – Change the layout in the basement, Add the Exhibition of Films and remove conditions 13 and 18	10.02.2009	Granted Under Delegated Authority

09/01088/LIPRW	Removal of Works Condition	11.03.2009	Granted Under Delegated Authority
12/02077/LIPDPS	Application to vary the designated premises supervisor	17.05.2012	Granted Under Delegated Authority
13/07479/LIPDPS	Application to vary the designated premises supervisor	25.10.2013	Granted Under Delegated Authority
16/03879/LIPDPS	Application to vary the designated premises supervisor	16.06.2016	Granted Under Delegated Authority
18/09821/LIPCH	Change of details	31.08.2018	Granted Under Delegated Authority
21/01596/LIPV	Variation application – To extend the terminal hour for all licensable activities and the opening hours from Core hours to 1am on Monday to Saturday and Sundays before Bank Holiday Mondays until 31 May 2023.  To add a time limited condition.	22.07.2021	Granted by Licensing Sub-Committee

**There is no appeal history.**

### Temporary Event Notices in the last 12 months

Temporary Event Notices	Date of Event	Activities/Hours	Decision
22/08352/LITENP	17.12.2022 & 18.02.2022	Regulated Entertainment, Late night refreshment and Retail Sale of Alcohol 01:00 to 03:00	Event allowed to proceed
22/08342/LITENP	01.10.2022 & 02.10.2022	Regulated Entertainment, Late night refreshment and Retail Sale of Alcohol 01:00 to 03:00	Event allowed to proceed
22/08343/LITENP	29.10.2022 & 30.10.2022	Regulated Entertainment, Late night refreshment and Retail Sale of Alcohol 01:00 to 03:00	Event allowed to proceed
22/08345/LITENP	03.12.2022 & 04.12.2022	Regulated Entertainment, Late night refreshment and Retail Sale of Alcohol 01:00 to 03:00	Event allowed to proceed
22/08346/LITENP	10.12.2022 & 11.12.2022	Regulated Entertainment, Late night refreshment and Retail Sale of Alcohol 01:00 to 03:00	Event allowed to proceed
22/08347/LITENP	26.11.2022 & 27.11.2022	Regulated Entertainment, Late night refreshment and Retail Sale of Alcohol 01:00 to 03:00	Event allowed to proceed
23/01865/LITENP	02.04.2023	Regulated Entertainment, Late night refreshment and Retail Sale of Alcohol 01:00 to 03:00	Event allowed to proceed
23/01867/LITENP	30.04.2023	Regulated Entertainment, Late night refreshment and Retail Sale of Alcohol 01:00 to 03:00	Event allowed to proceed



23/03776/LITENP	02.07.2023	Regulated Entertainment, Late night refreshment and Retail Sale of Alcohol 00:00 to 03:00	Event allowed to proceed
23/04545/LITENP	29.07.2023 & 30.07.2023	Regulated Entertainment, Late night refreshment and Retail Sale of Alcohol 00:00 to 03:00	Event allowed to proceed
23/04546/LITENP	05.08.2023 & 06.08.2023	Regulated Entertainment, Late night refreshment and Retail Sale of Alcohol 00:00 to 03:00	Event allowed to proceed
23/04547/LITENP	02.09.2023 & 03.09.2023	Regulated Entertainment, Late night refreshment and Retail Sale of Alcohol 00:00 to 03:00	Event allowed to proceed
23/05594/LITENP	10.09.2023	Regulated Entertainment, Late night refreshment and Retail Sale of Alcohol 00:00 to 03:00	Event allowed to proceed
23/05595/LITENP	17.09.2023	Regulated Entertainment, Late night refreshment and Retail Sale of Alcohol 00:00 to 03:00	Event allowed to proceed
23/05596/LITENP	24.09.2023	Regulated Entertainment, Late night refreshment and Retail Sale of Alcohol 00:00 to 03:00	Event allowed to proceed
23/05729/LITENP	01.10.2023	Regulated Entertainment, Late night refreshment and Retail Sale of Alcohol 00:00 to 03:00	Event allowed to proceed

**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.

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.

