



City of Westminster

Licensing Sub-Committee Report

Item No:	
Date:	8 February 2024
Licensing Ref No:	23/07941/LIPN - New Premises Licence
Title of Report:	Townhouse 129 Victoria Street London SW1E 6RD
Report of:	Director of Public Protection and Licensing
Wards involved:	Vincent Square
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	James Hayes Principal Licensing Officer
Contact details	Telephone: 020 7641 6500 Email: jhayes2@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	6 November 2023		
Applicant:	Townhouse Group Ltd		
Premises:	Townhouse		
Premises address:	129 Victoria Street London SW1E 6RD	Ward:	Vincent Square
		Cumulative Impact Area:	None
		Special Consideration Zone:	None
Premises description:	According to the application form, the applicant proposes to operate the premises premium nail salon and retail store.		
Premises licence history:	This is a new premises licence application and therefore no premises licence history exists.		
Applicant submissions:	On original submissions, the applicant proposed 17 conditions in their operating schedule.		
Applicant amendments:	<p>After the consultation period and following mediation the applicant proposed an updated set of conditions in their operating schedule. This can be found at Appendix 2.</p> <p>The full set of conditions can be found at Appendix 4.</p> <p>The applicant also amended the timings from:</p> <p>Sale of Alcohol (On sales only) Monday to Saturday: 09:00 to 23:00 Sunday: 09:00 to 22:30</p> <p>Opening Hours Monday to Sunday: 07:00 to 23:00</p> <p>To</p> <p>Sale of Alcohol (On sales only) Monday to Sunday: 09:00 to 21:00</p> <p>Opening Hours Monday to Sunday: 07:00 to 21:30.</p> <p>The hours for Retail Sale of Alcohol and Opening Hours are reflected in section 1-B of the report.</p>		

1-B Sale by retail of alcohol				On or off sales or both:			On
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	09:00	09:00	09:00	09:00	09:00	09:00	09:00
End:	21:00	21:00	21:00	21:00	21:00	21:00	21:00
Seasonal variations/ Non-standard timings:		None					

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	07:00	07:00	07:00	07:00	07:00	07:00	07:00
End:	21:30	21:30	21:30	21:30	21:30	21:30	21:30
Seasonal variations/ Non-standard timings:		None					
Adult Entertainment:		None					

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Environmental Health Service
Representative:	Ayesha Bolton
Received:	04 December 2023 (Withdrawn 04 December 2023)
<p>I refer to the application for a new Premises Licence for the above premises.</p> <p>The applicant has submitted floor plans of the premises.</p> <p>This representation is based on the plans and operating schedule submitted.</p> <p>The applicant is seeking the following:</p> <ol style="list-style-type: none"> To provide Supply of Alcohol On the premises Monday to Saturday 09.00 to 23.00 and Sunday 09.00 to 22.30 hours. <p>I have no objection to this application.</p> <p>The operating schedule includes the following works conditions:</p> <ol style="list-style-type: none"> No licensable activities shall take place at the premises until the premises has been assessed as satisfactory by the Environmental Health Consultation Team at which time this condition shall be removed from the Licence by the licensing authority. No licensable activities shall take at the premises until the capacity of the premises has been determined by the Environmental Health Consultation Team and the licensing authority has replaced this condition on the licence with a condition detailing the capacity so determined. 	

I have visited the premises and it was satisfactory. The works condition 16 above is not necessary and can be removed.

The maximum capacity for the premises has been agreed with the applicant to be 25 persons. Hence the works condition 17 above should be replaced with the following condition: "The number of persons permitted in the premises at any one time (excluding staff) shall not exceed 25 persons."

Due to the above condition being agreed with the applicant, the Environmental Health Service representation was withdrawn 04 December 2023.

2-A Other Persons	
Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Received:	14 November 2023
<p>Dear SirsThe proposed alcohol license would affect us differently if:</p> <p>a) The entrance and exit is on Victoria Street. This would not be so much of a problem for us, but I think the area already has many bars and pubs and an alcohol problem.</p> <p>b) This would be worse as the rear of the property in question - which already has a door onto Howick Place - is used by customers to enter or leave the premises. [REDACTED] [REDACTED]</p> <p>I believe the noise level, taking into consideration what I have witnessed in this area of Westminster, would be very difficult to live with. There is also the risk of anti-social behaviour after alcohol has been consumed in excess - which as I am sure you are aware is already a problem in this part of London. Further, as I understand it, it would be 7 days per week.</p> <p>Behind Victoria Street, it is mainly residential.</p> <p>I would be very grateful if the council would take into consideration all of our buildings' residents who are in the same situation as we are. Thank you for your kind consideration.</p>	

3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
Policy HRS1 applies	<p>A. Applications within the core hours set out below in this policy will generally be granted for the relevant premises uses, subject to not being contrary to other policies in the Statement of Licensing Policy.</p> <p>B. Applications for hours outside the core hours set out in Clause C will be considered on their merits, subject to other relevant policies, and with particular regard to the following:</p> <ol style="list-style-type: none">1. The demonstration of compliance in the requirements of policies CD1, PS1, PN1 and CH1 associated with the likelihood of the effect of the grant of a licence for later or earlier hours on crime and disorder, public safety, public nuisance and the protection of children from harm.2. If the application is located within a Special Consideration Zone they have demonstrated that they have taken account of the issues

identified in that area and provided adequate mitigation.

3. Whether there is residential accommodation in the proximity of the premises that would likely be adversely affected by premises being open or carrying out operations at the hours proposed.
4. The proposed hours of the licensable activities and when customers will be permitted to remain on the premises.
5. The proposed hours when any music, including incidental music, will be played.
6. The hours when customers will be allowed to take food or drink outside the premises or be within open areas which form part of the premises.
7. The existing hours of licensable activities and the past operation of the premises (if any) and hours of licensable premises in the vicinity.
8. Whether customers and staff have adequate access to public transport when arriving at and leaving the premises, especially at night.
9. The capacity of the premises.
10. The type of use, recognising that some venues are more likely to impact the licensing objectives than others; for example, pubs and bars are higher risk than theatres, cinemas and other cultural and sporting venues due to the nature of the operation.
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 this application for each premises use type as defined within this policy are:

11a. Shops (all licensable activities that are provided as ancillary to the primary use of the premises as a shop except the off sale of alcohol)

Monday to Thursday: 9am to 11.30pm.

Friday and Saturday: 9am to Midnight.

Sunday: 9am to 10.30pm.

Sundays immediately prior to a bank holiday: 9am to Midnight.

11b. Shops (off-sales of alcohol where it forms either the ancillary or primary use of the premises)

	<p>Monday to Saturday: 8am to 11pm. Sunday: 9am to 10.30pm.</p>
<p>Policy SHP1 applies</p>	<p>A. Applications for a shop outside the West End Cumulative Impact Zone will generally be granted subject to:</p> <ol style="list-style-type: none"> 1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1. 2. The hours for licensable activities are within the council's Core Hours Policy HRS1. 3. The operation of any delivery services for alcohol meeting the council's Ancillary Alcohol and/or Latenight Refreshment Delivery Service Policy DEL1. 4. The applicant having taken account of the Special Consideration Zone Policy SCZ1 if the premises are located within a designated zone. 5. The application and operation of the venue meeting the definition of a shop in Clause C. <p>B. Applications for a shop inside the West End Cumulative Impact Zone will be considered on their own merits and subject to:</p> <ol style="list-style-type: none"> 1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1. 2. The hours for licensable activities are within the council's Core Hours Policy HRS1. 3. The operation of any delivery services for alcohol meeting the council's Ancillary Alcohol and/or Latenight Refreshment Delivery Service Policy DEL1. 4. The applicant having demonstrated that they will not add to cumulative impact within the Cumulative Impact Zone. 5. The application and operation of the venue meeting the definition of a shop in Clause C. <p>C. For the purposes of this policy:</p> <ol style="list-style-type: none"> 1. A shop is defined as a stall, vehicle, vessel, temporary structure, building or part of a stall, vehicle, vessel, temporary structure or building where the primary activity is the sale of goods or services to customers upon payment. 2. The licensable activities for the sale of alcohol for consumption on the premises, regulated entertainment and/or late night refreshment must be ancillary to the primary use of the premises as a shop. 3. The licensable activity of the sale of alcohol for consumption off the premises must be an ancillary function to the primary use of the premises unless that primary use is to sell alcohol for consumption off the premises, e.g. a traditional off licence.