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

Conditions reproducing the effect of conditions subject to which the relevant existing licences have effect

#### Conditions for Sale of Alcohol

11. Substantial food and suitable beverages other than intoxicating liquor (including drinking water) shall be available during the whole of the permitted hours in all parts of the premises where intoxicating liquor is sold or supplied.
12. No striptease, no nudity and all persons on the premises to be decently attired.
13. There shall be no payment made by or on behalf of the licensees to any person for bringing customers to the premises.
14. There shall be no gaming on the premises, other than machines authorised by Part III of the Gaming Act 1968 or by the Licensing Justices in accordance with Section 6 of the Gaming Act 1968.
15. A closed circuit television shall be installed, maintained and operated correctly as specified by the Metropolitan Police Crime prevention officer.

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

16. On New Year's Eve: from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).
17. No person under fourteen shall be in the bar of the licensed premises during the permitted hours unless one of the following applies:
  - (a) He is the child of the holder of the premises licence.
  - (b) He resides in the premises, but is not employed there.
  - (c) He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress.
  - (d) The bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary.

In this condition "bar" includes any place exclusively or mainly used for the consumption of intoxicating liquor. But an area is not a bar when it is usual for it to be, and it is, set apart for the service of table meals and alcohol is only sold or supplied to persons as an ancillary to their table meals.

18. The terminal hour for late night refreshment on New Year's Eve is extended to 05:00 on New Year's Day.

## **Annex 2 – Conditions consistent with the operating Schedule**

19. The number of persons accommodated at the premises shall be:-  
First Floor - 40 persons excluding staff.  
Ground Floor - 40 persons excluding staff.  
Basement - 80 persons excluding staff.
20. External patrols shall be undertaken to monitor noise escape from the premises.
21. Notices shall be displayed at exits asking patrons to disperse quietly and respect neighbours.
22. Loudspeakers shall not be placed in the entrance lobbies or emergency escape route staircases.
23. The door at the bottom of the emergency escape staircase leading to Old Compton Street shall be kept closed at all times except for the immediate access or egress of persons.

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

24. The premises will maintain a comprehensive CCTV system that ensures all areas of the licensed premises are monitored including all entry points and which enable frontal identification of every person entering in any light condition. All cameras shall continually record whilst the premises are open to the public and the recordings shall be kept available for a minimum of 31 days with time and date stamping. Recordings shall be made available to an authorised officer or a police officer together with facilities for viewing. The recordings for the preceding two days shall be made available immediately on request. Recordings outside this period shall be made available on 24 hours notice. (Subject to the Data Protection Act 1998).
25. The means of escape in emergency provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified.
26. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
27. All windows shall be kept closed after 21.00 hours.
28. All waste to be properly presented and placed out for collection no earlier than 30 minutes before the schedule collection times.

## **The applicant is seeking to remove conditions 29, 30, 31 & 32**

29. The permitted terminal hour for licensable activities shall be 1am the following day on Monday to Saturday and Sundays immediately before Bank Holiday Mondays until 31 May 2023. From 1 June 2023 the terminal hours for licensable activities shall revert back to Core Hours unless this condition is removed from the Premises Licence by way of a variation application.
30. The permitted extended terminal hours shall only apply when the Premises are operated by Allied Promotions Limited as a LGBTQ+ Venue.
31. At least 2 SIA licensed door supervisors shall be on duty during the extended hours until 31 May 2023.

32. 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.

**To be replaced with the following conditions:**

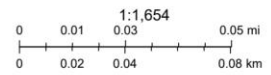
29. The permitted extended terminal hours beyond Core Hours shall only apply when the Premises are operated by Allied Promotions Limited as a LGBTQ+ Venue.
30. At least 2 SIA licensed door supervisors shall be on duty during the extended hours beyond Core Hours.
31. A copy of the Premises Dispersal Policy shall be made readily available at the Premises for inspection by a Police officer and/or an authorised officer of Westminster City Council.