4. Equality Implications

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

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

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

5. Appendices

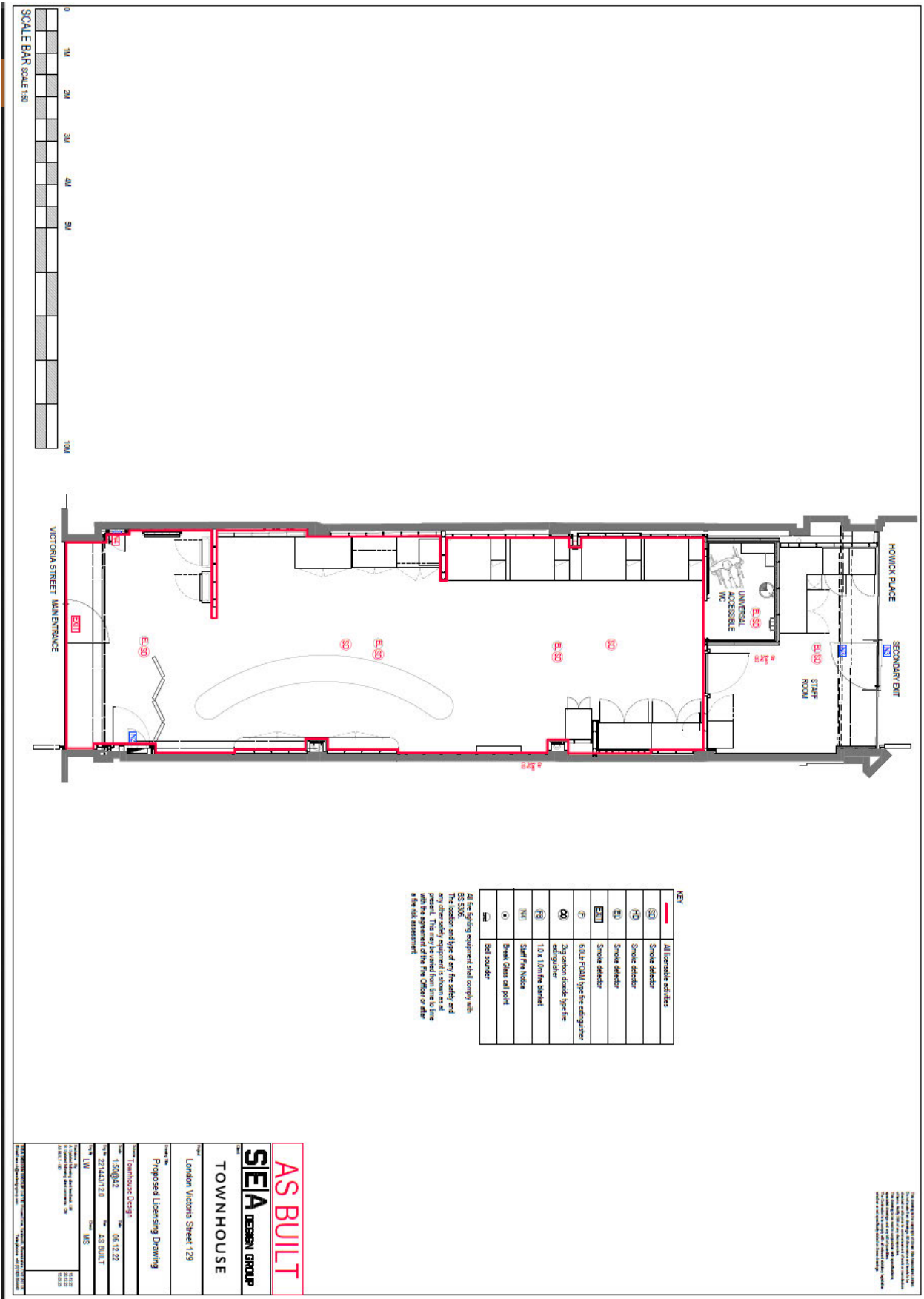
Appendix 1	Premises plans
Appendix 2	Applicant supporting documents
Appendix 3	Premises history
Appendix 4	Proposed conditions
Appendix 5	Residential map and list of premises in the vicinity

Report author:	James Hayes Principal Licensing Officer
Contact:	Telephone: 020 7641 6500 Email: jhayes2@westminster.gov.uk

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

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

1	Licensing Act 2003	N/A
2	City of Westminster Statement of Licensing Policy	01 October 2021
3	Amended Guidance issued under section 182 of the Licensing Act 2003	December 2022
4	Environmental Health Service (withdrawn 04 December 2023)	04 December 2023
5	Representation 1	14 November 2023



Thomas & Thomas
Partners LLP

**Townhouse
129 Victoria Street
SW1E 6RD**

SUMMARY OF PROPOSALS

**THOMAS & THOMAS PARTNERS LLP
38A MONMOUTH STREET
LONDON
WC2H 9EP**

**Solicitors for the
Applicant/TOW.2.9**

Introduction

1. Townhouse is a luxury nail and beauty salon founded by Junaita Huber-Millet in 2018, and run together with her husband. The concept flourished, and they have now expanded to over 30 salons nationwide.
2. Three Townhouse salons in Westminster are already licensed for alcohol: 88 Great Portland Street, 6 Slingsby Place and 120 Edgware Road – all authorising sales until 10pm or 11pm. The licences for Slingsby Place and Edgware Road were only granted very recently, but the Great Portland Street premises has been licensed for alcohol since 2018, and has operated without any issues since.
3. The company is applying here for a premises licence for the salon at 129 Victoria Street (the “Premises”). As shown below, the salon is already open and operating (without alcohol), with a special treatments licence covering the nail services (licence reference 23/00894/LIMSTN).



The Application

4. The application seeks permission for sales of alcohol for consumption on the Premises only, 09:00 to 21:00, Monday to Sunday, with closing by 21:30.
5. Alcohol will only be for people receiving or waiting to receive treatments, and will be ancillary to the primary use as a nail and beauty salon at all times. Two conditions have been proposed to guarantee this:

- 1) *The licensable activities authorised by this licence and provided at the premises shall be ancillary to the main function of the premises as a nail and beauty salon.*
- 2) *The sale of alcohol shall be limited to customers who are receiving or waiting to receive treatments.*

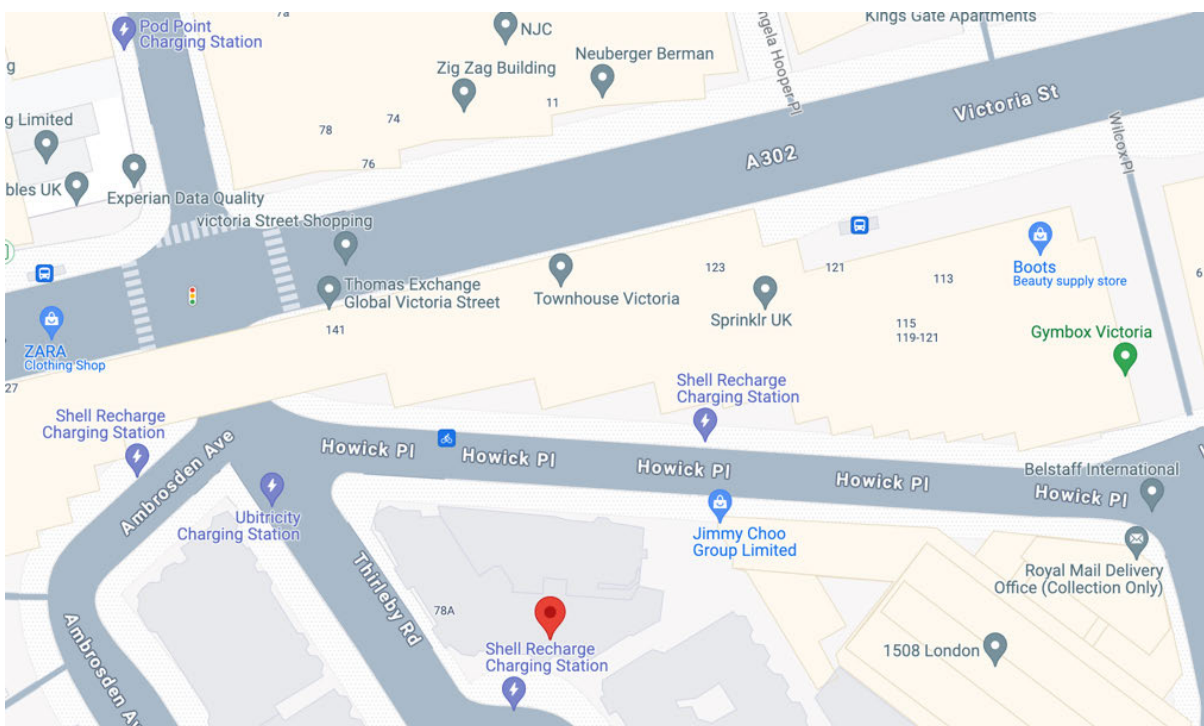
6. Off sales are not requested, and neither is regulated entertainment – and the alcohol hours are well within the City Council’s Core Hours for shops, which match those for restaurants at 09:00 to 23:30 Monday to Thursday, 00:00 Friday & Saturday and 22:30 Sunday.