**Basement To First Floor, 25 Frith Street, London, W1D 5LB**



06/09/2023, 11:19:14

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



**Resident count: 87**



**Licensed premises within 75 metres of Basement To First Floor, 25 Frith Street, London, W1D 5LB**

<b>Licence Number</b>	<b>Trading Name</b>	<b>Address</b>	<b>Premises Type</b>	<b>Time Period</b>
21/01596/LIPV	Ku Bar	Basement To First Floor 25 Frith Street London W1D 5LB	Night clubs and discos	Monday; 10:00 - 01:00   Tuesday; 10:00 - 01:00   Wednesday; 10:00 - 01:00   Thursday; 10:00 - 01:00   Friday; 10:00 - 01:00   Saturday; 10:00 - 01:00   Sunday; 10:00 - 22:50   Sundays before Bank Holidays; 10:00 - 00:00
15/06965/LIPN	Blade Soho	26 Frith Street London W1D 5LD	Hairdresser or beauty salon	Sunday; 12:00 - 20:00   Monday to Saturday; 10:00 - 22:00
23/02197/LIPN	Not Recorded	Basement And Ground Floor 26 Frith Street London W1D 5LD	Restaurant	Sunday; 09:00 - 22:30   Monday to Thursday; 09:00 - 23:30   Friday to Saturday; 09:00 - 00:00
21/04874/LIPDPS	Dodo Supermarket	Basement And Ground Floor 24 Frith Street London W1D 5LA	Shop	Sunday; 10:00 - 22:30   Monday to Thursday; 08:00 - 01:00   Friday to Saturday; 08:00 - 03:00
15/02220/LIPV	Bistro 1	27 Frith Street London W1D 5LE	Restaurant	Sunday; 08:00 - 00:00   Monday to Saturday; 08:00 - 01:00
17/14888/LIPDPS	Kyoto	26 Romilly Street London W1D 5AJ	Restaurant	Sunday; 12:00 - 00:00   Monday to Saturday; 10:00 - 00:30

21/06901/LIPDPS	Bar Soho	23 - 25 Old Compton Street London W1D 5JL	Night clubs and discos	Sunday; 09:00 - 01:00   Monday to Thursday; 09:00 - 01:30   Friday to Saturday; 09:00 - 03:30
18/11987/LIPDPS	Berenjak	27 Romilly Street London W1D 5AL	Restaurant	Sunday; 12:00 - 00:00   Monday to Saturday; 10:00 - 00:30
22/07461/LIPDPS	Cuts	Basement And Ground Floor 41 Frith Street London W1D 5LW	Hairdresser or beauty salon	Saturday; 10:00 - 22:00   Sunday to Friday; 11:00 - 22:00
21/02934/LIPDPS	Kettners Townhouse	29 Romilly Street London W1D 5HP	Not Recorded	Monday to Sunday; 00:00 - 00:00
17/14358/LIPDPS	Not Recorded	39 Frith Street London W1D 5LL	Cafe	Monday to Sunday; 06:00 - 03:00
19/02423/LIPDPS	Sushi Eatery	Basement And Ground Floor 40 Frith Street London W1D 5LN	Restaurant	Sunday; 12:00 - 00:00   Monday to Saturday; 10:00 - 00:30
23/03692/LIPDPS	Cecconis Soho	19-21 Old Compton Street London W1D 5JJ	Not Recorded	Sunday; 08:00 - 00:00   Monday to Saturday; 08:00 - 03:30   New Year's Eve; 00:00 - 00:00
16/04918/LIPCHT	Pepe Italian Street Food	Basement And Ground Floor 27 Old Compton Street London W1D 5JP	Restaurant	Sunday; 10:00 - 00:00   Monday to Wednesday; 08:00 - 00:30   Thursday to Saturday; 08:00 - 01:00
16/09678/LIPV	Pepe Italian Street Food	Basement And Ground Floor 27 Old Compton Street London W1D 5JP	Restaurant	Sunday; 10:00 - 00:00   Monday to Wednesday; 08:00 - 00:30   Thursday to Saturday; 08:00 - 03:00
21/00693/LIPV	Balans Cafe	34 Old Compton Street London W1D 4TR	Restaurant	Sunday; 12:00 - 05:00   Monday to Saturday;