Environmental Health

7. Following correspondence with Ayesha Bolton of Environmental Health, a site visit was completed on 4 December 2023, where the Premises were deemed satisfactory and “signed-off” ready to permit licensable activities should the licence be granted. A maximum capacity of 25 persons excluding staff has also been agreed. The other responsible authorities have no concerns.

objection

8. A single [REDACTED] has objected, [REDACTED]



9. The [REDACTED] indicated in their representation that [REDACTED]

█, and were concerned about customers entering and exiting the premises via the door at the back of the Premises. That rear door is shown in the image below:



10. They expanded further in correspondence that they did not think the 10pm cut-off for having the rubbish collected would be enforced, and elaborated that they *“really can’t believe that women cannot get their nails ‘done’ without the need for alcohol. It is approximately a 45 minute process. Society is in a sorry state.”*
11. The applicant took the concerns on board, and offered to:
 - (a) reduce alcohol to 21:00 all week, with closing by 21:30 (having asked for 23:00 Monday to Saturday and 22:30 on Sunday in the original application, which was already earlier than Core Hours);
 - (b) tighten the waste and servicing conditions further, so as to prohibit collections or deliveries, or the moving of waste, between 08:00 and 21:30 (which goes significantly beyond the Council’s model conditions, which propose a window of 08:00 and 23:00); and
 - (c) add a condition that prohibits customers from ever using the rear door on Horwick Place, except in an emergency - ensuring that customers can only access the Premises via Victoria Street, far out of sight and earshot of the resident’s windows.

12. This proposal was met with hostility, with the objector asserting that, rather than the company offering a glass of alcohol before a treatment: *"I would suggest the client having a manicure or pedicure turn up on time and therefore not have to wait. And the business become professional and not keep customers waiting."*
13. This correspondence is enclosed for the Sub-Committee. A revised application summary showing the changes to the hours and the conditions is also enclosed for the Sub-Committee, with the amendments shown in track changes.

Policy

Shops Policy SHP1

14. The Premises is located outside the Victoria Special Consideration Zone.
15. The nature of the business and the conditions offered mean the Premises are within the definition of a shop in SHP1, as a *"building where the primary activity is the sale of goods or services to customers for payment"*¹ and where alcohol is to be *"ancillary to the primary use of the premises as a shop."*²
16. SHP1.A says that applications such as this will *"generally be granted"*:
- "A. Applications for a shop outside the West End Cumulative Impact Zone will generally be granted subject to:*
- (1) The application meeting the requirements of CD1, PS1, PN1 and CH1.*
 - (2) The hours for licensable activities are within the Council's Core Hours Policy HRS1.*
 - (3) The operation of any delivery services for alcohol meeting the council's Ancillary Alcohol and/or Latenight Refreshment Delivery Service Policy DEL1.*
 - (4) The applicant having taken account of the Special Consideration Zone Policy SCZ1 if the premises are located within a designated zone.*
 - (5) The application and operation of the venue meeting the definition of a shop in Clause C.*
17. Limbs (3) and (4) are not in point here – and the rest are all satisfied, as the application promotes the licensing objectives by offering a suite of conditions that go significantly beyond the Council's own benchmarks.

¹ SHP1.C.1

² SHP1.C.2

18. Contrary to the [REDACTED] suggestion that a proposal to sell alcohol is indicative of a lack of business professionalism, the policy makes clear (at F144) that “[t]he Licensing Authority is keen to support shops who wish to offer ancillary licensable activities to the main purpose of their shop” and (at F145) that common examples of where it is envisaged this would be appropriate include “*boutique[s] [...], hairdressers, massage parlours, or anything of a similar nature where the primary use is the purchase of goods by customers or to provide a service.*”

Conclusion

19. This is an application to permit a premium nail and beauty salon to offer ancillary alcohol alongside their treatments, and will allow a dynamic new business to continue its successful operation in Westminster. It is carefully conditioned and supported by policy, even before the significant amendments offered to address the [REDACTED] stated concerns.

Thomas & Thomas Partners LLP

January 2024

Application for Premises Licence

Townhouse
129 Victoria Street, London, SW1E 6RD

Proposed Hours

Sale of Alcohol (On sales only)	Monday to Sunday Saturday: 09:00 to 21:00 23:00 Sunday: 09:00 to 22:30
Opening Hours	Monday to Sunday: 07:00 to 23:00 21:30

Applicant: Townhouse Group Limited

Description: Premium nail salon and retail store. To allow the ancillary sale of alcohol for consumption on the premises only.

Proposed Conditions:

1. The licensable activities authorised by this licence and provided at the premises shall be ancillary to the main function of the premises as a nail and beauty salon.
2. The sale of alcohol shall be limited to customers who are receiving or waiting to receive treatments.
3. All staff engaged or to be engaged in the sale of alcohol on the premises will be trained in age restricted sales to require evidence of age from any person seeking to buy alcohol and appearing to be under the age of 18.
4. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognized photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
5. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by the police or authorised officer of the Council as soon as practicable on request.
6. CCTV:
 - (a) The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team.
 - (b) All entry and exit points will be covered enabling frontal identification of every person entering in any light condition.
 - (c) The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises and will include the external area immediately outside the premises entrance.
 - (d) All recordings shall be stored for a minimum period of 31 days with date and time stamping.
 - (e) Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31-day period.

7. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
8. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke or make a phone call, shall not be permitted to take alcoholic beverages with them.
9. There shall be no sales of alcohol for consumption off the premises.
10. There shall be no self-service of alcohol.
11. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
12. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between ~~21:30~~~~22:00~~ hours and 08.00 hours on the following day.
13. No collections of waste or recycling materials (including bottles) from the premises shall take place between ~~21:30~~~~22:00~~ hours and 08.00 on the following day.
14. No deliveries to the premises shall take place between ~~21:30~~~~22:00~~ hours and 08.00 hours on the following day.
15. Save for private pre-booked events, the supply of alcohol shall be to persons seated only.
16. The number of persons permitted in the premises at any one time (excluding staff) shall not exceed 25 persons.
17. Save for emergencies, customers shall only enter or exit from the main door onto Victoria Street.

~~Works conditions (to be removed prior to licensable activities taking place):-~~

- ~~15. No licensable activities shall take place at the premises until the premises has been assessed as satisfactory by the Environmental Health Consultation Team at which time this condition shall be removed from the Licence by the licensing authority.~~
- ~~16. No licensable activities shall take at the premises until the capacity of the premises has been determined by the Environmental Health Consultation Team and the licensing authority has replaced this condition on the licence with a condition detailing the capacity so determined.~~

Subject: Re: RE: Licensing Sub Committee, 08 February 2024 - Townhouse, 129 Victoria Street, 23/07941/LIPN
Date: Monday, 29 January 2024 at 21:56:07 Greenwich Mean Time
From: Will Robinson
To: Hayes, James: WCC
Attachments: image001.png

From: Hayes, James: WCC [REDACTED]
Sent: Tuesday, January 16, 2024 11:32 AM
To: Ryan Peermamode [REDACTED]
Subject: RE: 23/07941/LIPN, Townhouse, 129 Victoria Street

Thanks for the below Ryan, I will share with the Objector today.

I'll let you know once I get a response.

James

From: Ryan Peermamode [REDACTED]
Sent: Friday, January 12, 2024 2:29 PM
To: Hayes, James: WCC [REDACTED]
Subject: RE: 23/07941/LIPN, Townhouse, 129 Victoria Street

Hi James

Hope all's well. Excuse the delay here.

I have taken instructions and attach an amended schedule which notes:-

1. Reduced terminal hour to 21:00 all week, closing 30 minutes thereafter;
2. Restrict delivery or waste collections not between 21:30 to 08:00 hours. NB There is an internal communal waste storage and collection point for the wider building. No waste is placed on the street from Townhouse;
3. Include condition preventing customer use of the rear door onto Howick Pl, save for emergencies; and
4. Maximum capacity now agreed at 25 persons.

Lastly to note, as there are no other objections from either residents or a responsible authority, it would be desirable to reach agreement without need for a hearing to save council resources.

I would be grateful if you could pass onto the objector for their comment.

Thanks again

Ryan

From: Ryan Peermamode
Sent: 08 December 2023 10:46
To: Hayes, James: WCC [REDACTED]
Subject: RE: 23/07941/LIPN, Townhouse, 129 Victoria Street

Great! I'll take instruction and aim to get something over to you to forward on next week.

Thanks James

Ryan

From: Hayes, James: WCC [REDACTED]
Sent: Friday, December 8, 2023 9:12 AM
To: Ryan Peermamode <[REDACTED]>
Subject: RE: 23/07941/LIPN, Townhouse, 129 Victoria Street

Good morning Ryan, the objector has responded and confirmed they wish to maintain their objection and did not want me to pass over their private details in order for them to contact you directly.

If there are further details relevant to the objection that you would like to pass on through me, I am more than happy to assist.

Feel free to give me a call if you need further details.

Kind regards,

James Hayes
Principal Officer – Premises Licensing
Environment, Climate and Public Protection
Westminster City Council
15th Floor City Hall
64 Victoria Street
London SW1E 6QP
Tel: [REDACTED]
westminster.gov.uk



From: Hayes, James: WCC
Sent: Thursday, December 7, 2023 11:35 AM
To: Ryan Peermamode [REDACTED]
Subject: RE: 23/07941/LIPN, Townhouse, 129 Victoria Street

Hi Ryan, I have reached out to the objector this morning seeking consent to share their email. Their address is

[REDACTED]

I have also provided your details in order they may wish to contact you directly to assist mediation.

I'll speak with you again as soon as I have another update.