				10:00 - 05:00
22/05216/LIPDPS	BA Shan Restaurant	24 Romilly Street London W1D 5AH	Restaurant	Sunday; 12:00 - 23:30   Monday to Saturday; 12:00 - 00:00
18/15717/LIPDPS	Dozo	Basement To First Floor 32 Old Compton Street London W1D 4TP	Restaurant	Sunday; 12:00 - 00:00   Monday to Saturday; 10:00 - 01:30
20/02323/LIPDPS	Wingmans	29 - 31 Old Compton Street London W1D 5JS	Restaurant	Sunday; 12:00 - 00:00   Monday to Saturday; 10:00 - 00:30
21/10156/LIPDPS	Bar Shu	28 Frith Street London W1D 5LF	Restaurant	Sunday; 11:00 - 00:00   Monday to Saturday; 11:00 - 00:30
19/00938/LIPDPS	Not Recorded	Basement 23 Frith Street London W1D 4RR	Restaurant	Sunday; 09:00 - 01:00   Monday to Saturday; 09:00 - 03:30
22/11664/LIPDPS	Cafe Boheme	Basement And Ground Floor 13 - 17 Old Compton Street London W1D 5JH	Restaurant	Sunday; 12:00 - 00:00   Monday to Saturday; 09:00 - 05:00
21/08287/LIPN	Caffe Nero	43 Frith Street London W1D 4SA	Cafe	Sunday; 06:00 - 02:00   Monday to Wednesday; 06:00 - 02:00   Thursday to Saturday; 06:00 - 04:00
22/07467/LIPVM	Assa	23 Romilly Street London W1D 5AQ	Club or institution	Monday; 10:00 - 00:30   Monday; 10:00 - 00:30   Tuesday; 10:00 - 00:30   Tuesday; 10:00 - 00:30   Wednesday; 10:00 - 00:30   Wednesday; 10:00 - 00:30   Thursday; 10:00 - 00:30   Thursday; 10:00 - 00:30   Friday; 10:00 -

				00:30   Friday; 10:00 - 00:30   Saturday; 10:00 - 00:30   Sunday; 12:00 - 00:00   Sunday; 12:00 - 00:00
17/03246/LIPCH	Bar Italia	Basement And Ground Floor Front 22 Frith Street London W1D 4RP	Cafe	Sunday; 12:00 - 05:00   Monday to Saturday; 10:00 - 05:00
20/11213/LIPT	Old Compton Brasserie	36 Old Compton Street London W1D 4US	Restaurant	Monday to Sunday; 07:00 - 01:30
23/00961/LIPDPS	Soho House	40 Greek Street London W1D 4EB	Club or institution	Saturday; 10:00 - 03:30   Sunday; 10:00 - 23:00   Monday to Friday; 08:00 - 03:30
23/03807/LIPDPS	Neat Meat	Basement And Ground Floor 33 Old Compton Street London W1D 5JU	Restaurant	Monday; 11:00 - 23:30   Tuesday; 11:00 - 23:30   Wednesday; 11:00 - 23:30   Thursday; 11:00 - 23:30   Friday; 11:00 - 00:00   Saturday; 11:00 - 00:00   Sunday; 11:00 - 22:30   Monday to Thursday; 11:00 - 23:30   Friday to Saturday; 11:00 - 00:00
12/02725/LIPDPS	Gauthier At Lindsay House	21 Romilly Street London W1D 5AF	Restaurant	Sunday; 10:00 - 22:30   Monday to Thursday; 10:00 - 23:30   Friday to Saturday; 10:00 - 00:00
17/03238/LIPCH	Little Italy	21A Frith Street London W1D 4RW	Restaurant	Monday to Sunday; 09:00 - 05:30