Kind regards,

James Hayes

Principal Officer – Premises Licensing
Environment, Climate and Public Protection
Westminster City Council
15th Floor City Hall
64 Victoria Street
London SW1E 6QP
Tel: [REDACTED]
westminster.gov.uk



City of Westminster

From: Ryan Peermamode [REDACTED]
Sent: Thursday, December 7, 2023 10:54 AM
To: Hayes, James: WCC <[REDACTED]>
Subject: RE: 23/07941/LIPN, Townhouse, 129 Victoria Street

Hi James

Thanks for correspondence with this.

Are you able to share the objector's details and email address so we may reach out directly?

Thanks

Ryan

Ryan Peermamode
CILEX Paralegal

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

From: Hayes, James: WCC <[REDACTED]>
Sent: Wednesday, December 6, 2023 9:53 AM
To: Ryan Peermamode [REDACTED]
Subject: RE: 23/07941/LIPN, Townhouse, 129 Victoria Street

Hi Ryan, I hope you're well. I have heard back from the [REDACTED], who has provided the below. [REDACTED]

I have written back to them regarding the process from here, and seeking further options for agreement prior to a hearing. I will keep you posted.

Thank you for your comprehensive response to my concerns.

However, I really can't believe that women cannot get their nails 'done' without the need for alcohol. It is approximately a 45 minute process. Society is in a sorry state.

I assume this will lead to groups of women deciding to party in Townhouse before a night out or it could be used for the first stop on a hen night?

In my experience too, this license will lead in the future to further developments at Townhouse. A food license perhaps? Or a change of use to a bar eventually?

Who is going to police the garbage being put out after 22.00hrs. As I said [REDACTED] are overlooking Townhouse and as we work during the day [REDACTED] And you say that is the latest they will put it out. We already hear delivery people for the shop rear entrances on Howick Place banging crates around, and hydraulics on tail gates on trucks in the early hours. The people who look after the bicycles also make a huge amount of noise.

So to answer your question I am sorry to be difficult but my fears are not allayed and I would NOT like the license to be granted.

I believe unless one is a [REDACTED] in the vicinity one cannot understand how this would affect our lives.

Thank you for your understanding.

[REDACTED]

Feel free to give me a call if you would like to discuss further.

Kind regards,

James Hayes
Principal Officer – Premises Licensing
Environment, Climate and Public Protection
Westminster City Council
15th Floor City Hall
64 Victoria Street
London SW1E 6QP
Tel: [REDACTED]
westminster.gov.uk



From: Ryan Peermamode [REDACTED]
Sent: Tuesday, December 5, 2023 6:01 PM
To: Hayes, James: WCC <[REDACTED]>
Subject: RE: 23/07941/LIPN, Townhouse, 129 Victoria Street

Thank you James and sorry I has missed call earlier

Please let me know once you hear back from the [REDACTED]. I can then take further instructions if required.

Thanks

Ryan

Ryan Peermamode

CILEX Paralegal

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

[REDACTED]

From: Hayes, James: WCC [REDACTED]
Sent: Tuesday, December 5, 2023 9:54 AM
To: Ryan Peermamode [REDACTED]
Subject: 23/07941/LIPN, Townhouse, 129 Victoria Street

Dear Ryan, I write regarding the above application, which had a last date for objection of 04 December 2023. We have received 2 representations to the application, one from Environmental Health (which you have received and covers capacity), and one from [REDACTED] which is provided below:

Comments: 14/11/2023 1:22 PM Dear Sirs, The proposed alcohol license would affect us differently if:

- a) The entrance and exit is on Victoria Street. This would not be so much of a problem for us, but I think the area already has many bars and pubs and an alcohol problem.
- b) This would be worse as the rear of the property in question - which already has a door onto Howick Place - is used by customers to enter or leave the premises. [REDACTED]

I believe the noise level, taking into consideration what I have witnessed in this area of Westminster, would be very difficult to live with. There is also the risk of anti-social behaviour after alcohol has been consumed in excess - which as I am sure you are aware is already a problem in this part of London. Further, as I understand it, it would be 7 days per week.

Behind Victoria Street, it is mainly residential.

I would be very grateful if the council would take into consideration all of our buildings' [REDACTED] who are in the same situation as we are. Thank you for your kind consideration.

Sincerely,

I have forwarded the proposed conditions you included with the application to the [REDACTED] to assist with mediation, and asked whether they address the concerns raised. Once I hear back from the [REDACTED], I will contact you again. Alternatively, if there are any further conditions you may like to consider, please let me know and I will forward these on.

Please let me know if I can be of further assistance.