06/12560/WCCMAP	The Delhi Brasserie	44 Frith Street London W1D 4SB	Restaurant	Sunday; 12:00 - 00:00   Monday to Saturday; 10:00 - 00:30
22/09722/LIPDPS	G-A-Y Bar	Basement To First Floor 30 Old Compton Street London W1D 4UR	Restaurant	Sunday; 09:00 - 00:30   Monday to Saturday; 09:00 - 01:00   New Year's Eve; 00:00 - 00:00
21/09644/LIPDPS	G-A-Y Bar	Basement To First Floor 30 Old Compton Street London W1D 4UR	Restaurant	Sunday; 09:00 - 00:30   Monday to Saturday; 09:00 - 01:00   New Year's Eve; 00:00 - 00:00
22/08436/LIPDPS	Y Ming	35 - 36 Greek Street London W1D 5DL	Restaurant	Sunday; 12:00 - 00:00   Monday to Saturday; 10:00 - 00:30
18/10183/LIPDPS	ZIMA Russian Street Food And Bar	45 Frith Street London W1D 4SD	Restaurant	Sunday; 12:00 - 00:00   Monday to Saturday; 10:00 - 01:00
23/03588/LIPDPS	Curzon Soho Cinema	93-107 Shaftesbury Avenue London W1D 5DY	Cinema	Monday; 09:00 - 02:30   Tuesday; 09:00 - 02:30   Wednesday; 09:00 - 02:30   Thursday; 09:00 - 02:30   Friday; 09:00 - 02:30   Saturday; 09:00 - 02:30   Sunday; 09:00 - 00:00
13/06021/LIPDPS	Genting Casino London China Town	First Floor Wingate House 93 - 107 Shaftesbury Avenue London W1D 5DY	Casino or gambling club	Monday to Sunday; 00:00 - 23:59
18/02552/LIPV	Soho Whisky Club	First Floor 42 Old Compton Street London W1D 4TX	Wine bar	Monday; 10:00 - 23:00   Tuesday; 10:00 - 23:00

				Wednesday; 10:00 - 23:00   Thursday; 10:00 - 23:00   Friday; 10:00 - 00:00   Saturday; 10:00 - 00:00   Sunday; 10:00 - 22:00
08/09144/LIPD	The Vintage House	Basement And Ground Floor 42 Old Compton Street London W1D 4LR	Shop	Sunday; 10:00 - 22:30   Monday to Saturday; 08:00 - 23:00
21/04531/LIPN	Viet Noodle Bar	Basement And Ground Floor 34 Greek Street London W1D 5DJ	Restaurant	Sunday; 12:00 - 20:00   Monday to Saturday; 12:00 - 23:00
22/11465/LIPDPS	Laxsa In Soho	Basement To First Floor 37 Old Compton Street London W1D 5JY	Restaurant	Sunday; 12:00 - 00:00   Monday to Saturday; 10:00 - 00:30
19/13568/LIPN	Not Recorded	44 Old Compton Street London W1D 4TY	Restaurant	Sunday; 12:00 - 00:00   Monday to Saturday; 10:00 - 00:30
11/01841/LIPDPS	Ronnie Scott's Jazz Club	Basement And Ground Floor And Part First Floor 47 Frith Street London W1D 4HT	Night clubs and discos	Sunday; 09:00 - 00:30   Monday to Saturday; 09:00 - 03:30
20/05990/LIPDPS	Rosas	Ground Floor And Basement 48 Dean Street London W1D 5BF	Shop	Sunday; 12:00 - 23:00   Monday to Saturday; 10:00 - 23:30
23/00999/LIPDPS	Mr Foggs Pawnbrokers	50 Dean Street London W1D 5BQ	Restaurant	Sunday; 12:00 - 00:00   Monday to Saturday; 09:00 - 03:30
21/02047/PREAPM	Not Recorded	26 Greek Street London W1D 5DE	Not Recorded	
21/06502/LIPV	Wands & Wizard Exploratorium	26 Greek Street London W1D 5DE	Restaurant	Sunday; 10:00 - 23:00   Monday to Thursday;