Kind regards,

James Hayes
Principal Officer – Premises Licensing
Environment, Climate and Public Protection
Westminster City Council
15th Floor City Hall
64 Victoria Street
London SW1E 6QP
[REDACTED]
westminster.gov.uk



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Subject: FW: RE: Licensing Sub Committee, 08 February 2024 - Townhouse, 129 Victoria Street, 23/07941/LIPN
Date: Monday, 29 January 2024 at 21:57:31 Greenwich Mean Time
From: Will Robinson
Attachments: image001.png

From: Hayes, James: WCC [REDACTED]
Date: Friday, 19 January 2024 at 09:00
To: Ryan Peermamode [REDACTED]
Subject: RE: Licensing Sub Committee, 08 February 2024 - Townhouse, 129 Victoria Street, 23/07941/LIPN

Dear Ryan, please see below:

I have read the proposed amendments to the license application. It would seem that the applicant agrees with [REDACTED] that the proposed license, should it be granted, would indeed cause an upset locally evident in his willingness to make changes.

However, the [REDACTED] in our building are still not in favour of an alcohol license in a nail salon adjacent to our homes, let alone a license to serve alcohol at 09.00 hrs.

There are many drinking venues on Victoria street and many alcoholics lying in the streets to prove it.

I would suggest the client having a manicure or pedicure turn up on time and therefore does not have to wait. And the business become professional and not keep customers waiting.

So sorry but we in the building cannot oblige.

Thank you for your understanding.

There is no licence or appeal history for the premises.

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

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

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

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

Mandatory Conditions

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

objective;

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

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

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

Conditions consistent with the operating schedule

9. The licensable activities authorised by this licence and provided at the premises shall be ancillary to the main function of the premises as a nail and beauty salon.
10. The sale of alcohol shall be limited to customers who are receiving or waiting to receive treatments.
11. All staff engaged or to be engaged in the sale of alcohol on the premises will be trained in age restricted sales to require evidence of age from any person seeking to buy alcohol and appearing to be under the age of 18.
12. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognized photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
13. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by the police or authorised officer of the Council as soon as practicable on request.
14. CCTV:
 - (a) The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team.
 - (b) All entry and exit points will be covered enabling frontal identification of every person entering in any light condition.
 - (c) The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises and will include the external area immediately outside the premises entrance.
 - (d) All recordings shall be stored for a minimum period of 31 days with date and time stamping.
 - (e) Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31-day period.
15. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
16. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke or make a phone call, shall not be permitted to take alcoholic beverages with them.
17. There shall be no sales of alcohol for consumption off the premises.
18. There shall be no self-service of alcohol.
19. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
20. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 21.30 hours and 08.00 hours on the following day.
21. No collections of waste or recycling materials (including bottles) from the premises shall take place between 21.30 and 08.00 on the following day.
22. No deliveries to the premises shall take place between 21:30 and 08.00 hours on the

following day.

23. Save for private pre-booked events, the supply of alcohol shall be to persons seated only.

24. Save for emergencies, customers shall only enter or exit from the main door onto Victoria Street.

Conditions proposed by Environmental Health and agreed by applicant to form part of the operating schedule

25. The number of persons permitted in the premises at any one time (excluding staff) shall not exceed 25 persons.

129 Victoria Street



Resident Count: 86

Licensed premises within 75m of 129 Victoria Street, London				
Licence Number	Trading Name	Address	Premises Type	Time Period
23/04504/LIPDPS	Hotel Chocolat	133 Victoria Street London SW1E 6RD	Shop	Monday to Sunday; 08:00 - 23:00
22/06775/LIPDPS	Ivy Collection	66 Victoria Street London SW1E 6SQ	Restaurant	Friday to Saturday; 07:00 - 00:30 Sunday to Thursday; 07:00 - 00:00 Sundays before Bank Holidays; 07:00 - 00:30
23/08392/LIPDPS	Iberica	Zig Zag Building 70 Victoria Street London SW1E 6SQ	Restaurant	Friday to Saturday; 10:00 - 00:30 Sunday to Thursday;

				10:00 - 00:00 Sundays before Bank Holidays; 10:00 - 00:30
23/09195/LIPRW	Lane 7	Zig Zag Building 70 Victoria Street London SW1E 6SQ	Indoor bowling centre	Sunday; 12:00 - 23:00 Monday to Thursday; 10:00 - 00:00 Friday to Saturday; 10:00 - 00:30
23/04190/LIPN	Bam Karaoke Box	74 Victoria Street London SW1E 6SQ	Night clubs and discos	Sunday; 09:00 - 23:30 Monday to Tuesday; 09:00 - 00:30 Wednesday to Saturday; 09:00 - 01:30
23/02561/LIPT	M W Restaurants	Kingsgate House 66 - 74 Victoria Street London SW1E 6SQ	Restaurant	Friday to Saturday; 07:00 - 00:30 Sunday to Thursday; 07:00 - 00:00