				09:00 - 00:00   Friday to Saturday; 09:00 - 00:30
16/00095/LIPDPS	Compton News	48 Old Compton Street London W1D 4UA	Shop	Sunday; 08:00 - 22:00   Monday to Saturday; 07:00 - 01:00
20/07132/LIPCH	Coach & Horses Public House	29 Greek Street London W1D 5DH	Pub or pub restaurant with lodge	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
09/06680/LIPVM	French House Public House	49 Dean Street London W1D 5BG	Public house or pub restaurant	Sunday; 12:00 - 00:00   Monday to Saturday; 10:00 - 00:30
16/11180/LIPN	Maison Berteaux	28 Greek Street London W1D 5DQ	Food store (large)	Monday to Sunday; 08:00 - 23:00
21/10756/LIPVM	The Groucho Club	44-45 Dean Street London W1D 4QB	Club or institution	Monday; 09:00 - 02:30   Tuesday; 09:00 - 02:30   Wednesday; 09:00 - 02:30   Thursday; 09:00 - 02:30   Friday; 09:00 - 02:30   Saturday; 09:00 - 02:30   Sunday; 12:00 - 00:00
19/15029/PREAPM	Not Recorded	44-45 Dean Street London W1D 4QB	Not Recorded	
22/11511/LIPDPS	Three Greyhounds Public House	The Three Greyhounds Public House 25 Greek Street London W1D 5DD	Public house or pub restaurant	Monday; 07:00 - 00:00   Tuesday; 07:00 - 00:00   Wednesday; 07:00 - 00:00   Thursday; 07:00 - 00:00   Friday; 07:00 - 00:30   Saturday;

				07:00 - 00:30   Sunday; 07:00 - 23:00   Monday to Thursday; 07:00 - 00:00   Friday to Saturday; 07:00 - 00:30   Sundays before Bank Holidays; 07:00 - 00:30
23/01394/LIPCH	Lobos Meat Tapas	Basement And Ground Floor 48 Frith Street London W1D 4SF	Restaurant	Sunday; 12:00 - 22:30   Monday to Thursday; 10:00 - 23:30   Friday to Saturday; 10:00 - 00:00   Sundays before Bank Holidays; 12:00 - 00:00
22/11459/LIPRW	Naked Sexy Cafe	Ground Floor 10 - 11 Moor Street London W1D 5NE	Not Recorded	Sunday; 09:00 - 22:30   Monday to Thursday; 07:00 - 23:30   Friday to Saturday; 07:00 - 00:00
12/07550/LIPDPS	Karaoke Box	Ground Floor 18 Frith Street London W1D 4RQ	Club or institution	Sunday; 09:00 - 23:00   Monday to Wednesday; 09:00 - 02:00   Thursday to Saturday; 09:00 - 05:00
23/05285/LIPDPS	Hoppers	49 Frith Street London W1D 4SG	Restaurant	Sunday; 08:00 - 23:30   Monday to Saturday; 08:00 - 00:30
22/06120/LIPCH	Prince Edward Theatre	Prince Edward Theatre 28 Old Compton Street London W1D 4HS	Theatre	Monday to Sunday; 09:00 - 01:00
17/14701/LIPCH	Cay Tre (Soho)	42 - 43 Dean Street London W1D 4PZ	Restaurant	Monday to Sunday; 09:30 - 01:30
20/10972/LIPDPS	Wuns Tea Room	23 - 24 Greek Street London	Restaurant	Monday to Sunday; 09:00



		W1D 4DZ		- 03:30
23/00144/LIPCH	Ceviche	Basement And Ground Floor 17 Frith Street London W1D 4RG	Restaurant	Sunday; 12:00 - 01:00   Monday to Saturday; 10:00 - 01:30